

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



**FINAL
Meeting Minutes
City Council A Session**

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

Thursday, October 8, 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: 10 - Treviño, Warrick, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

ABSENT: 1 - Mayor Taylor

Mrs. Vacek announced that Mayor Taylor was conducting City business in Washington, D.C. In the absence of Mayor Taylor, Mayor Pro Tem Krier presided over the meeting.

1. The Invocation was delivered by Pastor Kevin Duhart, The Rock Fellowship Church, guest of Mayor Ivy R. Taylor.
2. Mayor Pro Tem Krier led the Pledge of Allegiance to the Flag of the United States of America.
3. Approval of Minutes for the City Council Budget Work Session of September 1,

2015 and the Regular City Council Meetings of September 2 - 3, 2015.

Councilmember Medina moved to approve the Minutes for the City Council Budget Work Session of September 1, 2015 and the Regular City Council Meetings of September 2-3, 2015. Councilmember Lopez seconded the motion. The motion prevailed by the following vote:

AYE: 10 - Treviño, Warrick, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

ABSENT: 1 - Mayor Taylor

POINT OF PERSONAL PRIVILEGE

Councilmember Saldaña recognized Antonio Diaz on his efforts for the Indigenous Community and stated that he would be supporting a Resolution recognizing October 12th as Indigenous Peoples Day in San Antonio. The Councilmember read a statement from Mayor Taylor: "Having recently been granted World Heritage Status for the San Antonio Missions; the City of San Antonio recognizes the importance of the many people and cultures that have played a role in shaping History. In the spirit of diversity and inclusion, she was supportive of such a Resolution when presented to the City Council." Councilmember Warrick thanked Mr. Diaz for bringing forth the recognition and his efforts on the designation. Mr. Diaz addressed the City Council and thanked them for their support of the Resolution. He stated that he was pleased that the Indigenous People in the area would be receiving the recognition they deserved.

Councilmember Treviño stated that History was the city's most important asset and thanked Mr. Diaz and representatives for being present. He noted that he looked forward to supporting the Resolution. He also recognized Frank Monaco of the Christopher Columbus Italian Society. Mr. Monaco addressed the City Council stating that the first group of Italians observed Columbus Day in October of 1866 and the celebration was called many different things throughout the world. He noted that everyone was entitled to their opinions and that San Antonio was a patchwork of different cultures.

CONSENT AGENDA ITEMS

Item 10 was pulled for Individual Consideration. Councilmember Nirenberg moved to approve the remaining Consent Agenda Items. Councilmember Warrick seconded the motion.

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

Frederick Magee stated that there should be more transparency and expressed concern that too much mulch was being purchased (Item 6).

Fidel Castillo (Two Bears) addressed the Council and expressed concern with the demolishing of the Federal Courthouse Building noting that it was a sacred burial ground. He requested that the City Council meet with the Native American Nations Council.

Jack M. Finger addressed the City Council and expressed concern that the Organic Composting Contract with New Earth Inc. (Item 11) was confusing. He further expressed concern with the increased Solid Waste Fees and the amount of work it takes to recycle.

Faris Hodge, Jr. submitted written testimony in support of Items 5, 7, 10, and 11. He wrote in opposition to Items 8 and 9.

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

AYE: 9 - Warrick, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

ABSENT: 2 - Mayor Taylor and Treviño

2015-10-08-0859

4. An Ordinance authorizing a contract with The Brandt Companies, LLC to provide the San Antonio International Airport with preventive maintenance, repairs, and parts for the HVAC equipment at the Central Utility Plant and the Federal Aviation Administration Air Traffic Control Building for a total estimated annual amount of \$550,000.00, funded from the Aviation Operations and Maintenance Fund. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

2015-10-08-0860

5. An Ordinance accepting an offer from the San Antonio Spurs, LLC d/b/a Spurs Sports & Entertainment, LLC to provide advertising promoting the City's residential recycling program for a total amount of \$139,000.00, funded from the FY 2016 Solid Waste Operating and Maintenance Fund. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

2015-10-08-0861

6. An Ordinance authorizing the following contracts establishing unit prices for goods and services for an estimated annual cost of \$323,000.00: (A) New Earth, Inc. for mulch, (B) Sentry Protective Services, LLC for park gate opening & closing, (C) Associated Supply Company, Inc. d/b/a ASCO Equipment for Case construction equipment parts & service, (D) Sirchie Acquisition Company, LLC for SAPD narcotics test kits, and (E) Johnson Controls, Inc. for HVAC controls at the Central Library. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

2015-10-08-0862

7. An Ordinance authorizing the submission of a grant renewal application to the Centers for Disease Control and Prevention for the Immunization and Vaccines for Children Grant, and authorizing the acceptance of funds upon award in an amount up to \$2,400,609.00 for a term beginning January 1, 2016 and ending December 31, 2016. [Erik Walsh, Deputy City Manager; Dr. Vincent R. Nathan, Interim Director of Health]

8. 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 Tim Bartlett (District 3) and Justin Utz (District 3) to the Tax Reinvestment Zone No. 28 - Verano.

B) Reappointing Sue Ann Pemberton (Mayoral) to the HemisFair Park Area Redevelopment Corporation for the remainder of an unexpired term of office to expire August 13, 2017.

2015-10-08-0863

9. An Ordinance reappointing John P. Jennings (District 1) to the Brooks Development Authority for the remainder of an unexpired term of office to expire May 31, 2017; and waiving the City Code residency requirement in Chapter 2, Article IX, Sec. 2-529(B) for this appointment. [Leticia M. Vacek, City Clerk]

2015-10-08-0865

- 11.** An Ordinance amending the organic composting contract with New Earth, Inc. to increase the contract value by \$720,000.00 annually for a new contract amount not to exceed \$1,320,000.00 annually and to add provisions for New Earth, Inc. to reimburse the City for the sale of mulch and other organic material. [Peter Zanoni, Deputy City Manager; David W. McCary, Director, Solid Waste Management]

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

City Clerk Vacek read the caption for Item 10:

2015-10-08-0864

- 10.** An Ordinance approving an interlocal agreement establishing concurrent jurisdiction for criminal cases arising from State law and punishable by fine only that are committed on the boundaries of the cities of San Antonio and any contiguous municipalities or within 200 yards of that boundary. [Erik Walsh, Deputy City Manager; William McManus, Chief of Police]

Councilmember Gallagher asked why the concurrent jurisdiction was needed. Chief McManus stated that the Interlocal Agreement would allow jurisdictions that qualify to enter 200 yards into the contiguous jurisdiction to enforce offenses that do not allow for jail time. He noted that this would include items such as a Class C Misdemeanor, Traffic Offense, or a Low Level Assault Offense. He stated that the citation would be handled in the Municipal Court of the city making the arrest or writing the citation. Councilmember Gallagher asked if they were satisfied with the 200-yard distance. Chief McManus stated that he was pleased that they would be allowed to enter 200 yards which was better than not having access at all. Councilmember Gallagher asked if Military Bases were included. Chief McManus replied that they were not included.

Councilmember Gallagher moved to adopt the proposed ordinance for Item 10. Councilmember Viagran seconded the motion. The motion prevailed by the following vote:

AYE: 10 - Treviño, Warrick, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

ABSENT: 1 - Mayor Taylor

ADJOURNMENT

There being no further discussion, Mayor Pro Tem Krier adjourned the meeting at 9:45 am.

APPROVED

JOE KRIER
MAYOR PRO TEM

ATTEST:

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