

**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, JUNE 12, 2013, AND THURSDAY, JUNE 13, 2013, RESPECTIVELY.

The San Antonio City Council convened in a Work Session at 2:00 pm Wednesday, **June 12, 2013**, Municipal Plaza Building, with the following Councilmembers present: Bernal, Taylor, Viagran, Saldaña, D. Medina, Lopez, C. Medina, Williams, Chan, Soules, and Mayor Castro. **ABSENT:** None.

Item 2 was addressed first.

2. BRIEFING ON THE BI-ANNUAL HIGH PROFILE CONTRACTING REPORT FOR CONTRACT INITIATIVES BEING ISSUED DURING THE SECOND SIX MONTHS OF FISCAL YEAR 2013.

Troy Elliott, Finance Director presented the Biannual High Profile Contract Initiatives noting that High Profile Contracts meet one of the following conditions: 1) Estimated value over \$1 million; 2) High level of community interest or other exceptional interest; or 3) Highly complex or technical in nature, contract terms or conditions that are non-standard or complex. He mentioned that there were a total of 24 High Profile Contracts being released during the second half of the fiscal year. He stated that his presentation would focus on the following which were of most importance to the City Council: 1) Gas Station Concession by the Aviation Department; 2) Greater Mission Recreational Facility located in District 3; 3) Northwest Area Recreational Facility located in District 6; 4) Disparity Study by the Economic Development Department; 5) Café Commerce by the Economic Development Department; 6) Delinquent Property Tax Collections by the Finance Department; 7) Collection of Outstanding Fines, Costs and Fees by the Municipal Court Department; 8) Organic Processing by the Solid Waste Department; and 9) Engineering Construction Manager at Risk for the District 10 Senior Center. He indicated that Request for Proposals (RFPs) released after May 1st would be subject to the City's Local Preference Ordinance.

Councilmember Williams asked of the Gas Station Concession Contract. Tim O'Krongley replied that the intent was to operate a gas station and offer retail opportunities for Airport Customers. Mrs. Sculley added that it was part of the Airport Master Plan to generate Non-Airline Revenue. Mr. O'Krongley noted that they were reviewing two potential locations. Councilmember Williams stated that there were new concepts for fueling facilities and asked that it not be limited to a C-Store. He noted that the city should receive a percentage of the fuel price. He asked of the status of UTSA Boulevard. Mike Frisbie replied that there were \$8 million in Federal Funds and the city did not yet have matching funds. He noted that they were ready to begin the design but needed to identify \$6 million. He indicated that the project would be discussed during the Budget Process this summer. Councilmember Williams asked of the timeline. Mr. Frisbie replied that it was contingent upon the matching funds but anticipated presenting the item for approval to the City Council in August. Councilmember Williams asked that staff be prepared to discuss this project at the Community Budget Meeting scheduled next Tuesday.

Councilmember Chan thanked staff for the presentation and requested that the source(s) of funding be included in future High Profile Contract Updates.

Councilmember Soules asked of the Construction Manager at Risk Contract for the District 10 Senior Center. Mr. Frisbie replied that the Contractor would build the facility and be involved in the design process. He explained that the facility would be designed and constructed dually. Councilmember Soules asked of the contract amount for the Design Contract. Mr. Frisbie replied that it was \$800,000. Councilmember Soules asked of the Project Management Component. Mr. Frisbie responded that the cost for Project Management was usually 9% and that 60% of the budget was used for construction. Councilmember Chan spoke of the Construction Manager at Risk Process and asked of the \$3 million cost for construction. Mr. Frisbie stated that he believed the \$3 million listed on the presentation was an error and would provide the correct information to the City Council.

Councilmember Saldaña asked how the High Profile Contract Report was compiled. Mr. Elliott replied that they work with each of the City Departments to accumulate data. Councilmember Saldaña requested to follow up with staff regarding a specific park project.

Mayor Pro Tem Soules thanked staff for the presentation.

1. BRIEFING ON THE FUTURE EXPANSION OF THE HENRY B. GONZALEZ CONVENTION CENTER TO INCLUDE AN UPDATE ON THE PROJECT DESIGN, PROJECT SCHEDULE, MAJOR TIMELINES, AND THE PROPOSED PROCESSES MOVING FORWARD.

Michael Sawaya presented an overview of the vision for the Convention Center Expansion noting that they wanted to increase prime contiguous exhibit space to over 500,000 square feet. He stated that the project would include a new Multipurpose Room and Flexible Exhibit and Ballroom Space. He spoke of the need for consistent quality throughout the Convention Center to improve the city's competitive position nationally. He highlighted expansion benefits which include well-defined entrances and improve circulation and way-finding. He added that they would like to provide enhanced food service facilities and improve energy efficiency for lower operating costs. He indicated that there was a 12-acre HemisFair Park expansion opportunity. He provided an overview of the project schedule in which the construction was scheduled to begin in September 2013 and be completed in April 2016. He introduced Michael Lockwood, Populous Project Designer.

Mr. Lockwood provided an overview of the design plan, highlighting the Street, Concourse, and Ballroom Levels. He presented design renderings for the North and West Entries as well as the East and South Facades. He spoke of the sustainability of the project in which they would like to meet or exceed LEED Silver Certification. He noted that the Office of Sustainability was providing technical assistance and funding from the Energy Efficiency Fund. He indicated that design improvements to LEED Silver Baseline under review include: Optimized Energy Performance, Enhanced Commissioning, Measurement & Verification of Energy Savings, and Green Power. He presented the West Wing Programming Design noting that they would explore opportunities in August 2013.

Councilmember Bernal thanked everyone for the presentation and asked of the opportunity for the City Council to provide input. Mr. Lockwood replied that the building forms were set and that the steel was on order. He stated that they were currently looking at the color application and materials as well as the integration of art. Councilmember Bernal asked of the West Entry Designs. Mr. Lockwood indicated that they had looked at options for the current mosaic and that the canopies incorporated into the design would protect the event space. Councilmember Bernal stated that the Council and the public should

have some input on the design noting that it was an iconic structure in the city. Councilmember Chan stated that Architecture was very personal and asked if there had been any public input. Mr. Frisbie replied that there had been a great amount of input on the functional elements. He stated that they were looking for feedback from the City Council on the design. Councilmember Bernal expressed concern that the project had been absent from input. Mr. Sawaya stated that the Expansion Committee of the Convention and Visitors Commission and the HemisFair Park Area Redevelopment Corporation (HPARC) had been involved in the design process. Councilmember Bernal stated that the colors looked like they were tied to the Grand Hyatt Hotel and felt that the Convention Center should stand out on its own. Mr. Lockwood stated that the design process had been inclusive of local input and depended heavily on local design partners.

Councilmember Chan asked of the items that could be changed at this point in the process. Mr. Lockwood replied that the design was not final but noted that they had completed structural documents. He confirmed that changes made would require additional funding and could affect the schedule. He noted that 50% of the design had been documented and they were in the process of detailing the exterior. Councilmember Chan asked if there were various conceptual designs and to whom they had been presented. Mr. Lockwood stated that they had met with a core Convention Center Team, City Departments, Local Partners, and had conducted charrettes in the community. Mr. Frisbie added that they had worked on several Design/Build Projects and had followed the same process for this project. Councilmember Chan asked of the fiscal impact of changing the Architectural Design. Mr. Frisbie replied that there would have to be adjustments made to decrease the scope in order to stay within budget. Councilmember Chan asked of the project management. Mr. Frisbie replied that there was a core CIMS Team managing the project and a Private Sector Team that was assisting. He stated that there were multiple pages of duties and would provide it to the City Council. He outlined Project Team Members and their roles. Councilmember Chan requested an offline meeting to discuss project specifics.

Councilmember Viagran asked of the selection of the project designer. Mr. Frisbie replied that the City Council had approved the selection of Populous. Councilmember Viagran requested an overlay of the existing versus new buildings and asked of the involvement of HPARC. Mr. Lockwood responded that they work closely with HPARC and had also presented the project to the Historic Design Review Commission (HDRC). Councilmember Viagran stated that she did not see the city's themed logo "Deep. In the Heart." reflected in the project.

Councilmember D. Medina thanked Mr. Lockwood for their work on the design. He asked city staff if design information on the Public Safety Headquarters had been presented to the City Council prior to finalizing. Mrs. Sculley replied that it had not been presented to the City Council during a B Session. Councilmember D. Medina stated that the Convention Center was an iconic structure and asked that the Architect be sensitive to that.

Councilmember Williams stated that this process was set up to move fast and did not allow for a great amount of input. He noted that it was his understanding that the City Council would not be considered an element to the design.

Councilmember Chan stated that she had expressed interest in seeing the design concepts prior to this stage and believed that her expectations had not been met.

Councilmember Williams added that he did not believe that opinions were right or wrong but was simply stating that it was not his understanding that the Council would have input on the design.

Councilmember Chan spoke of the various stages of the Design/Build Process.

Councilmember Bernal stated that the Council was articulating their concerns regarding lack of input on the design. He noted that he would like to discuss options without derailing the process. Mr. Frisbie stated that there were things that could be looked at and would like to understand the concerns of the City Council.

Councilmember Soules spoke of the great amount of time that had been spent on designing the building and noted that the functionality was an important aspect. However; he indicated that discussion could have occurred prior to today and believed there could be more input from the Council in regard to the façade.

Councilmember Saldaña asked if the Council was being placated by being asked for their input. Assistant City Manager Ed Belmares stated that they were looking for input from the City Council and would make changes that could be managed within budget and schedule.

Mayor Pro Tem Soules thanked everyone for the presentation.

EXECUTIVE SESSION

Mayor Pro Tem Soules recessed the meeting at 4:06 pm to convene in Executive Session for the purposes of:

- 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).**

CITIZENS TO BE HEARD

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

Mrs. Vacek announced that Councilmember Lopez was not present this evening because he was attending the Community Budget Hearing in District 6.

Loretta Van Coppenolle stated that she was a member of the Citizens Environmental Advisory Committee (CEAC), Alamo Group Sierra Club, and had served on the Keep San Antonio Beautiful Board. She spoke of the many issues caused by plastic bags noting that they were costly; cluttered the landscape; and affected species. She requested that the City of San Antonio ban the use of plastic bags or charge for them at retail.

Margaret Day, Marisela Candelaria, and Gay Wright representing the Alamo Sierra Club addressed the City Council. Ms. Day requested that the City Council support a ban or fee for the use of plastic bags. She noted that she had provided research regarding the ban or fee for use of plastic bags to the City Council but the city had instead implemented a pilot program. She indicated that the pilot program had not resulted in any reduction of plastic bag use and that plastic bags were a cheap polluting product. She asked the City Council to ban the use of plastic bags for economic reasons.

Lisa Armstrong, Diane Lang, and Andrea Nocito representing the CEAC addressed the City Council. Ms. Lang read a Resolution passed by the CEAC endorsing restrictions on the use of single-use plastic bags. Ms. Nocito spoke of the goals of SA2020 related to San Antonio being recognized as a respectable steward of its natural resources and reducing the amount of materials going to landfills. She mentioned the many cities that had banned plastic bag use and urged San Antonio to do the same. She added that as an individual, she would like for the City to embrace diversity and accept everyone without discrimination. Ms. Armstrong stated that she was supportive of the elimination of single-use plastic bags.

Daniel Graney addressed the City Council in support of the proposed Non-Discrimination Ordinance and thanked Councilmember Bernal for his leadership. He stated that he was a 64-year-old gay man that had experienced discrimination. He noted that all deserved to be judged on the same merits and that no one group was more important than another.

Mobi Warren addressed the City Council in support of the proposed Non-Discrimination Ordinance and stated that everyone should be treated equally. She added that she was supportive of the ban on plastic bags.

Mary Hiller spoke in support of the proposed Non-Discrimination Ordinance noting that one of her two children was gay. She stated that everyone should be treated the same and have equal rights.

Richard Anthony Leyba stated that he was a participant in many gay community organizations and spoke in support of the proposed Non-Discrimination Ordinance. He explained that he felt harassed by the comments made last week against gay individuals by Christians. He mentioned that he was a good person and always helped others. He added that being gay was not a choice and that there should be separation of church and state.

Alex Parish addressed the City Council in support of the proposed Non-Discrimination Ordinance. He stated that he had grown up a Transgender Person in an Evangelical Family and spoke of the challenges he encountered. He noted that everyone should be treated equally.

Reverend Darwin Huartson addressed the City Council in support of the proposed Non-Discrimination Ordinance. He stated that everyone should be treated equally and that the city should embrace everyone.

Jose Zamorano stated that he had grown up in a large, poor family and felt ashamed for being gay. He noted that he has prayed for answers for many years and hopes that everyone can be treated equally.

Ryan Martin stated that he was representing the Sisters of Perpetual Indulgence of Mission that was started here in San Antonio. He noted that he had served in the Navy and Marine Corp. and had given many sacrifices to this country. He mentioned that he was gay and deserved the same rights and dignity as others.

Rosie Valdez stated that she was a straight person in support of the proposed Non-Discrimination Ordinance. She noted that everyone should be treated with respect and dignity and spoke of a Lesbian, Gay, Bi-Sexual, Transgender (LGBT) Meeting she had attended. She expressed concern that they could be asked to leave the restaurant and asked that this no longer be allowed to occur.

Phil Sevilla, President of the Texas Leadership Coalition spoke in opposition to the proposed Non-Discrimination Ordinance and to the creation of a Human Rights Commission. He stated that the initiative was not about discrimination but about same sex marriage. He added that the Ordinance was a direct assault on the business community.

Giselle Loreda representing the Gay, Lesbian, Bi-Sexual, Transgender, and Queer (GLBTQ) Organization at UTSA spoke in support of the proposed Non-Discrimination Ordinance. She spoke of the achievements of various members of their organization and stated that everyone should have the same protections.

Jennifer Falcon commended Councilmember Bernal for his efforts on the proposed Non-Discrimination Ordinance. She read a discrimination case that someone had sent her in which the person was discriminated for being gay. She expressed concern with the lack of assistance from San Antonio Police Officers.

Richard Farias addressed the City Council in support of the proposed Non-Discrimination Ordinance. He stated that he had grown up in a Catholic Family and followed the Golden Rule to ensure equal treatment for everyone. He noted that all employees should feel safe and secure in order to perform their jobs well.

Bianca De La Garza spoke in support of the proposed Non-Discrimination Ordinance. She noted that sexual orientation should not be a factor in determining job performance and quality of life issues. She stated that she hoped to raise a family with her partner in a community that was fair and unbiased.

Krystal Tomlin stated that the community would continue to be in debt to Veterans until all individuals received the same liberties and protection under the law. She added that she hoped that the death of service members was not in vain.

Priscilla Fernandez provided examples of discrimination she had witnessed in her professional career. She stated that there was no reason for delaying the passage of the item as it only extended current Federal Anti-Discrimination Policies.

Alanna Truitt spoke in support of the proposed Non-Discrimination Ordinance. She shared stories of the discrimination her gay brother faced on a daily basis and noted that he hoped for acceptance and equality. She stated that the passage of the item was important to everyone.

Mark Farris spoke of the role fear played in the decision to update the Human Rights Policy and the fear faced by members of the LGBT Community with losing their jobs and homes. He noted that San Antonio would be a better place to live after the passage of the item and asked why it had taken the city so long to pass a policy that had been in place by other communities for years.

Watson Moore addressed the City Council and spoke in support of the City's proposed plastic bag ban. He noted that he still uses the cloth shopping bag he purchased in Barcelona, Spain in 1976.

Janet Grigsby noted that her son faced discrimination on a daily basis and hoped that it would end upon the passage of the proposed Non-Discrimination Ordinance.

Kevin Abrams highlighted the various forms of discrimination he encountered and the fear associated with being a gay, deaf man of color. He requested that the City Council approve the proposed Non-Discrimination Ordinance.

Monte Marshall spoke in support of the proposed updates to the Human Rights Policy and the importance of inclusion. He noted that it was time to stop discrimination and injustice.

Pat Jasso addressed the City Council and spoke on the unfairness that Veterans and members of the LGBT Community faced. Ms. Jasso stated that she hoped to live in a community that treated everyone equally and with respect.

Lori Beltran spoke in opposition to the proposed Non-Discrimination Ordinance and noted how accepting Christianity and Catholicism allowed her to understand the negative impact of homosexuality. She requested that members of the City Council review all aspects of the proposed changes before voting.

Representatives of SEIU addressed the Council and highlighted the negative working conditions at Animal Care Services. John Dalton detailed the number of Animal Care Officers assigned to work per shift and their respective assignments. He noted that officers were overworked and understaffed, especially on weekends. Shannon Perez provided examples of work place discrimination, unjust termination, and retaliation.

Janice Flowers spoke in opposition to the proposed Non-Discrimination Ordinance. She highlighted the negative impact the regulations would have on the entire community and the shame associated with choosing homosexuality. Ms. Flowers noted that individuals living the LGBT Lifestyle would not be at peace until they sought Christianity.

Kelli Maples addressed the City Council and spoke in support of the proposed Non-Discrimination Ordinance. She detailed how the proposed regulations would positively impact the community while ensuring fairness and equality.

Dee Villarubia spoke in support of the proposed Non-Discrimination Ordinance and requested that all individuals be protected equally under the law. She highlighted forms of discrimination that she encounters.

Fred Kandeler expressed concern with individuals narrowly defining biblical teachings. He noted that this has resulted in inequality and discrimination. He requested that the City Council approve the proposed Non-Discrimination Ordinance.

H. Drew Galloway spoke in support of the proposed Non-Discrimination Ordinance and stated that all men were created equal under the law. He noted that all residents should be treated fairly regardless of their differences.

Gerald Ripley addressed the Council and asked of the restroom accommodations to be made for members of the LGBT Community. Solutions provided included issuing identification cards listing sexual orientation; retrofitting restrooms to be gender neutral; and creating separate facilities to accommodate men, women, and transgender individuals.

Jill Thrift spoke in opposition to the proposed Non-Discrimination Ordinance and noted its negative impact on families and children. She provided examples of the negative impact schools had encountered upon implementing sexual orientation policies.

Julie Pousson addressed the Council and highlighted discriminatory treatment she received while at the hospital. She spoke of the importance of teaching respect and understanding so that medical treatment was not delayed.

Mike Knuffke expressed concern with creating special classifications based on life style choices and how they would weaken the family structure. He asked of the impact associated with organizations implementing the proposed Non-Discrimination Ordinance.

Patrick Van Dohlen spoke of the negative impact the proposed Non-Discrimination Ordinance would have on families. He highlighted studies which determined that gay and bisexual men had a shorter life expectancy than heterosexual men and linked the use of female contraception with an increase in male homosexuality. Mr. Van Dohlen stated that homosexuality was a lifestyle choice as there was no proven evidence of the existence of a homosexuality gene.

Dorothy Wallace spoke of the importance of promoting dignity, equality, and respect for all. She noted that the Unitarian Universalist Church was accepting of everyone and highlighted the various programs that the Church offered. She requested that the City Council approve the proposed Non-Discrimination Ordinance.

Bert Stark noted that members of the City Council were elected to represent the will of the people. He provided examples of how the City Council previously implemented programs and policies that the community was against and requested that the City Council vote against the proposed Non-Discrimination Ordinance.

Mary Ann Stark addressed the City Council and spoke against the proposed development of a high rise hotel at the site of the old Joske's Department Store and installation of a street car route in front of the Alamo. She stated that said construction would negatively impact the historic ambiance of the Alamo and surrounding area.

Alyssa Estrada spoke in support of the proposed Non-Discrimination Ordinance and encouraged the City Council to equally represent all individuals.

John Nikolatos spoke in support of the proposal to ban the issuance of plastic bags. He highlighted how he utilized reusable bags and the negative implications associated with using plastic bags.

Isaac Brown spoke in support of the proposed Non-Discrimination Ordinance and expressed concern with classifying individuals based on sexual orientation, race, and religion. He detailed the discrimination he and his family have encountered.

Stan Mitchell addressed the City Council and expressed concern with the VIA Street Car Plan. He stated that information regarding ownership and operating costs was being withheld. He detailed how costs being presented by VIA were incorrect and noted the high cost to operate.

Mayor Castro announced that no action was taken by the City Council in Executive Session.

Faris Hodge, Jr. submitted written testimony regarding the Bexar County Discount Drug Program. He commended the Office of the City Clerk for the digitization of Historic Election Results. He expressed concern that CPS Energy does not provide same day reconnection services for customers that pay after 5:00 pm. He asked why the sidewalks in the Downtown Area were not washed every day. He highlighted the grant awarded to the YWCA of San Antonio for Breast Cancer Awareness. He wrote in support of the Ordinance passed to ensure that all drivers have insurance. He asked why the Citizens to be Heard portion of City Council Meetings was not broadcast on television. He requested that the Alamodome be named after him and expressed support for a hotel to be built in the old Joske's Building. He asked that a grocery store not be built in the Downtown Area.

ADJOURNMENT

There being no further discussion, Mayor Castro adjourned the meeting at 8:30 pm.

The San Antonio City Council convened in a Regular Meeting on Thursday, **June 13, 2013**, 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, Viagran, Saldaña, D. Medina, Lopez, C. Medina, Williams, Chan, Soules, and Mayor Castro. **ABSENT:** None.

Item 1. The Invocation was delivered by Reverend Chuma Okoli, Emmanuel A.M.E. Church, guest of Councilmember Ivy R. Taylor, District 2.

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 May 29-30, 2013 City Council Meetings. Councilmember Soules seconded the motion.

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

POINTS OF PERSONAL PRIVILEGE

Councilmember Chan recognized the Alamo Asian American (AACC) Chamber of Commerce Educational Foundation who partnered with Communities in Schools to offer the San Antonio Youth

Leadership Program at Café College. She stated that the program was for middle school students ages 11-16 and would provide an understanding of the importance of Science, Technology, Engineering and Mathematics. Additionally, the program will focus on teaching students how to become an effective and successful leader in a global economy. She noted that the program consisted of 25 students; half of which were Asian and the other half from the South San Antonio Independent School District. She recognized the students participating in the program, as well as staff from Communities in Schools, UTSA, and the Alamo AACC Educational Foundation and thanked them for being present.

Councilmember Soules stated that tomorrow was Flag Day which commemorates the adoption of the Flag of the United States of America which occurred in 1777. He recognized Becky Edler, President of the Bexar County Republican Women. Ms. Edler thanked the City Council for the recognition and stated that they were the oldest Republican Organization in the State of Texas. She presented each of the City Councilmembers with a miniature Flag of the United States of America.

Mayor Castro welcomed the students participating in the San Antonio Youth Leadership Program and thanked Ms. Edler for the flags.

CONSENT AGENDA ITEMS 4-18

Consent Agenda Items 5, 8, 9 and 12 were pulled for Individual Consideration.

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

Mayor Castro called upon Nazirite Ruben Flores Perez to speak.

Mr. Nazirite Ruben Flores Perez stated that he had been drafted by the Army in 1961 and had been released with an Honorable Discharge. He noted that he had served the Air Force as a Trainer for the Olympic Boxing and Karate Teams. He spoke in support of the Cooperative Agreement with the San Antonio River Authority, Bexar County and VIA Metropolitan Transportation for the Upper San Antonio River Drainage Study (Item 8).

Faris Hodge, Jr. submitted written testimony in favor of Items 5-18. He wrote that the City did not need to purchase new motorcycles for the San Antonio Police Department (Item 4).

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

2013-06-13-0411

Item 4. AN ORDINANCE ACCEPTING THE BID FROM KENT POWERSPORTS, LP TO PROVIDE THE SAN ANTONIO POLICE DEPARTMENT WITH TEN POLICE MOTORCYCLES FOR A TOTAL COST OF \$228,484.60; FUNDING IS AVAILABLE FROM THE EQUIPMENT RENEWAL AND REPLACEMENT FUND.

2013-06-13-0413

Item 6. AN ORDINANCE AUTHORIZING THE FOLLOWING CONTRACTS ESTABLISHING UNIT PRICES FOR GOODS AND SERVICES FOR AN ESTIMATED ANNUAL COST OF \$317,000.00: (A) ACME SAFE & LOCK CO. FOR LOCKSMITH SERVICES, (B) DIGITAL DISPLAY SOLUTIONS, INC. FOR AUDIO VISUAL MAINTENANCE AND SUPPORT AND (C) GEO-SOLUTIONS, INC. FOR EROSION CONTROL AND MATERIALS.

2013-06-13-0414

Item 7. AN ORDINANCE ACCEPTING THE OFFER OF TOTER, LLC SUBMITTED THROUGH NATIONAL INTERGOVERNMENTAL PURCHASING ALLIANCE COMPANY (NATIONAL IPA) FOR THE PURCHASE OF EIGHT THOUSAND REFUSE CONTAINERS FOR USE BY THE SOLID WASTE MANAGEMENT DEPARTMENT FOR A TOTAL COST OF \$398,044.20, TO BE FUNDED FROM THE SOLID WASTE MANAGEMENT DEPARTMENT OPERATIONS FUND; AUTHORIZING EXECUTION OF A MASTER INTERGOVERNMENTAL COOPERATIVE PURCHASING AGREEMENT WITH NATIONAL IPA AND ALL OTHER DOCUMENTS NECESSARY FOR THIS PURCHASE.

2013-06-13-0417

Item 10. AN ORDINANCE ACCEPTING THE LOWEST RESPONSIVE BID AND AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$238,000.00 AUTHORIZED PAYABLE TO PSE CONTRACTING, FOR CONSTRUCTION OF SCATES PARK, A 2012-2017 GENERAL OBLIGATION BOND FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 10.

2013-06-13-0418

Item 11. AN ORDINANCE AUTHORIZING THE NEGOTIATION AND EXECUTION OF TWO ON-CALL COST ESTIMATING SERVICES AGREEMENTS, WITH AGCM, INC., AND TEHOTA CONSTRUCTION MANAGEMENT, EACH IN THE AMOUNT NOT-TO-EXCEED \$500,000.00 PER YEAR.

2013-06-13-0420

Item 13. AN ORDINANCE AUTHORIZING THE CONTINUATION OF A LEASE AGREEMENT WITH DALE CHUMBLEY AT PHIL HARDBERGER PARK LOCATED IN COUNCIL DISTRICTS 8 AND 9 FOR A TWO-YEAR TERM BEGINNING ON SEPTEMBER 1, 2013, AND ENDING ON AUGUST 31, 2015, FOR A MONTHLY RENTAL FEE OF ONE HUNDRED DOLLARS.

2013-06-13-0421

Item 14. AN ORDINANCE AUTHORIZING THE SALE OF A PARCEL OF REAL PROPERTY LOCATED IN THE 700 BLOCK OF SOUTH FRIO OWNED BY THE URBAN RENEWAL AGENCY FOR THE CITY OF SAN ANTONIO D/B/A THE OFFICE OF URBAN REDEVELOPMENT – SAN ANTONIO TO ELMER’S ICEHOUSE, LLC IN THE AMOUNT OF \$20,000.00.

2013-06-13-0422

Item 15. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE TEXAS A&M FOREST SERVICE FOR A NATIONAL WILDFIRE COORDINATING GROUP TYPE III AND TYPE VI BRUSH TRUCKS, VALUED COLLECTIVELY AT APPROXIMATELY \$330,000.00, FROM THE 2011 TEXAS INTRASTATE FIRE MUTUAL AID SYSTEM GRANT ASSISTANCE PROGRAM; AND AUTHORIZING ACCEPTANCE OF SAID VEHICLES, UPON AWARD.

2013-06-13-0423

Item 16. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION IN AN AMOUNT UP TO \$2,344,576.00 TO THE OFFICE OF NATIONAL DRUG CONTROL POLICY FOR A HIGH INTENSITY DRUG TRAFFICKING AREA GRANT TO FUND THE SAN ANTONIO HIDTA INITIATIVE FOR THE GRANT PERIOD JANUARY 1, 2014, THROUGH DECEMBER 31, 2015; AUTHORIZING THE ACCEPTANCE OF THE FUNDS, UPON AWARD; AND ESTABLISHING A BUDGET AND PERSONNEL COMPLEMENT.

Item 17. CONSIDERATION OF THE FOLLOWING BOARD, COMMISSION AND COMMITTEE APPOINTMENTS FOR THE REMAINDER OF UNEXPIRED TERMS OF OFFICE TO EXPIRE MAY 31, 2015, 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 MEL FELDMAN (DISTRICT 9) TO THE CITY/COUNTY JOINT COMMISSION ON ELDERLY AFFAIRS.

2013-06-13-0424

- B. APPOINTING THE FOLLOWING APPLICANTS TO THE CONVENTION AND VISITORS COMMISSION: MICHAEL CORTEZ (CATEGORY: MARKET SQUARE); JOHNNY HERNANDEZ (CATEGORY: MAYORAL); DAVIS PHILIPS (CATEGORY: SA AREA TOURISM COUNCIL); RICK GRINNAN (CATEGORY: SA RESTAURANT ASSOCIATION); ROBERT RAYMOND (CATEGORY: SAN ANTONIO SPORTS); ROBERT THRAILKILL, HENRY FELDMAN, JIM QUINN, RUSTY WALLACE, GINO CALIENDO, BILL PETRELLA (CATEGORY: SAN ANTONIO HOTEL LODGING ASSOCIATION); JUSTIN HOLLEY (CATEGORY: PASEO DEL RIO ASSOCIATION); DANIEL J. DECKER (CATEGORY: SEA WORLD - THEME PARK); MARTIN A. BOZER (CATEGORY: SIX FLAGS FIESTA TEXAS - THEME PARK); K. ANDY TIWARI (CATEGORY: ALAMO CITY BLACK CHAMBER); GEOFF CRABTREE (CATEGORY: GREATER SAN ANTONIO CHAMBER); JANE THOMAS (CATEGORY: SOUTH SAN ANTONIO CHAMBER); HIPOLITO P. SALAS (CATEGORY: AIRLINE REPRESENTATIVE); JOHN BOULOUBASIS (CATEGORY: TAXICAB INDUSTRY); HENRY BRUN, MARISE MCDERMOTT-GRIZZARD (CATEGORY: ARTS & CULTURAL COMMUNITY); FRANK J. MICELI, LARRY ANTHIS, RON STINSON, AND TRISHA FRANK (CATEGORY: GENERAL COMMUNITY).

An Ordinance was adopted for Item 17B to waive the residency requirement for Appointees Robert Raymond, Robert Thrailkill, Geoffrey Crabtree, and Patricia Frank.

2013-06-13-0019R

Item 18. A RESOLUTION SUPPORTING THE 2013 TEXAS DEPARTMENT OF AGRICULTURE'S SUMMER FOOD SERVICE PROGRAM.

[CONSENT ITEMS CONCLUDED]

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

The City Clerk read the caption for Item 5:

2013-06-13-0412

Item 5. AN ORDINANCE ACCEPTING THE OFFER FROM SIDDONS-MARTIN EMERGENCY GROUP TO PROVIDE THE CITY WITH ONE AERIAL PLATFORM FIRE TRUCK AND EIGHT PUMPER FIRE TRUCKS FOR A TOTAL COST OF \$5,568,183.00 FROM THE EQUIPMENT RENEWAL AND REPLACEMENT FUND.

Councilmember Viagran asked where the pumper trucks would be placed and the process to determine their rotation. Deputy Chief Carl Wedige replied that their placement had not been determined and that replacement vehicles usually replaced vehicles from the reserve fleet. Councilmember Viagran requested to meet with staff to discuss the replacement process in further detail.

Councilmember Viagran moved to adopt the proposed Ordinance. Councilmember Lopez seconded the motion.

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

The City Clerk read the caption for Item 8:

2013-06-13-0415

Item 8. AN ORDINANCE AUTHORIZING A COOPERATIVE AGREEMENT WITH THE SAN ANTONIO RIVER AUTHORITY, BEXAR COUNTY AND VIA METROPOLITAN TRANSPORT FOR A TOTAL AMOUNT OF \$327,500.00, OF WHICH AN AMOUNT OF \$84,150.00 TO BE FUNDED BY THE COUNTY, \$25,000.00 TO BE FUNDED BY VIA, \$134,200.00 TO BE FUNDED BY SAN ANTONIO RIVER AUTHORITY AND AN AMOUNT NOT-TO-EXCEED \$84,150.00 TO BE FUNDED BY THE CITY OF SAN ANTONIO, PAYABLE TO THE SAN ANTONIO RIVER AUTHORITY, FOR PROJECT MANAGEMENT, ADMINISTRATION AND OVERSIGHT OF THE UPPER SAN ANTONIO RIVER DRAINAGE STUDY IN CONNECTION WITH THE NEW BRAUNFELS/NACOGDOCHES INTERSECTION, A 2007 BOND FUNDED PROJECT, LOCATED IN DISTRICT 9.

Councilmember Soules stated that the project begins in District 10 and affects other districts. He spoke of the flooding issues that occur in the area and explained that he was pleased that the flooding would be addressed. Mike Frisbie stated that the idea for the joint study was to review all factors that lead to flooding and to the property in the flood plain. He highlighted the partnerships among the various entities. Councilmember Soules recommended engaging the City of Alamo Heights.

Councilmember Soules moved to adopt the proposed Ordinance. Councilmember Chan seconded the motion.

The motion prevailed by the following vote: **AYES:** Bernal, Taylor, Viagran, 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:

2013-06-13-0416

Item 9. AN ORDINANCE AUTHORIZING AN ADVANCED FUNDING AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) AND AUTHORIZING PAYMENT IN THE AMOUNT NOT-TO-EXCEED \$73,079 TO TXDOT FOR DIRECT OVERSIGHT COSTS AND ACCEPTING REIMBURSEMENT OF AN ESTIMATED \$8,708,128.00 FROM TXDOT RELATED TO CONSTRUCTION COSTS FOR THE CALLAGHAN ROAD, CENTERVIEW DRIVE TO EVERS ROAD, A 2012-2017 GENERAL OBLIGATION BOND FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 7.

Councilmember C. Medina asked of the impact to the timeline. Mike Frisbie stated that the project was on schedule and that said item was a formality of the Federally Funded Project. He noted that the project was in the design phase and construction would begin in the Fall of 2014.

Councilmember C. Medina moved to adopt the proposed Ordinance. Councilmember Lopez seconded the motion.

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

The City Clerk read the caption for Item 12:

2013-06-13-0419

Item 12. AN ORDINANCE AUTHORIZING THE ACQUISITION, THROUGH NEGOTIATION OR CONDEMNATION, OF TWO PERMANENT EASEMENT INTERESTS OF PRIVATELY-OWNED REAL PROPERTY CONTAINING A TOTAL OF APPROXIMATELY 450 SQUARE FEET (.011 ACRES) LOCATED IN NCB 9431 AND NCB 9432, FOR THE TRAFFIC SIGNAL UPGRADE AT HUTCHINS PLACE AND PLEASANTON ROAD PROJECT, A FY 2013 TRAFFIC SIGNAL INFRASTRUCTURE MANAGEMENT PROGRAM FUNDED PROJECT, IN COUNCIL DISTRICT 3; AND DECLARING IT TO BE A PUBLIC PROJECT AND A PUBLIC USE FOR THE ACQUISITION AND AUTHORIZING EXPENDITURES IN THE AMOUNT OF \$20,000.00, PAYABLE TO THE SELECTED TITLE COMPANY FOR LAND, LITIGATION EXPENSES AND ASSOCIATED TITLE FEES.

Councilmember Viagran asked of the timeline for construction. Mike Etienne stated that construction was scheduled to begin in July and completed in September. Councilmember Viagran asked staff to provide outreach to the community to ensure that they were aware of the project.

Councilmember Viagran 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 Traffic Signal Upgrade at Hutchins and Pleasanton Road Project by acquiring the following property described by the City Clerk and incorporated as part of this Motion. Councilmember Bernal seconded the motion.

Mrs. Vacek read the property description:

The properties consist of a total of 450 square feet (0.11 acres) out of Lot 11, Block 338, NCB 9431 and Lot 10, Block 151, NCB 9432. These properties are more particularly described in Exhibits B and C attached to the Ordinance and incorporated as part of this Motion.

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

Item 19. CITY MANAGER'S REPORT

A. BOND TRANSACTIONS

Ms. Sculley reported that on Tuesday, June 4th, the City refinanced the Starbright Industrial Development Corporation Contract Revenue Bonds and achieved interest cost savings. She stated that the Bonds were originally sold in 2003 to provide funds for land and site preparation costs and a training facility for the Toyota Plant Site. She noted that debt service payments for the Bonds were paid from the General Fund. She reported that the Bonds were rated "AA+", "AA1", and "AA+" by Fitch Ratings, Moody's Investors Services, Inc., and Standard and Poor's Ratings, respectively. She mentioned that the ratings were affirmed on May 28th for the Bond Refinancing. She stated that on Tuesday, June 4th; the Bonds in the amount of \$20,890,000 were priced by a Syndicate led by Loop Capital Markets, LLC, who served as Senior Book Running Manager; and SAMCO Capital Markets, Inc., who served as Co-Manager. She reported that the refunding transaction produced total savings of \$2,002,193 with net present value savings on the transaction of \$1,872,715. She noted that the true interest cost on the transaction was 3.85%. She mentioned that since April 2012, five refunding transactions for interest cost savings have resulted in total gross savings of \$39.9 million and net present value savings of \$32.6 million.

Mayor Castro thanked staff for their work on the City's Bond Transactions.

POINT OF PERSONAL PRIVILEGE

Mayor Castro recognized Councilmember Ivy Taylor who will be celebrating her Birthday on Monday, June 17, 2013. The City Council joined in singing Happy Birthday to Councilmember Taylor.

ADJOURNMENT

There being no further discussion, Mayor Castro adjourned the meeting at 9:40 am.

APPROVED



**JULIÁN CASTRO
MAYOR**

Attest:



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