

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



**FINAL
Meeting Minutes
City Council B Session**

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

Wednesday, October 1, 2014

2:00 PM

Municipal Plaza Building

The City Council of San Antonio convened in the “B” Room of the Municipal Plaza Building at 2:00 pm. City Clerk Leticia Vacek took the Roll Call with the following Councilmembers present:

Present 10 - Mayor Taylor, Bernal, Toney, Viagran, Saldaña, Gonzales, Lopez, Aguirre-Rodriguez, Nirenberg, and Gallagher

Absent 1 - Krier

Mrs. Vacek announced that Councilmember Krier was attending the Texas Municipal League Conference in Houston.

1. A Briefing on the City's State Legislative Program for the 84th State Legislative Session. [Carlos Contreras, Assistant City Manager; Jeff Coyle, Director, Intergovernmental Relations]

Jeff Coyle presented an overview of the 84th State Legislative Program. He stated that the Texas Legislature convenes on the second Tuesday in January of each odd-numbered year for 140 calendar days. He noted that the Senate consisted of 31 Members with the Lieutenant Governor presiding, while the House of Representatives consisted of 150

Members with the Speaker of the House presiding. He highlighted the Bexar County Senate and House Representatives. He provided a recap of the 83rd Session in which 66% of City Initiatives were passed by the Legislature and 88% of the Bills opposed by the City were defeated. He noted that 220 Bills became laws that impacted cities.

Mr. Coyle stated that for the 84th Legislature, there would be at least 22 New House Members; 6 New Senators; New Governor and Lieutenant Governor; and Numerous New Committee Chairs. He reported that the 84th Program aligned with City Council Priorities and focused on big picture issues. He stated that City of San Antonio Priorities include: 1) Workforce and Economic Development; 2) Education; 3) Government Efficiencies and Transparency; 4) Military Protection; 5) Natural Resources; 6) Transportation and Infrastructure; and 7) Public Health. He explained the issues within each of the priorities such as funding for projects to increase the Military Value at Texas Institutions and Air Quality Funding.

Mr. Coyle reported that they would oppose Bills that undermine Self Government, Unfunded Mandates, Revenue Loss, and Diminish Municipal Authority. He stated that this would include Revenue and Appraisal Caps as well as Right-of-Way Authority. He highlighted partnerships with CPS Energy, SAWS, Brooks City Base, Port San Antonio, and UTSA. Lastly, he outlined the Program Timeline noting that the last day of the Regular Session was June 1, 2015.

Mayor Taylor thanked staff for the presentation and commended the Intergovernmental Affairs Council Committee for their work to date.

Councilmember Saldaña spoke of Early Childhood Education and asked that staff consider using future funds to assist Middle Income Families. He asked how Sales Tax Funds were currently being utilized. Mr. Coyle replied that all Sales Taxes were used for the General Fund; however, they were looking at allocating certain Sales Tax Items toward specific initiatives. Councilmember Saldaña asked if the city would be supporting State Funds being allocated to Federal Military Installations. Mr. Coyle confirmed that was correct and noted that other cities had taken action to prevent a Base Realignment and Closure (BRAC).

Councilmember Viagran asked of the Surplus State Funds. Mr. Coyle replied that the official amount of the surplus would not be known until after the first of the year and could be refunded to taxpayers or allocated to a specific initiative. Councilmember Viagran asked of the statement, "Ending the diversion of transportation revenues for non-transportation purposes and dedicating all State Highway Fund Revenues to transportation." Mr. Coyle stated that the State Gas Tax was placed in Fund 6 of which 25% was utilized for Education and the remaining funds were used for construction and maintenance of highways. He noted that there were concerns with using the Gas Tax to fund a State

Agency. Councilmember Viagran asked of the funding for Multi-Modal Transportation. Mr. Coyle responded that the funding was provided by the Texas Department of Transportation and that it was a small amount. Councilmember Viagran asked of the benefit of Syphilis Testing during the third trimester of a pregnancy. Dr. Thomas Schlenker stated that there were women that became infected with Syphilis during their pregnancy and if treated; mom and baby could be cured.

Councilmember Nirenberg spoke of the City's State Delegation and asked of the rules for Swift Funding from Proposition 6. Greg Flores of SAWS stated that they had submitted their comments on the rules for Swift Funding to the Texas Water Development Board. He noted that eligible projects must be included in the State Water Plan. Councilmember Nirenberg asked of the collection of fines related to School Bus Violations. Mr. Coyle stated that it was not included in the State Legislative Program due to the fact that the issue was awaiting an Attorney General Opinion. He noted that they would continue working on the issue outside of the Legislative Program.

Councilmember Gallagher referenced the bill related to distracted driving that was vetoed by the Governor and asked if the city could include it in its Legislative Agenda. Mr. Carlos Contreras stated that the City Council could add it to its agenda.

Councilmember Bernal asked of Tuition Revenue Bonds. Mr. Coyle stated that they were provided for specific projects. Councilmember Bernal asked of the Medicaid Waiver Program. Mr. Coyle confirmed that the program was funded by Federal Funding and passed through the State. Councilmember Bernal asked of Mental Health Funding. Mr. Coyle stated that it was distributed by the Department of State Health Services and that the Legislature has directed the Agency to create a more equitable system.

Councilmember Lopez spoke of the challenges in receiving funding for programs such as Full-Day Pre-Kindergarten. He asked the City Council to look closely at the Pension Language noting the serious implications. He mentioned the Rider 8 Funding that the city was trying to restore related to Air Quality.

Councilmember Aguirre-Rodriguez asked of coordination with Bexar County and the Chambers of Commerce. Mr. Coyle replied that they worked with said entities and coordinate when possible. Councilmember Aguirre-Rodriguez asked of Workforce Development Incentives. Mr. Coyle stated that the city would like for the State to be a partner when recruiting companies and that the city supported an Incentive Program to supplement Local Efforts. Councilmember Aguirre-Rodriguez spoke of the data storage requirements related to Body Cameras worn by Police Officers. Mr. Coyle stated that the Texas Municipal League was gathering input from their Member Cities regarding same.

Councilmember Toney noted that the G.J. Sutton Building was more than just a vacant building and was a symbol of neglect for many Eastside Residents. Mr. Coyle stated that Representative Ruth Jones-McClendon has been very involved in the appropriations request and city staff was working with her office. Councilmember Toney spoke of the importance of protecting Military Installations.

Mayor Taylor referenced the G.J. Sutton Building and commended Representative Ruth Jones-McClendon for her efforts. She noted that she hoped that the city could work beyond the Legislative Session to ensure that agencies were aware of the city's priorities.

2. A Briefing on the Mission Protection Overlay Program and the nomination of the San Antonio Missions as a World Heritage Site. [Carlos Contreras, Assistant City Manager; Shanon Miller, Director, Historic Preservation]

Shanon Miller provided an update of the World Heritage Nomination noting that the Secretary of the Interior had selected the San Antonio Nomination for submittal in June 2012. She stated that an Economic Impact Study was conducted in January 2013 and the Nomination was submitted in January 2014. She mentioned that the International Council on Monuments and Sites had conducted an Evaluator Visit in September 2014. She reported that next steps were to garner support for the nomination and to perform outreach and education. She stated that the recommendation from the International Council on Monuments and Sites would be received in May 2015 with a vote by the World Heritage Committee in June 2015. She requested a Resolution of Support for the World Heritage Nomination and support for a limited Congressional Waiver allowing for the payment of World Heritage Dues.

Mrs. Miller spoke of the history of Overlay Districts and stated that the current Viewshed Ordinance regulated height within a singular photographic view only. She noted that the goals for the New Overlay District were to protect the overall environment and setting for the Mission Sites. She indicated that they would also like to protect the inward and outward views, as well as provide a buffer for encroachment into the Mission Sites. She presented maps of the proposed Mission Protection Overlay Districts for each of the Missions. She outlined the timeline and next steps noting that the item was scheduled for City Council approval the next day.

Councilmember Viagran thanked staff for their work and spoke of the great collaboration among the community. She referenced the Director's Award received by the City of San Antonio and Bexar County from the National Parks Service. She expressed support for the Resolution of Support for the nomination and noted the importance of paying World Heritage Dues. Mrs. Miller stated that the issue of Dues was a significant concern and felt

that the Resolution of Support would provide a good faith effort to the city's commitment. She noted that a Resolution of Support had been received from the Jewish Federation of San Antonio for the limited waiver specific to World Heritage Dues.

Councilmember Gallagher asked if there were any other sites in the U.S. that had gone through the same process. Mrs. Miller replied that Poverty Point, Louisiana was the first city to go through the process since the U.S. had stopped paying dues in 2011. Susan Snow of the National Park Service noted that they had received a Letter of Support from Governor Perry which was a requirement since a portion of the World Heritage Designation was located on State Land.

Councilmember Viagran added that they would reach out to the Bexar County Delegation regarding a State Resolution. Councilmember Toney expressed his support and stated that it was important for the City of San Antonio to protect the Missions.

Mayor Taylor thanked staff for the presentation and commended Councilmember Viagran for her efforts.

RECESSED

Mayor Taylor recessed the meeting into Executive Session at 3:55 pm 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).

RECONVENED

Mayor Pro Tem Nirenberg reconvened the meeting at 5:25 pm and announced that no action was taken in Executive Session. He addressed the Ceremonial Items.

CEREMONIALS

Mayor Pro Tem Nirenberg presented a Proclamation in recognition of the 31st Annual National Night Out that would be held on Tuesday, October 7, 2014 throughout the State of Texas. It was noted that the event was sponsored by the National Association of Town Watch and designed to generate support and participation in local anti-crime programs, strengthen community-police partnerships and foster neighborhood spirit.

Mayor Pro Tem Nirenberg presented a Citation to the San Antonio Ambassador Great Debate Team. It was noted that they competed in the National Hispanic Institute's 2014 Texas Great Debate and finished 1st out of Six Regions from the State of Texas. It was also noted that they made history in winning back to back Championships.

Mayor Pro Tem Nirenberg presented a Proclamation to the San Antonio Housing Authority in observance of Housing America Month during the month of October 2014. It was noted that the month-long campaign aims to raise National Awareness of the need for and importance of safe, decent and Affordable Housing through education, advocacy, and empowerment.

PUBLIC HEARINGS

The City Clerk read the captions for Items 3 and 4:

3. First public hearing regarding the Limited Purpose Annexation of a 36.266 acre undeveloped tract located at 3890 South Loop 1604. [Peter Zaroni, Deputy City Manager; John Dugan, Director, Planning and Community Development]

4. First Public Hearing regarding the voluntary annexation of 9.19 acres of land, located at 3610 Valley Road, as requested by the San Antonio Water System. [Peter Zaroni, Deputy City Manager; John Dugan, Director, Planning and Community Development]

John Dugan stated that this was the first of two public hearings regarding the Limited

Purpose Annexation (LPA) of a 36.266 acre undeveloped tract located at 3890 South Loop 1604. He explained that the City's Ordinances and Regulations including Building and Zoning Codes would be effective under LPA. He noted that there would be no city taxes collected and no full Municipal Services provided. He added that they must convert to full purpose jurisdiction after three years. He outlined the Non-Annexation Agreement and Development for the FMC Technologies Tract and showed a map of the area. He indicated that the effective date of Annexation would be December 6, 2014.

Mr. Dugan stated that this was also the first of two public hearings regarding the Voluntary Annexation of 9.19 acres of land located at 3610 Valley Road as requested by SAWS. He explained that SAWS had petitioned the annexation to incorporate the area into the city limits and provide residents with full city services. He showed a map of the SAWS Property and Surrounding Jurisdictions. He stated that this would require the adoption of a Service Plan for Full Purpose Annexation. He indicated that the effective date of Annexation would also be December 6, 2014.

Mr. Dugan stated that the Second Public Hearings for both Annexations would be held the next day during the Zoning Portion of the City Council Meeting.

Mayor Pro Tem Nirenberg opened the Public Hearings. He announced that there were no citizens registered to speak and closed the Public Hearings.

CITIZENS TO BE HEARD

Mayor Pro Tem Nirenberg called upon the citizens registered to speak.

Margaret Day, Chair of the Alamo Sierra Club addressed the City Council in opposition to the SAWS Vista Ridge Project. She noted numerous organizations that were also opposed to the project and requested additional transparency and dialogue. She expressed concern with the limited input from citizens and asked that the vote on the project be delayed.

Michelle McFaddin stated that she was an Attorney Representing the League of Independent Voters and they were opposed to the Vista Ridge Project. She asked why SAWS was not financing and implementing the project on its own using financing available from State Infrastructure Loan Programs.

Linda Curtis stated that she lived in Bastrop and was opposed to the Vista Ridge Project. She provided a handout entitled, "Facts to Protect Central Texas Aquifers and Ratepayers" created by the League of Independent Voters. She asked that water not be used to lure people to Texas.

Mark Perez addressed the City Council and expressed concern with businesses operating without the proper permits. He spoke of the dangers of same and referenced the Hazardous Materials Ordinance.

Richard Perez, President and CEO of the Greater San Antonio Chamber of Commerce addressed the City Council in support of the Vista Ridge Project. He highlighted the benefits of the project and noted the economic development and jobs that could be lost due to lack of water. He stated that adding the pipeline would not diminish conservation efforts.

C. LeRoy Cavazos representing the San Antonio Hispanic Chamber of Commerce addressed the City Council in support of the Vista Ridge Project. He stated that SAWS had been a water leader throughout the US and spoke of the economic development benefits of the project. He commended the SAWS Board for their efforts and transparency.

Mike Phillips and Sister Gabriella Lohan representing COPS/Metro Alliance addressed the City Council. Mr. Phillips expressed concern with the lack of disclosure regarding the Vista Ridge Project and the high costs. He noted that additional dialogue should occur and that SAWS should revise their Rate Structure.

Rob Killen representing the North San Antonio Chamber of Commerce addressed the City Council in support of the Vista Ridge Project. He stated that it was critical to have an adequate water supply and that the project was needed to address future growth.

George Benavides stated that he was speaking on behalf of Satellite Terrorism and noted that he had been targeted since 1994.

Bob Wise, President of Imagine San Antonio addressed the City Council in opposition to the Vista Ridge Project. He stated that they were concerned with the contract and had not had sufficient time to review it. He requested transparency and citizen input on the issue.

Nazirite Ruben Flores Perez expressed concern that Halloween was celebrated at Pre-K 4 SA and referenced Yahweh and the Laws of Heaven.

Vincent Rydzak spoke of an incident which occurred on September 17, 2014 in which an individual posed as a Police Officer to try to steal a vehicle. He referenced another incident in which an unmarked vehicle had stopped an individual and expressed concern that unmarked vehicles made traffic stops.

Antonio Diaz invited everyone to attend the Indigenous Dignity Day March on October 11, 2014. He stated that although they were receiving a Proclamation from the City; they would like a Resolution regarding same to be approved by the City Council. He spoke in

opposition to the Panhandling Ordinance recommended by the Police Chief.

Annalisa Peace, Greater Edwards Aquifer Alliance (GEAA) spoke in opposition to the Vista Ridge Project. She stated that they wanted areas that SAWS was required to provide service to be amended to exclude portions of the Edwards Aquifer Recharge Zone and Contributing Zone in Northeast Bexar County and Comal County. She expressed concern with high density development that could occur and asked that the city work with GEAA to address their concerns.

Faris Hodge, Jr. submitted written testimony requesting that the city hire 150 Park Rangers. He referenced the expansion of the San Antonio Food Bank and the \$12.7 Million Grant received by the San Antonio Lighthouse for the Blind. He expressed concern with the salary increases included in the San Antonio Police Contract. He requested that the Citizens to be Heard portion of the City Council Meeting be broadcast on television. He commended the Office of the City Clerk for the digitization of Historical Election Results.

ADJOURNMENT

There being no further discussion, Mayor Pro Tem Nirenberg adjourned the meeting at 7:12 pm.

APPROVED

IVY R. TAYLOR
MAYOR

ATTEST:

LETICIA M. VACEK, TRMC/MMC
CITY CLERK