

**State of Texas  
County of Bexar  
City of San Antonio**



**FINAL  
Meeting Minutes  
City Council Special Session**

City Hall Complex  
114 W. Commerce  
San Antonio, Texas 78205

---

Tuesday, November 18, 2014

9:00 AM

Municipal Plaza Building

---

The City Council convened in a Special City Council Meeting. City Clerk Leticia Vacek took the Roll Call with the following Councilmembers present:

**Present:** 10 - Mayor Taylor, Toney, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

**Absent:** 1 - Bernal

1. The Invocation was delivered by Reverend Beth Knowlton, St. Mark's Episcopal Church.
2. Mayor Taylor led the Pledge of Allegiance to the Flag of the United States of America.

**POINTS OF PERSONAL PRIVILEGE**

Councilmember Lopez recognized Iliana Diaz, Executive Director of the Alamo Colleges Partners for the Americas Program and students from Columbia. He stated that the students accelerated in various areas of study and were selected to participate in the Program. Ms. Diaz thanked the City Council for the recognition and stated that they were pleased to be

present. Mayor Taylor welcomed the students to San Antonio.

Mayor Taylor recognized Gordon Hartman and the San Antonio Scorpions for winning the North American Soccer League (NASL) Championship. She stated that the Scorpions were only in their third year of existence but had already won the franchise's first Championship. She noted that the Scorpions were the only Professional Sports Team that donates all proceeds to a Non-Profit which is Morgan's Wonderland. She mentioned that the Scorpions had two NASL Best XI Players – Walter Restrepo and Rafael Castillo. She presented a Proclamation in recognition of these achievements. Mr. Hartman thanked Mayor Taylor and stated that he was honored to present the 2014 Soccer Bowl Championship Trophy to the City Council. He introduced Howard Cornfield, President and General Manager of the Scorpions. Mr. Cornfield spoke of their work to raise money for Children with Special Needs and Breast Cancer. He and various members of the team thanked the city for the great support. The City Council congratulated the Scorpions on their Championship and commended them for their donations to Morgan's Wonderland.

### **INDIVIDUAL ITEMS FOR STAFF BRIEFING**

The City Clerk read the caption for Item 3:

**2014-11-18-0930**

- 3.** An Ordinance confirming the appointment of Martha G. Sepeda, Acting City Attorney of the City of San Antonio, in accordance with the Charter of the City of San Antonio. [Sheryl Sculley, City Manager]

City Manager Sheryl Sculley stated that with Mr. Robbie Greenblum's departure occurring on December 1, 2014; she recommended the appointment of Martha G. Sepeda as Acting City Attorney. She stated that Ms. Sepeda had served the city for many years as the First Assistant City Attorney and was confident in her abilities to lead the Department.

Councilmember Gallagher moved to adopt the proposed ordinance. Councilmember Toney seconded the motion. The motion prevailed by the following vote:

**Aye:** 10 - Mayor Taylor, Toney, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

**Absent:** 1 - Bernal

The City Clerk read the caption for Item 4:

**2014-11-18-0931**

4. An Ordinance amending the City's Fiscal Year 2015 General Fund Adopted Budget by deferring Street Maintenance projects, adjusting Police and Fire Budgets, and increasing the City's contribution to uniform fire and police employee healthcare coverage in the amount of \$14,258,562 for the period of January 1 through September 30, 2015. [Sheryl Sculley, City Manager; Maria Villagomez, Director, Office of Management and Budget]

Maria Villagomez presented a Power Point outlining the FY 2015 Budget Amendment. She stated that the City of San Antonio was required to maintain a balanced budget and that staff was recommending a Budget Amendment to add \$14.3 Million to fund Public Safety Healthcare. She noted that they would reduce the Street Maintenance Program by \$8.9 Million as well as hold vacancies in the Police Department and delay a Paramedic Class to save \$5.4 Million. She indicated that the proposed action supported the City's strong financial policies and AAA Bond Rating. She reported that the \$8.9 Million Street Maintenance Reductions would defer projects to FY 2016. Additionally, a total of 75 vacant Uniform Positions would be maintained in the Police Department. She stated that the \$2 Million would be reduced in the Fire Department through less overtime and delaying a Paramedic Training Class from February through October 2015. She noted that the \$16,400 cost per Uniform Employee was not included in the Budget and therefore; adjustments must be made at this time. She mentioned that the appropriations in the Employee Benefits Fund would be increased by \$14.3 Million to address the Uniform Healthcare Costs.

Mayor Taylor called upon the citizens registered to speak.

Jack M. Finger expressed concern that the city was attempting to strike down a contractual clause agreed to during collective bargaining. He referenced the 1989 Police Contract that greatly impacted the budget.

Tomas Guadiano addressed the City Council in opposition to the Budget Amendment. He expressed concern that Street Maintenance Projects would be deferred and noted that there had already been cuts to Parks and Literacy Centers.

Mayor Taylor thanked staff for the presentation and asked of the impact to Public Safety Service Levels. Ms. Villagomez replied that 75 Positions in SAPD would remain vacant. Chief McManus did not believe there would be a negative impact on Neighborhood Patrol. Chief Hood stated that delaying the Paramedic Class would have a slight impact to the number of Paramedics available in Service Trucks in 2016. Mayor Taylor stated that it was unfortunate that this action was being taken but that it was necessary to maintain a balanced

budget.

Councilmember Lopez stated that he was conflicted by the decision and had hoped to have successful contract negotiations by this time. He noted that he was concerned by the City's Legal Actions and did not feel they were conducive to positive negotiations. He stated that he did not believe action should be taken at this time.

Councilmember Lopez moved to delay action until sometime prior to the 6+6 Mid-Year Report. The motion died for lack of a second.

Councilmember Saldaña stated that the city would have to pay Health Care Benefits even if an agreement is not reached on collective bargaining. He noted that he was not pleased to reduce Street Maintenance Projects but understood that it was necessary to maintain a balanced budget. He asked if there were any other options. Mrs. Sculley replied that they could reduce other programs or take funds from the Fund Balance. However, she cautioned that taking money from the Fund Balance could result in a downgrade by the Rating Agencies.

Councilmember Gallagher stated that this was a very difficult decision but felt it was necessary in order to protect the city. He noted that this would have the least effect on each of the Council Districts.

Councilmember Gallagher moved to approve the Staff Recommendation. Councilmember Nirenberg seconded the motion.

Councilmember Toney asked if they were setting a precedent for the budget process. Mrs. Sculley replied that they had done this in the past if mid-year revenues were not being collected as projected. Councilmember Toney asked if Specialty Positions would move to Patrol within SAPD. Mrs. Sculley replied that was correct as their goal was to maintain response times for Patrol Officers. Councilmember Toney stated that he was conflicted and felt that negotiations should continue at the bargaining table and not in the courtroom.

Councilmember Nirenberg stated that they were not discussing contract negotiations today and were undoing improvements that were included in the budget. He spoke of the importance of maintaining the City's Bond Rating and noted that he was making decisions based on the best interest of his son and future generations.

Councilmember Krier commended the San Antonio Police and Fire Departments for their work. He stated that it was the responsibility of the City Council to maintain a sustainable budget and be stewards of taxpayer dollars. He noted concerns with cutting basic services such as Parks and Libraries and expressed support for the staff recommendation.

Councilmember Lopez stated that the sky was not falling and believed that negotiations should continue. He noted that they should focus on bringing health care costs under control. Councilmember Lopez moved to delay action until sometime prior to the 6+6 Mid-Year Report. Councilmember Medina seconded the motion.

Councilmember Gonzales expressed concern that they had not been able to negotiate with the Police and Fire Unions. She asked of the impact of the Budget Amendment to the Crisis Response Team. Chief McManus confirmed that there would not be an impact to the Crisis Response Team. Councilmember Gonzales asked of the impact of delaying the Paramedic Class. Chief Hood replied that delaying the Paramedic Class would not impact response times. Councilmember Gonzales asked of the budget impact related to the fact that CPS Energy would not raise rates. Ms. Villagomez replied that they had included the current CPS Energy Rates in the budget and would not affect the City Budget. Councilmember Gonzales asked why it was necessary to amend the budget at this time. Mrs. Sculley replied that the City Council was informed that if the contract had not been successfully negotiated by the end of October; it would be necessary to make budget cuts. Councilmember Gonzales stated that she did not feel this was a desperate situation and that they could re-evaluate in the future.

Councilmember Viagran asked of future budget cuts that may be necessary. Mrs. Sculley replied that they would be off balance by \$1.6 Million beginning in January 2015 if a budget amendment was not approved. She stated that reductions should be made at this time and that they should not wait until they were six months into the fiscal year as other budget cuts may need to be made.

Councilmember Medina noted that this was a difficult decision and was concerned with cuts to Street Maintenance Projects. He stated that he would prefer to defer some of the projects over a 90 or 120 day period instead of all at once.

Mayor Taylor reiterated her support for moving forward at this time noting that it was in the best interest of the citizens. She stated that it was a difficult decision that must be made today. She added that although they wanted to provide the best for Public Safety Officers; it was necessary to operate within the City's means.

The motion made by Councilmember Lopez and seconded by Councilmember Medina to delay action failed by the following vote:

**Aye:** 4 - Toney, Gonzales, Lopez and Medina

**Nay:** 6 - Mayor Taylor, Viagran, Saldaña, Nirenberg, Krier and Gallagher

**Absent:** 1 - Bernal

The motion made by Councilmember Gallagher and seconded by Councilmember Nirenberg to approve the staff recommendation prevailed by the following vote:

**Aye:** 7 - Mayor Taylor, Viagran, Saldaña, Gonzales, Nirenberg, Krier and Gallagher

**Nay:** 3 - Toney, Lopez and Medina

**Absent:** 1 - Bernal

**CONSENT AGENDA ITEMS**

Items 8 and 9 were pulled for Individual Consideration. Councilmember Saldaña moved to approve the remaining Consent Agenda Items: 5, 6, 7 and 10. Councilmember Lopez seconded the motion.

Mayor Taylor called upon Mr. Jack M. Finger to speak.

Mr. Jack M. Finger referenced the resignation of Councilmember Bernal (Item 10) and expressed concern that Councilmember Bernal had supported the Streetcar Project, Non-Discrimination Ordinance, and the Vista Ridge Pipeline.

The motion to approve the remaining Consent Agenda Items prevailed by the following vote:

**Aye:** 9 - Mayor Taylor, Toney, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg and Gallagher

**Absent:** 2 - Bernal and Krier

**2014-11-18-0932**

5. An Ordinance authorizing the execution of a one-year Professional Services Agreement, in an amount not to exceed \$200,000.00 with San Antonio Sports to assist the San Antonio Convention and Visitors Bureau in the solicitation of select amateur regional, national and international sporting events. [Ed Belmares, Assistant City Manager; Casandra Matej, Director, Convention and Visitors Bureau]

**2014-11-18-0933**

6. An Ordinance accepting the bid from Grande Truck Center to provide the Development Services and Solid Waste Management Departments with ten gasoline powered half ton pickup trucks for a total cost of \$203,188.80, funded with the

Development Services Operating and Solid Waste Management Operating Funds.  
[Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

**2014-11-18-0934**

7. An Ordinance authorizing the following contracts establishing unit prices for goods and services for an estimated annual cost of \$458,000.00: (A) RK Construction Co. for Market Square landscape services, (B) Industrial Disposal Supply for Tymco sweeper parts and service, (C) River City Hydraulics, Inc. for aerial tower parts and service, (D) Ancira Motor Company for Chrysler parts and service, and (E) Universal Automatic Doors of Texas, Inc. for automatic door maintenance. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

**2014-11-18-0041R**

10. A Resolution acknowledging the resignation of Councilmember Diego Bernal, City Council District 1; and initiating procedures to select a replacement Councilmember. [Leticia M. Vacek, City Clerk]

**CONSENT ITEMS CONCLUDED**

**ITEMS PULLED FOR INDIVIDUAL CONSIDERATION**

The City Clerk read the caption for Item 8:

**2014-11-18-0935**

8. An Ordinance on behalf of SAWS authorizing the acquisition through negotiation or condemnation of interests in land sufficient for project purpose of one parcel of privately-owned real property located at NCB 13975, for the Western Watershed Sewer Relief Line Middle Segment, located in Council District 4; declaring it to be a public use project and public necessity for the acquisition. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director Transportation and Capital Improvements]

Councilmember Saldaña moved that the City of San Antonio authorize the use of the power of eminent domain to acquire property for the public use project for the SAWS Western Watershed Sewer Relief Line Middle Segment Project by acquiring the following property described by the City Clerk and incorporated as part of this Motion. Councilmember Toney seconded the motion.

City Clerk Leticia Vacek read the following property description:

The property consists of a permanent sanitary sewer easement consisting of 2.361 acres and a temporary construction easement consisting of 3.434 acres, out of the M.F. Rodriguez Survey No. 4, Abstract No. 16, County Block 4303 and F.F. Morales Survey 1/71, Abstract

No. 478, County Block 4293, now in New City Block 13976, Real Property Records of Bexar County, Texas. These properties are depicted and more particularly described in Exhibit A-3 attached to the Ordinance and incorporated as part of this Motion.

The motion prevailed by the following vote:

**Aye:** 10 - Mayor Taylor, Toney, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

**Absent:** 1 - Bernal

The City Clerk read the caption for Item 9:

**2014-11-18-0936**

9. An Ordinance authorizing an amendment to the sports license agreement with SA Five Diamonds Little League, Inc. to expand their license agreement area for additional youth sports recreation amenities at Stinson Park, located in Council District 3. [Gloria Hurtado, Assistant City Manager; Xavier D. Urrutia, Director, Parks & Recreation].

Councilmember Viagran highlighted the project and stated that she was pleased with SA Five Diamonds Little League and Stinson Park. Xavier Urrutia stated that they were excited to add an active area to the Park and noted that trees would not be removed to accommodate the project.

Councilmember Viagran moved to adopt the proposed ordinance. Councilmember Gallagher seconded the motion. The motion prevailed by the following vote:

**Aye:** 10 - Mayor Taylor, Toney, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

**Absent:** 1 - Bernal

**POINT OF PERSONAL PRIVILEGE**

Mayor Taylor and City Manager Sculley recognized Robbie Greenblum for his service to the City of San Antonio. Mr. Greenblum thanked the City Council and Mrs. Sculley for the privilege to serve as City Attorney. Mayor Taylor and the City Councilmembers thanked Robbie for his work and wished him well in his future endeavors.

**EXECUTIVE SESSION**

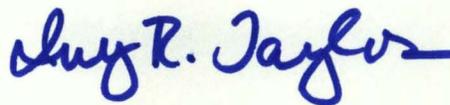
Mayor Taylor recessed the meeting into executive session at 11:20 am to discuss the following:

- A. Deliberations regarding economic development negotiations and discuss related legal issues pursuant to Texas Government Code Sections 551.087 (economic development) and 551.071 (consultation with attorney).
- B. Deliberate the purchase, exchange, lease or value of real property and discuss related legal issues pursuant to Texas Government Code Sections 551.072 (real property) and 551.071 (consultation with attorney).
- C. Discuss legal issues related to collective bargaining pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- D. Discuss legal issues related to the Municipal Courts pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- E. Discuss legal issues relating to congregate living homes pursuant to Texas Government Code Section 551.071 (consultation with attorney).

**ADJOURNMENT**

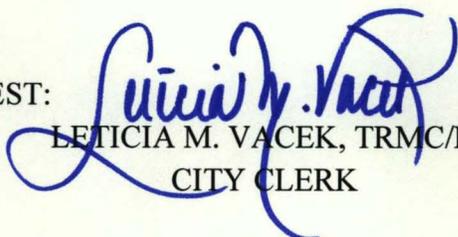
Mayor Taylor reconvened the meeting at 11:58 am and announced that no action was taken in Executive Session. There being no further discussion, Mayor Taylor adjourned the meeting at 11:58 am.

APPROVED



IVY R. TAYLOR  
MAYOR

ATTEST:



LETICIA M. VACEK, TRMC/MMC  
CITY CLERK