STATE OF TEXAS
COUNTY OF BEXAR
CITY OF SAN ANTONIO

A BUDGET WORK SESSION AND REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO WERE HELD IN THE MUNICIPAL PLAZA BUILDING, WEDNESDAY, AUGUST 28, 2013, AND THURSDAY, AUGUST 29, 2013, RESPECTIVELY.

The San Antonio City Council convened in a Budget Work Session at 2:00 pm Wednesday, **August 28, 2013,** Municipal Plaza Building, with the following Councilmembers present: Bernal, Taylor, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Chan, Soules, and Mayor Castro. **ABSENT:** None.

1. **STAFF PRESENTATION ON THE FY 2014 PROPOSED BUDGET FOCUSING ON, BUT NOT LIMITED TO, THE FOLLOWING CITY DEPARTMENTS:**

A. DEVELOPMENT SERVICES

It was announced that Item A would be addressed the following day at the conclusion of the City Council Meeting.

2. **A BRIEFING ON THE PROPOSED ORDINANCE THAT WOULD CONSOLIDATE AND EXPAND THE CITY'S NON-DISCRIMINATION PROVISIONS AND POLICIES.**

Michael Bernard presented information regarding the proposed Non-Discrimination Ordinance (NDO). He explained that Councilmember Bernal had circulated a Discrimination-Free Workplace Initiative in a Council Consideration Request (CCR) in May. The Governance Council Committee considered the request on May 21, 2013 and requested a Presentation. He stated that the City's current non-discrimination provisions appear in various sections of the City Code, Ordinances, and Policies which include: City Employment, City Board and Commission Appointments, Public Accommodations, Housing, and City Contracting & Subcontracting. He noted that the NDO would consolidate various Non-Discrimination Policies into one accessible chapter in the City Code, Chapter 2, Article X. Additionally, it would expand protections to include Sexual Orientation, Gender Identity, and Veteran Status. He indicated that it would require most City Contracts to include contractual assurances for policy compliance by vendors and contractors.

Mr. Bernard stated that, "Nothing in the NDO would be construed as supporting or advocating any particular lifestyle or religious view. To the contrary, it is the intention of the Ordinance that all persons be treated fairly and equally and it is the express intent of the Ordinance to guarantee to all of the citizens fair and equal treatment under the law." He highlighted the Proposed NDO Policy which prohibits discrimination against persons on the basis of Race, Color, Religion, National Origin, Sex, Sexual Orientation, Gender Identity, Veteran Status, Age, or Disability in the areas covered by the Ordinance, unless exempted by State or Federal Law. He added that it allows a religious entity or educational institution owned in whole or substantial party by a religious entity to limit employment or give an employment preference to members of the same religion.

Mr. Bernard explained that no city employee or applicant for employment with the city will be denied employment or promotion because of Race, Color, Religion, Disability, Sex, Sexual Orientation, Gender Identity, Veteran Status, Age or National Origin. He added that businesses may not deny advantages, facilities or services based on protected categories in places of Public Accommodation. He noted that exempt entities include a private club operating a hotel, motel, restaurant, or theater if facilities or services are restricted to its membership. He indicated that non-profit social, fraternal, educational, civic, political or religious organizations were also exempt. He stated that non-discrimination clauses in housing provisions are modeled after US and Texas Fair Housing Acts. He noted that the city prohibits what both the Federal and State Governments prohibits and adds Sexual Orientation, Gender Identity, and Veteran Status as protected categories. He explained that Fair Housing Regulations prohibit discrimination in the sale or rental of a home, as well as brokerage or appraisal services. He outlined exempted entities within Fair Housing noting that religious organizations may limit or give preference to members of the same religion.

Mr. Bernard reported that Non-Discrimination Provisions will apply to most City Contracts. He explained that there were exceptions such as the contracts exempted by the Small Business Economic Development Advocacy (SBEDA) Ordinance and Governmental Entities. He stated that the City Council may not discriminate when making appointments to Boards and Board Appointees may not discriminate while acting in his or her official capacity. He noted that the Title V Policy informally adopted previously for use by the city would be included for completeness. He outlined what the NDO would not do and noted that it would not attempt to legalize same sex marriage or require businesses to provide same sex benefits. He added that the Ordinance would not require business to have separate bathroom facilities or monitor use and would not regulate speech, religion, or political activity. He indicated that it would not create a new civil cause of action between parties.

Mayor Castro thanked staff for the presentation. He asked if there was a version of the NDO that previously existed. Mr. Bernard replied that there was and that it was addressed throughout the City Code. Mayor Castro asked if the law relating to Public Accommodations was being changed. Mr. Bernard confirmed that it was not changing and noted that exceptions were listed in Section 2-594 of the City Code. Mayor Castro clarified that persons with a certain belief can still serve on a Board or Commission. Mr. Bernard stated that they could keep their personal beliefs as long as they do not discriminate while serving in official capacity. Mayor Castro asked how a Board Member would be removed if they committed a discrimination offense. Mr. Bernard indicated that there must be tangible evidence of discrimination and there would have to be a finding.

Mayor Castro asked of the Equal Opportunity Office. Mr. Bernard responded that it was responsible for initiating investigations into suspected discriminatory practices within the city. Mayor Castro asked of the added words, "Or mission" within Section 2-594 titled "Exemptions." Mr. Bernard stated that they were trying to clarify that the term applies to non-profits. Mayor Castro asked of laws related to Housing Practices. Mr. Bernard replied that they were following Federal and State Laws and added three protected categories. Mayor Castro asked of the law related to restrooms. Mr. Bernard replied that based on Texas Law; the sex of a person is defined at birth by their chromosomes. Mayor Castro stated that no one should be treated like a secondhand citizen and commended Councilmember Bernal for his leadership on the NDO.

Councilmember Soules thanked everyone that had provided their input on the NDO. He stated that Attorney General Greg Abbott and the three candidates that want to become the Attorney General had opposed the proposed NDO. He asked if they were wrong regarding their opinion. Mr. Bernard stated

that he believed that they were wrong and that he was not aware of any provision of these types of Ordinances that had been struck down thus far. Councilmember Soules confirmed that the proposed NDO included a carve out for religious institutions. Mr. Bernard replied that was correct. Councilmember Soules asked why so many governmental entities were exempt from the NDO. Mr. Bernard responded that the City of San Antonio did not have any authority over said entities. Councilmember Soules expressed concern with the unintended consequences of the NDO.

Councilmember Soules asked why the Human Rights Commission was not included. Mr. Bernard stated that they did not believe it was necessary at this time and did not have the budget to implement a Human Rights Commission. Councilmember Soules asked of the filing of a complaint on a business. Mr. Bernard replied that the Equal Employment Opportunity Commission would investigate same and provide findings to the City of San Antonio. He noted that anti-discrimination verbiage was already included in city contracts. Councilmember Soules asked of the discrimination claims addressed by the Affirmative Action Advisory Committee. City Manager Sculley stated that there were no discrimination claims related to sexual orientation. Councilmember Soules stated that there were many Laws, Ordinances and Directives that already offer protections to citizens and expressed concern with the language in the proposed NDO.

Councilmember Bernal stated that it was important to protect vulnerable individuals and confirmed that the protections for Veterans would be voted on separately by the City Council. He noted that he had worked with the community to incorporate their suggestions into the NDO. He outlined what the NDO would not do and stated that he believed in the spirit of the Ordinance.

Councilmember Gonzales thanked everyone that participated in the process and stated that she believes that the NDO is good for the community.

Councilmember Medina thanked everyone for their participation and stated that he understands the spirit of the NDO. He noted that he believes that the Ordinance allows the city to ensure that there is no discrimination and thanked Councilmember Bernal for his leadership on the issue.

Councilmember Chan expressed concern that the language in the NDO was vague and confusing and noted concerns with unintended consequences. She stated that there was no evidence regarding discrimination on the LGBT Community. She noted that she would like for language regarding restrooms to be more specific and that she was concerned with enforcement. She asked if there was any fiscal impact related to the NDO. Mr. Bernard replied that there was no fiscal impact. Councilmember Chan stated that she was uncomfortable with the NDO and would request consideration in placing it on the ballot for voters to decide.

Councilmember Taylor stated that she appreciates the intent of the Ordinance but noted that she was concerned with fundamental issues. She noted that the NDO should only apply to the City of San Antonio and that businesses should adopt their own policies. She asked of the issue of private businesses being able to refuse service. Mr. Bernard replied that it was a current law that private businesses can refuse service and that would not change if the NDO was passed. He noted that businesses that have a contract with the city must agree to the Non-Discrimination Policy. Councilmember Taylor stated that there were concerns with Gender Identity and that there was a difference between opinion and discrimination.

Councilmember Viagran thanked everyone that was present and asked how the definitions were created. Mr. Bernard replied that they come from various places including Federal Law and other jurisdictions. Councilmember Viagran asked of litigation filed in other Texas Cities that have passed a Non-Discrimination Ordinance. Mr. Bernard stated that he was not aware of any litigation. Councilmember Viagran stated that she was pleased that there would be discussion prior to filing a case for discrimination practices. She thanked everyone that had answered her questions and stated that she wanted what was best for San Antonio.

Councilmember Nirenberg stated that he agreed with the spirit of the NDO and that it was incumbent upon the City Council to protect religions freedoms and freedom of speech. He asked if protections for public accommodations were already included in the City's Non-Discrimination Policies. Mr. Bernard confirmed that they had been included for decades but did not currently include the three protected classes that were being added.

Councilmember Soules stated that he did not believe that the City Council was ready to vote on said item and would like for the citizens to vote on the issue.

Councilmember Saldaña stated that they had been working on said item for four months and asked of the protected classes being added to the City's Non-Discrimination Policy. Mr. Bernard replied that they were adding Sexual Orientation, Gender Identity, and Veteran Status to the City's Non-Discrimination Policy. Councilmember Saldaña spoke of the individuals that he believed needed protections and stated that he was supportive of the NDO.

Councilmember Lopez expressed his support for the NDO and spoke of the need to protect Veterans and the LGBT Community. He stated that he felt an obligation to protect all citizens.

Councilmember Chan stated that she did not believe that anybody should be discriminated against but was concerned with the ambiguous language of the NDO.

Mayor Castro thanked everyone that worked on the NDO and stated that he believed that the Ordinance would protect individuals while respecting religious beliefs.

EXECUTIVE SESSION

The Executive Session was not held.

A. DELIBERATE THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY AND DISCUSS RELATED LEGAL ISSUES PURSUANT TO TEXAS GOVERNMENT CODE SECTIONS 551.072 (REAL PROPERTY) AND 551.071 (CONSULTATION WITH ATTORNEY).

B. DELIBERATIONS REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS AND DISCUSS RELATED LEGAL ISSUES PURSUANT TO TEXAS GOVERNMENT CODE SECTIONS 551.087 (ECONOMIC DEVELOPMENT) AND 551.071 (CONSULTATION WITH ATTORNEY).

RECESSED

Mayor Castro recessed the meeting at 5:34 pm and announced that the meeting would resume at 6:00 pm.

RECONVENED

Mayor Castro reconvened the meeting at 6:00 pm

ITEM 3. PUBLIC HEARINGS ON THE CITY'S 2013 PROPOSED AD VALOREM TAX RATE FOR THE FY2014 PROPOSED BUDGET AND ON THE FY 2014 PROPOSED BUDGET

Maria Villagomez stated that two Public Hearings on the City's Proposed Property Tax Rate were required by State Law. She reported that the FY 2014 Proposed Budget was presented to the City Council on August 8, 2013 and was balanced. She noted that there was no City Property Tax Rate Increase and that funding for sidewalks and drainage would be increased. She stated that the City's Consolidated Budget is 1% less than FY 2013 and that the FY 2014 General Fund Proposed Budget was less than 1% higher than FY 2013. She highlighted the $13 million in Budget Reductions which include the elimination of 279 Civilian Positions. She mentioned that $6.2 million was added for Service Improvements and that the FY 2014 General Fund Budget totaled $988,890,690.

Ms. Villagomez reported that the City's Current Property Tax Rate was 56.569 cents per $100 taxable valuation and that Property Values had increased by 4.68%. She stated that the city continues its commitment to provide tax relief to Seniors and Disabled Property Owners. She spoke of the five community budget meetings that were held in August and noted that the next Public Hearing on the Tax Rate and Budget would be held on September 4, 2013.

Mayor Castro stated, "The first Combined FY 2014 Budget and 2013 Tax Rate Public Hearing is hereby opened. All persons wishing to express their views may do so. Comments must be limited to matters regarding the Budget, the Tax Rate, or both. Mention of any other matter or subject may result in termination of the speaker's presentation."

Mayor Castro called upon the individuals registered to speak.

Rick Noriega stated that he was speaking on behalf of AVANCE in support of the revitalization project in Cattleman's Square located at 908 W. Houston Street. He thanked the City Council for their continued support.

Susan Blackwood and George Block representing the San Antonio Sports Foundation spoke in support of funding for one SPARK Park in each of the 10 Council Districts. Ms. Blackwood noted the importance of shared use of spaces such as gyms to help children stay active. She thanked the City Council for their support of the San Antonio Sports Foundation. Mr. Block added his support for the 10 SPARK Parks to be included in the FY 2014 Budget. He noted that it would be a great investment for the City of San Antonio.

Weston Martinez stated that approval of the Proposed Non-Discrimination Ordinance would negatively affect the City Budget.

Susanna Segura addressed the City Council in support of funding for repairs to Lerma's Nightclub which was listed on the National Register of Historic Places. She asked the City Council to support the Proposed Non-Discrimination Ordinance.

Imelda Arismendez addressed the City Council in support of funding for repairs to Lerma's Nightclub and spoke of the facility's historical significance to the community. She asked the City Council to support the Proposed Non-Discrimination Ordinance.

Elva Trevino requested $800,000 in funding for Lerma's Nightclub and spoke of the repairs that were needed. She noted that the residents of the West Side of San Antonio deserved to have the building preserved.

Gloria Ramirez asked the City Council to prioritize funding for Libraries and specifically, the Genealogy Department. She requested that more funds be allocated toward Parks and Lerma's Nightclub.

Viola Casares and Petra Mata representing Fuerza Unida addressed the City Council in support of the Proposed Non-Discrimination Ordinance.

Rose Gonzales Perez, Rafael Diaz and Theodora Setterbo representing the Girl Scouts of Southwest Texas addressed the City Council in support of funding for their organization in the FY 2014 Budget. A Senior Girl Scout named Melissa spoke of her positive experiences as a member of the Girl Scouts of Southwest Texas. Olivia Martin spoke of the leadership opportunities she has received as a Girl Scout and thanked the City Council for their support.

Itza Carbajal addressed the City Council in support of funding for Lerma's Nightclub noting that it was a Historic Landmark. She asked that more time be given to discuss the City's Budget.

Phil Sevilla asked for clarification of the organization that would address complaints related to the Non-Discrimination Ordinance. He asked that funds be included in the Budget for lawsuits that would arise if the NDO is passed.

Mayor Castro thanked the individuals that spoke and stated, "The City Council will vote on the City of San Antonio Property Tax Rate for Tax Year 2013 at its meeting on Thursday, September 12, 2013, which will begin at 9:00 am and will be held in the City Council Chamber, 114 W. Commerce Street. Having heard all comments from the citizens wishing to be heard, the first Combined FY 2014 Budget and 2013 Tax Rate Public Hearing is hereby closed."

CITIZENS TO BE HEARD

Mayor Castro called upon the individuals registered to speak under Citizens to be Heard.

Ramiro Cavazos addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Marty Gaines addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Nancy Russell addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Brad Wheeler addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Natalie Hardy addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Theo Wolmarans addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Frank Montez addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Phil Sevilla addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Reverend Mick Hinson addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Peter Onofre addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Donna Quinn addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

John Spieth addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

John Montana addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Rick Lane addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

John Merson addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Marsha Warren addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Diana Arevalo addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Jill Thrift addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Sophia Gonzales addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Mario Quinn addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

John Gorczynski addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Rebecca Spieth addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Darlene Jimenez addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Brenda Saunders addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Jon Kaplan addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Rosalie Astran addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Marlene Salcher addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Marco Perez addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Devyn Gonzalez addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

David Daniel addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Naomi Garza addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Arte Cerda addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Caleen Williams addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

A Group Named TSABA addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Yerelyn Santos addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Jordan Spieth addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Matt Stedman addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Daniel Boone addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Danny Holliday addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Chris Garcia addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

RECESSED

Mayor Castro recessed the meeting at 8:02 pm.

RECONVENED

Mayor Castro reconvened the meeting at 8:15 pm and continued with Citizens to be heard.

Perla Grochowski addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Randy Shapiro addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Wayne Mergott addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Gabriel Gaines addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Richard Grochowski addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Alice Patterson addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Mattie Trawick addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

David Plylar addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Linda Jernigan addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Marjorie Coppock addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Jay Braymer addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Betty Eckert addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Ernest Gonzales addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Tim Johnson addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Anel Flores addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Erika Casasola addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Mark Gonzales addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Ayanna Irek addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

James Pride addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

James Keenan addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Charles Flowers addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Pete Ortega addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Scott McMurrian addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Janice Flowers addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

John Shanks addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Gloria Rivas addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Jazmin Medellin addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Dee Villarrubia addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Joseph Tanasi addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

An individual addressed the City Council in support of the proposed Non-Discrimination Ordinance.

David Zamora addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

John Cope addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Ruby Krebs addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Brian Lopez-Rosa addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Pastor Gerald Ripley addressed the City Council in opposition of the proposed Non-Discrimination Ordinance.

David Sisk addressed the City Council in opposition of the proposed Non-Discrimination Ordinance.

Erin Susan Jennings addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Lupe Riojas addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Patrick Von Dohlen addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Kelli Maples addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Chris Green addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Elena Guajardo representing the Stonewall Democrats addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

John Dean Dominique addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Jonathan Davis addressed the city Council in opposition to the proposed Non-Discrimination Ordinance.

RECESSED

Mayor Castro recessed the meeting at 10:16 pm.

RECONVENED

Mayor Castro reconvened the meeting at 10:26 pm and continued with Citizens to be heard.

Isabel Flores addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Reverend Erika Forbes addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Maria Biemer addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Teresa Weaver addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Kimberly Goodwin addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Daniel Graney addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Annette Anderson addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Al Notzon addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Mike Knuffke addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Philip Anderson addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Maria Salazar addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Darrell G. Parsons addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Rachel Jennings addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Suzy Bianci Barrett addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Jessica Strom addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Chelsea Sabrina Welch addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Rene Orocco addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Sylvia DeLosSantos addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Robert Wilson addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Dianita Patuel addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Lynz Lang Falhberg addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Carlos Zaldivar addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Krystal Tomlyn addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Cynthia Serna addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Rosalynn Warren addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

An individual addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

An individual addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Gail Sayers addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

An individual addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Allan Parker addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Jonathan Saenz addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Mark Dorazio addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

An individual named Jim addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

An individual addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Nina Almager addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Anzleigh Bryant stated that she was 8-years-old and spoke against increases to parks and recreation fees. She noted that her mom would not be able to afford to send her to dance classes if the fees were increased.

Stacey Bryant spoke against the increase to parks and recreation fees noting that she was a single mom and would no longer be able to afford to send her daughter to dance classes.

Justin Nichols addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Julian Gonzales addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

A resident of District 9 addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

An individual addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Joey Villarreal addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

An individual addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Katherine Negron addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Zach Negron addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Joe Arriola addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

A resident of District 1 addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Julian Tovar addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Art Gonzales addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

A resident of District 1 addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

David Garza addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Agatha Calica addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Rabbi Daryl Crystal addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Rabbi Elisa Koppel addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Monica Salyer addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Ann Maria Schroeder addressed the City Council in favor of the proposed Non-Discrimination Ordinance

Lorenza Stevens addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

An individual addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Karina Schobar addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Rebecca Tadefa addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

An individual addressed the City Council and spoke in opposition to fee increases for parks and recreation classes.

Lauryn Farris addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Juan Macias expressed concern with the violence occurring in his neighborhood located in Council District 6.

Clarence Johnson addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Carlos Soto addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

An individual addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Mr. Enriquez addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Antonio Diaz addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

An individual addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Mrs. Vacek announced that 5 written testimonies were received in favor of the proposed Non-Discrimination Ordinance from: Dennis Medina, Catherine Prazak, Cosima Colvin, Bexar County Democratic Party, and Fuerza Unida. She announced that 19 written testimonies were received in opposition to the proposed Non-Discrimination Ordinance from: Kenneth Carter, Colonel Ken Allard, Ignacio Ortega, Jr., Dolores Ortega, Bridel Sepulveda, Janie Gonzales, Josephine Charles, David Teran, Rebecca A. Teran, Jose A. Gutierrez, Lorene McMillan, Loretta Mosley, Jessie M. Hall, Stephen Smith, Peggy Irwin, Chuck Irwin, Matt Rivera, Terelyn Santos, and Susie J. Washington.

Faris Hodge, Jr. submitted written testimony expressing concern with the fees charged by the Library System. He wrote that he was opposed to businesses receiving Tax Abatements. He wrote in opposition to the proposed CPS Energy Rate Increases. He referenced various Executive Session Items that had been addressed by the City Council. He highlighted the proposed fee increases in EMS Transport and HazMat Inspection Fees. He wrote of the proposed reductions to Delegate Agencies for FY 2014 and referenced the increase in Property Values. He noted the funding for deferred maintenance at various Libraries throughout the city. He wrote that a grocery store was not needed in the Downtown Area.

ADJOURNMENT

There being no further discussion, Mayor Castro adjourned the meeting at 12:30 am.

The San Antonio City Council convened in a Regular Meeting on Thursday, **August 29, 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, Gonzales, Lopez, Medina, Nirenberg, Chan, Soules, and Mayor Castro. **ABSENT**: None.

Item 1. The Invocation was delivered by Bishop Rick Hawkins, Place for Life Church, guest of Councilmember Cris Medina, District 7.

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 August 1, 2013 City Council Meetings. Councilmember Viagran seconded the motion.

The motion prevailed by the following vote: **AYES:** Bernal, Taylor, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, 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 Carlton Soules to serve as Mayor Pro-Tem for the period of August 30, 2013 and ending November 8, 2013.

ITEMS FOR INDIVIDUAL CONSIDERATION

PULLED FROM THE AGENDA BY STAFF

Item 5. AN ORDINANCE DENYING THE APPLICANT'S REQUEST AS SUBMITTED BY THE "COMMITTEE FOR THE INCORPORATION OF SANDY OAKS" WITH AN ALTERNATE RECOMMENDATION OF APPROVAL OF AUTHORIZATION TO INITIATE INCORPORATION PROCEEDINGS FOR THE PORTION OF THE REQUESTED AREA ON THE EAST SIDE OF I.H. 37 SOUTH THAT TOTALS APPROXIMATELY 2.4 SQUARE MILES.

CONSENT AGENDA ITEMS 6-27

Consent Agenda Items 6, 14, 15, 17, 21, and 27 were pulled for Individual Consideration. Mrs. Vacek announced that Item 15J was located in District 3.

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

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

Lourdes Galvan, Pueta Marquez, and Henry Rodriguez representing La Ofrenda Veterans Monument Committee addressed the City Council in support of the Resolution supporting efforts to create a Veterans Monument in Elemendorf Lake Park (Item 27). Mrs. Galvan thanked everyone that supported their efforts and commended Councilmember Gonzales for moving the project forward. She stated that they had been working on the project for six years and looked forward to its completion. Ms. Marquez stated that she was a Retired US Marine and thanked everyone for their support of the Veteran's Monument. She invited everyone to attend a 5K Race honoring Veterans on November 2nd. Mr. Rodriguez stated that the League of United Latin American Citizens (LULAC) was pleased to be a part of the La Ofrenda Veterans Monument Committee. He recognized Roy Cisneros, a Navy Veteran that received the Texas Legislative Medal of Honor, for whom an elementary school had been named. He thanked the City Council for their continued support.

Gabriel Velasquez addressed the City Council in favor of the Resolution supporting efforts to create a Veterans Monument in Elemendorf Lake Park (Item 27). He stated that he was speaking on behalf of the Design Team and noted that Jesse Treviño could not be present due to minor surgery. He commended Mr. Treviño for his work and thanked the City Council for their support.

Cruz Chavira addressed the City Council in opposition to the Task Order Construction Contract with Austin Constructors, LLC (Item 7). He expressed concern with the high cost of the contract which totaled $3.79 million noting the City's $50 million budget deficit.

Councilmember Gonzales stated that she was supportive of the Resolution supporting efforts to create a Veterans Monument in Elemendorf Lake Park (Item 27). She thanked former Councilmember Lourdes Galvan for championing the project and commended the La Ofrenda Committee for their work.

Councilmember Lopez also expressed his support for the Veteran's Monument and spoke of his service in the US Army. He thanked the La Ofrenda Committee for their efforts.

Councilmember Viagran commended Councilmember Gonzales for moving the Veteran's Monument Project forward. She thanked the Design Team and volunteers for their work on the project.

Councilmember Medina thanked everyone for their work on the Veteran's Monument. He spoke of the great sacrifices made by those that serve in the Military.

Mayor Castro stated that the Veteran's Monument was a great project and thanked everyone for their work.

Faris Hodge, Jr. submitted written testimony in favor of Items 5, 6, 9-12, and 17-27. He wrote in opposition to Items 7, 8, 14, 15, and 16. He wrote that stickers should not be considered graffiti (Item 14) and that Board Members should be interviewed on television (Items 15 and 16).

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

2013-08-29-0560

Item 7. AN ORDINANCE AWARDING A TASK ORDER CONSTRUCTION CONTRACT WITH AUSTIN CONSTRUCTORS, LLC, IN AN AMOUNT NOT TO EXCEED $3,797,720.00, FOR CONSTRUCTION OF VARIOUS INFRASTRUCTURE AND PEDESTRIAN ACCESS RELATED PROJECTS FOR THE 2013 – 2015 PUBLIC WORKS TASK ORDER CONTRACT FOR FLATWORK PROJECTS.

2013-08-29-0561

Item 8. AN ORDINANCE AWARDING A TASK ORDER CONSTRUCTION CONTRACT TO AJ COMMERCIAL SERVICES, IN AN AMOUNT NOT TO EXCEED $6,453,466.00, FOR CONSTRUCTION OF VARIOUS TRAFFIC RELATED INFRASTRUCTURE PROJECTS FOR THE 2013 – 2015 PUBLIC WORKS TASK ORDER CONTRACT FOR TRAFFIC PROJECTS.

2013-08-29-0562

Item 9. AN ORDINANCE AUTHORIZING A FIVE-YEAR LEASE AGREEMENT EXTENSION WITH THE CAPITAL FORESIGHT LIMITED PARTNERSHIP TO LEASE 6,000 SQUARE FEET AT 6723 SOUTH FLORES STREET, SUITE 101 FOR THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE CONTINUED OPERATION OF A WOMEN, INFANT AND CHILDREN CLINIC AS PART OF THE SPECIAL SUPPLEMENT NUTRITION PROGRAM FOR WOMEN, INFANTS AND CHILDREN.

2013-08-29-0563

Item 10. AN ORDINANCE AUTHORIZING THE CLOSURE, VACATION AND ABANDONMENT OF 2.14 ACRES OF OLD DWYER ROAD PUBLIC RIGHT OF WAY, LOCATED BETWEEN SW LOOP 410 AND RAY ELLISON BOULEVARD, ADJACENT TO NCB 15228, IN COUNCIL DISTRICT 4, AS REQUESTED BY S & K DEVELOPMENT COMPANY, INC., JAMES M. SCHNEIDER, CF LAND, LLC, QWEST COMMUNICATIONS CORP. AND SAMNANI PROPERTIES, LTD., FOR A FEE OF $44,350.00.

2013-08-29-0564

Item 11. AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF FUNDS FROM THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES FOR AN AMOUNT UP TO $430,771.00, AND AUTHORIZING A REQUIRED IN-KIND MATCH OF $86,153.00 TO SUPPORT THE TUBERCULOSIS PREVENTION AND CONTROL PROGRAM OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD BEGINNING SEPTEMBER 1, 2013 THROUGH AUGUST 31, 2014.

2013-08-29-0565

Item 12. AN ORDINANCE RATIFYING THE SUBMISSION OF A GRANT APPLICATION IN AN AMOUNT UP TO $15,675.00 TO THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES FOR A TOBACCO COMPLIANCE GRANT; AND AUTHORIZING THE ACCEPTANCE OF THE GRANT FUNDS.

Item 13. CONSIDERATION OF THE FOLLOWING ITEMS RELATED TO GRANTS FROM THE U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION:

2013-08-29-0566

A. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION IN AN AMOUNT UP T $433,716.00 TO THE U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION FOR A TICKETING AGGRESSIVE CARS AND TRUCKS ENFORCEMENT PROGRAM GRANT; AUTHORIZING AN IN-KIND MATCHING CONTRIBUTION IN AMOUNT UP TO $108,429.00; AND AUTHORIZING THE ACCEPTANCE OF THE GRANT FUNDS, UPON AWARD.

B. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION IN AN AMOUNT UP TO $340,960.00 TO THE U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION FOR A TICKETING AGGRESSIVE CARS AND TRUCKS PUBLIC INFORMATION AND EDUCATION PROGRAM GRANT; AND AUTHORIZING THE ACCEPTANCE OF THE GRANT FUNDS, UPON AWARD.

Item 16. 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. REAPPOINTING JOHN SHAVER (DISTRICT 5), ANGEL J. GONZALEZ (DISTRICT 5), AND MICHAEL W. WHITE (DISTRICT 5) TO THE TAX INCREMENT REINVESTMENT ZONE #2 – ROSEDALE.

B. APPOINTING MARSHA NORMAND (DISTRICT 3) AND REAPPOINTING ROBERT WORTHAM (DISTRICT 3) AND JAMES MONTGOMERY (DISTRICT 3) TO THE TAX INCREMENT REINVESTMENT ZONE #4 - HIGHLAND HEIGHTS.

C. REAPPOINTING VIRGINIA ROGERS (DISTRICT 3), JAMES S. MATTOX (DISTRICT 3), PETE A. BENAVIDES (DISTRICT 3), AND RYAN WILSON (DISTRICT 3) TO THE TAX INCREMENT REINVESTMENT ZONE #6 - MISSION DEL LAGO.

D. REAPPOINTING JAN W. SWEETNAM (DISTRICT 1), JOSH KAPLAN (DISTRICT 1), AND PHILIP M. AUSTIN (DISTRICT 1) TO THE TAX INCREMENT REINVESTMENT ZONE #9 - HOUSTON STREET.

E. REAPPOINTING JAN W. SWEETNAM (DISTRICT 1), JOSH KAPLAN (DISTRICT 1), AND PHILIP M. AUSTIN (DISTRICT 1) TO THE TAX INCREMENT REINVESTMENT ZONE #9 - HOUSTON STREET.

F. REAPPOINTING GORDON WOODS (DISTRICT 4), FRANK MORENO (DISTRICT 4), ELENITA MORENO (DISTRICT 4), JOE MORENO (DISTRICT 4), CLYDE J. JOHNSON (DISTRICT 4), AND SALAH DIAB (DISTRICT 4) TO THE TAX INCREMENT REINVESTMENT ZONE #13 - LACKLAND HILLS.

G. REAPPOINTING RAOUL E. BERLANGA (DISTRICT 2), MARGARET HARTMAN (DISTRICT 2), JAIME JOHNSON (DISTRICT 2), AND BECKY THOMAS (DISTRICT 2) TO THE TAX INCREMENT REINVESTMENT ZONE #15 - NORTH EAST CROSSING.

H. REAPPOINTING KIRKLAND KING (DISTRICT 3), JERRY GREABER (DISTRICT 3), AND SHA RONE REYES (DISTRICT 3) TO THE TAX INCREMENT REINVESTMENT ZONE #16 - BROOKS CITY BASE.

I. APPOINTING JIMMY HOYT (DISTRICT 3), MARY HOYT (DISTRICT 3), AND REAPPOINTING SHANE DAVIS (DISTRICT 3), NICK DOMINGUEZ (DISTRICT 3) LAURA I. HAUSMAN (DISTRICT 3), LAZAR HAUSMAN (DISTRICT 3), AND TEAL HAUSMAN (DISTRICT 3) TO THE TAX INCREMENT REINVESTMENT ZONE #17 - MISSION CREEK.

J. APPOINTING JIMMY HOYT (DISTRICT 4) AND REAPPOINTING SHANE DAVIS (DISTRICT 4), NICK DOMINGUEZ (DISTRICT 4), LAZAR HAUSMAN (DISTRICT 4), TEAL HAUSMAN (DISTRICT 4), AND GUILLERMO CANO (DISTRICT 5) TO THE TAX INCREMENT REINVESTMENT ZONE #19 - HALLIE HEIGHTS.

K. APPOINTING JIMMY HOYT (DISTRICT 4) AND REAPPOINTING SHANE DAVIS (DISTRICT 4), NICK DOMINGUEZ (DISTRICT 4), LAURA I. HAUSMAN (DISTRICT 4), LAZAR HAUSMAN (DISTRICT 4), AND TEAL HAUSMAN TO THE TAX REINVESTMENT ZONE #21 - HEATHER'S COVE.

L. APPOINTING JIMMY HOYT (DISTRICT 3) AND REAPPOINTING SHANE DAVIS (DISTRICT 3), NICK DOMINGUEZ (DISTRICT 3), ROMELIA ESCAMILLA (DISTRICT 3), LAZAR HAUSMAN (DISTRICT 3), AND TEAL HAUSMAN (DISTRICT 3) TO THE TAX INCREMENT REINVESTMENT ZONE #25 - HUNTER'S POND.

M. REAPPOINTING THOMAS PRESTON (DISTRICTS 1 & 5) TO THE TAX INCREMENT REINVESTMENT ZONE #30 – WESTSIDE.

N. APPOINTING DONA LISTON (DISTRICT 2), CAROL KNAPIK (DISTRICT 2), AND REAPPOINTING LOU FOX (DISTRICT 2) TO THE TAX INCREMENT REINVESTMENT ZONE NO. 31 – MIDTOWN.

2013-08-29-0570

Item 18. AN ORDINANCE AUTHORIZING A TRANSACTION AGREEMENT WITH THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY FOR THE USE OF SECURITY CHECKPOINTS BY THE TRANSPORTATION SECURITY ADMINISTRATION TO CONDUCT BAGGAGE AND PASSENGER SCREENING AT NO COST AND THE REIMBURSEMENT BY THE TSA TO THE SAN ANTONIO INTERNATIONAL AIRPORT FOR ELECTRICAL CONSUMPTION COSTS FOR THE SCREENING AREAS.

2013-08-29-0571

Item 19. AN ORDINANCE AUTHORIZING THE AMENDMENT AND EXTENSION OF THE AIR SERVICE INCENTIVE PROGRAM FOR A 60-MONTH PERIOD BEGINNING OCTOBER 1, 2013 THROUGH SEPTEMBER 30, 2018 FOR THE SAN ANTONIO INTERNATIONAL AIRPORT.

2013-08-29-0572

Item 20. AN ORDINANCE APPROVING A LOCAL CONTRIBUTION IN THE AMOUNT OF $262,361.00 TO THE EVENTS TRUST FUND TO QUALIFY FOR REIMBURSEMENT OF ELIGIBLE EXPENSE IN AN AMOUNT UP TO $1,902,091.00 RELATED TO VARIOUS EVENTS HELD AT THE ALAMODOME AND HENRY B. GONZALEZ CONVENTION CENTER DURING THE MONTHS OF JUNE-SEPTEMBER 2013.

2013-08-29-0024R

Item 22. A RESOLUTION NOMINATING NEXOLON AMERICA, LLC FOR CONSIDERATION AND DESIGNATION AS A STATE ENTERPRISE PROJECT QUALIFYING THE COMPANY FOR A POTENTIAL REFUND OF UP TO $1,250,000 OVER 5 YEARS IN STATE SALES AND USE TAXES BASED ON A PROJECT INVESTMENT EXCEEDING $121 MILLION AND THE CREATION OF 400 FULL-TIME JOBS.

2013-08-29-0574

Item 23. AN ORDINANCE ACCEPTING THE OFFER FROM UNICOM GOVERNMENT, INC. TO PROVIDE THE COMMUNICATIONS AND PUBLIC AFFAIRS DEPARTMENT WITH AN EXTENDED 2 YEAR MAINTENANCE AND SUPPORT CONTRACT FOR THE COUNCIL DAIS CRESTRON AUDIO VISUAL SYSTEM AND CUSTOM VOTING SOFTWARE FOR A TOTAL COST OF $184,564.20, FROM PUBLIC, EDUCATIONAL, AND GOVERNMENTAL FUND.

2013-08-29-0575

Item 24. AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE NETSMART TECHNOLOGIES, INC. CONTRACT TO PROVIDE THE SAN ANTONIO METROPOLITAN HEALTH DEPARTMENT WITH CONFIGURATION AND IMPLEMENTATION SERVICES FOR NEW AND EXISTING SOFTWARE MODULES AND MAINTENANCE AND SUPPORT FEES FOR A TOTAL COST OF $194,442.57 OF WHICH $107,500.00 WILL BE FUNDED WITH MEDICAID WAIVER FUNDS, AND $86,942.57 WILL BE FUNDED FROM THE SAMHD FY 2013-2016 ADOPTED GENERAL FUND OPERATING AND MEDICAID WAIVER BUDGETS.

2013-08-29-0576

Item 25. AN ORDINANCE AUTHORIZING A THREE YEAR LICENSE AGREEMENT WITH THE BOARD OF TRUSTEES OF THE LELAND STANFORD JUNIOR UNIVERSITY FOR THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT'S USE OF STANFORD SELF-MANAGEMENT PROGRAMS FOR CHRONIC DISEASE MANAGEMENT FOR A FEE OF $2,500.00.

2013-08-29-0025R

Item 26. A RESOLUTION AUTHORIZING THE APPROVAL OF AMENDMENTS TO THE SAN ANTONIO-BEXAR COUNTY METROPOLITAN PLANNING ORGANIZATION CONTINUING PHASE AGREEMENT TO ACCOMMODATE THE GEOGRAPHIC EXPANSION OF THE SAN ANTONIO URBANIZED AREA AND PROVIDE FOR INTERGOVERNMENTAL REPRESENTATION ON THE TRANSPORTATION POLICY BOARD.

[CONSENT ITEMS CONCLUDED]

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

Mayor Castro addressed Items 6 and 21 jointly. The City Clerk read the following captions:

2013-08-29-0559

Item 6. AN ORDINANCE ACCEPTING A PROPOSAL AND AUTHORIZING THE EXECUTION OF A JOB ORDER CONTRACT IN AN AMOUNT OF $247,239.62, PAYABLE TO DAVILA CONSTRUCTION, INC., FOR FACILITY RENOVATIONS TO EXISTING SPACE IN THE CENTRAL LIBRARY'S GROUND FLOOR IN CONNECTION WITH CAFÉ COMMERCE PROJECT, A 2009 ISSUED TAX NOTES FUNDED PROJECT.

2013-08-29-0573

Item 21. AN ORDINANCE AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT AND PAYMENT IN AN AMOUNT NOT TO EXCEED $115,000.00 TO THE CURATORS OF THE UNIVERSITY OF MISSOURI FOR LICENSING AND SUPPORT SERVICES ASSOCIATED WITH THE IMPLEMENTATION OF U.S. SOURCELINK WITHIN CAFÉ COMMERCE.

Mayor Castro asked for a briefing on said items. Rene Dominguez stated that a Small Business Taskforce convened in 2012 to consider how to help businesses grow and expand. He reported that that the Taskforce recommended that there be a single point of contact for Small Business Owners seeking assistance. They also recommended the promotion of a more robust entrepreneurial climate in San Antonio.

Mr. Dominguez explained that the Ordinance for Item 6 would implement facility renovations to the existing space in the ground floor of the Central Library. He explained the Design Strategy in which there would be Share Zones which would be technology-equipped for on-site and virtual teamwork. He noted that Focus Zones would provide for independent or small group work while Collaboration Zones would include open areas with work surfaces and dry erase walls.

Mr. Dominguez outlined the Interlocal Agreement for the implementation of U.S. Sourcelink within Café Commerce. He stated that the three-year Agreement would include hosting and professional services and that payment would total $75,000 in Year One, and $15,000 in Years Two and Three. He added that consultant travel would not cost more than $10,000.

Mayor Castro thanked everyone for their work on the project and commended the Small Business Task Force for their efforts. He stated that this was an exciting opportunity for Entrepreneurs, Small Business Owners and potential Small Business Owners to grow and start businesses in San Antonio. He asked when Café Commerce would be open. Mr. Dominguez replied that they planned to have the Storefront open in January 2014 and that the East Wing would be open in the Summer 2014.

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

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

The City Clerk read the caption for Item 14:

2013-08-29-0568

Item 14. AN ORDINANCE AUTHORIZING THE AMENDMENT OF THE GRAFFITI ORDINANCE TO EXPAND THE DEFINITION OF GRAFFITI IMPLEMENTS TO INCLUDE STICKERS.

Councilmember Medina asked for a briefing on said item. Rod Sanchez presented a Power Point and stated that the Graffiti Abatement Program was established in 2007. He noted that it focused on Eradication, Education/Prevention, and Enforcement and that 19 Full-Time Positions were allocated to the Program. He outlined the current Graffiti Ordinance noting that it was revised in 2010 to meet State Law requiring that the city first offer free abatement before requiring private property owners to remove graffiti. He explained that Graffiti Implement was defined as follows: Aerosol Paint Containers; Any type of felt tip marker; and Paint stick or etching tool capable of defacing glass, metal, concrete, or wood. He reported that most graffiti was applied by painting and marking but vandals also used adhesives and stickers to deface property. He stated that staff recommended that the Ordinance be amended to include Stickers or Adhesive Materials in the definition of Graffiti Implements. He added that there would be no fiscal impact to implement same. Councilmember Medina stated that this was another tool to address graffiti and that this was a best practice identified around the country.

Councilmember Lopez thanked Councilmember Medina for his leadership on said item. He asked if there was any tracking to determine if incidents were reduced after passing such Ordinances. Chief McManus replied that they had not seen a great reduction in the number of graffiti incidents but continued efforts to arrest perpetrators.

Councilmember Bernal commended Councilmember Medina for his efforts on said item.

Councilmember Medina moved to adopt the proposed Ordinance. Councilmember Bernal seconded the motion.

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

The City Clerk read the caption for Item 15:

Item 15. 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 MARK GARFINKLE (DISTRICT 8) TO THE SA2020 COMMISSION ON STRENGTHENING FAMILY WELL-BEING.

B. REAPPOINTING MICHAEL HOGAN (DISTRICT 6) TO THE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE.

C. APPOINTING RICARDO BRIONES (DISTRICT 5) TO THE ZONING COMMISSION.

D. REAPPOINTING TERRY CLARK (DISTRICT 8) AND APPOINTING SHERRI DUGAS (DISTRICT 10) TO THE LINEAR CREEKWAY PARKS ADVISORY BOARD.

E. REAPPOINTING LINDA C. NAIRN (DISTRICT 10) TO THE SAN ANTONIO PUBLIC LIBRARY BOARD OF TRUSTEES.

F. REAPPOINTING GEORGE J. BALLIET (DISTRICT 10) TO THE SMALL BUSINESS ADVOCACY COMMITTEE.

G. APPOINTING LAURA J. MATTHEWS (DISTRICT 10) AND ANALISA GONZALES (DISTRICT 5) TO THE PARKS AND RECREATION BOARD.

H. APPOINTING DR. LAWRENCE L. SCOTT, II (DISTRICT 10) TO THE AFFIRMATIVE ACTION ADVISORY COMMITTEE.

I. REAPPOINTING TERRY D. BOYD (DISTRICT 3) TO THE ZONING COMMISSION.

J. REAPPOINTING GUADALUPE G. GARCIA (DISTRICT 3) TO THE TRANSPORTATION ADVISORY BOARD.

K. REAPPOINTING STEVEN GOLDBERG (DISTRICT 8) TO THE BROOKS DEVELOPMENT AUTHORITY.

L. APPOINTING ANA R. ACEVEDO (DISTRICT 8) TO THE SA2020 COMMISSION ON EDUCATION.

M. APPOINTING INA M. MINJAREZ (DISTRICT 5) TO THE MAYOR'S COMMISSION ON THE STATUS OF WOMEN.

Councilmember Soules recognized the residents from District 10 that are serving on the City's Board and Commissions. He stated that he appreciated their efforts and those of the many volunteers that serve the City.

Councilmember Soules moved to approve the Board Appointments for Items 15A-15M. Councilmember Lopez seconded the motion.

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

The City Clerk read the caption for Item 17:

2013-08-29-0569

Item 17. AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH AECOM TECHNICAL SERVICES, INC. FOR DESIGN SERVICES FOR TAXIWAY ROMEO CHARLIE IN THE AMOUNT OF $199,146.00, FUNDED BY AIRPORT IMPROVEMENT & CONTINGENCY FUNDS.

Councilmember Chan recused herself from Item 17 by exiting the Council Chambers and noting that she had submitted the recusal forms to the City Clerk.

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

The motion prevailed by the following vote: **AYES:** Bernal, Taylor, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Soules, and Mayor Castro. **NAY:** None. **ABSTAIN:** Chan.

2013-08-29-0026R

Item 27. A RESOLUTION SUPPORTING THE EFFORTS OF "LA OFRENDA" VETERANS MONUMENT COMMITTEE TO CREATE A MONUMENT TO HONOR ALL OF OUR VETERANS WHICH WILL BE LOCATED IN THE ELMENDORF LAKE PARK IN CITY COUNCIL DISTRICT 5.

Councilmember Gonzales moved to approve the Resolution. Councilmember Bernal seconded the motion.

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

EXECUTIVE SESSION

Mayor Castro recessed the meeting at 10:00 am to discuss the following:

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).**

Mayor Castro reconvened the meeting at 11:00 am at which time it was noted that the City Council had been briefed on the above-styled matters but took no action.

ADJOURNMENT

There being no further discussion, Mayor Castro adjourned the meeting at 11:00 am.

APPROVED

JULIÁN CASTRO
MAYOR

Attest:

LETICIA M. VACEK, TRMC/MMC
City Clerk

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LMV/lys