

Cause No. 2019CI18637

**Patrick Von Dohlen; Brian Greco;
Kevin Jason Khattar; Michael
Knuffke; and Daniel Petri,**

Plaintiffs,

v.

**City of San Antonio and Paradies
Lagardère @ SAT LLC,**

Defendants

IN THE DISTRICT COURT

BEXAR COUNTY, TEXAS

438th JUDICIAL DISTRICT

**PLAINTIFFS' ORIGINAL PETITION AND
APPLICATION FOR TEMPORARY INJUNCTION**

The law of Texas prohibits governmental entities from taking “adverse action” against corporations based on their contributions to a religious organization. *See* Texas Gov’t Code § 2400.002. The City of San Antonio is violating this statutory command by excluding Chick-fil-A from the San Antonio airport on account of its donations to Christian organizations such as the Salvation Army and the Fellowship of Christian Athletes. The plaintiffs seek declaratory and injunctive relief against this unlawful and continuing exclusion of Chick-fil-A from the San Antonio airport.

DISCOVERY CONTROL PLAN

1. The plaintiffs intend to conduct discovery under Level 3 of the rules set forth in Rule 190 of the Texas Rules of Civil Procedure.

PARTIES

2. Plaintiff Patrick Von Dohlen resides in the city of San Antonio in Bexar County, Texas.

3. Plaintiff Brian Greco resides in the city of San Antonio in Bexar County, Texas.

4. Plaintiff Kevin Jason Khattar resides in Kendall County, Texas.

5. Plaintiff Michael Knuffke resides in Comal County, Texas.

6. Plaintiff Daniel Petri resides in the city of San Antonio in Bexar County, Texas.

7. Defendant the City of San Antonio is a home-rule municipality in Bexar County, Texas. It may be served with civil process by serving Leticia M. Vacek, City Clerk, at 114 West Commerce, San Antonio, Texas 78205. *See* Tex. Civ. Prac. & Rem. Code § 17.024(b); Charter of the City of San Antonio, Art. 2, § 10.

8. Defendant Paradies Lagardère @ SAT LLC (“Paradies Lagardère”) is a Texas limited liability company. Its headquarters are located at 2849 Paces Ferry Road, Overlook 1, Suite 400, Atlanta, Georgia, 30339. It may be served with civil process by serving Corporation Service Company, d/b/a CSC—Lawyers Incorporating Service Company, 211 East Seventh Street, Suite 620, Austin, Texas 78701.

JURISDICTION AND VENUE

9. The Court has subject-matter jurisdiction under the Texas Constitution, Article V, § 8, as the amount in controversy exceeds the minimum jurisdictional limits of the court exclusive of interest. The plaintiffs seek relief that can be granted by courts of law or equity.

10. The Court has jurisdiction over the plaintiffs’ request for declaratory and injunctive relief under section 2400.003 of the Texas Government Code because section 2400.004 of the Texas Government Code waives the city’s governmental immunity for such claims

11. Plaintiff Patrick Von Dohlen has standing to seek declaratory and injunctive relief because he uses the San Antonio airport for travel and would patronize Chick-fil-A if the city had not banned it from the airport. *See* Affidavit of Patrick Von Dohlen (attached as Exhibit 15).

12. Plaintiff Brian Greco has standing to seek declaratory and injunctive relief because he uses the San Antonio airport for travel and would patronize Chick-fil-A if

the city had not banned it from the airport. *See* Affidavit of Brian Greco (attached as Exhibit 16).

13. Plaintiff Kevin Jason Khattar has standing to seek declaratory and injunctive relief because he uses the San Antonio airport for travel and would patronize Chick-fil-A if the city had not banned it from the airport. *See* Affidavit of Kevin Jason Khattar (attached as Exhibit 17).

14. Plaintiff Michael Knuffke has standing to seek declaratory and injunctive relief because he uses the San Antonio airport for travel and would patronize Chick-fil-A if the city had not banned it from the airport. *See* Affidavit of Michael Knuffke (attached as Exhibit 18).

15. Plaintiff Daniel Petri has standing to seek declaratory and injunctive relief because he uses the San Antonio airport for travel and would patronize Chick-fil-A if the city had not banned it from the airport. *See* Affidavit of Daniel Petri (attached as Exhibit 19).

16. Although each of the plaintiffs is asserting a particularized injury that distinguishes them from the general public, there is no need for any of the plaintiffs to allege these injuries because section 2400.004 empowers any “person who alleges a violation of section 2400.002” to “sue the governmental entity for the relief provided under Section 2400.003.” *See* Tex. Gov’t Code § 2400.004 (“A person who alleges a violation of Section 2400.002 may sue the governmental entity for the relief provided under Section 2400.003.”). This statute confers standing on any person who alleges a violation of section 2400.002, and there is no need for a plaintiff to have suffered a particularized injury. *See, e.g., Andrade v. Venable*, 372 S.W.3d 134, 137 (Tex. 2012) (“Unless standing is conferred by statute, a plaintiff must show that he has suffered a particularized injury distinct from the general public.”); *see also Spence v. Fenchler*, 107 Tex. 443, 180 S.W. 597 (1915) (allowing private litigants to sue

under a statute conferred standing upon “any citizen” to bring an action to enjoin the operation of a bawdyhouse, without any need to show individualized injury).

17. The plaintiffs bring their claims exclusively under state law, and they disclaim any reliance on federal law or any federal cause of action.

18. The Court has personal jurisdiction over each of the defendants.

19. Venue is proper because a substantial portion of the events giving rise to the claims occurred in Bexar County, Texas. *See* Tex. Civ. Prac. & Rem. Code §§ 15.002, 15.003, 15.005, 15.035.

FACTUAL ALLEGATIONS

20. For years, liberal activists have been attacking Chick-fil-A because it gives money to Christian organizations that accept the Bible as the Word of God.

21. Because these Bible-believing Christian organizations derive their notions of morality from the Bible rather than modern-day cultural fads, they oppose homosexual behavior and same-sex marriage.

22. Chick-fil-A has long supported Bible-believing Christian organizations of this sort. In 2010, Chick-fil-A gave over \$8 million to the WinShape Foundation, a charitable organization run by the family of S. Truett Cathy, the founder of Chick-fil-A.¹ WinShape, in turn, has donated money to Bible-believing Christian organizations such as the Family Research Council, the Marriage & Family Foundation, and Exodus International.²

23. In 2011, activists began to publicly denounce Chick-fil-A and WinShape for donating to these Christian organizations. On March 22, 2011, an organization called Equality Matters published a report entitled, “Investigation Reveals Depth of Chick-

1. https://pdf.guidestar.org/PDF_Images/2010/581/595/2010-581595471-07c2a7b1-F.pdf (last visited on September 5, 2019).

2. *See* Clare O’Connor, *Meet The Cathys: Your Guide To The Billionaires Behind Chick-fil-A*, *Forbes* (Aug. 3, 2012), available at <https://www.forbes.com/sites/clareoconnor/2012/08/03/meet-the-cathys-your-guide-to-the-billionaires-behind-chick-fil-a/#23502faa33a7> (last visited on September 5, 2019).

Fil-A's Ties to Anti-Gay Causes." See Exhibit 1 (available at <http://equalitymatters.org/blog/201103220005#6>). The document criticized Chick-fil-A for donating to WinShape, and criticized WinShape for donating \$1.1 million to Bible-believing Christian organizations. The document specifically called out the following charitable contributions that WinShape made:

- \$631,600 to the National Christian Foundation
- \$480,000 to the Fellowship of Christian Athletes
- \$15,000 to Serving Marriages, Inc.
- \$5,000 to the Alliance Defense Fund
- \$5,000 Christian Camp and Conference Association
- \$2,850 to the Campus Crusade for Christ
- \$2,000 to the Georgia Family Council
- \$1,000 to the Family Research Council

See Exhibit 1.

24. The 2011 report from Equality Matters was publicized by left-wing blogs and news outlets, including the Huffington Post. See Exhibit 2 (available at https://www.huffpost.com/entry/chick-fil-a-donated-anti-gay-groups-2009_n_1069429).

25. On July 2, 2012, Equality Matters published another report criticizing Chick-fil-A and WinShape for charitable contributions made to Bible-believing Christian organizations in 2010. See Exhibit 3 (available at <http://equalitymatters.org/factcheck/201207020001> (last visited on September 5, 2019)). This time Equality Matters called out the following donations that WinShape made to Christian organizations:

- \$1,188,380 to the Marriage & Family Foundation
- \$480,000 to the Fellowship of Christian Athletes
- \$247,500 to the National Christian Foundation
- \$54,000 to the New Mexico Christian Foundation
- \$2,500 to the Georgia Family Council
- \$1,000 to Exodus International
- \$1,000 to the Family Research Council

See Exhibit 3.

26. This 2012 report from Equality Matters was propagated by left-wing news outlets such as The Advocate and the Huffington Post. *See* Exhibit 4 (available at <https://www.advocate.com/business/2012/07/02/chick-fil-donates-2-mil-antigay-groups> (last visited on September 5, 2019)); Exhibit 5 (available at https://www.huffpost.com/entry/chick-fil-a-anti-gay-group-donations_n_1644609 (last visited on September 5, 2019)).

27. In 2012, Dan T. Cathy, the chief operating officer of Chick-fil-A, publicly declared his opposition to same-sex marriage. On June 16, 2012, Mr. Cathy made the following statements on a radio show:

I think we are inviting God’s judgment on our nation when we shake our fist at Him and say, “We know better than you as to what constitutes a marriage.” I pray God’s mercy on our generation that has such a prideful, arrogant attitude to think that we have the audacity to define what marriage is about.

28. On July 2, 2012, Biblical Recorder published an interview with Mr. Cathy in which he made the following remarks:

“We are very much supportive of the family—the biblical definition of the family unit. We are a family-owned business, a family-led business, and we are married to our first wives. We give God thanks for that. . . . We want to do anything we possibly can to strengthen families. We are very much committed to that,” Cathy emphasized. “We intend to stay the course,” he said. “We know that it might not be popular with everyone, but thank the Lord, we live in a country where we can share our values and operate on biblical principles.”

29. Later in 2012, big-city mayors started threatening Chick-fil-A in response to its charitable donations and Mr. Cathy’s comments. On July 12, 2012, Thomas Menino, the mayor of Boston, wrote to Mr. Cathy and threatened to ban Chick-fil-A from opening new stores in Boston:

I was angry to learn on the heels of your prejudiced statements about your search for a site to locate in Boston. There is no place for discrimination on Boston’s Freedom Trail and no place for your company alongside it When Massachusetts became the first state in the country

to recognize equal marriage rights, I personally stood on City Hall Plaza to greet same sex couples coming here to be married. It would be an insult to them and to our city's long history of expanding freedom to have a Chick-fil-A across the street from that spot.

See Exhibit 6.

30. On July 26, 2012, Ed Lee, the mayor of San Francisco, sent out a threatening tweet that said:

Closest #ChickFilA to San Francisco is 40 miles away & I strongly recommend that they not try to come any closer.

See Exhibit 7 (available at <https://twitter.com/mayoredlee/status/228635058636992512?lang=en> (last visited on September 5, 2019)).

31. On July 25, 2012, a Chicago alderman named Joe Moreno announced that he would exercise his “aldermanic privilege” to block Chick-fil-A from opening in the first ward. Then-mayor Rahm Emanuel backed the alderman’s stance, declaring that “Chick-fil-A values are not Chicago values,” and that “[t]hey disrespect our fellow neighbors and residents. This would be a bad investment, since it would be empty.”

See Exhibit 8 (available at <https://www.chicagotribune.com/business/ct-met-chicago-chick-fil-a-20120725-story.html> (last visited on September 5, 2019)).

32. The threats had their desired effect, for the most part. In response to Alderman Moreno’s threat, Chick-fil-A wrote the alderman a letter promising that WinShape “is now taking a much closer look at the organizations it considers helping, and in that process will remain true to its stated philosophy of not supporting organizations with political agendas.” Kim Severson, Chick-fil-A and Chicago Alderman Reach Agreement, N.Y. Times (Sept. 19, 2012) (available at <https://www.nytimes.com/2012/09/20/us/chick-fil-a-and-chicago-alderman-reach-agreement.html> (last visited on September 5, 2019)) (attached as Exhibit 9). WinShape also dropped its financial support of Focus on the Family and Exodus International. *See id.* Chick-fil-A also issued a statement announcing that Mr. Cathy and company officials would no

longer opine on the issue of same-sex marriage, stating: “[G]oing forward, our intent is to leave the policy debate over same-sex marriage to the government and political arena.” *See id.*

33. But these changes haven’t been enough to satisfy the most militant of the anti-Chick-fil-A activists, because WinShape continues to support the Salvation Army and the Fellowship of Christian Athletes. On March 3, 2014, a story in “QNotes” noted with approval that Chick-fil-A and WinShape had ceased their financial support of the Marriage & Family Foundation, the National Christian Foundation, Family Research Council, and Exodus International. *See* Exhibit 10 (available at <https://goqnotes.com/27860/new-chick-fil-a-filings-show-decrease-in-anti-lgbt-funding> (last visited on September 5, 2019)). But the story nevertheless observed:

Only one arguably anti-LGBT group remains, the Fellowship of Christian Athletes, which holds some anti-LGBT leadership policies and religious doctrines. But, that group received just \$25,390 in 2012, down from nearly a half-million dollars in funds it received in 2010.

See id.

34. On July 6, 2017, a story in Think Progress criticized Chick-fil-A and WinShape for their 2015 donations to the Salvation Army and the Fellowship of Christian Athletes. *See* Exhibit 11 (available at <https://thinkprogress.org/chick-fil-a-still-anti-gay-970f079bf85> (last visited on September 5, 2019)).

35. On March 20, 2019, another story in ThinkProgress denounced Chick-fil-A and WinShape for their 2017 donations to the Salvation Army and the Fellowship of Christian Athletes. *See* Exhibit 13 (available at <https://thinkprogress.org/chick-fil-a-anti-lgbtq-donations-tax-filings-62ca15281f17> (last visited on September 5, 2019)).

According to this report, which analyzed the foundation’s tax filings:

The donations—\$1,653,416 to the Fellowship of Christian Athletes, \$6,000 to the Paul Anderson Youth Home, and \$150,000 to the Salvation Army—actually represent a slight increase from the previous

year. The foundation's funding comes almost entirely from the corporate treasury and shares leadership with the company.

The Fellowship of Christian Athletes is a religious organization that seeks to spread an anti-LGBTQ message to college athletes and requires a strict "sexual purity" policy for its employees that bars any "homosexual acts." Paul Anderson Youth Home, a "Christian residential home for trouble youth," teaches boys that homosexuality is wrong and that same-sex marriage is "rage against Jesus Christ and His values."

The Salvation Army has a long record of opposing legal protections for LGBTQ Americans and at the time of the donations had a written policy of merely complying with local "relevant employment laws." The organization's website has since changed to indicate a national policy of non-discrimination based on sexual orientation and gender identity.

See Exhibit 11.

36. The 2019 report from ThinkProgress was picked up by many other news outlets, including Fox News, Vox, Business Insider, and the Huffington Post.

37. Chick-fil-A continues to defend WinShape's donations to the Salvation Army and the Fellowship of Christian Athletes in response to this recent criticism. *See* Kate Taylor, *For Chick-fil-A, impact trumps 'any political or cultural war' when it comes to controversial donations*, Business Insider (May 15, 2019) (available at <https://www.businessinsider.com/chick-fil-a-explains-donations-groups-considered-anti-gay-2019-5> (last visited on September 5, 2019)) (attached as Exhibit 14).

38. On March 21, 2019, the City Council of San Antonio considered whether to approve an agreement that would allow Paradies Lagardère to operate concessions in the San Antonio airport. *See* Exhibit 14 (available at <https://sanantonio.legistar.com/View.ashx?M=M&ID=671873&GUID=C5EEC666-2EA5-45EF-8FA5-91C9A3121181> (last visited on September 5, 2019)). Under the terms of this agreement, Paradies Lagardère would install a Chick-fil-A restaurant in a 985-square-foot space across from Gate A6.

39. At the meeting, Councilmember Roberto C. Treviño announced that he wanted Chick-fil-A banned from the San Antonio airport and read aloud the following prepared statement:

The inclusion of Chick-fil-A as a national brand tenant is something I cannot support. The heart of the LGBTQ community is in District One and the community has come together to voice its disapproval of this proposal because it includes a company with a legacy of anti-LGBTQ behavior. The work our city has done to become a champion of equality and inclusion should not be undone so easily, which is why I cannot support the staff recommendation today. Perhaps the Office of Equity and Inclusion should be involved in the vetting of economic deals to ensure they align with our core values as a city. I therefore move to approve staff recommendation with the following amendment: Directing staff to work with the concessionaire to secure another concept other than Chick-fil-A consistent with the requirements of the RFP, which will not change the MAG and will not decrease the percentage rent.

City Council A Session Video, Mar. 21, 2019, at 3:53:25, at <https://sanantoniotx.new.swagit.com/videos/26748> (last visited on September 5, 2019).

40. Councilmember Treviño then moved to approve the agreement with Paradies Lagardère, but with an amendment would direct the city's staff to work with Paradies Lagardère in replacing Chick-fil-A with another vendor. *See* Exhibit 14, page 17 (available at <https://sanantonio.legistar.com/View.ashx?M=M&ID=671873&GUID=C5EEC666-2EA5-45EF-8FA5-91C9A3121181> (last visited on September 5, 2019)).

41. Councilmember Manny Pelaez seconded Treviño's motion, and explicitly stated that he wanted Chick-fil-A banned from the airport because of its donations to certain religious organizations that oppose homosexual behavior:

Let me tell you why I seconded this motion. For many years, Chick-fil-A corporate has been funding anti-LGBTQ organizations . . . I also think it would be abhorrent and a violation of my conscience and certainly a violation of the city's values, if we help, by bringing in a restaurant like that, if we help them fund those efforts, by making

money off of our airport. And if we've got a choice by indirectly helping fund efforts to continue conversion therapy or continue discriminating against people and really just harming fellow human beings, then I will always choose on the side of trying to not enable that. And that's all this does. It would enable that.

City Council A Session Video, Mar. 21, 2019, at 4:54:45, at <https://sanantoniotx.new.swagit.com/videos/26748> (last visited on September 5, 2019).

42. Later in his remarks, Councilmember Pelaez stated that Chick-fil-A should be banned from the San Antonio airport because some people regard Chick-fil-A as a “symbol of hate.”

I want to make to sure that when people traverse our airport, the first thing that they see is a San Antonio that is welcoming, and that they not see a symbol that for many people is a symbol of hate.

City Council A Session Video, Mar. 21, 2019, at 4:56:35, at <https://sanantoniotx.new.swagit.com/videos/26748> (last visited on September 5, 2019).

43. Councilmember Pelaez also said that he wanted Chick-fil-A banned from the San Antonio airport because it is closed on Sundays:

I don't want a restaurant that isn't available on Sundays either. I don't care why it is that they're not open on Sundays, but I want to make sure that every single one of our guests gets the full panoply of items available to them on every day of the week, including Sundays.

City Council A Session Video, Mar. 21, 2019, at 4:57:13, at <https://sanantoniotx.new.swagit.com/videos/26748> (last visited on September 5, 2019).

44. Finally, Councilmember Pelaez said:

[I]f Chick-fil-A wants to make people feel unwelcome, they're certainly welcome to do that at their own restaurants, just not in my airport and my constituents' airport.

City Council A Session Video, Mar. 21, 2019, at 4:58:49, at <https://sanantoniotx.new.swagit.com/videos/26748> (last visited on September 5, 2019). Councilmember Pelaez never explained how Chick-fil-A “makes people feel unwelcome,” apart from its donations to Christian organizations that disapprove of homosexual behavior.

45. Several members of the City Council spoke in opposition to Treviño and Pelaez's efforts to ban Chick-fil-A from the airport. Councilmember Courage said:

I just am concerned that if we start picking and choosing based on social issues, does that mean we don't want to have a certain health group go into the medical center? Or we don't want to rent a space to a business on the river walk because of what their owner has done in the past? Or are we not going to go ahead and allow a building to be rezoned or something because it's going to be housed by atheists or humanists or agnostics or whatever? I think that is going down a very wrong path for the city council to take. So I'm going to reiterate my opposition to his motion and I just hope that the other council members will give that their consideration too.

City Council A Session Video, Mar. 21, 2019, at 5:22:38, at <https://sanantoniotx.new.swagit.com/videos/26748> (last visited on September 5, 2019).

46. Councilmember Perry also opposed the Chick-fil-A ban:

I want to echo those same exact words from Councilmember Courage. I think this is the wrong thing to do at this point in the process.

City Council A Session Video, Mar. 21, 2019, at 5:23:33, at <https://sanantoniotx.new.swagit.com/videos/26748> (last visited on September 5, 2019).

47. After these remarks, the council voted 6-4, with one abstention, to approve the contract with Councilmember Treviño's amendment to ban Chick-fil-A from the airport. *See* Exhibit 14.

CAUSE OF ACTION

48. Section 2400.002 of the Texas Government Code provides:

Notwithstanding any other law, a governmental entity may not take any adverse action against any person based wholly or partly on the person's membership in, affiliation with, or contribution, donation, or other support provided to a religious organization.

49. The city of San Antonio is violating section 2400.002 by banning Chick-fil-A from its airport. The city's continued exclusion of Chick-fil-A is based "wholly or partly" on Chick-fil-A's past and present contributions, donations, and support for

certain religious organizations, including the Salvation Army and the Fellowship of Christian Athletes, which it provides through its WinShape, its charitable foundation.

50. Section 2400.004 of the Texas Government Code abrogates the city's governmental immunity and permits "any person who alleges a violation of section 2400.002" to "sue the governmental entity for the relief provided under Section 2400.003." *See* Tex. Gov't Code § 2400.004 ("A person who alleges a violation of Section 2400.002 may sue the governmental entity for the relief provided under Section 2400.003.").

51. Each of the plaintiffs has standing to sue the city over its decision to ban Chick-fil-A from the San Antonio airport because they use the San Antonio airport for travel and would patronize Chick-fil-A at the airport if it were allowed to operate there. This particularized injury distinguishes the plaintiffs from the general public.

52. Even if the plaintiffs lacked a particularized injury, they would have statutory standing to sue the city under section 2400.004, which empowers "a person who alleges a violation of section 2400.002" to "sue the governmental entity for the relief provided under Section 2400.003." Tex. Gov't Code § 2400.004. Section 2400.004 confers standing on any person who alleges a violation of section 2400.002, without regard to whether that plaintiff has suffered a particularized injury.

53. The plaintiffs bring suit under the cause of action established in section 2400.004, and they seek declaratory and injunctive relief, along with court costs and attorneys' fees, under section 2400.003.

54. Because Paradies Lagardère is implementing the city's instructions to exclude Chick-fil-A from the San Antonio airport, it should be joined as a party under Rule 39 of the Texas Rules of Civil Procedure.

GROUNDS FOR TEMPORARY INJUNCTION

55. To obtain a temporary injunction, an applicant must plead and prove: “(1) a cause of action against the defendant; (2) a probable right to the relief sought; and (3) a probable, imminent, and irreparable injury in the interim.” *Butnaru v. Ford Motor Co.*, 284 S.W.3d 198, 205 (Tex. 2002).

56. Section 2400.004 of the Texas Government Code provides a cause of action against the city of San Antonio. Paradies Lagardère is joined under Rule 39 as a party needed for just adjudication.

57. The plaintiffs have a probable right to relief because Councilmember Treviño and Pelaez’s statements show that the city’s exclusion of Chick-fil-A from the San Antonio airport is at least “partly” based on Chick-fil-A’s donations to a religious organization.

58. The plaintiffs will suffer probable, imminent, and irreparable injury absent a temporary injunction.

DEMAND FOR JUDGMENT

The plaintiffs demand the following relief:

- a. a declaration that the city of San Antonio violated and continues to violate section 2400.002 of the Texas Government Code by banning Chick-fil-A from the San Antonio airport;
- b. a temporary and permanent injunction that prevents the city and Paradies Lagardère from excluding Chick-fil-A from the San Antonio airport;
- c. a temporary and permanent injunction that compels the city and Paradies Lagardère to install a Chick-fil-A restaurant in the San Antonio airport, consistent with the proposal submitted by Paradies Lagardère before the Treviño amendment;
- d. a temporary and permanent injunction that prohibits the city from taking any adverse action against Chick-fil-A or any other person or entity, which is based wholly or partly on that person or entity’s support for religious organizations that oppose homosexual behavior;

- e. all costs of suit and reasonable attorneys' fees; and
- f. all other relief that this Court deems appropriate.

Respectfully submitted.

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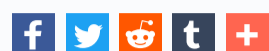
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Dated: September 5, 2019

Counsel for Plaintiffs

Exhibit 1

EQUALITYMATTERS BLOG


[EMAIL](#) [PRINT](#)

Investigation Reveals Depth of Chick-Fil-A's Ties to Anti-Gay Causes

March 22, 2011 10:04 am ET by Tom Allison, Carlos Maza, & Christine Schwen

When two Missouri organizations, the Clayton Chamber of Commerce and FOCUS St. Louis, decided earlier this month to **cancel** a presentation by Chick-fil-A president Dan Cathy over his company's controversial affiliations, they made the right decision. Although Cathy has unequivocally denied being anti-LGBT and claimed that he and the company have "no agenda against anyone" and "will not champion any political agendas on marriage and family," *Equality Matters* research proves just the opposite. In fact, the company has strong, deep ties to anti-gay organizations like Focus on the Family and the Fellowship of Christian Athletes, and its charitable division has provided more than \$1.1 million to organizations that deliver anti-LGBT messages and promote egregious practices like reparative therapy that seek to "free" people of being gay.



The matter grabbed headlines in January after a Pennsylvania Chick-fil-A restaurant sponsored a "traditional marriage" event by providing food to attendees of "The Art of Marriage: Getting to the Heart of God's Design." Cathy dismissed the controversy as a localized incident that was not indicative of the company's corporate culture. "In recent weeks, we have been accused of being anti-gay," Cathy said in a written statement. "We have no agenda against anyone. While my family and I believe in the Biblical definition of marriage, we love and respect anyone who disagrees."

Chick-fil-A runs 1,530 restaurants in 39 states and a company spokesperson said gross sales for 2010 will most likely top \$3.5 billion, according to *The New York Times*.

KEY FINDINGS:

- 1. CHICK-FIL-A CHARITABLE ARM WINSHAPE: OVER \$1.1M GIVEN TO ANTI-GAY GROUPS**
- 2. CHICK-FIL-A REPORTEDLY FAVORS MARRIED EMPLOYEES, INVESTIGATES THEIR PERSONAL LIVES**
- 3. CHICK-FIL-A'S PARTNERSHIP WITH FOCUS ON THE FAMILY**
- 4. CHICK-FIL-A'S SPONSORSHIP OF ANTI-GAY HATE GROUP AFFILIATE**
- 5. WINSHAPE'S "TRADITIONAL MARRIAGE" ACTIVITIES**
- 6. MORE BACKGROUND ON THE CONTROVERSY**

1. Winshape: Over \$1.1M Given To Anti-Gay Groups

The WinShape Foundation is Chick-fil-A's charitable arm, created by Chick-fil-A founder and chairman S. Truett Cathy in 1984. WinShape has received a substantial amount of funding from Chick-fil-A: in 2008 alone, WinShape received \$12,595,819 from Chick-fil-A Inc. [WinShape 2008 Publicly Available IRS 990 Form via Foundation Center, accessed [2/8/11](#); Chick-fil-A, accessed [2/8/11](#)]

WinShape oversees a number of programs intended to foster the "growth and education of young people" as well as to promote "healthy marriages and strong families." But an examination of the WinShape Foundation's publicly available IRS 990 forms reveals that the WinShape Foundation supports a wide variety of anti-equality groups. [WinShape Fact Sheet, accessed [2/4/11](#)]

TOTAL WINSHAPE DONATIONS: \$1.1M (\$1,142,450) to anti-gay groups from 2003-2008, the last year

EMtv »



Fox's Megyn Kelly: Accepting Transgender Children Causes "Confusion" For Other Students

NOVEMBER 10, 2015 12:09 PM ET



Fox's Shepard Smith On Kim Davis: "Haters Are Gonna Hate"

SEPTEMBER 08, 2015 5:42 PM ET



MSNBC's Thomas Roberts Highlights Violence Against Transgender Women Of Color

AUGUST 25, 2015 5:20 PM ET



Fox's Advice To Gay Couple Refused A Wedding Cake: "Just Get A Carvel Cake"

JULY 09, 2015 10:27 AM ET



Fox News Contributor Alveda King Compares Homosexuality To Drug Use, Gluttony

JUNE 10, 2015 10:45 AM ET



Univision Shines A Light On The Struggles Transgender Latinas Face

JUNE 03, 2015 5:34 PM ET

for which public records are available.

- National Christian Foundation: \$631,600
- Fellowship Of Christian Athletes: \$480,000
- Serving Marriages, Inc.: \$15,000
- Alliance Defense Fund: \$5,000
- Christian Camp And Conference Association: \$5,000
- Campus Crusade for Christ: \$2,850
- Georgia Family Council: \$2,000
- Family Research Council: \$1,000

[WinShape IRS Form 990 via Foundation Center, [2003](#), [2004](#), [2005](#), [2006](#), [2007](#), [2008](#); figures added by organization for clarity]

\$631,600 to National Christian Foundation

The National Christian Foundation is a grant-making foundation that has made "hundreds of grants" to anti-gay groups like Focus on the Family, Family Life, and the Family Research Council, according to the Philanthropy Roundtable's publication "Reviving Marriage In America: Strategies for Donors." NCF allows donors to direct their donations and has experienced a surge in interest among donors in funding marriage-related giving. [Philanthropy Roundtable, accessed [2/8/11](#)].

WinShape donations to NCF:

- 2006: \$172,500 [WinShape 2006 Publicly Available IRS 990 Form via Foundation Center, accessed [2/8/11](#)]
- 2007: \$187,500 [WinShape 2007 Publicly Available IRS 990 Form via Foundation Center, accessed [2/8/11](#)]
- 2008: \$271,600 [WinShape 2008 Publicly Available IRS 990 Form via Foundation Center, accessed [2/8/11](#)]

\$480,000 to Fellowship of Christian Athletes

Every year, the Fellowship of Christian Athletes (FCA) holds a National College Conference that the conference Director, Danny Burns, described as where "God freed some people from homosexuality, sexual sins, addictions and even ushered newcomers into His Kingdom". [Fellowship of Christian Athletes, accessed [2/8/11](#)]

The application to become an FCA Ministry Leader requires applicants to agree with the FCA's Sexual Purity Statement, which condemns gays as engaging in an "Impure Lifestyle":

God desires His children to lead pure lives of holiness. The Bible is clear in teaching on sexual sin including sex outside of marriage and homosexual acts. Neither heterosexual sex outside of marriage nor any homosexual act constitute an alternate lifestyle acceptable to God. [FCA Application, accessed [2/8/11](#)]

The FCA website also includes a testimonial from a coach who had been "delivered" away from homosexuality. [FCA, accessed [2/8/11](#)]

WinShape donations to FCA:

- 2007: \$240,000 [WinShape 2007 Publicly Available IRS 990 Form via Foundation Center, accessed [2/8/11](#)]
- 2008: \$240,000 [WinShape 2008 Publicly Available IRS 990 Form via Foundation Center, accessed [2/8/11](#)]

\$15,000 to Serving Marriages Inc.

Serving Marriages is an organization focused on honoring God through building "Biblically accurate marriage models for society to pattern." Serving Marriages' ministry advisers include WinShape, The Marriage CoMission, and the Georgia Family Council, all of which are established as promoting anti-LGBT work in this document. [Serving Marriages, accessed [2/8/11](#)]

WinShape donations:

- 2008: \$15,000 [WinShape 2008 Publicly Available IRS 990 Form via Foundation Center, accessed [2/8/11](#)]

\$5,000 to Alliance Defense Fund

The Alliance Defense Fund (ADF) is aggressively anti-gay, labeled by the Southern Poverty Law Center as one of America's most influential groups fighting against LGBT equality. In a recent article, the ADF called efforts to advance LGBT equality "The principal threat to your religious freedom":

Their strategy is twofold: dilute moral values so that homosexual behavior is thought to be normal, natural, and good, while suppressing the religious and free speech rights of those who disagree. If they successfully impose their radical legal agenda, then all people - especially Christians - who do not affirm homosexual behavior could be silenced, punished, and possibly even jailed for so-called discrimination and intolerance. [Southern Poverty Law Center, Spring [2005](#); Alliance Defense Fund, accessed [2/8/11](#)]

WinShape donations to ADF:

- 2006: \$2,500 [WinShape 2007 Publicly Available IRS 990 Form via Foundation Center, accessed [2/8/11](#)]
- 2008: \$2,500 [WinShape 2008 Publicly Available IRS 990 Form via Foundation Center, accessed [2/8/11](#)]

\$5,000 to Christian Camp and Conference Association

The Christian Camp and Conference Association (CCCA) is an organization that encourages member organizations to hold Christian camps and conferences. It also offers advice on how to improve the "performance and impact" of these camps. [CCCA, accessed [2/9/11](#)] [WinShape 2006 Publicly Available IRS 990 Form via Foundation Center, accessed [2/8/11](#)]

The CCCA advises camp counselors to resist today's "media-led promotion of alternative lifestyles," and prepares them to effectively convey why homosexuality is wrong to campers. [CCCA Focus Series, accessed [2/8/11](#)]

WinShape donations to CCCA:

- 2006: \$5,000 [WinShape 2006 Publicly Available IRS 990 Form via Foundation Center, accessed [2/8/11](#)]

\$2,850 to Campus Crusade for Christ

The anti-gay Family Life, which hosted the "Art of Marriage" event that ignited the controversy, is a Ministry of Campus Crusade for Christ. [CCCI, accessed [2/8/11](#)] [WinShape 2004 Publicly Available IRS 990 Form via Foundation Center, accessed [2/8/11](#)]

WinShape donations to CCC:

- 2004: \$2,850 [WinShape 2004 Publicly Available IRS 990 Form via Foundation Center, accessed [2/8/11](#)]

\$2,000 to Georgia Family Council

The Georgia Family Council is a typical anti-gay group: its website contains posts arguing in favor of **California's** Proposition 8 and criticizing Apple for removing an application that promotes the argument that marriage equality is a threat to children and traditional marriage. [Georgia Family Council, [1/21/11](#); Georgia Family Council, accessed [2/8/11](#)]

Randy Hicks, president of the Georgia Family Council (GFG), is a vocal critic of marriage equality; he has argued gay marriage would harm children and undermine traditional marriages. [By Faith, [October 2006](#)]

WinShape donations to GFC:

- 2005: \$2,000 [WinShape 2005 Publicly Available IRS 990 Form via Foundation Center, accessed [2/8/11](#)]

\$1,000 to Family Research Council

The Family Research Council has been labeled a hate group by the Southern Poverty Law Center for its misleading attacks on the LGBT community. [The Washington Times, [11/24/10](#)]

WinShape donations to FRC:

- 2003: \$1,000 [WinShape 2003 Publicly Available IRS 990 Form via Foundation Center, accessed [2/8/11](#)]

2. Chick-Fil-A Reportedly Favors Married Employees, Investigates Their Personal Lives

Chick-Fil-A's Employment Practices Are Hostile Towards "Sinful" Candidates. Chick-fil-A requires potential franchise operators to disclose their marital status, number of dependents, and involvement in social, church, and other organizations. Employees may be fired for engaging in "sinful" behavior, and Truett Cathy has said he aims to hire workers who are married:

Loyalty to the company isn't the only thing that matters to Cathy, who wants married workers, believing they are more industrious and productive. One in three company operators have attended Christian-based relationship-building retreats through WinShape at Berry College in Mount Berry, Ga. The programs include classes on conflict resolution and communication. Family members of prospective operators--children, even--are frequently interviewed so Cathy and his family can learn more about job candidates and their relationships at home. "If a man can't manage his own life, he can't manage a business," says Cathy, who says he would probably fire an employee or terminate an operator who "has been sinful or done something harmful to their family members." [*Forbes*, [2/23/07](#)]

3. Chick-Fil-A's Partnership With Focus On The Family

From October to November of 2005, Chick-fil-A partnered with Focus on the Family and Digital Praise Inc. to give away free interactive CDs of Focus on the Family's radio program Adventures in Odyssey, which presents kids with "important moral and biblical principles," with every Chick-fil-A Kid's Meal. [Digital Praise, [10/17/05](#)]

Focus on the Family is notoriously anti-gay, promoting the theory that gays and lesbians can change their sexual orientation and arguing that homosexuality "violates God's intentional design for gender and sexuality." [Focus on the Family, accessed [2/8/11](#)]

4. Sponsorship Of Anti-Gay Hate Group Affiliate

Since 2008, Chick-fil-A has been a sponsor of All Pro Dad, a program created by the Tampa-based organization Family First, also known as the "Florida Family Council." The Florida Family Council is an affiliate of the American Family Association, which has been designated as an anti-gay hate group by the Southern Poverty Law Center. [The Gospel According to Disney, [2004](#); SPLC, Spring [2005](#)]

- Chick-fil-A Sponsors All Pro Dad. [Chick-fil-A, accessed [2/4/11](#); Voice of Reason, No.3, [2005](#)]
- Family First Is Actually The Florida Family Council. [Trademarkia, accessed [2/4/11](#) and [2/4/11](#)]
- Florida Family Council is an Affiliate of the American Family Association [The Gospel According to Disney, [2004](#)];
- SPLC designated the American Family Association an anti-gay hate group [SPLC, Spring [2005](#)]

In 1995, the Florida Family Council opposed Disney's decision to extend health benefits to the partners of gay and lesbian employees, helping draft a letter then called the decision "anti-family" and inappropriate for a company that provides "wholesome, family-oriented entertainment." [LA Times, [10/19/95](#)]

Mark Merrill, Florida Family Council president, has been a vocal critic of marriage equality. In an interview with NPR in 1996, he criticized Disney for putting domestic partnerships "on a same footing with heterosexual marriage":

What they're doing is they're putting domestic partnerships between homosexuals on a same footing with heterosexual marriage, an institution that's been honored for thousands of years.

[...]

It's a real disappointment. Families have flocked to Walt Disney World and Disneyland because they knew that Walt Disney respected and nurtured the traditional American family and its strong moral values, and Disney could always be counted on to provide parents and children alike with a family-friendly entertainment and environment. [NPR via Nexis, 4/26/96]

5. WinShape's "Traditional Marriage" Activities

WinShape's Programs Are Offered Only To Traditional Couples

Following the initial controversy over Chick-fil-A's connection to the Pennsylvania Family Institute, the Good As You website posted an email discussion between the WinShape Retreat and someone asking if the programs offered there were open to same-sex couples. WinShape made it clear that its programs were meant to promote a biblical standard of marriage:

Homosexuals Inbox | X

★ [REDACTED] [show details](#) 12:35 PM (20 hours ago) [Reply](#)

Are your programs open to homosexual couples or do you only support traditional marriage?

[Reply](#) [Forward](#)

★ [REDACTED] [show details](#) 1:38 PM (19 hours ago) [Reply](#)

Our contract states:

"WinShape Retreat defines marriage from the Biblical standard as being between one man and one woman. Groups/individuals are welcome who offer wholesome, educational conferences and programs that are compatible with Biblical values and

WinShape's purpose."

Blessings,
Staff of WinShape Retreat

[Reply](#) [Forward](#)

★ [REDACTED] [show details](#) 4:07 PM (17 hours ago) [Reply](#)

So no? Please, just a straight answer (so to speak)

- Show quoted text -

[Reply](#) [Forward](#)

[REDACTED] [show details](#) 4:12 PM (17 hours ago) [Reply](#)

You are correct. We do not accept homosexual couples because of the statement in our contract.



PO Box 490007
Mount Berry, GA 30149
Tel. 706.368.6801
Fax 706.368.6852
www.WinShapeRetreat.org

"A caring, safe place for growth and transformation."

[Good As You, [1/26/11](#)]

WinShape Partners With The Marriage CoMission

The WinShape Foundation works with the Marriage CoMission, a coalition of groups formed in response to the decline of "the traditional family in America." Since its inception, the CoMission has been supported by anti-gay activists such as Exodus International's Alan Chambers and Citizens for Community Values' Barry Sheets. [Marriage CoMission, accessed [2/4/11](#), Marriage CoMission, accessed [2/4/11](#)]

Every year since 2003, WinShape has hosted the Marriage CoMission's annual Marriage CoMission Strategy Summit at its Georgia retreat. WinShape spent \$18 million over the past several years renovating the retreat center in order to hold seminars and conferences relating to marriage. [Marriage CoMission, accessed [2/4/11](#); Rome News-Tribune, [2004](#)]

The summit has served as a meeting ground for anti-gay activists. Notorious anti-gay attendants include NOM's Maggie Gallagher - who gave a speech on "Marriage and Public Policy," Ruth Institutes' Jennifer Morse, Institute for American Values' David Blankenhorn, and Focus on the Family president Jim Daly.

- [2008 Summit Participant Biography List, accessed [2/4/11](#)]
- [2009 Summit Participant Biography List, accessed [2/4/11](#)]
- CoMission Summit Agenda Includes Session on "marriage and Public Policy by Maggie Gallager [Good As You, [1/30/11](#)]

The Good As You blog has also collected a number of clips of the 2008 Marriage CoMission summit that demonstrate an anti-gay bias:

- WinShape's Jeff Fray stated that at WinShape "we're not arguing about if marriage is between men and women, that's what we're about. Resting on the truth that kids do best when raised under the same roof with mom and dad in a healthy relationship." He added that this principle is the CoMission Summit's "center of gravity." [MarriageCoMission.com, accessed [2/16/11](#), via Good As You, [1/11/11](#)]
- Fray also wanted to praise David Blankenhorn for his "masterful job articulating" the argument against marriage equality that would allow them to "get the message into the culture much more effectively": [MarriageCoMission.com, accessed [2/16/11](#), via Good As You, [1/11/11](#)]
- Anti-gay film activist Ted Baehr also spoke about the threat teachers teaching students that a "biblical view" of marriage is "evil." [MarriageCoMission.com, accessed [2/16/11](#), via Good As You, [1/11/11](#)]

6. Background On The Controversy

Local Chick-Fil-A Sponsored Anti-Gay Group's Marriage Event

In January, a local Chick-fil-A restaurant in Pennsylvania donated food to the group Family Life to put on an event called the "The Art of Marriage: Getting to the Heart of God's Design." Both Chick-fil-A and co-sponsor Pennsylvania Family Institute (PFI) were originally listed as sponsors of the "Art Of Marriage" event, although Chick-fil-A scrubbed its name from the event's advertisements after the controversy began. Both PFI and Family life are virulently anti-gay. [*New York Times*, [2/14/11](#); Joe. My. God., [1/4/11](#)]

Chick-Fil-A's President Released A Statement Denying The Company's Ties To Anti-Gay Groups.

In response to the controversy, Chick-fil-A president and COO Dan Cathy released a statement denying that Chick-fil-A's donation was an endorsement of traditional marriage, arguing that Chick-fil-A has "no agenda against anyone," and that the company would not "champion any political agendas" relating to marriages or families. [PR Newswire, [1/29/11](#)]

After Controversy, Event Sponsor Scrubbed Website Of Anti-Gay Rhetoric

PFI's anti-gay history is well known. In 2010, the group worked to kill a state bill that would have prohibited discrimination against LGBT people in housing, employment, and public accommodations, and a lawyer for PFI, argued that discrimination against gay and lesbians was a "moral choice." [*Delaware County Times*, [12/23/10](#)]

However, following the controversy Family Life attempted to scrub their anti-gay rhetoric from their website. Following are articles from the website that were since scrubbed, but are still available in Google's cache:

- "Help! My Child is a Homosexual," which spotlights an interview with Alan Chambers, president of the ex-gay group Exodus International:

Alan [Chambers]: **The gay community has done an incredible job of twisting Scripture**, researching things to where they can twist it a certain way, manipulate it a certain way, talk about issues, and change them into something that they really aren't. And the Christian community needs to get back to their Bible. They need to understand what the truth is, what is it - what was it with David and Jonathan? What does the original text say? What is it about the word "homosexuality" in our translation today? [Image captured from FamilyLife.com via Google cache, [2/15/11](#), emphasis added]

- "Teaching Your Teen About God's Views on Sex," written by the CEO and co-founder of FamilyLife, which encourages parents to warn kids about the "homosexual element" in our culture:

These days our media bombard us with the idea that God created and blesses other kinds of sex, like that practiced by homosexuals. **You will need to share with your child that there is a radical homosexual element in our culture** saying, "We're going to be in your face. You're going to see us kissing on television and in movies. We want to become acceptable."

Our children must know that just because some group wants to validate their behavior, that does not make it right in God's eyes. Our children need to learn how to hate the sin (see Romans 1:26—27) while loving the sinner. [Image captured from FamilyLife.com via Google Cache, images captured from cache [2/16/11](#), emphasis added]

- "Gender Identity," which identifies "[w]hat we can do as parents to make sure our children aren't led into the sin of homosexuality" with Alan Medinger, the head of an "ex-gay ministry" called Regeneration:

Bob [Lebine]: This is FamilyLife Today for Wednesday, February 25th. Our host is the president of FamilyLife, Dennis Rainey, and I'm Bob Lepine. Today we have some practical suggestions for parents on how we can steer our kids way from the gay lifestyle.

[...]

Bob: Well, I wanted to ask you about this, because there are whole churches, there are denominations, some mainline Protestant denominations that have said homosexuality is acceptable at some level. There is at least one denomination, the Metropolitan Community Churches all around the country, that appeal primarily to homosexuals, and they not only say it's acceptable, they celebrate their homosexuality.

You are saying when a person comes to faith in Christ, that's incompatible with homosexuality. How do you respond to these folks who say no it's not?

Alan Medinger, founder of the ex-gay ministry Regeneration]: Well, the church had one teaching on homosexuality for probably 1,950 years. It was about 40 or 50 years ago that some people started to reinterpret the scriptural passages with reference to homosexuality. But prior to that, whether you were Roman Catholic or Orthodox or evangelical or Pentecostal, it was very clear what God had said about our sexuality - one man, one woman within a lifetime commitment to each other, and any other form of sexual behavior was outside of God's will. [Image captured from FamilyLife.com via Google cache, [2/16/11](#), emphasis added]

Tags:



Exhibit 2

AdChoices

QUEER VOICES 11/01/2011 12:42 pm ET | Updated Dec 06, 2017

Chick-Fil-A Fast Food Chain Donated Nearly \$2 Million To Anti-Gay Groups In 2009



Want a side order of anti-gay rhetoric with your chicken sandwich?

[Chik-Fil-A](#) might be able to help you with that.

REAL LIFE. REAL NEWS. REAL VOICES.

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According to [EqualityMatters.org](#), the fast food company donated nearly \$2 million in 2009 to groups that have anti-gay agendas.

IRS 990 forms show that [WinShape](#), the restaurant chain's charitable foundation which was founded by Chick-Fil-A's chairman S. Truett Cathy in 1994, gave to the following groups in 2009:

- Marriage & Family Legacy Fund: \$994,199
- Fellowship Of Christian Athletes: \$480,000
- National Christian Foundation: \$240,000
- Focus On The Family: \$12,500
- Eagle Forum: \$5,000
- Exodus International: \$1,000
- Family Research Council: \$1,000

An [earlier investigation by Equality Matters](#) found that Chick-Fil-A, which was [recently voted the third most beloved restaurant chain](#) in the United States, donated more than \$1 million to anti-gay groups between 2003 and 2008. The IRS forms from 2009 are the most recent available as public records.

In January Chick-Fil-A president Dan Cathy [defended the chain](#) saying, "We're not anti-anybody... Our mission is to create raving fans."

Cathy was also forced to respond to gay activists' claims after [the company provided lunch at a marriage-training event](#) sponsored by Pennsylvania Family Institute.

Cathy asserted, "While my family and I believe in the Biblical definition of marriage, we love and respect anyone who disagrees."

In recent months students attending at least six universities, including University of North Texas, Mississippi State University, and the University of New Orleans, [have launched petitions asking their](#)

schools not to support anti-LGBT businesses like Chick-Fil-A.

LGBT activists have also staged protests at a number of the chain's locations throughout the country, including Chicago and Hollywood.

Related Video...



BEFORE YOU GO



04:36



Fast Food Furor



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HuffPost

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‘Potentially Dangerous Conditions May Exist In This Area’



‘Hobbs & Shaw’ Director Addresses A Stomach-Churning Rumor



Trump Attacks, Then Says He Relies On Press To Vet Nominees

WHAT’S HOT



Defense Secretary Reveals Plan For Ground-Launched Missiles In Asia



Trump Calls Bannon His ‘Best’ Pupil After He Said ‘Sloppy Steve’ Was ‘Dumped Like A Dog’



What To Watch On Netflix That’s New This Week (July 28-Aug. 3)



Her Stories: She Was Raped. She Was Ignored. She Returned A Decade Later To Set The Record Straight.



Greenland Loses Staggering Amount Of Ice In July Heat Wave



17 Million Voters Have Had Registration Canceled Since 2016 Election: Report



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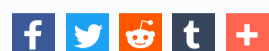
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Exhibit 3

FACTCHECK


[EMAIL](#) [PRINT](#)

Chick-Fil-A Donated Nearly \$2 Million To Anti-Gay Groups In 2010

July 02, 2012 9:26 am ET

In early 2011, Chick-fil-A came under fire for its donations and political ties to a number of anti-gay groups. Though Chick-fil-A continues to deny supporting an anti-gay agenda, the company has donated over \$3 million to organizations like the Family Research Council and Exodus International between 2003 and 2009. And in 2010 alone, Chick-fil-A donated over \$1.9 million to anti-gay causes, more than any other year for which public records are available.

Chick-Fil-A's Charitable Arm Gave Nearly \$2 Million To Anti-Gay Groups In 2010

WinShape Is Chick-Fil-A's Charitable Arm. The WinShape Foundation is Chick-fil-A's charitable arm, created by Chick-fil-A founder and chairman S. Truett Cathy in 1984. WinShape has received a substantial amount of funding from Chick-fil-A: in 2010 alone, WinShape received \$8,067,161 from Chick-fil-A Inc. [WinShape 2010, Publicly Available IRS 990 Form via Foundation Center, accessed [6/27/12](#)]

WinShape Gave Over \$1.9 Million To Anti-Gay Groups. In 2010, WinShape donated \$1,974,380 to a number of anti-gay groups:

- Marriage & Family Foundation: \$1,188,380
- Fellowship Of Christian Athletes: \$480,000
- National Christian Foundation: \$247,500
- New Mexico Christian Foundation: \$54,000
- Exodus International: \$1,000
- Family Research Council: \$1,000
- Georgia Family Council: \$2,500

[Winshape 2010 Publicly Available IRS 990 Form via Foundation Center, accessed [6/27/12](#)]

[Click here to learn more about WinShape's history of anti-gay donations](#)

MARRIAGE & FAMILY FOUNDATION (MFF)

Chick-Fil-A Vice President Launched Marriage And Family Legacy Fund. Donald "Bubba" Cathy, Chick-fil-A's senior vice president, helped launched the Marriage and Family Legacy Fund (MFLF), which "pool[s] funds for a national marriage media campaign and provide start-up grants for local initiatives to promote stable, lasting marriages." [Philanthropy Roundtable, [October 2007](#)]

MFLF Is A Project Of The Anti-Gay Marriage CoMission. The MFLF was created to be the "implementation and funding arm" for the Marriage CoMission, a coalition of groups formed in response to the "downward spiral of marriage and the traditional family in America." [MFLF Executive Summary, accessed [6/27/12](#), Marriage CoMission, accessed [6/27/12](#)]

- **Marriage CoMission Is Supported By Prominent Anti-Gay Activists.** Since its inception, the CoMission has been supported by anti-gay activists such as Exodus International's Alan Chambers and Citizens for Community Values' Barry Sheets. [Marriage CoMission, accessed [10/28/11](#)]

EMtv »



Fox's Megyn Kelly: Accepting Transgender Children Causes "Confusion" For Other Students

NOVEMBER 10, 2015 12:09 PM ET



Fox's Shepard Smith On Kim Davis: "Haters Are Gonna Hate"

SEPTEMBER 08, 2015 5:42 PM ET



MSNBC's Thomas Roberts Highlights Violence Against Transgender Women Of Color

AUGUST 25, 2015 5:20 PM ET



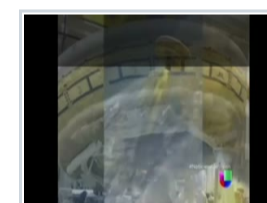
Fox's Advice To Gay Couple Refused A Wedding Cake: "Just Get A Carvel Cake"

JULY 09, 2015 10:27 AM ET



Fox News Contributor Alveda King Compares Homosexuality To Drug Use, Gluttony

JUNE 10, 2015 10:45 AM ET



Univision Shines A Light On The Struggles Transgender Latinas Face

JUNE 03, 2015 5:34 PM ET

[Click here to learn more about the Marriage CoMission and its ties to anti-gay groups](#)

MFLF Officially Changed Its Name To The Marriage & Family Foundation. [Office of the Secretary of State of West Virginia, [6/17/08](#)]

WinShape Donated \$1,188,380 To Marriage & Family Foundation. WinShape donated \$1,188,380 to the Marriage & Family Foundation (MFF) in 2010. [Winshape 2010 Publicly Available IRS 990 Form via Foundation Center, accessed [6/27/12](#)]

FELLOWSHIP OF CHRISTIAN ATHLETES (FCA)

Fellowship Of Christian Athletes Conference Has "Freed" People From Homosexuality. Every year, the Fellowship of Christian Athletes (FCA) holds a National College Conference that Danny Burns, the conference Program Director, described as one in which "God freed some people from homosexuality, sexual sins, addictions and even ushered newcomers into His Kingdom." Burns' comment has since been removed from FCA's website. [Equality Matters, [3/22/11](#), Fellowship of Christian Athletes, accessed [10/28/11](#)]

FCA Website Highlights Coach Who Was "Delivered From Homosexuality. [Fellowship of Christian Athletes, accessed [10/28/11](#)]

FCA Ministry Leader Application Condemns "Impure Lifestyle" of Gays. The application to become an FCA Ministry Leader requires applicants to agree with the FCA's Sexual Purity Statement, which condemns gays for engaging in an "impure lifestyle":

God desires His children to lead pure lives of holiness. The Bible is clear in teaching on sexual sin including sex outside of marriage and homosexual acts. Neither heterosexual sex outside of marriage nor any homosexual act constitute an alternate lifestyle acceptable to God.

While upholding God's standard of holiness, FCA strongly affirms God's love and redemptive power in the individual who chooses to follow Him. FCA's desire is to encourage individuals to trust in Jesus and turn away from any impure lifestyle. [FCA Application, accessed [10/28/11](#)]

WinShape Donated \$480,000 To FCA. WinShape donated \$480,000 to FCA in 2010. [Winshape 2010 Publicly Available IRS 990 Form via Foundation Center, accessed [6/27/12](#)]

NATIONAL CHRISTIAN FOUNDATION (NCF)

National Christian Foundation Donates To Anti-Gay Groups. The National Christian Foundation (NCF) is a grant-making foundation that has made "hundreds of grants" to anti-gay groups like Focus on the Family, Family Life, and the Family Research Council, according to the Philanthropy Roundtable's publication "Reviving Marriage In America: Strategies for Donors." NCF allows donors to direct their donations and has experienced a surge in interest among donors in funding marriage-related giving. [Philanthropy Roundtable, accessed [2/8/11](#)]

WinShape Donated \$247,500 To NCF. WinShape donated \$247,500 to the National Christian Foundation in 2010. [Winshape 2010 Publicly Available IRS 990 Form via Foundation Center, accessed [6/27/12](#)]

Winshape Donated \$54,000 To New Mexico Christian Foundation. WinShape also donated \$54,000 to the New Mexico branch of the NCF in 2010. [Winshape 2010 Publicly Available IRS 990 Form via Foundation Center, accessed [6/27/12](#)]

EXODUS INTERNATIONAL

Exodus International Promotes "Ex-Gay" Therapy. Exodus International is a major promoter of "ex-gay" therapy, the practice of trying to change a person's sexual orientation from gay to straight. The organization refers to being LGBT as "perverse" and a form of "sexual brokenness." [Truth Wins Out, accessed [6/27/12](#)]

WinShape Donated \$1,000 To Exodus International. WinShape donated \$1,000 to Exodus International in 2010. [Winshape 2010 Publicly Available IRS 990 Form via Foundation Center, accessed [6/27/12](#)]

FAMILY RESEARCH COUNCIL

Family Research Council Is Designated As An Anti-Gay Hate Group By the SPLC. The Family Research Council has been labeled a hate group by the Southern Poverty Law Center (SPLC) for its propagation of known falsehoods about the LGBT community. For example, president Tony Perkins has a long history of false and inflammatory attacks, such as claiming that pedophilia is a "homosexual problem." [*Washington Times*, [11/24/10](#); SPLC, accessed [6/27/12](#)]

WinShape Donated \$1,000 To Family Research Council. WinShape donated \$1,000 to the Family Research Council in 2010. [Winshape 2010 Publicly Available IRS 990 Form via Foundation Center, accessed [6/27/12](#)]

GEORGIA FAMILY COUNCIL

Georgia Family Council Argued For Prop 8. The Georgia Family Council's website contains posts arguing in favor of California's Proposition 8 and criticizing Apple for removing from its "App Store" an application that promotes the argument that marriage equality is a threat to children and traditional marriage. [Georgia Family Council, [1/21/11](#); Georgia Family Council, accessed [6/27/12](#)]

President Is Vocal Critic Of Marriage Equality. Randy Hicks, president of the Georgia Family Council (GFC), is a vocal critic of marriage equality; he has argued gay marriage would harm children and undermine traditional marriages. [By Faith, [October 2006](#)]

WinShape Donated \$2,500 To Georgia Family Council. WinShape donated \$2,500 to the Georgia Family Policy Council in 2010. [Winshape 2010 Publicly Available IRS 990 Form via Foundation Center, accessed [6/27/12](#)]

[Click here for more on Chick-fil-A's ties to anti-gay causes and organizations](#)

Chick-Fil-A President Has Denied Company Has An Anti-Gay Agenda

Chick-Fil-A's President Released A Statement Denying The Company Is "Anti-Gay." In response to the controversy, Chick-fil-A president and COO Dan Cathy released a statement denying that Chick-fil-A's history of donations to anti-gay groups proved the company was "anti-gay." Cathy argued that Chick-fil-A has "no agenda against anyone," and that the company would not "champion any political agendas" relating to marriages or families but would nonetheless "continue to offer resources to strengthen marriages and families." [PR Newswire, [1/29/11](#)]

— C.M.



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Exhibit 4

BUSINESS (/BUSINESS)

Chick-Fil-A Donates \$2 Mil to Antigay Groups in One Year



BY MICHELLE GARCIA (/AUTHORS/MICHELLE-GARCIA)
JULY 02 2012 1:01 PM EDT



(https://twitter.com/share?text=Chick-Fil-



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An analysis of charitable donations by Chick-Fil-A shows the fast-food chain gave nearly \$2 million to antigay groups in 2010.

A previous investigation showed the company donating the same amount to antigay causes in 2009 (<https://www.advocate.com/news/daily-news/2011/11/01/chick-fil-gave-nearly-2m-antigay-groups-just-2009>), despite constant statements from spokespeople denying that Chick-Fil-A supports an antigay agenda.

WinShape, Chick-Fil-A's official charitable arm, has donated \$1.9 million to Exodus International, the National Christian Foundation, the Fellowship of Christian Athletes, the Family Research Council, the Marriage and Family Foundation, and the Georgia Family Council, Equality Matters reported Monday.

(<http://equalitymatters.org/factcheck/201207020001>)

The largest donation, \$1.1 million, went to the Marriage and Family Foundation, an anti-gay marriage organization that raises money for the Marriage CoMission. The latter group was created in response to the "downward spiral of marriage and the traditional family in America."

TAGS: BUSINESS (/BUSINESS), BUSINESS (/BUSINESS)

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'The L Word' Reboot Casts 'Sense8' Star Jamie Clayton (<https://www.pride.com/tv/20>)

FROM PRIDE (<https://www.pride.com/tv/2019/8/01/l-word-reboot-casts-sense8-star-jamie-clayton>)



Justin Trudeau Makes Canadian History With Gay Bar Visit



Hate Crimes Against LGBTQ+ People Are the Highest in a Decade

FROM OUT MAGAZINE
(<https://www.out.com/news/2019/8/01/hate-crimes-against->

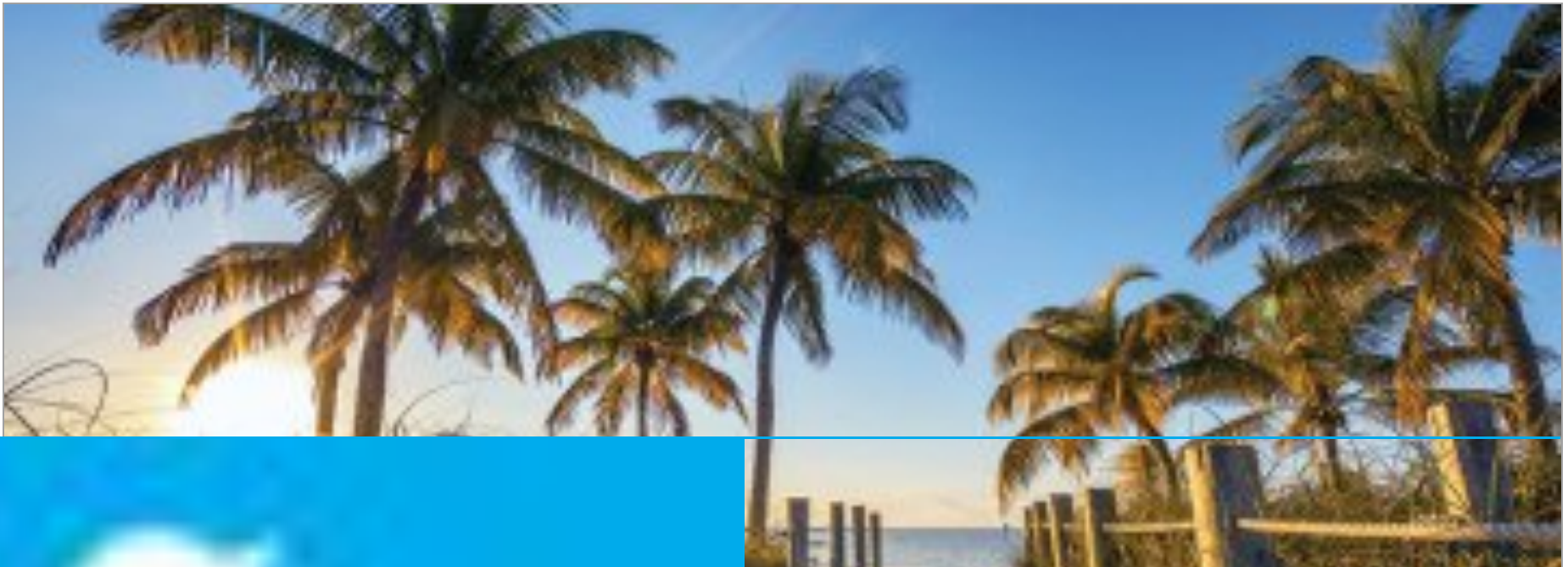
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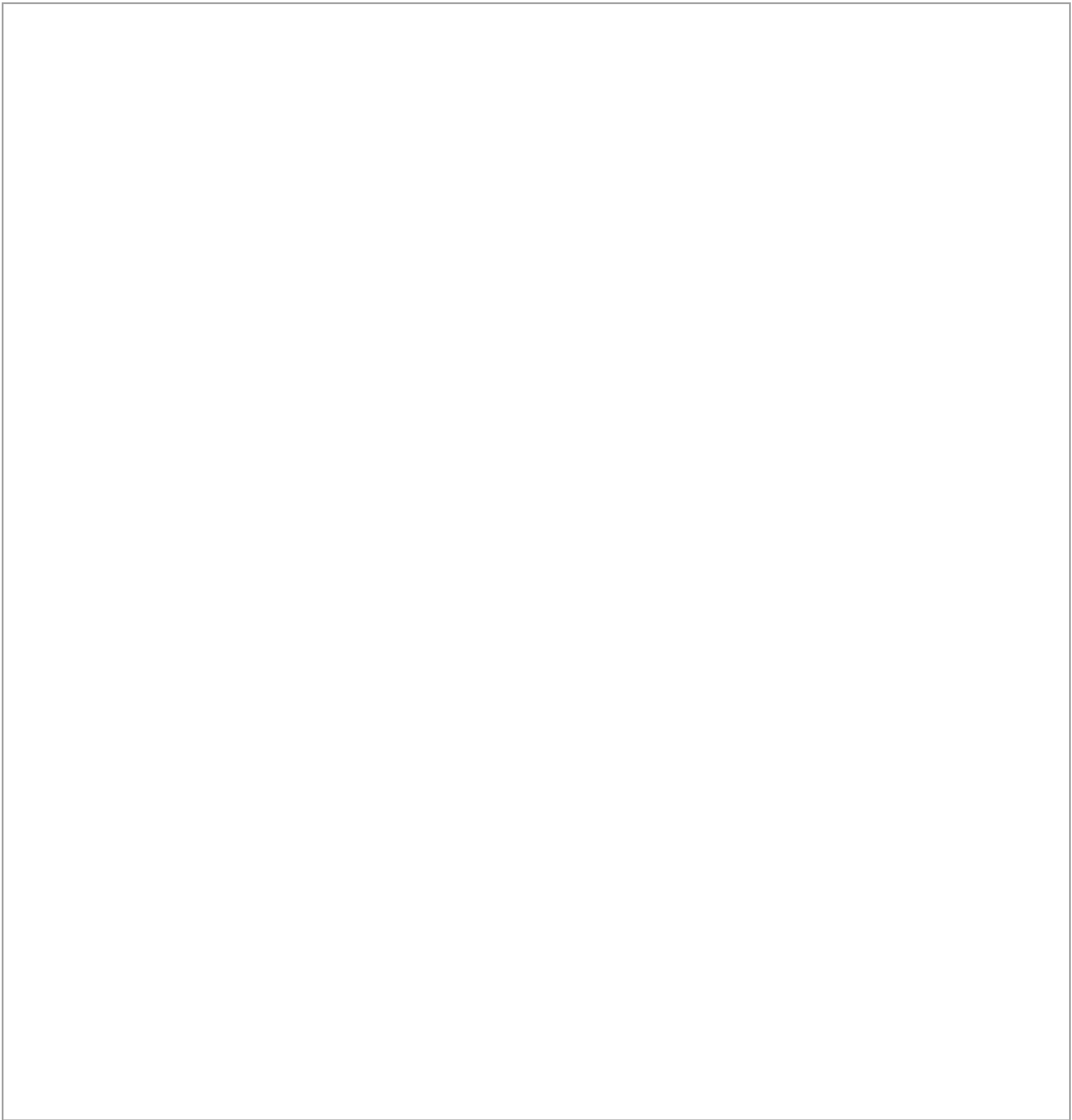


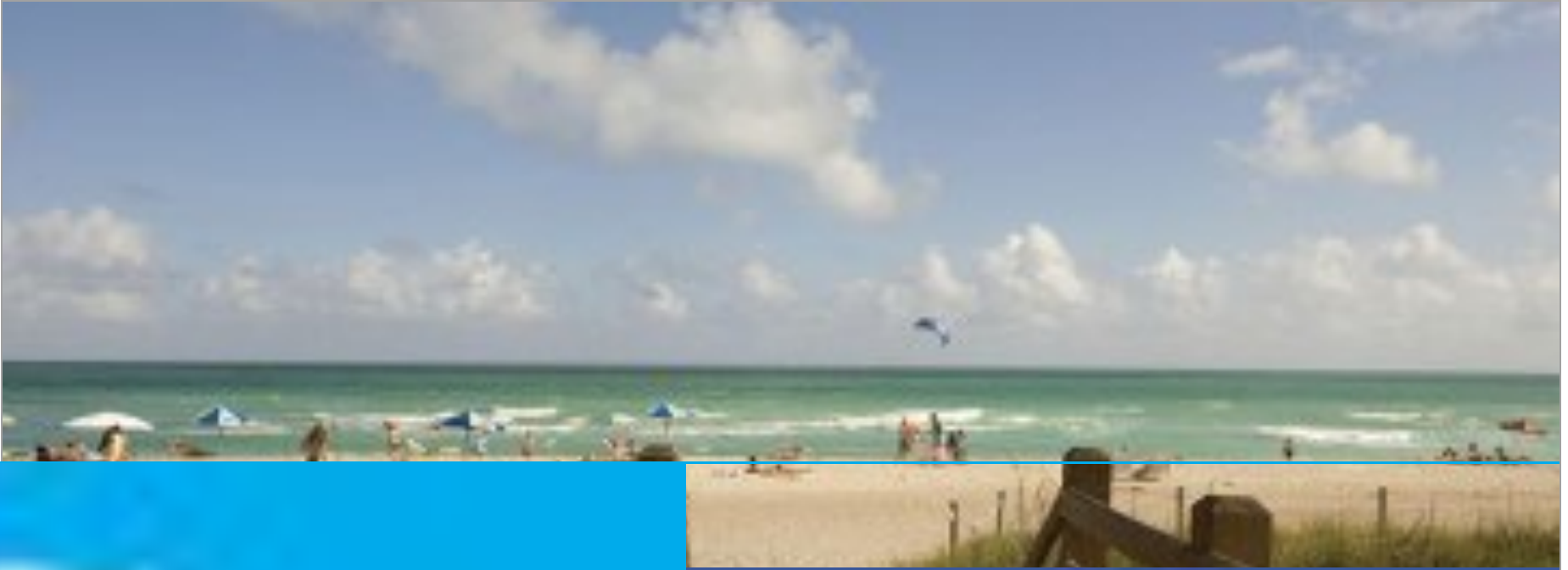
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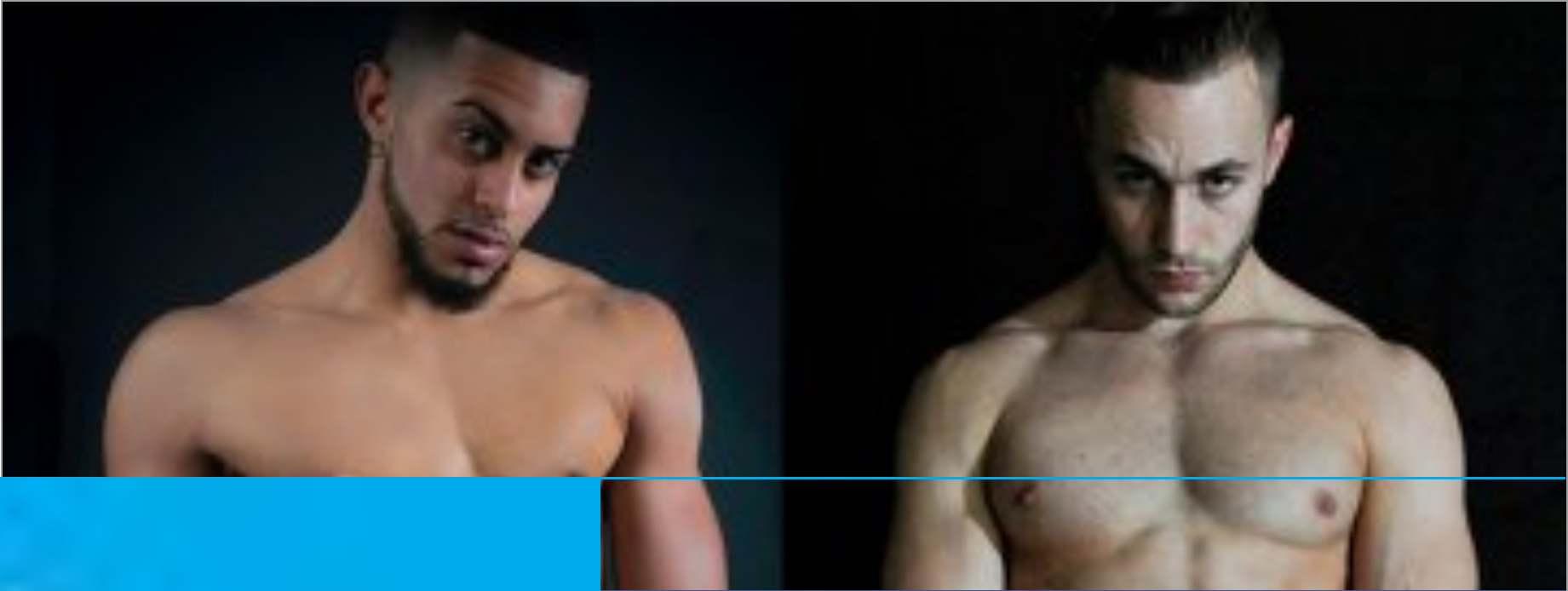




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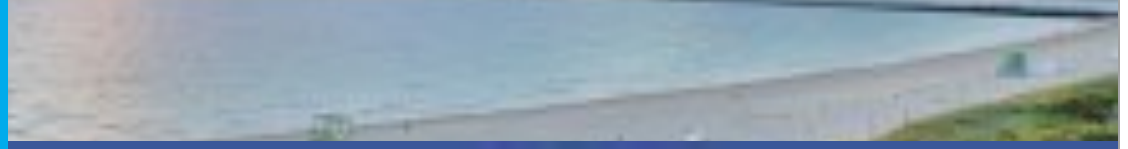
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Exhibit 5

QUEER VOICES 07/02/2012 06:04 pm ET | Updated Feb 02, 2016

Chick-Fil-A's Anti-Gay Donations Totaled Nearly \$2 Million In 2010: Report



Chick-fil-A is quickly becoming more well-known for its alleged anti-gay donations than for its fried chicken.

As reported by [Equality Matters](#) and [The Advocate](#) — among other publications — a newly-released analysis of Chick-fil-A's charitable work has found that the fast food chain donated nearly \$2 million to anti-gay groups over the course of 2010.

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Among the many groups to receive donations through Chick-fil-A's [WinShape Foundation](#), which was created by Chick-fil-A founder and chairman S. Truett Cathy in 1984, were the Marriage & Family Foundation (\$1,188,380), [Exodus International](#) (\$1,000) and the [Family Research Council](#) (also \$1,000), [Equality Matters](#) reported.

Meanwhile, The New Civil Rights Movement's David Badash [presents an even more disturbing figure](#): that Chick-fil-A has donated an estimated \$5 million to anti-gay organizations and hate groups between 2003 and 2010.

Not surprisingly, the revelation has already sparked a number of impassioned responses from lesbian, gay, bisexual and transgender (LGBT) rights advocates and media outlets. "Let's face it: despite what the company's president says, Chick-Fil-A is an anti-gay corporation," [wrote Tyler Coates for *BlackBook*](#). "And, on that note, I'm just going to have to assume that anyone who spends their money there are completely fine with the fact that an anti-gay corporation not only exists, but pushes money to other groups to continue the widespread practice of discriminating against everyone in the LGBT community."

Calling the reported donations "a fat middle finger" to LGBT consumers, [Instinct magazine proclaimed](#), "Looks like gays won't be chowing down at Chick-fil-A anytime soon!"

The Atlanta-based chain's questionable contributions have been both well reported and the subject of a number of high-profile protests. Last November, Equality Matters [published an earlier report](#), noting that Chick-fil-A had similarly donated \$2 million to anti-gay groups in 2009.

In February, Northeastern University officials [reportedly squashed plans](#) for a campus-based franchise of the fast food chain, after "student concerns reflected [Chick-fil-A's] history of donating to anti-gay organizations," [according to the *Boston Globe*](#). One month earlier, New York University student Hillary Dworkoski [launched a petition calling for NYU to close its Chick-fil-A franchise](#),

reportedly the only one in Manhattan.

Still, in a [2011 interview with *The Atlanta Journal-Constitution*](#), Chick-fil-A president Dan Cathy (the son of company founder Truett Cathy) defended his company, calling blogosphere reports “folklore.” Cathy then noted, “We’re not anti-anybody. Our mission is to create raving fans.”



BEFORE YOU GO

00:58

College Football Prospect Chooses Team Based on Chick-Fil-A

The video player interface includes a large play button on the left, a progress bar at the bottom, and a thumbnail strip at the bottom showing various related images: a man in a Chick-fil-A cap, stacks of Chick-fil-A bread, a Chick-fil-A store sign, a Chick-fil-A sandwich, and a football game.

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Exhibit 6



CITY OF BOSTON • MASSACHUSETTS

OFFICE OF THE MAYOR
THOMAS M. MENINO

July 20, 2012

Mr. Dan Cathy, President
Chick-fil-A
5200 Buffington Road
Atlanta, GA 30349

To Mr. Cathy:

In recent days you said Chick-fil-A opposes same-sex marriage and said the generation that supports it has an “arrogant attitude.”

Now – incredibly – your company says you are backing out of the same-sex marriage debate. I urge you to back out of your plans to locate in Boston.

You called supporters of gay marriage “prideful”. Here in Boston, to borrow your own words, we are “guilty as charged.” We are indeed full of pride for our support of same sex marriage and our work to expand freedom to all people. We are proud that our state and our city have led the way for the country on equal marriage rights.

I was angry to learn on the heels of your prejudiced statements about your search for a site to locate in Boston. There is no place for discrimination on Boston’s Freedom Trail and no place for your company alongside it. When Massachusetts became the first state in the country to recognize equal marriage rights, I personally stood on City Hall Plaza to greet same sex couples coming here to be married. It would be an insult to them and to our city’s long history of expanding freedom to have a Chick-fil-A across the street from that spot.

Sincerely,

Thomas M. Menino
Mayor, City of Boston

Cc: Steven Binnie
Carlisle Properties
26 Daniel Street, Suite 200
Portsmouth, NH 03801

Exhibit 7



Mayor Ed Lee

@mayoredlee

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Closest #ChickFilA to San Francisco is 40 miles away & I strongly recommend that they not try to come any closer.

4:37 PM - 26 Jul 2012

748 Retweets 291 Likes



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Justin Taylor @between2worlds · 26 Jul 2012

Replying to @mayoredlee

.@mayoredlee A great example of the intolerance of tolerance.



17

6



=^..^= @LibertyLynx · 26 Jul 2012

Replying to @mayoredlee

. @mayoredlee So I guess you don't believe in the 1st Amendment rights of others? Good to know.

3

13

5



Jimmy Strano @djstrano · 26 Jul 2012

@LibertyLynx @mayoredlee Liberty, I guess you haven't read the 14th Amendment that states ALL citizens are to be treated equally!

9



=^..^= @LibertyLynx · 26 Jul 2012

. @djstrano And never once did Chick-fil-A founder say they 'hated' gay people or wished them harm. Just stated his belief. @mayoredlee



3

1



Matt Dawson @SaintRPh · 26 Jul 2012

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BUSINESS

Alderman to Chick-fil-A: No deal

By **BY HAL DARDICK** and **CHICAGO TRIBUNE REPORTER**

JUL 25, 2012 | 12:01 AM



A Chicago alderman wants to kill Chick-fil-A's plans to build a restaurant in his increasingly trendy Northwest Side ward because the fast-food chain's top executive vocally opposes gay marriage.

Ald.Proco "Joe" Moreno announced this week that he will block Chick-fil-A's effort to build its second Chicago store, which would be in the Logan Square neighborhood, following company President Dan Cathy's remarks last week that he was "guilty as charged" for supporting the biblical definition of marriage as between

was guilty as charged for supporting the biblical definition of marriage as between a man and woman.

"If you are discriminating against a segment of the community, I don't want you in the 1st Ward," Moreno told the Tribune on Tuesday.

Moreno stated his position in strong terms, referring to Cathy's "bigoted, homophobic comments" in a proposed opinion page piece that an aide also sent to Tribune reporters. "Because of this man's ignorance, I will now be denying Chick-fil-A's permit to open a restaurant in the 1st Ward."

The alderman has the ideological support of Mayor Rahm Emanuel.

"Chick-fil-A values are not Chicago values," the mayor said in a statement when asked about Moreno's decision. "They disrespect our fellow neighbors and residents. This would be a bad investment, since it would be empty."

Moreno is relying on a rarely violated Chicago tradition known as aldermanic privilege, which dictates that City Council members defer to the opinion of the ward alderman on local issues. Last year Moreno wielded that weapon to block plans for a Wal-Mart in his ward, saying he had issues with the property owner and that Wal-Mart was not "a perfect fit for the area."

Chick-fil-A already has obtained zoning for a restaurant in the 2500 block of North Elston Avenue, but it must seek council approval to divide the land so it can purchase an out lot near Home Depot, Moreno said.

In opposing Chick-fil-A, Moreno stakes out a position likely to resonate in his hipster ward and much of the rest of the city, where public officials have long cultivated the lesbian, gay, bisexual and transgender community. But Moreno also enters the complex intersection of property and free-speech rights.

The alderman, serving his first full term, dismissed any First Amendment concerns.

"You have the right to say what you want to say, but zoning is not a right," he said, adding that he also had concerns about traffic in the area.

Moreno said he has been working on traffic issues for nine months with Chick-fil-A executives. During that period, Moreno also discussed the issue of gay rights, in light of reports that the Cathy family's WinShape Foundation had supported anti-gay organizations, the alderman said.

Company executives assured him they would take no stance on the issue of gay rights and would not discriminate in any fashion at the restaurant, Moreno said.

On Tuesday, Chick-fil-A public relations executives asked for questions to be emailed, then did not respond to them. Attempts to reach the company's local attorney were not successful.

Cathy was quoted July 16 in the Baptist Press saying he was "guilty as charged" for supporting "the biblical definition of the family unit. We are a family-owned business, a family-led business, and we are married to our first wives. We give God thanks for that."

Since Cathy made the comments, his company has come under fire in some quarters.

Jim Henson Co., creator of Muppets films and TV shows, withdrew from a deal to create characters for the chain's kids meals and donated payments it had received from Chick-fil-A to the Gay & Lesbian Alliance Against Discrimination.

Boston Mayor Thomas Menino told the Boston Herald he would block the chain from opening in his city, but former Arkansas Gov. Mike Huckabee wrote on his Facebook page that he was "incensed at the vitriolic assaults on the Chick-fil-A company."

Cathy is the son of the founder of Chick-fil-A, which opened its first store in suburban Atlanta in 1967. The family is known for espousing its Christian values. It closes on Sundays and Christian holidays.

Rick Garcia, a longtime Illinois gay rights activist who is a policy adviser to The Civil Rights Agenda group that was working with Moreno and Chick-fil-A on LGBT issues, lauded Moreno's decision.

"I think it's important that the city sends a message that we want business here ... but what we can't have and don't want are businesses that have discriminatory roles," Garcia said, adding that he's a defender of free speech.

Moreno, meanwhile, said it will take "more than words" to get him to reverse course.

"They'd have to do a complete 180," the alderman said. "They'd have to work with LGBT groups in terms of hiring, and there would have to be a public apology from (Cathy)."

hdardick@tribune.com

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Column: Addison Russell is gone. Whether he'll return to the Cubs is anyone's guess.

Addison Russell wasn't hitting much and his head wasn't in the right place. So the Cubs demoted him to Triple-A Iowa on Wednesday. It's anyone's guess if he'll be back.

Chicago Tribune

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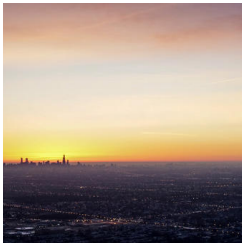
Just how much better can Khalil Mack get? What has Bears coaches so enthused with Leonard Floyd? A deeper look at the Bears edge rushers.

Chicago Tribune

A slain teen's family held a march in his honor. Then they spotted the person they suspected of killing him, who grinned and flashed a pistol.

A month after a 15-year-boy was shot to death, his family ventured out for a vigil even though killer was still in the neighborhood. A gunman appeared across the street and flashed a gun, grinning and taunting them.

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Chicago Tribune



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'I've never coached an athlete like this': A closer look at Leonard Floyd and the Bears edge rushers

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Chicago Tribune

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Exhibit 9

U.S.

Chick- fil- A and Chicago Alderman Reach Agreement

By KIM SEVERSON SEPT. 19, 2012

ATLANTA — The question of whether or not to eat at Chick-fil-A got a bit murkier for people who use the company's chicken sandwiches as a political totem in the culture war over gay rights and marriage.

A Chicago alderman said Wednesday that he would support a new Chick-fil-A restaurant in his ward after the company agreed to re-evaluate which groups its wealthy foundation supports and to strengthen its internal anti-discrimination policies.

But whether that means the company — and by extension its WinShape Foundation — will actually change remains unclear, despite claims by an Illinois

gay rights group that was part of the negotiations that the company has agreed to stop giving money to antigay groups.

Joe Moreno, who represents Chicago's gentrifying Northwest Side, said he had been in talks for at least 10 months with top executives at the Atlanta-based chicken chain regarding their plans to open a restaurant in Chicago.

At issue were both typical neighborhood concerns about increased traffic and the company's support of several national groups that have opposed same-sex marriage and that classify homosexuality as damaging and a perversion.

As a result of the negotiations, Mr. Moreno received a letter signed by John E. Featherston Jr., a senior director of real estate for Chick-fil-A, stating, "The WinShape Foundations is now taking a much closer look at the organizations it considers helping, and in that process will remain true to its stated philosophy of not supporting organizations with political agendas."

Mr. Moreno said in an interview Wednesday that he believes the company will stop "using money to fund groups that have antigay causes. They have committed in writing they will not do that."

He said company executives showed him records of its charitable giving for the year that does not include groups such as Focus on the Family, Exodus International or other groups that oppose marriage equality or have fought against the expansion of gay rights.

In addition, the company has strengthened an internal document titled "Chick-fil-A: Who We Are" to emphasize that the chain, which has more than 1,600 stores, will "treat every person with honor, dignity and respect — regardless of their beliefs, race, creed, sexual orientation and gender."

The language is similar to earlier statements the company made as its biblically based approach to business and its support of marriage between a man and a woman gained both supporters and detractors this year.

The issue exploded in July after Dan T. Cathy, whose father, S. Truett Cathy, founded the company in the 1960s, said in interviews that a nation that would define marriage as anything other than between a man and a woman was inviting

God's judgment.

The company's food became a symbol in the national debate over the issue and even seeped into the presidential campaign. In August, hundreds of thousands of people on both sides showed up at the restaurants to either eat or not eat, depending on which side of the issue they fell.

Chick-fil-A, which has more than \$4 billion in annual sales, issued a statement on Wednesday that echoed one it produced in July, saying that "going forward, our intent is to leave the policy debate over same-sex marriage to the government and political arena."

The entire matter angered some groups working to prevent legalization of marriages of same-sex couples.

"It's unbelievable that elected officials would stoop to this level, that they get to bully and harass a company because of the donations it makes," said Brian Brown, president of the National Organization for Marriage, which was founded in 2007 as a way to fight the rise of same-sex marriage laws in state legislatures.

Although the WinShape Foundation has not donated directly to the group, it has given money to support Proposition 8, which banned marriage between same-sex couples in California and whose passage the National Organization for Marriage supported.

At its Georgia-based conference grounds in Mount Berry, Ga., the WinShape Foundation has also hosted a number of people connected to national and local groups working to keep marriage legal only between a man and a woman.

A version of this article appears in print on September 20, 2012, on Page A16 of the New York edition with the headline: Deal for Chicago Restaurant, With Expectations Attached.

Exhibit 10

New Chick-fil-A filings show decrease in anti-LGBT funding

Only one questionable group, Fellowship of Christian Athletes, remains as grant recipient

BY MATT COMER ON MARCH 3, 2014

A couple kisses during the "National Same-Sex Kiss-In Day" on Aug. 3, 2012, at a Silver Spring, Md., Chick-fil-A. Photo Credit: Elvert Barnes, via Flickr. Licensed CC.

A couple kisses during the "National Same-Sex Kiss-In Day" on Aug. 3, 2012, at a Silver Spring, Md., Chick-fil-A. Photo Credit: [Elvert Barnes](#), via Flickr. Licensed CC.

CHARLOTTE, N.C. — New filings with the IRS show Chick-fil-A has dramatically decreased its non-profit funding for anti-LGBT groups and causes, more than a year after a Charlotte-based LGBT advocate ended his organization's boycott against the group.

Federal tax filings for 2012 for Chick-fil-A's primary corporate foundation, the WinShape Foundation, show the group has shifted its focus to its own programs — marriage retreats, camps and other services, as well as a scholarship fund at Berry College in Georgia and Lars WinShape, a home for needy children in Brazil.

Separate filings for a newly-established foundation, the Chick-fil-A Foundation, show the group has ceased all funding to some of the more controversial and extremist groups it has funded in the past. From 2010-2011, Chick-fil-A came under fire for giving [as much as \\$3.6](#)

unded in the past. From 2016 to 2017, Chick-fil-A came under fire for giving [as much as \\$3.6 million in support](#) to groups like the Marriage & Family Foundation, the National Christian Foundation, Family Research Council and Exodus International — groups with specifically-stated anti-LGBT political and social agendas. The Family Research Council had also been named an anti-LGBT hate group by the Southern Poverty Law Center.

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Those groups are no longer supported by the new Chick-fil-A Foundation or WinShape, holding true to a statement released by Chick-fil-A last January.

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“While we evaluate individual donations on an annual basis, our giving is focused on three key areas: youth and education, leadership and family enrichment and serving the local communities in which we operate,” the company said at the time. “Our intent is to not support political or social agendas. This has been the case for more than 60 years. The Chick-fil-A culture and service tradition in our restaurants is to treat every person with honor, dignity and respect and to serve great food with genuine hospitality.”

The new foundation shows grants to groups like Habitat for Humanity, the United Negro Scholarship Fund and two groups that work with homeless and at-risk youth in Atlanta. Only one arguably anti-LGBT group remains, the Fellowship of Christian Athletes, which holds some anti-LGBT leadership policies and religious doctrines. But, that group received just \$25,390 in 2012, down from nearly a [half-million dollars in funds it received in 2010](#).

Charlotte-based advocate Shane Windmeyer, of the national group Campus Pride, had once sought to boycott Chick-fil-A, later backing off in September 2012 after developing a personal relationship with company COO Dan Cathy — a [relationship he wrote about for *Huffington Post* last year](#).

Windmeyer was also the one who announced last year that Chick-fil-A would be shifting its focus. He now says the new financial documents prove his personal dialogue with Cathy helped to move the conversation forward.

“I still wouldn’t call Chick-fil-A a gay-friendly company, but I would say that our dialogues and conversation that Campus Pride has had has been a positive one. There is some, albeit small, progress there,” Windmeyer tells *qnotes*.

[Ed. Note — This writer worked briefly as a communications manager for Campus Pride in the spring of 2012.]

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Windmeyer had come under fire from some activists and bloggers for his relationship with Cathy, with [some commentators asking tough questions of the leader and asking for proof of Chick-fil-A’s change of heart](#).

Windmeyer has defended his conversations with Cathy, calling them “a lesson to learn for the future of our movement.”

“It’s not always about winning or losing,” Windmeyer said. “It’s about having tough

conversations we need to have with people who disagree with us but doing so in a way that creates understanding and creates care for each other.”

He added, “It’s my purpose to role model that you can come together and talk to someone with opposite views and you don’t have to have opposing voices. You can sit down and have conversations. One can decide to boycott, but as long as that person is willing to do work heading toward common ground, then I don’t want to shut off the dialogue.”

Common ground is exactly what Windmeyer says Chick-fil-A’s Cathy wants. And, indeed, the company’s Hollywood store was a sponsor just in the past two weeks of [Level Ground](#), a Los Angeles festival that ran Feb. 20-March 2 that “uses art to create safe space for dialogue about faith, gender, and sexuality.”

Though Windmeyer believes Cathy and Chick-fil-A are making progress, there remains much more work to do. The company, for example, does not offer non-discrimination protections for LGBT employees and it does not offer benefits for LGBT employees’ partners. Additionally, some critics will have continued concerns over Cathy’s personal religious views or the Chick-fil-A Foundation’s continued funding of groups like the Fellowship of Christian Athletes.

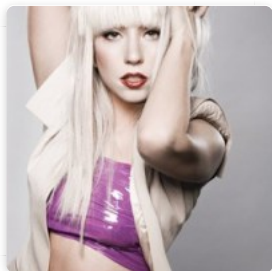
Even so, Windmeyer intends to continue his dialogue.

“We sometimes forget that we may achieve equality when it comes to marriage in the near future,” he says, “but ultimately there will still be people who disagree with us. How can we have conversations and engage those individuals?”

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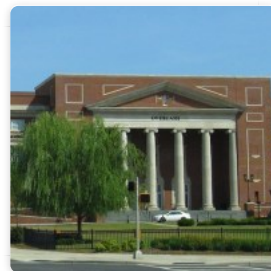
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Posted by Matt Comer

Matt Comer is a staff writer for QNotes. He previously served as editor from October 2007 through August 2015.

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One Reply to “New Chick-fil-A filings show decrease in anti-LGBT funding”



Jake

MARCH 4, 2014 AT 12:23 PM

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Exhibit 11



Chick-fil-A donated to anti-LGBTQ group that bars employees from 'homosexual acts'

The group gave \$1.8 million to discriminatory groups in 2017, despite reportedly claiming it was winding down that practice last year.

JOSH ISRAEL 

MAR 20, 2019, 8:00 AM



THE CHICK-FIL-A LOGO IS ON DISPLAY DURING THE PEACH BOWL, IN DECEMBER 2018. CREDIT: BY MICHAEL WADE/ICON SPORTSWIRE VIA GETTY IMAGES

Chick-fil-A has taken great pains to downplay its anti-LGBTQ rhetoric and giving, seven years into a national boycott by LGBTQ and allied diners. But contrary to the company's latest claims that it has no political or social agenda, newly released tax filings show that, in 2017, the Chick-fil-A Foundation gave more than \$1.8 million to a trio of groups with a record of anti-LGBTQ discrimination.

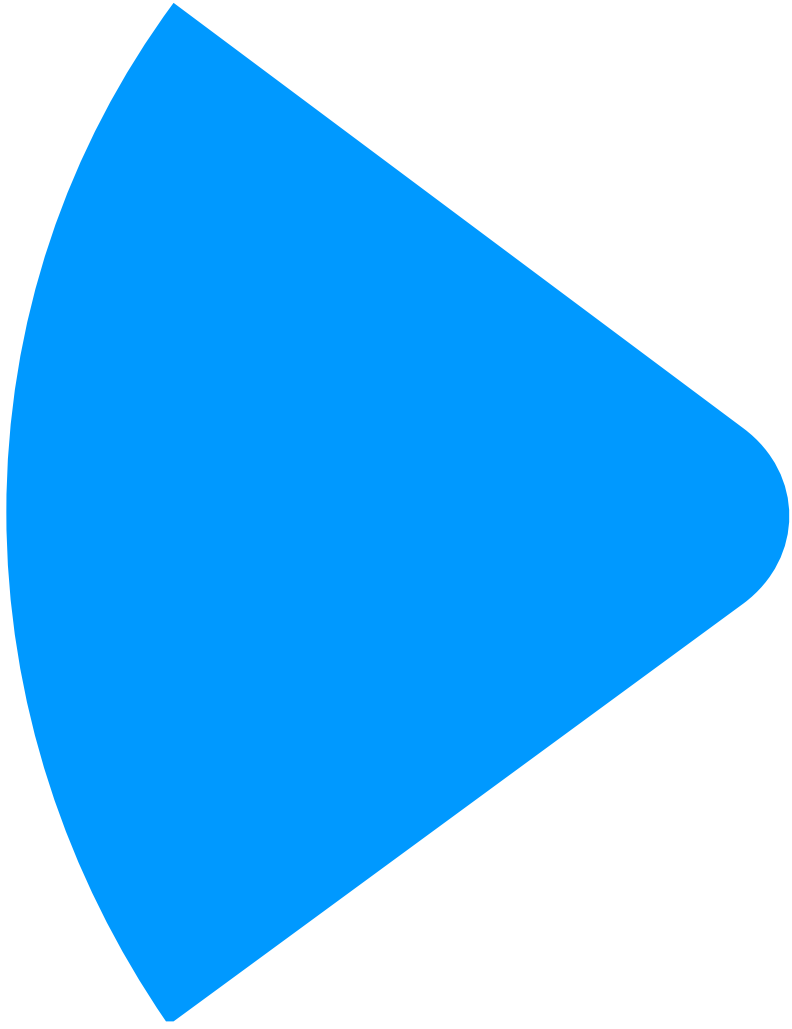
The donations — \$1,653,416 to the Fellowship of Christian Athletes, \$6,000 to the Paul Anderson Youth Home, and \$150,000 to the Salvation Army — actually represent a slight increase from the previous year. The foundation's funding comes almost entirely from the corporate treasury and shares leadership with the company.

The Fellowship of Christian Athletes is a religious organization that seeks to spread an anti-LGBTQ message to college athletes and requires a strict "sexual purity" policy for its employees that bars any "homosexual acts." Paul Anderson Youth Home, a "Christian residential home for trouble youth," teaches boys that

homosexuality is wrong and that same-sex marriage is “rage against Jesus Christ and His values.”

The Salvation Army has a long record of opposing legal protections for LGBTQ Americans and at the time of the donations had a written policy of merely complying with local “relevant employment laws.” The organization’s website has since changed to indicate a national policy of non-discrimination based on sexual orientation and gender identity.







Rubio's 'personal view' defense of Chick-fil-A is bogus. Here are the receipts.

Chick-fil-A is one of a dwindling number of companies that still refuses to include explicit protection against discrimination on the basis of sexual orientation and gender identity in its employment non-discrimination policy and received a zero from the Human Rights Campaign in its annual buyers guide. Back in 2012, Chick-fil-A's CEO Dan Cathy opined that America is "inviting God's judgment on our nation when we shake our fist at him and say we know better than you as to what constitutes a marriage."

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When asked about his support for gay positions, he responded "Well, guilty as charged. I'm not going to apologize. I'm going to have an appreciation day" for Arkansas Gov. Mike Huckabee (R).
In the meantime, any posted a Facebook statement that it

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would focus on making Chick-fil-A leave the policy debate over same-sex marriage to the government and political arena." Cathy wooed a prominent LGBTQ activist in 2013 and spun him into believing the company was scaling back its anti-equality giving.

It did not do so. Last summer, ThinkProgress reported that Cathy had been selected to give a keynote speech at an "equality" conference being held by the International Economic Development Council. The council's president, Jeff Finkle, told ThinkProgress in a phone interview at the time that Chick-fil-A had made similar claims of reform.

"I think if you look at where their donations were in 2010, 2011, and 2012 — and where they are in 2018 and in the future — I think you'll see a company that is changing," Finkle said.

Asked about the anti-LGBTQ donations in 2016, he added, "They said, after this year, there's only gonna be one group left that some people in the LGBTQ community will object to — that's the Salvation Army. They told us from now forward they are ceasing all the other contributions that have been deemed offensive." (Cathy's name was removed from the event website prior to the September conference.)

The 2017 numbers show — at least for that year — that did not change.

Reached for comment on Tuesday, Chick-fil-A, Inc. said the company had made a decision in 2017 to no longer donate to the Paul Anderson Youth Home moving forward. "In 2017, a decision was made by the Chick-fil-A Foundation to no longer donate to the group after a blog post from 2010 surfaced that does not meet

Chick-fil-A's commitment to creating a welcoming environment to all," the company told ThinkProgress.

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"[S]in

ontributions to the Fellowship of Christian
at its donations to those groups had been
d various children's programs,

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focused on youth and education, the company said. "We have never donated with
the purpose of supporting a social or political agenda. There are 140,000 people —
black, white; gay, straight; Christian, non-Christian — who represent Chick-fil-A. We
are the sum of many experiences, but what we all have in common is a commitment
to providing great food, genuine hospitality, and a welcoming environment to all of
our guests."

Chick-fil-A's practices made headlines again in recent weeks, after Rider University
in New Jersey declined to consider putting a location on campus, in light of the
company's record. The company similarly told the Atlanta Journal-Constitution in

December, "We have no policy of discrimination against any group, and we do not have a political or social agenda."

The then-dean of Rider's College of Business Administration, a self-described "committed follower of Jesus Christ," announced earlier this month that she had resigned over the decision and felt like she had "been punched in the stomach" when the school would not apologize for criticizing Chick-fil-A's "corporate values," which she said were "exactly" like her own.



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Exhibit 12

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Chick-fil-A is still bankrolling anti-LGBTQ causes

The company's tax-exempt foundation continues to bankroll anti-LGBTQ organizations with more than \$1.4 million in donations.

JOSH ISRAEL  JUL 6, 2017, 6:35 PM



CHICK-FIL-A SPONSORS THE NCAA PEACH BOWL. IT'S FOUNDATION ALSO CONTINUES TO SPONSOR ANTI-LGBTQ GROUPS. CREDIT: AP PHOTO/JOHN BAZEMORE

It has been nearly five years since Chick-fil-A chairman and CEO Dan Cathy's comment that the company was "guilty as charged" of opposing same-sex marriage brought the company's long history of anti-LGBTQ activism to the nation's attention.

It has been nearly five years since Cathy, facing national backlash, vowed to stay out of the debate and focus on chicken. At that time, the company launched a very small charm offensive, issuing a statement that the company will "treat every person with

honor, dignity and respect-regardless of their beliefs, race, creed, sexual orientation and gender." (Chick-fil-A did not back this up with any LGBTQ-inclusive non-discrimination policy.)

But has anything changed? It sure doesn't look that way. While the company's non-profit arms scaled back support for some of the groups that actively push an anti-gay agenda, the Chick-fil-A Foundation's most recent IRS filings show it gave hundreds of thousands of dollars to anti-LGBTQ organizations in 2015. Though its website's FAQ claims the foundation "is focused on helping every child become all they were created to be," its donations went to groups that do not believe this includes LGBTQ youth.

For example, the Chick-fil-A Foundation gave more than \$1 million in 2015 (nearly one-sixth of its total grants) to the the Fellowship of Christian Athletes. The religious organization, which seeks to utilize athletes and coaches to spread Christian teachings, imparts a strongly anti-LGBTQ message. Staff and volunteers with the organization have been required to adhere to a strict "sexual purity" policy, prohibiting any "homosexual acts," even for married couples. The group takes the view that, "The Bible is clear in teaching on sexual sin including sex outside of marriage and homosexual acts. Neither heterosexual sex outside of marriage nor any homosexual act constitute an alternative lifestyle acceptable to God."



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The foundation also gave more than \$200,000 to the Paul Anderson Youth Home, a Georgia-based “transformative organization” that operates a “Christian residential home for troubled youth.” Focusing on boys, their [teachings](#) include the idea that the “sexual, physical, and mental abuse of children, mostly in the alleged ‘safety’ of their own homes has produced all kinds of evil throughout the culture to include the explosion of homosexuality in the last century.” The myth that people are LGBTQ due to abuse is a claim [frequently made by anti-LGBTQ organizations](#) to [promote harmful “ex-gay” therapy](#).

Additionally, the Chick-fil-A Foundation gave at least \$130,000 to the Salvation Army. The religious organization has a long history of [anti-LGBTQ housing discrimination](#), [opposition to same-sex marriage equality](#), and [supporting exemptions from non-discrimination ordinances](#). One page on its website, entitled [“The Salvation Army and the LGBT Community,”](#) boasts that the group adheres “to all relevant employment laws, providing domestic partner benefits accordingly.” Given that only a [minority of states](#) explicitly bar anti-LGBTQ discrimination, that’s a low bar.

The Human Rights Campaign’s most recent [scorecard](#) rates Chick-fil-A a [0](#) on LGBTQ-inclusive policies (or lack thereof). With its continued foundation giving to those who preach anti-LGBTQ values—at least \$1.4 million in 2015 alone—it does

not appear that the group has yet lived up to its promise to focus on poultry.



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Exhibit 13

For Chick-fil-A, impact trumps 'any political or cultural war' when it comes to controversial donations

Kate Taylor May 15, 2019, 9:23 AM



Chick-fil-A's charitable donations have been subject to scrutiny for years. Hollis Johnson

- **Chick-fil-A is facing renewed scrutiny over its charitable donations after tax returns showed that the chain donated \$1.6 million to the Fellowship of Christian Athletes and \$150,000 to the Salvation Army in 2017.**



- **Rodney Bullard, the head of the Chick-fil-A Foundation, defended the donations in an interview with Business Insider, saying they were "relevant and impactful in the**

community."

- "For us, that's a much higher calling than any political or cultural war that's being waged," Bullard said.
- The Salvation Army and Fellowship of Christian Athletes have been criticized for their historical opposition to same-sex marriage and for [reportedly excluding LGBT individuals from leadership positions](#).
- Bullard noted that Chick-fil-A's donations to the organizations funded specific programs — such as summer camps — that work directly with underprivileged children.
- [Visit Business Insider's homepage for more stories.](#)

ATLANTA, Georgia — Chick-fil-A's charitable donations have been subject to scrutiny for years.

In 2012, the chicken chain set off a [massive wave of backlash](#) after CEO Dan Cathy said the company supported "the biblical definition of the family unit," calling it "prideful" and "arrogant" for individuals to define marriage. Chick-fil-A had donated millions of dollars to groups that opposed same-sex marriage, including the Family Research Council, which was labeled a [hate group by the Southern Poverty Law Center in 2010](#).

Chick-fil-A ceased its donations to all political groups and those organizing against LGBT rights in 2012, and it now makes its charitable donations through the Chick-fil-A Foundation. However, the chicken chain's donations to two major organizations — the Fellowship of Christian Athletes and the Salvation Army — continue to draw criticism.

Jim Fortier (left) and Mark Toomajian (right) kiss as they join about two dozen members of gay rights groups and others protesting outside a Decatur, Georgia, Chick-fil-A restaurant in 2012. AP Photo/David Tulis

Tax returns show that in 2017 Chick-fil-A donated \$1,653,416 to the Fellowship of Christian Athletes and \$150,000 to the Salvation Army: two organizations that [ThinkProgress](#) and other publications have classified as anti-LGBT, due in part to their historical opposition to same-sex marriage. The



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company also donated \$6,000 to the Paul Anderson Youth Home, a Christian residential home that teaches that same-sex marriage is "rage against Jesus Christ and His values."

Chick-fil-A stopped its donations to the Paul Anderson Youth Home prior to [ThinkProgress' report in March](#), saying that the organization was unaware of these policies and ended donations when they were brought to light. However, the company has defended its donations to the Fellowship of Christian Athletes and the Salvation Army.

Last week, Business Insider sat down with Rodney Bullard in Chick-fil-A's Atlanta, Georgia, headquarters [to discuss the chain's approach to charitable giving](#). Bullard is the vice president of corporate social responsibility at Chick-fil-A as well as the executive director of the Chick-fil-A Foundation.

In total, Chick-fil-A donated \$9.9 million in 2017, the last year from which tax returns are available. Today, Bullard says, the Chick-fil-A Foundation works with more than 300 partners, primarily focusing on lower-income and underserved youth.

"The calling for us is to ensure that we are relevant and impactful in the community, and that we're helping children and that we're helping them to be everything that they can be," Bullard said.

"For us, that's a much higher calling than any political or cultural war that's being waged," he continued. "This is really about an authentic problem that is on the ground, that is present and ever present in the lives of many children who can't help themselves."

Read more: [Chick-fil-A's head of charity reveals his strategy behind donations, how he responds to backlash, and why he believes Christian faith requires inclusivity](#)

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Bullard said that he believes reporting on the Chick-fil-A Foundation's donations has failed to dig into what the funds have gone towards.

Chick-fil-A's perspective on its charitable donations is that they go towards specific programs that help all children, not any specific religious group. Under Bullard, Chick-fil-A has focused on low-income youth and economic inequality, with Bullard citing a statistic that a child born into poverty in Atlanta has [just a 4% chance](#) of achieving self-sufficient wealth.

"Regardless of where you may find yourself on any particular issue, this is our collective problem and that we all can be a part of the solution. ... We all should join together and be a part of the solution," Bullard said.

The Fellowship of Christian Athletes has been criticized for its "purity pledge" — a vow to avoid "heterosexual sex outside of marriage nor any homosexual act" that leaders in the organization are required to sign. The organization's [statement of faith](#) reads, in part: "We believe that marriage is exclusively the union of one man and one woman."

Chick-fil-A's Fellowship of Christian Athletes donations go towards summer sports camps that the Chick-fil-A Foundation has hosted for years in partnership with the organization. The mission of the camps is to introduce inner-city Atlanta youth to new sports, such as golf, tennis, and archery.

"These kids are important to us," Bullard said. "We develop relationships with them over the years to where there is a crisis, they actually come to people, in part to people in our staff."

Chick-fil-A also emphasizes that kids who attend the camp are not forced to sign the purity pledge

"The intent is not to try to have kids conduct their lives according to the FCA code. The intent is to expose them to all of the gateway to college exposure in sports as role models, all of that," Carrie Kurlander, Chick-fil-A's vice president of external communications, said to Business Insider. "So, we actually had a conversation two years ago about this very thing and said, 'Alright, we're probably going to get dinged. But the impact is real and authentic.' And so, there was a judgment call."

Bullard added: "No child was thinking anything about a purity clause or anything other than sports exposure in college."

The Chick-fil-A Foundation also has two partnerships with the Salvation Army. The Salvation Army — which is [actually an evangelical church](#)— now [emphasizes](#) its commitment to serving the LGBT community and that it does not discriminate based on sexual identity in hiring. In the past, however, the organization has reportedly discriminated against employees in same-sex marriages and has been accused of [turning transgender individuals away from shelters](#).

In one partnership, Chick-fil-A works with youth groups associated with the Salvation Army to bring kids to summer sports camps. The foundation also worked with Salvation Army on the Angel Tree Program, which provides children in Atlanta with toys during the holiday season.

"At the end of the day, the impact — that's really what's important for us," Bullard said. "We don't want our intent and our work to be encumbered by someone else's politics or cultural war. If something gets in the way of our mission, that is something that we are mindful of and cognizant of."

Chick-fil-A's donation practices are firmly rooted in the Cathy family's Christian faith. S. Truett Cathy, who passed away in 2014, founded Chick-fil-A; his son Dan Cathy is now CEO.

"The family has not, particularly Truett, did not shy away from his faith," Bullard said. "And his faith was a faith of opportunity and faith of inclusion, actually."

"There's a calling to help people, and I think at times that has been confused with a calling, somehow, to exclude," he added. "And that's not the case. The focus, the phrase 'every child' — we're very intentional about that."

Read Business Insider's full interview with Rodney Bullard here.

If you've worked at Chick-fil-A or have a story to share about the chain, we would love to hear your perspective. Email this reporter at ktaylor@businessinsider.com.

SEE ALSO: Evidence is mounting that fast-food chains from Chick-fil-A to McDonald's will be forced to add vegan menu items — or face the consequences »

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Exhibit 14

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



**FINAL
Meeting Minutes
City Council A Session**

City Hall Complex
105 Main Plaza
San Antonio, Texas 78205

Thursday, March 21, 2019

9:00 AM

Municipal Plaza Building

The City Council convened in a Regular Meeting. City Clerk Leticia Vacek took the Roll Call noting a quorum with the following Councilmembers present:

PRESENT: 11 - Mayor Nirenberg, Treviño, Hall, Viagran, Saldaña, Gonzales, Brockhouse, Sandoval, Pelaez, Courage, and Perry

1. The Invocation was delivered by Reverend Eric Vogt, Senior Pastor Travis Park United Methodist Church, guest of Mayor Ron Nirenberg.
2. Mayor Nirenberg led the Pledge of Allegiance to the Flag of the United States of America.
3. Approval of Minutes of the City Council Regular Meetings of February 13 - 14, 2019.

Councilmember Treviño moved to approve the Minutes of the City Council Special Meeting of January 24, 2019 and the City Council Regular Meetings of January 30-31, 2019. Councilmember Hall seconded the motion. The motion to approve prevailed by the following vote:

AYE: 11 - Mayor Nirenberg, Treviño, Hall, Viagran, Saldaña, Gonzales, Brockhouse, Sandoval, Pelaez, Courage, and Perry

POINT OF PERSONAL PRIVILEGE

Mayor Nirenberg observed a moment of silence for City Employee, Omega McKinnon, who was tragically killed the previous day.

OATH OF OFFICE-MAYOR PRO TEM

4. Councilmember Art Hall will be sworn-in as Mayor Pro Tem serving the term March 22, 2019 through May 31, 2019 (or until new Mayor Pro-Tem Terms are drawn).

City Clerk Vacek administered the Oath of Office to Councilmember Art A. Hall to serve as Mayor Pro Tem for the term March 22, 2019 through May 31, 2019.

POINTS OF PERSONAL PRIVILEGE

Mayor Nirenberg recognized Officer Albert Castillo, who was retiring from the San Antonio Police Department after 33 years of service. He noted that Mr. Castillo had transferred to his current position of Executive Protection Officer to the Mayor's Office in 1994 and had served 10 San Antonio Mayors. Mayor Nirenberg recognized Mr. Castillo's Family and thanked them for their support. Mr. Castillo thanked Mayor Nirenberg for the recognition and acknowledged the support of his family. The City Councilmembers wished Mr. Castillo well in his retirement.

Councilmember Gonzales invited everyone to attend the 23rd Annual Cesar Chavez March on Saturday, March 30th at 10:00 am at the Guadalupe Cultural Arts Center.

CONSENT AGENDA ITEMS

Items 13, 15, 21, 24, and 34 were pulled for Individual Consideration. Councilmember Treviño moved to approve the remaining Consent Agenda Items. Councilmember Courage seconded the motion.

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

Jack M. Finger spoke in opposition to the Lease Agreement with Saltgrass Steakhouse (Item 17), AmeriCorps VISTA Grant Application (Item 20), and Risk Mitigation Policy (Item 34).

Mayor Nirenberg recognized Representative Diego Bernal and Gordon Hartman for their work on the Air Conditioning Partnership leveraged-matched funding for Public Housing

Residents (Item 33e). Representative Bernal stated that he was pleased to support the project and thanked everyone for their work. Mr. Hartman added that he felt the project was very worthy and was pleased to be a part of it.

Councilmembers Gonzales, Saldaña, Sandoval, and Treviño thanked Representative Bernal and Gordon Hartman for their work (Item 33e).

Councilmember Hall highlighted the naming of the lake at Milam Tealer Park to Lake Verda (Item 35) and recognized Ms. Verda Tealer who was present. He spoke of her and her husband's great work in the community.

Councilmember Viagran highlighted the Stinson Hike and Bike Project (Item 25) and welcomed Halliburton Energy Services, Inc. to District 3 (Item 28). She also recognized the items related to the Brooks City-Base TIRZ and Brooks Development Authority (Item 37) and thanked everyone for their work.

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

AYE: 11 - Mayor Nirenberg, Treviño, Hall, Viagran, Saldaña, Gonzales, Brockhouse, Sandoval, Pelaez, Courage, and Perry

2019-03-21-0209

5. Ordinance approving a capacity based authorization for the City to utilize the Minnesota Multistate Contracting Alliance for Pharmacy contract to provide the City with vaccines and biologicals for an amount up to \$500,000.00 over a period of five years. Funded through sources including, but not limited to the General Fund and State and Federal grant funds. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

2019-03-21-0210

6. Ordinance approving a contract with Gomez Floor Covering, Inc. to replace existing flooring at the Great Northwest and Semmes branch library locations for a total cost of \$143,027.33. Funding for this contract is available through the FY 2019 General Fund Budget. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

2019-03-21-0211

7. Ordinance approving a contract with Grande Truck Center to provide the Animal Care Services Department with four live animal transport trucks for a total cost of \$218,048.00. Funding is available from the FY 2019 Equipment Renewal and Replacement Fund Budget and the FY 2019 General Fund Budget. [Ben Gorzell,

Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

2019-03-21-0212

8. Ordinance approving a contract with TYMCO, Inc. to provide the Aviation Department with a replacement regenerative air street sweeper for a total cost of \$239,970.00. Funding is available in the FY 2019 Airport Operating & Maintenance Fund Budget. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

2019-03-21-0213

9. Ordinance approving a contract with Vermeer Texas-Louisiana and San Antonio Southwest Trailers to provide landscaping equipment for the Parks & Recreation, Transportation & Capital Improvements and Solid Waste Management departments, for a total contract value of \$133,795.00. Funding is available from the FY 2019 Equipment Renewal & Replacement Fund (ERRF) Budget, FY 2019 Storm Water Operating Fund Budget, and the FY 2019 Solid Waste Operating and Maintenance Fund Budget. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

2019-03-21-0214

10. Ordinance authorizing the following contracts establishing unit prices for goods and services for an estimated annual cost of \$331,000.00:
(A) Orkin, LLC for commercial pest control services; and
(B) Graybar Electric Company, Inc. for lamps and ballasts. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

2019-03-21-0215

11. Ordinance accepting a task order to a Job Order Contract with Alpha Building Corporation in an amount not to exceed \$159,282.11 for the roof replacement on the building at 457 Sandau Rd at the San Antonio International Airport, funded from previously-appropriated Airport Improvement and Contingency Funds in the Improvements to Airport-Owned Property project. [Carlos Contreras, Assistant City Manager; Russell Handy, Director, Aviation]
12. Approving the following ordinances related to the Consolidated Rental Car Facility at the San Antonio International Airport, an Aviation Capital Improvements funded project: [Carlos Contreras, Assistant City Manager; Razi Hosseini, Interim Director, Transportation & Capital Improvements]

2019-03-21-0216

- 12A.** Ordinance approving a negotiated project closeout agreement with Turner Construction Company for a \$995,000.00 payment to Turner Construction Company to resolve claims associated with the construction of the Consolidated Rental Car Facility.

2019-03-21-0217

- 12B.** Ordinance amending the construction manager at risk contract with Turner Construction Company in the amount of \$995,000.00 for a total contract value of \$143,637,316.00.

2019-03-21-0218

- 12C.** Ordinance amending the professional service agreement with TranSystems Corporation in an amount not to exceed \$484,918.00 for a total contract value not to exceed \$13,252,261.00 to provide for additional and extended construction administration services required to closeout the Consolidated Rental Car Facility Project.

2019-03-21-0220

- 14.** Ordinance approving the closure, vacation and abandonment of two unimproved 15-foot wide alleys public rights of way located between E. Theo Avenue and Truax Street in City Council District 3, as requested by Puente & Sons, Inc. dba Puente & Sons Funeral Chapels and Dad-Mo Grand Investments LLC, for a fee of \$11,046.00 which will be deposited into the General Fund in accordance with the FY 2019 Adopted Budget. [Peter Zaroni, Deputy City Manager; Razi Hosseini, Interim Director, Transportation & Capital Improvements]

2019-03-21-0222

- 16.** Ordinance approving a shoe shine concession agreement with Boot Black, LLC for the operation of a service and retail concession facility offering shoe shine and repair services and the sale of shoe care products in Terminals A and B in the San Antonio International Airport. The initial term of the agreement is one year with the option of three additional one-year terms extensions and generating at least \$2,400.00 in annual revenue for the Aviation Operating and Maintenance Fund. [Carlos Contreras, Assistant City Manager; Russell Handy, Director, Aviation]

2019-03-21-0223

- 17.** Ordinance approving a Lease agreement with FSI Restaurant Development, Ltd. d/b/a Saltgrass Steakhouse for use of 512.50 square feet of River Walk patio space for food and beverage service. Revenue generated from this lease agreement will be deposited into the River Walk Capital Improvement Fund. [Lori Houston, Assistant City

Manager; John Jacks, Director, Center City Development & Operations]

2019-03-21-0224

18. Ordinance approving a license agreement with San Antonio River Walk Association for a five-year period from April 1, 2019 to March 31, 2024 for the purpose of promoting the River Walk and all of San Antonio. [Lori Houston, Assistant City Manager; John Jacks, Director, Center City Development and Operations]

2019-03-21-0225

19. Ordinance approving the temporary closure of certain streets for the 2019 Fiesta San Antonio celebration; approving the locations, dates and times for the Fiesta Carnival and official Fiesta events with related requirements and conditions, including a limited exception of Municipal Code Section 32-30; and approving the Fiesta parade routes. [Lori Houston, Assistant City Manager; John Jacks, Director, Center City Development & Operations]

2019-03-21-0226

20. Ordinance approving the submission of an AmeriCorps VISTA grant application to the Corporation of National and Community Service, and acceptance upon award for the period of May 29, 2019 through May 29, 2020, a cash match of \$24,622.00, and Memoranda of Agreement to benefit City's AmeriCorps programs. [Colleen Bridger, Interim Assistant City Manager; Melody Woosley, Director, Human Services]

2019-03-21-0227

22. Ordinance approving the application and acceptance, if awarded, of a Texas Department of Transportation "Click It Or Ticket" Selective Traffic Enforcement Program grant of up to \$40,000.00 for the period from May 20, 2019 through June 2, 2019. [María Villagómez, Deputy City Manager; William P. McManus, Chief of Police]

2019-03-21-0228

23. Ordinance accepting additional funds up to \$101,750.00 from the Office of National Drug Control Policy which will increase the 2018 San Antonio High Intensity Drug Trafficking Area grant G18SS0009A budget from \$2,071,931.00 to a proposed budget of \$2,173,681.00 for the grant period January 1, 2018, through December 31, 2019. [María Villagómez, Deputy City Manager; William McManus, Chief of Police]

2019-03-21-0230

25. Ordinance approving an agreement with the National Park Service for the design and construction of a public access pedestrian foot bridge as part of the Stinson Hike and Bike project that will cross the Acequia de Espada on land owned by the National Park Service. There is no cost associated with this agreement as the work was

included in a prior City Council approved construction contract. [Carlos Contreras, Assistant City Manager; Russell Handy, Director, Aviation]

2019-03-21-0231

26. Ordinance approving a Contract for Election Services with the Bexar County Elections Office for the May 4, 2019 General Election at an estimate cost to the City of \$739,732.44. Funding is available in the FY 2019 Municipal Elections General Fund Adopted Budget. [Leticia Vacek, City Clerk]

2019-03-21-0232

27. Ordinance approving the required 2-year update to the Workforce Solutions Alamo Local Plan 2017-2020 as recommended by the Committee of Six on February 27, 2019 for submission to the Texas Workforce Commission. [Carlos Contreras, Assistant City Manager; Rene Dominguez, Director, Economic Development]

2019-03-21-0233

28. Ordinance approving the termination of Industrial District Non-Annexation Agreement with Halliburton Energy Services, Inc. and approving a Chapter 380 Tax Rebate Agreement with Halliburton Energy Services, Inc. rebating approximately 62% of San Antonio's ad valorem taxes for continued operations at 4526 S. Loop 1604. [Carlos Contreras, Assistant City Manager; Rene Dominguez, Director, Economic Development]

2019-03-21-0234

29. Ordinance approving a professional services agreement in an amount not to exceed \$135,000.00 with Cultures Connecting to develop and facilitate an equity train-the-trainer program for one year with an option to renew. Funding is available in the Office of Equity's FY 2019 General Fund Budget. [Colleen Bridger, Interim Assistant City Manager; Zan Gibbs, Chief Equity Officer]

2019-03-21-0235

30. Ordinance approving a professional services contract with Medical-Dental-Hospital Bureau of San Antonio, Inc., dba Business and Professional Service, to provide Emergency Medical Service billing and collection services for the San Antonio Fire Department for the period beginning April 1, 2019 and ending on September 30, 2024, with options to renew. Revenues from this contract will be deposited into the General Fund in accordance with the Adopted Budget. [Maria Villagomez, Deputy City Manager; Charles N. Hood, Fire Chief]

2019-03-21-0236

31. Ordinance approving a professional services agreement with Tuition.io, Inc. to administer a student loan repayment program for benefit-eligible civilian employees

and City Council aides for a three year term beginning April 1, 2019 and ending March 31, 2022, with two renewal terms of one year each at the City's option, with an annual estimated cost of \$57,186.00, funded out of the City's Employee Benefits Fund. [Ben Gorzell, Chief Financial Officer; Lori Steward, Director, Human Resources]

2019-03-21-0237

32. Ordinance approving an Interlocal Agreement with the University of North Texas in an amount up to \$114,196.00 for the period through September 30, 2019 to conduct a comprehensive Senior Services Strategic Plan. Funds were previously authorized in the FY 2018 Senior Nutrition Program Grant Budget. [Colleen Bridger, Interim Assistant City Manager; Melody Woosley, Director, Human Services]

2019-03-21-0238

33. Ordinance approving Substantial Amendment #1 to the FY 2019 Action Plan and Budget to reprogram Community Development Block Grant (CDBG) Funds in an amount not to exceed \$2,701,242.90 to the following eligible activities consistent with the Five Year Consolidated Plan; (a) up to \$1,300,000.00 for the Zarzamora Service Center Environmental Remediation; (b) up to \$500,000.00 for the Air Conditioning Partnership leveraged-matched funding for Public Housing Residents; (c) up to \$250,000.00 for House of Neighborly Services Facility Improvements; (d) up to \$200,000.00 for East Meadows Infrastructure Improvements; (e) up to \$200,000.00 for the Short-Term Emergency Rental Assistance Program; and (f) up to \$251,242.90 for Public Infrastructure Improvements Supplemental Funding. [Peter Zaroni, Deputy City Manager; Verónica R. Soto, Director, Neighborhood and Housing Services]

2019-03-21-0240

35. Ordinance authorizing the naming of the lake at Milam Tealer Park to Lake Verda located at 5640 Lakefront Drive in Council District 2. There is no General Fund impact associated with this ordinance. [Colleen Bridger, Interim Assistant City Manager; Xavier D. Urrutia, Director, Parks & Recreation]

2019-03-21-0241

36. Ordinance extending the City limits by full purpose annexation of a 45.739 acre property, addressed at 10925 Green Road, which is contiguous to the City of San Antonio limits, located within the San Antonio Extraterritorial Jurisdiction in Bexar County, as requested by LGI Homes-Texas LLC, approving a Service Agreement, and establishing an effective date of April 21, 2019. [Peter Zaroni, Deputy City Manager; Bridgett White, Planning Director]

37. Ordinance approving the following items relating to the Brooks City-Base TIRZ (Brooks TIRZ) and Brooks Development Authority: [Carlos Contreras, Assistant City Manager; Rene Dominguez, Director, Economic Development]

2019-03-21-0242

- 37A. Ordinance approving an Interlocal Agreement with the Brooks Tax Increment Reinvestment Zone and Brooks Development Authority for the rehabilitation and finish-out of Buildings 167 and 176 on the Brooks campus.

2019-03-21-0243

- 37B. Ordinance approving the Amended Project Plan, Amended Finance Plan, and the Amended and Restated Development Agreement for the Brooks Tax Increment Reinvestment Zone.

38. Approving the following items totaling \$2,863,221.00 for the Alamo Area Regional Radio System (AARRS) Project: [Ben Gorzell, Chief Financial Officer; Craig Hopkins, Chief Information Officer, Information Technology Services]

2019-03-21-0244

- 38A. Ordinance authorizing multiple change requests to the \$80,695,423.00 Radio Systems Agreement with Dailey and Wells Communications. Inc. in the amount not to exceed \$1,356,681.00.

2019-03-21-0245

- 38B. Ordinance appropriating additional funds for the Alamo Area Regional Radio System Project in the amount not to exceed \$1,506,540.00 for fiber and lease costs incurred prior to implementation of the system.

2019-03-21-0246

- 38C. Ordinance authorizing the City Manager or designee to execute system change requests and amendments to the Radio Systems Agreement, and its exhibits, up to \$500,000.00 with concurrence by the City Attorney for the Alamo Area Regional Radio System (AARRS) Project, subject to the availability of Funds and in accordance with the Interlocal Agreement approved by the City, CPS Energy and Bexar County.

39. Consideration of the following in connection with the Financial Restructuring of Two Loans Provided to Finance Certain Educational and Housing Facilities for the

University of the Incarnate Word (UIW) and assessing UIW a \$2,500.00 authorization fee to be deposited into the General Fund in accordance with the FY 2019 Adopted Budget: [Ben Gorzell, Jr., Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer]

Mayor Nirenberg recessed the City of San Antonio City Council Meeting and convened the Board of Directors of the City of San Antonio, Texas Education Facilities Corporation Meeting to consider the following:

EFC 2019-03-21-0001R

- 39A.** Resolution of the Board of Directors of the City of San Antonio, Texas Education Facilities Corporation Approving and Authorizing the Execution of an Amendment to a Loan Agreement by and Among the City of San Antonio, Texas Education Facilities Corporation, the University of the Incarnate Word, and DNT Asset Trust, a Delaware Business Trust and Wholly Owned Subsidiary of JPMorgan Chase Bank, N.A., for the Purpose of Modifying the Principal Repayment Schedule at the Request of the University

EFC 2019-03-21-0002R

- 39B.** Resolution of the Board of Directors of the City of San Antonio, Texas Education Facilities Corporation Approving and Authorizing the Execution of an Amendment to 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., an Affiliate of Bank of America, N.A., N.A., for the Purpose of Modifying the Principal Repayment Schedule at the Request of the University

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

2019-03-21-0026R

- 39C.** Resolution Approving, for Purposes of Section 147(f) of the Internal Revenue Code, the Restructuring of Principal Payments in Connection with a Tax-Exempt Loan Provided in 2015 Through the City of San Antonio, Texas Education Facilities Corporation to the University of the Incarnate Word by DNT Asset Trust, a Delaware Business Trust and Wholly Owned Subsidiary of JPMorgan Chase Bank, N.A.

2019-03-21-0027R

- 39D.** Resolution Approving, for Purposes of Section 147(f) of the Internal Revenue Code, the Restructuring of Principal Payments in Connection with a Tax-Exempt Loan Provided in 2016 Through the City of San Antonio, Texas Education Facilities

Corporation to the University of the Incarnate Word by Banc of America Public Capital Corp., an Affiliate of Bank of America, N.A.

CONSENT ITEMS CONCLUDED

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

Mayor Nirenberg addressed Item 21 at this time. City Clerk Vacek read the caption for Item 21:

2019-03-21-0025R

- 21.** Resolution supporting applications by the Alamo Colleges Foundation and Goodwill of San Antonio for the 2019 CommunityWINS grant program, sponsored by Wells Fargo and the U.S. Conference of Mayors. The selected nonprofit organization will receive up to \$300,000 to be used within one year of receipt. [Colleen Bridger, Interim Assistant City Manager; Melody Woosley, Director, Department of Human Services]

Councilmember Hall recused himself from voting on Item 21 by exiting the Council Chambers and noting that he submitted the recusal forms to the City Clerk.

Councilmember Viagran moved to approve the Resolution. Councilmember Treviño seconded the motion. The motion to approve prevailed by the following vote:

AYE: 10 - Mayor Nirenberg, Treviño, Viagran, Saldaña, Gonzales, Brockhouse, Sandoval, Pelaez, Courage, and Perry

ABSTAIN: 1 - Hall

Mayor Nirenberg addressed Item 34 at this time. City Clerk Vacek read the caption for Item 34:

2019-03-21-0239

- 34.** Ordinance approving the Risk Mitigation Policy for the \$1 million Risk Mitigation Fund included in the FY 2019 Adopted General Fund Budget establishing guidelines for housing relocation assistance and emergency housing assistance funding as a result of certain conditions. [Peter Zaroni, Deputy City Manager; Verónica R. Soto, Director, Neighborhood and Housing Services]

Veronica Soto presented an overview of the Risk Mitigation Policy. She highlighted the community outreach conducted and Displacement Prevention Approach. She spoke of their

current efforts for Displacement Prevention and provided an overview of the \$1 million that would be used for Risk Mitigation. She outlined the Relocation and Emergency Assistance that would be provided. She noted that the Housing Commission had recommended: 1) Comprehensive and compassionate housing policy framework; 2) City incentives not be awarded to projects causing direct displacement; 3) Ensure that the policy is a pilot; and 4) Develop an outreach plan. She stated that an outreach plan had been developed and that data would be analyzed post program implementation. She added that the Comprehensive Plan Council Committee and Housing Commission had approved the Risk Mitigation Policy.

Mayor Nirenberg stated that the Mayor's Housing Policy Task Force was created so that all San Antonians could have access to quality, affordable housing. He noted that displacement was an unacceptable condition in the community and the Housing Policy Framework would help address same. He submitted a document from the San Antonio Housing Commission noting their support of the Risk Mitigation Policy with four revisions.

Councilmember Viagran expressed her support and spoke of the need for displacement prevention. She highlighted House Bill 1102 by Representative Bernal regarding Legacy Neighborhoods. Jeff Coyle noted that the bill had not been scheduled for a hearing yet but would work with the City Council to get it scheduled.

Councilmember Gonzales expressed her support and asked if the funds could be used for individuals displaced due to a fire. Mrs. Soto replied that there were other sources of funding that could be used for those instances. Councilmember Gonzales requested a list of all of the funding sources available.

Councilmember Courage asked of other funding for Risk Mitigation. Mrs. Soto replied that there was a combination of General Fund and Federal Grant Money available; however, Federal Funding must serve families below 80% of the Area Median Income. Councilmember Courage asked of the number of families that could be assisted. Mrs. Soto replied that they projected serving 200 families. Councilmember Courage spoke of the need to work with partner agencies as this was a citywide issue.

Councilmember Saldaña spoke of the challenges to addressing affordable housing throughout the community and the need for strategies regarding displacement.

Councilmember Treviño thanked everyone for their work to assist the displaced residents of the Soapworks Apartments. He spoke of the need to address the issue of displacement proactively in the future.

Councilmember Perry asked of the funding plan for future years. Mrs. Soto replied that they would look at maintaining the \$1 million for at least the next budget year but would look at

the data to determine future needs.

Mayor Nirenberg expressed his support and stated that this was a burden that needed to be addressed by various entities throughout the community. He noted that a letter of support was received from Marianne Kestenbaum.

Councilmember Viagran moved to adopt the Ordinance for Item 34. Councilmember Gonzales seconded the motion. The motion to approve prevailed by the following vote:

AYE: 11 - Mayor Nirenberg, Treviño, Hall, Viagran, Saldaña, Gonzales, Brockhouse, Sandoval, Pelaez, Courage, and Perry

Mayor Nirenberg addressed Item 24 at this time. City Clerk Vacek read the caption for Item 24:

2019-03-21-0229

- 24.** Ordinance approving the submission of a grant application to the Alamo Area Metropolitan Planning Organization for funding in the amount of \$48.32 million from federal funds for 15 proposed projects and programs in the total estimated amount of \$60.4 million with a potential City match of \$14.76 million for consideration through the FY 2020-2022 Congestion Mitigation Air Quality program and authorizing the acceptance of federal funds if awarded. [Peter Zaroni, Deputy City Manager; Razi Hosseini, Interim Director, Transportation & Capital Improvements]

Art Reinhardt presented an overview of the Congestion Mitigation and Air Quality (CMAQ) Proposed Projects and Programs. He noted that Bexar County had been designated as Nonattainment for Air Quality Standards and was eligible for CMAQ Funding through the Alamo Area Metropolitan Planning Organization (MPO). He outlined eligible programs and scoring criteria noting that the total cost was \$60.4 million with a 20% Local Match of \$14.76 million. He mentioned that public meetings would be held in June with Project Award Notification occurring in August.

Mayor Nirenberg called upon the citizens registered to speak.

Jim Reed, President of the San Antonio Medical Foundation, spoke in support of the Medical Center Green Street Project that would accommodate modes other than vehicles on a separated facility.

Amanda Merck stated that she was a Public Health Professional and supportive of the projects noting the need for more physical activity.

Councilmember Perry asked how long bike lanes have been installed and the amount of money spent. Mr. Reinhardt replied that they had been installing bike lanes for many years but had increased significantly since adoption of the 2011 Bike Master Plan. He noted that less than \$20 million had been spent based on the existing network of 176 miles. Councilmember Perry asked if staff had evaluated the use of bike lanes. Mr. Reinhardt replied that they had not studied same. Councilmember Perry asked why bike lanes were not included in the Harry Wurzbach Area going into Fort Sam Houston. Mr. Reinhardt stated that they had submitted the project to the MPO but it was not selected.

Councilmember Sandoval expressed her support noting the need for projects to address the issue of nonattainment.

Councilmember Viagran noted the importance of planning for the future and reducing congestion.

Councilmember Gonzales expressed her support and noted that she was a strong advocate for multipurpose lanes. She stated that streets were paid by taxpayer dollars and should be accessible to all road uses. She added that she would like to see more investment in alternative transportation modes.

Councilmember Treviño thanked staff for their work on the projects and expressed his support.

Councilmember Sandoval moved to adopt the Ordinance for Item 24. Councilmember Saldaña seconded the motion. The motion prevailed by the following vote:

AYE: 10 - Mayor Nirenberg, Treviño, Hall, Viagran, Saldaña, Gonzales, Sandoval, Pelaez, Courage, and Perry

ABSENT: 1 - Brockhouse

City Clerk Vacek read the caption for Item 13:

2019-03-21-0219

- 13.** Ordinance approving the acquisition through negotiation or condemnation, of interests in one property sufficient for project purpose (temporary access easement and temporary construction easement) of privately-owned real property located in Council District 9 and declaring the project to be a public use project and a public necessity and which is related to the SAWS 800 Block of N. Loop 1604 – DR1091 Sewer Main Project. [Peter Zaroni, Deputy City Manager; Razi Hosseini, Interim Director, Transportation & Capital Improvements]

Councilmember Courage stated that he did not take the use of eminent domain lightly but it was necessary in this case. He noted that SAWS would meet with the property owners and return the property to them once reaching an understanding.

Councilmember Courage moved that the City of San Antonio authorize the use of the power of eminent domain to acquire privately owned real property for a public use project for the San Antonio Water System Project, by acquiring the following properties described by the City Clerk and incorporated as part of this Motion. Councilmember Treviño seconded the motion.

City Clerk Vacek read the property description: The privately owned properties for temporary easement interests located in Bexar County, City Council District 9 are out of the following: New City Block 17430, San Antonio, Bexar County, Texas. These properties are depicted in the Overall Project Drawing Map in Exhibit A-1, attached to the Ordinance and incorporated as part of this Motion.

The motion to approve Item 13 prevailed by the following vote:

AYE: 10 - Mayor Nirenberg, Treviño, Hall, Viagran, Saldaña, Gonzales, Sandoval, Pelaez, Courage, and Perry

ABSENT: 1 - Brockhouse

City Clerk Vacek read the caption for Item 15:

2019-03-21-0221

- 15.** Ordinance approving a Food, Beverage and Retail Prime Concession Agreement with Paradies Lagardère @ SAT, LLC for over 10,000 square feet in Terminal A at the San Antonio International Airport with a minimum annual guarantee of \$2,165,000.00. The initial term is seven years with three, one-year extensions. [Carlos Contreras, Assistant City Manager; Russell Handy, Director, Aviation]

Russ Handy presented information on the Food, Beverage, and Retail Prime Concessionaire in Terminal A. He outlined the available locations and requirements to include San Antonio Representation, Healthy Options, and Music & Entertainment. He noted the solicitation dates in which the Request for Proposals was released on January 18, 2018. He listed the Evaluation Committee and Advisory Members and presented an overview of the Scoring Matrix in which Paradies Lagardère@SAT received the highest score. He highlighted their strengths and showed photos of their partners and proposed concepts. Lastly, he noted that the Total Minimum Annual Guarantee (MAG) was \$2,165,000.

Mayor Nirenberg called upon the citizens registered to speak.

Anthony Alessi, Vice-President of Business Development for HMS Host, spoke in opposition to the selection of Paradies Lagardère and asked that their proposal be reconsidered.

Yasmin Sheriff, Vice-President of Business Development for Stella Partners, stated that she was opposed to the selection of Paradies Lagardère and also asked that their proposal be reconsidered.

Johnny Hernandez spoke against the selection of Paradies Lagardère and noted his work in putting together the team that was not selected. He asked that their proposal be reconsidered.

Anne Ng representing Bakery Lorraine spoke in opposition to the selection of Paradies Lagardère and asked that their proposal be reconsidered.

Allison Balfour representing Southerleigh's stated that they were opposed to the selection of Paradies Lagardère and asked that their proposal be reconsidered.

George Gervin stated that he had been serving airport customers for over 20 years and was loyal to HMS Host. He asked that their proposal be reconsidered.

Jason Dady spoke against the selection of Paradies Lagardère and noted their team's vision for the airport. He asked that their proposal be reconsidered.

Regynald Washington, President of the Dining Division of Paradies Lagardère, spoke in support of their selection for the Food, Beverage and Retail Prime Concession Agreement at the Airport.

Cariño Cortez Haass stated that she was a Joint Venture Partner with Paradies Lagardère and supportive of the agreement.

Selena Aleman stated that she was also partner with Paradies Lagardère and in support of the agreement.

John Clark stated that he worked for SSP America Food and Beverage Company and was opposed to the agreement.

Tony Gradney stated that he was a Joint Venture Partner for Paradies Lagardère and

supportive of the agreement.

Andrew Weissman spoke of his partnership with Paradies Lagardère and the healthy food offerings he would provide.

Chris Conger, Owner of Smoke Shack Barbecue, stated that they were partners with Paradies Lagardère and supportive of the agreement.

Robby Grubbs, Owner of Local Coffee, spoke of their partnership with Paradies Lagardère and expressed support for the agreement.

Christie Soileau, Owner of Boss Bagels, spoke of their partnership with Paradies Lagardère and expressed support for the agreement.

Renee Tedesco, Vice President of Business Development for Paradies Lagardère, spoke of their experience and expressed support for the agreement.

Mayor Nirenberg thanked the companies that submitted proposals for the project. He asked of the involvement of Assistant City Manager, Carlos Contreras in the process. Mr. Contreras stated that he had served as a Member of the Evaluation Committee and felt the process was fair in all respects. Mayor Nirenberg asked if the Audit Council Committee had reviewed the Request for Proposals. Mr. Contreras replied that they had and also confirmed that there were no violations of communication during the blackout period. Mayor Nirenberg asked if the process followed all of the policies and direction in the solicitation. Mr. Contreras replied that the process was a clean process. Mayor Nirenberg spoke of the importance of maintaining the integrity of the process and stated that he would be supporting the staff recommendation.

Councilmember Treviño stated that the airport was the gateway to the city and thanked the many local partners that were present. He noted that the group of San Antonio Restaurateurs would represent the city in the most positive and authentic light but could not support the inclusion of Chick-Fil-A as a National Brand Tenant.

Councilmember Treviño moved to approve the staff recommendation with an amendment to direct staff to work with the Concessionaire to ensure another concept other than Chick-Fil-A consistent with the requirements of the Request for Proposals which will not change the Minimum Annual Guarantee and will not decrease the percentage rent. Councilmember Pelaez seconded the motion.

Councilmember Viagran asked of the scoring matrix for all of the firms. Mr. Handy referenced the scoring matrix and noted that Paradies Lagardère and Host International had

scored the highest of the four respondents. Councilmember Viagran asked if San Antonio being a City of Gastronomy was taken into consideration when scoring the proposals. Mr. Contreras replied that they did and wanted to ensure that the restaurants in the airport could be experienced throughout the city. Councilmember Viagran asked if the Airport Advisory Commission had input on the process. Mr. Contreras replied that they did.

Councilmember Viagran moved to continue Item 15 and asked that it be presented at the B Session on April 3, 2019 and reconsidered by the City Council no later than April 4, 2019. Councilmember Brockhouse seconded the motion.

Councilmember Brockhouse stated that this was a large contract that should be discussed at a B Session as this was a material change to the city's contracting policy.

Councilmember Courage stated that in the future; he would like to see the top two proposals and would support moving the item to a B Session.

Councilmember Sandoval stated that in the future; they should consider the dollar amount of a contract when taking an item to B Session or possibly end the blackout period earlier.

Councilmember Perry stated that he trusted that the process was followed but had expressed concerns early on during the Audit and Accountability Council Committee Meeting.

Councilmember Saldaña asked what would occur at the B Session. Erik Walsh replied that he would recommend that there be a staff presentation to allow for further questioning. However, he expressed concern that detailed information on each of the proposals was already made public. Councilmember Pelaez expressed concern that the item had not been presented at a B Session and asked that staff look at the policy in the future.

Councilmember Perry stated that everyone had seen both proposals and that the City Council could ask questions today. He noted that he would like to protect the integrity of the solicitation process and could not support the motion to have the item presented at a B Session.

Mayor Nirenberg stated that he also could not support the delay as it was important to maintain the integrity of the process.

The motion to continue Item 15 failed by the following vote:

AYE: 4 - Hall, Viagran, Gonzales, and Brockhouse

NAY: 7 - Mayor Nirenberg, Treviño, Saldaña, Sandoval, Pelaez, Courage, and Perry

Councilmember Gonzales expressed concern that the Evaluation Committee did not include users of the airport. She stated that there were many factors to consider as this was a 10-year contract and could not understand the large scoring discrepancy between the top two proposals. She spoke of the importance being good fiscal stewards and expressed support for moving forward with the contract as presented.

Councilmember Pelaez asked if the contract included mention of the City's Non-Discrimination Ordinance (NDO). Mr. Contreras replied that it required the contractor to follow the NDO.

Councilmember Hall asked how staff was able to switch out Chick-Fil-A without re-issuing the RFP. Mr. Contreras replied that negotiations were allowed with the selected bidder.

Councilmember Courage expressed concern with the selection of contractors based on social issues. Councilmember Perry concurred and expressed concern with the precedent they would be setting for the future.

Councilmember Viagran asked Jason Dady of his participation with the team. Mr. Dady stated that he was investing capital funds in addition to having an equity share. Councilmember Viagran asked Mrs. Haass and Ms. Aleman of their participation. Mrs. Haass stated that they were equity partners and would be working in the restaurant. Ms. Aleman added that she was committed to being a part of the team and ensuring that the right products and equipment were utilized.

Mayor Nirenberg thanked everyone for the discussion.

The motion to approve the staff recommendation with the amendment prevailed by the following vote:

AYE: 6 - Mayor Nirenberg, Treviño, Saldaña, Gonzales, Sandoval, and Pelaez

NAY: 4 - Hall, Brockhouse, Courage, and Perry

ABSTAIN: 1 - Viagran

40. City Manager's Report

There was no City Manager's Report.

RECESSED

Mayor Nirenberg recessed the meeting at 2:56 pm and announced that the meeting would resume in 10 minutes.

RECONVENED

Mayor Pro Tem Sandoval reconvened the meeting at 3:21 pm and addressed the Consent Zoning Items.

CONSENT ZONING ITEMS

Zoning Items Z-11, Z-12, Z-14, Z-17, and Z-18 were pulled for Individual Consideration. Mayor Pro Tem Sandoval announced that Item Z-10 was postponed by the applicant and Item Z-15 was withdrawn by the applicant and would not be addressed. Councilmember Saldaña moved to approve the remaining Consent Zoning Items. Councilmember Courage seconded the motion.

Mayor Pro Tem Sandoval called upon Mr. Jack M. Finger to speak on Consent Zoning Items.

Jack M. Finger spoke in opposition to Item Z-10 noting that the Zoning Commission recommended denial. He stated that he was against the Used Car Lot in Item Z-11 and noted concerns with encroachment in Item Z-14.

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

AYE: 7 - Treviño, Hall, Viagran, Saldaña, Brockhouse, Sandoval, and Courage

ABSENT: 4 - Mayor Nirenberg, Gonzales, Pelaez, and Perry

2019-03-21-0247

Z-1. ZONING CASE # Z-2019-10700004 CD (Council District 1): Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with Conditional Use for a Dance Hall on Lot 43, NCB 11880, located at 8123 Broadway Street. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 43, NCB 11880 TO WIT: FROM "I-1 AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 CD AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT WITH CONDITIONAL USE FOR A DANCE HALL.

2019-03-21-0248

Z-2. ZONING CASE # Z-2019-10700005 CD (Council District 1): Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-6 CD AHOD" Residential Single-Family Airport Hazard Overlay District with Conditional Use for three (3) residential dwelling units on Lot 2, Block 10, NCB 2994, located at 507 East Ashby Place. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 2, BLOCK 10, NCB 2994 TO WIT: FROM FROM "R-6 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "R-6 CD AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT WITH CONDITIONAL USE FOR THREE (3) RESIDENTIAL DWELLING UNITS.

2019-03-21-0249

Z-3. ZONING CASE # Z-2019-10700007 (Council District 1): Ordinance amending the Zoning District Boundary from "R-6 NCD-5 AHOD" Residential Single-Family Beacon Hill Neighborhood Conservation Airport Hazard Overlay District to "IDZ-1 NCD-5 AHOD" Limited Intensity Infill Development Zone Beacon Hill Neighborhood Conservation Airport Hazard Overlay District for six (6) residential dwelling units on 0.310 acres out of NCB 6523, located at 1024 Blanco Road. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 0.310 ACRES OUT OF NCB 6523 TO WIT: FROM "R-6 NCD-5 AHOD" RESIDENTIAL SINGLE-FAMILY BEACON HILL NEIGHBORHOOD CONSERVATION AIRPORT HAZARD OVERLAY DISTRICT TO "IDZ-1 NCD-5 AHOD" LIMITED INTENSITY INFILL DEVELOPMENT ZONE BEACON HILL

NEIGHBORHOOD CONSERVATION AIRPORT HAZARD OVERLAY DISTRICT FOR SIX (6) RESIDENTIAL DWELLING UNITS.

2019-03-21-0250

P-1. PLAN AMENDMENT CASE # PA-2019-11600001 (Council District 1): Ordinance amending the Five Points Neighborhood Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use from “Low Density Residential” to “Medium Density Residential” on 0.226 acres out of NCB 767, located at 603 West Euclid Street. Staff and Planning Commission recommend Approval. (Associated Zoning Case # Z2019-10700011)

2019-03-21-0251

Z-4. ZONING CASE # Z-2019-10700011 (Council District 1): Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "IDZ-1 AHOD" Limited Density Infill Development Zone Airport Hazard Overlay District with uses permitted for four (4) residential dwelling units on 0.226 acres out of NCB 767, located at 603 West Euclid Avenue. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment # PA2019-11600001)

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 0.226 ACRES OUT OF NCB 767 TO WIT: FROM "R-4 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "IDZ-1 AHOD" LIMITED DENSITY INFILL DEVELOPMENT ZONE AIRPORT HAZARD OVERLAY DISTRICT WITH USES PERMITTED FOR FOUR (4) RESIDENTIAL DWELLING UNITS.

2019-03-21-0252

P-2. PLAN AMENDMENT CASE # PA-2018-900026 (Council District 2): Ordinance amending the Arena District/Eastside Community Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use from “Light Industrial” to “Mixed Use” on 1.781 acres out of NCB 6583, located at 1510 Hoefgen Avenue. Staff and Planning Commission recommend Approval. (Associated Zoning Case Z-2018-900083)

2019-03-21-0253

Z-5. ZONING CASE # Z-2018-900083 (Council District 2): Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District and "C-1 AHOD" Light Commercial Airport Hazard Overlay District

to "IDZ-3 AHOD" High Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted in "MF-65" Multi-Family District and "C-2" Commercial District and Auto Sales (Full Service) on 1.781 acres out of NCB 6583, located at 1510 Hoefgen Avenue. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment PA-2018-900026)

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 1.781 ACRES OUT OF NCB 6583 TO WIT: FROM "I-1 AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT AND "C-1 AHOD" LIGHT COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT TO "IDZ-3 AHOD" HIGH INTENSITY INFILL DEVELOPMENT ZONE AIRPORT HAZARD OVERLAY DISTRICT WITH USES PERMITTED IN "MF-65" MULTI-FAMILY DISTRICT AND "C-2" COMMERCIAL DISTRICT AND AUTO SALES (FULL SERVICE).

2019-03-21-0254

Z-6. ZONING CASE # Z-2018-900087 S (Council District 2): Ordinance amending the Zoning District Boundary from "R-5 S" Residential Single-Family District with Specific Use Authorization for a Wireless Communication System and "R-5" Residential Single-Family District to "R-5 S" Residential Single-Family District with Specific Use Authorization for a Wireless Communication System on 0.052 acres out of NCB 10734, located at 323 Rice Road. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 0.052 ACRES OUT OF NCB 10734 TO WIT: FROM "R-5 S" RESIDENTIAL SINGLE-FAMILY DISTRICT WITH SPECIFIC USE AUTHORIZATION FOR A WIRELESS COMMUNICATION SYSTEM AND "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "R-5 S" RESIDENTIAL SINGLE-FAMILY DISTRICT WITH SPECIFIC USE AUTHORIZATION FOR A WIRELESS COMMUNICATION SYSTEM.

2019-03-21-0255

Z-7. ZONING CASE # Z-2019-10700001 S (Council District 2): Ordinance amending the Zoning District Boundary from "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District to "RM-4 S AHOD" Residential Mixed Airport Hazard Overlay District with Specific Use Authorization for a Daycare Center on Lot B, Block E,

NCB 646, located at 611 Virginia Boulevard. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT B, BLOCK E, NCB 646 TO WIT: FROM RM-4 AHOD" RESIDENTIAL MIXED AIRPORT HAZARD OVERLAY DISTRICT TO "RM-4 S AHOD" RESIDENTIAL MIXED AIRPORT HAZARD OVERLAY DISTRICT WITH SPECIFIC USE AUTHORIZATION FOR A DAYCARE CENTER.

2019-03-21-0256

Z-8. ZONING CASE # Z-2019-10700003 (Council District 2): Ordinance amending the Zoning District Boundary from "C-3R AHOD" General Commercial Restrictive Alcoholic Sales Airport Hazard Overlay District to "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District on Lot 27 and Lot 28, Block 53, NCB 1626, located at 323 Denver Boulevard. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 27 AND LOT 28, BLOCK 53, NCB 1626 TO WIT: FROM "C-3R AHOD" GENERAL COMMERCIAL RESTRICTIVE ALCOHOLIC SALES AIRPORT HAZARD OVERLAY DISTRICT TO "RM-4 AHOD" RESIDENTIAL MIXED AIRPORT HAZARD OVERLAY DISTRICT.

2019-03-21-0257

Z-9. ZONING CASE # Z-2019-10700006 (Council District 2): Ordinance assigning Zoning to property Outside the City Limits to "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District on 45.637 acres out of NCB 5088, located at 10925 Green Road. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 45.637 ACRES OUT OF NCB 5088 TO WIT: ASSIGNING ZONING TO PROPERTY OUTSIDE THE CITY LIMITS TO "R-4 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT.

POSTPONED BY APPLICANT

Z-10. ZONING CASE # Z2018350 CD (Council District 3): Ordinance amending the

Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for a Variety Store on West 66-feet of the South 150-feet of Lot 7, Block 2, NCB 7578, located at 467 Hot Wells Boulevard. Staff recommends Approval. Zoning Commission recommends Denial, for lack of a motion. (Continued from January 17, 2019)

2019-03-21-0260

Z-13. ZONING CASE # Z-2019-10700008 (Council District 5): Ordinance amending the Zoning District Boundary from "C-2 MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "IDZ-3 MLOD-2 MLR-2 AHOD" High Intensity Infill Development Zone Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with uses permitted in "C-2" Commercial District, Beverage Manufacturing and Distribution, and Wine Manufacturing and Distribution on Lot 13, Block 4, NCB 2820, located at 502 North Zarzamora Street. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 13, BLOCK 4, NCB 2820 TO WIT: FROM "C-2 MLOD-2 MLR-2 AHOD" COMMERCIAL LACKLAND MILITARY LIGHTING OVERLAY MILITARY LIGHTING REGION 2 AIRPORT HAZARD OVERLAY DISTRICT TO "IDZ-3 MLOD-2 MLR-2 AHOD" HIGH INTENSITY INFILL DEVELOPMENT ZONE LACKLAND MILITARY LIGHTING OVERLAY MILITARY LIGHTING REGION 2 AIRPORT HAZARD OVERLAY DISTRICT WITH USES PERMITTED IN "C-2" COMMERCIAL DISTRICT, BEVERAGE MANUFACTURING AND DISTRIBUTION, AND WINE MANUFACTURING AND DISTRIBUTION.

WITHDRAWN BY APPLICANT

Z-15. ZONING CASE # Z2018285 (Council District 6): Ordinance amending the Zoning District Boundary from "R-6 MLOD-2 MLR-1 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District and "C-2 MLOD-2 MLR-1 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District to "I-1 MLOD-2 MLR-1 AHOD" General Industrial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District on Lot P-13K, P-13L, P-B12, TR M, C-13, Block 62, NCB 13942, located at 1621 South Callaghan Road. Staff and Zoning Commission recommend Denial. (Continued from February 21, 2019)

2019-03-21-0261

Z-16. ZONING CASE # Z-2019-10700010 (Council District 6): Ordinance amending the Zoning District Boundary from "C-3 GC-2 MLOD-2 AHOD" General Commercial Texas Highway 151 Gateway Corridor Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District and "C-3 MLOD-2 MLR-2 AHOD" General Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "MF-25 GC-2 MLOD-2 MLR-2 AHOD" Low Density Multi-Family Texas Highway 151 Gateway Corridor Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District and "MF-25 MLOD-2 MLR-2 AHOD" Low Density Multi-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District on Lot 3 and Lot 4, Block 6, NCB 17640, located in the 1900 to 2100 block of North Ellison Drive. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 3 AND LOT 4, BLOCK 6, NCB 17640 TO WIT: FROM "C-3 GC-2 MLOD-2 AHOD" GENERAL COMMERCIAL TEXAS HIGHWAY 151 GATEWAY CORRIDOR LACKLAND MILITARY LIGHTING OVERLAY MILITARY LIGHTING REGION 2 AIRPORT HAZARD OVERLAY DISTRICT AND "C-3 MLOD-2 MLR-2 AHOD" GENERAL COMMERCIAL LACKLAND MILITARY LIGHTING OVERLAY MILITARY LIGHTING REGION 2 AIRPORT HAZARD OVERLAY DISTRICT TO "MF-25 GC-2 MLOD-2 MLR-2 AHOD" LOW DENSITY MULTI-FAMILY TEXAS HIGHWAY 151 GATEWAY CORRIDOR LACKLAND MILITARY LIGHTING OVERLAY MILITARY LIGHTING REGION 2 AIRPORT HAZARD OVERLAY DISTRICT AND "MF-25 MLOD-2 MLR-2 AHOD" LOW DENSITY MULTI-FAMILY LACKLAND MILITARY LIGHTING OVERLAY MILITARY LIGHTING REGION 2 AIRPORT HAZARD OVERLAY DISTRICT.

CONSENT ITEMS CONCLUDED**ZONING ITEMS PULLED FOR INDIVIDUAL CONSIDERATION****2019-03-21-0258**

Z-11. ZONING CASE # Z-2018-900044 CD (Council District 3): Ordinance amending the Zoning District Boundary from "I-1 MLOD-2 MLR-2 AHOD" General Industrial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "C-2 MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District on 0.291 acres

and "C-2 CD MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with Conditional Use for Motor Vehicle Sales on 0.345 acres out of NCB 7692, located at 6014 South Flores Street. Staff and Zoning Commission recommend Approval, with Conditions.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 0.345 ACRES OUT OF NCB 7692 TO WIT: FROM "I-1 MLOD-2 MLR-2 AHOD" GENERAL INDUSTRIAL LACKLAND MILITARY LIGHTING OVERLAY MILITARY LIGHTING REGION 2 AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 MLOD-2 MLR-2 AHOD" COMMERCIAL LACKLAND MILITARY LIGHTING OVERLAY MILITARY LIGHTING REGION 2 AIRPORT HAZARD OVERLAY DISTRICT ON 0.291 ACRES AND "C-2 CD MLOD-2 MLR-2 AHOD" COMMERCIAL LACKLAND MILITARY LIGHTING OVERLAY MILITARY LIGHTING REGION 2 AIRPORT HAZARD OVERLAY DISTRICT WITH CONDITIONAL USE FOR MOTOR VEHICLE SALES.

Catherine Hernandez presented Item Z-11 and stated that staff and the Zoning Commission recommended approval with the following conditions: 1) Screening of outdoor storage areas near residential uses; 2) No free-standing pole or LED signs; 3) No temporary signs; 4) Downward facing new light fixtures; and 5) No outside noise systems. She reported that of 23 notices mailed; one was returned in favor and none received in opposition. She added that the Mission San Jose Neighborhood Association was in support of the request.

Councilmember Viagran thanked the Members of the San Jose Neighborhood Association for working with the applicant. She submitted a written statement from Alex Dovalina, Applicant, noting that he would not allow a tire shop, motel, or bar on their property.

Councilmember Viagran moved to approve Item Z-11 as C-2 NA CD for Motor Vehicle Sales with the conditions stated by Mrs. Hernandez. Councilmember Hall seconded the motion. The motion to approve with conditions failed by the following vote:

AYE: 7 - Treviño, Hall, Viagran, Saldaña, Brockhouse, Sandoval, and Courage

ABSENT: 4 - Mayor Nirenberg, Gonzales, Pelaez, and Perry

2019-03-21-0259

Z-12. ZONING CASE # Z-2018-900085 CD (Council District 3): Ordinance amending the Zoning District Boundary from "C-1 MLOD-2 MLR-2 AHOD" Light Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay

District and "C-3 CD MLOD-2 MLR-2 AHOD" General Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with Conditional Use for a Funeral Home to "C-2 CD MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with Conditional Use for a Funeral Home with Stone Curing-Monument Manufacturing/Storage on Lot 13, NCB 8205, located at 432 Boswell Street. Staff and Zoning Commission recommend Approval, with Conditions.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 13, NCB 8205 TO WIT: FROM "C-1 MLOD-2 MLR-2 AHOD" LIGHT COMMERCIAL LACKLAND MILITARY LIGHTING OVERLAY MILITARY LIGHTING REGION 2 AIRPORT HAZARD OVERLAY DISTRICT AND "C-3 CD MLOD-2 MLR-2 AHOD" GENERAL COMMERCIAL LACKLAND MILITARY LIGHTING OVERLAY MILITARY LIGHTING REGION 2 AIRPORT HAZARD OVERLAY DISTRICT WITH CONDITIONAL USE FOR A FUNERAL HOME TO "C-2 CD MLOD-2 MLR-2 AHOD" COMMERCIAL LACKLAND MILITARY LIGHTING OVERLAY MILITARY LIGHTING REGION 2 AIRPORT HAZARD OVERLAY DISTRICT WITH CONDITIONAL USE FOR A FUNERAL HOME WITH STONE CURING-MONUMENT MANUFACTURING/STORAGE.

Catherine Hernandez presented Item Z-12 and stated that staff and the Zoning Commission recommended approval with the following conditions: 1) Screening of outdoor storage areas near residential uses; 2) No free-standing pole or LED signs; 3) No temporary signs; 4) Downward facing light fixtures; and 5) No outside noise systems. She reported that of 44 notices mailed; one was returned in favor and none received in opposition.

Councilmember Viagran thanked the property owner for agreeing to the conditions and stated that she looked forward to the investment.

Councilmember Viagran moved to approve Item Z-12 as C-2 NA CD for funeral home with stone curing/monument manufacturing and storage with the conditions as stated by Mrs. Hernandez. Councilmember Hall seconded the motion. The motion to approve with conditions prevailed by the following vote:

AYE: 7 - Treviño, Hall, Viagran, Saldaña, Brockhouse, Sandoval, and Courage

ABSENT: 4 - Mayor Nirenberg, Gonzales, Pelaez, and Perry

CONTINUED TO APRIL 18, 2019

Z-14. ZONING CASE # Z2018256 (Council District 6): Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-2NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District on Lot 15, Block 1, NCB 15586, located at 2311 Westward Drive. Staff recommends Denial, with an Alternate Recommendation. Zoning Commission recommends Denial. (Continued from February 21, 2019)

Catherine Hernandez presented Item Z-14 and stated that staff recommended denial with an alternate recommendation of R-6 CD Conditional Use for a Non Commercial Parking Lot while the Zoning Commission recommended denial. She reported that of 20 notices mailed; none were returned in favor and four received in opposition. She added that the Cable-Westwood Neighborhood Association was opposed to the request.

Councilmember Brockhouse moved to continue Item Z-14 until April 18, 2019. Councilmember Hall seconded the motion. The motion to continue prevailed by the following vote:

AYE: 6 - Treviño, Hall, Saldaña, Brockhouse, Sandoval, and Courage

ABSENT: 5 - Mayor Nirenberg, Viagran, Gonzales, Pelaez, and Perry

CONTINUED TO APRIL 4, 2019

Z-17. ZONING CASE # Z-2018-900029 S (Council District 7): Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 S AHOD" Commercial Airport Hazard Overlay District with Specific Authorization for a Carwash on Lot 9, Block 2, NCB 12472, located at 7350 Callaghan Road. Staff and Zoning Commission recommend Approval with Conditions. (Continued from February 21, 2019)

Catherine Hernandez presented Item Z-17 and stated that staff and the Zoning Commission recommended approval with the following conditions: 1) Hours of operation from 8:00 am to 8:00 pm, Sunday through Saturday; 2) Solid screen fence next to adjacent properties; and 3) Landscape buffer of 15 feet. She reported that of 9 notices mailed; one was returned in favor and none received in opposition.

On behalf of Councilmember Sandoval; Councilmember Saldaña moved to continue Item Z-17 until April 4, 2019. Councilmember Hall seconded the motion. The motion to continue prevailed by the following vote:

AYE: 6 - Treviño, Hall, Saldaña, Brockhouse, Sandoval, and Courage

ABSENT: 5 - Mayor Nirenberg, Viagran, Gonzales, Pelaez, and Perry

2019-03-21-0262

Z-18. ZONING CASE # Z2018276 ERZD (Council District 9): Ordinance amending the Zoning District Boundary from "C-3 MLOD-1 ERZD" General Commercial Camp Bullis Military Lighting Overlay Edwards Recharge Zone District to "MF-33 MLOD-1 ERZD" Multi-Family Camp Bullis Military Lighting Overlay Edwards Recharge Zone District on 17.989 acres out of NCB 19219, located in the 21000 block of North US Highway 281. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 17.989 ACRES OUT OF NCB 19219 TO WIT: FROM "C-3 MLOD-1 ERZD" GENERAL COMMERCIAL CAMP BULLIS MILITARY LIGHTING OVERLAY EDWARDS RECHARGE ZONE DISTRICT TO "MF-33 MLOD-1 ERZD" MULTI-FAMILY CAMP BULLIS MILITARY LIGHTING OVERLAY EDWARDS RECHARGE ZONE DISTRICT.

Catherine Hernandez presented Item Z-18 and stated that staff and the Zoning Commission recommended approval. She reported that of 11 notices mailed; one was returned in favor and none received in opposition.

Councilmember Courage moved to approve Item Z-18 with the condition that impervious cover remain at its current level of 65%, Multi-Family in this area of the District fronting Hwy 281 and adjacent to the new VIA Park and Ride Facility as appropriate. Councilmember Hall seconded the motion. The motion to approve with conditions prevailed by the following vote:

AYE: 6 - Treviño, Hall, Saldaña, Brockhouse, Sandoval, and Courage

ABSENT: 5 - Mayor Nirenberg, Viagran, Gonzales, Pelaez, and Perry

ADJOURNMENT

There being no further discussion, Mayor Pro Tem Sandoval adjourned the meeting at 3:34 pm.

APPROVED

RON NIRENBERG
MAYOR

ATTEST:

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

Exhibit 15

Cause No. _____

**Patrick Von Dohlen; Brian Greco;
Kevin Jason Khattar; Michael
Knuffke; and Daniel Petri,**

Plaintiffs,

v.

**City of San Antonio and Paradies
Lagardère @ SAT LLC,**

Defendants

IN THE DISTRICT COURT

BEXAR COUNTY, TEXAS

_____ JUDICIAL DISTRICT

AFFIDAVIT OF PATRICK VON DOHLEN

I, Patrick Von Dohlen, being duly sworn, state as follows:

1. I am over 21 years old and fully competent to make this affidavit.
2. I reside in Bexar County. My family and I use the San Antonio airport for travel between two and ten times per year.
3. I intend to continue using the San Antonio airport for travel in the future.
4. I often eat meals and buy food and refreshments at the San Antonio airport, and I intend to continue doing so when I use the San Antonio airport for travel.
5. I frequently patronize Chick-fil-A, not only because of the quality of its food but also because of the company's values. I would patronize Chick-fil-A at the San Antonio airport if the city council had not banned it from operating there.
6. The city council's decision to ban Chick-fil-A from the San Antonio airport is depriving me of an option for food that I would use when traveling.

This concludes my sworn statement. I swear under penalty of perjury that, to the best of my knowledge, the facts stated in this affidavit are true and complete.

Patrick Von Dohlen

PATRICK VON DOHLEN

PD
Subscribed and sworn to me
this 3rd day of September, 2018¹⁹ with

I. Hernandez
NOTARY

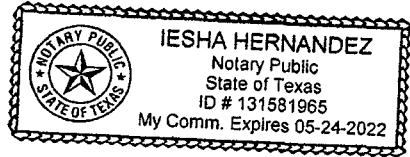


Exhibit 16

Cause No. _____

**Patrick Von Dohlen; Brian Greco;
Kevin Jason Khattar; Michael
Knuffke; and Daniel Petri,**

Plaintiffs,

v.

**City of San Antonio and Paradies
Lagardère @ SAT LLC,**

Defendants

IN THE DISTRICT COURT

BEXAR COUNTY, TEXAS

_____ JUDICIAL DISTRICT

AFFIDAVIT OF BRIAN GRECO

I, Brian Greco, being duly sworn, state as follows:

1. I am over 21 years old and fully competent to make this affidavit.
2. I reside in Bexar County. I use the San Antonio airport for travel approximately once per week.
3. I intend to continue using the San Antonio airport for travel in the future.
4. I often buy food at the San Antonio airport, and I intend to continue doing so when I use the San Antonio airport for travel.
5. I eat at Chick-fil-A approximately once per week with my family. I patronize Chick-fil-A not only because of the quality of its food but also because of the company's values. I would definitely eat at Chick-fil-A at the San Antonio airport if the city council had not banned it from operating there.
6. The city council's decision to ban Chick-fil-A from the San Antonio airport is depriving me of an option for food that I would use when traveling.

This concludes my sworn statement. I swear under penalty of perjury that, to the best of my knowledge, the facts stated in this affidavit are true and complete.

Brian Greco
BRIAN GRECO

50 Subscribed and sworn to me
this 3 day of September, 2018⁹

Patrick Von Dohlen

NOTARY

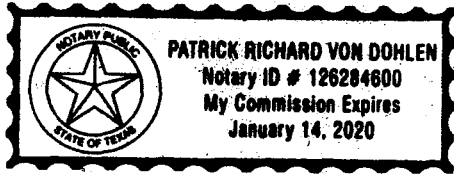


Exhibit 17

Cause No. _____

**Patrick von Dohlen; Brian Greco;
Jason Khattar; Michael Knuffke;
and Daniel Petri,**

Plaintiffs,

v.

City of San Antonio,

Defendant

IN THE DISTRICT COURT

BEXAR COUNTY, TEXAS


____ JUDICIAL DISTRICT

AFFIDAVIT OF JASON KHATTAR

I, Jason Khattar, being duly sworn, state as follows:

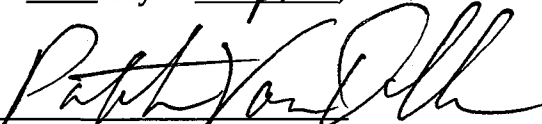
1. I am over 21 years old and fully competent to make this affidavit.
2. I reside in Kendall County. I use the San Antonio airport for travel at least three to five times per year, and I intend to continue using the San Antonio airport for travel at least three to five times per year in the future.
3. I have eaten meals at the San Antonio airport many times in the past, and I intend to continue eating meals at the San Antonio airport when I use it for travel.
4. I frequently patronize Chick-fil-A, not only because of the quality of its food but also because of the company's values. I would patronize Chick-fil-A at the San Antonio airport if the city council had not banned it from operating there.
5. I am also celiac so my dining options at the airport are limited. Chick-fil-A is one of the options that I can use consistent with my dietary restrictions.
6. The city council's decision to ban Chick-fil-A from the San Antonio airport is depriving me of an option for food that I would use when traveling.

This concludes my sworn statement. I swear under penalty of perjury that, to the best of my knowledge, the facts stated in this affidavit are true and complete.



Jason Khattar

Subscribed and sworn to me
this 4th day of Sept., 2019



notary

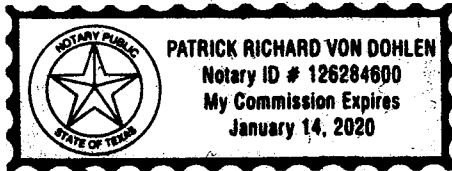


Exhibit 18

Cause No. _____

**Patrick Von Dohlen; Brian Greco;
Kevin Jason Khattar; Michael
Knuffke; and Daniel Petri,**

Plaintiffs,

v.

**City of San Antonio and Paradies
Lagardère @ SAT LLC,**

Defendants

IN THE DISTRICT COURT

BEXAR COUNTY, TEXAS

_____ JUDICIAL DISTRICT

AFFIDAVIT OF MICHAEL KNUFFKE

I, Michael Knuffke, being duly sworn, state as follows:

1. I am over 21 years old and fully competent to make this affidavit.
2. I reside in Comal County. My family and I use the San Antonio airport for travel at least three to four times per year, and in the past we have used the airport with even greater frequency.
3. I intend to continue using the San Antonio airport for travel three to four times per year in the future.
4. I have eaten meals at the San Antonio airport in the past, and I intend to continue eating meals at the San Antonio airport when I use it for travel.
5. I frequently patronize Chick-fil-A, not only because of the quality of its food but also because of the company's values. I would patronize Chick-fil-A at the San Antonio airport if it were not banned from operating there.
6. The city council's decision to ban Chick-fil-A from the San Antonio airport is depriving me of an option for food that I would use when traveling.

This concludes my sworn statement. I swear under penalty of perjury that, to the best of my knowledge, the facts stated in this affidavit are true and complete.


MICHAEL KNUFFKE

Subscribed and sworn to me
this 3 day of September, 2018 ^{WH}

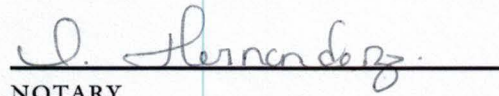

NOTARY



Exhibit 19

Cause No. _____

**Patrick Von Dohlen; Brian Greco;
Kevin Jason Khattar; Michael
Knuffke; and Daniel Petri,**

Plaintiffs,

v.

**City of San Antonio and Paradies
Lagardère @ SAT LLC,**

Defendants

IN THE DISTRICT COURT

BEXAR COUNTY, TEXAS

_____ JUDICIAL DISTRICT

AFFIDAVIT OF DANIEL PETRI

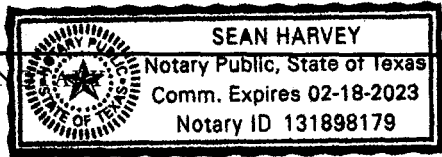
I, Daniel Petri, being duly sworn, state as follows:

1. I am over 21 years old and fully competent to make this affidavit.
2. I reside in Bexar County and use the San Antonio airport for travel three to four times per year.
3. I intend to continue using the San Antonio airport for travel three or four times per year in the future.
4. I have eaten meals at the San Antonio airport in the past, and I intend to continue eating meals at the San Antonio airport when I use it for travel.
5. I frequently patronize Chick-fil-A, not only because of the quality of its food but also because of the company's values. I would patronize Chick-fil-A at the San Antonio airport if it were not banned from operating there.
6. The city council's decision to ban Chick-fil-A from the San Antonio airport is depriving me of an option for food that I would use when traveling.

This concludes my sworn statement. I swear under penalty of perjury that, to the best of my knowledge, the facts stated in this affidavit are true and complete.

Daniel Petri
DANIEL PETRI

Subscribed and sworn to me
this 4 day of September, 2019



Sean

Exhibit 20

1 AN ACT

2 relating to the protection of membership in, affiliation with, and
3 support provided to religious organizations.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Title 10, Government Code, is amended by adding
6 Subtitle H to read as follows:

7 SUBTITLE H. PROHIBITED ADVERSE ACTIONS BY GOVERNMENT

8 CHAPTER 2400. PROTECTION OF MEMBERSHIP IN AND SUPPORT TO RELIGIOUS
9 ORGANIZATIONS

10 Sec. 2400.001. DEFINITIONS. In this chapter:

11 (1) "Adverse action" means any action taken by a
12 governmental entity to:

13 (A) withhold, reduce, exclude, terminate, or
14 otherwise deny any grant, contract, subcontract, cooperative
15 agreement, loan, scholarship, license, registration,
16 accreditation, employment, or other similar status from or to a
17 person;

18 (B) withhold, reduce, exclude, terminate, or
19 otherwise deny any benefit provided under a benefit program from or
20 to a person;

21 (C) alter in any way the tax treatment of, cause
22 any tax, penalty, or payment assessment against, or deny, delay, or
23 revoke a tax exemption of a person;

24 (D) disallow a tax deduction for any charitable

1 contribution made to or by a person;

2 (E) deny admission to, equal treatment in, or
3 eligibility for a degree from an educational program or institution
4 to a person; or

5 (F) withhold, reduce, exclude, terminate, or
6 otherwise deny access to a property, educational institution,
7 speech forum, or charitable fund-raising campaign from or to a
8 person.

9 (2) "Benefit program" means any program administered
10 or funded by a governmental entity or federal agency that provides
11 assistance in the form of payments, grants, loans, or loan
12 guarantees.

13 (3) "Governmental entity" means:

14 (A) this state;

15 (B) a board, commission, council, department, or
16 other agency in the executive branch of state government that is
17 created by the state constitution or a statute, including an
18 institution of higher education as defined by Section 61.003,
19 Education Code;

20 (C) the legislature or a legislative agency;

21 (D) a state judicial agency or the State Bar of
22 Texas;

23 (E) a political subdivision of this state,
24 including a county, municipality, or special district or authority;
25 or

26 (F) an officer, employee, or agent of an entity
27 described by Paragraphs (A)-(E).

1 (4) "Person" has the meaning assigned by Section
2 311.005, except the term does not include:

3 (A) an employee of a governmental entity acting
4 within the employee's scope of employment;

5 (B) a contractor of a governmental entity acting
6 within the scope of the contract; or

7 (C) an individual or a medical or residential
8 custodial health care facility while the individual or facility is
9 providing medically necessary services to prevent another
10 individual's death or imminent serious physical injury.

11 (5) "Religious organization" means an organization
12 that is a religious organization under Section 110.011(b), Civil
13 Practice and Remedies Code.

14 Sec. 2400.0015. APPLICABILITY. This chapter does not apply
15 to an investment prohibited under Chapter 808 or a contract
16 prohibited under Chapter 2270, as added by Chapter 1 (H.B. 89), Acts
17 of the 85th Legislature, Regular Session, 2017.

18 Sec. 2400.002. ADVERSE ACTION PROHIBITED. Notwithstanding
19 any other law, a governmental entity may not take any adverse action
20 against any person based wholly or partly on the person's
21 membership in, affiliation with, or contribution, donation, or
22 other support provided to a religious organization.

23 Sec. 2400.003. RELIEF AVAILABLE. (a) A person may assert
24 an actual or threatened violation of Section 2400.002 as a claim or
25 defense in a judicial or administrative proceeding and obtain:

26 (1) injunctive relief;

27 (2) declaratory relief; and

1 (3) court costs and reasonable attorney's fees.

2 (b) Notwithstanding any other law, a person may commence an
3 action under this section and relief may be granted regardless of
4 whether the person has sought or exhausted available administrative
5 remedies.

6 Sec. 2400.004. IMMUNITY WAIVED. A person who alleges a
7 violation of Section 2400.002 may sue the governmental entity for
8 the relief provided under Section 2400.003. Sovereign or
9 governmental immunity, as applicable, is waived and abolished to
10 the extent of liability for that relief.

11 Sec. 2400.005. INTERPRETATION. (a) This chapter may not
12 be construed to preempt a state or federal law that is equally or
13 more protective of the free exercise of religious beliefs or to
14 narrow the meaning or application of a state or federal law
15 protecting the free exercise of religious beliefs.

16 (b) This chapter may not be construed to prevent a
17 governmental entity from providing, either directly or through a
18 person who is not seeking protection under this chapter, any
19 benefit or service authorized under state or federal law.

20 SECTION 2. This Act takes effect immediately if it receives
21 a vote of two-thirds of all the members elected to each house, as
22 provided by Section 39, Article III, Texas Constitution. If this
23 Act does not receive the vote necessary for immediate effect, this
24 Act takes effect September 1, 2019.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1978 passed the Senate on May 16, 2019, by the following vote: Yeas 19, Nays 12; and that the Senate concurred in House amendment on May 23, 2019, by the following vote: Yeas 19, Nays 12.

Secretary of the Senate

I hereby certify that S.B. No. 1978 passed the House, with amendment, on May 21, 2019, by the following vote: Yeas 79, Nays 64, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor