

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



**FINAL
Meeting Minutes
City Council A Session**

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

Thursday, May 29, 2014

9:00 AM

Municipal Plaza Building

The City Council of San Antonio convened in a Regular Meeting. The City Clerk took the Roll Call as follows:

PRESENT: 11 - Mayor Castro, Bernal, Taylor, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

1. The Invocation was delivered by Msgr. Charles J. Chaffman, St. Paul Catholic Church, guest of Mayor Julián Castro.
2. Mayor Castro led the Pledge of Allegiance to the Flag of the United States of America.

POINT OF PERSONAL PRIVILEGE

Councilmember Lopez recognized the San Antonio Missions for winning the Texas League Championship and called upon Mr. David Elmore. Mr. Elmore thanked the City Council for the recognition and support they have provided to the Missions. He stated that they were pleased to have won five Championships over the past 12 years. Mayor Castro congratulated the San Antonio Missions on their success.

3. Approval of Minutes for the April 9 - 10, 2014 City Council Meetings.

Councilmember Gallagher moved to approve the minutes for the April 9 and 10, 2014 City Council Meetings. Councilmember Taylor seconded the motion. The motion prevailed by the following vote:

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

ACTION ITEMS FOR STAFF BRIEFING

The City Clerk read the caption for Item 4:

2014-05-29-0362

4. A Public Hearing and Ordinance adopting the 40th year Community Development Block Grant (CDBG) Budget in the total amount of \$12,705,226; the 23rd year HOME Investment Partnerships Program Entitlement Grant (HOME) Budget in the total amount of \$4,857,323; the Housing Opportunities for Persons with AIDS Entitlement Grant (HOPWA) Budget in the total amount of \$1,212,217; and the Emergency Solutions Grant (ESG) Budget in the total amount of \$956,346 for Fiscal Year 2015 which begins October 1, 2014; authorizing the reprogramming of \$543,277 in CDBG funds and \$53,337 in HOME funds; authorizing the allocation of program income in the amount of \$653,336 in CDBG funds and \$864,000 in HOME funds; authorize a personnel complement of 45 positions; appropriating funding; and authorizing the submission of the grants to the U.S. Department of Housing and Urban Development (HUD) for the Fiscal Year 2015 Consolidated Annual Action Plan/Budget, certification and other information as required by the U.S. Department of Housing and Urban Development. [Peter Zanoni, Deputy City Manager; John Dugan, Director, Planning and Community Development]

Mayor Castro recused himself on Item 4 by exiting the Council Chambers and noting that he submitted the recusal forms to the City Clerk.

Councilmember Bernal opened the Public Hearing.

John Dugan highlighted the FY 2015 Entitlements for the Community Development Block Grant (CDBG), HOME Investment Partnerships Program (HOME), Emergency Shelter Grant (ESG), and Housing Opportunities for Persons with Aids (HOPWA). He reported that CDBG Funding totaled \$12,705,226 and would be used for activities to include Debt

Service, Neighborhood Revitalization, and Public Infrastructure. He stated that HOME Funding in the amount of \$4,809,986 would be used for Multi-Family Housing and Community Housing Development Organization Activities. He noted that ESG Funding in the amount of \$956,346 would be utilized on Homeless Prevention and Rapid Re-Housing Services. He mentioned that HOPWA Funding totaled \$1,212,178 and would be used for Housing Assistance and Supportive Services.

Councilmember Bernal announced that there were no citizens registered to speak; thus closed the Public Hearing.

Councilmember Taylor thanked Mr. Dugan for the presentation and stated that she was pleased with the strategic approach being taken toward the use of the funds.

Councilmember Medina stated that this was a great opportunity for continued investment in the community and asked of the area surrounding St. Mary's University. Mr. Dugan replied that they were looking at an enhancement of \$200,000 for the area.

Councilmember Gonzales thanked staff for their work and highlighted the Spruce Up Program.

Councilmember Taylor moved to adopt the proposed ordinance. Councilmember Medina seconded the motion. The motion prevailed by the following vote:

AYE: 8 - Bernal, Taylor, Viagran, Gonzales, Medina, Nirenberg, Krier and Gallagher

ABSENT: 2 - Saldaña and Lopez

ABSTAIN: 1 - Mayor Castro

POINT OF PERSONAL PRIVILEGE

Councilmember Nirenberg recognized outgoing Pre-K 4 SA Board Member Bob Bevard and read a Certificate of Appreciation for his service. Mr. Bevard thanked the City Council for the recognition and stated that he was pleased to have served on the Board. Mayor Castro thanked Mr. Bevard for his service.

The City Clerk read the caption for Item 5:

2014-05-29-0363

- 5.** An Ordinance authorizing the five year updates to the land use assumptions, capital improvements plans and the maximum impact fees for Water Supply, Water Flow,

Water System Development, Wastewater Treatment and Wastewater Collection for the San Antonio Water System. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

Ben Gorzell presented a Power Point and stated that an Impact Fee was a fee assessed to new development in order to recover the cost of capital improvements attributable to the new development. He noted that Texas Local Government Code, Chapter 395 establishes the requirements and process that must be followed if a municipality is to assess and collect Impact Fees. He mentioned that Chapter 395 also requires that the political subdivision adopt and update its Land Use Assumptions Plan (LUAP) and Capital Improvements Plan (CIP) at least every five years. He added that Chapter 395 further requires the establishment of a Capital Improvements Advisory Committee (CIAC) to advise City Council on the development and implementation of Impact Fees. He stated that SAWS Impact Fees were last approved in May 2011; however, due to the integration of Bexar Met, new Impact Fees must be calculated and approved by June 2014. He indicated that the goal was that existing customers not subsidize new growth.

Mr. Gorzell reported that Chapter 395 does not require that the Maximum Impact Fee be charged. He stated that historically, the City Council has approved charging the Maximum Impact Fee as calculated by SAWS. He noted that if less than the maximum was charged, the difference must be made up from another source. He outlined the Impact Fee Process and compared the CIAC and SAWS Recommendations. He stated that they reached a consensus on all recommendations with the exception of the Water Supply Impact Fee. He noted that staff recommended that the Water Delivery and Wastewater Impact Fees be set at the CIAC and SAWS recommended levels effective June 9, 2014. Additionally, that the Water Supply Impact Fee be set at the CIAC recommended level of \$1,590 per Equivalent Dwelling Unit (EDU) effective June 9, 2014 and be increased on June 1, 2015 to the SAWS recommended level of \$2,799 per EDU. He stated that they also recommended that the Total Impact Fee Waivers from FY 2015 to FY 2020 be increased to \$20 Million from the existing level of \$8 Million to promote development in the Inner City Reinvestment Infill Policy (ICRIP) Area.

Robert Puente of SAWS presented a Power Point requesting that the City Council update the LUAP, CIP, and Maximum Impact Fee Calculation. He stated that they recommend implementing all CIAC Recommended Impact Fees effective June 9, 2014 and delay implementation of the Maximum Water Supply Impact Fee until June 1, 2015. He noted that they would increase the ICRIP Impact Fee Waiver to \$20 Million. He added that \$731 Million would be needed to serve the projected growth from 2014-2023.

Mayor Castro called upon the individuals registered to speak.

Scott Farrimond stated that he was speaking on behalf of the Responsible Growth Alliance in support of the CIAC Recommendations. He expressed concern that the increase in fees would be passed to the consumer and affect affordable housing.

Cynthia H. Stevens stated that she was the Vice President of Government Affairs for the Real Estate Council and spoke of the importance of affordable housing. She noted that they needed over a year to incorporate new fees into their development projects and was supportive of the CIAC Recommendations.

Mike Phillips of the First Unitarian Church of San Antonio representing COPS/Metro spoke in support of the SAWS Recommended Impact Fees. He stated that COPS/Metro had fought for fairness and justice in the assessment of Impact Fees in the 1970's and were supportive of smart growth and development. He noted concerns that current Inner City Ratepayers are subsidizing the true costs of expanding the water and sewer system.

Jim Leonard representing the Greater San Antonio Builders Association stated that he was an Inner City Builder and Developer. He spoke in support of the CIAC Recommendation regarding the Water Supply Impact Fee.

Terry Burns and Margaret Day of the Sierra Club spoke in support of the staff recommendation. Mr. Burns stated that growth should pay for itself and that it was unfair to ask current ratepayers to pay for growth. Ms. Day spoke in support of the staff recommendation and also stated that ratepayers should not pay for growth. She asked the city to continue their work with CPS Energy and SAWS to achieve sustainable measures.

Jack M. Finger spoke in opposition to the 116% increase in Impact Fees noting concerns that the costs would be passed on to homebuyers.

David Klar spoke in support of the SAWS and staff recommendation regarding the increase to Impact Fees. He stated that the city should focus on smart growth and noted the benefits of zeroscaping.

John Kirk stated that he was the Vice President of a Multi-Family Development Company in San Antonio and spoke in support of the CIAC Recommendations for a lower Water Supply Impact Fee. He stated that San Antonio has the highest Impact Fees in the State and that higher fees would negatively impact growth.

Mayor Castro thanked staff for the presentations and asked of the issue regarding projects that are already in progress. He also asked of the projects in the ICRIP. Mr. Puente replied

that the process had begun in February 2013 and the Development Community had been aware since that time. He noted that they were adding funds to the Fee Waiver Program for the ICRIP. Mayor Castro stated that he was confident that this was a reasonable approach.

Councilmember Gallagher stated that this was a challenging issue and asked of the impact to the average ratepayer if the full increase was not implemented. Mr. Puente replied that there would be a 2.6% increase over the next 10 years. Councilmember Gallagher asked if everyone would benefit from the additional water supply. Mr. Puente confirmed that all would benefit from same. Councilmember Gallagher stated that he would support a phased-in approach.

Councilmember Krier asked of the status of the proposals for surface water. Mr. Puente replied that the proposals that they received were ground water proposals and that the three respondents had been deemed unresponsive. However, they had since begun discussions with Abengoa who was part of the Vista Ridge Consortium and believed they were now responsive. He added that they would begin negotiations regarding the amount of water, price of water, and other related issues. Councilmember Krier stated that everyone would benefit from the new water supply and that he supported the CIAC Recommendation.

Councilmember Krier moved to approve the CIAC recommendation in June and wait until after the May, 2015 Election on the additional increase. Councilmember Gallagher seconded the motion.

Councilmember Taylor thanked everyone for their work and stated that the staff recommendation was a good compromise. She noted that they should provide a measure of certainty to the Development Community today so they could plan for the future. She spoke of the need to look at the big picture and asked of the Impact Fee Waivers. Mr. Puente replied that they would increase the amount of Impact Fee Waivers by \$12 Million through 2020.

Councilmember Nirenberg asked of the financial impact of a phased-in approach. Doug Evanson responded that by delaying the phased-in approach, it would cost \$23 Million in foregone revenue. Councilmember Nirenberg mentioned that his concern was with the projects in the pipeline. Mr. Puente noted that they were confident that current projects would get their financing. Councilmember Nirenberg spoke of the importance of balanced growth and that everyone benefits from a diverse water supply. He noted that the city should continue to provide affordable housing and that he would support a compromised approach.

Councilmember Gonzales asked how the amount of Impact Fee Waivers was determined.

Mr. Puente replied that they worked with City Staff to determine the amount needed. Councilmember Gonzales asked about Non-Profit Organizations. Lori Houston stated that the city had several processes available to apply for a Fee Waiver: 1) Housing Incentive Policy and 2) ICRIP. She noted that there was an application process and the amount was based on geographic location. She indicated that the San Antonio Housing Authority had eight projects in the pipeline that were eligible for Fee Waivers and could be accommodated with the proposal. Councilmember Gonzales asked of individual housing. Ms. Houston replied that they would also be accommodated.

Councilmember Medina stated that he was pleased with the increase to the Impact Fee Waiver Program. He asked of the difference between the CIAC and SAWS Recommendations. Mr. Gorzell replied that they concurred on all items with the exception of the Water Supply Impact Fee. He stated that the CIAC looked at the average cost of water as opposed to the cost of the incremental Water Supply Projects that will be implemented.

Councilmember Saldaña asked if the full Water Supply Impact Fee was approved; would the full cost of the water supply be incurred by new development. Mr. Puente replied that it would not and that the vast majority would be paid by all ratepayers.

Councilmember Saldaña moved to approve the staff recommendation. Councilmember Gonzales seconded the motion.

Councilmember Viagran thanked everyone for their work and stated that she was supportive of the staff recommendation.

Councilmember Gallagher expressed concern that the SAWS Board had not been formally briefed on the issue and that there was not enough clarity. Councilmember Krier stated that the future City Council should make the decision on a greater increase than recommended by the CIAC.

Councilmember Nirenberg confirmed that Impact Fees could be reviewed and revised every year.

Mayor Castro stated that it was important to adequately fund the Water Supply Projects and that ratepayers would be affected if delayed.

Councilmember Lopez asked of the Desal Project. Mr. Puente replied that the Desal Project was ongoing and would take multiple years to pay. He stated that a portion of the Impact Fees would pay for the project. Councilmember Lopez asked of the potential for Federal

Funding. Mr. Puente replied that they were always looking for additional funding sources however; transportation usually received the greater amount of Federal Funds.

At this time, the City Council voted on the motion by Councilmember Krier. The motion failed by the following vote:

AYE: 4 - Lopez, Medina, Krier and Gallagher

NAY: 7 - Mayor Castro, Bernal, Taylor, Viagran, Saldaña, Gonzales and Nirenberg

The motion by Councilmember Saldaña to approve the staff recommendation prevailed by the following vote:

AYE: 9 - Mayor Castro, Bernal, Taylor, Viagran, Saldaña, Gonzales, Lopez, Medina and Nirenberg

NAY: 2 - Krier and Gallagher

CONSENT AGENDA ITEMS

Items 9, 11A-D, 18, 19B, and 23 were pulled for Individual Consideration. Councilmember Saldaña moved to approve the remaining Consent Agenda Items. Councilmember Gallagher seconded the motion.

Mayor Castro called upon Jack M. Finger to speak on the Consent Agenda.

Mr. Jack M. Finger expressed concern with Items 11A-D noting that bicyclists had more rights than motorists. He spoke against the agreement with the City, SAHA and Haven for Hope (Item 21) noting that Haven for Hope already offered housing.

Faris Hodge, Jr. submitted written testimony in support of Items 4-17, and 20-24. He wrote in opposition to Item 18.

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

AYE: 9 - Mayor Castro, Bernal, Taylor, Viagran, Saldaña, Gonzales, Lopez, Nirenberg and Gallagher

ABSENT: 2 - Medina and Krier

2014-05-29-0364

6. An Ordinance accepting the offer from Fuquay, Inc. to perform repairs to the Japanese Tea Garden pond underground pump equipment for an estimated cost of \$600,000.00, funded from the Parks and Recreation adopted general operating budget. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

2014-05-29-0365

7. An Ordinance accepting the offers from Deere & Company and Alamo Sales Corp. to provide the Transportation & Capital Improvements, Parks and Recreation, Solid Waste Management and Aviation Departments with fifteen tractors with various attachments for a total cost of \$1,285,214.96, funded with the Equipment Renewal and Replacement Fund and the Airport Operations Fund. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

2014-05-29-0366

8. An Ordinance accepting the bid from Digital Display Solutions, Inc. to provide the San Antonio Fire Department Emergency Operations Center with a digital audio visual system upgrade from the current analog system for a total cost of \$174,857.00, funded with 2012 Urban Area Security Initiative grant. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

2014-05-29-0368

10. An Ordinance for the Kenwood Senior Center authorizing a task order to a Job-Order Contract for building repairs and site improvements in an amount up to \$232,935.35 payable to the Sabinal Group; a project funded through the FY 2014 Deferred Maintenance Program, located in Council District 1. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation and Capital Improvements]

2014-05-29-0371

12. An Ordinance declaring as surplus an improved tract of real property commonly known as 1511 E. Commerce Street in Council District 2 as supported by the Inner City Tax Increment Reinvestment Zone Board and authorizing its sale to IDEA Public Schools, a Texas non-profit corporation, and authorizing any necessary amendments to the TIRZ Project Plan and Finance Plan. [Peter Zanoni, Deputy City Manager; Mike Etienne, Officer, Eastpoint & Real Estate Services Office]

2014-05-29-0372

13. An Ordinance authorizing the declaration as surplus and disposition of 28 real properties owned by the San Antonio Water System located in Bexar County, Atascosa County and Medina County and authorized for disposal by the SAWS

Board of Trustees through Resolution 13-255 dated August 13, 2013; specifically at these addresses: 149 Peaceful Lane, 596 Hallmark Path, 600 Twin Valley, 12720 S. Zarzamora, 13901 I.H. 35 South, 1545 Sea Island, 22870 Priest Road, 3715 Waterwood Pass, 23306 Post Oak Park, 24814 Ima Ruth, 25300 Fahrenthold, 25415 Brewer, 26802 Harmony Hills, 26803 Harmony Hills, 6614 Little Joe Trail, 7510 Talley Road in Bexar County; and 4139 Kings Hill, 4161 Kings Hill, 4193 Kings Hill, 4317 Mansion, 4327 Mansion, 4163 Deborah Kay, 4207 Deborah Kay in Von Ormy, Texas; and 400 Sundown Lane, 1256 Sherwood Forest, and portions of Lots 5 and 6 of Oak South Subdivision in Atascosa County; and 1465 County Road 381 in Medina County. [Peter Zaroni, Deputy City Manager; Mike Etienne, Officer, EastPoint & Real Estate Services Office]

2014-05-29-0373

14. An Ordinance awarding a City Council Project Fund grant allocation in an amount not to exceed \$18,000.00 for the Raul Jimenez Thanksgiving Dinner. [Edward Benavides, Chief of Staff; Chris Callanen, Assistant to City Council]

2014-05-29-0374

15. An Ordinance authorizing the submission of grant applications to the Alamo Area Council of Governments for the Senior Nutrition and Transportation programs, in amounts up to \$1,400,000.00 and \$300,000.00, respectively, for the provision of senior services for FY 2015 through FY 2016. [Gloria Hurtado, Assistant City Manager; Melody Woosley, Director, Human Services]

2014-05-29-0375

16. An Ordinance authorizing a contract amendment with the Texas Department of State Health Services for Title V Child Dental Health Services to accept an additional \$110,849.00 in funding, bringing the total cumulative amount of the contract to \$252,000.00; and authorizing a contract amendment with the University of Texas Health Science Center at San Antonio Dental School to provide an additional \$88,679.00 bringing the total cumulative amount of the contract to \$201,600.00 for the provision of dental services during the term of September 1, 2013 to August 31, 2014. [Gloria Hurtado, Assistant City Manager; Dr. Thomas L. Schlenker, Director of Public Health]

2014-05-29-0376

17. An Ordinance authorizing updates to Chapter 34 of the City Code to impose a drought surcharge to District Special Project Water customers during designation of Stage IV of the City's Drought Management regulations, and certain revisions to water use restrictions in the Drought Management regulations applicable to all San Antonio Water System and District Special Project Customers. [Ben Gorzell, Chief

Financial Officer; Troy Elliott, Director, Finance]

2014-05-29-0378

20. An Ordinance authorizing a renewal agreement with Proof Advertising, L.L.C. for advertising, marketing and public relations services for the City of San Antonio Convention & Visitors Bureau, for a two year term beginning October 1, 2014 for an amount of \$7.5 Million. [Ed Belmares, Assistant City Manager; Casandra Matej, Director, Convention and Visitors Bureau]

2014-05-29-0379

21. An Ordinance authorizing the execution of a non-financial agreement between the City of San Antonio, San Antonio Housing Authority and Haven For Hope to provide support and housing for homeless individuals and families by providing rental subsidies and supportive services through the Homeless Services Voucher Program [Gloria Hurtado, Assistant City Manager; Melody Woosley, Director, Human Services]

2014-05-29-0380

22. An Ordinance authorizing the approval of Addendum A-11 to the Master Interlocal Agreement between the City of San Antonio and Bexar County establishing a Uniform Truancy Case Management Program. [John W. Bull, Presiding Judge, Municipal Courts]

24. Consideration of the following items related to the selection of Financial Underwriters: [Ben Gorzell, Jr., Chief Financial Officer; Troy Elliott, Director, Finance]

2014-05-29-0382

- 24A. An Ordinance authorizing and approving on the same terms and conditions for the first renewal term for the 2011 City of San Antonio Financial Underwriting Pool from which financial underwriting syndicates will be selected and approved by City Council for various financings for the period commencing October 1, 2014 and ending September 30, 2015.

2014-05-29-0383

- 24B. An Ordinance approving the Financial Underwriter Syndicates selected from the Financial Underwriting Pool for financings of General Improvement and Refunding Bonds, Series 2014, Combination Tax and Revenue Certificates of Obligation, Series 2014; and Tax Notes, Series 2014; General Improvement Refunding Bonds, Series 2014; and Customer Facility Charge and Subordinate Lien Airport System Revenue

Improvement Bonds, Series 2015.

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

The City Clerk read the caption for Item 9:

2014-05-29-0367

9. An Ordinance authorizing the following contracts establishing unit prices for goods and services for an estimated annual cost of \$3,765,000.00: (A) Toter, LLC for refuse containers, (B) Johnson Controls, Inc. for maintenance & repair of various chillers, (C) Poppe Automotive Warehouse for automotive & heavy equipment filters, (D) Dunbar Armored, Inc. for armored car services, (E) Cooper Equipment Company for Etnyre parts and service, (F) Kent Powersports, LP for Honda motorcycle parts and service, (G) Crawford Specialty, LLC d/b/a Life Care Pavilion Pharmacy for pharmacy voucher program, and (H) High Sierra Electronic, Inc. for automated flood warning systems parts. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

Councilmember Gallagher asked of the green carts being purchased for the Organics Program. Mr. David McCary replied that a portion of the purchase was for the replacement of blue and brown carts in addition to the purchase of green carts. He added that green carts would only be purchased as needed.

Councilmember Gallagher moved to adopt the proposed ordinance. Councilmember Saldaña seconded the motion. The motion prevailed by the following vote:

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

The City Clerk read the caption for Items 11A-11D:

11. Consideration of the following items relating to the City's Bicycle Master Plan Policies: [Peter Zanoni, Deputy City Manager, Mike Frisbie, Director, Transportation and Capital Improvements]

2014-05-29-0369

- 11A. An Ordinance authorizing the redirection of a 2.3-mile segment of bicycle lanes along S. Flores to Mission Road and Padre Drive within City Council Districts 3 and 5.

Art Reinhardt, Assistant CIMS Director presented a Power Point for Items 11A-D. He stated that the City Council had adopted the Bike Master Plan in 2011. He noted that policy issues were raised during the December 4, 2013 B Session to include: 1) Bicycle Helmet Law; 2) Parking in Bicycle Lanes; 3) Road Diets; and 4) Traffic Impact Analysis. He explained that the Bike Master Plan had identified a 5.3 mile segment of bicycle facilities along South Flores Street. He reported that pre-construction, the Traffic Analysis showed that a reduced number of travel lanes would not adversely affect the roadway level of service. He noted that improvements were implemented without community notice as part of the City-Wide Infrastructure Management Program (IMP). He indicated that post-construction, many citizen concerns were received by 3-1-1 and three intersections in Phase II were modified to enhance the level of service. He stated that four community meetings were held and an additional traffic study was performed. He noted that due to input, alternate routes were being proposed. He stated that \$312,000 would be required to remove 2.3 miles of bicycle lanes along South Flores and \$387,800 would be used to implement the alternate route.

For Item 11B, Mr. Reinhardt stated that vehicular parking in bicycle lanes forces bicyclists to quickly merge with vehicular traffic. He noted that restricting parking within bicycle lanes impacts adjacent property owners as they would lose the ability to have on-street parking. He added that the typical roadway width must be at least 42 feet to accommodate both on-street parking and bicycle lanes. For existing bicycle lanes, staff recommends restricting parking in those that can accommodate both on-street parking and bicycle lanes. Staff recommends restricting parking in all future bicycle lane projects and selecting and designing projects to accommodate both on-street parking and bicycle lanes.

Mr. Reinhardt stated that a bicycle helmet was an important piece of safety equipment but there was no Federal Law requiring riders to wear a helmet. He reported that 21 states had a Helmet Law but Texas did not have one. He stated that Mandatory Helmet Legislation was not recommended at this time but staff encouraged all users to wear a helmet. He added that they would review after one year to assess the progress of the Education Program.

Mr. Reinhardt explained that the Unified Development Code (UDC) currently requires developers to construct sidewalk and bicycle facilities if development is adjacent to a collector or arterial street. He indicated that performing a multi-modal level of service was not needed given that providing pedestrian and bicycle facilities was already a requirement of the UDC.

Mayor Castro thanked staff for the presentation and explained that individuals would be

given two minutes to speak and groups would be given six minutes.

Gloria Mora, Reverend Dr. Edward Kern and Ronald Catlett representing COPS/Metro addressed the City Council in support of the redirection of bike lanes on South Flores Street. Ms. Mora provided letters of support from COPS/Metro, Kim Schroeder of Southside Funeral Home, Reverend Dr. Edward J. Kern of Trinity Lutheran Church, Ronald Catlett of La Fiesta Supermarkets, Reverend Frank A. Macias of St. Leo Catholic Church, and Harlandale ISD Superintendent Rey Madrigal.

Reverend Dr. Kern stated that they were supportive of bike lanes but believed the current lanes should be redirected due to the negative effect on their parish. Mr. Catlett noted the negative impact to La Fiesta Supermarket.

Daniel Day stated that he was a bicyclist and was opposed to the recommended changes. He expressed concern with the loss of bike lanes.

Allen Townsend addressed the City Council in opposition to the removal of bike lanes. He stated that San Antonio should continue to be a bike-friendly city.

Beverly Clark expressed concern with the results of the traffic study and stated that she was in support of the redirection of bike lanes. She noted that she hoped that the streets would be fixed in the process.

Jaime Santillan stated that he and his wife were bicyclists and were opposed to the redirection of bike lines. He noted that they would like to keep the existing bike lanes.

Rodolfo Galvez spoke in opposition to the redirection of bike lanes due to the costs and noted the he enjoys riding his bike in the area.

George E. Longoria stated that he had been an active cyclist for 20 years and was opposed to the redirection of bike lanes.

Jack Sanford stated that he was speaking on behalf of Bike Texas and had received over 500 signatures in opposition to the redirection of the bike lanes. He noted that he and his family used the bike lanes and felt safer with them in place.

Robert Villafranca of Harlandale ISD read a letter from Superintendent Rey Madrigal in support of the redirection of the bike lanes. He noted safety concerns for children, parents, staff and the community.

Leonardo Trevino stated that he was a member of the cycling community and was opposed of the redirection of bike lanes.

Ruben Espronceda spoke in support of the redirection of the bike lanes. He expressed safety concerns and noted the negative economic impact to businesses in the area.

Diane Lang spoke in opposition of the redirection of bike lanes noting that many individuals were forced to use their bicycle as a necessity. She stated that the bike lanes would protect them and that more education was needed.

John Gonzales stated that he was in support of the redirection of the bike lanes and stated that VIA Metropolitan had bike racks available for individuals that did not feel comfortable riding on major thoroughfares.

City Clerk Leticia Vacek read written testimony in opposition of the redirection of bike lanes from Dierdre McDonald.

Councilmember Viagran thanked everyone that spoke on said item and stated that the conversion on Flores Street occurred before she took office. She noted concerns with the lack of communication and outreach that had occurred with the community. She mentioned a pedestrian accident that occurred in November and that public meetings were held thereafter. She stated that the area was not safe for pedestrians, cyclists, vehicles and neighbors. She asked of the length of the traffic study. Mr. Reinhardt replied that the study occurred over a three-day period.

Councilmember Viagran moved to approve staff's recommendation to redirect bike lanes. Councilmember Gallagher seconded the motion.

Councilmember Gonzales stated that a portion of the project was located in District 5 and she was opposed to the redirection of the bike lanes. She noted that bike lanes made areas safer for pedestrians and that the schools along the route would benefit from slower traffic. She expressed concern with the cost of redirecting the bike lanes and highlighted the goals of SA2020 to reduce obesity and identify alternative forms of transportation.

Councilmember Gonzales moved to deny staff's recommendation. It was stated by Mayor Castro that if the Main Motion by Councilmember Viagran does not pass; it would automatically be denied. He added that a motion to deny was not necessary.

Councilmember Gallagher stated that he was in support of the redirection of bike lanes due to safety concerns.

Councilmember Nirenberg asked for the reason for redirecting the bike lanes. Mr. Reinhardt replied that the community had rejected the project. Councilmember Nirenberg stated that he would support the staff recommendation due to the citizen comments and letters regarding safety concerns.

Councilmember Taylor stated that she was also supportive of the staff recommendation and that she was concerned with safety issues. She noted that she appreciated Councilmember Gonzales' passion and commitment on the issue.

Councilmember Viagran referenced the six letters of support provided by Ms. Gloria Mora. She noted that the alternate route maintained the spirit of the Bike Master Plan.

Mayor Castro stated that this was a challenging issue as the city had a policy of encouraging bike lanes but the residents affected were concerned with safety. He asked if there had been any incidents related to cyclists. Mr. Reinhardt replied that there had been four cyclist accidents prior to project implementation and four cyclist accidents after project implementation. Mayor Castro stated that it was important to ensure a strong network of bicycle lanes that were safe for cyclists, pedestrians, and automobile drivers.

Councilmember Gallagher added that there was increased traffic congestion along Flores Street due to the reduction in traffic lanes. He stated that due to these safety reasons, it was important to support the redirection of the bike lanes.

Councilmember Saldaña concurred with Councilmember Gonzales that bike lanes help with public safety due to slowing down traffic.

The motion to approve staff's recommendation prevailed by the following vote:

AYE: 10 - Mayor Castro, Bernal, Taylor, Viagran, Saldaña, Lopez, Medina, Nirenberg, Krier and Gallagher

NAY: 1 - Gonzales

RECESSED

Mayor Castro recessed the meeting at 1:20 pm to break for lunch and announced that the meeting would resume at 2:30 pm.

RECONVENED

Mayor Castro reconvened the meeting at 2:35 pm and addressed Item 23.

The City Clerk read the caption for Item 23:

2014-05-29-0381

- 23.** An Ordinance authorizing the naming of the Woodlawn Lake Park tennis courts to Joe V. Alderete, Jr. Tennis Courts. [Gloria Hurtado, Assistant City Manager; Xavier D. Urrutia, Director, Parks & Recreation]

Xavier Urrutia presented information regarding the naming of the Woodlawn Lake Park Tennis Courts to the Joe V. Alderete, Jr. Tennis Courts. He stated that a Committee was established to hold a public hearing on the naming of the tennis courts which consisted of him and Community Resident, Norma Rodriguez. He reported that notification was provided to 231 residents and businesses within 200 feet of the property, as well as four Neighborhood Associations in the area. He mentioned that notice of the public hearing was advertised in the newspaper, website, and through a media release. He indicated that the process was consistent with the Naming Ordinance which had been utilized for other parks. He stated that responses were mailed in with 716 responses in favor and 70 responses in opposition. He spoke of the results of the public hearing which was held on March 18th noting that 57 members attended with 26 in favor; and 30 against; with one undecided. He noted that after discussion, the Committee recommended the naming of the Woodlawn Lake Park Tennis Courts to Joe V. Alderete, Jr. Tennis Courts.

Mr. Urrutia highlighted Mr. Alderete's background noting that he was elected to the City's First Single-Member District as Councilmember for District 7 from 1977 to 1985. He stated that Mr. Alderete had been instrumental in infrastructure developments to Woodlawn Lake Park and had hosted Summer Tennis Camps for over 10 years. He added that Mr. Alderete spearheaded the Annual Earth Day Event at Woodlawn Lake Park and currently serves as the Alamo Colleges Board Trustee for District 1.

Mayor Castro called upon the individuals registered to speak.

Bill Drain spoke in support of the naming of the Woodlawn Lake Park Tennis Courts to Joe V. Alderete, Jr. Tennis Courts. He stated that Mr. Alderete was an asset to the city and was deserving of the naming.

Roger S. Ojeda stated that he was a Volunteer Board Member of the San Antonio Tennis Association in support of the naming to Joe V. Alderete, Jr. Tennis Courts.

Alejandro Soto, President of the Woodlawn Lake Community Association stated that he had served as a member of the Parks and Recreation Board for seven years. He noted that the Woodlawn Lake Community Association had unanimously voted in opposition to the

naming of the Woodlawn Lake Park Tennis Courts to Joe V. Alderete, Jr. Tennis Courts. He expressed concern with the naming process that was utilized.

Dr. Gloria Rodriguez spoke in opposition to the naming of the Woodlawn Lake Park Tennis Courts to Joe V. Alderete, Jr. Tennis Courts. She expressed concern that the process was skewed and made mention of Mr. Alderete's past. She asked how this would affect the children that use the tennis courts.

Ashley Hernandez stated that she was opposed to the naming of the Woodlawn Lake Park Tennis Courts to Joe V. Alderete, Jr. Tennis Courts. She noted that she had attended the tennis camps and had not received any free equipment from Mr. Alderete. She expressed concern that donated funds were unaccounted for and with his lack of communication with the community.

Elia Reyna representing the Jefferson Neighborhood Association spoke in opposition to the naming of the Woodlawn Lake Park Tennis Courts to Joe V. Alderete, Jr. Tennis Courts. She stated that the Jefferson Neighborhood Association had voted in opposition to the naming and that Woodlawn Lake Park should remain as currently named.

Richard Tankersley spoke in support of the naming of the Joe V. Alderete, Jr. Tennis Courts and stated that Mr. Alderete had greatly contributed to the community by donating tennis lessons to area youth.

Grace Villarreal, President of the Sunshine Estates Neighborhood Association spoke in support of the naming of the Joe V. Alderete, Jr. Tennis Courts. She stated that she believed that Mr. Alderete was worthy of the honor and that she was pleased with the improvements that had been made at Woodlawn Lake Park.

Mauro Calvo spoke in support of the naming of the Joe V. Alderete, Jr. Tennis Courts and stated that Mr. Alderete had volunteered his time to teach youth and provide them with tennis equipment.

Bianca Maldonado representing the Monticello Neighborhood Association stated that their Association had voted unanimously in opposition to the naming of the Woodlawn Lake Park Tennis Courts to Joe V. Alderete, Jr. Tennis Courts. She noted that they did not believe that the tennis courts should be named after a living person and expressed concern with the process.

Theresa Vale spoke in support of the naming of the Joe V. Alderete, Jr. Tennis Courts and stated that she had known Mr. Alderete since he was a college student. She noted that he

had dedicated a great amount of time to teach youth in the area and provided them with free tennis equipment.

Henry Rodriguez stated that he had lived on Huisache Street and had utilized Woodlawn Lake Park. He spoke in support of the naming of the Joe V. Alderete, Jr. Tennis Courts noting that he had witnessed Mr. Alderete providing free tennis lessons and equipment to youth.

Rosa Rosales spoke in support of the naming of the Joe V. Alderete, Jr. Tennis Courts and highlighted Mr. Alderete's Accomplishments. She stated that Mr. Alderete was committed to the community and deserving of the honor.

Joe J. Bernal spoke in support of the naming of the Woodlawn Lake Park Tennis Courts to Joe V. Alderete, Jr. Tennis Courts. He stated that Mr. Alderete had provided excellent service for the District and had restored the area a great deal.

Charlotte Kahl spoke in support of the naming of the Joe V. Alderete, Jr. Tennis Courts. She stated that she had lived in the area when it was not safe and that Mr. Alderete and the Woodlawn Lake Planning Team had turned the park into a safe and beautiful park.

Guadalupe Mireles spoke in support of the naming of the Joe V. Alderete, Jr. Tennis Courts. She stated that Mr. Alderete had invested time and money into Woodlawn Lake Park and brought millions of dollars to the District.

Chris Alderete spoke in support of the naming of the Woodlawn Lake Park Tennis Courts to the Joe V. Alderete, Jr. Tennis Courts. She stated that she had requested the naming of the tennis courts in honor of her husband's achievements in the area. She noted that he had provided free tennis lessons and equipment to area youth and was deserving of the honor.

Ray E. Seta spoke in support of the naming of the Joe V. Alderete, Jr. Tennis Courts. He stated that he had worked with Mr. Alderete on the Woodlawn Lake Planning Team and was pleased with his efforts to secure funds and clean up the area.

Joe Candelario spoke in support of the naming of the Joe V. Alderete, Jr. Tennis Courts. He stated that he had been honored to serve as one of the first instructors at Mr. Alderete's Tennis Camp and that Mr. Alderete had helped a great number of youth.

Bert Guerra spoke in support of the naming of the Joe V. Alderete, Jr. Tennis Courts. He stated that Mr. Alderete had provided a great amount of improvements in the area and believed he was worthy of the honor.

Judge Al Alonso spoke in support of the naming of the Joe V. Alderete, Jr. Tennis Courts. He stated that he had known Mr. Alderete for over 40 years and had witnessed his great work in the community.

Ashley Hernandez spoke in opposition to the naming of the Joe V. Alderete, Jr. Tennis Courts and expressed concern with the naming process and lack of communication.

Mrs. Vacek read a statement from Councilmember Lopez noting that he was unable to stay for the vote on Item 23 due to a medical issue. He stated that he wholeheartedly supported this honor for Mr. Alderete due to his lifelong commitment to the District.

Mrs. Vacek read a letter of support for the naming of the Joe V. Alderete, Jr. Tennis Courts from Mayor Ed Garza. She announced that five additional letters of support were received from Dr. William Elizondo, Frank & Janie Fonseca, Dr. Ellen Riojas Clark, Norma & Arthur Rodriguez, and Gabe Farias of the Westside Chamber of Commerce.

Councilmember Medina thanked everyone that spoke and asked staff of the naming process followed. Mr. Urrutia replied that they had followed the process outlined in the Naming Ordinance. He stated that they had a great amount of input and that the public hearing was very well attended by District 7 Residents. Councilmember Medina asked of the number of responses received. Mr. Urrutia replied that of the 716 responses received in favor; 237 were from District 7 Residents and 479 were Citywide. He noted that of the 70 responses received in opposition; 50 were District 7 Residents and 20 were Citywide. He added that the notification to the Neighborhood Associations was not a requirement of the process. Councilmember Medina stated that the Sunshine Estates, Maverick, and Donaldson Terrace Neighborhood Associations were in support of the naming of the Joe V. Alderete, Jr. Tennis Courts. Councilmember Medina spoke of Mr. Alderete's Accomplishments and great service to the community and stated that he was worthy of the recognition.

Councilmember Gallagher stated that he was supportive of the naming of the Joe V. Alderete, Jr. Tennis Courts and that Mr. Alderete was deserving of the honor.

Councilmember Bernal stated that District 1 covers a small part of the area near Woodlawn Lake and he was supportive of the naming of the Joe V. Alderete, Jr. Tennis Courts. He noted that he had been positively affected by Mr. Alderete and his family and could attest to his great work in the community.

Councilmember Nirenberg stated that there was a great level of intensity on both sides. He noted that the data suggested that there was a great amount of support for the naming of the

Joe V. Alderete, Jr. Tennis Courts and he would be supportive of same.

Councilmember Krier added that he was also supportive of the naming of the Joe V. Alderete, Jr. Tennis Courts and noted that there was not a current policy in place of naming things only for deceased individuals. He stated that he would like to discuss a policy change in the future.

Mayor Castro thanked everyone that spoke and stated that Mr. Alderete was worthy of the honor. He noted that he had known the Alderete Family for many years and was familiar with Mr. Alderete's great work in the community.

Councilmember Medina moved to adopt the proposed ordinance. Councilmember Gallagher seconded the motion. The motion prevailed by the following vote:

AYE: 10 - Mayor Castro, Bernal, Taylor, Viagran, Saldaña, Gonzales, Medina, Nirenberg, Krier and Gallagher

ABSENT: 1 - Lopez

Mayor Castro addressed Item 11B at this time.

2014-05-29-0370

11B. An Ordinance restricting vehicle parking in existing bicycle lanes that can accommodate both on-street parking and bicycle lanes and in all bicycle lanes to be constructed in the future.

Councilmember Gallagher asked of the staff recommendation to restrict parking in existing bike lanes. Mr. Reinhardt replied that the intent for existing roadways would be to restrict parking within bike lanes if the roadway can accommodate on-street parking. Councilmember Gallagher asked how the vehicles that used to park in those areas would be addressed. Mr. Reinhardt stated that for those streets that could not be accommodated, they would recommend not implementing the No Parking Restriction. Councilmember Gallagher expressed concern with the Small Business Owners that could be affected by not having enough parking. Mr. Reinhardt stated that they would not restrict parking in bike lanes if the street could not accommodate on-street parking. Councilmember Gallagher asked if there had been a problem with parking in neighborhoods in areas where bike lanes had been installed. Chief McManus replied that they had not had any issues with parking in neighborhoods due to the bike lanes.

Councilmember Saldaña moved to adopt the proposed ordinance. Councilmember Viagran seconded the motion. The motion prevailed by the following vote:

AYE: 7 - Mayor Castro, Bernal, Taylor, Viagran, Saldaña, Gonzales and Nirenberg

NAY: 2 - Krier and Gallagher

ABSENT: 2 - Lopez and Medina

2014-05-29-0018R

11C. A Resolution in support of further evaluation by staff regarding bicycle helmet usage and increased bicycle safety awareness.

Councilmember Gonzales moved to approve the resolution for Item 11C. Councilmember Nirenberg seconded the motion. The motion prevailed by the following vote:

AYE: 10 - Mayor Castro, Bernal, Taylor, Viagran, Saldaña, Gonzales, Medina, Nirenberg, Krier and Gallagher

ABSENT: 1 - Lopez

2014-05-29-0019R

11D. A Resolution confirming the exclusion of pedestrian and bicycle traffic counts from Traffic Impact Analysis studies.

Councilmember Gonzales asked of the exclusion of pedestrian and bicycle traffic counts from the studies. Mr. Reinhardt replied that they did not include them in new development because the Developer would be required by the UDC to include them.

Councilmember Gallagher asked why the information was being excluded. Mr. Reinhardt stated that the UDC already required Developers to install sidewalks and bike lanes on local streets.

Councilmember Viagran asked how they could include pedestrians and cyclists as part of the Traffic Impact Analysis. Mr. Reinhardt stated that the improvements for pedestrians and cyclists were already required as part of the UDC. Christina De La Cruz confirmed same and noted that pedestrian and cyclist counts could be gathered as Historical Data.

Councilmember Taylor spoke of the infrastructure that has been built that is not pedestrian-friendly.

Councilmember Saldaña stated that he wanted to ensure that all numbers were accounted for and was supportive of the resolution.

Councilmember Medina asked of the reason for the exclusion. Mr. Reinhardt stated that they did not believe that the numbers were necessary due to the requirements for Developers.

Councilmember Gonzales moved to approve the resolution. Councilmember Bernal seconded the motion. The motion prevailed by the following vote:

AYE: 9 - Bernal, Taylor, Viagran, Saldaña, Gonzales, Medina, Nirenberg, Krier and Gallagher

ABSENT: 2 - Mayor Castro and Lopez

The City Clerk read the caption for Item 18:

2014-05-29-0377

- 18.** An Ordinance amending Article III and Article VI of Chapter 35, Unified Development Code, of the City Code of San Antonio relating to regulations for performing arts centers and allowing monitors to display performances in the RIO-3 District. [Carlos Contreras, Assistant City Manager; Shanon Shea Miller, Director, Office of Historic Preservation]

Councilmember Gallagher asked what the Council was voting on. Shanon Shea Miller explained that the amendment would allow for the Tobin Performing Arts Center to request a Special Use Authorization for a Digital Monitor. She stated that it would not allow any advertising and would only be allowed during ticketed events. Councilmember Gallagher expressed concern that a great amount of requests would be received. Ms. Miller replied that it only applied to a Performing Arts Venue with at least 1,500 seats and 100,000 square feet which includes the Tobin Center for the Performing Arts and the Lila Cockrell Theater.

Councilmember Nirenberg confirmed that advertising would not be allowed on the Digital Monitor. Ms. Miller replied that was correct and would be included in the City Code.

Councilmember Gallagher moved to adopt the proposed ordinance. Councilmember Bernal seconded the motion. The motion prevailed by the following vote:

AYE: 9 - Bernal, Taylor, Viagran, Saldaña, Gonzales, Medina, Nirenberg, Krier and Gallagher

ABSENT: 2 - Mayor Castro and Lopez

The City Clerk read the caption for Item 19B:

- 19.** Consideration of the following Board, Commission and Committee appointments for the remainder of unexpired terms of office to expire May 31, 2015, 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) Reappointing Ruben J. De Leon (District 3) to the Ethics Review Board.

B) Appointing Leslie G. Carranza (District 7) and reappointing Jeffrey J. White (District 3) to the Animal Care Services Advisory Board.

C) Reappointing Tenna Florian (District 1) to the Citizens' Environmental Advisory Committee.

D) Appointing Joseph Diaz (District 7) and reappointing Richard W. Zagrocki (District 4) to the Building Standards Board.

E) Appointing Whick D. Turner (District 8) to the Disability Access Advisory Committee.

Councilmember Medina recognized Leslie G. Carranza for willing to serve on the Animal Care Services Board. He noted that the previous Representative of District 7, Randy Murdock, passed away earlier this year.

Councilmember Viagran moved to approve Item 19B. Councilmember Bernal seconded the motion. The motion prevailed by the following vote:

AYE: 9 - Bernal, Taylor, Viagran, Saldaña, Gonzales, Medina, Nirenberg, Krier and Gallagher

ABSENT: 2 - Mayor Castro and Lopez

25. City Manager's Report

A. VISTA Volunteer Update

B. Convention Center Expansion Update

There was no City Manager's Report.

POINT OF PERSONAL PRIVILEGE

The City Council sang Happy Birthday to Councilmember Gonzales who would be celebrating her birthday on Monday, June 2, 2014.

EXECUTIVE SESSION

Mayor Pro Tem Medina recessed the meeting into Executive Session at 4:44 pm to discuss the following:

A. Discuss legal issues related to collective bargaining pursuant to Texas Government Code Section 551.071 (consultation with attorney).

B. 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).

C. 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).

RECONVENED

Mayor Castro reconvened the meeting at 5:05 pm and announced that no action was taken in Executive Session.

ADJOURNMENT

There being no further discussion, Mayor Castro adjourned the meeting at 5:05 pm.

APPROVED

JULIÁN CASTRO
MAYOR

ATTEST:

LETICIA M. VACEK, TRMC/MMC
CITY CLERK