

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



DRAFT

**Meeting Minutes
City Council A Session**

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

Thursday, June 11, 2015

9:00 AM

Municipal Plaza Building

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

PRESENT: 9 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Gonzales, Lopez, Krier and Gallagher

ABSENT: 2 - Medina and Nirenberg

Mrs. Vacek announced that Councilmember Medina was on Military Status and Councilmember Nirenberg was on city business attending the National League of Cities 2015 Summer Leadership Meeting.

1. The Invocation was delivered by Pastor Joe Morales, Jubilee Outreach Church, guest of Councilmember Rebecca J. Viagran, District 3.
2. Mayor Taylor led the Pledge of Allegiance to the Flag of the United States of America.

3. Approval of Minutes for the Regular City Council Meetings of May 13 - 14, 2015.

Councilmember Warrick moved to approve the minutes for the Regular City Council Meetings of May 13-14, 2015. Councilmember Treviño seconded the motion. The motion prevailed by the following vote:

AYE: 8 - Mayor Taylor, Treviño, Warrick, Viagran, Gonzales, Lopez, Krier and Gallagher

ABSENT: 3 - Saldaña, Medina and Nirenberg

POINT OF PERSONAL PRIVILEGE

Mayor Taylor welcomed the delegation of students and faculty from the University of Guadalajara. She noted that Guadalajara had been a Sister City to San Antonio since 1974 and recognized Acting Consul General, Jose Antonio Larios. Mr. Larios thanked Mayor Taylor and the City Council for the recognition and stated that they were honored to be present. Councilmember Treviño welcomed the delegation to San Antonio and stated that the Architects in Guadalajara had helped design the San Antonio Missions. Councilmember Lopez also welcomed the visitors and stated that he hoped to continue to grow the relationship between the two cities.

ACTION ITEMS FOR STAFF BRIEFING

The City Clerk read the caption for Item 4:

4. Briefing on legislation filed and passed in the 84th Regular State Legislative Session and its impact on the City of San Antonio. [Carlos Contreras, Assistant City Manager; Jeff Coyle, Director, Intergovernmental Relations]

Councilmember Saldaña entered the meeting at this time.

Jeff Coyle presented a Post-Session Briefing of the 84th State Legislature. He reported that 6,476 bills were filed and 1,331 bills were passed. He stated that 83% of City of San Antonio (COSA) Initiatives had passed and 95% of the bills actively opposed by COSA were defeated. He noted that 110 bills had a Registered COSA Position, 32 Committee Hearings had COSA Testimony, and 20 Bill Alerts were provided to the COSA

Delegation. He outlined the COSA Legislative Process which included input from City Staff, Legislative Delegation, Legislative Consultants, Intergovernmental Council Committee (IGR), and Stakeholders.

Mr. Coyle highlighted COSA Initiatives noting that Third Trimester Syphilis Testing, Local Procurement Preference, and funding for the G.J. Sutton Building, Military Infrastructure, and The Alamo were passed. He stated that the bill to allow Electronic Recording Devices in Municipal Court instead of Court Reporters was not approved.

Mr. Coyle spoke of the Bills that Failed related to the Erosion of Municipal Authority: 1) Preemption of City Ordinances; 2) Payday Lending Regulations; 3) City Lobbying; 4) Restrictions on Aquifer Protection Program; and 5) City/County Consolidation. He reported that the following bills related to Finances and Development Regulations also failed: 1) Revenue Caps; 2) Pension Changes; 3) Stormwater Fees for Independent School Districts; 4) Issuance of Debt & Ballot Language; 5) Appraisal Caps; 6) Annexation; 7) Eminent Domain Costs; 8) Tree Ordinance; and 9) Vested Rights. He stated that bills related to Transportation Network Companies (TNCs), Municipally-Owned Utilities, Animal Care Mandates, VIA Elections, and Statewide Texting Ban had failed.

Mr. Coyle outlined the Bills that Passed within Municipal Finances noting that a 60% Council Vote would be required to adopt a Higher Effective Tax Rate. With regard to Transportation, he stated that there would be an election in November 2015 that could dedicate \$2.5 Billion more of Sales Tax Revenue to Transportation. He reported that the Gas Tax Diversions would end which would add \$1.2 Billion for Transportation over the Biennium. He noted that Pre-K Funding, Truancy Reform, Tuition Revenue Bonds, and Formula Funding for Higher Education had passed. He mentioned the Economic Development Bills approved including the Events Trust Fund, Enterprise Fund, Missions Resolution, Housing Tax Credits, Cultural Districts Funding, and Alamo License Plates. He indicated that within the Military Protection Category, bills related to Land Use Compatibility around Military Installations and Military Grants to Local Governments were passed. He highlighted the bills passed related to Natural Resources to include Water Management, Air Quality Planning, and Parks Funding. He added that Public Safety Bills had passed for Open Carry, Campus Carry, Body Cameras, and Fire Sprinklers in High Rise Buildings.

Mr. Coyle stated that they did not expect a Special Session to be called and that the Speaker of the House had applied to again serve in that capacity. He noted that various Retirements were announced and that they were awaiting Interim Charges from the Lieutenant Governor on issues to study.

Mayor Taylor thanked staff for the presentation and called upon the citizens registered to speak.

Jack M. Finger expressed concern that bills related to Annexation, Revenue Caps, and Toll Roads did not pass. He stated that he was pleased with the end of the Gas Tax Diversions.

Nazirite Ruben Flores Perez spoke in support of funding for Pre-K that was passed in the Legislature.

Mayor Taylor thanked the team that worked on behalf of the City of San Antonio and asked of the Pre-K Funding. Mr. Coyle replied that they were analyzing the bill to see if there were any opportunities for Pre-K 4 SA. He stated that the funding was being directed toward Independent School Districts (ISDs) but there could be an opportunity for the City as a Private Provider. Mayor Taylor asked of discussions with Local Superintendents. City Manager Sculley replied that they had some preliminary discussions and would coordinate with the ISDs before the legislation became effective on September 1, 2015.

Councilmember Viagran suggested that the Open Carry Bill be discussed at the next Public Safety Council Committee. Mr. Coyle stated that the Texas Municipal League (TML) was preparing guidelines for cities to implement the bill. Councilmember Viagran asked of the implementation of the bill related to Fire Sprinklers in High Rise Buildings. Mr. Coyle responded that said bill would take effect on September 1, 2015 but there would be a phase-in period to allow buildings to be retrofitted with sprinklers.

Councilmember Warrick recognized the City's Legislative Team and stated that he was pleased with the \$132 Million allocated for the G.J. Sutton Building. He asked of the potential to utilize a Public-Private-Partnership (P3) for the project. Mr. Coyle replied that the Facilities Commission generally did not pursue P3's and that the State would move forward with the development of the building. Councilmember Warrick asked how much of the \$30 Million allocated for Military Infrastructure the bases in San Antonio would receive. Mr. Coyle replied that the maximum that each city could apply for was \$5 Million; however, Bexar County could also apply for \$5 Million which would provide \$10 Million for San Antonio Bases. Councilmember Warrick asked of the Open Carry Bill. Mr. Coyle replied that they were still working on the language of the bill to include requirements on how a weapon can be carried.

Councilmember Krier thanked the Legislative Team for their great work throughout the Legislative Session and recognized Mayor Taylor for her advocacy of the G.J. Sutton Building. He spoke of the potential to apply for a grant from the Military Base Fund to help

pay for the cost of interconnecting SAWS to the Military Bases. He recognized Councilmember Nirenberg and noted his passion for Water Issues. He stated that they should review the policy of placing a Legislative Update on every Council Agenda before the next session as he did not feel it was transparent. He spoke of the potential for the State to relieve the City of San Antonio from operating the Pre-K Program.

Councilmember Gallagher thanked the IGR Staff for keeping the City Council well-informed throughout the Legislative Session. He asked of the bill related to City-County Consolidation. Mr. Coyle stated that said bill was specific to the San Antonio Community whereby the city would consolidate into the county. He added that they would seek out specifics with Representative Larson's Office regarding the ability to consolidate where possible prior to the next Legislative Session.

Councilmember Saldaña stated that with regard to the Pre-K Program; he did not feel that it was in the City's best interest to give away control of the Program. He noted that it was approved by the Voters for eight years and hoped to maintain a good, quality program.

Mayor Taylor thanked staff for their work and stated that no action was required for Item 4.

CONSENT AGENDA ITEMS

Item 17 was pulled for Individual Consideration. Councilmember Gallagher moved to approve the remaining Consent Agenda Items: 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, and 19. Councilmember Treviño seconded the motion.

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

Mr. Jack M. Finger expressed concern with the appointment of Debra Guerrero to the Capital Improvements Advisory Committee (Item 14B) noting that she had advocated for Homosexual Rights when serving on the City Council. He spoke in opposition to the Economic Development Agreement with CytoCentrics, Inc. (Item 17).

Faris Hodge, Jr. submitted written testimony in favor of Items 4-13, and 15-19. He wrote that Board Applicants should be interviewed on television (Item 14).

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

AYE: 9 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Gonzales, Lopez, Krier and Gallagher

ABSENT: 2 - Medina and Nirenberg

2015-06-11-0509

5. An Ordinance authorizing contracts with Big Tex Lawn Service, Daniel Gomez d/b/a Gomez Shredding, La Med Facility Maintenance, and Raul's Landscape Service to provide Dangerous Premises Abatement Lot Clearing and Securing of Structures for the Development Services Department in a cumulative amount not to exceed \$360,000.00 annually. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

2015-06-11-0510

6. An Ordinance accepting the bid from Cooper Equipment Co. to provide the Transportation and Capital Improvements Department with 20 Heavy Duty Trailers for a total cost of \$1,345,182.00, funded through the Equipment Replacement and Renewal Fund. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

2015-06-11-0511

7. An Ordinance accepting the bids from Marentco, Inc. d/b/a Tejas Equipment Sales, Briggs Equipment Co., Holt Cat, Associated Supply Company, H & E Equipment Services, Quality Equipment Co., and Waukesha-Pearce Industries to provide heavy equipment for a total cost of \$2,153,216.30, funded from the Equipment Renewal and Replacement Fund, Aviation Operations Fund, Transportation and Capital Improvements Department General Fund and Convention & Sports Facilities Fund. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

2015-06-11-0512

8. An Ordinance authorizing a Task Order to a Job Order Contract for the repair and renovation of the women's and men's restrooms at the Market Square Building in an amount not to exceed \$182,193.07, funded through the FY 2015 Deferred Maintenance program and payable to F.A. Nunnally Co., located in Council District 1. [Ben Gorzell, Chief Financial Officer; Jorge A. Perez, Director, Building and Equipment Services]

2015-06-11-0513

9. An Ordinance for West Avenue Low Water Crossing, a 2012-2017 Bond funded project, located in Council District 9, awarding a construction contract to J3 Company, LLC in an amount not to exceed \$5,129,869.30, of which \$857,078.00 will be reimbursed by San Antonio Water Systems (SAWS) and \$79,250.00 will be reimbursed by CPS Energy, and authorizing a payment of up to \$300,000.00 for project acceleration costs to incentivize the early reopening of West Avenue. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital

Improvements]

2015-06-11-0514

10. An Ordinance, related to the San Antonio River Flood Gate 4 Replacement Project, authorizing the execution of two task orders in accordance with the existing Interlocal Agreement with the San Antonio River Authority for scope development and bridging documents in an amount not-to-exceed \$50,000.00 appropriated from the Riverwalk Capital Improvement Fund and for design and construction services related to the San Antonio River Flood Gate 4 Replacement Project in an amount not-to-exceed \$1,500,000.00 in Storm Water Revenue Bond Funds subject to future appropriations in the FY2016 Capital Improvement Budget. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

2015-06-11-0515

11. An Ordinance authorizing a concession agreement with The Brown Bag Sandwich Shop, Inc. at the Stinson Municipal Airport. [Ed Belmares, Assistant City Manager; Frank Miller, Director, Aviation]

2015-06-11-0516

12. An Ordinance authorizing the addition of two positions to the existing personnel complement for the FY 2015 Texas Department of State Health Services Women, Infants, and Children Program Grant and increasing the proposed number of positions from 97 to 99 for FY 2016. [Erik Walsh, Deputy City Manager; Dr. Thomas L. Schlenker, Director of Public Health]

2015-06-11-0517

13. An Ordinance authorizing the submission of a grant application in an amount up to \$1,200,000.00 to the U.S. Department of Justice for funds from the Body-Worn Camera Pilot Implementation Program; authorizing a matching contribution of \$1,200,000.00; and authorizing the acceptance of the funds, upon award. [Erik Walsh, Deputy City Manager; Anthony Trevino, Interim Chief, Police]
14. Consideration of the following Board, Commission and Committee appointments for the remainder of unexpired terms of office to expire May 31, 2017, 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: [Leticia M. Vacek, City Clerk]
- A) Appointing Arthur J. Gonzales, Jr. (District 9) to the SA2020 Commission on Strengthening and Family Well-being.

B) Appointing Debra A. Guerrero (District 3) to the Capital Improvements Advisory Committee.

C) Appointing Roberto A. Rodriguez (District 8) to the San Antonio Youth Commission.

D) Appointing Reinette King (District 10) to the Zoning Commission.

2015-06-11-0518

15. An Ordinance consenting to the assignment and assumption of the professional services agreement for air service consulting from InterVISTAS Consulting LLC to InterVISTAS Consulting Inc as originally approved by City Council in August 2012 for a four year term. [Ed Belmares, Assistant City Manager; Frank Miller, Director, Aviation]

2015-06-11-0519

16. An Ordinance authorizing a contract with Presidio Network Solutions Group LLC for the procurement and installation of security cameras and emergency call boxes at the San Antonio International Airport in the amount of \$1,938,801.79, authorizing contingency and inspection services in the amount of \$580,686.21 and appropriating funds. [Ed Belmares, Assistant City Manager; Frank Miller, Director, Aviation]

2015-06-11-0521

18. An Ordinance authorizing the first one-year renewal of a professional services agreement in an amount not to exceed \$1,125,000.00 to Clean Harbors Environmental Service, Inc. for household hazardous waste collection, characterization, packaging, transportation and disposal service for the City's Household Hazardous Waste program funded within the Solid Waste Management Fund. [Peter Zanoni, Deputy City Manager; David W. McCary, Director, Solid Waste Management]

2015-06-11-0522

19. An Ordinance for the Underground Storm Drain Televising Program, a Storm Water Operating Fund project, authorizing a Professional Services Contract with RJN Group, Inc. in an amount not to exceed \$1,600,000.00 for services in FY 2015 through FY 2017 utilizing contract renewal options providing underground storm drain pipe televising and pipe condition assessment and collection of related surface storm water infrastructure subject to appropriations in future fiscal years. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

CONSENT ITEMS CONCLUDED**ITEMS PULLED FOR INDIVIDUAL CONSIDERATION**

The City Clerk read the caption for Item 17:

2015-06-11-0520

17. An Ordinance approving an Economic Development Agreement with Cytocentrics, Inc. in the amount of \$1,000,000 for the creation of 300 high-wage jobs over 5 years and an investment of at least \$15 million over 5 years. [Carlos Contreras, Assistant City Manager; Rene Dominguez, Director, Economic Development]

Rene Dominguez presented a Power Point regarding the Economic Development Agreement with Cytocentrics and recognized Dr. James Garvin, CEO of Cytocentrics. Mr. Dominguez stated that Cytocentrics Bioscience was a German Biotechnology Company formed in 2001 located in Rostock, Germany. He noted that they manufacture, operate, and sell Medical Equipment to conduct Automated Human Cell Analysis to explore and understand the manner in which cells react to environmental and pharmaceutical stimuli. He indicated that much of their operations involved drug testing to meet Federal Drug Administration (FDA) Testing Requirements and could replace current Manual Testing Methods.

Mr. Dominguez stated that Cytocentrics would partner with the Center for Innovative Drug Discovery (CIDD), a Joint Venture between the UT Health Science Center and UTSA, to support Biomedical Research related to drug discovery. He noted that Cytocentrics would donate a CytoPatch Machine to CIDD for research purposes. He indicated that the new instrument would strengthen CIDD's ability to screen for various biological processes and activities which they were previously unable to test. He added that as the only U.S. Site with this technology, the public-private collaboration would enhance San Antonio's profile as a Nationwide Leader in the Biotechnology Industry. He mentioned that Cytocentrics would also partner with Alamo Colleges on developing a Specialized Workforce Training Program. The focus would be on the instruction of the Patch Clamp Method for Lab Technicians, Research Assistants, and Biotechnology Manufacturing. He added that Cytocentrics would donate a CytoPatch Machine to Alamo Colleges and facilitate a curriculum to develop a pipeline for the future Biomedical Workforce.

Mr. Dominguez reported that Cytocentrics had agreed to establish and maintain its Corporate Headquarters and Operations in San Antonio. Additionally, they will create at least 300 new full-time, high-wage jobs paying no less than \$50,000 each with an average

wage of more than \$70,000. He stated that they would also make a Capital Investment of at least \$15 Million. He noted that staff recommended approval of the \$1 Million Grant Agreement that will be paid over five years.

Mayor Taylor thanked Cytocentrics, Inc. for their commitment to San Antonio and welcomed them to San Antonio. She stated that this was in alignment with the Strategic Goals to grow the Biotechnology Industry and was pleased with the high-wage jobs that would be created.

Councilmember Krier stated that the Biomedical Industry was a top priority for the city and that Cytocentrics was on the cutting edge of technology. He recognized Dr. Garvin to address the City Council. Dr. Garvin thanked the City Council and stated that the training and expertise for their jobs were transferrable and would serve the community for a long time. He added that they were pleased to be in San Antonio. Councilmember Krier expressed his support.

Councilmember Lopez also expressed support for the project and read a statement of support from Councilmember Nirenberg. Councilmember Nirenberg recognizes Germany's Global Leadership in Technology, Engineering, and Manufacturing and wrote that the Agreement would develop ties to Germany while expand the San Antonio Biotech Ecosystem. Councilmember Lopez stated that he concurred with Councilmember Nirenberg and looked forward to the jobs that would be created.

Councilmember Warrick commended everyone involved in the project and asked of the 300 jobs that would be created. Mr. Dominguez replied that they would create 30 jobs in each of the first two years, followed by 75, 150, and 300 by the fifth year. He noted that they would pay out the grant based on milestones reached. Councilmember Warrick asked if they were able to track the jobs coming from San Antonio. Mr. Dominguez replied that they could. Councilmember Warrick asked if auxiliary or competitive companies would move to San Antonio based on Cytocentrics moving here. Mr. Dominguez responded that there was a patented chip technology related to the project and that they hoped to attract other companies to San Antonio. Councilmember Warrick asked if they would have multiple locations. Dr. Garvin replied that they would only have one location in the Stone Oak Area due to the nature of the work.

Mrs. Vacek stated that Councilmember Nirenberg asked her to announce that he would have voted in favor of said item if he were present today.

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

AYE: 9 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Gonzales, Lopez, Krier and Gallagher

ABSENT: 2 - Medina and Nirenberg

EXECUTIVE SESSION

Mayor Taylor recessed the meeting into Executive Session at 10:33 am to continue the previous day's Executive Session 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 Taylor reconvened the meeting at 12:00 pm and announced that no action was taken in Executive Session.

ADJOURNMENT

There being no further discussion, Mayor Taylor adjourned the meeting at 12:00 pm.

APPROVED

IVY R. TAYLOR
MAYOR

ATTEST:

LETICIA M. VACEK, TRMC/CMC/MMC
CITY CLERK