

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



DRAFT

**Meeting Minutes
City Council A Session**

City Hall Complex
105 Main Plaza
San Antonio, Texas 78205

Thursday, January 14, 2016

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: 11 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

1. The Invocation was delivered by Chief Apostle/Bishop Rosa L. Wilson, Greater Faith Institutional Church guest of Councilmember Joe Krier, District 9.
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 November 18 - 19, 2015.

Councilmember Warrick moved to approve the Minutes for the Regular City Council Meetings of November 18-19, 2015. Councilmember Gallagher seconded the motion. The motion prevailed by the following vote:

AYE: 11 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

OATH OF OFFICE - MAYOR PRO TEM

4. Councilmember Rey Saldaña will be sworn-in as Mayor Pro-Tem, serving the term January 23, 2016 through April 2, 2016.

City Clerk Vacek administered the Oath of Office to Councilmember Rey Saldaña who will serve as Mayor Pro Tem from January 23, 2016 through April 2, 2016.

CONSENT AGENDA ITEMS

Items 14, 15, and 17 were pulled for Individual Consideration. Councilmember Gallagher moved to approve the remaining Consent Agenda Items. Councilmember Treviño seconded the motion.

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

Mr. Jack M. Finger expressed concern with the Ordinance waiving provisions of the City's Ethics Code related to Mayor Ivy Taylor's previous interest in SAHA-Administered Housing and Urban Development Housing Choice Voucher Program Contracts (Item 14).

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

AYE: 11 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

2016-01-14-0001

5. An Ordinance accepting the offer from Siddons-Martin Emergency Group, LLC to provide the San Antonio Fire Department with two additional Dodge 5500 Type 6 Brush Trucks for a total cost of \$355,994.00, funded from the FY2016 Adopted Capital Budget. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

2016-01-14-0002

6. An Ordinance authorizing an amendment to the contract with Mac Haik Dodge Chrysler Jeep to provide the San Antonio Fire Department with one additional Turnkey Type I Ambulance for a total cost of \$190,250.00, funded from the FY2016

Adopted Capital Budget. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

2016-01-14-0003

7. An Ordinance accepting the offer from Caldwell Country Chevrolet to provide the San Antonio Police Department with eight replacement Chevrolet Tahoe Police Pursuit Vehicles for a total cost of \$283,120.00, funded from the Equipment Renewal and Replacement Fund. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

2016-01-14-0004

8. An Ordinance authorizing the following contracts establishing unit prices for goods and services for an estimated annual cost of \$1,573,200.00: (A) Midwest Veterinary Supply and Patterson Veterinary for veterinarian pharmaceuticals and vaccine supplies, (B) Stryker Sales Corporation for the purchase & maintenance of ambulance stretchers, combination chairs & cot holders, (C) Ungerboeck Software International, Inc. for Ungerboeck maintenance & support, and (D) Cartegraph Systems, Inc. for Cartegraph upgrades to include maintenance and support. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

2016-01-14-0005

9. An Ordinance approving the assignment of an agreement for removal of downtown parking meters from Boar 2000, LLC to the Federal Reserve Bank of Dallas. [Lori Houston, Assistant City Manager; John Jacks, Interim Director, Center City Development & Operations Department]

2016-01-14-0006

10. An Ordinance awarding City Council Project Fund grant allocations for the Musical Bridges Around the World: Kids to Concert Program in an amount not less than \$27,800.00; and for The Magik Theatre: Tickets to Literacy Program in an amount not less than \$16,318.19. [John Peterek, Assistant to the City Manager; Christopher Callanen, Assistant to City Council]
11. 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 Anne-Marie Grube (District 7) to the Historic and Design Review

Commission.

B) Appointing Jeffrey M. Watson (District 10) to the Linear Creekway Parks Advisory Board.

C) Appointing Freda Facey (District 9) to the San Antonio Arts Commission.

D) Appointing Michael D. Moore (District 9) to the Capital Improvements Advisory Committee.

E) Appointing Dayna V. Valdez (District 5) to the San Antonio Youth Commission.

2016-01-14-0007

12. An Ordinance appointing Valerie L. Moore (District 7) to the Animal Care Services Advisory Board and Kevin R. Latone (District 10) to the Transportation Advisory Board for the remainder of unexpired terms of office to expire May 31, 2017; and waiving the City Code residency requirement in Chapter 2, Article IX, Sec. 2-529(B) for said appointments. [Leticia M. Vacek, City Clerk]

2016-01-14-0008

13. An Ordinance rescheduling City Council Meetings in January and February 2016; scheduling a B Session on January 27, 2016 and a City Council Meeting on January 28, 2016. [Leticia M. Vacek, City Clerk]

2016-01-14-0010

16. An Ordinance ratifying the First Amendment and Second Extension of the City of San Antonio Financial Advisor Services Contracts with Coastal Securities, Inc. and Estrada Hinojosa & Company, Inc. for Financial Advisor or Co-Financial Advisor Services in connection with the City's financings, for a two month term, commencing January 1, 2016 and terminating February 29, 2016, under the same terms and conditions, with the option to renew for one additional one month period, commencing March 1, 2016 and ending March 31, 2016. [Ben Gorzell, Jr., Chief Financial Officer; Troy Elliott, Director of Finance]

2016-02-11-0007R

18. A Resolution recognizing and celebrating the devoted service and community leadership of State Representative Ruth Jones McClendon, District 120. [Carlos Contreras, Assistant City Manager; Jeff Coyle, Director, Government and Public Affairs]

2016-02-11-0008R

- 19.** A Resolution recognizing and celebrating the devoted service and community leadership of State Representative Joe Farias, District 118. [Carlos Contreras, Assistant City Manager; Jeff Coyle, Director, Government & Public Affairs]
- 20.** Consideration of the following in connection with the Financing and Refinancing of Certain Educational and Housing Facilities for Our Lady of the Lake University: [Ben Gorzell, Jr., Chief Financial Officer; Troy Elliott, Director of Finance]

At this time, Mayor Taylor recessed the meeting of the San Antonio City Council and convened as the Board of Directors of the City of San Antonio, Texas Education Facilities Corporation to consider the following:

- 20A.** A Resolution by the Board of Directors of the City of San Antonio, Texas Education Facilities Corporation approving and authorizing the execution of a Tax-Exempt Loan Agreement between the City of San Antonio, Texas Education Facilities Corporation, Our Lady of the Lake University (the “University”), and Capital One Municipal Funding, Inc., for the purpose of financing and refinancing certain educational and housing facilities of the University; and approving and authorizing the execution of all other instruments and procedures related thereto.

President Taylor adjourned the meeting of the Board of Directors of the Education Facilities Corporation and reconvened the San Antonio City Council Meeting.

2016-01-14-0002R

- 20B.** A Resolution approving, for purposes of Section 147(f) of the Internal Revenue Code, a Tax-Exempt Loan Agreement by and Among the City of San Antonio, Texas Education Facilities Corporation, Our Lady of the Lake University, and Capital One Municipal Funding, Inc.
- 21.** Consideration of the following financial matters related to the San Antonio Water System: [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

2016-01-14-0012

- 21A.** An Ordinance authorizing the issuance of obligations designated as “City of San Antonio, Texas Water System Junior Lien Revenue Refunding Bonds, Series 2016A (No Reserve Fund)” (Series 2016A Bonds), in an amount not to exceed

\$244,805,000 to refund the District Special Project Debt Obligations and refund outstanding San Antonio Water System debt for debt service savings;

2016-01-14-0013

- 21B.** An Ordinance authorizing the issuance of obligations designated as “City of San Antonio, Texas Water System Junior Lien Revenue Refunding Bonds, Taxable Series 2016B (No Reserve Fund)” (Series 2016B Bonds), in an amount not to exceed \$159,805,000 to refund the District Special Project Debt Obligations;

2016-01-14-0014

- 21C.** An Ordinance authorizing the dissolution of the District Special Project upon the retirement and termination of the District Special Project Debt Obligations;

2016-01-14-0003R

- 21D.** A Resolution authorizing the submittal of an application requesting financial assistance under the Texas Water Development Board’s (TWDB) Drinking Water State Revolving Fund Program in the amount of \$12,500,000 for funding of certain qualified water projects; and,

2016-01-14-0004R

- 21E.** A Resolution establishing the City’s intention to reimburse itself for the prior lawful capital expenditures of funds from the proceeds of tax-exempt obligations not to exceed \$12,500,000.

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

Mayor Taylor addressed Item 15 at this time. City Clerk Vacek read the caption for Item 15:

2016-01-14-0001R

- 15.** A Resolution to initiate land use review and zoning analysis to make the zoning consistent with the current land use and surrounding developments of Lot 9, Block 2, NCB 14862, located at 6451 Babcock Road in Council District 8. [Erik Walsh, Deputy City Manager; Roderick Sanchez, Director, Development Services]

Mayor Taylor called upon the citizens registered to speak.

Gary Craig stated that he was in support of the land use review and zoning analysis due to the great amount of traffic already in the area and would prefer Single Family Zoning.

Eric Lamkin, President of the Jay Oaks Neighborhood Association, stated that he was in

favor of the land use review and zoning analysis.

Carlos Madero, President of the Tanglewood Neighborhood Association, stated that they were in support of the land use review and zoning analysis. He noted that they had challenges with traffic in the area and that this was a good opportunity to address same.

John Thornton stated that he was a Board Member of the Tanglewood Neighborhood Association and the Board had voted to support the Resolution to initiate land use review and zoning analysis.

Bill Glenn representing the Woodridge Village Neighborhood Association stated that they were concerned with traffic in the area and supportive of the land use review and zoning analysis.

Councilmember Nirenberg provided background information and stated that this was a good opportunity to find the best use for the land.

Councilmember Nirenberg moved to approve the Resolution for Item 15. Councilmember Viagran seconded the motion. The motion prevailed by the following vote:

AYE: 11 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

Mayor Taylor addressed Item 17 at this time. City Clerk Vacek read the caption for Item 17:

2016-01-14-0011

17. A Public Hearing and consideration of an Ordinance substantially amending the FY 2016 Annual Action Plan and Budget by authorizing the reprogramming of FY 2004-2010 Community Development Block Grant (CDBG) funds in the amount of \$3,541,831.12 to nine infrastructure projects, one community facility project, and comprehensive planning; and authorizing the reprogramming of \$993,500.00 in HOME Investment Partnerships Program funds from two cancelled projects to one Community Housing Development Organization Single-Family New Construction project and two Rental Housing Development Gap Financing projects. [Peter Zaroni, Deputy City Manager; John Dugan, Planning and Community Development]

John Dugan explained that this was a reprogramming of funds from previous Community Development Block Grant (CDBG) Funded Projects. He stated that the funds had to be utilized before the end of the Fiscal Year.

Mayor Taylor called upon the citizens registered to speak.

Two Bears stated that he worked with the Department of Veteran Affairs on a Housing Project. He mentioned concerns regarding over-medication of juveniles.

Rose Hill recommended that funding be allocated for the revitalization of Historic Neighborhoods.

Councilmember Viagran stated that she had pulled the item to highlight the work of CDBG and HOME Funds. She noted that she was pleased to fill gaps for the projects in the Harlandale Area.

Councilmember Krier expressed concern that the item was being rushed and that there was not more opportunity for discussion. Councilmember Gallagher clarified that this had been an ongoing process for quite some time and had been fully vetted by the Council Committee. He requested that the City Council approve the item today.

Councilmember Warrick asked if the funding would move from one Council District to another. Mr. Dugan confirmed that it was new funding that had not been allocated and stated that there would be additional opportunities for Reprogrammed Funds in the Spring. He added that the projects recommended for funding had gone through the Request for Proposal Process and identified as a priority.

Councilmember Viagran moved to adopt the proposed Ordinance for Item 17. Councilmember Saldaña seconded the motion. The motion prevailed by the following vote:

AYE: 11 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

EXECUTIVE SESSION

Mayor Taylor recessed the meeting into Executive Session at 9:45 am to discuss Item 14 on the agenda and the following item continued from the previous day:

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).

RECONVENED

Mayor Pro Tem Lopez reconvened the meeting at 10:45 am and announced that no action was taken in Executive Session. He announced that Mayor Taylor was recusing herself

from Item 14 and had submitted the recusal forms to the City Clerk.

City Clerk Vacek read the caption for Item 14:

2016-01-14-0009

- 14.** An Ordinance waiving provisions of the City's Ethics Code related to Mayor Ivy Taylor's previous interest in SAHA-administered Housing and Urban Development Housing Choice Voucher Program contracts. [Martha G. Sepeda, Acting City Attorney]

Mayor Pro Tem Lopez called upon Two Bears to speak on said item. Two Bears addressed the City Council and expressed concern with Ethics Violations by City Administrators.

Councilmember Saldaña asked of the request from the San Antonio Housing Authority (SAHA). Ms. Sepeda responded that SAHA had requested the waiver from Mayor Taylor. She stated that Mayor Taylor had made a reappointment to the SAHA Board during the time that she had a prohibited interest and was requesting that any issues be resolved. Councilmember Saldaña expressed concern with the retroactivity and stated that he wanted to focus on the SAHA Appointments.

Councilmember Saldaña moved to postpone said item until the City Attorney's Office had an opportunity to bring forth a cleaner approach and allow SAHA to feel comfortable in making appointments to the Board. Councilmember Nirenberg seconded the motion.

Councilmember Krier stated that the issue had been handled transparently and thanked Mayor Taylor for her leadership.

Councilmember Krier moved to adopt said Ordinance as presented. Councilmember Warrick seconded the motion.

Councilmember Nirenberg stated that it was clear that no conflict currently existed as the contracts had been transferred to Bexar County; however, he expressed concern that a vote in favor would convey the message that the Ethics Code does not apply in certain situations to Government Officials.

Councilmember Gallagher stated that the facts had been carefully reviewed and he had full confidence in the actions of Mayor Taylor. He noted that he was pleased that Mayor Taylor had brought it to the City Council's attention and felt it should be addressed today.

Councilmember Treviño stated that he appreciated Mayor Taylor bringing the item forward

through a proactive approach. He noted that it was important to address the issue today and not delay the vote.

Mayor Pro Tem Lopez asked that if the Ordinance would affect the public's ability to challenge the decision. Ms. Sepeda replied that the public could organize and submit a petition to question the Council's decision. She added that they were not amending the Ethics Code; they were only waiving two provisions that apply to a specific time and events.

Councilmember Viagran confirmed that the public could still file a complaint and thanked Mayor Taylor for bringing the item forward.

Mayor Pro Tem Lopez addressed the motion by Councilmember Saldaña and seconded by Councilmember Nirenberg to postpone Item 14. The motion failed by the following vote:

AYE: 2 - Saldaña and Nirenberg

NAY: 8 - Treviño, Warrick, Viagran, Gonzales, Lopez, Medina, Krier and Gallagher

ABSTAIN: 1 - Mayor Taylor

The motion to adopt the Ordinance for Item 14 as presented made by Councilmember Krier and seconded by Councilmember Warrick prevailed by the following vote:

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

NAY: 2 - Saldaña and Nirenberg

ABSTAIN: 1 - Mayor Taylor

- 22.** City Manager's Report
- A. Transportation Network Companies
 - B. Aviation Update

A. Mrs. Sculley reported that on August 13, 2015, the City Council authorized the City to enter into a Temporary Operating Agreement with Lyft and other Transportation Network Companies (TNCs) for a period of 9 months. She noted that Uber began operations on October 13, 2015 and Lyft began on December 3, 2015. She stated that as part of the

program, TNC Drivers could receive a free background check from the San Antonio Police Department. She stated that if they passed the background check, TNC Drivers could upload their Verification Number to the Rideshare Application. She added that the program provided consumer choice and allowed riders to see whether the driver has the SAPD Verification. She stated that they had developed a multi-pronged outreach strategy to educate the community to include a video designed to share on Social Media. She reported that 118 Drivers had applied for the Background Check with 54 having completed the process. She added that the SAPD Ground Transportation Unit monitored the TNCs through monthly "Secret Shopper Rides" with no significant issues revealed.

B. Mrs. Sculley introduced Retired Lieutenant General Tom Jones who has been appointed to serve as the City's Aviation Director on a Temporary Basis. She stated that it was a vital role as the Aviation Department had a \$239 Million Operating and Capital Budget and 458 Employees. She spoke of Mr. Jones' background and stated that she was confident in his leadership and ability to positively impact the Airport System. Mr. Jones thanked the City Council for the opportunity to serve and stated that he would focus on three major areas: 1) Improve the Customer Service Experience; 2) Ensure that Construction Programs were on schedule; and 3) Expand Air Service. Mayor Taylor and the Councilmembers welcomed Mr. Jones and stated that they looked forward to improvements at the Airport.

POINTS OF PERSONAL PRIVILEGE

Mayor Taylor recognized Councilmember Medina who was celebrating his birthday today and Councilmember Treviño who would be celebrating his birthday on January 20, 2016. The City Council wished Councilmembers Medina and Treviño a Happy Birthday.

ADJOURNMENT

There being no further discussion, Mayor Taylor adjourned the meeting at 11:22 am.

APPROVED

IVY R. TAYLOR
MAYOR

ATTEST:

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