

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



**FINAL
Meeting Minutes
City Council B Session**

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

Wednesday, November 5, 2014

2:00 PM

Municipal Plaza Building

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

Present 11 - Mayor Taylor, Bernal, Toney, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier, and Gallagher

1. Briefing on the Annual Report by the Citizen Bond Oversight Commission on the City’s 2012-2017 Bond Program that was approved by voters in May 2012; and, an update on the 2007-2012 Bond Program. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements; Kenneth Thomas, Commission Chair]

Mike Frisbie provided a History of the Joint City-County Citizen Bond Oversight Commission (CBOC) noting that it had been established by the City Council in 2003. He stated that they served in advisory capacity to the City Council and Bexar County Commissioners Court. He presented a list of the members and recognized Ken Thomas, CBOC Chair, as well as Chris Corso, Vice-Chair.

Mr. Ken Thomas recognized Former CBOC Member, Randy Murdock who passed away earlier this year. He stated that the CBOC received regular briefings from the

Transportation and Capital Improvements (TCI) Department on the 2007 and 2012 Bond Programs. He reported that the 2007 Bond Projects were almost complete and that they were in the process of bidding and construction on the 2012 Bond Projects. He spoke of the keys to success noting that they had established a Design Guidance Manual; updated contracts and specifications; and held comprehensive scoping meetings.

Mr. Frisbie outlined the 2007 Bond Program and stated that there were 150 Projects totaling \$550 Million. He reported that 147 of the Projects were complete and three were in construction. He provided photos of the completed projects and highlighted the Broadway/Hildebrand and Blanco Road Phase I Projects. He provided an overview of the 2012 Bond Program noting that it included 140 Projects totaling \$596 Million. He spoke of the Bond Dashboard which the public can access online to view the status of all projects. He mentioned the Small Business Participation and provided an update of the Diversity Action Plan. He indicated that the CBOC plays an important role in the success of Bond Programs and commended them for their service.

Mayor Taylor thanked everyone for the presentation and stated that she was pleased with the work of the CBOC. She noted that she was encouraged to see progress on the Diversity Action Plan.

Councilmember Saldaña asked of the updated specifications on projects. Mr. Thomas replied that they utilized better and more specific language and were able to increase the number of bidders on projects. Councilmember Saldaña asked of the potential for more CBOC Representation from the South, East, and West Sides of the City. Mr. Thomas stated that it was something they could work on and that they would like to have representation from throughout the city.

Councilmember Gallagher thanked the CBOC for their work and asked of Veteran Participation. Mr. Frisbie replied that was a separate issue and not included in the Bond Program.

Councilmember Bernal spoke of the great projects that have been completed in District 1 and asked of the smaller projects that may not be included in the Bond Program. Mr. Frisbie replied that they needed to address those projects and would like to include some of them in the 2017 Bond Program.

Councilmember Medina recognized Randy Murdock for his advocacy and work. He stated that he was pleased that the Culebra 58F Phase II Project was finally being completed. He noted that steps should be taken to gauge the fiscal health of constructions companies. Mr. Frisbie stated that they worked with the companies to minimize delays and ensure that work is performed in a timely manner.

Mayor Taylor thanked everyone for the presentation.

2. Briefing on the Edwards Aquifer Protection Program and Linear Creekway Parks Development Program, Sales Tax Venue Projects. [Peter Zaroni, Deputy City Manager; Mike Etienne; Office of EastPoint; Xavier Urrutia, Director, Parks and Recreation; Dr. Francine Romero, Chair, Conservation Advisory Board]

Xavier Urrutia provided a History of the Edwards Aquifer Protection and Linear Creekway Parks Development Programs. He stated that voters had approved Proposition 3 in May 2000 which provided 1/8 cent sales tax up to \$65 Million for both Programs. He explained that voters had approved the extension of the 1/8 cent sales tax for Proposition 1 (Edwards Program) and Proposition 2 (Creekways Program) in May 2005 and again in May 2010. He stated that the Edwards Aquifer Protection Program was overseen by the Office of EastPoint and Real Estate, while the Parks and Recreation Department provided oversight for the Linear Creekway Parks Development Program. He reported that they had received \$58.3 Million of \$90 Million for the Edwards Program and \$30.6 Million of \$45 Million for the Linear Creekway Program. He stated that sales tax collections were expected to cease in April 2016.

Mr. Urrutia stated that the Linear Creekway Parks Program was created to enhance the quality of life for San Antonio Residents and Visitors. He noted that the 11-Member Linear Creekway Parks Advisory Board was appointed by the Mayor and City Council. He highlighted accomplishments from 2000 to present, noting that they had acquired 1,275 acres of Creekway Land and built 46 miles of multi-use greenway trails. He indicated that the Linear Creekway Parks Development Plan was to preserve open space along San Antonio Waterways. Additionally, they would build the necessary connections to complete a city-wide circle of trails and extend the existing trail system into new communities along tributaries.

Mike Etienne stated that the Edwards Aquifer was San Antonio's primary source of drinking water. He explained that the purpose of the Edwards Program was to protect the quality and quantity of water recharging into the Edwards Aquifer. He indicated that this was done through the acquisition of land and conservation easements. He noted that the Conservation Advisory Board (CAB) provided oversight of the Edwards Program and consisted of nine Members appointed by the City Council. He highlighted accomplishments from 2000 to present in which they had acquired 57 Conservation Easements and protected 128,617 acres of land. He indicated that if the Program was renewed; they would continue to target properties over the Recharge and Contributing Zones and emphasize important watersheds. He noted that they would work to connect existing protected lands and fill in

gaps. He added that the Edwards Aquifer Protection Program was audited by the City Auditor's Office in Spring 2014 and found that sales tax funds were being used in accordance with City Ordinances. He introduced Dr. Francine Romero, Chair of the CAB.

Dr. Francine Romero stated that the CAB voted unanimously to recommend program renewal at its September 24, 2014 Meeting. She noted the various representatives on the CAB and spoke of their great work. She reported that they began each funding cycle by convening the Scientific Evaluation Team (SET) consisting of various organizations such as the U.S. Department of Agriculture, Texas Parks and Wildlife, and U.S. Geological Survey. She stated that the SET created the model used by the CAB to decide on the parcels to target. She highlighted maps of the previous and current Program Areas.

Mr. Urrutia concluded by stating that the sales tax was projected to cease collections in April 2016 and that the Programs could be renewed at existing funding levels or modified. He noted that Election Date options were May or November 2015.

Mayor Taylor thanked everyone for the presentations and stated that she was pleased with all of the work accomplished on both Programs. She asked of the amount of funding that would be needed to acquire the Target Properties on Slide 18. Grant Ellis stated that the parcels represented over 250,000 acres of land and they did not have an estimated amount. However, he noted that \$90 Million would not cover the costs and that real estate prices continued to increase. Mayor Taylor asked if they were continuing to effectively utilize the funds. Dr. Romero replied that it was possible that some of the properties purchased would not have changed but will not remain the same in the future. She spoke of the growth and development occurring in Medina County. Mayor Taylor asked of the Linear Creekway Program and if anyone had visited the Atlanta Beltline. Mr. Urrutia replied that he had not visited the Atlanta Beltline but they were strategically developing the Linear Creekway Program to connect with parks and neighborhoods.

Councilmember Lopez spoke of the success of the Programs and asked how many more miles would be considered for the Linear Creekway Program. Mr. Urrutia replied that they proposed to add 20 miles in 2015. Councilmember Lopez spoke of the potential to shift some of the funds from one Program to the other.

Councilmember Krier asked if the Aquifer Protection Program was used for purchasing easements or if the land was purchased by Fee Simple Title. Dr. Romero replied that in the first round, they were only allowed to purchase by Fee Simple Title. She stated that since then; they have been allowed to use the funds for the purchase of Conservation Easements. Councilmember Krier asked how many acres had been purchased and the impervious cover. Mr. Etienne replied that they had protected 128,000 acres of which 7,136 acres were Fee Simple Purchases. Mr. Ellis added that the impervious cover was ½ of 1 percent of the total

square footage of the property. Councilmember Krier asked of the percentage of the Recharge Zone that was already developed. Dr. Romero responded that in Bexar County; 90% had been developed. Councilmember Krier asked of the end goal. Dr. Romero stated that it was a policy decision but one goal was to secure what SAWS indicates are the total needs from the Edwards Aquifer in 2060. Councilmember Krier asked of the shifting of the allocation of funds from one Program to the other. Mr. Urrutia replied that of every dollar collected; 1/3 was allocated toward the Linear Creekway Program and 2/3 was utilized for the Edwards Aquifer Protection Program. He noted that shifting the allocation would require voter approval.

Mayor Taylor stated that it was important to try to achieve multiple public policy objectives with every dollar spent due to the limited amount of resources.

Councilmember Viagran requested the percentage of the Edwards Aquifer Recharge Zone that has been developed in Uvalde and Medina Counties. She asked how much land in Bexar County would be preserved. Mr. Ellis replied that it varied and stated that he would be visiting with a landowner regarding 1,000 acres and another that was 100 acres. Councilmember Viagran asked about the connections on the Medina Trailway System. Mr. Urrutia replied that they would link both sides from East (Salado Creek) to West (Leon Creek).

Councilmember Nirenberg expressed his support for the Programs and asked of the nodes on the Linear Creekway Program. Mr. Urrutia provided an example with Olmos Creek in which there was a node they would be connecting to Olmos Park. He stated that they were looking to connect nodes from schools and neighborhoods. He mentioned that they were working with Developers on potential connections. Councilmember Nirenberg spoke of the Edwards Aquifer Protection Program and leveraging initiatives to steer growth.

Councilmember Gonzales asked of the impact of the Vista Ridge Project. Dr. Romero stated that the Vista Ridge Project would allow for less demand on the Edwards Aquifer. Mr. Scott Halty added that although the Vista Ridge Project was approved, they were committed to protecting the Edwards Aquifer. He stated that the Edwards Aquifer would always be a major source of water and it was in their best interest to protect it. Councilmember Gonzales asked of the costs related to connecting the nodes. Mr. Urrutia replied that they would work with TCI on integrating improvements and could allocate future funds to make the connections.

Councilmember Gallagher stated that he was pleased that there had not been any audit findings and asked of the monitoring of conservation easements. Mr. Etienne replied that city staff inspected each conservation easement on an annual basis to ensure that there were no violations. Councilmember Gallagher spoke of the importance of protecting the

Edwards Aquifer and stated that various factors should be considered when deciding whether to place it on a May or November Ballot.

Mayor Taylor thanked staff for the presentation and stated that there should be further discussion in order to help achieve multiple objectives.

EXECUTIVE SESSION

Mayor Taylor recessed the meeting into Executive Session at 4:23 pm to discuss the following:

- A. Deliberations regarding economic development negotiations and discuss related legal issues pursuant to Texas Government Code Sections 551.087 (economic development) and 551.071 (consultation with attorney).
- B. Deliberate the purchase, exchange, lease or value of real property and discuss related legal issues pursuant to Texas Government Code Sections 551.072 (real property) and 551.071 (consultation with attorney).
- C. Discuss legal issues related to collective bargaining pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- D. Discuss legal issues related to *L. Payne v. City of San Antonio* pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- E. Discuss legal issues related to an audit of cable franchise and Public Education and Government Access fees pursuant to Texas Government Code Section 551.071 (consultation with attorney).

RECONVENED

Mayor Taylor reconvened the meeting at 6:00 pm and stated that the Executive Session would resume after the business portion of the Council Meeting the following day. She addressed Citizens to be Heard.

CITIZENS TO BE HEARD

Mayor Taylor called upon the citizens registered to speak.

Mark Perez expressed concern regarding with public safety noting that there were businesses operating without the proper permits. He asked why he had not received responses from the Human Resources, Fire, or Development Services Departments.

Fidel Castillo stated that he was called Two Bears among the Indigenous People in San Antonio and spoke of his ancestors. He asked that the Native American Graves Protection and Repatriation Act be brought to the City Council.

Theresa Berlanga spoke of the beauty of the Municipal Plaza Building. She requested that CPS Energy cut down a tree in her yard that was dead due to construction they performed in her neighborhood.

Roy Perez expressed concern that Police Officers that served in the war came back with many issues. He stated that they were not concerned with the public and noted his personal issues after serving in the military.

Faris Hodge, Jr. submitted written testimony regarding the services provided by Animal Care Services. He highlighted the future site of the Hidden Forest Elementary School Track. He wrote of the first day of work for newly elected Judge Lorina Rummel and the 104th Celebration of St. John the Baptist Church. He noted the newly painted murals on Guadalupe Street and the solar farm built as part of an agreement between CPS Energy and OCI Solar Power.

ADJOURNMENT

There being no further discussion, Mayor Taylor adjourned the meeting at 6:20 pm.

APPROVED

IVY R. TAYLOR
MAYOR

ATTEST:

LETICIA M. VACEK, TRMC/MMC
CITY CLERK