

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



**DRAFT  
Meeting Minutes  
City Council B Session**

City Hall Complex  
105 Main Plaza  
San Antonio, Texas 78205

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Wednesday, March 2, 2016

2:00 PM

Municipal Plaza Building

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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, Treviño, Warrick, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier, and Gallagher

1. A Briefing on Oak Wilt, an infectious disease that can spread amongst oak trees, and an overview of the regulatory practices currently in place, along with preventative measures available to public. [María D. Villagómez, Assistant City Manager; Xavier D. Urrutia, Director, Parks and Recreation]

Rod Sanchez stated that San Antonio had one of the best Tree Ordinances in the State of Texas and spoke of the benefits of trees. He noted that they were good for the environment and helped keep the air clean. He mentioned that they make communities more desirable and enhance Quality of Life. He spoke of the issue of Oak Wilt which is a fungal disease with no known cure. He stated that it infects all Oak Trees and is prevalent in Central Texas. He noted that methods to control and treat Oak Wilt were expensive and not guaranteed. He presented a diagram outlining the process in which Oak Wilt spreads. He provided an overview of the current regulatory practice in which a Tree Maintenance License and Insurance is required for people that cut trees for a living. He stated that

wounds must be treated within 30 minutes and that firewood infected by Oak Wilt was prohibited from being brought into the city. He added that the First Offense carried a penalty ranging from \$50 to \$500, while the penalty for a Second Offense ranged from \$100 to \$500.

Xavier Urrutia highlighted prevention strategies to include: 1) Disinfect Tools; 2) Target pruning efforts; 3) Increase species diversity; 4) Avoid storage of firewood from unknown sources; 5) Select Licensed Tree Care Professionals; and 6) Paint wounds immediately. He spoke of the Oak Preservation Project which includes Reference Materials with Oak Wilt Information. Additionally, Mr. Urrutia noted that staff will deliver Oak Wilt Door Hangers with Brush Collection Notices and provide quick facts on Social Media. He noted that they would launch the Oak Wilt Educational Campaign in March and explore a Joint Effort with Texas A&M Forest Service along with Bexar County and Suburban Cities.

Mayor Taylor stated that education was a key component and noted that she had been contacted by Mayor Chris Fails of Hollywood Park to collaborate on Oak Wilt. Mr. Urrutia replied that they were working with Bexar County and the Suburban Cities to address the issue.

Councilmember Krier provided a handout to the City Council regarding the negative effects of Oak Wilt and referenced issues within the Whispering Oaks Neighborhood and the City of Hollywood Park. He expressed concern that trees were not being trimmed consistently and properly and asked of the optimal time of year to do so. Mr. Urrutia stated that if specific requirements regarding pruning were adhered to; it could be done safely. David McCary added that Brush Collection was scheduled during the Spring and Fall based on seasonal demand. Councilmember Krier introduced Mark Duff of Texas A&M Forest Service and asked of his thoughts on the threat of Oak Wilt to the community. Mr. Duff spoke of the areas with a high concentration of Oak Wilt to include the Cities of Helotes and Hollywood Park. He stated that he would recommend focusing on preventing new areas from being affected by Oak Wilt and planting resistant trees. Mr. Urrutia added that they would focus on educating the community in partnership with Texas A&M Forest Service.

Councilmember Medina spoke of the affects of Oak Wilt in the Braun Station and Oak Hills Neighborhoods. He asked of revising the Brush Collection Schedule. Mr. McCary replied that they have one collection in the Spring and another in the Fall based on seasonal demand. He added that they promoted pruning Oak Trees between February and June and ensuring that wounds are addressed within 30 minutes.

Councilmember Gallagher asked of the affect of mulch from trees affected by Oak Wilt.

David Newman stated that Oak Wilt Fungus could not survive mulching.

Councilmember Lopez spoke of the need to mitigate the healthy areas at Government Canyon noting that it was in the path of Oak Wilt Infestation. He asked staff to do whatever they could from a protection perspective. Mr. Urrutia stated that they would work with Texas Parks and Wildlife on same.

Councilmember Saldaña thanked Councilmember Krier for bringing the issue forward to the full City Council.

Mayor Taylor thanked everyone for the presentation.

2. A Briefing on the Fiscal Year 2017 Arts Funding Process. [Lori Houston, Assistant City Manager; Felix N. Padron, Director, Culture and Creative Development]

Lori Houston presented a briefing on the Fiscal Year (FY) 2017 Arts Funding Process. She stated that the Department for Culture and Creative Development provided oversight of the process. She mentioned that the Arts Funding Committee reviewed and developed the preliminary funding recommendations while the San Antonio Arts Commission made final recommendations for consideration by the City Council. She recognized Commission Members that were present and thanked them for their service.

Mrs. Houston reported that the Arts Funding Program had been in existence for 30 years and was supported by the 15% Hotel Occupancy Tax (HOT). She stated that the current funding guidelines were adopted by the City Council in May 2014. She noted that 64 Arts and Cultural Organizations were funded for FY 2016 and anticipated the same level of funding (\$6 Million) for FY 2017. She added that the funding allocation had been constant at approximately \$6 Million with an average of 60 agencies funded annually. She outlined FY 2016 Funded Programs and the Eligibility Criteria. She stated that they had conducted 31 Art Funding Workshops and would be offering four Technical Assistance Work Sessions during the Pre-Submittal Process.

Mrs. Houston stated that a new Electronic Application System would be utilized. She provided an overview of the Evaluation Steps and Funding Allocations. She presented a Timeline noting that the Application Submittal and Evaluation Process would occur from April through May with Final Funding Recommendations presented to the City Council in June. She added that the funding would be approved during September through adoption of the FY 2017 Budget.

Councilmember Nirenberg entered the meeting during the presentation.

Mayor Taylor asked of the Local and National Experts that would serve on the Evaluation Committee. Mrs. Houston replied that they solicited experts through various methods to include conducting outreach to see who is interested and also receive recommendations from the Commissioners. Mayor Taylor stated that Arts Funding in the community was very important and that all should work in collaboration to cultivate more Artists in San Antonio.

Councilmember Warrick asked how they knew that programs were successful. Mrs. Houston responded that they had a comprehensive monitoring system in place. Felix Padron added that they utilized a matrix to measure participation in events and issued a community survey every other year. Councilmember Warrick stated that he would like to know why eligible organizations do not apply and asked if the process was too cumbersome. Mrs. Houston stated that they had streamlined the process this year and that agencies would apply electronically. Councilmember Warrick asked of affordable housing for Artists. Mrs. Houston replied that they were working with Art Space, an organization out of Minneapolis, to identify ways to finance Artist Housing.

Councilmember Viagran asked of the \$6 Million in Arts Funding. Mrs. Houston replied that it was funded through the 15% of the HOT Tax allocated to the Arts. Councilmember Viagran asked how the funds were utilized by the various agencies. Mrs. Houston stated that the majority of the funds were used for operational support and that they had certain requirements to make programming available to the public. Councilmember Viagran asked if a study was conducted regarding Local versus National Artists. Guillermo Nicolas, Chair of the San Antonio Arts Commission, stated that during the seven years he had served on the Public Art Board; 98-99% of the Public Art was created by Local Artists.

Councilmember Medina asked how they could ensure that smaller groups are able to be more competitive and receive the funding they need. Mrs. Houston stated that they had added the 50% In-Kind Match for Local Organizations and also provide Technical Assistance Grants.

Councilmember Krier spoke of the agencies that had been funded for more than three years noting that there should some sort of Sunset Process. He requested a list of agencies funded and the amount of time they had received funding. Mr. Padron noted that 100% of the 64 agencies currently being funded had received funding for more than three years. Councilmember Krier stated that his concern with Public Art was that it was subjective and would like to have more discussions on same.

Councilmember Treviño stated that Art was something that should be honored and that they should look at how it contributes to Economic Development Policies.

Councilmember Gonzales asked how much the \$6 Million Art Investment generates in terms of Jobs and Tourism. Mrs. Houston replied that for every \$1 invested in Arts Organizations, an average of \$7 is generated. Councilmember Gonzales stated that she was very supportive of continuing to invest in Arts Programs. She asked of funding for agencies that scored lower than the minimum of 75 to include the Opera and the Briscoe Museum. Mrs. Sculley stated that the City Council had approved funding the two organizations. Mrs. Houston added that they had utilized savings identified in the Department; not the \$6 Million allocated for the Arts Funding Process.

Councilmember Nirenberg asked of the criteria for funding Accredited Public Education Institutions. Mrs. Houston replied that they were prohibited from applying for funds with the exception of the Southwest School of Arts which received its accreditation after they had received funding. Councilmember Nirenberg asked if they would be reviewing that criteria. Mrs. Houston stated that they would be conducting a review of the policy for Arts Funding and could look at that criteria for the future. Councilmember Nirenberg spoke of the need to help agencies such as the Symphony to help them solidify long range funding plans.

Councilmember Lopez stated that he had an appreciation for Art and was supportive of continuing the current funding allocations. He noted that they should continue discussion on leveraging the funds to get a bigger impact.

Mayor Taylor thanked staff for the presentation and the Board Members for their work.

### **EXECUTIVE SESSION**

Mayor Taylor recessed the meeting into Executive Session at 4:22 pm for discussion 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. Deliberate the duties and evaluation of the City's Internal Auditor pursuant to Texas Government Code, Section 551.074 (personnel matters) and Section 551.071 (attorney-client consultation).
- E. Discuss legal issues related to the City's Small Business Economic Development Advocacy Program, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

### **RECONVENED**

Mayor Taylor reconvened the meeting at 6:00 pm and announced that no action was taken in Executive Session. City Clerk Vacek announced that Councilmember Lopez was attending a Rosary and Councilmember Krier was attending a Community Meeting in District 9.

### **CITIZENS TO BE HEARD**

Mayor Taylor called upon the citizens registered to speak.

David Klar spoke in opposition to the Vista Ridge Project and asked the City Council to "Opt Out." He stated that he did not believe the additional water was necessary and that the city could grow and prosper without the Vista Ridge Project.

Nazirite Ruben Flores Perez referenced a newspaper article entitled, "Cardinal calls Church response to abuse allegations 'Scandalous'." He also spoke of the Lion with Seven Heads referenced in The Bible.

Mark Perez expressed concern with the AGE Refinery Building located at 7811 S. Presa. He also spoke of other businesses operating in San Antonio without the proper permits. He noted concerns with various staff from the Police Department, Development Services, and City Attorney's Office.

Faris Hodge, Jr. submitted written testimony regarding the \$500,000 Scholarships donated by Holt. He submitted a newspaper article entitled, "Memorial to Salute Local Heroes." He expressed concern with property taxes and noted that Mike Helle was re-elected as President of the San Antonio Police Officers Union.

**ADJOURNMENT**

There being no further discussion, Mayor Taylor adjourned the meeting at 6:15 pm.

APPROVED

IVY R. TAYLOR  
MAYOR

ATTEST:

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