

**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, SEPTEMBER 8, 2010 AND THURSDAY, SEPTEMBER 9, 2010, RESPECTIVELY.

The San Antonio City Council convened in a Work Session at 2:00 pm Wednesday, **September 8, 2010**, 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 PRESENTATION ON THE FY 2011 PROPOSED BUDGET FOCUSING ON, BUT NOT LIMITED TO, THE FOLLOWING:

David McCary, Director of Solid Waste Management Services, updated the Council on the Recycling Policy and spoke on the educational and outreach efforts being undertaken as well as the partnerships established. It was noted that starting January 2011, 5 local retailers would begin a voluntary Plastic Bag Recycling Program. He highlighted the Departmental Mission and services provided. It was noted that approximately 557,000 tons of material was collected in FY 2010 with 62% being garbage, 20% brush, and 18% percent recyclables. The Strategic Goals and Plan of Action for the 10-year Recycling and Resource Recovery Plan were provided to the Council. It was noted that one of the goals was to increase the single-family recycling rate from 18% to 60%.

Mr. McCary presented a short video which highlighted the benefits of the Automated Collection Conversion Process. Other FY 2010 Accomplishments included the completion of the Alley Improvement Program, Development of the 10-year Recycling Plan, and Expansion of the Bitters Recycling Center. In regards to the FY 2011 Proposed Operational Budget, Mr. McCary stated that San Antonio charged the lowest Solid Waste Fee among comparative cities at \$18.74 per month and was not proposing a rate increase for FY 2011. In regard to the FY 2011 Proposed Budget, the department was proposing a budget of \$93.7 million with 61% allocated towards garbage and recycling collection. Mr. McCary detailed budget allocations by Program as well as FY 2011 Reductions and Efficiencies. It was noted that the Department was proposing a costs savings in the amount of \$2.3 million with approximately \$2 million being derived from the conversion of manual collection of garbage to an automated collection.

In the area of proposed Improvements for FY 2011, Mr. McCary reported that the Department was allocating \$11 million towards various Improvements. He also provided a brief overview of the Southside Brush Recycling Facility and noted that the proposed location was the old Nelson Gardens Landfill. It was stated that having two Brush Collection Facilities would assist the Department in achieving its goal of having a 60% recyclable rate by 2020. Lastly, recycling benchmarks for FY 2010 through FY 2013 of the 10-year Recycling Plan were highlighted.

A. ENVIRONMENTAL POLICY, SUSTAINABILITY & GREEN INITIATIVES

Laurence Doxsey, Director of the Office of Environmental Policy (OEP), detailed the various accomplishments made in FY 2010 which included launching a Small Business Lighting Efficiency

Program, establishing and upgrading the Mission Verde Center, partnering with CPS Energy to implement the Weatherization Assistance Program (WAP) known as Casa Verde, as well as implementing a Bike Share Program. As it relates to the FY 2011 Proposed Budget, it was noted that the Department anticipated having a personnel complement of 21 with a Budget allocation of \$22,759,035. Of this amount, \$410,781 was derived from the Solid Waste Fund; \$143,978 from the General Fund; \$81,920 from the Advanced Transportation District (ATD) Fund, and \$22,122,356 from Federal Grants. Initiatives proposed in the area of Community and Sustainability Programs include establishing Electric Vehicle and Tree Rebate Programs, installing solar panels at the Mission Verde Center, as well as continuing with the City Lights Revolving Loan and Green Contractor Rebate Programs. In the area of Air Quality and Transportation, the Department proposed implementing a Downtown Bike Share Program for the general public, Bike Bright SA bike light Program, and Car Sharing Program. Initiatives proposed for Grant Management include launching the Better Building Program, completing WAP, as well as completing the implementation of grants awarded.

At the request of Mayor Castro, Mr. Doxsey explained that the Office of Environmental Policy was working with various City Departments to draft the "Green Events" ordinance and noted that events taking place at the Alamodome and Convention Center were required to be certified as "Green Events." In regards to events being conducted at other City facilities, Mr. Doxsey stated that the Department was meeting with event planners to explain the certification process and compliance components. As it relates to the Bike Share Program, Mr. Doxsey stated that a demonstration of the Bike Share Program was scheduled for the Fall with final implementation of the Program in January 2011. He stated that the bikes to be utilized for said Program would be custom-made. Mayor Castro requested that the Department consider the needs of local residents when identifying Bike Stations as the Bike Share Program was primarily designed for San Antonians. He thanked the OEP staff for the Initiatives being undertaken.

At the request of Mayor Castro, Mr. McCary mentioned that partnerships with the Business Community would start after the completion of multi-family recycling efforts. He added that the Return on Investment for recyclables was steady.

Councilmember Cortez spoke on the Southside Brush Recycling Facility and Educational Outreach efforts and asked Mr. McCary to provide a status report on the Projects. Mr. McCary stated that the Southside Bruch Recycling Facility was expected to open in late FY 2011 while all City residents would be receiving Recycling Guidelines by October 2010. Lastly, Councilmember Cortez highlighted the benefits of Automated Collection.

Councilmember Taylor requested information regarding the Organic Waste Containers. Mr. McCary stated that the Department planned on purchasing 30,000 containers and that containers would be distributed throughout the City to individuals who currently do not compost. Councilmember Taylor noted that the Eastside also had a closed landfill which could be used as future Brush Recycling Facility. In regards to the selection of future recycling sites, Mr. McCary stated that the City currently did not have a strategy for the selection of sites but planned on creating one. He spoke on the requirements to be followed when selecting and using a site. City Manager Sculley spoke on the challenges with using closed landfills and proposed a "B" Session to identify the City's closed landfills and discuss development possibilities. Mr. McCary noted that Pearsall Park was developed over a closed landfill and that the Department would use said model to identify lessons learned. He reported that the video

showing the correct recycling methods would be distributed to Homeowner and Neighborhood Associations in October 2010.

In regard to the Better Building Program, Mr. Doxsey noted that the intent of the program was to fix and retro-fit older buildings in order to make them more energy efficient. He provided details of the Program and noted that Program participation was open to all and not based on income. Councilmember Taylor requested that the Program partner with other City Programs such as the Homeowner Incentive Program as well as similar Programs offered by other organizations.

Councilmember Ramos spoke on the Southside Brush Recycling Facility and asked for a status report on the development of a Household Hazardous Waste (HHW) site on the Southside. Mr. McCary stated that a future HHW site would be developed in the Southeast or South Central part of the City and would be incorporated into the FY 2012 Budget.

In regard to the Multi-Family Recycling Plan, Mr. McCary stated that Department planned on presenting a proposal at the September 29, 2010 "B" Session. Ms. Sculley spoke of the challenges of smaller apartment complexes in making the required accommodations. Councilmember Ramos suggested imposing the Recycling Plan in phases. Mr. McCary stated that the Multi-Family Recycling Plan did call for a phased in approach. Councilmember Ramos requested that she be provided a list of cities that already have implemented an Organic Waste Collection Program and that staff look into utilizing bio-degradable plastic bags. It was noted that the Department of Solid Waste would at a later date detail the Organic Waste Collection Program. Lastly, Councilmember Ramos thanked the Department of Solid Waste for working with other City Departments in making improvements to alleys.

In regard to funding an OEP staff member using ATD Funds, Ms. Sculley responded that said action was permissible. At the request of Councilmember Ramos, Mr. Doxsey addressed Environmental Protection Agency Air Quality requirements and noted the possibility of the City of San Antonio moving into the "non-attainment" classification. Councilmember Ramos spoke on how the local air quality was negatively impacted by events beyond the City's control and requested that Mr. Doxsey provide her with the Air Quality reading for August 26, the day of an explosion at the AGE Refinery.

Councilmember Williams requested and received information regarding disposal fees, fees paid by the City to process recyclables, as well as the revenues received by the City for recycling. He requested that the Solid Waste Department reinforce that citizens can save by recycling. It was noted that the Southside Brush Recycling Facility would be similar to the Bitters Brush Recycling Facility and would have the same equipment.

Mr. Doxsey clarified that approximately 300,000 kilowatt hours of energy would be saved annually by participants of the Small Business Lighting Efficiency Program for a savings of \$25,000. In regards to the Weatherization Assistance Program, it was noted that approximately \$3 million was spent to retrofit 700 homes at an approximate cost of \$4,300 per home. He stated that each home was expected to save 4,800 kilowatt hours of energy per year for a savings of \$400 per year per home. In regards to the personnel compliment, Maria Villagomez, Director of the Office of Management and Budget, reported that for FY 2011 OEP would have 7 full time positions and 14 grant funded positions.

Councilmember Clamp thanked Mr. McCary for implementing a good Solid Waste Management Strategic Plan that did not include a fee increase and for opening the Southside Brush Recycling Facility. He also spoke of the importance of implementing the Organic Waste Collection Program.

Councilmember Lopez requested information regarding the status of a grant previously received by the City to develop a strategy for landfill identification and future development. Mr. Doxsey stated that the Department was still in the planning stage and that the Council would be presented with a status report within the next month. He noted that the receipt of future grants was dependant upon the submission of an Action Plan. Councilmember Lopez spoke to developing closed landfills so that the land could be used for a good purpose.

At the request of Councilmember Medina, Mr. McCary provided details on the various free disposal services offered by the Department. It was noted that the Department did utilize various methods to educate the public on the disposal option available and was planning to enhance its outreach efforts in order to reach a larger customer base.

At the request of Councilmember Cisneros, Mr. McCary stated that a video detailing the correct way to recycle would be available for dissemination to Neighborhood and Homeowner Associations in October. Councilmember Cisneros requested that the Department of Solid Waste enhance its outreach efforts to inform individuals of the various services offered by the Department as well as environmental initiatives being undertaken. She suggested that the Department coordinate with the local television stations to announce upcoming events via a scrolling advertisement on the television screen. It was noted that one of the proposed Municipal Code revisions was to require leaves to be placed in paper kraft bags or cardboard boxes. Councilmember Cisneros requested that the Department partner with grocery chains to sponsor or sell, at a discounted price, the kraft bags. Mr. McCary noted that the Department was proposing to sell the kraft bags at a nominal price to customers.

Councilmember Chan commended Mr. McCary on the various initiatives being undertaken by the Department. At it relates to the Weatherization Program, Mr. Doxsey stated that the City had approximately \$5.3 million in available funds and was required to utilize the funds by September 2011. Ms. Sculley noted that the City was contracting with CPS Energy to make modifications under said Program and that CPS Energy would provide a status report to the City Council.

B. POTENTIAL BUDGET AMENDMENTS REVIEW

Ms. Sculley provided the Council with Potential Amendments to the FY 2011 Proposed Budget and FY 2011 Library Capital Funding Request, as well as a status of items requested by the Mayor and Council during the various Budget Work Sessions.

In regard to the memo entitled "Requested Information from City Council Budget Work Sessions," Councilmember Chan requested clarification on the funding allocated to Tutoring and Literacy Services provided by Delegate Agencies. Ms. Villagomez reported that the funding amounts denoted on page 5 of the document were allocated under the General Fund and were not additional funds being allocated to the agencies.

Councilmember Ramos thanked Ms. Sculley for proposing to maintain the current hours of operation at Community Learning Centers. She requested that she be provided with the status of a previous

recommendation to close Parks later in the evenings in order to accommodate families and civic leaders utilizing said facilities.

Ms. Sculley stated that she would be available to address concerns as well as include additional amendments.

Councilmember Cisneros requested that an additional \$500,000 be allocated to hiring additional personnel as well as purchasing an additional mobile spay and neuter van to be used by Animal Care Services. Ms. Sculley stated that currently \$250,000 was proposed to fund additional spay and neuter services. She stated that the City planned on partnering with other organizations and professionals to provide spay and neuter services. Councilmember Cisneros stated that she would meet with Ms. Sculley individually to address her proposed amendments.

ADJOURNMENT

There being no further discussion, Mayor Castro adjourned the Work Session at 4:33 pm.

The San Antonio City Council convened in a Regular Meeting on Thursday, **September 9, 2010** 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 Dr. Pat Hile, Senior Campus Minister, Oak Hills Church at Crownridge, guest of Councilmember Reed Williams, District 8.

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 August 17, 2010 and August 19, 2010 City Council meetings. 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. **NAYS:** None. **ABSENT:** None.

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2010-09-09-0770

Item 4. AN ORDINANCE APPROVING AN INVESTMENT POLICY FOR THE CITY OF SAN ANTONIO, TEXAS FOR FY 2011 AND DESIGNATING CERTAIN EMPLOYEES AS INVESTMENT OFFICERS FOR THE CITY.

Ben Gorzell presented an update on the Investment Policy and stated that the Texas Public Funds Investment Act requires that the City's Investment Policy be reviewed and approved on an annual basis. He noted that the purpose of the Investment Policy was to incorporate mandates from the Texas Public Funds Investment Act, set Investment Objectives and Strategies, and establish an Investment Committee. He outlined the objectives that include satisfying the cash flow requirements and maximizing the Yield on Investment. He noted that the proposed changes had been reviewed and approved by the Investment Committee on August 11, 2010.

Mr. Gorzell stated that the Investment Committee was comprised of Councilmembers Ramos and Williams and Two Representatives from the City Manager's Office. He indicated that several of these individuals were Designated Investment Officers and required to attend a minimum of 10 hours of training every two years. He mentioned that Linda Patterson of Patterson & Associates served as an Investment Advisor and provided objective, third-party advice to assist the city in making good decisions regarding the investment of the city's financial assets.

Mr. Gorzell reported that as of June 30, 2010, the city had \$1.2 billion invested at a weighted average yield of 0.46% with an average life of 128 days. He explained that the small yield was indicative of the current market conditions. He outlined the Total Investment Portfolio by Fund Group and Security Type. He spoke of the Broker/Dealer Selection Process for FY 2011-2012, noting that 32 Firms had responded to the Request for Qualifications (RFQ) and of those, 13 Firms had been approved by the City's Investment Committee. He provided a list of the 13 Firms and noted that the effective date of service would be October 1, 2010. Lastly, he stated that the Securities Lending Program had been implemented by the city and makes the city's securities available to approved borrowers to meet their short-term investment needs. He added that the loans have a short duration and that through July 2010; the city has received interest revenue in the amount of \$293,862.

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

Jack M. Finger spoke of the challenging financial climate and stated that the city should be careful when making investments with taxpayer funds. He asked of Investment Advisor Linda Patterson's concerns regarding the city's Investment Policy.

Nazirite Ruben Flores Perez spoke in support of Item 4 and requested a 3% cost of living increase for City Employees.

Mayor Castro thanked Councilmembers Ramos and Williams for their work on the Investment Committee. Councilmember Williams recognized the staff that worked on the Investment Committee and stated that he was impressed by their professionalism. He spoke of the transparency of their work and the effectiveness of the city organization. He asked of the local firms in the RFQ Process. Mr. Gorzell confirmed that local firms were considered but had not been selected. Councilmember Williams recognized Linda Patterson for her work. Councilmember Ramos stated that their quarterly meetings were very educational and asked of the return on investment. Mr. Gorzell replied that the yield on the

portfolio was about half of a percent and compared to last year, had a significant negative variance. Councilmember Ramos recognized Linda Patterson for her work and noted that two of the 13 recommended Broker/Dealer Firms were small businesses. Mr. Gorzell stated that the Investment Committee provided oversight of the RFQ Process as a component of the Investment Policy and that 10 Firms had been utilized last year.

Councilmember Clamp asked of the five-year forecast for the yield. Mr. Gorzell replied that he did not have that information at this time but would provide it to the City Council. He noted that the projected yield for next year was 0.7%. Councilmember Clamp also requested a breakdown of the Pooled Operating Funds. Councilmember Chan thanked Councilmembers Ramos and Williams for their work. She asked of the two small business Broker/Dealer Firms. Mr. Gorzell replied that there were two firms that met the city's SBEDA category definition. Councilmember Chan expressed concern with small businesses that were not selected due to lack of experience and asked of the ability for staff to work with those small businesses. Mr. Gorzell stated that these businesses were encouraged to contact city staff to establish a relationship and inform them of the business processes. Councilmember Chan asked of the Broker/Dealer Firms with local offices. Mr. Gorzell stated that Morgan Keegan & Co., Inc., RBC Capital Markets, and UBS Financial Services Inc. had local offices. Councilmember Chan requested a meeting with staff to discuss the development of local firms. Mayor Castro thanked staff for their work and stated that there was a need to cultivate local firms to provide these types of services.

Councilmember Williams moved to adopt the proposed Ordinance. Councilmember Ramos 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.

CONSENT AGENDA ITEMS 5-22

Consent Agenda Items 8, 14, and 15 were pulled for Individual Consideration. Mrs. Vacek noted that the individual being appointed to the San Antonio Public Library Board of Trustees in Item 19D was Lisa A. Rodriguez. Mayor Castro noted that Item 19F had been pulled from the agenda by staff.

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

Mayor Castro called upon the individuals registered to speak on the Consent Agenda.

Jack M. Finger spoke of Item 14, noting that funds were being shifted due to concerns from the Federal Government regarding solar panel reflections on the Airport Towers. He stated that he was opposed to the National Western Art Foundation Lease Agreement for development of the Briscoe Art Museum in Item 18.

Written testimony was received from Faris Hodge, Jr. in opposition to Items 5-11, 16, and 20 noting that the purchases were a waste of money. He wrote in support of Items 12-15, 17-19, and 21-22.

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

2010-09-09-0771

Item 5. AN ORDINANCE AUTHORIZING THE FOLLOWING CONTRACTS ESTABLISHING UNIT PRICES FOR ANNUAL GOODS AND SERVICES: (A) AAMCO TRANSMISSION FOR LIGHT DUTY AUTOMATIC TRANSMISSION PARTS AND SERVICE; (B) TEX-CON OIL CO. FOR LUBRICANTS; (C) ALL HANDS FIRE EQUIPMENT FOR FIREFIGHTING GLOVES; (D) CASCO INDUSTRIES, INC. FOR CAIRNS & BROTHER HELMETS AND REPAIR PARTS; (E) LAGAN TECHNOLOGIES, INC. FOR LAGAN SOFTWARE MAINTENANCE AND SUPPORT; (F) S.W. PUBLIC SAFETY AND GT DISTRIBUTORS, INC. FOR EMERGENCY EQUIPMENT PARTS; (G) MOORE SUPPLY CO. AND H.D. SUPPLY FOR PLUMBING SUPPLIES; (H) JONES & COOK STATIONERS, A DIVISION OF GATEWAY PRINTING & OFFICE SUPPLY, INC. AND TEXAS WILSON OFFICE FURNITURE & SERVICES FOR OFFICE FURNITURE; (I) GCR & ASSOCIATES, INC. FOR SAFETNET SOFTWARE MAINTENANCE; (J) CHILDPLUS SOFTWARE FOR CHILDPLUS MAINTENANCE AND TECHNICAL SUPPORT AND (K) CHALLENGER GROUP, INC. FOR HEALTHY START SUBSCRIPTION SERVICE.

2010-09-09-0772

Item 6. AN ORDINANCE ACCEPTING THE BID FROM LEVETEC SURFACE PREPARATION MACHINERY, LLC TO PROVIDE POLISHING EQUIPMENT AND PARTS FOR THE CONVENTION, SPORTS AND ENTERTAINMENT FACILITIES FOR A TOTAL COST OF \$177,277.00, FUNDED BY THE HOTEL OCCUPANCY TAX IMPROVEMENT AND CONTINGENCY FUND.

2010-09-09-0773

Item 7. AN ORDINANCE ACCEPTING THE BIDS FROM FREIGHTLINER OF SAN ANTONIO, LTD., GRANDE FORD TRUCK SALES, INC., GRANDE TRUCK CENTER AND SANTEX TRUCK CENTER TO PROVIDE THE AVIATION, DOWNTOWN OPERATIONS, PARKS AND RECREATION, PUBLIC WORKS AND SOLID WASTE MANAGEMENT DEPARTMENTS WITH 37 MEDIUM AND HEAVY DUTY TRUCKS FOR A TOTAL COST OF \$3,264,994.00, FUNDED WITH OPERATION AND MAINTENANCE FUND, THE TREE PRESERVATION FUND AND THE EQUIPMENT RENEWAL AND REPLACEMENT FUND.

2010-09-09-0775

Item 9. AN ORDINANCE ACCEPTING THE BIDS FROM WITH WAUKESHA-PEARCE INDUSTRIES, INC., ASCO/TEXANA MACHINERY, CLOSNER EQUIPMENT COMPANY, INC., ALAMO AG-CON EQUIPMENT, INC., COOPER EQUIPMENT CO., RDO EQUIPMENT CO., VERMEER EQUIPMENT OF TEXAS, INC., AND TRACTOR CITY TO PROVIDE THE PUBLIC WORKS, SOLID WASTE MANAGEMENT AND PARKS & RECREATION DEPARTMENTS WITH 16 PIECES OF HEAVY EQUIPMENT FOR STREET MAINTENANCE, CONSTRUCTION AND REMOVAL OF MATERIALS FOR A TOTAL COST OF \$1,918,778.96, FUNDED WITH PUBLIC WORKS FY 2010 ADOPTED BUDGET AND THE EQUIPMENT RENEWAL REPLACEMENT FUNDS.

2010-09-09-0776

Item 10. AN ORDINANCE AUTHORIZING THE CITY TO UTILIZE A COOPERATIVE CONTRACT WITH CLARIN SEATING, A DIVISION OF GREENWICH INDUSTRIES, LP TO PROVIDE 3,000 RESERVE SEAT CHAIRS AND 60 STACKING CHAIR STORAGE CARTS FOR THE CONVENTION, SPORTS AND ENTERTAINMENT FACILITIES DEPARTMENT FOR A TOTAL COST OF \$220,620.00, FUNDED BY THE HOTEL OCCUPANCY TAX IMPROVEMENT AND CONTINGENCY FUND.

2010-09-09-0777

Item 11. AN ORDINANCE AUTHORIZING THE CITY TO UTILIZE A COOPERATIVE CONTRACT WITH SHOOK MOBILE TECHNOLOGY TO PROVIDE ONE COMMAND CENTER TRUCK TO BE USED BY THE POLICE DEPARTMENT FOR A TOTAL COST OF \$545,041.00, FUNDED WITH THE DEPARTMENT OF HOMELAND SECURITY FY 2008 URBAN AREAS SECURITY INITIATIVE GRANT FUNDS.

2010-09-09-0778

Item 12. AN ORDINANCE AWARDED A CONSTRUCTION CONTRACT TO SAN ANTONIO CONSTRUCTORS IN THE AMOUNT OF \$2,722,579.03, OF WHICH \$521,217.36 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM AND \$122,790.41 WILL BE REIMBURSED BY CPS ENERGY, FOR THE RIVAS STREET - GENERAL MCMULLEN TO ROSABELL PROJECT, AN AUTHORIZED 2007-2012 BOND FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 5.

2010-09-09-0779

Item 13. AN ORDINANCE AWARDED A CONSTRUCTION CONTRACT TO ABECO CONTRACTING, INC. IN THE AMOUNT OF \$469,000.00, FOR SITE AND FACILITY IMPROVEMENTS AT THE CITY'S BITTERS BRUSH RECYCLING CENTER, FUNDED FROM THE SOLID WASTE OPERATING AND MAINTENANCE FUND.

2010-09-09-0782

Item 16. AN ORDINANCE AUTHORIZING A FIVE-YEAR LEASE FROM WASHINGTON PLACE JOINT VENTURE, A TEXAS GENERAL PARTNERSHIP FOR OFFICE SPACE LOCATED AT 215 SOUTH SAN SABA, SUITE 111, LOCATED IN COUNCIL DISTRICT 1, FOR USE BY THE SAN ANTONIO FIRE DEPARTMENT FOR ITS HEALTH AND WELLNESS PROGRAM, FOR THE MONTHLY RENTAL AMOUNT OF \$6,992.50 WITH RENEWAL OPTION.

2010-09-09-0783

Item 17. AN ORDINANCE AUTHORIZING THE ACQUISITION BY NEGOTIATION, DEDICATION OR CONDEMNATION OF ONE PARCEL OF PRIVATELY OWNED REAL PROPERTY LOCATED AT TEZEL ROAD AND OLD TEZEL ROAD IN COUNCIL DISTRICT 7, N.C.B. 18300, FOR THE REPLACEMENT OF A TRAFFIC SIGNAL SYSTEM FUNDED WITH THE GENERAL FUND AS PART OF THE 2009-2010 TRAFFIC SIGNAL PROGRAM; DECLARING IT TO BE A PUBLIC PROJECT; AND DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION.

2010-09-09-0784

Item 18. AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE NATIONAL WESTERN ART FOUNDATION LEASE AGREEMENT FOR DEVELOPMENT OF THE BRISCOE ART MUSEUM AT 210 W. MARKET STREET, THE FORMER MAIN LIBRARY AND HERTZBERG MUSEUM; AUTHORIZING AN ASSIGNMENT OF THE LEASE AGREEMENT TO BRISCOE LANDLORD, A NON-PROFIT CORPORATION ASSOCIATED WITH THE NATIONAL WESTERN ART FOUNDATION; AND AUTHORIZING A FUNDING AGREEMENT TO TRANSFER \$390,000.00 TO THE NATIONAL WESTERN ART FOUNDATION FOR USE IN COMPLETING THE SPACE FOR THE LIBRARY PORTAL TO BE HOUSED WITHIN THE FACILITY.

Item 19. 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. REAPPOINTING RAUL RODRIGUEZ, JR. (DISTRICT 4) TO THE SAN ANTONIO HOUSING TRUST.
- B. REAPPOINTING DOLORES M. LOTT (DISTRICT 2) TO THE ETHICS REVIEW BOARD FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE APRIL 25, 2011.
- C. APPOINTING JOHN A. ESQUIVEL (MAYORAL) TO THE CITY COMMISSION ON VETERANS AFFAIRS.
- D. APPOINTING LISA A. RODRIGUEZ (MAYORAL) TO THE SAN ANTONIO PUBLIC LIBRARY BOARD OF TRUSTEES FOR A TERM OF OFFICE TO COMMENCE OCTOBER 1, 2010 AND EXPIRE SEPTEMBER 30, 2012.
- E. APPOINTING MICHAEL W. CUDE (DISTRICT 4, CATEGORY: EXTRATERRITORIAL JURISDICTION) TO THE CAPITAL IMPROVEMENTS ADVISORY BOARD.

PULLED FROM THE AGENDA BY STAFF

- F. APPOINTING ANITA URIBE MARTIN (DISTRICT 5) TO THE SMALL BUSINESS ADVOCACY COMMITTEE.

2010-09-09-0785

Item 20. AN ORDINANCE AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH KENMARK GROUP MEDICAL STAFFING, LLC FOR UP TO \$300,000.00 ANNUALLY TO PROVIDE MEDICAL STAFF FOR THE SAN ANTONIO FIRE DEPARTMENT WELLNESS CENTER FOR A FIVE-YEAR TERM BEGINNING OCTOBER 1, 2010.

2010-09-09-0786

Item 21. AN ORDINANCE APPROVING (1) THE WORKFORCE SOLUTIONS ALAMO (WSA) OPERATING BUDGET FOR FY 2010-2011; AND (2) APPOINTMENTS AND REAPPOINTMENTS TO THE WSA BOARD AS RECOMMENDED BY THE COMMITTEE OF SIX ON AUGUST 25, 2010 FOR SUBMISSION TO THE TEXAS WORKFORCE COMMISSION.

2010-09-09-0787

Item 22. AN ORDINANCE AUTHORIZING THE EXTENSION OF A PROFESSIONAL SERVICES AGREEMENT WITH CLEAN HARBORS ENVIRONMENTAL SERVICES, INC. FOR WASTE COLLECTION SERVICES AS PART OF THE CITY'S HOUSEHOLD HAZARDOUS WASTE PROGRAM FOR UP TO \$1,125,000.00 ANNUALLY, AVAILABLE FROM THE SOLID WASTE OPERATING FUND.

[CONSENT ITEMS CONCLUDED]

POINT OF PERSONAL PRIVILEGE

Councilmember Cortez recognized Robert Rivera, Arlington City Councilmember who was in attendance. Councilmember Rodriguez also thanked Councilmember Rivera for attending. Mr. Rivera thanked the San Antonio City Council for the recognition and for hosting the Dallas Cowboys Training Camp. He provided an article published in the Star Telegram entitled, "Julián Castro is abuzz with the charm of San Antonio." Mayor Castro thanked Councilmember Rivera for a copy of the article and stated that he was pleased with San Antonio's relationship with the City of Arlington.

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2010-09-09-0774

Item 8. AN ORDINANCE ACCEPTING THE BID FROM AERIAL MACHINE AND TOOL CORPORATION FOR EMERGENCY EQUIPMENT FOR THE FIRE AND POLICE DEPARTMENTS FIRST RESPONDERS FOR A TOTAL COST OF \$135,138.00 FUNDED BY THE OFFICE OF EMERGENCY MANAGEMENT'S HOMELAND SECURITY GRANT PROGRAM, URBAN AREA SECURITY INITIATIVE GRANT ACCOUNT FUND.

Councilmember Cortez asked of the equipment being purchased. Erik Walsh, Assistant City Manager replied that they would be purchasing two pieces of aerial helicopter insertion and extraction equipment that will be attached to the bottom of a helicopter. He stated that the equipment would allow Police Officers and Fire Fighters into a situation or extract individuals. He noted that the equipment was large enough for 10 people and could accommodate stretchers if necessary. He mentioned that one piece of equipment would be utilized for training purposes and the other would be stored at Stinson Airport. He added that Police and Fire Personnel had been trained in March and it was an opportunity to expand the capabilities of the Helicopter Unit. Councilmember Cortez asked if this was a new initiative. Mr. Walsh replied that this was the first time that the City of San Antonio would have this capability and was funded through a Homeland Security Grant. Councilmember Cortez stated that he was pleased with the purchase and that the equipment could be used to address flooding issues.

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

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

The City Clerk read the following Ordinance:

2010-09-09-0780

Item 14. AN ORDINANCE AUTHORIZING A CHANGE ORDER IN THE INCREASED AMOUNT OF \$92,809.00 TO THE \$1,503,523.56 DESIGN-BUILD CONTRACT WITH LYDA SWINERTON BUILDERS, INC. FOR THE SOLAR PANEL SYSTEM DESIGN-BUILD PROJECT, AN AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) FUNDED PROJECT THROUGH THE U.S. DEPARTMENT OF ENERGY, LOCATED AT THE SAN ANTONIO INTERNATIONAL AIRPORT.

Councilmember Cortez asked for details of the solar panels project. Mike Frisbie, CIMS Director highlighted the project that would be built with a solar panel field on top of the long-term parking garage at the Airport and would include 1,100 solar panels. He noted that they projected to produce \$300,000 worth of power each year and the project would be completed in October. Councilmember Cortez stated that he was pleased that San Antonio was a leader in green initiatives and renewable energy and asked how the power would be utilized. Mr. Frisbie replied that they would use the power to light the parking garage and any surplus would be used on Airport Property. Mayor Castro expressed his support for the initiative and stated that he looked forward to the progress.

Councilmember Cortez moved to adopt the proposed Ordinance. Councilmember Cisneros 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:

2010-09-09-0781

Item 15. AN ORDINANCE AUTHORIZING A FINAL CHANGE ORDER IN THE INCREASED AMOUNT OF \$558,088.54 TO THE \$29,890,601.91 CONSTRUCTION CONTRACT WITH CLARK CONSTRUCTION OF TEXAS, INC. FOR THE STREET MAINTENANCE PROGRAM – ASPHALT OVERLAY PROJECT, FOR PROJECTS LOCATED CITYWIDE, FUNDED BY AUTHORIZED PROJECT CONTINGENCY FUNDS.

Councilmember Medina requested information on the selected streets. Majed Al-Ghafry, Public Works Director stated that this was a two-year program for asphalt overlay and encompassed the entire city. He noted that 295 miles was accomplished over the past two years and that this change order was being requested to close out the projects. Councilmember Medina asked of the limits on change orders. Mr. Al-Ghafry responded that they were allowed to initiate change orders in an amount up to 25% of the contract and that this would be the final change order for this contract.

Councilmember Medina moved to adopt the proposed Ordinance. Councilmember Ramos 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 23. CITY MANAGER'S REPORT

A. UPDATE ON TREE PLANTING INITIATIVES – GREEN SHADE & GREAT PARKS ARE ROOTED IN TREES

Ms. Sculley reported that Parks and Recreation is taking on an initiative to plant trees throughout the community for the year to increase the city's tree canopy. She stated that there is \$1.5 million in the Tree Mitigation Fund for said effort and that staff worked with the Parks and Recreation Advisory Board to identify locations and discuss tree maintenance. She outlined the Green Shade Program in partnership with CPS Energy, noting that the program was focused on sustainability and energy efficiency. She stated that CPS Energy would provide a rebate in the amount of \$50 per properly planted tree for up to three trees per CPS Energy Account Holder, to be credited to their bill. She added that the program was funded with ARRA Funds and projected planting 7,600 trees through this initiative over the next year.

Mayor Castro stated that he was pleased with the significant progress in planting trees throughout the city. Councilmember Cortez recognized Raul Rodriguez and Michael Cude for serving as District 4 Representatives on the San Antonio Housing Trust and Capital Improvements Advisory Board, respectively. Councilmember Cisneros commended staff for their tree planting efforts.

EXECUTIVE SESSION

Mayor Castro recessed the meeting at 10:20 am to convene in Executive Session for the purposes of:

A. DELIBERATE THE EMPLOYMENT, EVALUATION, AND DUTIES OF THE CITY AUDITOR'S OFFICE AND CITY CLERK'S OFFICE, PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.074 (PERSONNEL MATTERS).

B. DISCUSS LEGAL ISSUES RELATED TO EMPLOYEE BENEFITS PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071 (CONSULTATION WITH ATTORNEY).

Mayor Castro reconvened the meeting at 2:48 pm at which time it was noted that the City Council had been briefed on the above-styled matters but took no action. He recessed the meeting at 2:48 pm and announced that the meeting would resume at 5:30 pm for Ceremonials.

CEREMONIALS

Mayor Castro reconvened the meeting at 5:34 pm and addressed the Ceremonial Items.

Mayor Castro presented a Proclamation for the 10th Annual Buddy Walk to be held in San Antonio on September 25, 2010 at Heroes Stadium. The Buddy Walk event is worldwide and was developed by the National Down Syndrome Society to promote the acceptance of individuals with Down Syndrome.

Mayor Castro presented a Certificate of Congratulations to Carlos Guerra, longtime San Antonio Express News columnist and civil rights leader. It was noted that Texas A&M-Kingsville will honor Mr. Guerra with the establishment of a scholarship fund in his honor for first-generation students from San Antonio and South Texas.

Mayor Castro presented a Proclamation for the 7th Annual Graffiti Wipe-Out Volunteer Days. More than 1,000 volunteers will participate to remove litter, plant trees and abate graffiti.

CITIZENS TO BE HEARD

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

Nazirite Ruben Flores Perez stated that the end of time was near and referenced Babylon the Great. He spoke of the seven-headed lion and noted that true religion was not dependent on government. He asked everyone to read Chapter 17 in the Book of Revelations.

Barbara Miller stated that she was not happy about driving to City Hall and paying for parking but was concerned that she had not received a response to her request in over three weeks. She asked why cats with tipped ears were being accepted at the Animal Care Services (ACS) Facility and why an individual had been allowed to utilize a neighbor's nuisance affidavit. She also asked why feral cats were accepted by ACS but strays were not. She stated that people should not have to drive to the ACS Facility to look for lost pets since digital pictures could easily be taken and posted on the Internet. She asked the City Council to provide answers to all of her questions.

Mark Kellmann, Architect, showed pictures of links that connect two destinations and include images provided by Landscape Architect Jim Gray. He spoke of pocket parks that are 5,000 square feet and provided a couple of examples of them.

Mark Perez expressed concern that he had not received responses to his requests and stated that the Kimberly Clark Facility was operating without a Certificate of Occupancy (C of O). He added that they were housing 13 illegal storage tanks and releasing toxic chemicals into the community. He mentioned that he was concerned with the behavior of the Fire Chief and Development Services Staff, and that the Health Department Staff did not have the proper training.

Faris Hodge, Jr. expressed concern with the smoking ban and stated that he wanted the Alamodome named after him. He mentioned that the Pope had called abuse shameful and denounced attacks on women. He asked when a sprinkler system would be installed in the Council Chambers and expressed concern that CPS Energy did not reconnect electricity after 5:00 pm. He sang "This Land is Your Land" to the City Council.

Damon Mason expressed concern with the gray color scheme of the new VIA Metropolitan Buses and stated that a bright yellow color would make better sense. He noted that reading lights and wireless Internet service on the buses were unnecessary and spoke against various rules outlined by VIA.

Nick Calzoncit spoke in support of the creation of a Department of Peace and expressed concern with the burning of the Quran by Mr. Jones in Florida. He indicated that President Obama and others had advocated against this behavior and Mr. Jones had agreed not to move forward with the action. He spoke of the violence that had already occurred without the Quran having been burned and stated that Elected Officials were responsible for preventing violence.

Rhett Smith echoed the comments of Mr. Calzoncit regarding the burning of the Quran, noting that it was an act of ignorance and hate that should be condemned. He invited the City Council to attend the Veterans for Education Reform event at the American Legion Post #2 on September 18, 2010 at 12:00 noon.

Raymond Zavala expressed concern with the increase to the City Manager's salary and with the many individuals from out of town that are requesting services at Haven for Hope. He also noted his concern with a Downtown Operations City Vehicle parked in the HEB Parking Lot at Calaveras and W. Commerce Streets after 6:00 pm on a weekday. He asked if SAPD, Park Police and City Staff would be required to maintain a healthy weight. He stated that he was opposed to providing additional funding for Hardberger Park and expressed concern with the weight of VIA Buses because of the damage to streets. Lastly, he spoke of the need for an ordinance to address the issue of low-hanging pants and stated that he would be a candidate for City Council.

James Legate, Jr. stated that he owned Record Productions and had recently received his title. He noted that he had been looking for funding since 2007. He explained that he provided production, movies, cartoons, and other related services.

ADJOURNMENT

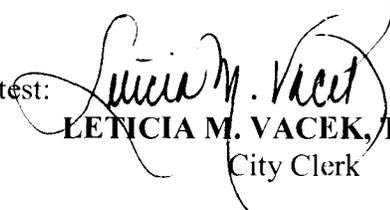
There being no further discussion, Mayor Castro adjourned the meeting at 6:38 pm.

APPROVED



**JULIÁN CASTRO
MAYOR**

Attest:



LENICIA M. VACEK, TRMC/CMC
City Clerk