

**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, DECEMBER 12, 2012, AND THURSDAY, DECEMBER 13, 2012, RESPECTIVELY.

The San Antonio City Council convened in a Work Session at 2:00 pm Wednesday, **December 12, 2012**, Municipal Plaza Building, with the following Councilmembers present: Bernal, Taylor, Ozuna, Saldaña, D. Medina, Lopez, C. Medina, Williams, Chan, Soules, and Mayor Castro. **ABSENT:** None.

1. UPDATE ON PROPOSED CHANGES TO THE INNER CITY REINVESTMENT/INFILL POLICY (ICRIP) AND RESULTING CHANGES TO THE ICRIP BOUNDARIES.

John Dugan presented the Inner City Reinvestment Infill Program (ICRIP) proposed boundary changes. He provided an overview of the chronology of events, noting that the Strategic Plan for Community Development was adopted in September 2008. He stated that it was created to define and establish tools to focus public and private investment in targeted areas. He explained that the Strategic Plan calls for the development of community indicators and that boundaries were identified using a data-driven model referred to as the Quality of Life Index Score. He stated that areas with a "D" Ranking or slightly above qualified for the ICRIP. He highlighted the 13 variables that the Quality of Life Index is based on that include graffiti violations, vacant lots, and code violations. He presented maps of the areas by rank and reported that those with a "D" Ranking, some areas with a "C" Ranking, and Port San Antonio were recommended for inclusion in the ICRIP.

Mr. Dugan provided an overview of the ICRIP, noting that it was a component of the Strategic Plan. He stated that it focused on revitalization, walkability, sustainable design, variety of housing choices, and efficient reuse of vacant and underutilized buildings. He noted that the initial ICRIP Document was adopted on February 4, 2010. He outlined the goals of the ICRIP to include increasing new development on vacant lots and improving the maintenance of existing buildings and sites. He spoke of the need to increase business recruitment and assistance, as well as reduce the number of vehicle miles traveled by San Antonians. He indicated that permit fees would be waived for redevelopment within the ICRIP Boundaries and that other targeted city incentives such as tax abatements could be utilized.

Mr. Dugan outlined the process used to modify the ICRIP noting that a meeting was held with the Economic Community Development Council Committee (ECDC) to discuss the proposed methodology for the inclusion of Census Block Groups. He stated that staff was directed to meet with each member of the City Council individually to receive feedback and create a map based on the feedback. He noted that the proposed ICRIP Boundaries were presented to the City Council on October 3, 2012 and City Council recommended maintaining the current incentives. Lastly, Mr. Dugan compared the current and proposed ICRIP Boundaries and indicated that staff would continue to assess additional areas for inclusion in the ICRIP.

Mayor Castro thanked staff for the presentation and asked what staff was hoping to achieve regarding same. Mr. Dugan replied that the ICRIP was a foundation for incentives and related policies. Mayor Castro asked of the distinction between development along highways and within neighborhoods. Mr. Dugan replied that the policies would cover both and staff would identify the incentives that would be most applicable to each area.

Councilmember Lopez asked of the Westside Development Corporation (WDC). Mr. Dugan replied that most of the WDC was included in the ICRIP and they could review additional areas for inclusion. Councilmember Lopez stated that all of the WDC should be included in the ICRIP and believed that consideration should also be given to the Eastside Initiatives.

Councilmember Bernal stated that he was pleased that all districts were represented in the ICRIP Boundaries. He asked of HOME Funds. Mr. Dugan replied that they could link the prioritization of the use of HOME Funds to specific areas. Councilmember Bernal stated that it was important for the City Council to understand the menu of things that the map would be utilized for. He noted that he believed that it was a good document that addressed the Inner City, as well as other areas needing assistance throughout the city.

Councilmember D. Medina asked staff to look at including the WDC Boundaries within the ICRIP, as well as the neighborhoods South of Highway 90 to include the Nogalitos and Zarzamora Corridors. Mr. Dugan replied that they could add areas based on direction from the City Council.

Councilmember Saldaña spoke of the active neighborhoods in his district that report issues frequently and asked of assistance that could be provided to residential areas. Mr. Dugan replied that there were Land Bank Funds, HOME Funds, and Community Development Block Grant Funds that could be utilized for same. Councilmember Saldaña thanked staff for taking input from the City Council regarding the ICRIP Boundaries.

Councilmember Soules thanked staff for their work and stated that he was pleased to get to this point. He expressed his support for the ICRIP Boundaries and noted that he would like to see an overlap of the previous and current maps.

Councilmember Ozuna spoke of the importance of the ICRIP and stated that the Southeast Baptist Hospital was in need of incentives. She noted that she would like to visit with staff to ensure that it is included in the ICRIP and that potential future institutions are not excluded.

Councilmember C. Medina thanked staff and asked if he would have the opportunity to further discuss the St. Mary's University Area and the WDC with staff. Mr. Dugan confirmed that they would work with the City Council regarding same.

Councilmember Chan stated that the reason for reviewing the ICRIP Boundaries was to ensure that district needs were being addressed without making it so large that the focus is lost. She asked if City Council Requests had been reviewed prior to the presentation. Mr. Dugan replied that he believed that the map reflected the requests of the City Council and that it was a very statistical process. Councilmember Chan stated that the map would be tied to current ICRIP Policies and that anything else would have to be addressed separately. She noted that the ICRIP

Policies were more for the benefit of commercial development due to the types of incentives provided.

2. DISCUSSION WITH CITY COUNCIL ABOUT THE SAWS FY 2013 PROPOSED RATE ADJUSTMENTS AND ADDITIONAL QUESTIONS AND INFORMATION REQUESTED BY CITY COUNCIL.

Ben Gorzell stated that the San Antonio Water System (SAWS) was comprised of four Core Business Units: Water Supply, Water Delivery, Wastewater, and Heating & Cooling. He highlighted the age of the pipes within the Wastewater System, noting that 17.8% were 50 years or older. He outlined the SAWS Flow of Funds, noting that Gross Revenues are pledged in the following order of priority: 1) Maintenance and Operating Expenses; 2) Debt Service and Reserve Fund Requirements; 3) City General Fund Transfer; 4) Equal Transfer to Renewal and Replacement; and 5) Any Surplus Transferred to Renewal and Replacement. He noted that the amounts transferred to the Renewal and Replacement Fund provide cash funding for the Capital Program. He reported that the 2013 SAWS Budget Gross Revenues and Capital Recovery Fees totaled \$491,129,934 which include the 11.3% Rate Increase effective March 1, 2013.

Mr. Gorzell spoke of the review conducted by the Public Utilities Office, noting that they performed a 20-Year Cash Flow Analysis and reviewed Key Financial Targets to include Debt Service Coverage and Debt/Equity Ratio. He stated that they looked at the items driving the revenue requirements and conducted an analysis of Capital Improvement Programs. He mentioned their review of the Sanitary Sewer Overflow (SSO) Program as well as prior year expenditures and action plans to address SSOs. He indicated that they were reviewing action plans for other utilities that have been able to significantly reduce their number of SSOs.

Mr. Gorzell highlighted the Requests for Information received by SAWS and city staff and reported that they were coordinating a response that would be provided to the City Council. He stated that city staff would provide a recommendation of the proposed SAWS Rate Adjustments to the City Council on January 16, 2013 and that City Council would consider approval on January 31, 2013.

Councilmember Williams stated that it was a good work plan and asked how follow-up information would be provided to the City Council. Mr. Gorzell replied that they would provide answers to pending questions to the City Council next week and a staff recommendation on January 16, 2013. Councilmember Williams spoke of the importance of SAWS providing a comprehensive plan for addressing SSOs including operational & maintenance expenses, as well as capital improvements.

Councilmember Soules expressed concern with SAWS utilizing budget numbers instead of actual numbers and requested detailed information on how budget windfalls were utilized. He spoke of the rate increases that were approved from 2000-2007, noting that the average bill increased from \$24.17 to \$41.00. He asked for data regarding the line cleaning that has occurred and where the cleaning took place. He further asked of the pipes that were 50 years and older and how they withstood the cleaning process. He asked of the discrepancy between the 1748 and 1663 number of SAWS Employees reported. Mr. Doug Evanson replied that 1748 positions were budgeted and 1663 positions were filled. He mentioned that 20 more positions would be added to address SSOs. Councilmember Soules noted that the 2013 Budget included 1797

positions. Mr. Evanson explained that the number included 18 Part-Time Conservation Enforcement Officers; nine paid Interns; one Legal Position; and 15 Engineering Positions. Councilmember Soules stated that the Water Management Plan was a good document but suggested that a Sewer Spill Management Plan be created.

Councilmember C. Medina requested the amount spent on the Grease Remediation Marketing Campaign, as well as the amount of funds spent on the new method to replace older sewer lines in alleys. He asked for a comparison of previous and current methods. Mr. Steve Clouse indicated that the new method for replacing older sewer lines was pipe patching/lining and that they would provide that information to the City Council.

Councilmember Chan asked of the Inactive Water Supply Projects and specifically the LCRA Project. Mr. Evanson responded that they would be receiving \$1.4 million for the next eight years as part of the LCRA Settlement. Councilmember Chan asked how that amount would be reflected in the SAWS Budget. Mr. Evanson replied that they should treat that as a source of funds for the next eight years. Councilmember Chan stated that she would like to see the total expenses versus revenue and have a better understanding of the sewer lines being cleaned, cycle of cleaning, and whether or not there continues to be overflows on said lines.

Mayor Castro thanked staff for the presentation.

EXECUTIVE SESSION

Mayor Castro recessed the meeting at 3:40 pm to convene in Executive Session for the purposes of:

- A. 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).**
- B. 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).**

Mayor Castro reconvened the meeting at 5:09 pm at which time it was noted that the City Council had been briefed on the above-styled matters but took no action. He recessed the meeting at 5:09 pm and announced that the meeting would resume at 6:00 pm for Citizens to be Heard.

CITIZENS TO BE HEARD

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

Mark Kellmann provided a handout depicting a Medieval Town Pattern with Infill Development that allowed streets, carriages and alleys to be implemented together. He noted that this occurred for a long period of time and became non-functioning. He also presented a photo of Downtown

Paris and highlighted a steeple church with a strong lit corridor. He spoke of the connection of dense pockets of civilization that were connected with large boulevards in which cities should function. He referenced a photo of a hand-built vehicle called The Morgan which had been built in London since the 1900's and stated that it would be good to show same at the San Antonio Auto Show.

Stanley Mitchell referenced a study conducted by Randal O'Toole regarding streetcars. He expressed concern with the high cost and incorrect data regarding the streetcar program proposed by VIA Metropolitan Transit. He highlighted the Portland Streetcar Program which he believed also provided false and misrepresented data. He stated that a streetcar was a poor substitute for a bus and costs too much to operate.

Nazirite Ruben Flores Perez spoke of an Operations Committee Meeting he attended at the San Antonio River Authority on Monday. He recognized Mr. Joe V. Tovar who rode the VIA Bus and had exhibited love and kindness to others. He expressed concern that he had not been contacted by CPS Energy regarding his issues.

Juan Macias spoke of issues with his neighbors who he believed were drug dealers and stated that they were demolishing buildings and replacing them with tents. He noted that he had contacted the Police Department and Code Compliance to report concerns but nothing had been done. He asked the City Council for assistance.

Lance Aaron referenced an article in the San Antonio Express News regarding HemisFair Park. He stated that HemisFair Park belonged to the entire city and that the rights of the citizens should not be circumvented. He expressed concern that the proposed streetcar would cross over dedicated park land and the lack of response from city staff.

Faris Hodge, Jr. submitted written testimony expressing concern with the Southern Memorial Park Cemetery and asked that District Attorney Susan Reed prosecute individuals using the cemetery address for voting purposes. He referenced the high voter turnout in the November 2012 Election and wrote that Pope Masses can now follow him on Twitter. He wrote of the DWI Checkpoints requested by the San Antonio Police Department. He noted that topless bars need to be better regulated and requested that small businesses be allowed to sell to big businesses. He expressed concern with certain San Antonio Businesses not having to pay taxes and asked why city employees did not receive longevity pay or early retirement. He requested that the city pay him to provide advertising services and noted that Susan Pamerleau was the first woman elected Sheriff.

ADJOURNMENT

There being no further discussion, Mayor Pro Tem Bernal adjourned the meeting at 6:25 pm.

The San Antonio City Council convened in a Regular Meeting on Thursday, **December 13, 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 Elder Manny Alaniz, Site Director, Redeemer Presbyterian Church – Westover Hills, guest of Councilmember Ray Lopez, District 6.

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

Item 3. MINUTES

Councilmember Chan moved to approve the Minutes for the October 31, 2012-November 1, 2012 City Council Meetings. 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 4. OATH OF OFFICE – MAYOR PRO TEM

City Clerk Leticia M. Vacek administered the Oath of Office to Councilmember Cris Medina to serve as Mayor Pro-Tem for the period beginning January 6, 2013 and ending March 17, 2013.

POINT OF PERSONAL PRIVILEGE

Councilmember D. Medina recognized the Holy Cross Junior High School Knights who won the 2012 Archdiocesan Interscholastic Athletic League Championship with an undefeated record of 9-0. He commended the team for their dedication to education and extracurricular activities noting that they set a great example for the community. Mayor Castro congratulated the Knights for their great accomplishment and presented them with an Official Congratulations Certificate.

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the caption for Item 5:

Item 5. CONSIDERATION OF THE FOLLOWING MATTERS IN CONNECTION WITH PRE-K 4 SA:

2012-12-13-0964

- A. AN ORDINANCE APPOINTING THE CHAIRPERSON AND TEN MEMBERS TO THE BOARD OF DIRECTORS OF THE EARLY CHILDHOOD EDUCATION MUNICIPAL DEVELOPMENT CORPORATION.

2012-12-13-0965

- B. AN ORDINANCE AUTHORIZING THE EXECUTION OF A CONTRACT WITH LIGATURE PARTNERS, AN EXECUTIVE RECRUITING FIRM SELECTED TO

IDENTIFY QUALIFIED CANDIDATES FOR EXECUTIVE LEADERSHIP POSITIONS WITHIN THE PRE-K 4 SA PROGRAM, FOR AN AMOUNT OF UP TO \$175,000, AND THE ACCEPTANCE OF A FINANCIAL CONTRIBUTION FROM RAISE YOUR HAND TEXAS FOR AN AMOUNT OF UP TO \$175,000 TO CONTRIBUTE TO THE COST OF EXECUTIVE RECRUITING SERVICES.

2012-12-13-0966

- C. AN ORDINANCE APPROVING THE IMPOSITION OF A ONE-EIGHTH CENT SALES AND USE TAX TO FUND PRE-K 4 SA AS PREVIOUSLY APPROVED BY THE VOTERS IN THE NOVEMBER 6, 2012 ELECTION.

Peter Zanoni presented the recommended board appointments to the Early Childhood Education Municipal Development Corporation. He stated that the Board is required by the State and that the Board of Directors would be responsible for: 1) Overseeing the initiative's implementation; 2) Adopting annual operating budgets; 3) Assisting with the selection of the CEO to lead Pre-K 4 SA; 4) Creating policies for the Board and Pre-K 4 SA; 5) Reviewing programmatic evaluations; and 6) Advancing the mission and programs of the Pre-K 4 SA Initiative. He reported that the appointees of even-numbered City Council Districts would serve for an initial one-year term while the appointees of the Mayor and odd-numbered Council Districts would serve an initial two-year term. He noted that after the initial appointments; terms would begin on June 1st and be effective for two years. He outlined the recommended appointments. He indicated that the Board of Directors would convene for their first meeting in January 2013 and would consider the Bylaws, Memorandum of Understanding with the Model Centers, CEO Selection, and Budget.

Mr. Zanoni reported that staff recommends that the City Council approve a contract with Ligature Partners Recruiting Firm to assist with the recruitment of the Pre-K 4 SA CEO, Professional Development Director, and two Model Center Directors. He explained that the city had utilized a Request for Information (RFI) Process to ensure that proposals for executive recruiting firms came from qualified firms with experience in recruiting executives for educational institutions. He reported that the city had received five submissions from qualified firms and that a review panel had selected two finalists to interview. He stated that the panel recommended Ligature Partners Recruiting Firm for a contract amount of \$175,000 and that Raise Your Hands Texas would pay the cost. He noted that the fee for service would consist of 29% of each selected candidate's initial salary plus a monthly administrative fee. He indicated that they would conduct a detailed needs assessment and recruitment plan with the goal to hire a CEO by mid-March. He added that staff recommends that the City Council adopt an ordinance imposing the 1/8th cent sales tax for the Pre-K 4 SA Program as previously approved by the voters.

Mayor Castro called upon Nazirite Ruben Flores Perez to speak on Item 5.

Mr. Nazirite Ruben Flores Perez stated that he was supportive of Pre-K 4SA and spoke of the importance of education for youth.

Mayor Castro thanked everyone that worked on Pre-K 4 SA and stated that he was appreciative of the voters' investment in human capital. He recognized the Board Members that were being appointed and stated that he was confident in their work. He asked Chair Elaine Mendoza to say a few words.

Ms. Mendoza thanked the City Council for the distinct privilege and honor to serve on the Board. She stated that she understands and accepts the responsibilities and would work to ensure measureable outcomes of the Pre-K 4 SA Initiative.

Councilmember Lopez recognized Mayor Castro for his leadership on the Pre-K 4 SA Initiative and spoke of the importance of measuring results. He added that he hoped that the Pre-K 4 SA Initiative would be a model for others to follow.

Councilmember Saldaña commended the Board Members for their service and clarified that they would not be paid for serving on the Board.

Councilmember Chan also thanked the Board Members for their service and stated that she was pleased that there was diverse representation on the Board.

Mayor Castro expressed his appreciation to Raise Your Hand Texas for their contribution.

City Clerk Vacek asked each Councilmember to state the name of their appointee.

Mayor's Appointee/Chairperson: Elaine Mendoza

District 1: Dr. Richard Middleton

District 2: Pamela Ray

District 3: Major General Joe Robles

District 4: Richard Perez

District 5: Gloria Ramirez

District 6: Dave Force

District 7: Dr. John Folks

District 8: Robert Bevard

District 9: Comelia Black

District 10: Dr. Linda Foster

Councilmember Lopez moved to adopt the proposed Ordinances for Items 5A, 5B and 5C. Councilmember Bernal 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 6:

Item 6. STAFF BRIEFING AND UPDATE ON THE STATUS OF THE CITY OF SAN ANTONIO'S FIVE-YEAR CONTRACTING DIVERSITY ACTION PLAN.

Mike Frisbie spoke of the City's Five-Year Diversity Action Plan, noting that the CIMS Department was working on a plan to increase African American Business Enterprise (AABE) Participation within the 2012-2017 Bond Program. He highlighted the community involvement on development of the Plan which included: District 2; National Association for the Advancement of Colored People (NAACP); Industry Professionals; and the Fair Contracting

Coalition (FCC). He introduced Porter Dillard, AIA of Dillard Architect Group representing the FCC.

Mr. Dillard spoke of the Plan's vision in which city contracts would mirror the diversity of the San Antonio Business Community. He outlined the goals that include increasing the number of minority and women-owned firms in the city's Central Vendor Registry (CVR) and increasing their participation on city contracts. He provided an overview of the strategies for outreach; increasing participation; and building capacity.

Mr. Frisbie highlighted outreach efforts as of November 30, 2012, noting that a CIMS Diversity Coordinator had made contact with 27 firms. He indicated that firms had identified barriers that include bonding, insurance and lack of access to capital. He stated that city staff had obtained a list of vendors from Bexar County, SAWS, and CPS Energy. He noted that there were three on-call opportunities available in the 2012 Bond: 1) Mechanical, Electrical, and Plumbing Engineering; 2) Structural Engineering; and 3) Sidewalk and Curb Installation. He reported that Risk Management had agreed to include language in the solicitations to let firms know that insurance limits can be negotiated. He stated that since October 11, 2012, the number of AABE Firms has doubled from three to six and the number of AABE on teams has increased by 20%. He added that they would enter into a Memorandum of Understanding with the UTSA Small Business Development Center for education and assistance with completing city bid forms.

Mr. Frisbie spoke of the Mentor-Protégé Program that provides guidance and advice to businesses in areas such as administration, organizational management, and operations management. He indicated that protégé firms attend training and are matched with appropriate mentor companies. He highlighted the Bonding Assistance Program consisting of a consortium of banks to provide access to credit. He noted that they would continue implementation of the Diversity Action Plan and report results on a quarterly basis.

Mayor Castro thanked staff for the presentation and the many individuals that assisted with the plan. He called upon the citizens registered to speak.

Christopher Scott stated that he was representing the Alamo Asian-American Chamber of Commerce and commended the city for their work on the Plan. He referenced the need to address segmented goals within the current ordinance and asked that other disadvantaged categories be addressed such as Disabled and Veteran Business Enterprises.

Travis Wiltshire of the Alamo City Black Chamber of Commerce stated that they were supportive of the Plan. He noted that there were two issues that needed to be strengthened including the enforcement and policing of the certification process for small, women, minority business enterprises. He spoke of the need to ensure that shell companies are not created to undermine the intent of the Small Business Economic Development Advocacy (SBEDA) Process. He noted that segmented goals specifically target businesses owned by women and certain minority groups and hoped they would be incorporated in the future.

Christopher Herring stated that he was the owner of New Horizon Schools and a Retired Air Force Officer. He noted that he was pleased to serve as the Mayor's Appointee on the Small Business Advocacy Committee and stated that he was fortunate to be able to listen to the concerns voiced by the FCC.

Patrick Shearer representing ACCION Texas spoke in support of the Plan and highlighted their work with the city to increase the number of businesses successfully bidding on public contracts. He stated that ACCION Texas had agreed to commit \$1 million of their funds to assist contractors meet bonding capacity. He noted that they hoped to leverage additional funds from their partners to expand the effort and highlighted the \$130 million that they have provided in loans to over 12,000 clients. He recognized city staff for their efforts on the Diversity Action Plan.

Doug McMurry stated that he was representing the Associated General Contractors and they had worked on the development of the SBEDA Program for over a decade. He noted that they would work with the various stakeholders to increase the availability of AABE Firms and implement the Diversity Action Plan.

Gordon M. Benjamin stated that he was a representative and participant in Neighborhoods First and Last. He noted that he was speaking on the joint venture aspect and expressed concern that discrimination has occurred in the past. He applauded the city for their efforts to increase minority participation.

Cristina Bazaldua-Salazar stated that she was speaking on behalf of the San Antonio Hispanic Chamber of Commerce in support of the city's efforts to strengthen the effectiveness of the SBEDA Ordinance and public contracting. She spoke of the need to include minority and local businesses in public contracts.

Renee Harris stated that she was a member of the FCC, African-American Woman, Retired Service, Disable Veteran, and Small Business Owner honored to live in San Antonio. She thanked the city for their efforts but noted that there was still more work to be done. She requested that the city allow a waiver for joint ventures and/or partnerships in construction and to implement a means of accountability in all areas of economic development and growth including segmentation.

Byron Miller stated that he was a business owner and community volunteer. He expressed concern that African-Americans have received zero percent of contracts for professional services and goods and services. He noted that he was optimistic for the future but concerned with how the city got to this point. He asked the City Council to convey what is important to the city and how business should be conducted in San Antonio.

Ken Lowe spoke of the funding and capital structure and noted the disappointing numbers with regard to funds being spent in the minority community. He stated that small, minority-owned businesses needed assistance with financing because they could not perform work on contracts without same.

TC Calvert thanked city staff for their efforts and spoke of the need to strengthen the SBEDA Ordinance. He stated that the City of San Antonio had the opportunity to become a beacon of light for the entire country with regard to the Five-Year Diversity Action Plan. He requested that two African-Americans and a South Side Representative be appointed to the Economic Development Foundation (EDF), noting that the city had invested \$500,000 in the EDF.

Mayor Castro thanked everyone that worked on the Plan and stated that it was an important step in ensuring that contracting opportunities were extended throughout the community.

Councilmember Taylor also thanked everyone that had been involved in the process and spoke of the challenging conversations that had taken place. She stated that this was a good starting point but that the FCC, NAACP and business leaders must continue the dialogue and hold the city accountable. She indicated that in regard to segmentation, the city was collecting data and would need that in order to make the best decision moving forward. She asked when data would be available. Rene Dominguez replied that they hoped to have data by May 2013. Councilmember Taylor asked of increasing representation on the EDF. Mr. Dominguez responded that they were actively working with EDF to ensure that there is fair representation.

Councilmember Chan thanked everyone for their participation and spoke of the importance of leveling the playing field. She stated that everyone should have an opportunity to seek public contracts and noted the importance of data collection.

Councilmember Bernal expressed his support for the plan and noted that the SBEDA Ordinance allows the city to use race and gender when awarding contracts. He stated that legally, the city could not utilize segmentation until one year of data is collected. He spoke of the importance of creating opportunities for everyone that would like to perform business with the city and added that he was interested in seeing real, measurable progress.

Councilmember D. Medina stated that this was a very important issue and spoke of the importance of helping small businesses succeed. He thanked everyone that participated in the process and recognized ACCION Texas for their partnership.

Councilmember Williams stated that for the first time; the city is identifying individuals to talk to and believed this was encouraging. He spoke of the importance of the Mentor/Protégé Program and indicated that operating a business was a daunting and difficult task.

Councilmember Ozuna stated that being a small business owner, she was aware of the issues in terms of being awarded contracts for city projects. She noted that this was a good plan that would help the city reach its goals.

Mayor Castro stated that no action was required for Item 6.

The City Clerk read the caption for Item 7:

2012-12-13-0967

Item 7. AN ORDINANCE AUTHORIZING A CHAPTER 380 ECONOMIC DEVELOPMENT PROGRAM GRANT AGREEMENT WITH OCI SOLAR POWER IN THE AMOUNT OF \$380,000.00 SUBJECT TO OCI SOLAR POWER LLC LOCATING ITS CORPORATE HEADQUARTERS IN DOWNTOWN SAN ANTONIO AND CREATING 76 CORPORATE JOBS.

Rene Dominguez introduced Tony Dorazio, President of OCI Solar who recently moved to San Antonio. He reported that staff was requesting authorization to enter into an Economic

Development Grant Agreement in the amount of \$380,000 payable over three years with OCI Solar Power LLC. He outlined the project benefits in which 76 jobs would be created in the Renewable Energy Industry at an annual average salary of \$47,200. He noted that it would support the SA2020 Goal to increase downtown employment by 25% by attracting a corporate headquarters and high-wage jobs to the Center City.

Mr. Dominguez explained the OCI was a subsidiary of OCI Company Ltd., a global green energy and chemical company based in Seoul, South Korea. He reported that following a yearlong competitive proposal process, CPS Energy had reached an agreement with OCI to build a 400-megawatt solar power project and commit to: 1) Building an anchor manufacturing plant in San Antonio; 2) Creating 805 Solar Energy Jobs; and 3) Investing a minimum of \$100 million. He stated that OCI has developed a consortium of partners that include Nexolon America, LLC, Energia Ercam, and KACO New Energy, Inc. He mentioned that Chapter 380 of the Local Government Code authorizes the city to provide grants for the purpose of promoting economic development. He added that the project would meet the wage requirements in the Economic Development Incentive Fund (EDIF) Guidelines requiring OCI to pay all employees a living wage of \$11.08 per hour.

Mayor Castro thanked OCI for their investment in San Antonio and the Downtown Area.

Councilmember Bernal thanked staff for their work and commended OCI for their investment in Downtown San Antonio. He stated that he was pleased with the job opportunities that would be provided to residents.

Councilmember Ozuna stated that she was pleased to support a project that creates a diverse energy portfolio for the region. She noted that she looked forward to creating economic strength in the Downtown Area and commended OCI for committing to San Antonio.

Councilmember Chan congratulated OCI for coming to the City of San Antonio and stated that she was a great supporter of a clean energy economy. She added that she was pleased with the jobs that would be created in the Downtown Area.

Mayor Castro recognized Mr. Donazio. Mr. Donazio thanked everyone for the opportunity to come to San Antonio and stated that he was pleased to be here.

Councilmember Bernal 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 Items 8A-8D:

Item 8. PUBLIC HEARING AND CONSIDERATION OF THE FOLLOWING ORDINANCES RELATING TO ECONOMIC DEVELOPMENT INCENTIVES FOR NEXOLON, AMERICA, LLC.

2012-12-13-0968

A. A PUBLIC HEARING AND ORDINANCE DESIGNATING THE BROOKS CITY-BASE REINVESTMENT ZONE AT BROOKS CITY-BASE.

2012-12-13-0969

B. AN ORDINANCE APPROVING A 10-YEAR, 100% AD VALOREM TAX ABATEMENT ON NEXOLON'S PERSONAL PROPERTY TO BE LOCATED AT BROOKS CITY-BASE.

2012-12-13-0970

C. AN ORDINANCE APPROVING A CHAPTER 380 ECONOMIC DEVELOPMENT PROGRAM GRANT AGREEMENT WITH NEXOLON IN AN AMOUNT NOT TO EXCEED \$400,000 OVER 3 YEARS AND APPROVING A WAIVER OF SAWS SEWER/WATER IMPACT FEES UP TO \$500,000 FOR THE NEXOLON PROJECT SUBJECT TO NEXOLON CREATING 404 JOBS AND INVESTING APPROXIMATELY \$115 MILLION AT BROOKS CITY-BASE.

D. A COMMITMENT TO USE THE CITY'S BEST EFFORTS TO PROVIDE \$12 MILLION IN FUTURE FUNDING FOR PUBLIC INFRASTRUCTURE IMPROVEMENTS AT BROOKS CITY-BASE TO FACILITATE FUTURE ECONOMIC DEVELOPMENT PROJECTS. THE PROPOSED FUNDING WOULD COME FROM MULTIPLE SOURCES SUCH AS NEW CPS ENERGY REVENUE FROM THE NEXOLON PROJECT AND THE CITY'S BEST EFFORTS TO OBTAIN FUNDING IN A FUTURE BOND ELECTION.

Rene Dominguez introduced Woo-Jeong Lee, President of Nexolon America, LLC. Mr. Dominguez stated that staff recommended approval of the designation of the Brooks City-Base Reinvestment Zone at Brooks City-Base. He noted that they further recommended authorization of a 10-year, 100% tax abatement on personal property with Nexolon America, LLC, as well as an Economic Development Grant Agreement of \$400,000 payable over three years with Nexolon America, LLC. He added that they recommended a commitment to use the city's best efforts to provide \$12 million in funding for public infrastructure at Brooks. He highlighted the project benefits in which high-paying manufacturing jobs would be created on the Southside and foreign direct investment would be attracted.

Mr. Dominguez reported that Nexolon would contribute \$500,000 over five years to Alamo Colleges to train a Solar Energy Workforce. He stated that Nexolon would supply solar panels for the OCI Project with CPS Energy with plans to build a manufacturing plant at Brooks City-Base. He noted that they would create 404 Solar Manufacturing Jobs at an average annual salary of \$44,000 and invest \$115 million in real and personal property. He explained that the \$12 million commitment for Brooks Infrastructure would come from multiple sources to include up to \$7 million from new CPS Energy Revenue and \$5 million from a future bond election. He indicated that the city's \$12 million in potential funding along with a \$5 million payment from Nexolon would provide the Brooks Development Authority (BDA) fair value of \$17 million for the land. He added that the BDA Board had approved the general terms and conditions outlined.

Mr. Dominguez explained that the city must designate the project site of 85.65 acres as a Reinvestment Zone by State Statute before the city can enter into a Tax Abatement Agreement

with Nexolon. He stated that projects investing over \$40 million in the Inner City Reinvestment Infill Policy (ICRIP) Area are eligible for SAWS Impact Fee Waivers up to \$500,000. He noted that funds were available in the EDIF to support the \$400,000 grant to Nexolon.

Mayor Castro thanked Nexolon for their investment in San Antonio and commended the BDA Board and city staff for their work on the project. He called upon the individuals registered to speak.

Nazirite Ruben Flores Perez spoke in support of the project.

Reba Malone stated that she served on the BDA Board and believed that this was one of the best projects that would help Brooks, the Southside, and all of San Antonio. She asked the City Council to support the BDA Board by approving the project.

Mayor Castro stated that San Antonio is making great strides in becoming a leader in the new energy economy. He added that manufacturing jobs were good jobs that had a strong multiplier effect.

Councilmember Ozuna stated that this was a great opportunity for the Southside noting that the unemployment rate of the area exceeds 9%. She noted that investment in the infrastructure on the Southside was a win for Brooks and added that she was pleased to have the opportunity to vote on said item.

Councilmember Williams stated that he shares the enthusiasm of the Southside but indicated that he would have to look at all facets of the project. He stated that these jobs are great for the city and would like to see Brooks developed. He noted that his concern was with Item 8D and asked of the land value of \$17 million. Mr. Dominguez replied that they worked with Brooks to determine the land value and that Transwestern, BDA's Real Estate of Record, had confirmed the methodology. Councilmember Williams asked of the annual payment to Brooks by Nexolon. Mr. Dominguez replied that Nexolon would pay \$275,000 annually for operations and management. Councilmember Williams asked who would control the land. Mr. Dominguez stated that after 10 years; Nexolon would own the land. He noted that BDA would not be required to provide the land for collateral until the acquisition took place. He added that the BDA was still in the process of negotiating the terms. Councilmember Williams expressed concern that Nexolon would pay \$5 million and control land valued at \$17 million. He stated that he could not support Item 8D.

Councilmember Saldaña stated that he was excited about the project and asked of the \$12 million provided by the city. Mr. Dominguez replied that the \$12 million would be utilized to fund needed public infrastructure improvements for future development. He showed a map depicting the areas that would be improved and noted that they would become more favorable for development within Brooks. Councilmember Saldaña stated that he was supportive of the infrastructure investment that would provide opportunities for future economic development and highlighted the 400 jobs that would be created. He recognized Nexolon for their \$500,000 contribution to the Alamo Colleges to establish a Solar Energy Workforce Training Program.

Councilmember Chan stated that incentives are important to attract businesses to the city but noted that it was important to ensure that the city enters into good business deals. She asked of

the \$12 million investment by the city. Mr. Dominguez referred to the map and stated that the entire amount would be used for street and drainage improvements with a focus on Aviation Road. City Manager Sculley added that Brooks had more than \$70 million worth of capital improvements and the \$12 million would help address those needs. Councilmember Chan asked of the location of the public improvements. Mr. Dominguez replied that they were parallel to IH-37 on the East Side of the map. He added that the BDA Board had a plan and did not want to misrepresent where the investment would occur.

Councilmember Chan expressed concern with the great amount of land value that would be given to Nexolon. She asked of the role of Pat DiGiovanni in the project noting that it was her understanding that he was no longer employed with city. Ms. Sculley replied that Mr. DiGiovanni had served on the BDA Board for the past several years as the District 10 Appointee which is a Representative of the City Manager. She stated that he would continue to serve until he was replaced by the entire City Council which was on the agenda today. She noted that she had asked him to attend the BDA Board Meeting earlier in the week to discuss the continuing development of the proposal but he had not voted on said item. She added that the City Attorney's Office had confirmed that there was no conflict in regard to his participation. Councilmember Chan stated that she could not support Item 8D.

Councilmember Soules thanked Nexolon and OCI for coming to San Antonio and recognized staff for their work. He stated that he was in agreement with the basic level of incentives and supportive of developing Brooks City-Base, however; he was concerned with Item 8D. He asked if Nexolon would receive \$17 million worth of property in exchange for a payment of \$5 million. Mr. Dominguez replied that the Brooks Business Model requires that they be made whole and therefore, Nexolon will pay \$5 million and the city will contribute \$12 million in infrastructure improvements. He noted that in regard to incentives, each project is evaluated on a number of factors. Ms. Sculley added that the city had asked Nexolon to develop at this location and was making it work so that the BDA would be strengthened and developed. Councilmember Soules asked how the \$12 million amount was determined. Mr. Dominguez replied that it was the difference between the \$17 million land value and \$5 million payment from Nexolon. Councilmember Soules stated that he would support the incentives but could not support Item 8D.

Councilmember Bernal stated that he supports the entire package and that the project was very worthwhile due to the many jobs that would be created. He added that without Item 8D; this project will not get done.

Councilmember D. Medina stated that he was supportive of the project and pleased with the amount of jobs that would be created. He thanked Nexolon for their support and commitment to the Alamo Colleges to assist with job development and workforce training.

Councilmember Chan reiterated that she was supportive of the Southside but her concern was ensuring that it was a good business deal. She asked why 86 acres were needed for the project. Mr. Dominguez responded that it was due to the irregular size of the lot and the potential expansion. Councilmember Chan asked why a zero-lease for 99 years would not work. Mr. Dominguez replied that the company wanted the ability to own the land and this was the best deal for Brooks and Nexolon.

Councilmember Ozuna restated the reasons for Nexolon developing at Brooks noting the need to address transportation and drainage issues. She added that the infrastructure improvements would attract future development at Brooks. She requested the amount of sales tax that would be generated. Mr. Dominguez replied that he would provide that information to the City Council.

Councilmember Ozuna moved to adopt the proposed Ordinance for Item 8A. Councilmember Bernal 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.

Councilmember Williams moved to adopt the proposed Ordinance for Item 8B. 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.

Councilmember Bernal moved to adopt the proposed Ordinance for Item 8C. 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.

Councilmember Ozuna moved to approve Item 8D. Councilmember Saldaña seconded the motion.

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

RECESSED

Mayor Castro recessed the meeting at 12:48 pm to break for lunch and announced that the meeting would resume at 2:00 pm.

RECONVENED

Mayor Castro reconvened the meeting at 2:05 pm and addressed Item 9.

The City Clerk read the caption for Items 9A, 9B and 9C:

Item 9. CONSIDERATION OF THE FOLLOWING ITEMS RELATING TO THE PERMITTING AND INSPECTION OF BOARDING HOMES:

2012-12-13-0971

- A. AN ORDINANCE AMENDING CHAPTER 16, LICENSES AND BUSINESS REGULATIONS OF THE CITY CODE OF THE CITY OF SAN ANTONIO BY ADOPTING ARTICLE XX ENTITLED "BOARDING HOMES," ESTABLISHING THE INSPECTION, REGISTRATION AND PERMITTING OF BOARDING HOMES.

2012-12-13-0972

- B. AN ORDINANCE AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE OF THE CITY CODE OF SAN ANTONIO, TEXAS BY ADOPTING NEW PROVISIONS AND DEFINITIONS FOR BOARDING HOMES AND RELATED FACILITIES.

2012-12-13-0973

- C. AN ORDINANCE AUTHORIZING AN AGREEMENT WITH THE TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES FOR COORDINATION AND SUPPORT OF THE CITY'S BOARDING HOMES PROGRAM.

Assistant City Manager David Ellison presented the proposed Boarding Home Registration and Annual Inspection Program. He stated that it was a complex issue and the vast majority of states and cities do not regulate boarding homes. He outlined the Communications Plan utilized to address said issue that included hosting five community forums since October. He noted that the major themes that emerged were that regulation was too expensive and that too much regulation could increase homelessness. He indicated that boarding homes that were legally in existence prior to the adoption of said ordinance would not have to meet the 2012 Building-Related and Fire Code Requirements. He noted that they would still be subject to annual registration, inspection, and related requirements. He added that the purpose of the proposed regulations were to ensure the health, safety and welfare of boarding home facility residents by establishing standards for construction, maintenance, and reporting.

Mr. Ellison outlined the proposed key ordinance requirements that include the installation of fire sprinklers, arc-fault circuit interrupters in-lieu of the current city requirement for commercial wiring, smoke and carbon monoxide detectors. He stated that a written fire and emergency evacuation plan must be submitted and was subject to approval by the Fire Department. He noted that kitchen inspections were required when meals were provided by the boarding home and a \$25 food handling permit must be purchased. He spoke of the space limits in which 70 square feet of floor space per sleeping room was required for single occupancy rooms and 50 square feet was required for multiple occupancy rooms.

Mr. Ellison spoke of the owner responsibilities in which an initial and annual assessment of residents must be conducted. He stated that there should be continuous on-site supervision of residents when three or more are at the boarding home. He noted that owners were responsible for reporting and investigating injuries and other unusual accidents. Additionally, owners must provide initial and on-going training for employees and operators, as well as perform criminal background checks for employees and operators.

Rod Sanchez, Development Services Director highlighted the change in the Unified Development Code (UDC) in which the number of residents per single family zoning district would increase from five to six. He noted that a ½-mile separation would be required between boarding homes which would be measured in a straight line without regard to intervening structures or objects.

Mr. Ellison highlighted the permitting process noting that a \$1,000 Annual Permit Fee would be required. He stated that if a boarding home was a rental property; the applicant must obtain and

submit authorization from the property owner. He noted that applications that were denied could be appealed to the Director of Development Services and technical issues could be appealed to the Building-Related and Fire Codes Appeals and Advisory Board. He mentioned that annual inspections would be required and that re-inspection fees would cost \$51.50 per inspector, per hour, per return visit.

Mr. Ellison spoke of the proposed changes to the posted ordinance that include limiting the requirement for on-site supervision to only those times when a resident is present in the facility. Additionally, staff is recommending increasing the fee for an Application for a Variance from \$100 to \$300 to cover the cost of providing notice to surrounding property owners. He stated that the city would continue to work with other agencies to explore partnership opportunities. He noted that a Memorandum of Understanding would be executed with the Texas Department of Family and Protective Services Adult Protective Services Division to assist with the investigation of incidents of abuse and enforce appropriate levels of care.

Mr. Ellison reported that the ordinance would be effective on March 1, 2013 and that existing boarding homes would have until January 1, 2014 to comply with the fire sprinkler requirement. He stated that the registration process would begin on January 2, 2013 and that boarding homes must be registered to begin the permitting process. He noted that \$750,000 was included in the FY 2013 Adopted Budget to fund seven positions and to assist with resident displacement.

Mayor Castro thanked staff for the presentation and called upon the individuals registered to speak.

Pamela Kelly stated that she works with individuals with developmental disabilities and expressed concern that the registration process is restrictive and cost prohibitive for boarding home operators. She mentioned the low amount of gross revenue received by operators which barely covered their expenses. She added that most of the items in the ordinance were valid but asked that consideration be given regarding the sprinklers and 24-hour supervision requirement.

Annika Thompson stated that she has worked with the mentally ill in San Antonio and was present today to advocate for boarding home residents. She noted that there should be regulations in place but expressed concern with the prohibitive cost of a sprinkler system, wiring, and 24-hour supervision requirements.

Melissa Rasco stated that she was not opposed to a city ordinance for boarding homes but hoped that the requirements were reasonable and did not place any undue hardships on boarding home providers. She noted that boarding home providers operate on a small budget and expressed concern with the associated requirements.

Allison Brito stated that she works for a company that operates group and community homes in San Antonio and commended city staff for their work on a community forum she recently attended. She expressed concerns with the requirements related to staffing and sprinkler systems noting their high costs.

Gina Ellison stated that she was the owner and operator of Christian Hope Personal Care Home. She spoke of the limited amount of money she receives for running this type of business and expressed concern with the high cost to install a sprinkler system. She asked for assistance from

the city to implement the requirements noting that she was in favor of providing a safe environment for boarding home residents.

Councilmember Taylor thanked everyone that worked on said item. She asked staff of the \$210,000 allocated for resident displacement. Mr. Ellison replied that the funds would be used to assist a resident displaced due to a boarding home being shut down for non-compliance. Councilmember Taylor noted the concerns expressed by many regarding the cost to install a sprinkler system and asked staff to continue discussion regarding same. She stated that she would like to ensure the safety of the residents but did not want it to be cost prohibitive.

Councilmember Lopez asked of the notification that would be provided to surrounding property owners when an Application for Variance is received. Mr. Sanchez replied that notices would be sent to property owners within 200 feet of the proposed boarding home as well as Homeowner Associations located within the ½-mile boundary.

Councilmember Bernal thanked everyone for their work and stated that he was sensitive to the comments made regarding the cost of sprinklers and supervision. He noted that modifications could be made in the future depending on the experiences encountered.

Mayor Castro stated that the ordinance was important because it would help protect the safety of many San Antonio Residents.

Councilmember Bernal moved to adopt the proposed Ordinances for Items 9A, 9B and 9C. Councilmember Lopez seconded the motion.

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

CONSENT AGENDA ITEMS 10-37D

Consent Agenda Items 14, 23, and 27 were pulled for Individual Consideration.

Councilmember Lopez recognized the Board and Commission Members present and thanked them for their service to the City of San Antonio.

Councilmember Lopez moved to approve the remaining Consent Agenda Items. Councilmember Bernal seconded the motion.

Mayor Castro called upon Mike Schobel to speak on the Consent Agenda Items.

Mr. Mike Schobel representing the South Texas Alarm Association stated that they were not opposed to the Alarm Permit Ordinance (Item 25) but had a few concerns. He noted that they were concerned with false alarm reduction since AOT Public Safety Corporation was incentivized with a percentage of the fees that they collect for false alarms. He noted that this would be a disincentive to work with the South Texas Alarm Association to reduce false alarms. He added that they were concerned that a citizen would no longer have the ability to abate false alarm fees.

Faris Hodge, Jr. submitted written testimony in opposition to Items 5A-5C, 11, and 32. For Item 32, he wrote that it was wrong to provide tax abatements to businesses and not to citizens. He wrote in favor of Items 6, 8A-8D, 10, 12-17, 20, 22, 25, 29-31, and 36.

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

2012-12-13-0974

Item 10. AN ORDINANCE AUTHORIZING A CONTRACT WITH SMITH AND WESSON CORP. FOR ACQUISITION OF NEW HANDGUNS FOR CITY OF SAN ANTONIO LAW ENFORCEMENT AGENCIES FOR AN EXPENDITURE OF FUNDS OF APPROXIMATELY \$26,671.00 THROUGH A TRADE-IN PROGRAM.

2012-12-13-0975

Item 11. AN ORDINANCE AUTHORIZING THE CITY TO UTILIZE A COOPERATIVE CONTRACT WITH PHILPOTT MOTORS TO PROVIDE THE SAN ANTONIO POLICE DEPARTMENT WITH UP TO TWO HUNDRED FORTY 2013 MODEL FORD POLICE INTERCEPTOR UTILITY ALL WHEEL DRIVE VEHICLES FOR A TOTAL COST OF UP TO \$6,388,180.80, OF WHICH \$5,270,249.16 WILL BE FUNDED BY THE EQUIPMENT RENEWAL & REPLACEMENT FUND.

2012-12-13-0976

Item 12. AN ORDINANCE APPROVING A CHANGE ORDER IN THE INCREASE AMOUNT NOT-TO-EXCEED \$201,846.00 FOR A TOTAL CONTRACT AMOUNT OF \$1,618,245.00 AND AUTHORIZING PAYMENT TO PSE CONTRACTING, LLC, FOR CONSTRUCTION OF ADDITIONAL LOW IMPACT DEVELOPMENT BEST MANAGEMENT PRACTICE FEATURES FOR THE MISSION DRIVE-IN SITE DEVELOPMENT PROJECT, AN AUTHORIZED HOUSING AND URBAN DEVELOPMENT (HUD) 108 LOAN PROGRAM, STORM WATER OPERATING AND TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) NONPOINT SOURCE PROGRAM (319 GRANT) FUNDED PROJECT LOCATED IN COUNCIL DISTRICT 3; AND, AMENDING THE FY 2013 – 2018 CAPITAL IMPROVEMENT BUDGET WITH THE APPROPRIATION OF AN ADDITIONAL \$325,689.00 IN REIMBURSABLE TCEQ NONPOINT SOURCE PROGRAM 319 GRANT FUNDS AND THE ALLOCATION OF \$20,000.00 IN STORM WATER OPERATING FUNDS TO THE MISSION DRIVE-IN SITE DEVELOPMENT PROJECT.

2012-12-13-0977

Item 13. AN ORDINANCE AUTHORIZING A CHANGE ORDER IN THE INCREASED AMOUNT NOT TO EXCEED \$92,100.00 TO THE TASK ORDER CONTRACT FOR TRAFFIC SIGNAL EQUIPMENT MODIFICATIONS WITH EZ BEL CONSTRUCTION, LLC, FOR AS-NEEDED CONSTRUCTION SERVICES IN THE INSTALLATION OF TRAFFIC SIGNAL EQUIPMENT CITY-WIDE.

2012-12-13-0979

Item 15. AN ORDINANCE AUTHORIZING A 10-YEAR LICENSE AGREEMENT WITH VIA METROPOLITAN TRANSIT AUTHORITY FOR USE OF 5,500 SQUARE-FEET OF PUBLIC RIGHT-OF-WAY UNDER THE COMMERCE STREET UNION PACIFIC RAILROAD OVERPASS, LOCATED ON WEST COMMERCE STREET BETWEEN MEDINA AND SALADO (NCB 247), TO USE AS A STAGING AREA DURING CONSTRUCTION OF THE VIA WEST SIDE MULTIMODAL TRANSIT CENTER AND THEN EMPLOYEE PARKING UPON CONSTRUCTION COMPLETION, FOR A TOTAL FEE OF \$8,237.00.

2012-12-13-0980

Item 16. AN ORDINANCE AUTHORIZING A FIVE (5)-YEAR LEASE AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND DICK'S LAST RESORT OF TEXAS, INC. FOR 786.93 SQUARE FEET OF RIVER WALK PATIO SPACE.

2012-12-13-0981

Item 17. AN ORDINANCE APPROVING THE ASSIGNMENT OF A LEASE AGREEMENT IN FARMERS MARKET FROM LITTLE BIT OF TEXAS TO MARIA RIVERA BUSTOS DBA TURQUEZA.

Item 18. CONSIDERATION OF THE FOLLOWING ORDINANCES AUTHORIZING THE DECLARATION AS SURPLUS AND DISPOSITION OF SEVEN REAL PROPERTIES OWNED BY THE SAN ANTONIO WATER SYSTEM:

2012-12-13-0982

- A. AN ORDINANCE DECLARING AS SURPLUS AND AUTHORIZING THE DISPOSITION OF AN APPROXIMATE 0.0706 ACRE PORTION OF TWO TRACTS OF LAND LOCATED AT 163 BABCOCK ROAD IN NCB 8403, WITHIN COUNCIL DISTRICT 1.

2012-12-13-0983

- B. AN ORDINANCE DECLARING AS SURPLUS AND AUTHORIZING THE DISPOSITION OF A 0.3201 ACRE TRACT OF LAND LOCATED AT 2400 HENDERSON COURT IN NCB 10927, WITHIN COUNCIL DISTRICT 3.

2012-12-13-0984

- C. AN ORDINANCE DECLARING AS SURPLUS AND AUTHORIZING THE DISPOSITION OF AN APPROXIMATE 0.0561 ACRE TRACT OF LAND LOCATED AT 452 FURNISH AVENUE IN NCB 3127, WITHIN COUNCIL DISTRICT 5.

2012-12-13-0985

- D. AN ORDINANCE DECLARING AS SURPLUS AND AUTHORIZING THE DISPOSITION OF TWO PLATTED RESIDENTIAL LOTS LOCATED AT 855 OLD HIGHWAY 90 WEST IN NCB 8989, WITHIN COUNCIL DISTRICT 6.

2012-12-13-0986

- E. AN ORDINANCE DECLARING AS SURPLUS AND AUTHORIZING THE DISPOSITION OF A TRACT OF LAND APPROXIMATELY 0.846 ACRES LOCATED AT 149 FAITH DRIVE IN NCB 11505, WITHIN COUNCIL DISTRICT 7.

2012-12-13-0987

- F. AN ORDINANCE DECLARING AS SURPLUS AND AUTHORIZING THE DISPOSITION OF A PLATTED RESIDENTIAL LOT LOCATED AT 15619 WHITE FAWN IN NCB 14771, WITHIN COUNCIL DISTRICT 8.

2012-12-13-0988

- G. AN ORDINANCE DECLARING AS SURPLUS AND AUTHORIZING THE DISPOSITION OF A TRACT OF LAND APPROXIMATELY 39.929 ACRES LOCATED ON FM 3175 AND SOUTH EAST OF THE CITY OF LYTLE IN ATASCOSA COUNTY.

Item 19. CONSIDERATION OF THE FOLLOWING ORDINANCES AUTHORIZING THE DECLARATION AS SURPLUS AND DISPOSITION OF TWELVE REAL PROPERTIES OWNED BY THE SAN ANTONIO WATER SYSTEM:

2012-12-13-0989

- A. AN ORDINANCE DECLARING AS SURPLUS AND AUTHORIZING THE DISPOSITION OF A PLATTED RESIDENTIAL LOT LOCATED AT 922 VICKERS AVENUE, APPROXIMATELY .4304 ACRE WITHIN NCB 8011, LOCATED IN COUNCIL DISTRICT 4.

2012-12-13-0990

- B. AN ORDINANCE DECLARING AS SURPLUS AND AUTHORIZING THE DISPOSITION OF A PORTION OF A PLATTED RESIDENTIAL LOT APPROXIMATELY 0.0834 ACRE LOCATED AT 607 CARLISLE AVENUE (FORMERLY 611 CARLISLE AVENUE) WITHIN NCB 7651, LOCATED WITHIN COUNCIL DISTRICT 5.

2012-12-13-0991

- C. AN ORDINANCE DECLARING AS SURPLUS AND AUTHORIZING THE DISPOSITION OF TWO PLATTED RESIDENTIAL LOTS LOCATED AT 426 CARLISLE AVENUE WITHIN NCB 7917, APPROXIMATELY .1618 ACRE, LOCATED WITHIN COUNCIL DISTRICT 5.

2012-12-13-0992

- D. AN ORDINANCE DECLARING AS SURPLUS AND AUTHORIZING THE DISPOSITION OF THREE PLATTED RESIDENTIAL LOTS LOCATED AT 428

CARLISLE AVENUE WITHIN NCB 7917, APPROXIMATELY .2428 ACRE, LOCATED WITHIN COUNCIL DISTRICT 5.

2012-12-13-0993

- E. AN ORDINANCE DECLARING AS SURPLUS AND AUTHORIZING THE DISPOSITION OF A RESIDENTIAL LOT LOCATED AT 713 PATTON BOULEVARD WITHIN NCB 8114, APPROXIMATELY .5014 ACRE, LOCATED WITHIN COUNCIL DISTRICT 6.

2012-12-13-0994

- F. AN ORDINANCE DECLARING AS SURPLUS AND AUTHORIZING THE DISPOSITION OF A RESIDENTIAL LOT LOCATED AT 719 PATTON BOULEVARD WITHIN NCB 8114, APPROXIMATELY .5014 ACRE, LOCATED WITHIN COUNCIL DISTRICT 6.

2012-12-13-0995

- G. AN ORDINANCE DECLARING AS SURPLUS AND AUTHORIZING THE DISPOSITION OF A RESIDENTIAL LOT LOCATED AT 1214 MOREY PEAK WITHIN NCB 13516, APPROXIMATELY 0.3162 ACRE, LOCATED WITHIN COUNCIL DISTRICT 9.

2012-12-13-0996

- H. AN ORDINANCE DECLARING AS SURPLUS AND AUTHORIZING THE DISPOSITION OF ONE RESIDENTIAL LOT LOCATED AT 1302 MOREY PEAK WITHIN NCB 11781, APPROXIMATELY .3250 ACRE, LOCATED WITHIN COUNCIL DISTRICT 9.

2012-12-13-0997

- I. AN ORDINANCE DECLARING AS SURPLUS AND AUTHORIZING THE DISPOSITION OF AN APPROXIMATE 0.022 ACRE TRACT OF LAND LOCATED AT 1050 LOCKHILL-SELMA ROAD WITHIN COUNTY BLOCK 5004F IN CASTLE HILLS.

2012-12-13-0998

- J. AN ORDINANCE DECLARING AS SURPLUS AND AUTHORIZING THE DISPOSITION OF TWO PLATTED RESIDENTIAL LOTS LOCATED AT 1314 BIG OAK DRIVE IN COUNTY BLOCK 4163B, APPROXIMATELY .7580 ACRES, LOCATED WITHIN THE EXTRATERRITORIAL JURISDICTION LINE.

2012-12-13-0999

- K. AN ORDINANCE DECLARING AS SURPLUS AND AUTHORIZING THE DISPOSITION OF AN APPROXIMATE 0.6767 ACRE TRACT OF LAND LOCATED AT 3185 CENIZO WITHIN COUNTY BLOCK 4010C, LOCATED WITHIN THE EXTRATERRITORIAL JURISDICTION LINE.

2012-12-13-1000

- L. AN ORDINANCE DECLARING AS SURPLUS AND AUTHORIZING THE DISPOSITION OF THREE PLATTED RESIDENTIAL LOTS LOCATED AT 1143 SHALIMAR DRIVE IN POTEET (ATASCOSA COUNTY), TEXAS.

2012-12-13-1001

Item 20. AN ORDINANCE AUTHORIZING THE SUBMISSION OF THE 2013 COMMUNITY SERVICES BLOCK GRANT (CSBG) APPLICATION FOR THE PERIOD OF JANUARY 1, 2013 THROUGH DECEMBER 31, 2013 AND ACCEPTANCE UPON AWARD OF UP TO \$1,857,650.00 FROM THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS; APPROPRIATING FUNDS AND APPROVING A BUDGET AND PERSONNEL COMPLEMENT OF 25 POSITIONS FOR THE OPERATION OF PROGRAMS FUNDED THROUGH THE CSBG.

2012-12-13-1002

Item 21. AN ORDINANCE AUTHORIZING ACCEPTANCE OF A GRANT FROM THE AMERICAN BEVERAGE FOUNDATION FOR A HEALTHY AMERICA IN AN AMOUNT UP TO \$5,000,000.00 FOR USE IN A 2013 WELLNESS CHALLENGE BETWEEN THE CITY OF SAN ANTONIO AND THE CITY OF CHICAGO.

2012-12-13-1003

Item 22. AN ORDINANCE AUTHORIZING A CONTRACT AMENDMENT WITH SERVIDYNE SYSTEMS, LLC, DBA SCIENERGY, INC., TO ALLOCATE AN AMOUNT OF \$200,000.00 FOR ADDITIONAL LIGHTING ASSESSMENTS, LIGHTING RETROFITS, AND/OR SOLAR WINDOW FILM INSTALLATION AT 19 CITY-OWNED FACILITIES AND SEVEN DOWNTOWN PARKS AND PEDESTRIAN WALKWAYS, FOR A TOTAL CONTRACT VALUE NOT TO EXCEED \$3,700,000.00.

2012-12-13-1006

Item 24. AN ORDINANCE AMENDING CHAPTERS 16 AND 35 OF THE CITY CODE OF SAN ANTONIO, TEXAS, BY CLARIFYING AND STRENGTHENING CHAPTER 16 PROVISIONS RELATING TO SALVAGING AND RECYCLING OPERATIONS, HARMONIZING CHAPTER 35 LAND USE REQUIREMENTS WITH CHAPTER 16 AND PROVIDING FOR PENALTIES, PUBLICATION AND AN EFFECTIVE DATE.

Item 25. CONSIDERATION OF THE FOLLOWING ORDINANCES RELATING TO THE SAN ANTONIO POLICE DEPARTMENT ALARM PERMIT PROGRAM:

2012-12-13-1007

- A. AN ORDINANCE AMENDING CHAPTER 25 OF THE SAN ANTONIO CITY CODE TO PROVIDE FOR A COLLECTION FEE FOR PAST DUE FALSE ALARM FEES.

2012-12-13-1008

- B. AN ORDINANCE AUTHORIZING A REVENUE CONTRACT FOR AN ANNUAL AMOUNT OF AT LEAST \$2,500,000.00 WITH AOT PUBLIC SAFETY CORPORATION DBA PUBLIC SAFETY CORPORATION TO ADMINISTER THE ALARM PERMIT PROGRAM FOR THE SAN ANTONIO POLICE DEPARTMENT FOR AN INITIAL TERM OF FOUR YEARS, WITH TWO ONE-YEAR EXTENSION OPTIONS.

2012-12-13-1009

Item 26. AN ORDINANCE APPOINTING JOE CANDIA, DR. CHARLES HOOD, GLENDA RAICHLEN, GENE VINSON, CLAUDE HESTER, ROSA GONZALEZ, ELEANOR SPROWL, FRANK ANAYA, FREDERICK WILLIAMS, AND JANIS MYER TO THE CITIZEN ADVISORY ACTION BOARD.

2012-12-13-1010

Item 28. An Ordinance authorizing the settlement of a lawsuit styled *Lindsey Bishop and Carolyn Clark v. City of San Antonio, et al.*, Civil Case No. SA-09-CA-0751OG in the United States District Court, Western District of Texas, San Antonio Division for the amount of \$145,000.00.

2012-12-13-1011

Item 29. AN ORDINANCE WAIVING THE REQUIREMENTS OF SECTION 4-6(C) AND 4-6(D)(6) OF THE CITY CODE AND AUTHORIZING A VARIANCE REQUEST TO SELL ALCOHOLIC BEVERAGES AT 1012 NORTH FLORES STREET FOR ON-PREMISE CONSUMPTION WITHIN THREE HUNDRED (300) FEET OF THE AUSTIN ACADEMY, A PUBLIC EDUCATIONAL INSTITUTION LOCATED IN COUNCIL DISTRICT 1.

2012-12-13-1012

Item 30. AN ORDINANCE AUTHORIZING THE EXECUTION OF A CONTRACT WITH SORIA, INC. DBA CORPORATE PAYROLL ADMINISTRATORS, INC., TO PROVIDE PAYROLL SERVICES TO THE OFFICE OF THE MAYOR AND CITY COUNCIL FOR ELECTED OFFICIALS CONTRACT EMPLOYEES IN AN AMOUNT NOT TO EXCEED \$130,000.00 OVER THE COURSE OF FOUR YEARS.

2012-12-13-1013

Item 31. AN ORDINANCE AUTHORIZING AN AGREEMENT WITH VIA METROPOLITAN TRANSIT AUTHORITY FOR THE CITY OF SAN ANTONIO TO REMOVE THREE PARKING SPACES IN DOWNTOWN TO ACCOMMODATE NEW BUS SERVICE.

2012-12-13-1014

Item 32. AN ORDINANCE APPROVING THE ADOPTION OF TAX ABATEMENT GUIDELINES FOR THE PERIOD OF JANUARY 1, 2013 – DECEMBER 31, 2014.

2012-12-13-1015

Item 33. AN ORDINANCE APPROVING THE WORKFORCE SOLUTIONS ALAMO (WSA) BOARD PLAN AND BUDGET FOR 2012 – 2013 AND THE APPOINTMENTS TO TWO POSITIONS ON THE WSA BOARD.

2012-12-13-0045R

Item 34. A RESOLUTION TO ADOPT THE EFFECTIVENESS STUDY AND ECONOMIC DEVELOPMENT STRATEGIC PLAN FOR CITY SOUTH MANAGEMENT AUTHORITY AND TO ACCEPT THE RECOMMENDATION OF OPTION 2 TO PHASE OUT THE CITY SOUTH MANAGEMENT AUTHORITY IN COORDINATION WITH THE ADOPTION AND IMPLEMENTATION OF THE CITY'S REVISED ANNEXATION AND LAND USE CONTROL POLICIES, AND AUTHORIZING THE CSMA BOARD OF DIRECTORS AND THE CITY MANAGER TO SUBMIT THE STUDY TO THE TEXAS LEGISLATURE PRIOR TO DECEMBER 31, 2012.

2012-12-13-1016

Item 35. AN ORDINANCE AUTHORIZING AN AGREEMENT WITH THE ASSOCIATION OF PUBLIC HEALTH LABORATORIES, INC. FOR THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT TO RECEIVE CENTERS FOR DISEASE CONTROL AND PREVENTION LABORATORY INFORMATION MANAGEMENT SYSTEM INTEGRATION PROGRAM FUNDING IN AN AMOUNT NOT TO EXCEED \$10,000.00 FOR A TERM BEGINNING UPON EXECUTION OF THE AGREEMENT THROUGH JUNE 30, 2013.

2012-12-13-1017

Item 36. AN ORDINANCE ACCEPTING THE OFFER OF CLEAR CHANNEL OUTDOOR, INC. TO PROVIDE BILLBOARD ADVERTISEMENTS FOR A PURCHASE PRICE OF UP TO \$99,230.00 FOR THE TICKETING AGGRESSIVE CARS AND TRUCKS PUBLIC INFORMATION AND EDUCATION PROGRAM.

Item 37. CONSIDERATION OF THE FOLLOWING ORDINANCES TO FACILITATE THE DISSOLUTION OF THE RIVER NORTH TAX INCREMENT REINVESTMENT ZONE (TIRZ) # 27 AND TO EXPAND THE BOARD OF DIRECTORS AND BOUNDARY OF THE MIDTOWN TIRZ #31 EFFECTIVELY MERGING THE TWO TIRZS.

2012-12-13-1018

A. AN ORDINANCE APPROVING THE TAX INVESTMENT REINVESTMENT ZONE #27 (RIVER NORTH TIRZ) PROJECT PLAN AND FINANCE PLAN AS APPROVED

BY THE RIVER NORTH TIRZ BOARD OF DIRECTORS AND TERMINATING RIVER NORTH TIRZ #27.

2012-12-13-1019

- B. AN ORDINANCE APPROVING THE TAX INVESTMENT REINVESTMENT ZONE #31 (MIDTOWN TIRZ) PROJECT PLAN AND FINANCE PLANS AS APPROVED BY THE MIDTOWN TIRZ BOARD OF DIRECTORS ON DECEMBER 3RD, 2012 AND SUBSEQUENTLY APPROVING AMENDMENTS TO THOSE PLANS ALSO APPROVED BY THE MIDTOWN TIRZ BOARD OF DIRECTORS ON DECEMBER 5TH, 2012.

2012-12-13-1020

- C. AN ORDINANCE AMENDING THE BOUNDARIES OF THE TAX INCREMENT REINVESTMENT ZONE #31 (MIDTOWN TIRZ).

2012-12-13-1021

- D. AN ORDINANCE REVISING TAX INCREMENT REINVESTMENT ZONE #31 (MIDTOWN TIRZ) DESIGNATING ORDINANCE 2008-12-11-1134 BY EXTENDING THE TERM OF THE MIDTOWN TIRZ TO SEPTEMBER 30, 2031, EXPANDING THE BOARD TO 15 BOARD MEMBERS, AND INCREASING THE CITY'S TAX PARTICIPATION RATE FROM 90% TO 100%.

[CONSENT ITEMS CONCLUDED]

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

The City Clerk read the caption for Item 14:

2012-12-13-0978

Item 14. AN ORDINANCE AUTHORIZING THE ACQUISITION THROUGH NEGOTIATION OR CONDEMNATION, OF PRIVATELY OWNED REAL PROPERTY LOCATED IN THE NORTHEASTERN SECTION OF THE CPS ENERGY SERVICE TERRITORY NEAR THE INTERSECTION OF IH 35 AND FM 3009, FOR THE EXPANSION AND OPERATION OF CITY OF SAN ANTONIO GAS AND ELECTRIC SYSTEMS; AND, DECLARING IT TO BE A PUBLIC PROJECT AND A PUBLIC NECESSITY FOR THE ACQUISITION.

Councilmember Soules moved that the City of San Antonio authorize the use of the power of eminent domain to acquire property for the public use for the CPS Energy Tri-County Substation Project by acquiring the following property described by the City Clerk and incorporated as part of this Motion. Councilmember Lopez seconded the motion.

City Clerk Vacek read the property description:

The properties consist of the following: Fee simple title and/or easement interests consisting of a total of 10.786 acres out of the John De Cordova Survey No. 514, Abstract 117 located in Guadalupe County, Texas; and the John Saladin Survey No. 404, Abstract No. 299 located in

Comal County, Texas. These properties are more particularly described in Exhibits A2 through A5 attached and incorporated to the Ordinance as part of this Motion.

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

The City Clerk read the caption for Items 23A and 23B:

Item 23. CONSIDERATION OF THE FOLLOWING ORDINANCES AUTHORIZING THE FOLLOWING RELATED TO THE PEANUT FACTORY LOFTS PROJECT IN CITY COUNCIL DISTRICT 5:

2012-12-13-1004

- A. AN ORDINANCE CONVEYING A CITY-OWNED PARCEL OF LAND LOCATED AT 905 SOUTH FRIO STREET IN DISTRICT 5 TO SOUTH FRIO PARKING, LLC FOR THE AMOUNT OF \$98,350.00.

2012-12-13-1005

- B. AN ORDINANCE APPROVING A CHAPTER 380 ECONOMIC DEVELOPMENT PROGRAM LOAN IN THE AMOUNT OF \$400,000.00 TO SOUTH FRIO DEVELOPMENT, LLC.

Councilmember D. Medina requested a presentation. Ms. Lori Houston presented a Power Point regarding the Peanut Factory Lofts Project. She stated that South Frio Development, LLC was proposing a \$10 million adaptive reuse housing development project located within a half-mile of the UTSA Downtown Campus. She noted that the property would be redeveloped into 98 market rate housing units of which 30-50% would be leased as student housing. She reported that the city-owned parcel of land would be conveyed to South Frio Parking, LLC for the amount of \$98,350. She added that the Planning Commission had approved said item on December 12, 2012. She explained that due to environmental concerns, the parcel would be deeded as is provided that South Frio Parking, LLC meet various requirements. She stated that the \$400,000 Program Loan was forgivable and would be funded by the Inner City Incentive Fund. She noted that the funds could be used for items such as environmental remediation, lighting, or other improvements. She mentioned that the project was in-line with the Student Housing Market Demand Assessment. Councilmember D. Medina stated that this was a great step forward for the West Side and the Inner City. He added that he was pleased with the \$10 million investment and 98 housing units.

Councilmember Bernal stated that he was pleased that a portion of the project would be dedicated to student housing and welcomed more students to the Downtown Area.

Councilmember D. Medina moved to adopt the proposed Ordinances for Items 23A and 23B. Councilmember Bernal seconded the motion.

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

The City Clerk read the caption for Item 27:

Item 27. 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 BARBARA WITTE-HOWELL (DISTRICT 1) TO THE JOINT CITY/COUNTY COMMISSION ON ELDERLY AFFAIRS.
- B. REAPPOINTING REBA MALONE (DISTRICT 3) AND APPOINTING JESSE HEREFORD (DISTRICT 10) TO THE BROOKS DEVELOPMENT AUTHORITY FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE MAY 31, 2013.
- C. APPOINTING DAVID A. ARMENDARIZ (DISTRICT 1) TO THE ETHICS REVIEW BOARD FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE APRIL 25, 2013.

Councilmember Ozuna commended the board members for their service and recognized Reba Malone for her work on the Southside. Ms. Malone stated that she was pleased to be a part of everything taking place at Brooks City-Base and would continue working for the Southside.

Councilmember Ozuna moved to approve the appointments for Items 27A, 27B and 27C. Councilmember Bernal seconded the motion.

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

Item 38. CITY MANAGER'S REPORT

A. FY 2012 YEAR END FINANCIAL REPORT

Ms. Sculley provided a preliminary status of the city's financial position for Fiscal Year (FY) 2012. She reported that the City's Comprehensive Annual Financial Report (CAFR) with audited financial information for FY 2012 would be presented in March 2013. She stated that the city continued to operate within its financial means with the smallest Government Per Capita since 2006 and fewer positions. She noted that based on preliminary unaudited closing financial data, the General Fund ends \$7.9 million better than estimated at budget adoption in September. She reported that there were still challenges in the FY 2014 Budget Cycle ranging from \$37-50 million. She stated that staff was projecting increases in the Sales Tax and Property Tax Revenues but CPS Revenues continue to be volatile as a result of lower natural gas prices and mild weather. She noted Hotel Occupancy Tax Collections were received at \$1.6 million more than projected and would be added to the Hotel Occupancy Tax Contingency Funds. She

reported that Development Services Fund Revenues were \$600,000 more than projected which reflected a slight increase in commercial and new residential permit activity. She added that the Airport and Solid Waste Funds ended FY 2012 in a positive financial position. She reported that staff would continue to monitor the city's fiscal position for FY 2013 and present the First Quarter Financial Report in February.

B. SAN ANTONIO FIRE DEPARTMENT HURRICANE SANDY RESPONSE

Ms. Sculley reported that in response to Hurricane Sandy, the State of New York had sent out a request to the State of Texas seeking expertise from trained Incident Management Team Members. She stated that the request was channeled through the Emergency Management Assistant Compact which allows states to send personnel, equipment, and commodities to help with disaster relief efforts in other states. She noted that the San Antonio Fire Department had deployed two experienced firefighters: District Chief Neal Ague and Captain Jesse Renteria. She reported that during their deployment, they worked closely with the New York Office of Emergency Management to approve, assign, and track critical assets. She stated that the City of San Antonio would send an additional deployment team of eight Firefighters and one Office of Emergency Management Civilian, as well as two San Antonio Police Officers. She indicated that the San Antonio Office of Emergency Management would seek reimbursement from the Texas Forest Service for expenses incurred. She thanked the employees for their assistance.

POINT OF PERSONAL PRIVILEGE

Mayor Castro recognized Councilmember D. Medina who would celebrate his birthday on December 26th. The City Council sang Happy Birthday to Councilmember D. Medina.

ADJOURNMENT

There being no further discussion, Mayor Castro adjourned the meeting at 3:24 pm.

APPROVED


JULIÁN CASTRO
MAYOR

Attest:


LETICIA M. VACEK, TRMC/MMC
City Clerk