

**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, September 29, 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: 9 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Lopez, Medina, Nirenberg and Gallagher

ABSENT: 2 - Gonzales and Krier

Mrs. Vacek announced that Councilmember Gonzales was attending the National Association of City Transportation Officials Designing Cities 2016 Conference and Councilmember Krier was attending the 6th Americas Competitiveness Exchange. She stated that Councilmember Lopez would arrive at 10:00 am.

1. The Invocation was delivered by Bishop Arthur N. Barrymore, St. Edward the Confessor, guest of Councilmember Mike Gallagher, District 10.
2. Mayor Taylor led the Pledge of Allegiance to the Flag of the United States of America.

3. Approval of Minutes for the City Council Special Meeting of August 24, 2016 and the City Council Special Meeting of August 30, 2016.

Councilmember Warrick moved to approve the Minutes for the City Council Special Meeting of August 24, 2016 and the City Council Special Meeting of August 30, 2016. Councilmember Treviño seconded the motion. The motion prevailed by the following vote:

AYE: 8 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Medina, Nirenberg and Gallagher

ABSENT: 3 - Gonzales, Lopez and Krier

CONSENT AGENDA ITEMS

Items 22, 23, 24, 32, and 41 were pulled for Individual Consideration. Councilmember Gallagher moved to approve the remaining Consent Agenda Items. Councilmember Warrick seconded the motion.

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

Mr. Jack M. Finger spoke in opposition to the sale and disposition of 10 lots at the 2800 and 2900 blocks of Martin Luther King Drive (Item 15) noting that the City was selling them at a loss. He expressed concern with the grant for a Local Resilience Leadership Event which referred to climate change (Item 18). He spoke against the loan that would be provided to the University of the Incarnate Word and asked why the City was providing loans to educational institutions (Items 42A and 42B).

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

AYE: 8 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Medina, Nirenberg and Gallagher

ABSENT: 3 - Gonzales, Lopez and Krier

2016-09-29-0723

5. An Ordinance accepting the bids from Jim Bass Ford, Inc., and Silsbee Ford establishing unit prices to provide approximately 133 compact and mid-sized gasoline/electric-powered hybrid sedans over a three year period for an estimated total contract value of \$3.5 million with an initial purchase of 25 replacement and 6

additional gasoline/electric powered hybrid administrative sedans in FY 2016 for a total cost of \$702,913.24, funded from the Equipment Renewal and Replacement Fund, General Fund and Aviation Fund with additional sedan purchases subject to appropriation of annual funding. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

2016-09-29-0724

6. An Ordinance accepting the bids from Cooper Equipment Co., Doggett Freightliner of South Texas, Grapevine DCJ, LLC, Gunn Chevrolet, LTD, H & E Equipment Services and Vermeer Texas-Louisiana to provide 14 replacement light, medium and heavy duty trucks, vans and heavy equipment for a total cost of \$1,599,861.71, funded from the Equipment Renewal and Replacement Fund. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

2016-09-29-0725

7. An Ordinance accepting the bid from Advanced Mechanical Systems, Inc. to provide the Convention and Sports Facilities Department with four fire pump controllers for a total cost of \$152,098.00, funded from the FY2016 Capital Project Budget. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

2016-09-29-0726

8. An Ordinance accepting the offer from Ewald Kubota to provide two replacement 4x4 utility tractors to the City's Solid Waste Management Department for a total cost of \$104,512.80, funded from the Equipment Renewal and Replacement Fund. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

2016-09-29-0727

9. An Ordinance accepting the offer from Silsbee Ford to provide five additional inspector trucks to the City's Development Services Department for a total cost of \$115,926.80, funded from the Development Services Fund. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

2016-09-29-0728

10. An Ordinance accepting the offer from Garrett Metal Detectors to provide the Convention and Sports Facilities Department with 67 metal detectors and accessories for a total cost of \$208,668.46, funded from the Convention and Sports Facilities State Reimbursement Fund. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

2016-09-29-0729

11. An Ordinance authorizing the following contracts establishing unit prices for goods and services for an estimated annual cost of \$5,001,021.15: (A) Bike World for bicycle repair parts and accessories for bicycle patrol officers, (B) Vulcan Construction Materials, LLC for asphalt and pothole paving materials, and (C) Innovative Interfaces, Inc. for Millennium software maintenance and support including telnet access. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

2016-09-29-0730

12. An Ordinance for the Brackenridge Park Improvements Project awarding a construction contract including two alternates to JC Stoddard Construction Co. in an amount of \$591,000.00, a 2012-2017 General Obligation Bond-funded Project located in Council District 2. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

2016-09-29-0731

13. An Ordinance for the Fire Station 2 Replacement Project authorizing a construction contract, including two alternates to F.A. Nunnally Co. in an amount not to exceed \$4,791,000.00, a Certificates of Obligation-funded Project located in Council District 4. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

2016-09-29-0732

14. An Ordinance authorizing the sale and disposition of surplus property at 114 Henry in Council District 1 owned by the Office of Urban Redevelopment San Antonio to Raul Ibarra, Jr. for the sum of \$5,000.00. [Lori Houston, Assistant City Manager; John Jacks, Interim Director, Center City Development and Operations Department]

2016-09-29-0733

15. An Ordinance authorizing the sale and disposition of 10 lots at the 2800 and 2900 block of Martin Luther King Drive from San Antonio Affordable Housing, Inc. to Ken Lowe and Prestige Homes for the amount of \$75,000.00. [Lori Houston, Assistant City Manager; John Jacks, Interim Director, Center City Development and Operations]

2016-09-29-0734

16. An Ordinance awarding a City Council Project Fund grant allocation in an amount not to exceed \$11,974.21 to support the District 6 Fitness 5K. [John Peterek, Assistant to the City Manager; Chris Callanen, Assistant to City Council]

2016-09-29-0735

17. An Ordinance authorizing two agreements related to the San Antonio Metropolitan Health District's Tuberculosis Prevention and Control Program with the University of Texas Health Science Center at Tyler, one for an amount up to \$120,000.00 with an option to renew for a one year term, and one for an amount up to \$198,735.00 for physician services for a period ending September 30, 2017. [Erik Walsh, Deputy City Manager; Dr. Vincent R. Nathan, Interim Director of Health]

2016-09-29-0736

18. An Ordinance ratifying the submission of a participation agreement to the National League of Cities and authorizing the acceptance of up to \$10,000.00 in grant funds to support a local resilience leadership event. [Peter Zanoni, Deputy City Manager; Douglas Melnick, Chief Sustainability Officer]

2016-09-29-0737

19. An Ordinance increasing the Storm Water Utility fee consistent with the City's FY 2017 Budget and reclassifying triplex and quadplex accounts from non-residential to residential, thereby lowering the monthly fee for these accounts. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]
20. 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 Giselle B. Luna (District 4) to the San Antonio Youth Commission.
 - B) Appointing Carmen Lara (District 3) to the Tax Increment Reinvestment Zone No. 32 - Mission Drive-In.
 - C) Appointing Amy Hardberger (District 8) to the Capital Improvements Advisory Committee.
 - D) Appointing Iris Luna (District 5) to the Building Standards Board.
21. Appointing Felix J. Ziga (Architect - Adaptive Reuse of Historic Buildings Category)

and Michael Carroll (Architect Category) to the Building Standards Board for the remainder of unexpired terms of office to expire May 31, 2017. [Leticia M. Vacek, City Clerk]

2016-09-29-0741

25. An Ordinance authorizing a professional service agreement with Seabury Airline Planning Group LLC in an amount not-to-exceed \$650,000.00 for consultant services to provide domestic and international air service development services for the San Antonio International Airport for a three-year term with two, one-year renewal options. [Carlos Contreras, Assistant City Manager; Noel T. Jones, Director, Aviation]

2016-09-29-0742

26. An Ordinance approving the Fiscal Year 2017 Annual Audit Plan. [Kevin W. Barthold, City Auditor]

2016-09-29-0743

27. An Ordinance rescheduling the City Council B Session of October 5, 2016. [Leticia M. Vacek, City Clerk]

2016-09-29-0744

28. An Ordinance authorizing a contract with Soria, Inc. dba Corporate Payroll Administrators, Inc., to provide payroll services to the Office of the Mayor and City Council for elected officials' contract employees (Council Aides) beginning October 1, 2016 through September 30, 2018 in an amount up to \$100,000.00 with two options to extend the term of the contract for one additional year in the amount of \$50,000 per year. [John Peterek, Assistant to the City Manager; Christopher Callanen, Assistant to City Council]

2016-09-29-0745

29. An Ordinance authorizing the execution of Reimbursement Agreements with the San Antonio Local Organizing Committee for reimbursement of expenses related to the 2015 U.S. Masters Swimming Nationwide Spring Nationals, totaling up to \$125,420.00, the 2015 USA Swimming Speedo Junior National Championships, totaling up to \$122,190.99, and the 2015 USA Swimming Phillips 66 National Championships, totaling up to \$143,871.04, contingent upon State reimbursement, and authorizing payment upon the receipt of such funds from the Events Trust Fund. [Lori Houston, Assistant City Manager; Casandra Matej, Executive Director, Convention & Visitors Bureau]

2016-09-29-0746

30. An Ordinance authorizing the San Antonio Economic Development Corporation to undertake an economic development project with HelpSocial, Inc. in an amount up to \$100,000.00. [Carlos Contreras, Assistant City Manager, Rene Dominguez, Director, Economic Development]

2016-09-29-0747

31. An Ordinance approving the annual budget for Fiscal Year 2017 for the San Antonio Economic Development Corporation. [Carlos Contreras, Assistant City Manager; Rene Dominguez, Director, Economic Development]

2016-09-29-0749

33. An Ordinance authorizing a contract with Utility Service Partners Private Label, Inc. to provide a Utility Service Line Warranty Program, where USP will directly contract with residents for warranty and repair of water, sewer, and indoor plumbing. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

2016-09-29-0750

34. An Ordinance authorizing an Interlocal Agreement with the Center for Health Care Services for the Bexar Cares Program in the amount of \$899,965.00, with a required in-kind match of \$299,988.00 to be provided by Center for Health Care Services, for the period of September 30, 2016 through September 29, 2017, and amendments based on additional grant awards or program improvements. [María Villagómez, Assistant City Manager; Melody Woosley, Director, Human Services]

2016-09-29-0751

35. An Ordinance authorizing the acceptance of a vehicle provided by the San Antonio Public Library Foundation in support of the San Antonio Public Library's early literacy services through the Little Read Wagon outreach initiative. [Maria Villagomez, Assistant City Manager; Ramiro S. Salazar, Library Director]

2016-09-29-0752

36. An Ordinance authorizing the San Antonio Housing Trust Board of Trustees to issue a Request for Applications to allocate \$1 million in available funding to eligible affordable housing development projects as required by the Rules and Regulations of the Trust; and approving the evaluation criteria for scoring affordable housing development projects as outlined in the Request for Applications. [Peter Zanoni, Deputy City Manager; Bridgett White, Director, Planning and Community Development]

2016-09-29-0753

37. An Ordinance awarding an amount not to exceed \$2,954,400.00 in HOME Investment Partnerships Program funds for one multi-family new construction project and two single family construction projects of Lord Road Apartments, Our Casas Resident Council Scattered Sites, and Lenwood Heights subdivision – Phase II, respectively, and scheduling a Public Hearing for a Substantial Amendment to the FY 2016 Annual Action Plan to reprogram \$484,000 in HOME Investment Partnerships Program funds. [Peter Zanoni, Deputy City Manager; Bridgett White, Director, Planning and Community Development]

2016-09-29-0754

38. An Ordinance authorizing an agreement with the San Antonio Housing Authority to provide for reimbursement of expenses incurred by the San Antonio Police Department in providing services in support of the Eastside Drug Market Intervention initiative in an amount not to exceed \$30,000.00. [Erik Walsh, Deputy City Manager; William McManus, Chief, Police]

2016-09-29-0755

39. An Ordinance authorizing the execution of a Funding Agreement between the City of San Antonio and AT&T accepting \$106,000 as a reimbursement from AT&T to fund the first year for a dedicated network coordinator position to assist in plan review and right of way management for AT&T's Light Gig Fiber Communications network through September 30, 2016 with an option to accept funding on a year-to-year basis. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

2016-09-29-0756

40. An Ordinance authorizing the execution of a Funding Agreement with IDEA Public School accepting up to 50% of the cost, or \$40,064.00, for the City's construction and installation of three sets of advanced warning flashers adjacent to IDEA Public School campus located at 6919 S. Flores Street, in Council District 3. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]
42. Consideration of the following items in connection with the Financing of Certain Educational and Housing Facilities for the University of the Incarnate Word: [Ben Gorzell, Jr., Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer]

Mayor Taylor recessed the City Council Meeting and convened as the Board of Directors of the

City of San Antonio, Texas Education Facilities Corporation to consider the following item:

- 42A.** A Resolution of the Board of Directors of the City of San Antonio, Texas Education Facilities Corporation approving and authorizing the execution of a Loan Agreement by and among the City of San Antonio, Texas Education Facilities Corporation, the University of the Incarnate Word, and Banc of America Public Capital Corp. for the purpose of providing a loan of up to \$30,000,000 to finance certain educational facilities and housing facilities for 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 City of San Antonio, Texas Education Facilities Corporation and reconvened the City Council Meeting.

2016-09-29-0030R

- 42B.** A Resolution by the City Council of the City of San Antonio, Texas regarding approval, for purposes of Section 147(f) of the Internal Revenue Code, of a tax-exempt Loan Agreement by and among the City of San Antonio, Texas Education Facilities Corporation, the University of the Incarnate Word, and Banc of America Public Capital Corp.
- 43.** Consideration of the following four items relating to financial matters of the San Antonio Water System: [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

2016-09-29-0758

- 43A.** An Ordinance Authorizing The Issuance Of One Or More Series Of “City Of San Antonio, Texas Water System Junior Lien Revenue And Refunding Bonds (No Reserve Fund)” In The Principal Amount Not To Exceed \$536,390,000; Providing For The Payment Of The Principal Of And Interest On The Bonds By A Junior Lien On And Pledge Of The Net Revenues Of The City’s Water System On A Parity With Certain Currently Outstanding Obligations; Providing The Terms And Conditions, And Resolving Other Matters Incident And Relating To The Issuance, Payment, Security, Sale, And Delivery, Of Such Bonds, Including The Approval And Distribution Of An Official Statement; Authorizing The Execution Of A Paying Agent/Registrar Agreement, An Escrow Agreement, And A Purchase Contract; Complying With The Requirements Imposed By The Letter Of Representations On File With The Depository Trust Company; Delegating The Authority To Certain Members Of The San Antonio Water System Staff To Execute Certain Documents Relating To The Sale Of The Bonds; Enacting Other Provisions Incident And

Related To The Subject And Purpose Of This Ordinance; And Providing For An Effective Date.

2016-09-29-0759

- 43B.** An Ordinance Authorizing The Issuance Of “City Of San Antonio, Texas Water System Junior Lien Revenue Bonds, Series 2016D” In The Principal Amount Not To Exceed \$12,500,000; Providing For The Payment Of The Principal Of And Interest On The Bonds By A Junior Lien On And Pledge Of The Net Revenues Of The City’s Water System On A Parity With Certain Currently Outstanding Obligations; Providing The Terms And Conditions Of Such Bonds, And Resolving Other Matters Incident And Relating To The Issuance, Payment, Security, Sale, And Delivery, Of Such Bonds, Including The Approval Of An Application To The Texas Water Development Board; Authorizing The Execution Of A Paying Agent/Registrar Agreement And An Escrow Agreement; Complying With The Requirements Of The Letter Of Representations On File With The Depository Trust Company; Complying With The Regulations Promulgated By The Texas Water Development Board; Delegating The Authority To Certain Members Of The San Antonio Water System Staff To Execute Certain Documents Relating To The Sale Of The Bonds; Enacting Other Provisions Incident And Related To The Subject And Purpose Of This Ordinance; And Providing For An Effective Date.

2016-09-29-0760

- 43C.** An Ordinance Authorizing The Issuance Of “City Of San Antonio, Texas Water System Junior Lien Revenue Bonds, Series 2016E” In The Principal Amount Not To Exceed \$14,360,000; Providing For The Payment Of The Principal Of And Interest On The Bonds By A Junior Lien On And Pledge Of The Net Revenues Of The City’s Water System On A Parity With Certain Currently Outstanding Obligations; Providing The Terms And Conditions Of Such Bonds, And Resolving Other Matters Incident And Relating To The Issuance, Payment, Security, Sale, And Delivery, Of Such Bonds, Including The Approval Of An Application To The Texas Water Development Board; Authorizing The Execution Of A Paying Agent/Registrar Agreement And An Escrow Agreement; Complying With The Requirements Of The Letter Of Representations On File With The Depository Trust Company; Complying With The Regulations Promulgated By The Texas Water Development Board; Delegating The Authority To Certain Members Of The San Antonio Water System Staff To Execute Certain Documents Relating To The Sale Of The Bonds; Enacting Other Provisions Incident And Related To The Subject And Purpose Of This Ordinance; And Providing For An Effective Date.

2016-09-29-0761

- 43D.** An Ordinance Amending Certain Terms Of The Ordinance Authorizing The Issuance Of Obligations Designated As “City Of San Antonio, Texas Water System Variable Rate Junior Lien Revenue And Refunding Bonds, Series 2013F (No Reserve Fund)”; And Other Matters In Connection Therewith

CONSENT ITEMS CONCLUDED**ACTION ITEMS FOR STAFF BRIEFING**

City Clerk Vacek read the caption for Item 4:

2016-09-29-0722

- 4.** An Ordinance authorizing the execution of a Destination and Marketing Services Agreement in an approximate amount of \$23,330,624.00 in Fiscal Year 2017 and other related agreements with Visit San Antonio for the performance of duties associated with the former Convention & Visitors Bureau. [Carlos J. Contreras III, Assistant City Manager; Michael J. Sawaya, Director, Convention & Sports Facilities]

Mike Sawaya presented an overview of the Destination & Marketing Agreements with Visit San Antonio (VSA). He stated that the Convention and Visitors Bureau (CVB) Structure Task Force recommended to transition the CVB to a public/private non-profit corporation in December 2015. He noted that a Resolution to initiate the process was approved by the City Council in February 2016. He mentioned that the VSA Board of Directors consisted of five Founding Members to provide fiduciary oversight and strategic direction. He highlighted the Management Agreement which would commence on October 1, 2016 through September 30, 2021. He reported that they would provide funding in the amount of \$23,330,624 for FY 2017. He stated that they would target providing 35% of the total Hotel Occupancy Tax (HOT) for FY 2018-2021.

Mr. Sawaya stated that the VSA Business Plan would include Quarterly and Annual Reports as well as Performance Targets and a Revenue Enhancement Plan. He reported that with regard to the funds provided; they must be used solely in connection with the VSA providing Services as part of the Business Plan. He noted that an annual audit would be conducted by an Independent Auditing Firm and that the City of San Antonio had the right to examine all books directly related to the funds provided to VSA. He indicated that VSA would follow State and City Policies and Procedures on Procurement and include Veteran Outreach and Local Preference Policies. He added that the Small Business Enterprise

Development Advocacy (SBEDA) would apply to contracts or agreements above \$50,000. He stated that the City of San Antonio owned intellectual property previously used by the CVB but VSA will own all intellectual property developed in the future.

Mr. Sawaya stated that the Management Agreement could be Suspended, Terminated for Cause, or considered in Default with an Opportunity for Cure. He noted that VSA was working on a Transition Plan with Human Resources and that their Ethics Code would mirror that of the City's Ethics Code. He added that the CVB Staff would transition to VSA in January 2017 with the CVB Transition complete in October 2017.

Mayor Taylor called upon the citizens registered to speak.

Ramiro Cavazos, President and CEO of the San Antonio Hispanic Chamber of Commerce addressed the City Council in support of the Management Agreement. He spoke of the great impact of the Visitor Industry and the importance of being vibrant and flexible.

Dan Decker, Chair of the CVB Structure Task Force congratulated the City Council on reaching this great milestone. He spoke of the strong return on investment with regard to the Visitor Industry and noted the need to be mindful of competitive efforts.

Bill Petrella, General Manager of the Westin Riverwalk and President of the San Antonio Hotel and Lodging Association stated that he was in favor of the Management Agreement. He noted that this was historic for the Hospitality and Tourism Industry and that the new entity would provide flexibility and unlimited potential.

Frank Miceli, Designated Chair of the New VSA Board of Directors addressed the City Council in support of the Management Agreement. He stated that approving the agreement would provide the new entity more autonomy and an opportunity to be more competitive on marketing and funding efforts.

Marise McDermott, President and CEO of the Witte Museum stated that she was supportive of the Management Agreement. She spoke of the importance of making investments for the many visitors that come to San Antonio.

Richard Perez, President and CEO of the Greater Chamber of Commerce addressed the City Council in support of the Management Agreement. He noted the importance of growing the Hospitality and Tourism Industry.

Steve Atkins, Chair of the Tourism Council spoke in support of the Management Agreement. He stated that VSA would be transparent and a high-performing institution that

will activate a greater Economic Industry.

Duane Wilson, President and CEO of the North San Antonio Chamber of Commerce spoke in support of the Management Agreement. He stated that the restructuring of the CVB would be inclusive of all parts of the city.

Jack M. Finger stated that he had not reviewed the pros and cons of the agreement but recommended that Arts Delegate Agency Funding be allocated to VSA.

Mayor Taylor thanked everyone for their work and stated that she was excited to be at this stage in the process. She asked of the Transition Plan for City Employees. Mrs. Matej replied that they were working with Human Resources on placements. She confirmed that they would work with individuals within 6 months of vesting or 3 years of retirement to be contracted to VSA until they met the required time.

Councilmember Viagran expressed support for the Management Agreement and spoke of the great amount of work that has occurred thus far. She stated that it was important to increase competitiveness in the marketplace and asked of the intellectual property developed in the future. Mr. Sawaya replied that the City of San Antonio would have rights to everything that was previously created by the CVB and could use anything created in the future. Councilmember Viagran reiterated that the City Council would continue to have input and stated that this was a great opportunity to be authentic.

Councilmember Saldaña asked of the contract for Advertising. Mrs. Matej explained that any contract over \$50,000 would follow the same Procurement and SBEDA Policies as the City of San Antonio. She stated that they would have an Evaluation Panel and the final decision would be made by the VSA Board. Councilmember Saldaña asked of the Board Make-Up. Mr. Sawaya noted the various categories and mentioned that there would be 3 At-Large Members open to the General Community. Councilmember Saldaña stated that he would like clarification on the voting members. He asked of the difference in the charge of the current CVB and the new VSA. Mr. Sawaya replied that the mission and approach was the same but the difference would be having a Private Board of Business People who bring their expertise to the process. Councilmember Saldaña noted concerns with a previous advertisement from 2012 that did not portray San Antonio in the best light and stated that he could not support the agreement.

Mayor Taylor requested that the City Council receive an update regarding current branding efforts.

Councilmember Warrick asked how the City Council could be better partners with VSA.

Mrs. Matej replied that the City Council were great partners and always made themselves available when meeting with organizations they were trying to bring to the city. Councilmember Warrick asked of the differences that customers would notice. Mrs. Matej replied that they hoped to have a seamless transition but would like to grow some of their offerings. Councilmember Warrick stated that the City Council needed to provide oversight but did not want to hinder the Tourism Industry or impact the way they conduct business.

Councilmember Lopez entered the meeting at this time.

Councilmember Treviño referenced the make-up on the VSA Board of Directors and stated that he did not want to create an imbalance. He noted that he was proud of the work being done to showcase the Culture and History of San Antonio. He added that while he understood the concerns; he felt that this was a good financial move for the City of San Antonio.

Councilmember Nirenberg asked of the relationship between VSA and the City of San Antonio with regard to Intellectual Property. Mr. Sawaya replied that the City of San Antonio would own anything developed previous to VSA, while anything developed in the future would be owned by VSA but could be used by the City of San Antonio. Councilmember Nirenberg asked how the rights would be administered. Ray Rodriguez of the City Attorney's Office replied that the conditions would be done in a separate Licensing Agreement. Andy Segovia, City Attorney added that there were mechanisms in the agreement to review the Business Plan and things they are doing in terms of their primary purpose. Councilmember Nirenberg asked how they would reach the target of 35% of the total HOT to fund VSA. Mr. Sawaya replied that was the amount currently provided to CVB and would look at any overages received as needed. Councilmember Nirenberg stated that the Visitor Industry needed resources to market the city and asked of private funds. Mrs. Matej replied that there were revenue opportunities through traditional membership, advertising, and the website.

Mrs. Vacek read a letter from Councilmember Krier noting support for the agreement. He wrote that Tourists and Conventioneers were vitally important to San Antonio's Economy and that the City needed to harness the energy and creativity of the private sector for the intensifying competition of visitors. He added that he was comfortable that the City's Representation on the Board of Directors would match its financial commitment and that the agreement would be reconsidered if VSA failed to meet their objectives.

Councilmember Viagran moved to adopt the Ordinance for Item 4. Councilmember Warrick seconded the motion. The motion prevailed by the following vote:

AYE: 7 - Mayor Taylor, Treviño, Warrick, Viagran, Lopez, Medina and Gallagher

NAY: 2 - Saldaña and Nirenberg

ABSENT: 2 - Gonzales and Krier

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

Items 22, 23, and 24 were addressed jointly. City Clerk Vacek read the captions for Items 22, 23, and 24:

2016-09-29-0738

22. An Ordinance authorizing High Volume Pet Partner contracts with San Antonio Pets Alive!, in an amount up to \$305,000.00 and the San Antonio Humane Society in an amount up to \$61,000.00 for the rescue of animals from the City's Animal Care Services Facility, for a one-year term with the option to renew three additional one-year terms funded by the FY 2017 General Fund Budget. [Maria Villagomez, Assistant City Manager; Heber Lefgren, Director, Animal Care Services]

2016-09-29-0739

23. An Ordinance authorizing a lease with the San Antonio Humane Society to operate and manage the Spay/Neuter Clinic located at Brooks City Base for a three year term with the option to renew the lease for one additional three year term. [Maria Villagomez, Assistant City Manager; Heber Lefgren, Director, Animal Care Services]

2016-09-29-0740

24. An Ordinance authorizing a lease with the Animal Defense League to operate and manage the Paul Jolly Center for Animal Adoptions and PETCO Pavilion, for an initial term of three years with the option to renew the contract for one additional three-year term. [Maria Villagomez, Assistant City Manager; Heber Lefgren, Director, Animal Care Services]

Councilmember Saldaña recused himself from the vote on Items 22, 23, and 24 by exiting the Council Chambers and noting he submitted the recusal forms to the City Clerk.

Maria Villagomez presented information on the High Volume Pet Partner Rescue Partnerships. She stated that the program was established in FY 2012 with 9 partners and resulted in the rescue of 6,000 pets per year. She highlighted changes for FY 2017 in which partners would receive an amount between \$40 to \$165 in an effort to assist partners with Harder-to-Place Pets. She stated that staff recommended approval of contracts with San Antonio Pets Alive in the amount of \$305,000 and the San Antonio Humane Society in

the amount of \$61,000 for the rescue of 3,900 pets.

For Item 23, Ms. Villagomez reported that a Request for Proposals (RFP) had been issued for the Brooks City Base Spay/Neuter Clinic. She noted the Evaluation Committee Members and stated that staff recommended the approval of the San Antonio Humane Society for the operation and management of the Brooks City Base Spay/Neuter Clinic. She added that construction of the clinic would be complete in December and occupancy would occur in January 2017.

Ms. Villagomez stated that the current lease with SAPA for the operation of the Paul Jolly Adoption Center ends on October 31, 2016. She noted that an RFP was released and outlined the Evaluation Committee Members. She reported that they recommended the approval of the Animal Defense League for the operation and management of the Paul Jolly Adoption Center and PETCO Pavilion.

Mayor Taylor called upon the registered speakers.

Janice Darling, Executive Director of the Animal Defense League thanked the City Council for their support in helping move closer to a No-Kill Status (Item 24). She spoke of their work with animals over the past 82 years and stated that she was proud of their many accomplishments.

Cece Given stated that she served on the Animal Defense League Board of Directors and was supportive of their operation of the Paul Jolly Adoption Center (Item 24).

Tobin Rote stated that he was a volunteer and fully supportive of the Animal Defense League taking over the operation of the Paul Jolly Adoption Center (Item 24).

Anna-Laura Block, Chair of the Animal Defense League (ADL) Board stated that she was supportive of ADL operating the Paul Jolly Adoption Center (Item 24). She noted that ADL was a non-profit organization that annually audited finances that were transparent to the public.

Peggy Cervera spoke in support of the work of the Animal Defense League and noted their 98% Live Release Rate (Item 24).

Alan Hepp stated that he was a Volunteer and Foster for the Animal Defense League and supportive of them operating the Paul Jolly Adoption Center (Item 24).

Nancy Najim, President and CEO of the San Antonio Humane Society noted her support for

the partnership with the City of San Antonio in rescuing animals from the Animal Care Services (ACS) Facility (Item 22) and operating the Brooks City Base Spay/Neuter Clinic (Item 23).

Rita Braeutigam, District 4 Representative and Chair of the ACS Board addressed the City Council in support of the Animal Defense League (ADL) operating the Paul Jolly Adoption Center (Item 24). She stated that the selection process was fair and that ADL was a strong partner who could meet their contractual obligations.

Karen Speer, Member of the ACS Board addressed the City Council in support of the Animal Defense League operating the Paul Jolly Adoption Center (Item 24). She spoke of their great work over the past 82 years and noted that they took in all types of animals regardless of their medical condition.

Mona Thaxton, District 8 Representative on the ACS Board spoke in support of the Animal Defense League operating the Paul Jolly Adoption Center (Item 24). She stated that she was pleased that San Antonio Pets Alive would continue to be a rescue partner and thanked them for their work.

Kathy Davis stated that she was pleased with the opening of the Spay/Neuter Clinic at Brooks City Base (Item 23). She expressed support for the Animal Defense League operating the Paul Jolly Adoption Center and noted that it was in the best interest of the animals that would be served (Item 24). She thanked San Antonio Pets Alive for their work.

Sallie Scott, District 10 Representative on the ACS Board stated that she had been involved in Animal Welfare for 40 years and was supportive of the Animal Defense League operating the Paul Jolly Adoption Center (Item 24). She noted that the organization was fiscally sound and would do a great job.

Mayor Taylor thanked everyone for their work and the individuals that spoke on the items.

Councilmember Gallagher commended everyone for their work stated that he was supportive of the three initiatives.

Councilmember Viagran asked if ACS would maintain its Live Release Rate. Ms. Villagomez confirmed that they would. Councilmember Viagran stated that she was pleased that the Humane Society would be operating the Spay/Neuter Clinic at Brooks City Base. She commended the many partners but noted that they needed to work on reducing the number of animals impounded.

Councilmember Warrick asked how the city would maintain its Live Release Rate if San Antonio Pets Alive (SAPA) did not survive. Ms. Villagomez stated that they would continue the model that they initially implemented in 2012 in which SAPA utilizes one of the buildings at the ACS Facility. She noted that they have another facility and also utilize Fosters and offer events throughout the city that provide opportunities for adoption. Councilmember Warrick asked of the transition with the new SAPA Director. Ms. Villagomez replied that they were committed to working with SAPA to help them be successful and noted that the City of San Antonio would continue to have a seat on their Board.

Councilmember Treviño thanked everyone involved and stated that he was comfortable that there had been a fair selection process. He thanked SAPA for their work.

Councilmember Medina stated that the City of San Antonio was in a much better place with regard to how animals are cared for. He stated that the San Antonio Humane Society and Animal Defense League were capable organizations and he was supportive of the recommendations.

Councilmember Nirenberg stated that he would support the recommendations but was concerned that three organizations with the same mission were being pitted against each other.

Councilmember Gallagher moved to adopt the Ordinances for Items 22, 23, and 24. Councilmember Warrick seconded the motion. The motion prevailed by the following vote:

AYE: 8 - Mayor Taylor, Treviño, Warrick, Viagran, Lopez, Medina, Nirenberg and Gallagher

ABSENT: 2 - Gonzales and Krier

ABSTAIN: 1 - Saldaña

City Clerk Vacek read the caption for Item 32:

2016-09-29-0748

- 32.** An Ordinance approving a Chapter 380 Economic Development Program Grant Agreement with LiquidWeb, LLC in an amount up to \$225,000.00 for the relocation of fifty-seven full-time jobs and the creation of an additional forty-three full-time jobs in the City's Central Business District. [Carlos Contreras, Assistant City Manager; Rene Dominguez, Director, Economic Development]

Rene Dominguez recognized Jim Geiger, President and CEO of LiquidWeb. Mr. Dominguez stated that LiquidWeb was established in 1997 and headquartered in Lansing, Michigan. He noted that they offer Hosting Services for Businesses. He mentioned that following the purchase of Rackspace's Cloud Sites Business Unit, LiquidWeb considered moving the unit and jobs to Michigan or Arizona. However, they have decided to relocate 57 jobs from Windercrest to Downtown San Antonio and create up to 43 new Full-Time Jobs in Software Development, Engineering, Technical Support, Sales, and Marketing Roles. He indicated that the average salary would be \$65,000 for all positions. He stated that staff recommended approval of a performance-based Chapter 380 Economic Development Incentive Fund (EDIF) Grant valued at up to \$225,000 based on LiquidWeb's job creation milestones.

Councilmember Treviño highlighted said item and recognized Mr. Jim Geiger. Mr. Geiger stated that they were excited about the prospect of retaining and growing the Cloud Sites Business Unit. He added that they hoped to contribute in a meaningful way to the City of San Antonio. Councilmember Treviño thanked Mr. Geiger for their commitment to San Antonio.

Councilmember Treviño moved to adopt the Ordinance for Item 32. Councilmember Viagran seconded the motion. The motion prevailed by the following vote:

AYE: 8 - Mayor Taylor, Treviño, Warrick, Viagran, Lopez, Medina, Nirenberg and Gallagher

ABSENT: 3 - Saldaña, Gonzales and Krier

City Clerk Vacek read the caption for Item 41:

2016-09-29-0757

- 41.** An Ordinance authorizing Google Fiber Texas LLC to pilot the use of an alternate cable boring or trenching methodology known as micro-trenching within a defined geographic area located in Council District 6 as part of their installation of a high-speed fiber network citywide. [Peter Zaroni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

Mike Frisbie stated that Google Fiber Texas was requesting authorization to implement a Micro-Trench Pilot Program. He noted that they would convert 190 miles of underground boring and trenching in Council District 6. He highlighted benefits to include being less disruptive than traditional boring and trenching, as well as reducing the possibility of utility impacts. He noted that construction would be completed faster and would reduce demands

on the City, SAWS, and CPS Resources. He added that the pilot would operate for 9 months and would be monitored to evaluate success. Councilmember Viagran thanked Google Fiber for taking the initiative to use micro-trenching and asked if other entities could participate in the Pilot Program. Mr. Frisbie replied that they could and would work with requestors to determine its appropriateness.

Councilmember Lopez stated that this was a great initiative and asked if it could be a requirement in the future if successful. Mr. Frisbie replied that it would not be a requirement but an option, as Telecom Companies were allowed in the right-of-way with the proper permits.

Councilmember Nirenberg stated that this was an innovative approach and asked of the review of the Conduit Process to help with speed and deployment of infrastructure. Mr. Frisbie replied that there was a Conduit Committee working with the Development Community on a regular basis.

Councilmember Viagran moved to adopt the Ordinance for Item 41. Councilmember Gallagher seconded the motion. The motion prevailed by the following vote:

AYE: 8 - Mayor Taylor, Treviño, Warrick, Viagran, Lopez, Medina, Nirenberg and Gallagher

ABSENT: 3 - Saldaña, Gonzales and Krier

EXECUTIVE SESSION

Mayor Taylor recessed the meeting at 11:50 am to continue the previous day's Executive Session on 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 relating to transportation network companies and rideshare mobile apps pursuant to Texas Government Code Section 551.071 (consultation with attorney).

RECONVENED

Mayor Taylor reconvened the meeting at 12:36 pm and announced that no action was taken in Executive Session.

ADJOURNMENT

There being no further discussion, Mayor Taylor adjourned the meeting at 12:36 pm.

APPROVED

IVY R. TAYLOR
MAYOR

ATTEST:

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