STATE OF TEXAS
COUNTY OF BEXAR
CITY OF SAN ANTONIO

A WORK SESSION AND REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO WERE HELD IN THE MUNICIPAL PLAZA BUILDING, WEDNESDAY, MAY 8, 2013, AND THURSDAY, MAY 9, 2013, RESPECTIVELY.

The San Antonio City Council convened in a Work Session at 2:00 pm Wednesday, **May 8, 2013,** Municipal Plaza Building, with the following Councilmembers present: Bernal, Taylor, Ozuna, Saldaña, D. Medina, Lopez, C. Medina, Williams, Chan, Soules, and Mayor Castro. **ABSENT:** None.

1. **STAFF BRIEFING AND UPDATE TO CITY COUNCIL ON IMPLEMENTING THE PRE-K 4 SA PROGRAM.**

Elaine Mendoza, Pre-K 4 SA Board Chair provided an overview of the Pre-K 4 SA Program. Ms. Mendoza thanked the City Council for the opportunity to serve and stated that failure was not an option. She introduced the Pre-K 4 SA Board Members that were present and highlighted the six Committees of the Pre-K 4 SA Board that focused on Policy and Governance.

Assistant City Manager Peter Zanoni stated that the purpose of the program was to improve the quality and quantity of Pre-K Education for four-year-olds citywide. He noted that it was funded by a 1/8 cent sales tax for eight years and estimated serving 22,000 children over that time. He outlined the Pre-K 4 SA Board of Directors and Board Committees noting that the Board meets on the 1st and 3rd Tuesday of the month. He reported that the five Board Committees meet on a regular basis and meetings are open to the public.

Mr. Zanoni provided a map and photos of the two Education Centers that were scheduled to open in August. He reported that the Northside Center was a re-use facility and that 35% of the construction had been completed. He stated that the Southside Center was being newly constructed and that construction was 45% completed. He indicated that two additional Education Centers would open in 2014 on the East and West Sides of the city. He reported that a Request for Proposals (RFP) would be issued in May 2013 with selection by the Pre-K Board in June 2013.

Mr. Zanoni presented an overview of the Student Enrollment Process noting that Pre-Enrollment was occurring at this time. He stated that a citywide lottery would occur in June and that selected students would complete enrollment in July. He noted that 11 Pre-Enrollment Fairs would take place from May 1-9, 2013 in collaboration with the seven participating school districts. He mentioned that city staff was completing the design of the door-to-door grassroots pilot that would begin this week. He outlined the six locations that would be performing pre-enrollment on a walk-in basis from May 13-31, 2013. He introduced Ms. Kathy Bruck, Pre-K 4 SA Interim CEO.

Ms. Kathy Bruck reported that they would hire over 150 positions for Pre-K 4 SA to include a Chief Executive Officer, Two Center Directors, Master Teachers, and Teacher Assistants. She stated that five job fairs were held in San Antonio and that job fairs were also held in Austin, Houston, and Dallas. She noted that Sandy Wesser-Chavarria had been hired as one of the two Center Directors and that they were continuing recruitment for the remaining positions. She reported that 500 applications were received for Master Teachers and that a four-step process for interviewing them had been developed by Consultant

Don Dalton, Former Northeast Independent School District Executive. She added that they planned to have up to 44 Master Teachers hired by June 1, 2013.

Mr. Zanoni reported that the Pre-K 4 SA Bylaws require that the Pre-K 4 SA Board of Directors adopt a budget prior to May 1st. It further requires that the Board annually prepare and present financial statements, as well as submit financial quarterly reports to the City Council and the City Manager. Mr. Zanoni noted that the City Council would approve the final budget submitted by the Board by July 1st. He explained that the budget for FY 2013 totaled $828,684 which included marketing and advertising, initial classroom curriculum, and hiring of initial staff. He reported that the FY 2014 Budget totaled $23 million and would be used to serve 700 children at two centers. He stated that it authorizes 158 positions; funds two leases and tenant finish out for two additional centers; and adds transportation. He noted that the Pre-K 4 SA Budget would be presented to the City Council during a B Session on May 29th and presented for approval by the City Council on June 6th.

Mr. Zanoni spoke of other major focus areas and reported that free transportation would be available to families to access the Education Centers. He stated that they estimated 50% ridership and that the Service Model includes utilizing designated drop-off/pick-up bus depots. He indicated that safety was the top priority. He noted that thorough background checks would be conducted on drivers and aides and that video cameras would be utilized on the buses. He spoke of the four responses to the Transportation RFP noting that there were two National Firms; one Texas Firm; and one Local Firm. He stated that the Pre-K 4 SA Board had approved a contract with the local firm, Star Shuttle on May 7th. He noted that they had 50 years of transportation service experience. In regard to curriculum, Mr. Zanoni stated that they had received responses from nine vendors. He mentioned that they had received public input from over 100 community members and that a Curriculum Review Committee (CRC) comprised of Early Childhood Education Professionals was assisting in the selection. He added that four short-listed firms would conduct a presentation interview to the CRC and that a recommendation would be presented to the Board on May 21, 2013.

Mr. Zanoni highlighted the Child Nutrition Services in which breakfast, lunch and two afternoon snacks would be provided to all students free of charge. He stated that all meals would meet or exceed USDA standards of nutrition. He noted that six vendors had responded to the Request for Competitive Sealed Proposals and that the Board would recommend a vendor in May/June. Mr. Zanoni reported that an Independent Program Evaluation would determine the effectiveness of Pre-K 4 SA Program Goals. He stated that an RFP for the evaluation was released on April 25th with responses due on May 22nd. He indicated that a vendor would be recommended in June/July. He spoke of the Public Awareness Campaign in which aMAEzing Marketing Group has been contracted to assist. He reported that city staff had released the initial monthly newsletter in April. He highlighted the Education Center Opening Activities to include Back-to-School Fairs and an Open House. He added that staff was finalizing an Employment Procedure Manual, Student/Parent Handbooks, and an Emergency Procedure Handbook.

Mayor Castro thanked staff for the presentation and asked of the quality of Teacher Applicants. Ms. Bruck replied that they had received great applications from individuals with Early Childhood Education Experience and many with Bi-lingual and Special Education Experience. She stated that 90% were from Texas with 65% being from San Antonio. Mayor Castro asked of the meals that would be served. Mr. Zanoni responded that the Board wanted robust, healthy options for the centers. Mayor Castro asked of the professional development of the program. Mr. Zanoni replied that it was a key component of the program and that they would hire a Professional Development Director. He noted that they would hire Teacher Coaches to assist the teachers and would also host In-Service Training at the Model Centers.

Mayor Castro asked of the remaining two Model Centers. Mr. Zanoni replied that they had identified 30 sites for the East and West Centers and would be issuing an RFP to have the private sector construct the two buildings.

Councilmember Lopez thanked staff and the Pre-K 4 SA Board for their work. He spoke of the negative repercussions that would results if the Pre-K 4 SA Program was not successful. He commended Ms. Bruck for her work in the Harlandale School District and asked of performance measures. Ms. Bruck highlighted the types and time periods that progress would be assessed. She noted that immediate progress would be made during admission into Kindergarten with a formal assessment made in the 3rd Grade.

Councilmember Saldaña asked of the marketing and outreach for enrollment in the Pre-K 4 SA Program. Mr. Zanoni discussed community outreach efforts undertaken by the city and Partners to include brochures, radio, and newspaper. He noted that calls were steadily coming in to a dedicated Pre-K 4 SA Phone Line, resulting in the need for additional call takers. He added that they would pilot other outreach efforts such as block walking and attending Little League Baseball Games. He stated that the enrollment period would end in May but they would continue through June if needed. Councilmember Saldaña stated that some parents would want to enroll their children in August and asked of the partnerships for block walking. Gloria Hurtado stated that they had data by zip code and would focus their efforts on the East and West Sides. She noted that they would work with their delegate agency partners and spoke of their efforts in coordination with the East Promise Neighborhood. Councilmember Saldaña commended everyone for their work on Pre-K 4 SA.

Councilmember Chan thanked everyone that has worked on Pre-K 4 SA. She asked of the Fiscal Year for Pre-K 4 SA. Mr. Zanoni replied that it was July 1st through August 30th. Ms. Sculley explained that the Board had approved a 3-Month Budget for the current year and an FY 2014 Budget. She indicated that both budgets would be brought to the City Council for approval. Mr. Zanoni added that they estimated Sales Tax Revenue of $29 million in the first year and $2 million in matching funds from the State. Councilmember Chan asked of the curriculum. Ms. Bruck replied that curriculum had been developed for the State of Texas in order to meet the Pre-K Guidelines. She noted that they were research-based and available in English and Spanish. Councilmember Chan asked of the RFP. Mr. Zanoni replied that nine firms responded to the RFP with their curriculum and a Selection Review Committee selected four finalists. He stated that they had conducted further analysis and interviewed the four firms. He added that they would recommend one of the firms to the full Board and that the curriculum could be adjusted after two years. Councilmember Chan asked of the transportation that would be provided. Mr. Zanoni stated that the Centers were located near bus stops and spoke on amenities and services offered at the Centers for children and parents. Councilmember Chan asked of parent participation. Mr. Zanoni indicated that parents would be engaged and required to sign a Participation Agreement.

Councilmember Bernal stated that he appreciated current outreach and marketing efforts. He spoke of the transportation options available to participants and requested that staff research the feasibility of offering subsidized public transportation. He thanked everyone for their work and stated that he was excited for the program to be implemented.

Councilmember Ozuna asked of the lottery process. Mr. Zanoni replied that city staff would perform the lottery for all of the participating school districts. He indicated that 90% of the students would have to meet State Eligibility Requirements. The remaining 10% would only have to be San Antonio

Resident and pay a sliding scale fee based on income. Councilmember Ozuna asked of the transportation drop-off sites. Mr. Zanoni replied that 10 drop-off sites were already identified and staff could make adjustments based on enrollment. He added that transportation and costs would be communicated to individuals during the enrollment process.

Mayor Castro thanked the Pre-K 4 SA Board Members and staff for their work and presentation.

EXECUTIVE SESSION

Mayor Castro recessed the meeting at 3:30 pm to convene in Executive Session for the purposes of:

A. **DELIBERATE THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY AND DISCUSS RELATED LEGAL ISSUES PURSUANT TO TEXAS GOVERNMENT CODE SECTIONS 551.072 (REAL PROPERTY) AND 551.071 (CONSULTATION WITH ATTORNEY).**
B. **DELIBERATIONS REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS AND DISCUSS RELATED LEGAL ISSUES PURSUANT TO TEXAS GOVERNMENT CODE SECTIONS 551.087 (ECONOMIC DEVELOPMENT) AND 551.071 (CONSULTATION WITH ATTORNEY).**

Mayor Castro reconvened the meeting at 6:00 pm at which time it was noted that the City Council had been briefed in Executive Session but took no action.

CITIZENS TO BE HEARD

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

Nazirite Ruben Flores Perez spoke of the two planets discovered by NASA that were similar to Planet Earth. He referenced an article regarding money stolen by the Director of Harvest Fellowship Church.

Christina Oliver spoke of the use of aggressive force by a Park Police Officer when she accidentally entered an Employee Restroom at the Shell Gas Station on Cevallos Street. She stated that the incident occurred on April 27, 2013. She indicated that she was assaulted, slammed down on an ice cream cooler, and arrested. She expressed concern that she was charged with assault on a public servant and did not believe that she had done anything wrong.

Rhett Smith noted that there were potential health issues at the Northside Pre-K 4 SA Education Center. He spoke of the March Against Child Abuse and noted that Texas ranks the highest in Child Abuse in the nation.

Mark Perez addressed the City Council and expressed concerns with the Emergency Planning Committee. He referenced businesses operating without the proper permits and violating zoning ordinances. He noted that the Kimberly Clark Facility was operating without a Certificate of Occupancy.

Faris Hodge, Jr. submitted written testimony quoting various individuals including Martin Luther King and Benjamin Franklin. He wrote that it was time to pay the City Council a living wage and that non-union city employees should receive a 10% pay raise. He noted that San Antonio Police Officers are

now tested for alcohol. He added that Haven for Hope has extended their reach in the community. He highlighted the 4,000 new jobs in San Antonio due to the oil boom. Lastly, he noted the free taxi rides provided during Fiesta. He expressed concern that two of the streetcar routes would travel through Alamo Plaza and requested that the Social Security Office stay open later.

ADJOURNMENT

Mayor Castro adjourned the B Session meeting at 6:15 pm.

The San Antonio City Council convened in a Regular Meeting on Thursday, **May 9, 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, Ozuna, Saldaña, D. Medina, Lopez, C. Medina, Williams, Chan, Soules, and Mayor Castro. **ABSENT**: None.

Item 1. The Invocation was delivered by Rabbi Block, Chabad Lubavitch of South Texas, guest of Councilmember Elisa Chan, District 9.

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 April 17-18, 2013 City Council Meetings. Councilmember Taylor seconded the motion.

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

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the caption for Item 4:

2013-05-09-0317

Item 4. AN ORDINANCE AMENDING ARTICLE III "CODE OF ETHICS" AND ARTICLE VII "CAMPAIGN FINANCE REGULATIONS" IN CHAPTER 2 "ADMINISTRATION" OF THE CITY CODE OF SAN ANTONIO, TEXAS.

City Attorney Michael Bernard presented proposed revisions to the Ethics Code. He stated that a Compliance Auditor would conduct compliance reviews of campaign reports and financial disclosures to identify conflicts of interest associated with the city's solicitation for high-profile discretionary contracts. A random sampling of other contracts would also be conducted. He noted that the Compliance Auditor would report their findings to the City Auditor, Audit Committee, City Attorney's Office, City Manager, and the Ethics Review Board (ERB) for appropriate action. He stated that the Compliance Auditor would develop and implement a comprehensive Ethics Training Program in

consultation with the City Council, City Manager, ERB, Human Resources Department, and City Attorney's Office. He mentioned that the Compliance Auditor would accept sworn ethics complaints; review for sufficiency; recommend acceptance or rejection; and request additional information from a complainant. He reported that the ERB would select a Compliance Auditor for appointment by the City Auditor and that the Compliance Auditor would serve as staff for the ERB. He added that the Compliance Auditor may be removed for cause upon consultation with the ERB.

Mr. Bernard explained that the City Attorney would act as legal counsel to the Compliance Auditor and ERB. He stated that the City Attorney would review complaints for legal sufficiency upon request from the Compliance Auditor. He added that the City Attorney would continue to issue advisory opinions to City Officials and Employees about the requirements imposed by ethics laws. Mr. Bernard reported that currently, City Officers may have a financial interest in a contract with an entity to which the City Council selects or nominates members of its governing body. He stated that the proposed revision would prohibit the Mayor and Councilmembers from having a direct or indirect contract with entities to which they select or nominate board members. He noted that the prohibition applies to the individual Councilmember making an appointment without Council Action, or to the whole City Council if the selection or nomination was by Council Action.

Mr. Bernard further explained that currently, persons seeking a discretionary contract with the city must disclose the identity of all contractors, subcontractors, parent entities and subsidiary entities. He indicated that the proposed revision would require additional disclosure of Board Members, Executive Committee Members, Officers and Directors of the entity seeking the contract. He added that other city policies were changed to address disclosure issues. He reported that another revision would require disclosures for an individual or entity that is seeking a housing or retail development incentive from that city and an individual or entity seeking to purchase, sell or lease real estate to or from the city. He stated that the current Ethics Code requires submission of a disclosure statement prior to embarking on travel paid for by third parties in connection with official duties. He noted that the revision would require that the disclosure statement be submitted within 10 business days of returning from travel. He added that it would apply to travel in connection with official duties and to travel provided by third parties that is not for official duties and does not meet the exceptions for gifts.

Mr. Bernard stated that a City Official or Employee serving on behalf of the city on another entity must recuse themselves from any action by that entity on an item pertaining to the city if the City Official or Employee is involved in the negotiation, development or implementation of that item for the city. He outlined a new provision in which the ERB will not consider violations of filing requirements for Personal Financial Statements or Campaign Finance Reports if the matter is corrected within 10 business days of notification or discovery. Additionally, the ERB will have the discretion to accept or decline consideration of a violation if it has been resolved by the City Manager, or by a governmental agency or board with jurisdiction over the matter.

Mr. Bernard outlined revisions to the Municipal Campaign Finance Code. He stated that current limitations apply to contributions in support of a candidate or measure; the proposed amendment will extend limits to contributions to oppose a candidate or measure. He reported that Campaign Finance Reports must be filed by 5:00 pm on the due dates and the proposed amendment will extend the time to midnight. He noted that Campaign Finance Reports timely filed may be corrected or amended. He stated that it would not be a Code Violation if the correction or amendment was completed within 10 business days of notification or discovery of errors. He indicated that the City Clerk would verify the amendment or correction. He mentioned that subsequent failure to file timely or correct bank statements

and Campaign Reports within a two-year period may be the basis of complaint. He added that the ERB may issue a Letter of Reprimand regardless of whether the second or subsequent violation was made knowingly by the filer.

Mayor Castro called upon the individuals registered to speak.

Nazirite Ruben Flores Perez spoke in support of the ethics revisions.

Arthur J. Downey, Chair of the ERB stated that the Board was supportive of the proposed revisions. He noted that although the concept of the Compliance Auditor was good; they had not had a chance to review it in detail.

Rhett Smith stated that he was supportive of more disclosure and ethics requirements. He referenced a March Against Child Abuse and invited all to participate.

Jack M. Finger referenced ethics-related scandals that occurred in the past. He expressed concern that City Councilmembers vote on contracts with companies that have made campaign finance contributions.

Mr. Bernard clarified that any changes related to the Compliance Auditor would not be effective until October 1, 2013.

Mayor Castro thanked everyone involved in the process and commended Councilmembers Williams, Chan and Soules for their input. He stated that he believed the current City Council was light years ahead of where they were 10 years ago. He noted that he was pleased that they had been able to regain public confidence. He spoke of the importance of transparency and stated that the revisions would apply to everyone including the City Council and City Employees. He noted that it was important for the Compliance Auditor to have as much independence as possible and that he believed the proposed changes were good. He added that he was supportive of appointing a Charter Review Committee over the next year.

Councilmember Bernal stated that he was supportive of the revisions and commended Mayor Castro for his leadership. He noted that the reforms were important in preserving and fortifying public trust. He added that they would ensure that City Officials and Employees were on the same page.

Councilmember Soules thanked Mr. Downey for coming to speak today and recognized his appointee to the ERB, Bob Piatt. He acknowledged Mayor Castro for meeting with him several times and taking his input into account. He stated that although he had initial reservations, he believed the ordinance had become much stronger and was pleased with the results. He spoke in support of the training component that had been included and the Compliance Auditor being as independent as possible. He asked of a Charter Amendment. Mr. Bernard replied that the next Charter Amendment Election could not be held until November 2014 and that a Charter Review Committee could help identify areas for revision. He indicated that there should be broader discussion to simplify and streamline the Ethics Code.

Councilmember Saldaña spoke in support of the revisions and asked of the training program. Mr. Bernard replied that the current training program is developed by the City Manager's Office in consultation with the City Attorney's Office. He stated that the goal was to develop a comprehensive training program for City Officials and Employees so that all are on the same page. Councilmember Saldaña asked who would receive the sworn complaints. Mr. Bernard replied that Compliance Auditor

would receive complaints and the City Attorney's Office would serve as legal counsel. Councilmember Saldaña asked who the Compliance Auditor would work for. Mr. Bernard replied that they would be under the supervision of the City Auditor and that removal would be done in consultation with the ERB. He added that although it was not ideal; it was the best that could be done without a Charter Revision. Councilmember Saldaña asked why it was not ideal. Mr. Bernard replied that it was not a function of the Auditor under the City Charter. He added that they were separating the duties between lawyer and client and putting it in a place that was not directly answerable to the City Council or the City Manager. Councilmember Saldaña asked of seeking advisory opinions. Mr. Bernard responded that the City Attorney would continue to issue opinions. Councilmember Saldaña asked of utilizing legal counsel. Mr. Bernard replied that he could not directly advise the ERB on how to resolve an ethics complaint against a City Councilmember and would recommend same to the Compliance Auditor. Councilmember Saldaña thanked staff for their work noting that it was a complicated process.

Councilmember Williams stated that there should be a continuous improvement process and was pleased with the training component. He spoke of the importance of getting said information to all Board Members to ensure they are in compliance. He thanked Mayor Castro and the City Council for their work on the revisions.

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

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

The City Clerk read the caption for Item 5:

2013-05-09-0318

Item 5. AN ORDINANCE CONSIDERING OF THE RELEASE OF APPROXIMATELY 8 SQUARE MILES (4,995 ACRES) OF THE EXTRATERRITORIAL JURISDICTION (ETJ) FROM THE CITY OF SAN ANTONIO TO THE CITY OF HELOTES WITH SUBJECT PROPERTY LOCATED NORTHWEST OF THE CITY OF HELOTES AND BISECTED BY BANDERA ROAD; WEST OF THE INTERSECTION OF BANDERA ROAD AND LOOP 1604; SOUTH OF THE CITY OF HELOTES AND BOUNDED ON THE SOUTHWEST BY GALM ROAD AND SHAENFIELD ROAD; AND EAST OF GOVERNMENT CANYON STATE NATURAL AREA, IN NORTHWEST BEXAR COUNTY.

John Dugan presented information regarding the City of Helotes' request for Extraterritorial Jurisdiction (ETJ) Release. He reported that the City of Helotes was located in Northwest Bexar County along State Highway 16. He stated that they had incorporated as a General Law Type A City with permission from the City of San Antonio in 1981. He noted that in 1988, San Antonio released approximately 5.5 square miles so Helotes could establish its ETJ. He indicated that in 2002, San Antonio released 710 acres to Helotes. In 2006, San Antonio released 397.86 acres known as Los Reyes Canyon Subdivision to Helotes. Mr. Dugan reported that the City of Helotes population was 7,000 and that the city limits encompassed 6.7 square miles.

Mr. Dugan stated that the City of Helotes had requested the release of two miles Northwest of Helotes along both sides of Highway 16; two pockets East and West of Helotes; and South of Helotes and North

of Shaenfield and Galm Roads totaling eight square miles. He noted that the request excludes the Mabe-Canyon Ranch Tract and other tracts purchased by San Antonio for Government Canyon. He added that existing services provided are SAWS Water and Waste Water Services, CPS Energy Utility Services, and the Bexar County Sheriff's Department. He stated that the property was more than 50% developed with dense, single-family housing. He noted that there was no zoning in the ETJ and that if annexed by Helotes; they would provide services and apply their codes. He reported that there were no municipal property or sales taxes collected in the unincorporated ETJ and that City of San Antonio Development Services Fees would not be assessed. He added that SAWS and CPS Energy Fees would continue to apply.

Mr. Dugan mentioned that the area in question was concentrated around the existing city limits of Helotes and could be serviced by Helotes. He stated that there were no current or foreseeable economic development projects. He noted that they had comparable tree preservation, drought management and aquifer protection. He added that they would continue to protect the Government Canyon Natural Area and consider San Antonio's future strategic growth in the West. He reported that the Planning Commission approved the request on May 8, 2013 and that staff recommends approval of the release of ETJ to the City of Helotes.

Mayor Castro announced that there were no individuals registered to speak on Item 5. He thanked city staff for their work noting that said item was brought forward due to proposed legislation. He mentioned that much of what the City of Helotes would receive was consistent with the growth pattern and that much of the land was already developed. He stated that it was incumbent upon the City of San Antonio to annex property that was in the best interest of the city and asked staff to look at other areas of potential annexation. Mr. Dugan stated that they had a detailed Annexation Policy and would review the entire ETJ with recommendations brought forward in the Summer.

Councilmember Soules asked if this would double the size of Helotes' City Limits. Mr. Dugan replied that it would; however, they would still have to go through petitions and elections. Councilmember Soules expressed concern that the city has been short sighted on the Annexation Process and asked staff to bring forward recommendations so that the city is not land locked in the future.

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

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

CONSENT AGENDA ITEMS 6-15D

No items were pulled for Individual Consideration.

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

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

Nazirite Ruben Flores Perez spoke in support of the River Walk Use Fee Agreement (Item 14).

Rhett Smith spoke of the importance of getting educated about issues related to the watershed and the rules of pollution (Item 14). He expressed concern that the State did not want to regulate the environment and that it was incumbent on citizens to do.

Jack M. Finger spoke of the Neighborhood Electric Vehicles (NEV) that would be approved in Item 8. He asked what would prevent an NEV from merging onto faster roads and who would enforce the ordinance. He questioned the lawsuit settlement in Item 13 and asked why the house in question was torn down.

Faris Hodge, Jr. submitted written testimony in favor of Items 5, and 7-12. He wrote in opposition to Item 6 noting that the city should not establish unit prices. He asked of the funding available to pay the lawsuit (Item 13) and of the amount of the River Walk Use Fee Agreement (Item 14). He asked how the bond funds would be utilized (Items 15A-D). He requested that backup information be provided for the City Manager's Report.

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

2013-05-09-0319

Item 6. AN ORDINANCE AUTHORIZING THE FOLLOWING CONTRACTS ESTABLISHING UNIT PRICES FOR GOODS AND SERVICES FOR AN ESTIMATED ANNUAL COST OF $1,174,000.00: (A) PARADIGM TRAFFIC SYSTEMS, INC. FOR TRAFFIC LIGHT MOUNTING ASSEMBLIES, (B) RELIANCE TRUCK & EQUIPMENT, LTD. FOR ROTOBEC GRAPPLER PARTS & SERVICE, (C) WM HEALTHCARE SOLUTIONS, INC. FOR MEDICAL WASTE DISPOSAL SERVICES, (D) ZOLL MEDICAL CORPORATION FOR ZOLL (3-LEAD) AUTOMATED EXTERNAL DEFIBRILLATORS (AED) PRO DEFIBRILLATORS AND ACCESSORIES, (E) HOME DEPOT U.S.A, INC., HD SUPPLY FACILITIES, LTD. AND APPLIED INDUSTRIAL TECHNOLOGIES, INC. FOR MAINTENANCE, REPAIR AND OPERATING SUPPLIES CONTRACT AMENDMENTS, (F) TRUGREEN LANDCARE, LLC FOR BES LAWN MAINTENANCE FOR VARIOUS LOCATIONS AND (G) PRO LANDSCAPE SOLUTIONS AND TRUGREEN LANDCARE, LLC FOR LAWN MAINTENANCE FOR DEPARTMENT OF HUMAN SERVICES, LIBRARY AND FIRE LOCATIONS.

2013-05-09-0320

Item 7. AN ORDINANCE APPROVING SUBMISSION OF A GRANT APPLICATION TO THE ECONOMIC DEVELOPMENT ADMINISTRATION OF THE U.S DEPARTMENT OF COMMERCE, AND ACCEPTANCE OF FUNDS UPON AWARD, OF AN AMOUNT NOT TO EXCEED $500,000.00 TO PARTIALLY FUND CONSTRUCTION REMODELING ASSOCIATED WITH THE CAFÉ COMMERCE PROJECT TO BE HOUSED AT THE SAN ANTONIO PUBLIC LIBRARY, CENTRAL LIBRARY FACILITY; AND APPROPRIATING MATCHING FUNDS UPON AWARD.

2013-05-09-0321

Item 8. AN ORDINANCE AMENDING CHAPTER 19, SECTION 19-294 OF THE CITY CODE OF SAN ANTONIO RELATING TO NEIGHBORHOOD ELECTRIC VEHICLES BY REMOVING THE

RESTRICTIONS IN THE CITY CODE AND AUTHORIZING THEIR OPERATION ON CITY STREETS AND HIGHWAYS WITH SPEED LIMITS UP TO 35 MILES PER HOUR.

2013-05-09-0322

Item 9. AN ORDINANCE AUTHORIZING THE THIRD ONE-YEAR EXTENSION OF A PROFESSIONAL SERVICES AGREEMENT, IN AN APPROXIMATE AMOUNT OF $2,400,000.00, WITH GREENSTAR LLC, FOR RESIDENTIAL RECYCLING PROCESSING SERVICES TO ACCEPT, PROCESS, AND MARKET RECYCLABLE MATERIALS COLLECTED BY THE CITY'S CURBSIDE RESIDENTIAL RECYCLING PROGRAM.

2013-05-09-0323

Item 10. AN ORDINANCE AUTHORIZING THE AWARD OF SAN ANTONIO HOUSING TRUST FOUNDATION (SAHTF) FUNDS IN AN AMOUNT NOT TO EXCEED $750,000.00 IN THE FORM OF A LOAN FROM THE SAN ANTONIO HOUSING TRUST FOUNDATION TO VDC BABCOCK, LP FOR THE LA RISA APARTMENTS, A 237 UNIT MULTIFAMILY AFFORDABLE HOUSING DEVELOPMENT LOCATED AT 800 BABCOCK ROAD.

2013-05-09-0324

Item 11. AN ORDINANCE AUTHORIZING A TWO-YEAR EXTENSION OF THE PROFESSIONAL SERVICES AGREEMENT FOR OPERATION & MAINTENANCE OF THE GROWDON ROAD VEHICLE STORAGE FACILITY WITH UNITED ROAD TOWING, INC.

2013-05-09-0325

Item 12. AN ORDINANCE AUTHORIZING THE CONTINUATION OF SPORTS LICENSE AGREEMENTS WITH SOUTHSIDE LIONS PONY LEAGUE AND HIGHLAND ROCKETS POP WARNER FOOTBALL AND CHEERLEADER ORGANIZATION AT SOUTHSIDE LIONS PARK AND SA FIVE DIAMONDS LITTLE LEAGUE AT STINSON PARK FOR TERMS OF FIVE YEARS COMMENCING ON JUNE 1, 2013, IN CITY COUNCIL DISTRICT 3.

2013-05-09-0326

Item 13. AN ORDINANCE AUTHORIZING THE SETTLEMENT OF A LAWSUIT STYLED *PAUL CHANCE KINNISON V. CITY OF SAN ANTONIO, ET AL*, CIVIL ACTION NO. 08-CV-00421-XR, IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS, SAN ANTONIO DIVISION, FOR A PAYMENT IN THE AMOUNT OF $75,000.00.

2013-05-09-0327

Item 14. AN ORDINANCE AUTHORIZING A SECOND AMENDMENT TO THE RIVER WALK USE FEE AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND LOS LEONES, LTD. WHICH ALLOWS FOR THE ADDITION OF 171 SQUARE FEET OF PUBLIC SPACE WHICH WILL BE USED TO CONSTRUCT A PUBLIC ELEVATOR AND 143.2 SQUARE FEET OF PUBLIC SPACE FOR A WALKWAY AND THE ADDITION OF 22 SQUARE FEET OF RIVER LEVEL SUPPORT SPACE FOR A HOST AND MENU BOARD STAND.

Item 15. CONSIDERATION OF THE FOLLOWING MATTERS IN CONNECTION WITH THE ISSUANCE, SALE, AND DELIVERY OF THE CITY OF SAN ANTONIO, TEXAS STARBRIGHT INDUSTRIAL DEVELOPMENT CORPORATION CONTRACT REVENUE REFUNDING BONDS, TAXABLE SERIES 2013 (STARBRIGHT PROJECT):

2013-05-09-0016R

A. A RESOLUTION APPROVING THE FORM, CONTENT, AND DISTRIBUTION OF THE PRELIMINARY OFFICIAL STATEMENT PERTAINING TO THE ISSUANCE, SALE AND DELIVERY OF UP TO $24,000,000 IN PRINCIPAL AMOUNT OF CITY OF SAN ANTONIO, TEXAS, STARBRIGHT INDUSTRIAL DEVELOPMENT CORPORATION CONTRACT REVENUE REFUNDING BONDS, TAXABLE SERIES 2013 (STARBRIGHT PROJECT); COMPLYING WITH THE REQUIREMENTS CONTAINED IN SECURITIES AND EXCHANGE COMMISSION RULE 15C2-12; AUTHORIZING THE PREPARATION AND DISTRIBUTION OF A FINAL OFFICIAL STATEMENT; AND AUTHORIZING THE CITY'S STAFF, THE CO-FINANCIAL ADVISORS, CO-BOND COUNSEL AND UNDERWRITERS RELATED TO SUCH BONDS TO TAKE ALL ACTIONS DEEMED NECESSARY IN CONNECTION WITH THE SALE OF SUCH BONDS.

2013-05-09-0328

B. AN ORDINANCE REQUESTING THE CITY OF SAN ANTONIO, TEXAS, STARBRIGHT INDUSTRIAL DEVELOPMENT CORPORATION TO ISSUE UP TO $24,000,000 IN PRINCIPAL AMOUNT OF ITS CONTRACT REVENUE REFUNDING BONDS, TAXABLE SERIES 2013 (STARBRIGHT PROJECT) IN ORDER TO REFUND FOR INTEREST COST SAVINGS, ALL OF THE CORPORATION'S OUTSTANDING BONDS ISSUED IN 2003 RELATED TO CERTAIN ECONOMIC DEVELOPMENT INCENTIVES PROVIDED BY THE CITY IN CONNECTION WITH THE CONSTRUCTION OF THE TOYOTA MANUFACTURING PLANT; REQUESTING THE CORPORATION TO REDEEM CERTAIN OF SUCH OUTSTANDING BONDS FOR REDEMPTION; APPROVING THE FORM OF A RESOLUTION OF THE CORPORATION AUTHORIZING THE ISSUANCE OF THE SERIES 2013 BONDS AND THE FORM OF A SECOND SUPPLEMENTAL INDENTURE OF TRUST AND A PURCHASE CONTRACT IN CONNECTION THEREWITH; AUTHORIZING CERTAIN CITY OFFICIALS TO EXECUTE ALL DOCUMENTS RELATED TO THE ISSUANCE OF THE SERIES 2013 BONDS; AUTHORIZING THE CITY'S STAFF, CO-FINANCIAL ADVISORS AND CO-BOND COUNSEL TO TAKE ALL ACTIONS DEEMED NECESSARY IN CONNECTION WITH THE SALE OF THE SERIES 2013 BONDS; AND PROVIDING FOR AN EFFECTIVE DATE.

The San Antonio City Council recessed and convened as the City of San Antonio, Texas Starbright Industrial Development Corporation Board of Directors to consider the following:

SIDC 2013-05-09-0001R

C. A RESOLUTION APPROVING THE FORM, CONTENT, AND DISTRIBUTION OF THE PRELIMINARY OFFICIAL STATEMENT PERTAINING TO THE ISSUANCE, SALE AND DELIVERY OF UP TO $24,000,000 IN PRINCIPAL AMOUNT OF CITY OF SAN ANTONIO, TEXAS, STARBRIGHT INDUSTRIAL DEVELOPMENT CORPORATION CONTRACT REVENUE REFUNDING BONDS, TAXABLE SERIES 2013

(STARBRIGHT PROJECT); COMPLIES WITH THE REQUIREMENTS CONTAINED IN SECURITIES AND EXCHANGE COMMISSION RULE 15C2-12; AUTHORIZES THE PREPARATION AND DISTRIBUTION OF A FINAL OFFICIAL STATEMENT; AND AUTHORIZES THE CORPORATION'S STAFF, THE CO-FINANCIAL ADVISORS, CO-BOND COUNSEL AND UNDERWRITERS RELATED TO SUCH BONDS TO TAKE ALL ACTIONS DEEMED NECESSARY IN CONNECTION WITH THE SALE OF SUCH BONDS.

SIDC 2013-05-09-0002R

D. A RESOLUTION AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF UP TO $24,000,000 IN PRINCIPAL AMOUNT OF CITY OF SAN ANTONIO, TEXAS, STARBRIGHT INDUSTRIAL DEVELOPMENT CORPORATION CONTRACT REVENUE REFUNDING BONDS, TAXABLE SERIES 2013 (STARBRIGHT PROJECT) FOR THE PURPOSE OF REFUNDING FOR INTEREST COST SAVINGS, ALL OUTSTANDING BONDS PREVIOUSLY ISSUED BY THE CORPORATION IN 2003 TO FINANCE CERTAIN ECONOMIC DEVELOPMENT INCENTIVES PROVIDED BY THE CITY OF SAN ANTONIO IN CONNECTION WITH THE CONSTRUCTION OF THE TOYOTA MANUFACTURING PLANT; CALLING CERTAIN OF SUCH OUTSTANDING BONDS FOR REDEMPTION; APPROVING THE FORM AND EXECUTION OF A SECOND SUPPLEMENTAL INDENTURE OF TRUST AND A PURCHASE CONTRACT IN CONNECTION THEREWITH; AUTHORIZING CERTAIN OFFICIALS OF THE CORPORATION TO APPROVE ALL FINAL TERMS OF THE BONDS; APPROVING AND AUTHORIZING ALL OTHER DOCUMENTS AND NECESSARY ACTIONS RELATED THERETO; AUTHORIZING THE CORPORATION'S STAFF, CO-FINANCIAL ADVISORS AND CO-BOND COUNSEL TO TAKE ALL ACTIONS DEEMED NECESSARY IN CONNECTION WITH THE SALE OF THE SERIES 2013 BONDS; AND PROVIDING FOR AN EFFECTIVE DATE.

The City of San Antonio, Texas Starbright Industrial Development Corporation Board of Directors adjourned and reconvened as the San Antonio City Council.

[CONSENT ITEMS CONCLUDED]

Item 16. CITY MANAGER'S REPORT

A. FIESTA RECYCLING

Item A was not addressed.

B. RIVERWALK LIGHTING RETROFITS

Ms. Sculley reported that as a part of the Municipal Facility Retrofit Program, the Office of Sustainability was performing lighting upgrades at 15 facilities, three downtown parks, and throughout the Riverwalk. She stated that the Office of Sustainability has completed over 200 lighting efficiency projects. She noted that the aggregate energy savings from all lighting retrofits thus far is $500,000 and 6.6 kilowatt hours (kwh) per year. She mentioned that this was equivalent to the energy used by 470 homes in San Antonio. She stated that the project was initiated in late April and would be completed in July. She noted that the Riverwalk work commenced this week and was proceeding as planned. She

reported that the total project cost was $1 million and would save the city $170,000 in annual energy and maintenance costs. She mentioned that the work was funded through a grant from the US Department of Energy. She stated that 3,200 lighting fixtures would be replaced; cutting energy consumption 55% per fixture. She added that staff would keep the City Council apprised of efforts under the Municipal Facility Retrofit Program and continue to make the City of San Antonio a national leader in sustainability.

Mayor Castro thanked staff for their work and stated that he was pleased with the amount of savings that had been achieved.

ADJOURNMENT

There being no further discussion, Mayor Castro adjourned the meeting at 10:45 am.

APPROVED

JULIÁN CASTRO
MAYOR

Attest:

LETICIA M. VACEK, TRMC/MMC
City Clerk

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