

**STATE OF TEXAS  
COUNTY OF BEXAR  
CITY OF SAN ANTONIO**

**A WORK SESSION AND REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO WERE HELD IN THE MUNICIPAL PLAZA BUILDING, WEDNESDAY, MARCH 30, 2011 AND THURSDAY, MARCH 31, 2011, RESPECTIVELY.**

The San Antonio City Council convened in a Work Session at 2:00 pm Wednesday, **March 30, 2011**, Municipal Plaza Building with the following Councilmembers present: Cisneros, Taylor, Ramos, Cortez, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro. **ABSENT:** None.

**1. STAFF BRIEFING AND POSSIBLE ACTION ON THE CITY MANAGER'S RECOMMENDED FY 2012 BUDGET CALENDAR.**

Maria Villagomez provided recommended dates related to the FY 2012 Budget Development Process. She stated that the Budget Policy Review and Goal Setting Session was scheduled for June 22, 2011. She reported that they would be soliciting employee input on the budget through focus groups held from April through May with the objective of identifying service delivery changes and efficiencies. She noted that Budget Input Boxes were placed at all City Facilities and available to the public on-line.

Ms. Villagomez stated that the Proposed FY 2012 Budget would be presented on August 11, 2011 and that work sessions and special meetings would be scheduled prior to budget adoption on September 15, 2011. She spoke of the public outreach, noting that community hearings would be held in each of the City Council Districts. She noted that all July City Council and Council Committee Meetings would be rescheduled.

Mayor Castro thanked staff for their work and asked of the impact of the State Budget to the city. Ms. Villagomez replied that the State Budget would likely be adopted in May and that the city may have to adjust its budget calendar to address potential impacts. Mayor Castro asked of CDBG Funding. Ms. Villagomez stated that the proposed Federal Budget recommends a 7.5% reduction in CDBG Funds and staff would provide funding alternatives to the City Council. Councilmember Ramos asked of the number of recommendations received through the Budget Input Box Initiative. Ms. Villagomez stated that over 500 suggestions were received last year. Councilmember Ramos asked of the use of social networks to solicit input. Ms. Villagomez replied that they were exploring options.

The City Council thanked Ms. Villagomez for the presentation.

**2. BRIEFING AND POSSIBLE ACTION ON RECOMMENDED USE FOR THE IDENTIFIED 2007-2012 BOND PROGRAM PROJECT SAVINGS.**

Peter Zanoni presented a Power Point and stated that the 2007 Bond Program is on schedule with 87% of the projects completed or under construction. He reported that the current Bond Savings total \$47 million within the streets and drainage propositions and that funding can be reprogrammed to new projects. He noted that the Broadway-Hildebrand Drainage Project requires additional funds in the

amount of \$3.1 million and referenced priorities of SA 2020 to address the Downtown Area and Transportation.

Mr. Zanoni stated that direction by the Governance Committee was to reprogram the savings and focus on large projects. He noted that \$1 million would be utilized for a Downtown Pedestrian, Bicycle and Vehicle Circulation Study and that \$19.1 million would be used for street and drainage improvements associated with HemisFair Park. He mentioned that \$23.8 million would be directed to Council District Projects throughout the city based on the district in which savings occurred and that the CIMS Department worked with the City Council to determine the projects.

Mr. Zanoni provided an overview of the Broadway-Hildebrand Project, noting traffic and drainage issues in the area. He stated that the Consultant Preliminary Engineering Report had examined the outfall options of both Carnahan and Hildebrand and recommended the Hildebrand option. He noted that this option would follow the existing drainage pattern and keep storm water in the proper sub-watershed. He reported that Bond Counsel had confirmed that the intent of voter approval would be maintained with the current project. He outlined the project scope in which they would install underground drainage with outfall at the San Antonio River. He further stated that they would reconstruct Broadway and Hildebrand Streets within project limits, as well as improve traffic signals and install underground utilities. He added that they would restore Miraflores Park.

Mr. Zanoni spoke of the partner contributions that include water and sewer upgrades from San Antonio Water System (SAWS); utility conversion by CPS Energy; and property donations from AT&T and the University of the Incarnate Word. He reported that the project has no negative impact on the water level or river scouring, as well as no upstream impact. He mentioned that there would be a small benefit downstream and that four underground storm water separators would be installed. He added that the city was meeting all requirements and attaining the proper permits. He stated that Freese & Nichols, the city's Drainage Engineer, had approved the design and hydraulics, while the San Antonio River Authority confirmed that the project will have no impact to the Headwaters. Additionally, the Army Corp of Engineers has approved the required permit and the Texas Historical Commission has confirmed that there is no impact to the San Antonio River. He reported that construction would occur over a 16-month period but would not commence until the Mulberry Bridge was re-opened. He stated that the project had been through due diligence and that a delay would create serious impacts. He provided a list of the stakeholders involved in the project.

Mr. Zanoni stated that it would cost \$12 million to get the water to the Catalpa-Pershing Channel and that additional funds to improve the Channel would also be required. He reported that the Advisory Committee would contribute ideas for the aesthetics of the outfall and that the city was supportive of the concept to connect to the Spiritual Reach in the future.

Mayor Castro commended staff and the Citizens Bond Oversight Committee for their work and stated that he was pleased with the great amount of savings in the Bond Program. He spoke of the need to invest in HemisFair Park, noting that the area could be enjoyed by all. Councilmember Cisneros expressed her support for utilizing bond savings in the Downtown Area which belongs to the entire city. She recognized Bill Sinkin for his efforts on HemisFair Park and recognized the HemisFair Park Area Redevelopment Corporation for their service. She spoke of the concerns of the residents of the River Road Neighborhood with the Broadway-Hildebrand Project and asked if they had hired a firm to review

the engineering documents. Mr. Zanoni stated that the residents of River Road were allowed to hire a third party to review the engineering documents but had been delayed in doing so. Ms. Sculley noted that the City of Alamo Heights had hired a consultant that had confirmed the Freese & Nichols project design. In response to Councilmember Cisneros, Ms. Sculley stated that Bond Counsel had confirmed that the revised project scope was consistent with the intent of the Bond Program. Councilmember Cisneros recognized the partners on the project and requested additional information on the detention ponds in the area being proposed by Bexar County.

Councilmember Chan confirmed that the project was not intended to resolve flooding issues in the River Road Neighborhood and asked of the impact of the project to the neighborhood. Mr. Zanoni replied that the project would not have a negative impact to the River Road Neighborhood and that several improvements would be made. Councilmember Chan asked of the impact of delaying the project. Mr. Zanoni stated that the bids would expire and that the project had been staged to limit the impact to college students. Councilmember Chan asked of public input on the project. Mr. Zanoni replied that there had been a great amount of input over the past three years.

Councilmember Ramos expressed concern with the Broadway-Hildebrand Project, noting that the San Antonio River Oversight Commission had voted to delay the project for 60 days. She asked of the potential for the city to purchase properties in the River Road Neighborhood to resolve flooding issues. Mr. Zanoni stated that it had only been discussed at the staff level. Councilmember Ramos asked of the project budget. Ms. Sculley stated that the project was approved at \$9 million and \$2.5 million had been added for intersection and underground utilities. She noted that some funds had been utilized for design and that the construction bid totaled \$12 million. Councilmember Ramos stated that she would like to see additional bond funds utilized in District 3, noting that a good amount of the savings were realized from District 3 Projects.

The City Council thanked staff for their work on the Bond Program.

Mayor Castro announced that the Executive Session would not be held. He recessed the meeting at 3:38 pm and stated that the meeting would resume at 5:15 pm for Ceremonials.

### **EXECUTIVE SESSION**

- A. Deliberate the purchase, exchange, lease or value of real property and discuss related legal issues pursuant to Texas Government Code Sections 551.072 (real property) and 551.071 (consultation with attorney).**
- B. Deliberations regarding economic development negotiations, and discuss related legal issues pursuant to Texas Government Code Sections 551.087 (economic development) and 551.071 (consultation with attorney).**

### **CEREMONIALS**

Mayor Castro reconvened the meeting at 6:05 pm and presented the Ceremonial Items.

Mayor Castro presented a Proclamation to the San Antonio Fiesta Commission in recognition of their Annual Fiesta San Antonio Celebration April 7-17, 2011. It was noted that the 11-day event is held

every April to honor the memory of the heroes of the Alamo and the Battle of San Jacinto. The Texas-sized festival consists of over 100 events, with more than 75,000 volunteers, to accommodate 3.5 million party-goers.

Mayor Castro presented a Proclamation to the San Antonio Conservation Society who will host “A Night in Old San Antonio” (NIOA) April 12-15, 2011. It was stated that the four-night event, held in the La Villita National Historic District, celebrates San Antonio’s diverse cultural heritage. NIOA showcases 15 ethnic-themed areas; more than 250 food and beverage booths; and over 20 regional bands and dance troops.

The University of Texas Co-op presented its inaugural Fiesta Medal. It was noted that the Co-op is an association owned by students, faculty, and staff to furnish books, supplies, and clothing at discounted prices to its members. Since the year 2000, the Co-op has provided over \$30 million in gifts, grants and rebates. The 2011 Fiesta Medal will be unveiled at the Co-op Store in the Alamo Quarry Market, with the help of the Burnt Orange Committee, which includes among others: Mayor Castro, Councilmember Cortez, Pat Frost, Sheriff Ortiz, and George Mitchell, President and CEO of the University Co-op.

Mayor Castro declared the Public Hearing open at 6:05 pm.

**3. A PUBLIC HEARING FOR THE FIRST OF TWO HOUSING AND URBAN DEVELOPMENT (HUD) REQUIRED CITYWIDE PUBLIC HEARINGS FOR THE DEVELOPMENT OF THE FY 2012 FUNDING FOR FOUR HUD ENTITLEMENT GRANT PROGRAMS: COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME INVESTMENT PARTNERSHIP GRANT (HOME), EMERGENCY SHELTER BLOCK GRANT (ESG), AND HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) PROGRAMS.**

Maria Villagomez, Budget Director, stated that the purpose of the public hearing was to provide San Antonio residents the opportunity to be involved in the development of the FY 2012 Housing and Urban Development (HUD) Consolidated Action Plan and Budget. She noted that the Plan consisted of four Federal Grants: 1) Community Development Block Grant (CDBG); 2) Home Investment Partnership Grant (HOME); 3) Emergency Shelter Grant (ESG); and 4) Housing Opportunities for Persons with AIDS (HOPWA). She mentioned that the FY 2012 funding recommendations would follow the Council Funding Strategy approved in August 2010 as part of the City’s Five-Year Consolidated Plan with the goals of Affordable Housing, Community and Supportive Services, and Economic Development. She reported that HUD had not provided confirmation of the City’s FY 2012 CDBG and HOME Entitlement Amount and that the proposed Federal Budget included funding cuts of 7.5% to CDBG and 9.5% to HOME. She stated that 49 applications were received in the CDBG and HOME Categories and that ESG and HOPWA were on a two-year funding cycle so there was no need for agencies to re-apply.

Mayor Castro stated that this process would be very important due to the pending budget cuts and called upon the individuals registered to speak.

Terri L. Williams, Reverend Carrie Everson, and Derrick Cade representing Mount Zion Community Life and Learning Center spoke in support of funding for their center. Ms. Williams spoke of their initiative and requested funding assistance from the City Council. Reverend Everson stated that they

partnered closely with Mount Zion Baptist Church and that the program will enhance their work in the neighborhood. She noted that the program was unique in that it will involve parents and children and provide access to a computer lab. Carey Latimer spoke in support of the center, noting that it would be holistic and assist families, as well as provide mentoring. He referenced the vision of SA2020 and stated that the program would prepare parents for jobs and help build the community. Gregory Hudspeth stated that the church congregation was also in favor of the initiative and spoke of the after school and mentoring programs that would be offered.

Oscar Ramirez stated that he was the President of the Avenida Guadalupe Association and spoke in support of funding for the Avenida Promesa Project. He noted that the project was directed toward neighborhood revitalization and economic development and has leveraged \$3.3 million. He added that the project had created 31 new jobs and urged the Council to approve their request.

Anthony E. Hargrove, Executive Director of the Ella Austin Community Center spoke in support of funding for their organization. He stated that they had participated in SA2020 and spoke of their focus on education. He noted that the funding they were requesting would be utilized to upgrade their facility.

Nazirite Ruben Flores Perez stated that he was speaking as a citizen and attended City Council Meetings to become educated. He expressed concerns with the structure of the computers at City Learning Centers and referenced the concerns in Japan and the State of Wisconsin.

Jon Hinojosa, Rudy Morales and Jerry Oyervides spoke in support of funding for the SAY SI Program. Mr. Hinojosa stated that the funding that they had previously received had been used on their facility. He noted that the organization had operated for 17 years and provided free art programs for youth. He spoke of the difference that their program makes in the lives of youth and noted that economic development begins with youth development. He added that their program was unique because it was free and offered year-round with a multi-discipline approach. He reported that 100% of seniors in the SAY SI Program have graduated high school and are attending college. Mr. Oyervides stated that he was a senior in high school and had attended the program for the past six years. He spoke of the many skills that he has developed through the program and noted the many colleges and universities that he had been accepted to. Mr. Morales stated that he was a senior in high school and thanked SAY SI for assisting him. Sergio Ramos noted how SAY SI impacted his life over the last 7 years.

Alex Ramos, Celestino Valentin, and Marie Valentin representing the Monte Cristo Center provided the Council with background information regarding the creation of the organization. Ms. Valentin noted that individuals residing outside of Loop 410 have been assisted with food services and educational transition services. She noted that the organization has identified seven projects and that to date; two of the seven projects have been completed. Mr. Valentin spoke of the many individuals within his family that have enrolled in college including him and his wife.

Barbara Hawkins spoke in support of funding for the George Gervin Youth Center. She spoke of the three applications that they had submitted and thanked the City Council for their support.

Mayor Castro excused himself from the meeting at this time. Mayor Pro Tem Lopez presided over the meeting.

Fernando Godinez, Ernestine Green, and Alice Bright addressed the City Council in support of HOME Funding for the E. Thurman Walker Senior Living Community. Mr. Godinez stated that there were very few sites that assisted seniors in the area and that there was a great need for same. Ms. Green stated that she was in support of the project to assist seniors so that individuals would have a place to live. Ms. Bright stated that Pastor Walker had helped the community a great deal and the project is needed for the seniors in the community.

Taj Matthews, Lorenzo Taylor, and Deloris Brown addressed the City Council in support of the Claude and Zernona Black Developmental Leadership Foundation. Mr. Matthews noted that many of the youth that participated in their program had never left the Eastside. He stated that they would like to take a youth group to Washington, D.C. to visit various historical sites and thanked the City Council for their support.

Manish Verma stated that he was the proposed developer for the Liberty Stone Apartments and had requested funding to renovate 237 units. He spoke of the need to improve the quality of life for residents, noting that they served individuals with households of \$20,000-35,000. He noted that this would provide an opportunity to improve the existing housing stock in San Antonio and thanked the City Council for their consideration.

Ryan Wilson addressed the City Council in support of funding for Sutton Oaks Phase II. He stated that the project included affordable, quality housing units to include 15 market rate units. He spoke of Sutton Oaks Phase I, noting that they had revitalized the area and transformed it into a gem.

Kimberly Keener, David Marquez and Rosario Marty spoke in support of funding for the Las Palmas Garden Apartments. Mr. Marquez spoke of the funds that they had leveraged through Stimulus Funding and stated that the project had never had air condition. He noted that they would utilize the funds for a new facility to include a computer lab. Ms. Marty stated that she was a resident and excited to witness the rehabilitation.

Ida Brown stated that they had submitted their application as a development team to develop the property at 185 Coca Cola Street. She noted that they were proposing to create a Smartplex, which would incorporate sports, education, and development for youth. She mentioned that the warehouse had been vacant for a long time but would be willing to work with the city to utilize the Friedrich Building if possible. She added that they would work with schools in the area and create a state-of-the-art facility on the Eastside.

Barbara McDonald, Matias Pelaez, and Molly Thompson addressed the City Council in support of funding for Historic Gardens. Ms. McDonald stated that she lived on the 50-yard line of the Alamodome and was concerned that their area had been neglected for many years. She noted that their neighborhood was the entry to Downtown and needed attention. She spoke of the poor quality of sidewalks and requested consideration of funding for Phases 4-6 of the project. Mr. Pelaez stated that he recently moved to San Antonio and expressed concern with the neglect of the neighborhood. He asked that the remaining phases be implemented. Ms. Thompson stated that she was a resident of the surrounding area and requested funding to implement the remaining phases of the project.

Larry Tucker spoke in support of funding for the Claude Black Center to improve the structure. He stated that the center was the forefront of the Eastside and that the seniors in the neighborhood depended on the facility. He noted that they needed additional space and enjoys participating in their programs.

Joe Freeman stated that he was in support of funding for the Claude Black Center and noted that they were in dire need of a new facility.

Deputy City Clerk Leticia Y. Saenz stated that the following written testimonies had been received.

Janice Kaples wrote in support of funding in the amount of \$675,573 for the Avenida Promesa Project, noting that it would carry out a wide range of community development activities directed toward neighborhood revitalization and economic development.

Carolyn Heath of SA Youth wrote in support of funding for two HOME Proposals for land acquisition, infrastructure, and construction of an affordable housing subdivision. She wrote that the homes would feature the latest in green design and technology to minimize owner energy costs and address the need for homes for low and moderate income and first-time homebuyers.

Erin Figueroa of SA Youth wrote in support of four CDBG Proposals for renovations and improvements to the youth centers located at Dan Cook; Southside; St. Jude; and Mission Verde Academy. She wrote that their programs keep low-income youth in school and give high school dropouts a second chance at life.

Mayor Pro Tem Lopez declared the Public Hearing closed at 7:36 pm.

### **CITIZENS TO BE HEARD**

Mayor Pro Tem Lopez called upon the individuals registered to speak.

Chris Forbrich requested that a Public Hearing be held for the citizens of the River Road Neighborhood Association regarding the Hildebrand-Broadway Project due to their many concerns. He asked that the City Council delay construction for 60 days.

Heriberto Barrientes spoke of his concerns with city staff due to his request for a second electrical meter on his property and referenced information from the Unified Development Code. He asked why he could not be grandfathered since he had applied for the meter in the early 1980's and did not understand why staff could not address his concerns.

Nazirite Ruben Flores Perez spoke to the laws of love and kindness and referenced the earthquake in Japan. He mentioned the Book of Revelations and noted unity issues in the State of Wisconsin. Lastly, he stated that he was in support of the Meet and Confer Bill.

Faris Hodge, Jr. submitted written testimony in opposition to nuclear power, noting that it was not safe. He wrote that there should be two additional City Council Districts and provided a poem written by Mother Theresa. He expressed concern with the overtime spent for Police Officers attending Municipal Court and wrote that there should be two Municipal Court Judges. He wrote that the city should

advertise in publications other than the Express News. He expressed concern with the discrimination of benefits between union and non-union employees. He wrote that the school dropout rate affects everyone and that the City Council should help youth get jobs. He wrote in support of longevity pay for non-union employees and expressed concern with the proposed increase to the city sales tax. He provided an article written about him in the Express News and requested that the Alamodome be named after him.

## **ADJOURNMENT**

There being no further discussion, Mayor Pro Tem Lopez adjourned the meeting at 7:48 pm.

The San Antonio City Council convened in a Regular Meeting on Thursday, **March 31, 2011** at 9:00 am in the City Council Chambers.

## **ROLL CALL**

City Clerk, Leticia M. Vacek, took the Roll Call and noted a quorum of the Council with the following present: Cisneros, Taylor, Ramos, Cortez, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro. **ABSENT:** None.

**Item 1.** The Invocation was delivered by Deacon Gabriel Rosas, St. Margaret Mary Catholic Church, guest of Councilmember Jennifer V. Ramos, District 3.

**Item 2.** Mayor Castro led the Pledge of Allegiance to the Flag of the United States of America.

## **Item 3. MINUTES**

Councilmember Cisneros moved to approve the Minutes for the March 3, 2011 City Council Meeting. Councilmember Clamp seconded the motion.

The motion prevailed by the following vote: **AYES:** Cisneros, Taylor, Ramos, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro. **NAYS:** None. **ABSENT:** Cortez.

## **ITEMS FOR INDIVIDUAL CONSIDERATION**

The City Clerk read the caption for Item 4:

**Item 4. BRIEFING AND POSSIBLE ACTION ON LEGISLATION FILED IN THE 82ND REGULAR STATE LEGISLATIVE SESSION.**

Carlos Contreras presented an update on the State Legislative Session, noting that 6,082 bills have been filed. He reported that HB 4 as well as HB 275 to authorize the use of the Rainy Day Fund would be heard in the House on March 31, 2011. He stated that the general appropriations bill, (HB 1), would be addressed on April 1, 2011. He provided an overview of the hearings and testimony that had occurred during the session and noted that many of the bills were left pending. He mentioned that Graffiti-related

bills HB 1089 had been voted favorably from the House Urban Affairs Committee and HB 690 had been voted favorably from the House Criminal Jurisprudence Committee. He added that the SB 510 Committee substitute related to the Extension of the Diabetes Mellitus Pilot Program had been passed by the Senate. He provided a list of upcoming hearings and highlighted HB 431 related to City/County Consolidation. He expressed concern that the bill authorized Bexar County Commissioners Court to form a Charter Commission to create a County Charter that would incorporate the City of San Antonio and did not allow the City Council to vote on same. He thanked the Mayor, City Council and City Staff that traveled to Austin to testify on behalf of the City of San Antonio.

Mr. Contreras outlined legislation filed related to City South: 1) SB 1493-Relating to the qualifications of Directors of a Defense Base Management Authority; 2) SB 1645-Relating to the authority to create and operate a Defense Base Management Authority; and 3) SB 1646-Relating to the powers and duties of a Defense Base Management Authority. He stated that staff would monitor the legislation and seek recommendations from the IGR Council Committee, as well as update the City Council.

Mayor Castro called upon the individuals registered to speak on Item 4.

Nazirite Ruben Flores Perez stated that he was disappointed that the Meet and Confer Bill had not gone forward, noting the importance of unity and representation. He asked that the bill be reconsidered in the future.

Jack M. Finger asked if city representatives had testified in support of school choice vouchers or in opposition to toll roads. He stated that he was pleased that the Meet and Confer Bill had not gone forward.

Mayor Castro asked of the status of Tree Ordinance Bills HB 1388 and SB 732. Mr. Contreras replied that the Senate Committee had voted it out of committee and would move forward through the process. Mayor Castro spoke of the importance of allowing the City of San Antonio to preserve trees in the Extra-Territorial Jurisdiction. He expressed concern with the language of HB 431 related to City/County Consolidation, noting that residents of San Antonio were at a disadvantage and that smaller cities could opt out.

Councilmember Ramos requested an update from Senator Uresti on the bills related to City South and their impact on Toyota, noting that there should not be any negative impacts. Councilmember Cortez requested an update on the bill to ban Texting While Driving. Mr. Contreras replied that the bill was still pending. Councilmember Cortez requested an update on the bills related to Graffiti and thanked staff for their work. Councilmember Rodriguez thanked everyone that has testified on behalf of the City of San Antonio and asked of the coordination with San Antonio Water System (SAWS) on water-related bills. Mr. Contreras replied that city staff works closely with SAWS and CPS Energy on utility-related bills and would update the IGR Council Committee. Councilmember Rodriguez asked of the status of HB 704. Mr. Contreras stated that the bill was still pending in the Ways and Means Committee and had not yet been scheduled for a hearing. Councilmember Rodriguez spoke of the importance of ensuring that San Antonio has a voice in the bill related to City/County Consolidation.

There was no action required for Item 4.

## **POINT OF PERSONAL PRIVILEGE**

Councilmember Taylor recognized Leon Thomas for the street that would be re-named in his honor in Item 34. She stated that the item had been requested by residents of the Willow Wood Neighborhood who hold a high esteem for Mr. Thomas. Mayor Castro thanked Mr. Thomas for his efforts and work in the community.

The City Clerk read the caption for Items 5A-5D:

Item 5. CONSIDERATION OF THE FOLLOWING ORDINANCES RELATED TO THE BROADWAY CORRIDOR PHASE IIIA, A 2007-2012 GENERAL OBLIGATION BOND PROJECT LOCATED IN COUNCIL DISTRICT 9:

### **2011-03-31-0216**

- A. AN ORDINANCE AWARDED A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$12,084,556.20 TO OSCAR RENDA CONTRACTING, OF WHICH \$1,988,249.80 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM, \$356,216.00 WILL BE REIMBURSED BY CPS ENERGY, AND \$516,141.10 WILL BE FUNDED FROM CPS ENERGY COMMUNITY INFRASTRUCTURE AND ECONOMIC DEVELOPMENT FUNDS; AND AMENDING THE FY2011-2016 CAPITAL BUDGET TO REALLOCATE \$3,102,406.00 FROM IDENTIFIED 2007-2012 GENERAL OBLIGATION BOND PROJECT SAVINGS TO THE BROADWAY- HILDEBRAND.

### **2011-03-31-0217**

- B. AN ORDINANCE AUTHORIZING FUNDING AGREEMENTS WITH VERIZON, GRANDE COMMUNICATIONS, TIME WARNER CABLE, AND TW TELECOM IN THE AMOUNT NOT TO EXCEED \$413,000.00 AND AUTHORIZING PAYMENT TO THE INDIVIDUAL CABLE/TELECOMM PROVIDERS RELATED TO THE UNDERGROUND CONVERSION AT THE INTERSECTION OF BROADWAY AND HILDEBRAND, AN APPROVED UNITY INFRASTRUCTURE AND ECONOMIC DEVELOPMENT FUND PROJECT.

### **2011-03-31-0218**

- C. AN ORDINANCE AUTHORIZING A MEMORANDUM OF AGREEMENT WITH THE TEXAS HISTORICAL COMMISSION AND THE UNITED STATES ARMY CORPS OF ENGINEERS REGARDING THE RESTORATION TO MIRAFLORES PARK AND OTHER PROJECT COMPONENTS IN CONNECTION WITH THE CONSTRUCTION OF THE BROADWAY-HILDEBRAND DRAINAGE PROJECT.

Mr. Frisbie provided an overview of the Broadway-Hildebrand Project, noting traffic and drainage issues in the area. He stated that the Consultant Preliminary Engineering Report had examined the outfall options of both Carnahan and Hildebrand and recommended the Hildebrand option. He noted that this option would follow the existing drainage pattern and keep storm water in the proper sub-watershed. He reported that Bond Counsel had confirmed that the intent of voter approval would be maintained with the current project. He outlined the project scope in which they would install underground drainage with outfall at the San Antonio River. He further stated that they would

reconstruct Broadway and Hildebrand Streets within project limits, as well as improve traffic signals and install underground utilities. He added that they would restore Miraflores Park.

Mr. Frisbie spoke of the partner contributions that include water and sewer upgrades from San Antonio Water System (SAWS); utility conversion by CPS Energy; and property donations from AT&T and the University of the Incarnate Word. He reported that the project has no negative impact on the water level or river scouring, as well as no upstream impact. He mentioned that there would be a small benefit downstream and that four underground storm water separators would be installed. He added that the city was meeting all requirements and attaining the proper permits. He stated that Freese & Nichols, the city's Drainage Engineer, had approved the design and hydraulics, while the San Antonio River Authority confirmed that the project will have no impact to the Headwaters. Additionally, the Army Corp of Engineers has approved the required permit and the Texas Historical Commission has confirmed that there is no impact to the San Antonio River. He reported that construction would occur over a 16-month period but would not commence until the Mulberry Bridge was re-opened. He stated that the project had been through due diligence and that a delay would create serious impacts. He provided a list of the stakeholders involved in the project.

Mr. Frisbie stated that it would cost \$12 million to get the water to the Catalpa-Pershing Channel and that additional funds to improve the Channel would also be required. He reported that the Advisory Committee would contribute ideas for the aesthetics of the outfall and that the city was supportive of the concept to connect to the Spiritual Reach in the future. He added that staff recommended approval of a Construction Contract Award to Oscar Renda Contracting in the amount of \$12,084,554.20 and execution of Funding Agreements with utilities for underground conversion in an amount not to exceed \$413,000. Staff further recommends approval of a Park Restoration Memorandum of Agreement with the Texas Historical Commission and US Army Corp of Engineers for restoration to Miraflores Park and approval of an amendment to the Professional Services Agreement with Freese & Nichols in the amount of \$981,619.

Mayor Castro called upon the citizens registered to speak on Item 5.

Mark Kellmann, Architect provided a photo of a potential project along the river and stated that projects in the Downtown Area should solve more than one issue. He noted that storm water should not flow directly into the San Antonio River and should be captured in a pond. He stated that more work was needed prior to directing storm water into the River.

Nazirite Ruben Flores Perez stated that he was speaking from the laws of love and kindness and liberty laws on the basics of environment and habitat. He expressed concern with flooding in Alamo Heights and Terrell Hills and hoped that the city has open communication with them.

Renee Flores, Pat Tondre and Tomas Garza of AT&T addressed the City Council. Ms. Flores, Regional Vice President, stated that they are a very large employer in the city and have more than 3,200 retirees that call San Antonio home. She stated that they were supportive of the Broadway-Hildebrand Drainage Project since it would address traffic and occasional flooding in the area. She stated that they were pleased to donate a portion of land to provide the city with needed space for dedicated turn lanes and believed that the project will benefit the entire area. Pat Tondre, Emergency Site Coordinator for the building located on Broadway stated that their employees struggle when the street floods, as well as with

severe traffic congestion. He noted that this project would help address many of their safety concerns. Tomas Garza, Associate Director with AT&T expressed his support for the project. He stated that when the area floods, it is almost impossible to cross the street to access the Employee Parking Lot.

Lou Fox stated that he supports the project and thanked city staff for involving stakeholders in the area. He noted that there are many gaps to fill and that the project will improve ingress and egress at the University of the Incarnate Word. He noted that it was important to begin construction during the summer and mentioned that there would be additional enhancements to the Broadway Corridor through the TIRZ Board that he serves on.

Rollette Schreckenghost, President of the San Antonio Conservation Society stated that the park was given to the City by deeds dated in 1899 by George W. Brackenridge and in 1917 by Emma Koehler. She noted that as guardian of Brackenridge Park and the headwaters of the San Antonio River, the Conservation Society closely follows all matters that affect them. She spoke of the many meetings that were held regarding the Broadway-Hildebrand Drainage Project with stakeholders and noted that there was much emotion and allegations surrounding the project. She added that due to a compelling scientific and engineering case made in support of the project, the Conservation Society would not oppose the project.

Randy Murdock, Co-Chair of the Watershed Improvement Advisory Committee spoke in support of the project and stated that there had been some misconceptions about the project. He noted that it was important for the City Council to utilize information and make decisions based on data from professional engineers.

Marise McDermott with the Witte Museum spoke in support of the drainage project, noting that it was important to address flooding issues in the area. She complimented the city for ensuring that water quality would not be compromised and spoke of the need to decrease speed and increase pedestrian accessibility along Broadway Street.

Larry Demartino stated that he was a resident of the River Road Neighborhood and expressed concern that this project would have horrible consequences to his neighborhood. He further stated that the project was based on outdated engineering methods that defy principles of sustainability. He reiterated that this project destroys the natural capability of streams to store storm water and was unsustainable over time.

Barbara Witte Howell addressed the City Council and stated that she had served on the 2007 Bond Committee. She spoke in opposition to the project, noting that approving it would dishonor the time and effort of those that worked on the bond projects. She noted that she was concerned that the River would be turned into a drainage ditch and that it was very important to protect the River.

Myfe Moore stated that she was opposed to the project and that the engineering on the project was blatantly flawed. She noted that the Catalpa-Pershing Channel was the same distance from the Broadway-Hildebrand intersection and asked why the city would work on the Broadway and Hildebrand Corridors at the same time. She expressed concern with public safety due to the lack of traffic lanes and access for emergency vehicles along Hildebrand.

Ed Piner addressed the City Council and stated that he purchased a home on River Road within the last several years and enjoyed living in the area. He noted that the River should be treated as an economic generator rather than a drainage ditch. He expressed concern that the revised project scope was not approved by the voters.

Former Councilmember Louis Rowe stated that he was speaking on his own behalf in support of the project. He stated that he had worked on the project for a long time and that the city has conducted their due diligence on the project. He noted that this was a street and intersection flooding project and not a regional flooding project. He added that there were no negative water quality issues and that there were great benefits in that drainage and traffic concerns would be addressed. He stated that he would like to see continued collaboration with Bexar County to develop good regional flooding solutions.

Alice Holden stated that she was a Sister of the Incarnate Word and that they were very active in the neighborhood. She noted that they had hired someone to develop the Headwaters Project to ensure committed spirituality of the land that they owned. She spoke of the need to protect the citizens that live in the area where the water will flow and expressed concern with utilizing old technology to address drainage issues.

Sr. Elizabeth Riebschlaeger with the Sisters of Charity of the Incarnate Word stated that when she drives by Brackenridge Park, she notices that many individuals are taking advantage of the park. She stated that she was aware of traffic and drainage issues in the area but asked that other values such as respect for nature and the River be integrated into the engineering plan. She noted concerns with the amount of water that would be redirected to the River and potential flooding to the park and golf course. She further expressed concern with the amount of trash and debris left behind and that the change of route has not been exposed to the public.

Helen Ballew representing the Headwaters Coalition, a sponsored ministry by the Sisters of Charity of the Incarnate Word, thanked Mayor Castro for meeting with Sister Yolanda, Mother Superior. She referenced a letter from Sister Yolanda to Ms. Sculley noting that it was difficult to accept the explanation for the change from the original drainage project. She noted that their concerns dealt with connectivity of the San Antonio River Improvement Project to the Spiritual Reach of the San Antonio River, the Historic Headwaters. She asked if all of the options had been thoroughly evaluated and if decisions on the project had been made absent of political influence. She noted that the Sister of Charity owned much of the land at the University of the Incarnate Word and that they were in the process of developing a conceptual plan to extend the San Antonio River Improvement Project. She asked the City Council not to approve the project at this time.

Glenn Huddleston stated that he was a commercial stakeholder in the area and served on the Midtown TIRZ. He noted that his goal was to improve the area and expressed concern that the project was never presented with the huge drainage culverts. He added that the original project was the one that can be supported since it would help overall flooding in the area.

Steve Graham, Assistant General Manager of the San Antonio River Authority (SARA), addressed the City Council. He referenced a letter from Suzanne Scott to the City Manager in which she wrote that SARA has reviewed the project and worked closely with the city to ensure no negative impact to the

floodplain, river water quality, or San Antonio River Improvements Project. He concluded that SARA concurred with the project as designed and supports the award of the construction contract.

Donna Martin gave her time to the Vice-President of the River Road Homeowner's Association. He requested that the project be delayed to address the concerns of the stakeholders and expressed concern that the project destroys Miraflores Park with the large drainage culverts. He stated that the route approved by the bond was on Broadway and not on Hildebrand.

Jack M. Finger referenced the headlines on the front page of the newspaper which read that the Broadway Drainage Project was challenged. He asked why the article stated that the project would be more efficient and less costly yet the ordinances would approve additional spending. He expressed concern with the campaign contributions received by the City Council from Freese & Nichols.

Bart Koontz spoke on behalf of himself and his partner Red McCombs, in support of the project. Mr. Koontz stated that there had been traffic and drainage issues in the area for quite some time. He complimented the city in putting two projects together and only tearing up the road once. He noted the many partners that have come together and stated that the project would assist with the redevelopment of the area due to the improvements to the drainage system.

Councilmember Chan thanked the partners that contributed to the project and stated that she understood the concerns of the stakeholders. She asked of the intent of the Bond Project. Mr. Frisbie stated that the intent of the project was to address the 100-Year Storm Event across Broadway and issues with street flooding. Councilmember Chan asked of the regional drainage issues. Mr. Frisbie replied that this was a local drainage project but the greater regional issue was the water that flowed up through the north through Alamo Heights and down through the river. He stated that it was important for Bexar County to continue working with the city and SARA on a regional solution to include potential detention basins. Councilmember Chan asked of the drainage outfall at Hildebrand. Mr. Frisbie confirmed that there was no impact to the Headwaters and that there was a slight benefit to the River Road Neighborhood documented by SARA and the Army Corp of Engineers. Councilmember Chan asked of the input received from stakeholders. Mr. Frisbie stated that they had met with over 20 stakeholder groups and vetted the project through public meetings. Councilmember Chan recognized the Sisters of Charity for their work on the Headwaters and asked that staff be sensitive to their concerns with debris in the area. She asked if there were any other options for the project. Mr. Frisbie stated that there were only two viable options: 1) Taking the water down Carnahan by the Witte; or 2) Taking it down Hildebrand through the River as being proposed by staff.

Councilmember Williams spoke of the importance of addressing flooding along Broadway and in the River Road Neighborhood. He asked for legal clarification regarding the change of the project. Paul Martin, Bond Counsel, replied that the language stated that a drainage system would be provided to convey a 100-year storm across Broadway and that excess funds could be utilized for constructing other drainage improvements for the removal of harmful excess of water. Councilmember Williams asked if the project being approved today fit the description of the bond project. Mr. Martin replied that he felt that the new project met substantial compliance. Councilmember Williams asked of the traffic plan. Mr. Frisbie replied that they worked with the Public Works Department to modify the signal timing at Broadway and Hildebrand based on the traffic flow and congestion. He added that they would also utilize TransGuide to manage the traffic signals and have officers available when necessary.

Councilmember Cisneros thanked everyone for their work and the project and provided letters of support from the San Antonio Conservation Society and The Real Estate Council of San Antonio. She asked of the impact to the neighborhoods, Miraflores Park, and the Blue Hole. Mr. Frisbie confirmed that the project would not have a negative impact. Councilmember Cisneros asked of future improvements for the River Road Neighborhood. Mr. Frisbie stated that \$1 million was allocated for a study and design in coordination with SARA and Bexar County to address their flooding issues.

Councilmember Clamp asked of the use of bond funds for Miraflores Park. Mr. Frisbie stated that any time that a bond project touches a historic structure or park; they are required to follow a process to mitigate the impact. Councilmember Clamp asked if anything could be done to mitigate the concrete impact to the Headwaters. Mr. Frisbie replied that the size of the box culverts must remain due to the hydraulics. Councilmember Clamp asked of the next phase of the project. Mr. Frisbie stated that they would look for partnership opportunities regarding the Spiritual Reach but the more immediate opportunity was to utilize \$1 million for a design to help properties get out of the floodplain. Councilmember Ramos stated that she felt that the city had conducted due diligence on the project and would be supportive. Mayor Castro thanked everyone that worked on the project and stated that he was satisfied that the engineering questions had been resolved. He noted that he was pleased that the project would not have any negative impacts and commended the Sisters of Charity and the Headwaters Coalition for their work on the Spiritual Reach.

Councilmember Chan moved to adopt the proposed Ordinances for Items 5A-5C. Councilmember Cisneros seconded the motion.

The motion to approve Items 5A-5C prevailed by the following vote: **AYES:** Cisneros, Taylor, Ramos, Cortez, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro. **NAYS:** None. **ABSENT:** None.

#### 2011-03-31-0219

- D. AN ORDINANCE AUTHORIZING AN AMENDMENT IN THE INCREASED AMOUNT OF \$918,691.00, OF WHICH \$53,139.00 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEMS, TO THE \$1,289,035.89 PROFESSIONAL SERVICES AGREEMENT WITH FREESE AND NICHOLS INC. FOR SERVICES RELATED TO THE BROADWAY-HILDEBRAND DRAINAGE PROJECT.

Councilmember Chan recused herself on Item 5D stating that her firm has done some surveying work for Freese and Nichols, Inc. She noted that she had submitted the recusal forms to the City Clerk and exited the Council Chambers.

Councilmember Cisneros moved to adopt the proposed Ordinance for Item 5D. Councilmember Clamp seconded the motion.

The motion to approve Item 5D prevailed by the following vote: **AYES:** Cisneros, Taylor, Ramos, Cortez, Medina, Lopez, Rodriguez, Williams, Clamp, and Mayor Castro. **ABSTAIN:** Chan. **NAYS:** None. **ABSENT:** None.

## **RECESSED**

Mayor Castro recessed the meeting at 12:16 pm to break for lunch and noted that the meeting would resume at 2:00 pm.

## **RECONVENED**

Mayor Castro reconvened the meeting at 2:05 pm and addressed the Consent Agenda Items.

## **CONSENT AGENDA ITEMS 6-42**

Consent Agenda Items 26, 28, and 37A&B were pulled for Individual Consideration.

Mayor Castro addressed Item 28 at this time.

## **ITEMS PULLED FOR INDIVIDUAL CONSIDERATION**

The City Clerk read the following Ordinance:

### **2011-03-31-0241**

Item 28. AN ORDINANCE AMENDING CHAPTER 33, ARTICLE VIII (TAXICABS) OF THE CITY CODE BY INCREASING THE TAXICAB METER DROP-RATE FROM \$2.00 TO \$2.50 FOR DAYLIGHT AND \$3.00 TO \$3.50 FOR NIGHTTIME; INCREASING THE TAXICAB METER PER MILE RATE BY \$0.10 FROM \$2.15 TO \$2.25 EFFECTIVE IMMEDIATELY, AND IN SIX MONTHS INCREASE THE RATE ANOTHER \$0.10 FROM \$2.25 TO \$2.35; AND INCLUDING THE AMERICANS WITH DISABILITIES ACT (ADA) PERMITS AND HYBRID PERMITS IN THE COUNT FOR TOTAL PERMITS ISSUED.

Chief McManus stated that on June 19, 2008, the City Council approved an Ordinance that provided the Taxicab Industry with a meter rate increase. He noted that the Ordinance included a provision that the city would review the taxicab meter rates in even-numbered years and that the city must conduct a comprehensive market analysis and rate study prior to the 2010 Rate Review. He stated that they had contracted with the Tennessee Transportation and Logistics Foundation and they conducted the study from August-October, 2010. He indicated that the study was presented to the Transportation Advisory Board (TAB) in December and the TAB convened in January 2011 to consider the final report recommendations.

Chief McManus outlined the study recommendations that include reducing the number of taxicabs by 216 through attrition, as well as increasing the taxicab meter drop rate by \$1.00. He reported that the study further recommended that the minimum \$5.00 Downtown Fare be eliminated and that the hybrid and handicapped vehicle programs be eliminated. He reported that the TAB and Industry Representatives disagreed with the study recommendations and worked with city staff to develop alternatives. They include: Increasing the taxicab meter drop rate from \$2.00 to \$2.50 during the daytime and from \$3.00 to \$3.50 during the nighttime; increasing the taxicab meter per mile rate by \$0.10 from \$2.15 to \$2.25 effective immediately; in six months, increase the rate another \$0.10 from

\$2.25 to \$2.35; and include the incentive hybrid and ADA permits into the formula used to calculate annual new taxicab permit availability.

Councilmember Medina thanked everyone that participated in developing the recommendations. He spoke of the challenging economic conditions and asked of the increase in meter per mile rate. Chief McManus replied that they had compared the rate with six other cities and determined the increase. He noted that the industry was in agreement. Councilmember Medina recognized Robert Gonzales of the TAB.

Mr. Gonzales stated that he had advocated for the taxicab industry for over 30 years and that the \$0.10 increase would have a minimal impact to the consumer. He noted that they did not want to price themselves out of the market and that the increase would greatly help drivers.

Mayor Castro called upon the individuals registered to speak on Item #28.

John Bouloubasis, President and General Manager of Yellow Cab stated that they were fully supportive of the recommendations and thanked city staff for working with the industry.

Sherry Shaw stated that she served as the TAB Chair and they were in support of the Ordinance as recommended by staff. She noted that the Taxicab Industry had not had an increase since 2008 and that the increase would not place a heavy burden on consumers.

AR Velasquez stated that he was pleased that the process was working and thanked the TAB and city staff for their work. He recognized the Public Safety Council Committee for listening to their concerns and thanked the City Council for their support.

Miguel Guevara, Owner of Excel Taxi, stated that he had been in the Taxicab Industry for 10 years and spoke of the challenging economic conditions. He noted that the small increase was necessary and long overdue. He asked the City Council to approve their request.

Robert Gonzales thanked city staff and the TAB for their work.

Jack M. Finger expressed concern that the increase in the price of gasoline was already included in the taxi rate structure and stated that the drop rate should be eliminated. He spoke of the advertising campaign for bicycles in Item 37 and asked why bicyclists were not required to purchase liability insurance or acquire a bicycle license.

Councilmember Ramos stated that she was pleased that they had been able to work with the Taxicab Industry but expressed concern on the impact to seniors. She asked if there were any agencies that could assist with vouchers. Chief McManus replied that he would follow up on same. Councilmember Ramos asked of the number of hybrid taxicabs. Chief McManus replied that there were 143 hybrid taxicabs and a total of 888 cabs. Councilmember Ramos requested future discussion on horse-drawn carriages and their rates. Mayor Castro thanked the Taxicab Industry for working with city staff and recognized the TAB for their service.

Councilmember Medina moved to adopt the proposed Ordinance. Councilmember Clamp seconded the motion.

The motion prevailed by the following vote: **AYES:** Cisneros, Taylor, Ramos, Cortez, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro. **NAY:** None. **ABSENT:** None.

The City Clerk read the following Ordinance:

**2011-03-31-0239**

Item 26. AN ORDINANCE AMENDING CHAPTER 6 OF THE CITY CODE TO REPLACE THE CURRENT PROCESS FOR STREET RENAMING REQUESTS WITH A FORMALIZED REVIEW AND PUBLIC HEARING PROCESS.

Rod Sanchez explained the changes to the City Code noting that they recommended separating references to streets and facilities, as well as updating the application submission requirements to require an applicant to have an increased interest in the property along the subject street. He stated that they also recommended that the Office of Historic Preservation receive a copy of the application at in-take for review and comments, and that other agencies such as Bexar County and SAWS participate in the review process. He reported that the public hearing procedures should be modified so that the Planning Commission considers the recommendation and that the application fee be increased from \$500 to \$1,000.

Councilmember Cortez clarified that the requests would go before the Planning Commission for review. Mr. Sanchez confirmed same and added that the item would be brought to the City Council for final approval.

Councilmember Clamp asked of payment for a street name change. Mr. Sanchez replied that the applicant was responsible for the fee and that if it was requested by a Councilmember; they would decide on the payment method.

Councilmember Cortez moved to adopt the proposed Ordinance. Councilmember Medina seconded the motion.

The motion prevailed by the following vote: **AYES:** Cisneros, Taylor, Ramos, Cortez, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro. **NAY:** None. **ABSENT:** None.

Item 37. CONSIDERATION OF THE FOLLOWING ORDINANCES RELATED TO THE SHARE THE ROAD ADVERTISING CAMPAIGN: "SAME ROAD, SAME RULES, SAME RIGHTS":

**2011-03-31-0249**

- A. AN ORDINANCE AUTHORIZING AN ADVANCE FUNDING AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) TO ADMINISTER FEDERAL FUNDS FROM THE TRANSPORTATION ENHANCEMENT PROGRAM TO ASSIST IN FUNDING THE SHARE THE ROAD ADVERTISING CAMPAIGN: "SAME ROAD, SAME RULES, SAME RIGHTS" AND ACCEPTING FUNDS IN AN AMOUNT UP TO \$276,000.00.

**2011-03-31-0250**

- B. AN ORDINANCE AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH KGB TEXAS MARKETING/PUBLIC RELATIONS INC. DBA KGB TEXAS PUBLIC RELATIONS/ADVERTISING IN THE AMOUNT UP TO \$300,000.00 FOR A TERM OF THREE YEARS TO DEVELOP AND LAUNCH THE SHARE THE ROAD ADVERTISING CAMPAIGN: "SAME ROAD, SAME RULES, SAME RIGHTS".

Councilmember Williams asked of the initial action of \$300,000 in 2009 for this program. Lawrence Doxsey replied they had utilized a different source of funding for the initial action. Councilmember Williams asked if this was an additional \$300,000. Mr. Doxsey confirmed the \$300,000 was additional and noted that the budget was for a four-year period. Councilmember Williams asked of the city's match of \$69,000. Mr. Doxsey replied that Advanced Transportation District Funds would be utilized for same. Councilmember Williams asked of the purpose of the program. Mr. Doxsey stated that the program included a media campaign and provided information on the rules and regulations associated with the use of the road.

Councilmember Ramos moved to adopt the proposed Ordinances for Items 37A and 37B. Councilmember Cisneros seconded the motion.

The motion prevailed by the following vote: **AYES:** Cisneros, Taylor, Ramos, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro. **NAY:** None. **ABSENT:** Cortez.

**CONSENT AGENDA ITEMS (CONTINUED)**

Mayor Castro addressed the remaining items under the Consent Agenda and called upon those registered to speak.

Mark Kellman, Architect spoke of Rio Overlays and provided a rendering of a project along the River. He stated that landscape architects did not approve of having storm water in creeks and engineers were trying to solve flooding issues. He outlined the rendering and spoke of a green street that captures water in the street similar to a tank. He noted that water from highways should be captured by ponds and that issues should be resolved in a larger context.

Daniel Gomez asked the City Council not to approve the contracts in Item 32 and to direct staff to re-bid the project. He expressed concern with the scoring method and asked why he had scored so low. He noted that he had provided work for the city over the past 14 years and believed that he was the lowest bidder.

Mayor Castro asked of the bidding process for Item 32. Marc Castro explained that they had utilized a Request for Proposal (RFP) Process and advertised in numerous venues. He stated that eight proposals were submitted and seven were deemed responsive. He noted that a committee had scored the proposals in which they reviewed the Management Plan, Experience, and Pricing and that Mr. Gomez's bid was not in the top four. Mayor Castro asked if Mr. Gomez was the lowest bidder. Mr. Castro indicated that the pricing scores ranged from 29.03-30 and Mr. Gomez had received 30 points. He stated that in addition to price, they reviewed the number of employees and their turnaround time to clean up properties. Councilmember Clamp requested that city staff assist Mr. Gomez in answering questions on

future RFPs. Mayor Castro asked that the point scoring system be calibrated to the difference in cost so that points are awarded on a consistent point system.

Faris Hodge, Jr. submitted written testimony in support of Items 4, 5, 7, 10-15, 17-22, 24, 25, 27, 29-31, 33—36, 38-40. For Item 6, he wrote that the city should not establish unit prices and that trash should be picked up along Main Street (Item 8). He wrote that the Main Plaza Alternative Water Supply Project was a waste of money (Item 9), and that the city should not rename any additional streets (Item 26). He wrote in opposition to the lawsuit in Item 41, noting that information was not provided to the public.

Councilmember Cisneros moved to approve the remaining Consent Agenda Items. Councilmember Taylor seconded the motion.

The motion to approve the remaining Consent Agenda Items prevailed by the following vote: **AYES:** Cisneros, Taylor, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro. **NAYS:** None. **ABSENT:** Ramos and Cortez.

**2011-03-31-0220**

Item 6. AN ORDINANCE AUTHORIZING THE FOLLOWING CONTRACTS ESTABLISHING UNIT PRICES FOR ANNUAL GOODS AND SERVICES: (A) SANKEY EQUIPMENT CO., INC. AND GENUINE PARTS COMPANY FOR AUTOMOTIVE SHOP SUPPLIES PARTS AND SERVICE, (B) AIR KON SERVICE, INC. FOR MAINTENANCE AND REPAIR OF HVAC SYSTEMS AT FIRE STATIONS, (C) CONTROL TECHNOLOGIES, INC. AND ITERIS, INC. FOR VIDEO IMAGE VEHICLE DETECTION SYSTEM, (D) LEOTEK ELECTRONICS USA CORP. FOR PEDESTRIAN COUNTDOWN TIMERS AND (E) DYNAMIC VISION CO., INC. FOR EXTENDED VIEW LED TRAFFIC SIGNAL LAMPS AND (F) UNIFIRST CORPORATION FOR WORK UNIFORM RENTAL AND LAUNDRY SERVICE.

Item 7. CONSIDERATION OF THE FOLLOWING ORDINANCES RELATED TO THE CITY-WIDE BRIDGE REPLACEMENT PROGRAM, A 2007 – 2012 GENERAL OBLIGATION BOND PROJECT.

**2011-03-31-0221**

- A. AN ORDINANCE AWARDED A CONSTRUCTION CONTRACT TO BALLENGER CONSTRUCTION COMPANY IN THE AMOUNT OF \$5,129,875.35, OF WHICH \$599,903.92 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM, FOR THE RITTIMAN AT SALADO CREEK PROJECT, LOCATED IN COUNCIL DISTRICT 2.

**2011-03-31-0222**

- B. AN ORDINANCE AWARDED A CONSTRUCTION CONTRACT TO RELMCO, INC. IN THE AMOUNT OF \$579,345.86 FOR THE W.W. WHITE AT ROSILLO CREEK PROJECT, LOCATED IN COUNCIL DISTRICT 3.

**2011-03-31-0223**

Item 8. AN ORDINANCE AUTHORIZING A CONSTRUCTION CONTRACT WITH H.L. ZUMWALT CONSTRUCTION, INC., IN AN AMOUNT UP TO \$4,298,350.00 FOR ALLEY MAINTENANCE RELATED PROJECTS.

**PULLED FROM THE AGENDA BY STAFF**

Item 9. AN ORDINANCE SELECTING COROLLO ENGINEERS FOR AWARD OF A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT UP TO \$166,630.00 FOR THE DESIGN OF THE MAIN PLAZA: ALTERNATIVE WATER SUPPLY PROJECT, A CERTIFICATES OF OBLIGATION FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 1.

**2011-03-31-0224**

Item 10. AN ORDINANCE RATIFYING A CHANGE ORDER IN THE INCREASED AMOUNT OF \$48,544.53 TO THE \$1,182,280.80 CONSTRUCTION CONTRACT, OF WHICH \$38,835.62 WILL BE REIMBURSED BY THE TEXAS DEPARTMENT OF TRANSPORTATION, WITH CAPITAL EXCAVATION FOR THE JONES MALTSBERGER - US 281 TO EAST OF UNION PACIFIC RAILROAD PROJECT, AN AUTHORIZED LOCAL AGENCY MANAGEMENT PROJECT AND FUNDED BY CERTIFICATES OF OBLIGATION AND FEDERAL FUNDS THROUGH THE METROPOLITAN PLANNING ORGANIZATION AND THE AMERICAN RECOVERY AND REINVESTMENT ACT, LOCATED IN COUNCIL DISTRICT 9.

**2011-03-31-0225**

Item 11. AN ORDINANCE AUTHORIZING A CHANGE ORDER IN THE INCREASED AMOUNT OF \$103,560.00 TO THE \$17,138,196.17 CONSTRUCTION CONTRACT WITH BALLENGER CONSTRUCTION COMPANY, OF WHICH \$51,780.00 WILL BE REIMBURSED BY THE SAN ANTONIO WATER SYSTEM AND \$41,424.00 WILL BE REIMBURSED BY THE TEXAS DEPARTMENT OF TRANSPORTATION AND \$10,356.00 WILL BE FUNDED BY THE CITY FOR THE 36TH STREET EXTENSION - GROWDON ROAD TO BILLY MITCHELL BOULEVARD PROJECT, AN AUTHORIZED LOCAL AGENCY MANAGEMENT PROJECT FUNDED BY FEDERAL FUNDS THROUGH THE METROPOLITAN PLANNING ORGANIZATION, THE AMERICAN RECOVERY AND REINVESTMENT ACT, AND 2007-2012 GENERAL OBLIGATION BONDS, LOCATED IN COUNCIL DISTRICT 4.

**PULLED FROM THE AGENDA BY STAFF**

Item 12. AN ORDINANCE AUTHORIZING AN AMENDMENT IN THE INCREASED AMOUNT OF \$441,666.00 TO THE \$1,540,000.00 PROFESSIONAL SERVICES AGREEMENT WITH AECOM FOR THE SEELING CHANNEL IMPROVEMENTS AND WOODLAWN LAKE PEDESTRIAN BRIDGE PROJECTS, WHICH ARE 2007-2012 BOND PROGRAM FUNDED PROJECTS, LOCATED IN COUNCIL DISTRICT 7.

**2011-03-31-0226**

Item 13. AN ORDINANCE AUTHORIZING A CPS ENERGY CHANGE ORDER IN THE INCREASED AMOUNT OF \$155,563.45 TO THE \$3,571,399.00 CONSTRUCTION CONTRACT WITH YANTIS CORPORATION, ALL OF WHICH WILL BE REIMBURSED BY CPS ENERGY FOR THE RANDOLPH WEIDNER DRAINAGE IMPROVEMENTS, AN AUTHORIZED HOUSING

AND URBAN DEVELOPMENT 108 LOAN PROGRAM AND STORM WATER REGIONAL FACILITY FUND PROJECT LOCATED IN COUNCIL DISTRICT 10.

**2011-03-31-0227**

Item 14. AN ORDINANCE AUTHORIZING A FUNDING AGREEMENT WITH UNION PACIFIC RAILROAD FOR AN AMOUNT UP TO \$141,575.35, OF WHICH \$113,260.28 WILL BE REIMBURSED BY THE TEXAS DEPARTMENT OF TRANSPORTATION, AND AMENDING A FUNDING AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION TO REIMBURSE THE CITY FOR RECONSTRUCTION OF CONCRETE ROAD CROSSING PANELS AND ASSOCIATED ENGINEERING SERVICES, FOR THE MISSION TRAILS PACKAGE IV AND V PROJECT, A CERTIFICATES OF OBLIGATION FUNDED PROJECT, LOCATED IN COUNCIL DISTRICTS 1, 3, AND 5.

**2011-03-31-0228**

Item 15. AN ORDINANCE AMENDING A PROFESSIONAL SERVICES AGREEMENT WITH KLOTZ ASSOCIATES, INC. IN THE AMOUNT OF \$234,390.00 FOR ADDITIONAL ENGINEERING SERVICES AND PERMITTING FEES RELATED TO THE SAN ANTONIO RIVER WATER TREATMENT PROJECT, AN AUTHORIZED CERTIFICATES OF OBLIGATIONS, STORM WATER REVENUE BOND, AND STORM WATER OPERATING FUND PROJECT LOCATED IN COUNCIL DISTRICT 9.

**2011-03-31-0229**

Item 16. AN ORDINANCE AUTHORIZING A FIVE-YEAR LEASE AGREEMENT WITH THE TEXAS DEPARTMENT OF PUBLIC SAFETY FOR OFFICE, HANGAR, AND GROUND SPACE AT STINSON MUNICIPAL AIRPORT AT AN ANNUAL RENTAL OF \$26,029.84 BEGINNING MARCH 1, 2011.

**2011-03-31-0230**

Item 17. AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF ONE PARCEL OF PRIVATELY OWNED REAL PROPERTY, BY DEDICATION, FROM THE NORTH EAST INDEPENDENT SCHOOL DISTRICT FOR A RIGHT TURN LANE INTO THE NEW VINEYARD RANCH ELEMENTARY SCHOOL LOCATED AT 16818 HUEBNER ROAD IN NCB 16334 IN COUNCIL DISTRICT 9.

**2011-03-31-0231**

Item 18. AN ORDINANCE AUTHORIZING THE EXTENSION OF A LEASE AGREEMENT AND TRANSFER OF A LEASE FROM LISA A. RODRIGUEZ D/B/A BAPTISMAL BOUTIQUE TO ENRIQUE C. ENRIQUEZ D/B/A BAPTISMAL BOUTIQUE FOR USE OF RETAIL SPACE AT FARMERS MARKET.

**2011-03-31-0232**

Item 19. AN ORDINANCE AUTHORIZING A ONE-YEAR RENEWAL LEASE WITH THE FIRE MUSEUM SOCIETY, A NON-PROFIT CORPORATION FOR THE BUILDING COMMONLY KNOWN AS THE OLD FIRE STATION #7 LOCATED AT 604 ALAMO ST.

**2011-03-31-0233**

Item 20. AN ORDINANCE APPROVING THE TEMPORARY CLOSURE OF CERTAIN STREETS FOR THE 2011 FIESTA SAN ANTONIO CELEBRATION; APPROVING THE LOCATIONS, DATES AND TIMES FOR THE FIESTA CARNIVAL AND OFFICIAL FIESTA EVENTS WITH RELATED REQUIREMENTS AND CONDITIONS AND APPROVING THE FIESTA PARADE ROUTES; AND PROVIDING FOR ADDITIONAL SECURITY PERSONNEL.

**2011-03-31-0234**

Item 21. AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A GRANT IN THE AMOUNT OF \$35,754.40 FROM THE SOUTHWEST TEXAS REGIONAL ADVISORY COUNCIL FOR TRAUMA FOR USE BY THE SAN ANTONIO FIRE DEPARTMENT FOR EMS ELIGIBLE EXPENSES.

**2011-03-31-0235**

Item 22. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND THE ACCEPTANCE OF UP TO \$12,000.00, UPON AWARD, FROM THE 2011 TEXAS INTRASTATE FIRE MUTUAL AID SYSTEM (TIFMAS) GRANT FOR TRAINING TUITION REIMBURSEMENT; AND RATIFYING THE ACCEPTANCE OF FUNDS IN THE AMOUNT OF \$340.00 FROM TIFMAS.

**2011-03-31-0236**

Item 23. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE NATIONAL ASSOCIATION OF CITY AND COUNTY HEALTH OFFICIALS (NACCHO) FOR THE ALAMO AREA MEDICAL RESERVE CORPS, THE EXECUTION OF AN AGREEMENT, AND THE ACCEPTANCE OF FUNDS IN THE AMOUNT OF \$5,000.00 FROM NACCHO FOR THE TERM JANUARY 5, 2011 TO JULY 31, 2011.

**2011-03-31-0237**

Item 24. AN ORDINANCE RATIFYING THE SUBMISSION OF AN APPLICATION TO THE CENTERS FOR DISEASE CONTROL AND PREVENTION (CDC) FOR A PUBLIC HEALTH PREVENTION SPECIALIST FOR ASSIGNMENT IN THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT (METRO HEALTH) FOR A TWO-YEAR PERIOD BEGINNING IN OCTOBER 2011.

**2011-03-31-0238**

Item 25. AN ORDINANCE AUTHORIZING ACCEPTANCE OF THE SOLICITATION FOR COOPERATIVE AGREEMENT APPLICATION (SCAA) BASE YEAR 2011 GRANT; AND THE APPLICATION AND ACCEPTANCE FOR THE SCAA OPTIONAL YEARS 2012 - 2014 FROM THE DEPARTMENT OF DEFENSE (DOD) FOR THE PERSONNEL COMPLEMENT OF THE PROCUREMENT TECHNICAL ASSISTANCE CENTER (PTAC).

**2011-03-31-0240**

Item 27. AN ORDINANCE AMENDING CHAPTER 35 OF THE CITY CODE, UNIFIED DEVELOPMENT CODE, WITH CHANGES TO VARIOUS ARTICLES PERTAINING TO THE RIVER IMPROVEMENT OVERLAY INCLUDING ARTICLE III ZONING, ARTICLE IV, PROCEDURES; AND ARTICLE VI, HISTORIC PRESERVATION AND URBAN DESIGN, AND

MAKING OTHER NON-SUBSTANTIVE CHANGES TO THE UDC FOR CLARITY AND CONSISTENCY.

Item 29. CONSIDERATION OF THE FOLLOWING BOARD, COMMISSION AND COMMITTEE APPOINTMENTS FOR THE REMAINDER OF UNEXPIRED TERMS OF OFFICE TO EXPIRE MAY 31, 2011, TO BE EFFECTIVE IMMEDIATELY UPON THE RECEIPT OF EIGHT AFFIRMATIVE VOTES, OR, IN THE EVENT EIGHT AFFIRMATIVE VOTES ARE NOT RECEIVED, TEN DAYS AFTER APPOINTMENT; OR FOR TERMS AND EFFECTIVENESS AS OTHERWISE INDICATED BELOW:

- A. APPOINTING CAROLYN J. WELLS (MAYORAL) AND REAPPOINTING REYNALDO A. DE LOS SANTOS (DISTRICT 10) TO KEEP SAN ANTONIO BEAUTIFUL, INC. FOR THE REMAINDER OF UNEXPIRED TERMS OF OFFICE TO EXPIRE DECEMBER 22, 2011, AND DECEMBER 22, 2012, RESPECTIVELY.
- B. APPOINTING RICK J. MCNEALY (DISTRICT 9) TO THE ZONING COMMISSION.
- C. APPOINTING JERRY GRAEBER AND REAPPOINTING KIRKLAN W. KING TO THE TAX INCREMENT REINVESTMENT ZONE NUMBER 16, KNOWN AS BROOKS CITY BASE.
- D. REAPPOINTING ANA M. GUZMAN AND RALPH J. LAMPMAN TO THE TAX INCREMENT REINVESTMENT ZONE NUMBER 28, KNOWN AS VERANO.
- E. APPOINTING DEBORAH BAUER, JAMES E. MONTGOMERY, JR., AND ROBERT J. WORTHAM TO THE TAX INCREMENT REINVESTMENT ZONE NUMBER 4, KNOWN AS HIGHLAND HEIGHTS.

**2011-03-31-0242**

Item 30. AN ORDINANCE AMENDING THE SAN ANTONIO INTERNATIONAL AIRPORT AIR SERVICE DEVELOPMENT INCENTIVE PROGRAM TO MEET NEW GUIDELINES RELEASED BY THE FEDERAL AVIATION ADMINISTRATION.

**2011-03-31-0243**

Item 31. AN ORDINANCE APPROVING VISION 2050, THE MASTER PLAN FOR THE SAN ANTONIO INTERNATIONAL AIRPORT.

**2011-03-31-0244**

Item 32. AN ORDINANCE AUTHORIZING CONTRACTS WITH LENCOM, INC. D/B/A LENTZ PAINTING, AND RAUL'S LANDSCAPE SERVICES AS PRIMARY CONTRACTORS, AND WITH HOSPITAL KLEAN OF TEXAS, INC. AND UNDER CONSTRUCTION INC. AS SECONDARY CONTRACTORS, FOR DANGEROUS PREMISES ABATEMENT LOT CLEARING, SECURING OF UNOCCUPIED STRUCTURES AND GRAFFITI ABATEMENT, FOR A TERM BEGINNING APRIL 1, 2011 AND ENDING ON MARCH 31, 2013 WITH AN ESTIMATED ANNUAL VALUE OF \$104,038.00 AND THE OPTION FOR TWO ADDITIONAL ONE-YEAR RENEWALS.

**2011-03-31-0245**

Item 33. AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF SUPPLEMENTAL GRANT FUNDS IN AN AMOUNT UP TO \$16,541.00 FROM THE PRIOR AUTHORIZED TEXAS EDUCATION AGENCY FOR THE FY 2011 \$102,000.00 THE ENGLISH LITERACY - CIVICS PROJECT FOR THE PERIOD JULY 1, 2010 THROUGH JUNE 30, 2011; AND APPROVING A REVISED PROGRAM BUDGET.

**2011-03-31-0246**

Item 34. AN ORDINANCE RENAMING KONO ROAD TO LEON THOMAS WAY BETWEEN GEMBLER ROAD AND BELGIUM LANE.

**2011-03-31-0247**

Item 35. AN ORDINANCE AUTHORIZING AN INTERAGENCY PARTICIPATION AGREEMENT WITH CPS ENERGY IN AN AMOUNT UP TO \$1,500,000.00 TO PROVIDE MARKETING DESIGN AND IMPLEMENTATION SERVICES FOR THE BETTERBUILDINGS PROGRAM, FUNDED BY AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) FUNDS THROUGH THE BETTERBUILDINGS PROGRAM GRANT FOR THE PERIOD ENDING APRIL 30, 2013.

**2011-03-31-0248**

Item 36. AN ORDINANCE AUTHORIZING AN INTERLOCAL AGREEMENT WITH THE SAN ANTONIO HOUSING FACILITY CORPORATION IN AN AMOUNT UP TO \$333,500.00 FOR THE PURPOSE OF PROVIDING INCENTIVES TO RENOVATE EXISTING MULTIFAMILY APARTMENT UNITS UNDER THE HOUSING RETROFIT/GREEN CONTRACTORS REBATE PROGRAM, FUNDED BY THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 THROUGH THE ENERGY EFFICIENCY CONSERVATION BLOCK GRANT (EECBG).

**2011-03-31-0251**

Item 38. AN ORDINANCE AUTHORIZING CONTRACTS WITH LAURA HERNANDEZ, R.D.H. AND JODIE HOSTETTER, R.D.H., EACH IN THE AMOUNT OF \$64,000.00, FOR DENTAL HYGIENIST SERVICES FOR THE PERIOD OF APRIL 1, 2011 THROUGH MARCH 31, 2012.

**2011-03-31-0252**

Item 39. AN ORDINANCE RATIFYING THE SUBMISSION OF A CULTURAL RESOURCES DIVERSITY INTERNSHIP PROGRAM (CRDIP) INTERN FOR SUMMER 2011 FOR THE OFFICE OF HISTORIC PRESERVATION.

**2011-03-31-0253**

Item 40. AN ORDINANCE AUTHORIZING THE REPROGRAMMING OF U.S. HOUSING AND URBAN DEVELOPMENT (HUD) SECTION 108 LOAN FUNDS IN THE AMOUNT OF \$37,000.00 TO THE YOUTH ADVOCATES BOXING GYMNASIUM CONSTRUCTION.

**2011-03-31-0254**

Item 41. AN ORDINANCE AUTHORIZING A SETTLEMENT IN THE LAWSUIT STYLED *RACHEL O'DONNELL V. CITY OF SAN ANTONIO*, IN THE 224TH JUDICIAL DISTRICT COURT, BEXAR COUNTY, TEXAS, CAUSE NO. 2008-CI-18315, FOR THE AMOUNT OF \$155,000.00, PAID FROM THE SELF-INSURANCE LIABILITY FUND.

2011-03-31-0255

Item 42. AN ORDINANCE AUTHORIZING THE CITY TO UTILIZE A COOPERATIVE CONTRACT WITH DALLAS DODGE AND FRAZER, LTD. TO PROVIDE 16 AMBULANCES FOR A TOTAL COST OF \$2,317,800.00; FUNDED BY THE EQUIPMENT RENEWAL AND REPLACEMENT FUND AND THE GENERAL FUND.

[CONSENT ITEMS CONCLUDED]

**Item 43. CITY MANAGER'S REPORT**

**A. NEWLY APPOINTED STAFF**

Ms. Sculley introduced Sherry Dowlatshahi, Chief of Protocol in the International Relations Office. She stated that Ms. Dowlatshahi was responsible for providing advice to elected officials and local organizations regarding protocol procedures involving foreign dignitaries and governments. She spoke of Ms. Dowlatshahi's background, noting that she grew up in Iran and completed her formal education in England.

Ms. Dowlatshahi stated that she was pleased to be in San Antonio and looks forward to working with the City Council.

Mayor Castro and the City Council welcomed Ms. Dowlatshahi to the city.

**B. OFFICE OF HISTORIC PRESERVATION UPDATE**

Ms. Sculley reported that the Office of Historic Preservation would be hosting the Students Together Achieving Revitalization (STAR) Program on April 2-3, 2011. The STAR Program will utilize students from the UTSA College of Architecture to assist homeowners with minor repairs in the Dignowitty Hill Historic District on the City's Eastside. She spoke of the minor repairs they would assist with and stated that the value to each homeowner ranged from \$5,000-15,000 depending on the scope. She thanked everyone involved in the project.

Mayor Castro and Councilmember Taylor recognized the volunteers and partners for their work on the STAR Project.

**ADJOURNMENT**

There being no further discussion, Mayor Castro adjourned the meeting at 3:10 pm.

APPROVED



JULIAN CASTRO  
MAYOR

Attest:   
LETICIA M. VACEK, TRMC/CMC  
City Clerk