

**STATE OF TEXAS  
COUNTY OF BEXAR  
CITY OF SAN ANTONIO**

**A WORK SESSION AND REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO WERE HELD IN THE MUNICIPAL PLAZA BUILDING, WEDNESDAY, OCTOBER 10, 2012, AND OCTOBER 11, 2012, RESPECTIVELY.**

The San Antonio City Council convened in a Work Session at 2:00 pm Wednesday, **October 10, 2012**, Municipal Plaza Building, with the following Councilmembers present: Bernal, Taylor, Ozuna, Saldaña, Lopez, C. Medina, Williams, Chan, Soules, and Mayor Castro. **ABSENT:** D. Medina.

**1. BRIEFING AND DISCUSSION ON A PROPOSED ORDINANCE THAT WOULD CREATE A BOARDING HOME REGISTRATION AND ANNUAL INSPECTION PROGRAM.**

Assistant City Manager David Ellison presented key findings and challenges related to the creation of a Boarding Home Registration and Annual Inspection Program. He stated that it was a complex policy issue and that the majority of States and Cities throughout the US do not regulate boarding homes. He reported that strong advocacy positions existed on all sides of the issue and that finding boarding homes was a serious challenge. He noted that staff recommendations were based on State Model Standards and focus on Life Safety Standards. He mentioned that \$750,000 was included in the FY 2013 Budget to implement the ordinance once adopted.

Rod Sanchez, Development Services Director provided a Legislative History of boarding homes noting that the Health and Human Services Commission had established model standards in 2010. He outlined the definition of a boarding home: 1) Serves the elderly and disabled population; 2) Houses at least three individuals unrelated to the owner by blood or marriage; and 3) Provides basic level of care for residents. He explained that Congregated Living Facilities were defined by the Unified Development Code and includes unlicensed boarding homes. He highlighted existing relevant City Codes such as Building, Fire and Technical Codes, Minimum Property Maintenance Code, and the Unified Development Code.

Mr. Sanchez outlined the State's Model Boarding Home Standards related to construction, remodeling, sanitary conditions, reporting of injuries and accidents, assistance with self-administration of medicine, education of facility staff, criminal background checks, and assessment of residents. He highlighted standards of the ordinances adopted by the Cities of El Paso and Dallas. He reported that staff recommends that the City of San Antonio Ordinance focus on core requirements: 1) Structure Safety; 2) Property Maintenance; 3) Kitchen/Food Handling Safety; and 4) Appropriate Zoning. Additionally, annual inspections be conducted and a permit fee should be assessed. He mentioned that key health and safety requirements would include fire sprinklers, commercial electrical wiring, and minimum occupancy spacing. He spoke of the owner/operator/employee requirements in which initial and follow-up assessments of residents must be conducted and written service agreements should be established with each resident. He indicated that there should be 24-hour on-site supervision and training for employees. Furthermore, criminal background checks should be conducted on owners, operators and employees. The single family zoning district maximum of five residents is recommended to increase to six residents for consistency with State Law.

Mr. Sanchez stated that staff did not recommend additional local regulations for Assisted Living Facilities that are regulated by the State Department of Aging and Disability Services (DADS). He noted that staff would continue to enforce existing regulations for Assisted Living Facilities. He mentioned that the proposed effective date of the ordinance would be March 1, 2013 with an additional year for compliance with commercial electrical wiring and fire sprinkler requirements. He stated that \$140,000 was allocated for relocation of displaced residents. He highlighted additional options that staff was not recommending to include specific requirements for the structure and furnishings, water quality inspections, set meal times, and nutritionally balanced meals. He reported that they would engage boarding home owners and the general public and continue to collaborate with other governmental agencies and stakeholder groups.

Mayor Castro thanked staff for the presentation. He asked of the \$750,000 allocated in the FY 2013 Budget. Mr. Sanchez replied that it would cover the staff recommended positions and relocation assistance for displaced residents. Ms. Sculley added that it was an estimate and would need experience to determine if it was sufficient. Mayor Castro stated that he would like to ensure the safety of the residents of boarding homes.

Councilmember Bernal thanked staff for the presentation and asked how the city would know that fire drills are being conducted. Mr. Sanchez replied that verification would be self-reported. Councilmember Bernal stated that he was pleased with the provision that there must be 24-hours per day on-site supervision. He noted that there was an issue with cigarettes, lighters, and ashes within boarding homes and staff should take that into account. He asked of the Zoning Occupancy Limitation. Mr. Sanchez replied that they were currently limited to five residents but would be increased to six to be consistent with State Law. Michael Bernard stated that the issue would be challenged if the City requires fewer residents than the State allows. Mr. Ellison added that there was a square foot requirement per person. Councilmember Bernal asked if the ordinance included a stipulation that an operator with a suspended or revoked license could not open another facility. Mr. Sanchez confirmed that the provision was included in the ordinance.

Councilmember Lopez asked how often inspections would occur. Mr. Sanchez replied that inspections would be conducted once a year. Councilmember Lopez asked how facilities would be managed if they began providing services of Assisted Living Facilities. Mr. Bernard replied that the City Attorney would have the authority to require them to obtain an Assisted Living License. Councilmember Lopez asked who was responsible for making the determination on the health care aspect. Melody Woosley stated that there is not a State or Local Agency to perform that duty. She noted that a Licensed Social Worker or Nurse could make health determinations. Councilmember Lopez asked how many of these types of employees the city would need. Mr. Ellison stated that this level of employee was not included in the city's model standard. Councilmember Lopez spoke of the need to identify an agency to perform the service.

Councilmember Taylor stated that she was pleased that staff was moving forward but asked that staff be mindful of vulnerable and transitional neighborhoods. She asked of the definition of a community home. John Jacks replied that a community home had a higher level of care than a boarding home and administered medication. He stated that they assisted with bathing and feeding and were licensed by the State. He added that it was defined by the number of residents and was a type of Assisted Living Facility. Councilmember Taylor asked how the initial and follow-up assessments of residents would be

verified. Mr. Sanchez replied that it would be verified during the annual inspection. Councilmember Taylor asked of the training that Code Officers would receive. Mr. Sanchez responded that they would work with agencies such as DADS and Adult Protective Services to help recognize concerns such as cruelty or residents that may not be able to perform certain actions. Councilmember Taylor asked of the training that boarding homes would provide for their employees. Mr. Sanchez replied that they would be required to maintain a training log. Councilmember Taylor asked of the outreach that had been conducted and that would be conducted in the future. Mr. Sanchez responded that they had discussions with the National Alliance of Mentally Ill (NAMI), DADS, Adult Protective Services, and the Alamo Area Council of Governments (AACOG). Mr. Ellison added that they would work with the City Council and Neighborhood Associations to solicit community feedback. Councilmember Taylor expressed concern that the public may not understand what the city is authorized to do. Ms. Sculley stated that a comprehensive communication plan would have to be developed. Councilmember Taylor asked of resolving Fair Housing Issues related to boarding homes within neighborhoods. Mr. Bernard replied that boarding homes cannot be restricted within residential neighborhoods.

Councilmember C. Medina thanked staff for their work and asked how the issue could now be addressed since there had been a road block from the Fair Housing Department in 2011. Mr. Bernard replied that the boarding home fire had occurred since that time and that additional time had passed. He stated that the issue had not been resolved and that legal implications still remained, however; it did not take away from the policy imperative to do something. Councilmember C. Medina confirmed that the policy discussion was limited to boarding homes and did not include Assisted Living Facilities. Mr. Bernard confirmed same. Councilmember C. Medina spoke of the potential of addressing the issue through the Legislature. Carlos Contreras replied that the Legislature was not likely to take the issue back as they gave it to cities to address. Councilmember C. Medina asked of education and outreach that would be conducted. Mr. Sanchez replied that they would develop a comprehensive communication plan. Ms. Sculley added that the ordinance effective date would be March 2013 to allow for compliance.

Councilmember Ozuna thanked staff for the presentation and asked of the requirements for receiving a Certificate of Occupancy (C of O). Mr. Sanchez replied that a team of inspectors would ensure that building and fire codes are met and that having more than three occupants required a C of O. He stated that a permit was also required and must be reviewed annually to ensure that codes are being met. Councilmember Ozuna asked of the occupancy and spacing requirements. Mr. Sanchez stated that the zoning requirement only authorized five residents and staff was recommending increasing the number to six residents. He explained that there was a requirement of 70 square-feet per resident for a single occupancy room and 50 square-feet per resident for multiple occupancy rooms. Councilmember Ozuna asked of the cost for commercial electrical wiring. Mr. Sanchez replied that he estimated the cost to be \$10,000.

Councilmember Soules asked of the penalties for the homes that have permits but break the rules. Mr. Sanchez replied that it depended on the infraction and fines range from \$500 to \$2,000 per day. Councilmember Soules asked of the penalty for operating a boarding home without a permit. Mr. Sanchez stated that the home could be closed down. Mr. Bernard noted that they would file a case in civil court and that penalties in the amount of \$500 per day would be assessed. He added that the case would be filed against the owner. Councilmember Soules asked of the zoning distance requirement between boarding homes. Mr. Sanchez replied that there was a half-mile radius required between boarding homes. Councilmember Soules suggested that the city work with the Department of Housing and Urban Development on regulations to allow more enforcement.

Councilmember Saldaña asked of moving forward after March 1, 2013. Mr. Sanchez replied that boarding homes should register before March 1, 2013 and the city would provide them a one-year period to become compliant with commercial electrical wiring and fire sprinkler requirements.

### **EXECUTIVE SESSION**

The Executive Session was not held.

- A. DELIBERATE THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY AND DISCUSS RELATED LEGAL ISSUES PURSUANT TO TEXAS GOVERNMENT CODE SECTIONS 551.072 (REAL PROPERTY) AND 551.071 (CONSULTATION WITH ATTORNEY).**
- B. DELIBERATIONS REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS AND DISCUSS RELATED LEGAL ISSUES PURSUANT TO TEXAS GOVERNMENT CODE SECTIONS 551.087 (ECONOMIC DEVELOPMENT) AND 551.071 (CONSULTATION WITH ATTORNEY).**

### **RECESSED**

Mayor Castro recessed the meeting at 3:31pm and announced that the meeting would resume at 6:00 pm for Citizens to be Heard.

### **CITIZENS TO BE HEARD**

Mayor Pro Tem Saldaña reconvened the meeting at 6:00 pm and called upon the individuals registered to speak.

Nazirite Ruben Flores Perez referenced the Book of Revelations in The Bible and spoke of Chapter 12 Verse 3. He stated that the seven-headed dragon had the authority to take over the Earth. He noted that he had attended the Kelly Restoration Advisory Board Meeting the previous day and spoke of their efforts to clean the water in the area.

Mark Perez expressed concern that the laws of the city were not being enforced. He spoke of issues with Tetco and asked why San Antonio Police Officers do not respond to his requests. He noted that the business at 4702 Goldfield was located in an I-1 Zoning and referenced concerns with the Stinson Overlay District.

Genevieve Perez, Stablewood Homeowner stated that she was supportive of Pre-Kindergarten Education. She expressed concern with a meeting held with a representative of the City Manager's Office and indicated that they had been trying to meet with Mayor Castro. She thanked Councilmembers Bernal, Saldaña and Lopez for being interested in their concerns.

Felix Perez, Stablewood Homeowner stated that they were hard workers and hoped the City Council could assist them in getting D R Horton to buy their homes back.

Gilbert Luevano, Stablewood Homeowner expressed concern with health and foundation issues with his home and asked the City Council to hold D R Horton accountable.

Gizelle Luevano, Stablewood Homeowner requested that a Lemon Law for new homes be passed. She spoke of the many issues with their homes and noted that her American Dream had been shattered. She requested a meeting with Mayor Castro and the City Manager and noted that the City of Cibolo was helping D R Homeowners with their home issues.

Esmeralda Perez, Stablewood Homeowner stated that her American Dream was to own a home but that dream had turned into a nightmare. She showed photos of the foundation issues with her home and the health issues of her family. She expressed concern that she cannot sell her home that is falling apart and getting her family sick. She asked that D R Horton be held accountable and asked the City Council for their assistance.

Pedro Diaz, Stablewood Homeowner stated that he and his wife had moved to San Antonio from Arizona and spoke of the many health issues they have endured due to their faulty home built by D R Horton. He noted that his granddaughter and family dog had developed rashes due to the poor living conditions.

Ruben Torrez, Stablewood Homeowner spoke of the many issues with his home and noted that his wife and grandchildren suffered various health conditions due to living in the home. He read from the Book of Psalms in The Bible and asked the City Council to assist them.

Gerald Ripley and Harry Wood addressed the City Council. Mr. Ripley stated that the Pre K 4 SA Election was like electing the color red and asked why citizens had not been asked if the sales tax should be increased. He noted that local school districts could have been better represented and that thoughtful dialogue would yield better results. He indicated that a news conference that presented the opposing side had been censored by omission and not reported in the newspaper. He stated that the best decision would be made by citizens that were aware of both sides of the issue and that additional information was available at [stopthetrainsa.com](http://stopthetrainsa.com). He expressed concern with the \$11,000 cost per child in Pre K 4 SA noting that he did not believe that a full day program offered much more than the half-day program. Messers. Ripley and Wood performed a skit regarding \$240 million being paid for a feather for a hat.

Jack M. Finger spoke in support of the Stablewood Homeowners and asked why the City Council had not assisted them. He stated that Pre K 4 SA was not good for San Antonio and asked how much time was dedicated to instruction.

Faris Hodge, Jr. submitted written testimony and highlighted the Senior Kermes Event and Graffiti Wipeout Day attended by Councilmember Saldaña. He wrote that vehicles are the main source of the city's polluted air and requested that the Meals on Wheels and Senior Nutrition Programs be combined. He expressed concern with the portable restrooms at the Fiesta Parade that were not cleaned daily and did not have water for people to wash their hands. He wrote of the City Council Project Funds allocated to the Martin Luther King Scholarship Fund and was pleased that CPS Energy Rates would not be increased in 2013. He referenced Mayor Castro's proposed changes to the City's Ethics Code. He wrote that the playground facility should not be placed next to the Mission Branch Library due to the exposed drainage in which could be dangerous for children.

## **ADJOURNMENT**

There being no further discussion, Mayor Castro adjourned the meeting at 6:40 pm.

The San Antonio City Council convened in a Regular Meeting on Thursday, **October 11, 2012**, at 9:00 am in the City Council Chambers.

## **ROLL CALL**

City Clerk Leticia M. Vacek took the Roll Call and noted a quorum of the Council with the following present: Bernal, Taylor, Ozuna, Saldaña, D. Medina, Lopez, C. Medina, Williams, Chan, Soules, and Mayor Castro. **ABSENT**: None.

**Item 1.** The Invocation was delivered by Reverend Ron Brown, Prospects Courtyard Liaison, Haven for Hope, guest of Mayor Julián Castro.

**Item 2.** Mayor Castro led the Pledge of Allegiance to the Flag of the United States of America.

## **Item 3. MINUTES**

Councilmember Saldaña moved to approve the Minutes for the September 6, 2012 City Council Meeting. Councilmember Bernal seconded the motion.

The motion prevailed by the following vote: **AYES**: Bernal, Taylor, Saldaña, D. Medina, Lopez, C. Medina, Williams, Chan, Soules, and Mayor Castro. **NAY**: None. **ABSENT**: Ozuna.

## **ITEMS FOR INDIVIDUAL CONSIDERATION**

The City Clerk read the captions for Items 4A-4E:

Item 4. CONSIDERATION OF THE FOLLOWING ORDINANCES RELATED TO THE 2012-2017 BOND PROGRAM:

### **2012-10-11-0794**

- A. AN ORDINANCE AUTHORIZING THE NEGOTIATION AND EXECUTION OF FORTY-ONE (41) PROFESSIONAL SERVICES CONTRACTS FOR ENGINEERING SERVICES, FIVE (5) PROFESSIONAL SERVICES CONTRACTS FOR ARCHITECTURAL SERVICES AND FORTY-ONE (41) PROFESSIONAL SERVICES CONTRACTS FOR LANDSCAPE ARCHITECTURAL SERVICES, IN AN AGGREGATE AMOUNT NOT-TO-EXCEED \$37,000,000.00; THE ACCEPTANCE OF REIMBURSEMENT FOR UTILITY WORK FROM RESPECTIVE UTILITIES INCLUDED IN THE CONTRACTS; AMENDING THE FY 2013-2018 CAPITAL BUDGET; AND, PAYMENT SUBJECT TO THE AVAILABILITY OF FUNDS, IN CONNECTION WITH THE 2012 GENERAL OBLIGATION BOND PROGRAM.

**2012-10-11-0795**

- B. AN ORDINANCE AUTHORIZING THE EXECUTION OF REIMBURSEMENT AGREEMENTS WITH SAWS AND CPS ENERGY FOR RESPECTIVE UTILITY WORK RELATED TO PROJECTS IN THE 2013-2018 CAPITAL BUDGET, WHICH INCLUDE JOINT DESIGN AND/OR JOINT BID THROUGH CITY CONTRACTING PROCESSES AND ACCEPTING THESE REIMBURSEMENTS.

**2012-10-11-0796**

- C. AN ORDINANCE APPROVING THE PROPOSED 2012 BOND PUBLIC ART PLAN AND PRE-QUALIFIED LIST OF ARTISTS, WHICH MAY BE USED FOR PROJECTS IN THE CAPITAL IMPROVEMENT PROGRAM; AND, AUTHORIZING THE NEGOTIATION AND EXECUTION OF PUBLIC ART DESIGN, FABRICATION AND INSTALLATION SERVICES AGREEMENTS WITH THE PRE-QUALIFIED LIST OF ARTISTS IN AN AGGREGATE AMOUNT NOT-TO-EXCEED FUNDING AVAILABLE FOR PUBLIC ART IN THE FY 2013–2018 CAPITAL BUDGET; AND, AUTHORIZING PAYMENTS SUBJECT TO THE AVAILABILITY OF FUNDS.

**2012-10-11-0797**

- D. AN ORDINANCE AUTHORIZING THE NEGOTIATION AND EXECUTION OF AN ON-CALL PROFESSIONAL SERVICES AGREEMENT WITH TLI & ENVIRONMENTAL SERVICES, INC., IN AN AMOUNT NOT-TO-EXCEED \$750,000.00, FOR A ONE-YEAR TERM WITH THREE (3) OPTIONAL ONE-YEAR EXTENSIONS TO PROVIDE ON-CALL ENVIRONMENTAL ASBESTOS AND INDUSTRIAL HAZARDOUS ABATEMENT SERVICES FOR CAPITAL IMPROVEMENT BOND RELATED PROJECTS AND OTHER CITY PROJECTS LOCATED CITY-WIDE; AND, AUTHORIZING PAYMENTS SUBJECT TO THE AVAILABILITY OF FUNDS.

**2012-10-11-0798**

- E. AN ORDINANCE AMENDING AN EXISTING FUNDING AGREEMENT WITH SAN ANTONIO PARKS FOUNDATION FOR JAPANESE TEA GARDEN TO ADD AN AMOUNT NOT-TO-EXCEED \$250,000.00; AMENDING THE FY 2013–2018 CAPITAL BUDGET; AND, AUTHORIZING PAYMENTS SUBJECT TO THE AVAILABILITY OF FUNDS.

Mike Frisbie presented Items 4A-E and showed a power point related to the mass selection process for the 2012-2017 Bond Program Projects. He reported that 87 of 140 projects needed a design consultant and that mass selection saves the city 7,565 in staff hours totaling \$244,483. He noted that a Request for Qualifications (RFQ) was released on May 30, 2012 for Engineering, Architects, and Landscape Architects. He indicated that negotiations would begin October 12, 2012 through June 22, 2013. He outlined the RFQ Scoring Criteria and stated that 100% of the Prime Firms recommended have a local presence. He reported that there were 60 Prime Consultants and 132 Subcontractors and that Small, Minority and Women-Owned Business Participation was on target to exceed 2007 Bond Results. He stated that five African-American Business Enterprise (AABE) Firms responded with three firms recommended as subconsultants on design teams for 16 projects.

Mr. Frisbie reported that Memorandums of Understanding (MOUs) had been negotiated with SAWS and CPS Energy to coordinate projects where appropriate. He stated that a National Call for Artists was

issued July 9, 2012 for a Capital Projects Artist Pool in which 92 artists were selected. He noted that they would serve for two years and that the pool would be updated annually. He mentioned that on-call asbestos and industrial hazardous abatement services would be provided for bond-related and other city projects for a one-year term in an amount not to exceed \$750,000. He added that the funding agreement with the San Antonio Parks Foundation for the Japanese Tea Garden would be amended to add \$250,000 to complete work on the observation deck.

Mayor Castro called upon the individuals registered to speak on Item 4.

Nazirite Ruben Flores Perez spoke of environmental concerns and noted that he had previously had contact with asbestos. He mentioned that he had attended a meeting with Pentagon Representatives earlier in the week and noted concerns with vapor intrusion.

Porter Dillard stated that he was the Owner of Dillard Architect Group and had been an Architect for 30 years. He expressed concern with the staff recommendation for professional services contracts and could not understand why African-American Architects and Engineers were not considered as Prime Contractors for any of the projects. He requested that Item 4A be continued so that staff could re-study the selection process.

Bill Burman stated that he was the Chairman of the Economic Development Committee of the National Association for the Advancement of Colored People (NAACP) and was speaking in support of Mr. Porter Dillard. He expressed concern with the lack of opportunities for young African-American Professionals. He requested that Item 4A be continued until more discussions occur regarding African-Americans serving as Prime Contractors and Project Managers.

Grace Padron stated that she was representing the San Antonio Hispanic Chamber of Commerce. She commended Mr. Frisbie and Rene Dominguez for their outreach to Small, Minority and Women-Owned Business Enterprises (SMWBE) in the selection process. She stated that they were encouraged by the tracking process that CIMS has in place to ensure SMWBE Participation and that the Hispanic Chambers endorsed all of the items proposed by staff. She expressed concern with the small amount of African-Americans registered in the Central Vendor Registry.

Tommy Calvert stated that he was representing the Neighborhoods First Alliance and expressed concern with moving forward without African-American Contractors. He noted that they had supported the Bond Program and that it was the responsibility of city staff to outreach to all new African-American Contractors. He mentioned that they could help with outreach through Black Newspapers, Black Chamber, and Neighborhood Associations.

Mayor Castro asked of the difference between the 2007 and 2012 Bond Processes. Mr. Frisbie replied that the 2012 African-American Business Enterprise (AABE) Participation was inline with that of 2007 but felt that staff can improve same. He noted that two AABE Companies submitted to be a Prime Contractor. Mayor Castro asked of the outreach for SMWBE Companies. Mr. Frisbie explained that they were working with the Economic Development Department on several outreach efforts throughout the city to encourage design consultants and contractors to register in the Central Vendor Registry. He added that they will review a list of companies with the NAACP, Black Chamber and Councilmember Taylor and will consider adding other companies. Mayor Castro confirmed that there is an opportunity for companies to be added. Mike Frisbie noted that the competition was very stiff and that there were

only five Architecture Projects. Rene Dominguez mentioned the Mentor Protégé Program that has been established and stated that they can now create specialized programs to increase the capacity for SMWBEs. He added that funds were budgeted for outreach and highlighted events specifically designed to increase the number of companies in the Central Vendor Registry.

Councilmember Chan thanked the citizens and the Architect and Engineering Firms that participated in the process. She added that she would like for those firms that were not selected to receive other work with the city. She asked if there were any Asian American Firms being awarded projects. Mr. Frisbie replied that there were six Asian-American Firms being recommended. Councilmember Chan asked of the contract negotiation process. Mr. Frisbie responded that not all contracts were negotiated at the same time; thus, three-month interval tiers were created. He noted that Tier One Projects were the top priority and that they had requested firms to bid on specific projects. He added that the five Architecture Projects were for Libraries and Community Centers. Councilmember Chan encouraged staff to continue to enhance the selection process and design of the RFQ.

Councilmember Bernal stated that the numbers were not good and mentioned the importance of outreach to SMWBEs. He stated that looking at the overall pool; perhaps the Council Offices can be helpful since they know their districts best and can offer their services to be included. Mr. Frisbie stated that they would be meeting with potential subcontractors and recommend them to Prime Contractors. He noted that more than half of the Prime Contractors were Small Business Enterprises. Councilmember Bernal asked of the mass selection of artists. Felix Padron confirmed that a group of 92 national artists were selected through the process with 30% being from the San Antonio Area. Councilmember Bernal expressed support and stated that he was pleased that the talent pool could be added to annually.

Sheryl Sculley commented that SMWBE Participation would exceed that of the 2007 Bond Program and that 100% of the Prime Contractors have a local presence. She added that of the 132 firms recommended as subs; 44% are Minority Women-Owned Businesses and staff would continue to work on recruiting AABEs.

Councilmember Taylor thanked the speakers for their comments and stated that she is excited about moving forward with the Bond Program. She expressed concern with the lack of AABE Participation and spoke of the need to bring them to the table. She asked of AABE Participation in the 2007 Bond Program. Mr. Frisbie replied that Steve Patmon Architects was the only Prime AABE Contractor in the 2007 Bond Program and had worked on the Joe Ward Pool and Bathhouse Project. Councilmember Taylor asked how the Experience Category was scored on the RFQ. Mr. Frisbie explained that the firms provide an organizational chart and include resumes to show their experience. He stated that they include three projects that are relevant to this work and a complete design description. Councilmember Taylor asked how smaller firms could effectively compete in the Experience Category and expressed concern that there was no African-American participation in the Evaluation Process. She reiterated her concern that there were no AABEs recommended as Prime Contractors. Councilmember Taylor asked of the use of a segmentation process. Mr. Dominguez replied that the Small Business Economic Development Advocacy (SBEDA) Ordinance allows for segmentation within some industries and that there could be segmented goals for certain ethnicities in the construction phase if there is overutilization of one particular ethnicity. Councilmember Taylor stated that there was still a lot of work to be done and was pleased that a Fair Contracting Coalition had been created.

Councilmember Chan added that she would like for staff to outreach to all minorities and stated that it was important for companies to have the appropriate qualifications to perform work.

Mayor Castro requested an update from staff in the next 30 days.

Councilmember Chan moved to adopt the proposed Ordinances for Items 4A-4E. Councilmember Soules seconded the motion.

The motion prevailed by the following vote: **AYES:** Bernal, Taylor, Ozuna, Saldaña, D. Medina, Lopez, C. Medina, Williams, Chan, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** None.

### **POINT OF PERSONAL PRIVILEGE**

Councilmember Lopez highlighted Item 10C regarding the surplus property located within the Southwest Business and Technology Park and its sale to Tyren Corporation. He thanked Mayor Castro, City Manager Sculley and city staff for their work on the West Side Development Summit in which this parcel was identified for revitalization. He commended the Tyren Corporation for being energy focused and for their significant investment in San Antonio. Mayor Castro thanked representatives from the Tyren Corporation and stated that he appreciated the jobs they would create.

### **CONSENT AGENDA ITEMS 5-19D**

Consent Agenda Items 8, 9, 14, and 17 were pulled for Individual Consideration. Councilmember Ozuna moved to approve the remaining Consent Agenda Items. Councilmember Bernal seconded the motion.

Mayor Castro called upon the individuals registered to speak on the Consent Agenda.

Nazirite Ruben Flores Perez referenced the renovations at the Willie C. Velasquez Leadership and Learning Center (Item 7) noting that he believed that the computer lab should be set up differently. He spoke of a meeting he attended at JFK High School regarding Kelly Air Force Base and expressed concern with mosquitoes at Our Lady of the Lake University.

Sharon Baughman of Christian Senior Services spoke in support of the licensing requirement for In-Home Caregivers for the elderly and disabled (Item 14). She added that their staff and volunteers were required to undergo a background check.

Don Dixon spoke in opposition to the amendment to the Interlocal Agreement with the Alamo Regional Mobility Authority (Alamo RMA) in Item 17 noting that he believed it was a duplication of duties. He stated that a second bureaucracy to build roads in San Antonio was not needed and that toll roads were very expensive. He asked that the Alamo RMA be dissolved.

Nikki Kuhns spoke in opposition to the amendment to the Interlocal Agreement with the Alamo RMA (Item 17). She stated that the Alamo RMA Board was not elected and unaccountable and that they were another layer of bureaucracy. She noted that forgiving or amending the loan would give public perception that there was no due diligence.

Jack M. Finger spoke in opposition to the amendment to the Interlocal Agreement with the Alamo RMA (Item 17) and stated that he was opposed to toll roads. He asked why the Alamo RMA had not paid the city back in eight years and expressed concern that voters had not been given the opportunity to vote on toll roads.

Faris Hodge, Jr. submitted written testimony in favor of Items 4A-14, and 16-19.

The motion to approve the remaining Consent Agenda Items prevailed by the following vote: **AYES:** Bernal, Taylor, Ozuna, Saldaña, D. Medina, Lopez, C. Medina, Williams, Chan, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** None.

**2012-10-11-0799**

Item 5. AN ORDINANCE AUTHORIZING A CONTRACT WITH CLEANING IDEAS CORPORATION D/B/A SANIVAC/DAVIS MANUFACTURING FOR FOOD SERVICE SUPPLIES FOR THE SENIOR SERVICES DIVISION OF THE DEPARTMENT OF HUMAN SERVICES FOR AN ESTIMATED ANNUAL COST OF \$94,000.00.

**2012-10-11-0800**

Item 6. AN ORDINANCE AUTHORIZING THE EXECUTION OF A JOB ORDER CONTRACT IN AN AMOUNT NOT-TO-EXCEED \$555,116.56 AUTHORIZED AND PAYABLE TO JAMAIL & SMITH CONSTRUCTION; AND, AMENDING THE FY 2012 – 2017 AIRPORT CAPITAL IMPROVEMENTS FUNDS IN THE AMOUNT OF \$555,116.56 IN AIRPORT IMPROVEMENT AND CONTINGENCY FUNDS FOR THE ROOF REPLACEMENT OF THE HALLMARK/MILLION AIR BUILDING, A PROJECT LOCATED AT THE SAN ANTONIO INTERNATIONAL AIRPORT.

**2012-10-11-0801**

Item 7. AN ORDINANCE ACCEPTING A PROPOSAL AND AUTHORIZING AN AMOUNT NOT-TO-EXCEED \$1,259,260.19 AUTHORIZED PAYABLE TO F. A. NUNNELLY COMPANY UTILIZING THE JOB ORDER CONTRACTING DELIVERY METHOD, FOR ROOFING REPLACEMENT, INTERIOR AND EXTERIOR RENOVATIONS INCLUDING SITE IMPROVEMENTS FOR THE WILLIE C. VELASQUEZ LEADERSHIP AND LEARNING CENTER, A COMMUNITY DEVELOPMENT BLOCK GRANT FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 1.

Item 10. CONSIDERATION OF THE FOLLOWING ORDINANCES AUTHORIZING THE SALE OF CITY-OWNED REAL PROPERTIES:

**2012-10-11-0803**

- A. AN ORDINANCE DECLARING AS SURPLUS THE CITY'S FORMER FIRE STATION NO. 20 LOCATED AT 2903 SOUTH NEW BRAUNFELS AVENUE, DESCRIBED AS LOT 1, NCB 7034 IN COUNCIL DISTRICT 3 AND AUTHORIZING ITS SALE TO SCOTT CAROSELLI FOR \$5,000.00.

**2012-10-11-0804**

- B. AN ORDINANCE DECLARING AS SURPLUS AN UNIMPROVED CITY-OWNED REAL PROPERTY LOCATED AT 2103 BURNET STREET, DESCRIBED AS LOT 15, BLOCK 3, NCB 6623 IN COUNCIL DISTRICT 2 AND AUTHORIZING ITS SALE TO B4UC, INC. FOR \$1,200.00.

**2012-10-11-0805**

- C. AN ORDINANCE DECLARING AS SURPLUS AN UNIMPROVED 48.66 ACRES OF CITY-OWNED REAL PROPERTY LOCATED WITHIN THE SOUTHWEST BUSINESS AND TECHNOLOGY PARK AT OLD US HIGHWAY 90 WEST AND STATE HIGHWAY 151, DESCRIBED AS LOTS 6, 7, 8, 9, 10, 11, BLOCK 9, NCB 11379 IN COUNCIL DISTRICT 6 AND AUTHORIZING ITS SALE TO TYREN CORPORATION FOR \$2,120,000.00.

**2012-10-11-0806**

Item 11. AN ORDINANCE AUTHORIZING THE CLOSURE, VACATION AND ABANDONMENT OF 0.192 ACRES OF VILLITA STREET PUBLIC RIGHT OF WAY, LOCATED BETWEEN NAVARRO STREET AND SOUTH PRESA STREET AND ADJACENT TO NCB 125, IN COUNCIL DISTRICT 1, FOR USE AS A PERPETUAL PEDESTRIAN EASEMENT, AS REQUESTED BY CITY PUBLIC SERVICE ENERGY FOR A FEE OF \$167,350.00.

**2012-10-11-0807**

Item 12. AN ORDINANCE RATIFYING THE SUBMISSION OF THE PREVENTIVE PUBLIC HEALTH FUND 2012 GRANT APPLICATION TO THE U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES FOR THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT TO IMPLEMENT A PROGRAM TO PREVENT NEW CASES OF HEPATITIS B VIRUS INFECTIONS IN ADULTS AND AUTHORIZING THE ACCEPTANCE OF UP TO 10,500 DOSES OF HEPATITIS B VACCINE AND FUNDS IN AN AMOUNT NOT TO EXCEED \$215,436 FOR A PERIOD BEGINNING SEPTEMBER 30, 2012 THROUGH SEPTEMBER 29, 2014, AND AUTHORIZING A MEMORANDUM OF AGREEMENT WITH CENTER FOR HEALTH CARE SERVICES TO IMPLEMENT THE GRANT PROGRAM.

**2012-10-11-0808**

Item 13. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A HEAD START GRANT EXTENSION APPLICATION TO THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES AND ACCEPTANCE OF ANY AWARD IN AN AMOUNT UP TO \$49,147,922.00 FOR THE PERIOD OF FEBRUARY 1, 2013 – JANUARY 31, 2014; AUTHORIZING A BUDGET, INCLUDING AN IN-KIND MATCH OF UP TO \$12,286,980.00 AND A PERSONNEL COMPLEMENT FOR THE DEPARTMENT OF HUMAN SERVICES; AND AUTHORIZING THE NEGOTIATION AND EXECUTION OF SERVICE PROVIDER CONTRACT EXTENSIONS AND AMENDMENTS BASED ON THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES AWARD AND FUNDING PERIOD.

Item 15. CONSIDERATION OF THE FOLLOWING BOARD, COMMISSION AND COMMITTEE APPOINTMENTS FOR THE REMAINDER OF UNEXPIRED TERMS OF OFFICE TO EXPIRE MAY 31, 2013, TO BE EFFECTIVE IMMEDIATELY UPON THE RECEIPT OF EIGHT AFFIRMATIVE VOTES, OR, IN THE EVENT EIGHT AFFIRMATIVE VOTES ARE NOT RECEIVED, TEN DAYS AFTER APPOINTMENT; OR FOR TERMS AND EFFECTIVENESS AS OTHERWISE INDICATED BELOW:

- A. APPOINTING MEGAN E. KEE (DISTRICT 7) TO THE SAN ANTONIO YOUTH COMMISSION.
- B. APPOINTING TOM M. NETTING (AT-LARGE, CATEGORY: SAN ANTONIO HOTEL AND LODGING ASSOCIATION) TO THE CONVENTION AND VISITORS COMMISSION.
- C. APPOINTING MAUREEN MCCANN (AT-LARGE, CATEGORY: COMMUNITY) TO THE AIRPORT ADVISORY COMMISSION FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE MARCH 18, 2013.
- D. APPOINTING ERNEST M. GONZALES (DISTRICT 1, CATEGORY: PERFORMING ARTS/MUSIC) TO THE ARTS AND CULTURAL ADVISORY COMMITTEE.
- E. APPOINTING JO ANN M. LOPEZ (DISTRICT 1) TO THE COMMISSION FOR CHILDREN AND FAMILIES.

**2012-10-11-0810**

Item 16. AN ORDINANCE AUTHORIZING A THREE YEAR AGREEMENT WITH PFIZER INC., APPROVING THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT TO ACCEPT POSTAGE-PAID REMINDER RECALL POSTCARDS VALUED AT APPROXIMATELY \$2,100.00 PER YEAR TO ENCOURAGE PATIENTS TO ADHERE TO THE RECOMMENDED SCHEDULE OF CHILDHOOD VACCINATIONS.

**2012-10-11-0812**

Item 18. AN ORDINANCE AUTHORIZING AN AMENDMENT TO A CONTRACT WITH TRANSTAR ENERGY COMPANY LP, A SUBSIDIARY OF CLEAN ENERGY FUELS CORP., TO EXTEND THE COMPRESSED NATURAL GAS FUELING FACILITY OPERATION AND MAINTENANCE CONTRACT FOR A ONE YEAR PERIOD, FOR AN ESTIMATED ANNUAL AMOUNT OF \$166,000.00, FUNDED BY THE SOLID WASTE OPERATING AND MAINTENANCE FUND.

Item 19. CONSIDERATION OF THE FOLLOWING MATTERS IN CONNECTION WITH FINANCIAL TRANSACTIONS OF CPS ENERGY:

**2012-10-11-0813**

- A. AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY'S ELECTRIC AND GAS SYSTEMS VARIABLE RATE JUNIOR LIEN REVENUE REFUNDING BONDS, SERIES

2012A, IN A COMBINED PRINCIPAL AMOUNT NOT TO EXCEED \$50,000,000, AND OTHER FINANCIAL MATTERS AS NECESSARY TO REFUND A PORTION OF THE \$147,615,000 OF THE CITY'S ELECTRIC AND GAS SYSTEMS JUNIOR LIEN REVENUE BONDS, SERIES 2004 FOR THE PURPOSE OF REFINANCING EXISTING VARIABLE RATE DEBT INTO NEW SERIES OF VARIABLE RATE DEBT, WITH LOW COST INITIAL TERM MODES AND NO REQUIREMENT TO OBTAIN THIRD PARTY LIQUIDITY (WHICH ELIMINATES BANK COUNTERPARTY RISK); AND DISTRIBUTION OF AN OFFICIAL STATEMENT RELATING TO THE BONDS.

**2012-10-11-0814**

- B. AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY'S ELECTRIC AND GAS SYSTEMS VARIABLE RATE JUNIOR LIEN REVENUE REFUNDING BONDS, SERIES 2012B, IN A COMBINED PRINCIPAL AMOUNT NOT TO EXCEED \$50,000,000, AND OTHER FINANCIAL MATTERS AS NECESSARY TO REFUND A PORTION OF THE \$147,615,000 OF THE CITY'S ELECTRIC AND GAS SYSTEMS JUNIOR LIEN REVENUE BONDS, SERIES 2004 FOR THE PURPOSE OF REFINANCING EXISTING VARIABLE RATE DEBT INTO NEW SERIES OF VARIABLE RATE DEBT, WITH LOW COST INITIAL TERM MODES AND NO REQUIREMENT TO OBTAIN THIRD PARTY LIQUIDITY (WHICH ELIMINATES BANK COUNTERPARTY RISK); AND DISTRIBUTION OF AN OFFICIAL STATEMENT RELATING TO THE BONDS.

**2012-10-11-0815**

- C. AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY'S ELECTRIC AND GAS SYSTEMS VARIABLE RATE JUNIOR LIEN REVENUE REFUNDING BONDS, SERIES 2012C, IN A COMBINED PRINCIPAL AMOUNT NOT TO EXCEED \$50,000,000, AND OTHER FINANCIAL MATTERS AS NECESSARY TO REFUND A PORTION OF THE \$147,615,000 OF THE CITY'S ELECTRIC AND GAS SYSTEMS JUNIOR LIEN REVENUE BONDS, SERIES 2004 FOR THE PURPOSE OF REFINANCING EXISTING VARIABLE RATE DEBT INTO NEW SERIES OF VARIABLE RATE DEBT, WITH LOW COST INITIAL TERM MODES AND NO REQUIREMENT TO OBTAIN THIRD PARTY LIQUIDITY (WHICH ELIMINATES BANK COUNTERPARTY RISK); AND DISTRIBUTION OF AN OFFICIAL STATEMENT RELATING TO THE BONDS.

**2012-10-11-0816**

- D. AN ORDINANCE AMENDING AND RESTATING CITY ORDINANCE AUTHORIZING THE COMMERCIAL PAPER PROGRAM THAT PROVIDES INTERIM FINANCING FOR THE CITY'S ELECTRIC AND GAS SYSTEMS, WHICH ORDINANCE, IN ADDITION TO REAUTHORIZING THE EXISTING COMMERCIAL PAPER PROGRAM, AUTHORIZES THE REPLACEMENT OF THE REVOLVING CREDIT AGREEMENT, THAT PROVIDES \$450,000,000 IN LIQUIDITY SUPPORT FOR THE COMMERCIAL PAPER NOTES, WITH SEPARATE REVOLVING CREDIT AGREEMENTS ENTERED INTO WITH THREE SEPARATE BANKS, EACH PROVIDING \$150,000,000 IN LIQUIDITY SUPPORT FOR THE COMMERCIAL PAPER NOTES (TOTALING \$450,000,000 IN LIQUIDITY SUPPORT); ISSUANCE OF COMMERCIAL PAPER NOTES IN THREE SERIES (ONE SERIES RELATING TO EACH OF THE THREE LIQUIDITY BANKS) AS TAXABLE OR TAX-EXEMPT NOTES; EXTENSION OF THE FINAL MATURITY OF THE COMMERCIAL PAPER PROGRAM FROM 2028 TO 2042; INCREASE OF THE SIZE OF

THE COMMERCIAL PAPER PROGRAM TO \$600 MILLION; AND DISTRIBUTION OF AN UPDATED OFFERING MEMORANDUM.

**[CONSENT ITEMS CONCLUDED]**

**ITEMS PULLED FOR INDIVIDUAL CONSIDERATION**

The City Clerk read the caption for Item 8:

**2012-10-11-0802**

Item 8. AN ORDINANCE AUTHORIZING THE ACQUISITION, THROUGH NEGOTIATION OR CONDEMNATION, OF AN INTEREST SUFFICIENT FOR PROJECT PURPOSES IN A PORTION OF TWO PARCELS OF PRIVATELY-OWNED REAL PROPERTY LOCATED IN N.C.B. 17842 FOR THE HUEBNER ROAD AND NW MILITARY HIGHWAY INTERSECTION IMPROVEMENT PROJECT, LOCATED IN COUNCIL DISTRICT 8, FUNDED BY ADVANCED TRANSPORTATION DISTRICT FUNDS; DECLARING IT TO BE A PUBLIC PROJECT; DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION; AND AUTHORIZING EXPENDITURES NOT TO EXCEED \$100,000.00 PAYABLE TO THE SELECTED TITLE COMPANY FOR LAND AND CLOSING COSTS.

Councilmember Williams requested a map of the area in question and asked how traffic would be alleviated. Mike Etienne presented a map and stated that the city would acquire property to construct a right-turn lane northbound on Huebner Road.

Councilmember Williams moved that the City of San Antonio authorize the use of the power of eminent domain to acquire property for public use for the Huebner Road and NW Military Highway Intersection Improvement Project by acquiring the following property described by the City Clerk and incorporated as part of this Motion. Councilmember Chan seconded the motion.

City Clerk Leticia Vacek read the property description:

The properties consist of 0.032 total acres out of Lots 1 and 3, Block 2, NCB 17842. These properties are more particularly described in Exhibits B and C attached to the Ordinance and incorporated as part of the Motion.

The motion prevailed by the following vote: **AYES:** Bernal, Taylor, Ozuna, Saldaña, D. Medina, Lopez, C. Medina, Williams, Chan, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** None.

The City Clerk read the caption for Item 9:

**CONTINUED FOR ONE WEEK**

Item 9. AN ORDINANCE, AUTHORIZING THE ACQUISITION THROUGH NEGOTIATION OR CONDEMNATION, OF INTERESTS IN LAND SUFFICIENT FOR PROJECT PURPOSES, IN TWO PORTIONS OF ONE PARCEL OF PRIVATELY-OWNED REAL PROPERTY LOCATED IN N.C.B. 16386, FOR THE CRESCENT PARK BOOSTER STATION PROJECT, LOCATED IN COUNCIL

DISTRICT 8; DECLARING IT TO BE A PUBLIC PROJECT AND A PUBLIC NECESSITY FOR THE ACQUISITION.

Councilmember Williams moved to continue said item for one week due to continued negotiations. Councilmember Soules seconded the motion.

The motion to continue said item prevailed by the following vote: **AYES:** Bernal, Taylor, Ozuna, D. Medina, Lopez, C. Medina, Williams, Chan, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** Saldaña.

The City Clerk read the caption for Item 14:

**2012-10-11-0809**

Item 14. AN ORDINANCE AMENDING CHAPTER 16, ARTICLE XXI OF THE CITY CODE OF SAN ANTONIO BY ESTABLISHING A LICENSING REQUIREMENT FOR IN-HOME CAREGIVERS FOR THE ELDERLY AND THE DISABLED; REQUIRING CRIMINAL HISTORY BACKGROUND CHECKS; SETTING PENALTIES FOR VIOLATIONS; AND PROVIDING AN EFFECTIVE DATE OF JANUARY 1, 2013.

Councilmember D. Medina explained that said issue was raised due to the murder of a constituent in District 5 by their caregiver and asked Chief McManus to explain the specifics. Chief McManus stated that the Texas Health and Safety Code Section 142 exempts In-Home Caregivers from being licensed if they are not associated with an agency that is certified by the State. He noted that the Ordinance would require anyone that accepts employment as an In-Home Caregiver to get a background check. He explained that individuals with any one of 32 different offenses had a lifetime ban from working in that field. Councilmember D. Medina stated that he was pleased that the SAFFE and Elder Care Units would provide outreach to the neighborhoods. He asked if registered individuals would be issued an identification card. Chief McManus replied that they would receive a card that they must carry with them when working.

Mayor Castro thanked staff for their work and Councilmember D. Medina noting that the Ordinance would help protect lives in the future.

Councilmember D. Medina moved to adopt the proposed Ordinance. Councilmember Chan seconded the motion.

The motion prevailed by the following vote: **AYES:** Bernal, Taylor, Ozuna, Saldaña, D. Medina, Lopez, C. Medina, Williams, Chan, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** None.

The City Clerk read the caption for Item 17:

**2012-10-11-0811**

Item 17. AN ORDINANCE AUTHORIZING THE THIRD AMENDMENT TO AN INTERLOCAL AGREEMENT WITH THE ALAMO REGIONAL MOBILITY AUTHORITY FOR THE CITY OF

SAN ANTONIO TO EXTEND THE TERM OF LOAN REPAYMENT OF \$500,000.00 PLUS INTEREST UNTIL THE FIRST AVAILABLE REVENUES ARE RECEIVED.

Councilmember Williams asked if the debt was being forgiven. Anthony Chukwudolue confirmed that the city was not forgiving the debt and that the repayment term was being extended. Councilmember Williams asked if there would be a bill in the upcoming Legislative Session to dissolve the Alamo RMA and create the entity within Bexar County. Mr. Chukwudolue replied that it was his understanding that would occur and if so, Bexar County would incur the debt. Carlos Contreras explained that current State Law does not allow for the Alamo RMA to be dissolved unless all obligations are paid or there is a provision for repayment. He added that said Ordinance would require that the debt follow a new entity if there is a successor, however; Bexar County could choose not to create a successor agency but a separate authority. Councilmember Williams stated that he did not want the latter to occur as the city would not receive the \$500,000 repayment.

Mayor Castro asked if the city could enforce the successor entity to be liable. Michael Bernard confirmed that the city could enforce same and that the statute provides that the Alamo RMA cannot be dissolved without paying its obligations. If the County takes over the Alamo RMA and then dissolves it; they recognize the obligations that the debt must be paid.

Councilmember Lopez stated that the Intergovernmental Relations Council Committee (IGR) had began receiving input from city departments on moving the City's Legislative Agenda forward and asked of Bexar County. Carlos Contreras stated that community partners usually share their Legislative Agendas with the city and in many cases request endorsement from the City Council. He noted that he would be meeting with Bexar County later in the afternoon to discuss their Legislative Agenda. Councilmember Lopez stated that it would be a good opportunity to discuss the responsibility of the debt repayment during the meeting.

Councilmember Williams moved to approve the ordinance with the condition that all efforts be made to assure that the debts of the Alamo RMA follow into a successor entity of the County. Councilmember Lopez seconded the motion.

The motion prevailed by the following vote: **AYES:** Bernal, Taylor, Ozuna, Saldaña, D. Medina, Lopez, C. Medina, Williams, Chan, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** None.

## **Item 20. CITY MANAGER'S REPORT**

### **A. ANIMAL CARE SERVICES UPDATE**

Ms. Sculley reported that on October 3, 2012, the City of San Antonio Animal Care Services (ACS) Department celebrated the groundbreaking of the future Brackenridge Adoption Center, Clinic, and Pavilion. She stated that the construction cost totaled \$5.4 million and was scheduled for completion in October 2013. She noted that the facility would be located on the site of the former ACS Shelter and would be named the Paul Jolly Center for Animal Adoptions in honor of longtime animal welfare advocate and Executive Director of the Petco Foundation. She reported that the Petco Foundation and Corporation would donate \$1,000,000 to ACS over a five-year period. She stated that over 3,000 dogs and cats would be adopted annually at the Center and that there would be an on-site spay and neuter clinic. She added that ACS would focus on: Enhanced enforcement; Controlling the stray pet

population; and Improving the Live Release Rate. She mentioned that the Live Release Rate was over 60% in FY 2012 which was the highest in ACS History. She reported that ACS had conducted 20,000 spay and neuter surgeries in 2012 and thanked city staff and community partners for their efforts.

Mayor Castro commended ACS Staff and Petco for their efforts on the ACS Adoption Center at Brackenridge Park. He stated that he was pleased with the increase in the Live Release Rate and looked forward to future progress.

**ADJOURNMENT**

There being no further discussion, Mayor Castro adjourned the meeting at 11:20 am.

**APPROVED**



**JULIÁN CASTRO**  
MAYOR

Attest:   
**LETICIA M. VACEK, TRMC/MMC**  
City Clerk