

**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, JANUARY 12, 2011 AND THURSDAY, JANUARY 13, 2011, RESPECTIVELY.**

The San Antonio City Council convened in a Work Session at 2:00 pm Wednesday, **January 12, 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 AND CITIZEN BOND OVERSIGHT COMMITTEE BRIEFING ON THE CITY OF SAN ANTONIO'S 2007-2012 BOND PROGRAM TO INCLUDE: A QUARTERLY UPDATE ON THE PROGRESS OF THE 2007-2012 BOND BALANCES RESULTING FROM FAVORABLE BIDS; AND AN INITIAL DISCUSSION ON THE PROCESS TO DEVELOP THE 2012 BOND PROGRAM.**

Sheryl Sculley stated that a number of savings had been recognized within the Streets and Drainage Categories and that she would discuss with the City Council. Terrell McCombs, Chair of the Joint City-County Citizens Bond Oversight Committee stated that a Joint City-County Citizens Bond Oversight Commission had been created in September 2003. The Commission advises City and County Elected Officials on the recommended process for delivery of bond projects including budget, schedule, and processes. He noted that an Annual Report was required to be provided to the City Council and Bexar County Commissioners Court. He indicated that the Commission consists of 20 Commissioners of which the City and Bexar County each appoint 10 members. He reported that 51 construction projects were implemented in FY 2010 and spoke of the importance of communication and accountability. He mentioned that the Communications Dashboard was launched in 2009 and informs the public of the monthly progress of the Bond Projects.

Mr. McCombs stated that projects were on time and outlined the Contractor Scorecard Program that was recommended by the Commission and implemented in 2010. He noted that the purpose of the program was to ensure contractor accountability and provide information to contractors for improved services. He added that the scorecard was utilized in the selection of future projects. He thanked the City Council and City Staff for their support on the 2007 Bond Program and stated that he looked forward to the continued success of the program.

Mike Frisbie, CIMS Director, provided a status of the Bond Projects, noting that 35% of the projects had been completed and 41% were in construction or had contracts awarded. He reported that 61 projects were in the construction phase and were scheduled to spend \$233 million in FY 2011. He spoke of the notification procedures they utilized including "Here We Come" Meetings with the neighborhoods, as well as providing notice through Neighborhood Associations and newsletters. He reported that five projects would continue construction past June 2012 due to their scope: 1) Blanco Road; 2) Broadway Corridor, Phase IIIA; 3) Bulverde Road Loop 1604 to Evans; 4) Houston Street; and 5) Seeling Channel. He stated that in regard to the Blanco Road Project, the city had expected to receive \$8 million in Federal Funds that were not allocated toward the project. This resulted in the design and right-of-way purchase for the project but only construction of a portion.

Mr. Frisbie stated that current Small Business Economic Development Advocacy (SBEDA) results include 427 Prime and Sub consultants participating in Bond Projects with 268 of them being SBEDA Certified and 305 local firms. He reported that all Professional Services Goals had been exceeded and that Construction Goals, the Small Business Enterprise (SBE) and Minority Business Enterprise (MBE) Goals had been exceeded. He mentioned that they were providing outreach within the Women-Owned Business Enterprise (WBE) and African American Business Enterprise (AABE) categories to achieve their goals. He stated that 63% of the required real estate had been acquired and that 93% of projects had received environmental clearance.

Mr. Frisbie spoke to the \$30 Bond Balance Program, noting that the program was substantially complete with 85 of 97 projects completed. He reported that the program remains under budget with 19 projects realizing \$33.7 million in savings. He noted that staff recommended the following three options: 1) Use funds to add large projects within the district where funds are available; 2) Design and construct a few large scale city-wide impact projects; or 3) Do not issue debt and roll capacity in the 2012 Bond. He outlined the potential uses within each category and mentioned that each district has different infrastructure needs based on geography and development patterns. He indicated that proportional concepts had guided the development of the 2007 Bond Program. He stated that staff recommended bringing options to the Governance Committee for the use of Bond Project Savings and then proceed to the Infrastructure and Growth Council Committee.

Mr. Frisbie stated that project selection would follow the 2007 Bond Program Model in which staff would recommend projects based on scoring models and client department input. Community Bond Committees would be appointed and provide recommendations to the City Council. He noted that potential propositions would include: 1) Streets; 2) Drainage; 3) Parks; 4) Facilities; and 5) Public Safety. Lastly, he provided a preliminary schedule in which an election would be called for May, 2012.

Mayor Castro thanked everyone for their work on the 2007 Bond Program and stated that he looked forward to replicating the successful model in the future. Councilmember Ramos stated that she was pleased with the many bond projects that had been completed and requested a list of projects with savings by Council District. She also requested that the recommendations on savings be presented at a B Session. She asked of the amount of the next Bond Program. Ms. Sculley responded that it would range from \$550-600 million. Councilmember Cisneros asked of the impact of rolling over the savings. Mr. Frisbie replied that it would increase the capacity of the 2012 Bond Program. Councilmember Cisneros stated that there were several small projects within her district that could be completed with project savings. She asked when the 2012 Community Bond Committees would be appointed. Mayor Castro replied that the new City Council would make the appointments. Councilmember Clamp thanked everyone for their work and recommended that project savings be utilized for some large city-wide and smaller projects identified by district.

Councilmember Medina also thanked staff for their great work managing the Bond Projects and stated that he was pleased with the notification process to the public. He asked how additional projects should be selected utilizing bond savings. Mr. Frisbie replied that the focus should be on arterial streets and that some of the savings could be utilized on the design phase to prepare for the next Bond Program. Councilmember Medina asked of the amount spent on the design of projects. Mr. Frisbie stated that 10-12% was utilized for design. Councilmember Lopez stated that due to future changes in

the economy, items may need to be deferred to the next Bond Program. He expressed concerns from the neighborhoods in regard to multiple projects occurring at the same time and their impact to small businesses. He spoke of the importance of communication to the public. Councilmember Chan asked of the Council's input on size of projects within each bond category. Ms. Sculley replied that staff would provide recommendations but the allocations would be the Council's decision.

## **2. STAFF BRIEFING AND UPDATE ON THE SAPD ORGANIZATIONAL AND OPERATIONAL REVIEW.**

Assistant City Manager Erik Walsh stated that in 2008, the city contracted with the Police Executive Research Forum (PERF) to perform an extensive review of processes of the San Antonio Police Department (SAPD). He noted that subsequently, in 2010, Matrix Consulting Group and Morris & McDaniel had been hired to perform organizational and operational reviews of the SAPD with a final report provided in May 2010. He indicated that in June 2010, the city assembled an advisory group to review the report and submit recommendations to the Police Chief. He introduced the members that were present and thanked them for their time and commitment. Lastly, he stated that Departmental Leads were assigned to oversee the planning and implementation of the recommendations.

Chief McManus provided a list of SAPD 2010 Highlights that included the finalizing of the Police Contract in July and the D-Shift Implementation in August. He reported that compared to 2009, homicides had decreased 21% in 2010 and provided statistics from the Uniform Crime Report regarding decreases in most Violent and Property Crimes.

Assistant Chief Jose Bañales stated that to date, SAPD had implemented 59 of the 104 recommendations. He noted that an additional 35 recommendations should be fully implemented within 12-18 months, while 8 of the remaining 10 will be addressed in the next Collective Bargaining Association negotiation. He reported that several recommendations had been implemented through the budget process in FY 2011 including the hiring of 11 Sergeants to increase operational and command oversight. Additionally, they were hiring 7 Information Technology positions to support new technology. He highlighted other recommendations implemented to include High-Liability Training, Training on Performance Appraisals, and Increasing Traffic Enforcement. He spoke of the recommendations associated with the Collective Bargaining Agreement that include the implementation of a performance-based component for the promotions to supervisory ranks, as well as a new mentoring process for Captains. He stated that on March 4, 2011, there would be 55 individuals promoted to Uniform Evidence Detective.

Chief McManus stated that they would continue to work on the implementation of the remaining recommendations and looked forward to an even better year in 2011.

Mayor Castro stated that he was pleased with the reduction in homicides and requested a compilation of the 35 recommendations that will be implemented within the next 12-18 months. Councilmember Chan asked of the implementation of a Three-Bureau Structure. Chief McManus replied that it was due to the transfer of sworn personnel out of Administrative Services resulting in the Three-Bureau Structure of Investigations, Operations, and Administrative Services. Councilmember Chan asked of the training that would be implemented. Chief McManus replied that the High-Liability and Performance Appraisal Trainings were conducted internally by certified instructors. Councilmember

Chan expressed support for the IT Shared Services Concept and confirmed that the seven new IT positions for SAPD would be part of that program. Chief McManus confirmed same.

Councilmember Ramos asked of the status of the Park Police transition. Chief McManus stated that the ultimate goal was to transfer the Park and Airport Police to SAPD and had been working on the transfer for over two years. He noted that they were working to add benefits to their Meet and Confer Agreement. Councilmember Ramos expressed concern with the continuation of service to the parks that would be provided with SAPD assuming Park Police duties. Chief McManus replied that services would continue or be improved and that no lapse in service would occur. Councilmember Cisneros recognized Ruby Krebs for her service on the Citizens Advisory Board and commended SAPD for the technology improvements that have been made. She expressed support for the additional Detectives assigned to the Family Violence Unit and spoke of the future financial commitment required for the 50 Police Officers funded by Stimulus Funds.

### **EXECUTIVE SESSION**

Mayor Castro recessed the meeting at 4:05 pm to convene in Executive Session for the purpose of:

- 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).**

Mayor Castro reconvened the meeting at 5:05 pm at which time it was noted that the City Council had been briefed on the above-styled matter but took no action.

### **ADJOURNMENT**

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

The San Antonio City Council convened in a Regular Meeting on Thursday, **January 13, 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 Rev. William Howden, Pastor, Woodlawn Christian Church, guest of Councilmember Justin Rodriguez, District 7.

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

### **Items 3 and 4. MINUTES**

Councilmember Chan moved to approve the Minutes for the December 8, 2010 and December 9, 2010 City Council Meetings. 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. **NAYS:** None. **ABSENT:** Cortez.

### **CONSENT AGENDA ITEMS 5-27**

Consent Agenda Items 17, 18, 23, 25 and 26E were pulled for Individual Consideration.

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

Jack M. Finger expressed concern with Item 5 and the matching grant funds that were required for computers for kindergarten students. He stated that education could be improved through the implementation of school vouchers. He also expressed concerns with the matching funds that would be required for the grant in Item 6 from the Petco Foundation.

Faris Hodge, Jr. submitted written testimony in favor of Items 5-17 and 19-27. He also submitted a written testimony in opposition to Item 18 regarding construction work on the Railroad Quiet Zone Infrastructure Improvements.

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

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. **NAYS:** None. **ABSENT:** None.

#### **2011-01-13-0001**

Item 5. AN ORDINANCE RATIFYING THE SUBMISSION OF A GRANT APPLICATION AND THE ACCEPTANCE OF UP TO \$400,000.00 IN TECHNOLOGY-RELATED STRATEGIC PLANNING SERVICES FOR A SMARTER CITIES CHALLENGE GRANT FROM IBM.

#### **2011-01-13-0002**

Item 6. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND THE ACCEPTANCE, UPON AWARD, OF A \$55,000.00 GRANT FROM THE PETCO FOUNDATION.

#### **2011-01-13-0003**

Item 7. AN ORDINANCE AUTHORIZING THE CITY TO UTILIZE A COOPERATIVE CONTRACT WITH WENGER CORPORATION FOR THE PURCHASE OF A DIVA ACOUSTICAL SHELL FOR THE CONVENTION, SPORTS AND ENTERTAINMENT FACILITIES DEPARTMENT AT THE LILA COCKRELL THEATRE FOR A TOTAL COST OF \$185,100.00, FUNDED BY THE CONVENTION CENTER BUILDING INFRASTRUCTURE PROJECT.

**2011-01-13-0004**

Item 8. AN ORDINANCE AUTHORIZING THE CITY TO UTILIZE A COOPERATIVE CONTRACT WITH ENVISION CMOSXRAY FOR THE PURCHASE OF AN OPENVISION LT C-ARM VIDEO X-RAY SYSTEM AND RELATED ACCESSORIES FOR THE SAN ANTONIO POLICE DEPARTMENT FOR A TOTAL COST OF \$64,075.17, FUNDED FROM THE 2008 URBAN AREA SECURITY INITIATIVE (UASI) GRANT.

**2011-01-13-0005**

Item 9. AN ORDINANCE ACCEPTING AN OFFER FROM US TESTING EQUIPMENT, LTD. TO PROVIDE THE SAN ANTONIO INTERNATIONAL AIRPORT POLICE WITH THE PURCHASE OF 2 MOBILETRACE EXPLOSIVE AND NARCOTICS DETECTORS AND 4 KITS FOR A TOTAL COST OF \$73,376.00, FUNDED FROM THE 2008 STATE HOMELAND SECURITY PROGRAM (SHSP) GRANT.

**2011-01-13-0006**

Item 10. AN ORDINANCE AWARDING A CONSTRUCTION CONTRACT TO BALLENGER CONSTRUCTION IN THE AMOUNT OF \$7,992,945.17, OF WHICH \$957,312.27 WILL BE REIMBURSED BY BEXAR METROPOLITAN WATER DISTRICT, \$560,655.49 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM, AND \$1,093,281.22 WILL BE REIMBURSED BY CPS ENERGY FOR THE HUNT LANE – INGRAM ROAD TO POTRANCO ROAD PROJECT, AN AUTHORIZED 2007-2012 GENERAL OBLIGATION BOND FUNDED PROJECT LOCATED IN COUNCIL DISTRICT 4 AND 6.

**2011-01-13-0007**

Item 11. AN ORDINANCE AUTHORIZING A CITY REQUESTED CHANGE ORDER ASSOCIATED WITH WATER CONSERVATION MEASURES IN THE INCREASED AMOUNT OF \$177,462.00 TO THE \$4,736,649.06 CONSTRUCTION CONTRACT WITH O'HAVER CONTRACTORS, APPROVING AN AGREEMENT ACCEPTING PAYMENT FROM SAN ANTONIO WATER SYSTEMS IN THE AMOUNT OF \$180,000.00 FOR ADDITIONAL WORK ASSOCIATED WITH THE CHANGE ORDER FOR THE MISSION BRANCH LIBRARY PROJECT, AN AUTHORIZED 2007-2012 BOND, CERTIFICATES OF OBLIGATION, COMMUNITY DEVELOPMENT BLOCK GRANT FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 3.

**2011-01-13-0008**

Item 12. AN ORDINANCE AUTHORIZING A SAN ANTONIO WATER SYSTEMS (SAWS) CHANGE ORDER IN THE INCREASED AMOUNT OF \$51,475.82 TO THE \$4,185,031.75 CONSTRUCTION CONTRACT WITH YANTIS COMPANY, ALL OF WHICH WILL BE REIMBURSED BY SAWS, AND AMENDING A FUNDING AGREEMENT WITH SAWS IN THE SAME AMOUNT, FOR ADDITIONAL WORK ON THE WALTERS STREET – IH 35 TO FT. SAM MAIN GATE PROJECT, AN AUTHORIZED LOCAL AGENCY MANAGEMENT PROJECT LOCATED IN COUNCIL DISTRICT 2 AND FUNDED BY FEDERAL FUNDS THROUGH THE METROPOLITAN PLANNING ORGANIZATION AND 2007-2012 GENERAL OBLIGATION BONDS.

**2011-01-13-0009**

Item 13. AN ORDINANCE AUTHORIZING A CITY REQUESTED CHANGE ORDER IN THE INCREASED AMOUNT OF \$61,411.50 TO THE \$5,997,898.91 CONSTRUCTION CONTRACT WITH BALLENGER CONSTRUCTION COMPANY FOR NECESSARY ROAD STABILIZATION MEASURES THE MEDINA BASE ROAD PROJECT, AN AUTHORIZED 2007-2012 GENERAL OBLIGATION BOND AND 2009 TAX NOTES FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 4.

**2011-01-13-0010**

Item 14. AN ORDINANCE RATIFYING A CHANGE ORDER IN THE INCREASED AMOUNT OF \$142,476.00 TO THE \$5,143,931.65 CONSTRUCTION CONTRACT WITH EZ-BEL CONSTRUCTION FOR UNFORESEEN CONDITIONS ON THE MEDICAL CENTER INTERSECTION IMPROVEMENTS PROJECT: PHASE VI – HAMILTON WOLFE ROAD AND FLOYD CURL DRIVE, AN AUTHORIZED 2007-2012 BOND PROGRAM AND CERTIFICATES OF OBLIGATION FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 8.

**2011-01-13-0011**

Item 15. AN ORDINANCE AUTHORIZING A CITY REQUESTED CHANGE ORDER IN THE INCREASED AMOUNT OF \$28,099.80 TO THE \$3,302,218.95 CONSTRUCTION CONTRACT WITH YANTIS COMPANY, OF WHICH \$22,479.84 WILL BE REIMBURSED BY THE TEXAS DEPARTMENT OF TRANSPORTATION, FOR ADDITIONAL CONSTRUCTION WORK FOR THE 36TH STREET - US 90 TO GROWDON ROAD 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 5.

**2011-01-13-0012**

Item 16. AN ORDINANCE RATIFYING A CITY REQUESTED CHANGE ORDER IN THE INCREASED AMOUNT OF \$37,729.75 TO THE \$4,512,802.00 CONSTRUCTION CONTRACT WITH LYDA SWINERTON BUILDERS, INC. TO ACCOMODATE INACCURATE WATER MAIN PLANS FOR THE PARMAN BRANCH LIBRARY AT STONE OAK PROJECT, AN AUTHORIZED 2007-2012 BOND AND CERTIFICATES OF OBLIGATION FUNDED PROJECT, LOCATED AT 20735 WILDERNESS OAK COUNCIL DISTRICT 9.

**2011-01-13-0015**

Item 19. AN ORDINANCE AUTHORIZING THE ACQUISITION BY NEGOTIATION, DEDICATION OR CONDEMNATION OF ONE PARCEL OF PRIVATELY OWNED REAL PROPERTY LOCATED AT TPC PARKWAY AND RUBY RUN IN COUNCIL DISTRICT 9, N.C.B. 18217, FOR THE INSTALLATION OF A TRAFFIC SIGNAL SYSTEM AS PART OF THE INFRASTRUCTURE MANAGEMENT PROGRAM; DECLARING IT TO BE A PUBLIC PROJECT; DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION; AND AUTHORIZING THE BUDGETED EXPENDITURE OF \$55,000.00 FOR THE ACQUISITION.

**2011-01-13-0016**

Item 20. AN ORDINANCE AUTHORIZING A 99-YEAR CONTRACT FOR A GROUND LEASE AGREEMENT FROM THE SAN ANTONIO MEDICAL FOUNDATION FOR APPROXIMATELY THREE ACRES OF LAND ON SID KATZ DRIVE IN COUNCIL DISTRICT 8, FOR USE AS THE LOCATION FOR THE NEW FIRE STATION 32 WITH AN INITIAL ANNUAL RENTAL AMOUNT OF \$7,840.00; AND AUTHORIZING UP TO \$100,100.00 FOR PLATTING RELATED EXPENSES, FEASIBILITY STUDIES, CLOSING AND RELATED COSTS.

**2011-01-13-0017**

Item 21. AN ORDINANCE AUTHORIZING A LEASE AGREEMENT WITH DEBRA BENDITZ TO OPERATE A STUDIO AND GALLERY IN BUILDING 14B, LOCATED WITHIN THE LA VILLITA HISTORIC DISTRICT, FOR A TERM BEGINNING FEBRUARY 1, 2011 THROUGH JUNE 30, 2013, WITH ONE, 3-YEAR RENEWAL OPTION.

Item 22. REAPPOINTING SCOTT W. CARPENTER (DISTRICT 10, CATEGORY: PUBLIC ART) TO THE HISTORIC AND DESIGN REVIEW COMMISSION FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE OCTOBER 31, 2012.

**2011-01-13-0019**

Item 24. AN ORDINANCE AUTHORIZING A DELEGATE AGENCY CONTRACT WITH THE SOCIAL AND HEALTH RESEARCH CENTER (SHRC) FOR THE TERM OF JANUARY 13, 2011 TO JULY 13, 2011.

**2011-01-13-0021**

Item 26. AN ORDINANCE AUTHORIZING AGREEMENTS WITH THE FOLLOWING NON-PROFITS FOR THE USE OF PARKS AND RECREATION FACILITIES:

- A. BOYS AND GIRLS CLUB OF SAN ANTONIO, INC. FOR THE CALDERON BRANCH AT 600 S. W. 19TH STREET, LOCATED IN COUNCIL DISTRICT 5.
- B. BOYS AND GIRLS CLUB OF SAN ANTONIO, INC. FOR THE PETER D. REED BASEBALL FIELD AT ELMENDORF PARK LOCATED IN COUNCIL DISTRICT 5.
- C. MCALLISTER PARK LITTLE LEAGUE FOR THEIR PREMISES AT MCALLISTER PARK LOCATED IN COUNCIL DISTRICT 9
- D. SOUTHEAST BOYS BASEBALL, INC. FOR THEIR PREMISES AT SOUTHSIDE LIONS PARK IN COUNCIL DISTRICT 3

**2011-01-13-0022**

Item 27. AN ORDINANCE AUTHORIZING THE TRANSFER OF SAN ANTONIO HOUSING TRUST FUNDS IN THE AMOUNT OF \$750,000.00 FROM SAN ANTONIO ALTERNATIVE HOUSING CORPORATION TO THE HILLCREST SA APARTMENTS, LP IN CONNECTION WITH THE WOODLAWN RANCH APARTMENTS PROJECT (PREVIOUSLY KNOWN AS THE CHAMINADE APARTMENTS RENOVATION PROJECT).

**[CONSENT ITEMS CONCLUDED]**

## **ITEMS PULLED FOR INDIVIDUAL CONSIDERATION**

The City Clerk read the following Ordinance:

### **2011-01-13-0013**

Item 17. AN ORDINANCE AUTHORIZING A TASK ORDER CONSTRUCTION CONTRACT WITH SAECO ELECTRIC AND UTILITY, LLC IN AN AMOUNT UP TO \$976,115.76, TO PERFORM TRAFFIC SIGNAL INSTALLATIONS FOR THE FY 2011 – FY 2012 TASK ORDER CONTRACT FOR THE TRAFFIC SIGNAL SYSTEMS.

Councilmember Rodriguez asked of the contract and how it was factored into the overall traffic signalization program citywide. Majed Al-Ghafry stated that it would be utilized for four new installations and two upgrades to existing locations and was included in the Infrastructure Maintenance Program. Councilmember Rodriguez requested a meeting with Public Works to discuss the progress of the Traffic Signal System Modernization Program.

Councilmember Rodriguez 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. **NAYS:** None. **ABSENT:** None.

The City Clerk read the following Ordinance:

### **2011-01-13-0014**

Item 18. AN ORDINANCE AUTHORIZING A TASK ORDER CONSTRUCTION CONTRACT WITH F.D. CONCRETE, LLC IN AN AMOUNT UP TO \$1,100,997.00, TO PERFORM CONSTRUCTION WORK FOR THE RAILROAD QUIET ZONE INFRASTRUCTURE IMPROVEMENTS.

Councilmember Medina asked of the process and improvements that would be made. Majed Al-Ghafry replied that there were two quiet zones within District 5 and that coordination had occurred with Council District Staff, as well Union Pacific to determine the best approach. He noted that an application had been submitted and that based on a feasibility study, there could be additional equipment for Union Pacific to install. He added that this would be a 14-month process and could potentially utilize the contractor to provide up to a total of seven quiet zones. Councilmember Medina expressed his support for the quiet zones and thanked staff for their work. Councilmember Cisneros congratulated District 5 for the quiet zones and noted that they had worked with the City of Olmos Park on the quiet zone located in District 1.

Councilmember Medina 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. **NAYS:** None. **ABSENT:** None.

The City Clerk read the following Ordinance:

**2011-01-13-0018**

Item 23. AN ORDINANCE AUTHORIZING A DESIGNATION OF HEALTH AUTHORITY FOR THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES NAMING DR. JOHN NAVA AS HEALTH AUTHORITY FOR SAN ANTONIO AND SURROUNDING AREAS OF BEXAR COUNTY.

Councilmember Cisneros congratulated Dr. John Nava for his appointment as Health Authority for San Antonio and surrounding areas of Bexar County. Dr. Nava stated that he had worked with the Health Department for the past 13 years, most recently serving as the Medical Director for the Tuberculosis Clinic. Mayor Castro recognized Dr. Nava for his leadership and stated that he looked forward to working with him over the coming months.

Councilmember Cisneros 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. **NAYS:** None. **ABSENT:** None.

The City Clerk read the following Ordinance:

**2011-01-13-0020**

Item 25. AN ORDINANCE AUTHORIZING THE ACCEPTANCE AND USE OF CARRYOVER FUNDS IN THE AMOUNT OF \$41,290.00 FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS) HEALTH RESOURCES & SERVICES ADMINISTRATION (HRSA), BY THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT TO AUGMENT SERVICES PROVIDED BY THE HEALTHY START INITIATIVE FOR THE PERIOD JUNE 1, 2010 TO MAY 31, 2011.

Councilmember Cisneros highlighted the carry over of funds and asked how the program has performed in the community. Charles Pruski replied that the purpose of the program was to prevent infant mortality and is utilized in the areas with the highest infant mortality rates. He spoke of the success of the program, noting that they would be submitting an application to continue funding through the following year.

Councilmember Cisneros 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. **NAYS:** None. **ABSENT:** None.

The City Clerk read the following Ordinance:

**\*2011-01-13-0021**

Item 26E. AN ORDINANCE AUTHORIZING AN AGREEMENT FOR THE USE OF PARKS AND RECREATION FACILITIES WITH KARMA-TEENS EMPOWERED D/B/A BROOKS INNER-CITY SPORTS AT PYTEL PARK LOCATED IN COUNCIL DISTRICT 3.

Councilmember Ramos recognized the Parks and Recreation Department and representatives of the Brooks Inner-City Sports Karma Program. She stated that she was pleased that Pytel Park would be utilized to its fullest potential and looked forward to a long partnership with the Brooks Inner-City Sports Karma Program.

Councilmember Ramos moved to adopt the proposed Ordinance for Item 26E. 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. **NAYS:** None. **ABSENT:** None.

\*Items 26A-26E were posted as one Agenda Item and therefore; received one Ordinance Number.

## **Item 28. CITY MANAGER'S REPORT**

### **A. CITY OF SAN ANTONIO AWARD RECOGNITIONS**

Ms. Sculley reported that the City received a Gold Leadership Circle Award from the Texas State Comptroller's Office and that all of the city budget and ledger is available to the public for viewing. She stated that it was part of the effort for further transparency for the public. She added that the Comprehensive Annual Financial Report (CAFR) was also awarded a Certificate of Achievement and recognized the Finance and Budget Departments for their work. She mentioned that San Antonio will be hosting the Government Finance Officers Association Conference in May, 2011 with 6,000 attendees.

Ms. Sculley also stated that San Antonio was awarded First Place for the City's National Night Out Event with the most participation by a large city. She noted that over 15,000 communities participated throughout the country.

### **B. UPDATE ON WEATHERIZATION ASSISTANCE PROGRAM**

Ms. Sculley provided an update on the Weatherization Assistance Program and reported that the \$12.4 million in funds received by the city were part of the Stimulus Funds. She stated that over the past 10 months, 1,524 homes have been weatherized with an average savings per home of \$600 per year. She spoke of the jobs created through the program and noted that San Antonio was leading the effort in terms of large cities in the state. She added that they hoped to weatherize an additional 7,000 homes through August 2011.

Mayor Castro recognized city staff for the awards received and for their work on the Weatherization Assistance Program. Councilmember Cisneros recognized Mayor Castro for his leadership and city staff for their work on the Weatherization Assistance Program.

## **Item 29. UTILITY BRIEFING BY CPS ENERGY**

Doyle Beneby, CPS Energy Chief Executive Officer, thanked Charles Foster for having served as Board Chair and recognized Derrick Howard for now serving as Board Chair. He outlined CPS Energy's seven focus areas that include implementing broader transparency and disclosure, as well as

enhancing customer responsiveness and sensitivity. He noted that they had invited members of the community to help CPS Energy draft its legislative strategy and extended a ten-day grace period during the Christmas Holidays in which customers' electricity was not disconnected due to non-payment. He stated that they were continuing their economic development efforts through discussions for solar development and software for the Smart Meter/Smart Grid Program. He indicated that they were partnering with San Antonio Water System (SAWS) on sustainability efforts and spoke of their enhanced community outreach. He added that they were working to improve communication with the City of San Antonio and SAWS.

In regard to Solar Energy, Mr. Beneby reported that they were working on a comprehensive package to offer renewable solar plans to a solar manufacturer if an economic base can be set up in San Antonio. He stated that they were working with Sun Edison to provide educational opportunities for youth and would participate in the Clean Tech Forum on January 18, 2011. He noted that they had deferred the decision on the scrubbers at J.T. Deely Plants until FY 2013 which would in turn delay the need for rate support for the project. He mentioned that they were working diligently to fulfill the Department of Energy requirements for the South Texas Project (STP) 3&4. He reported that the current year budget and following year's budget were consistent with the approved rate plan and would continue their focus on controlling non-fuel operating costs and capital budget.

Mr. Beneby presented an operational update, noting that J.K. Spruce 2 was in service and would continue to monitor operations closely. He spoke of the SAWS Water Contract Amendment in which they had reached an agreement to provide recycled water to the CPS Energy Power Plants through 2060 at a cost of \$600,000 per year for an additional 10,000 acre-feet. He reported that in regard to safety, their OSHA injuries had decreased by 50% since August and motor vehicle accidents had also decreased. He noted their reliability enhancement efforts that include sending customer letters to proactively identify reliability issues.

Mr. Beneby spoke of the 2011 Focus Areas that include leveraging renewable plans into economic development and educational opportunities, as well as protect their investment in STP 3&4 and evaluate the project's path moving forward. He spoke of CPS Energy challenges they would address such as transparency and disclosure, as well as earning and maintaining customer trust. He stated that there were regulatory uncertainties regarding environmental requirements on the State and Federal Legislative Agendas. Lastly, he indicated their need to acquire and develop an enhanced talent base to manage the multitude of issues and the need to continue to improve service reliability.

Mayor Castro thanked CPS Energy for their efforts and stated that he was pleased with their progress over the past year to keep rates low and leverage economic development. Councilmember Williams recognized the efforts of the CPS Energy Board and stated that he was pleased that they were reaching out to groups such as the Sierra Club to discuss regional capital requirements and satisfying environmental obligations. He noted that he was pleased with solar efforts and the decrease in OSHA incidents. Councilmember Cortez asked of the utility rate assistance for low-income families and senior citizens. Mr. Beneby replied that they were reaching their targets and in many cases were ahead of their targets, specifically within the STEP and Weatherization Programs. He stated that he would provide additional information to the City Council. Councilmember Cortez spoke of the importance of making the public aware of the assistance programs that are available.

Councilmember Clamp asked if there was current budget information available. Mr. Beneby replied that the budget had not yet been approved by the board and would happen later this month. He added that the budget was in alignment with the rate increase that was approved for the next two fiscal years. Councilmember Clamp recommended that financial information be provided at every City Council Update and noted the importance and impact of rate increases. Mr. Beneby stated that they were forecasting favorability on both Capital and Operating and Maintenance (O&M) Budgets and had scrutinized capital a great deal. Councilmember Clamp asked of the status of the STEP Program. Mr. Beneby replied that they were ahead of their targets on the STEP Program but could be a little more challenging within the next two years. He added that there were also ways to achieve savings within the STEP Program that had not been factored in such as the implementation of the Smart Meter/Smart Grid Program. Councilmember Clamp spoke of the importance of quantifying the impact of the STEP Program on the base load as well as providing the City Council with information on how CPS Energy will meet the future energy needs of the community. Councilmember Clamp asked for an update on the investment in nuclear energy. Mr. Beneby replied that the investment remains the same and that CPS Energy must complete their administrative requirements in order to move the process forward.

Mayor Castro excused himself from the Council Meeting at 10:30 am. Mayor Pro Tem Williams presided over the meeting.

Councilmember Lopez asked of the potential impact on air quality associated with the scrubbers. Mr. Beneby reported that they were working on an Air Quality Study that indicates that deferring the scrubber provides no detrimental air quality impact to San Antonio. He stated that they hoped that the plant would retire on its own and that there would be no need to build a new scrubber. Councilmember Lopez thanked CPS Energy for keeping health concerns in mind when making decisions and looked forward to future progress regarding air quality. Councilmember Medina thanked CPS Energy for their improved communication and spoke of the importance of providing assistance to low-income families and senior citizens. He asked of the Residential Energy Assistance Partnership (REAP) Program. Paula Gold-Williams stated that they had increased the amount of assistance from \$150 to \$200 twice a year and had seen an increase in the amount of funds being utilized.

Mayor Pro Tem Williams called upon Jack M. Finger to speak.

Mr. Finger expressed concern that no backup documents were provided with the agenda item and referenced issues with the nuclear plant cost overruns. He also expressed concern with Solar and Wind Energy due to their ineffectiveness and the high rates for energy.

No action was required for Item 29.

### **RECESSED**

Mayor Pro Tem Williams recessed the meeting at 10:50 am to break for lunch and announced that the meeting would resume at 5:15 pm for Ceremonials.

### **RECONVENED**

Mayor Pro Tem Williams reconvened the meeting at 5:15 pm and addressed the Ceremonial Items.

## **CEREMONIALS**

Mayor Pro Tem Williams presented a Proclamation in honor of the Annual MLK March that would be held on Monday, January 17, 2011 to celebrate the accomplishments and legacy of Dr. Martin Luther King Jr. It was noted that the 3-mile journey begins at 10:00 am at the MLK Freedom Bridge (3500 MLK Drive) and ends at Pittman-Sullivan Park (1101 Iowa). San Antonio is host to one of the largest marches in the United States and is expected to draw more than 100,000 participants.

Mayor Pro Tem Williams presented a Certificate of Official Congratulations to Labatt Food Service in celebration of their 100 years in the food industry. It was noted that the company was established in 1910 as a wholesale grocery company, and its warehouse was located on East Houston Street in the building that is now occupied by Spaghetti Warehouse. Labatt is widely recognized as an innovative, customer-focused, and high-energy food service distributor and serves customers throughout Texas, Oklahoma, Louisiana and New Mexico.

The San Antonio Public Library presented an update of its Campaign "Be One in a Million" for Library Cardholders, noting that to date, 983,439 individuals have been issued library cards. It was noted that in November 2009, City Councilmembers challenged each other to see who could sign up the most students in their respective districts to help reach the goal of one million library cardholders by year end of 2010.

## **CITIZENS TO BE HEARD**

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

Nazirite Ruben Flores Perez addressed the Council and highlighted several Bible passages from II Timothy.

Henry Rodriguez, representing various Woodlawn Lake residents, addressed the Council and noted that local residents were against the closure of the bridge to vehicle traffic. He stated that it was unfair for the city to limit access to residents and that the rights of the homeowners should take precedence over those of the joggers.

Mark Perez addressed the Council and stated that several businesses in the City were operating without valid Certificates of Occupancy. He noted that even though the City had passed an ordinance in 1990 regulating the disposal of hazardous chemicals, it allowed for businesses to operate without appropriate permits. He spoke of safety issues and chronic health concerns associated with allowing said business to operate.

James Justice addressed the Council and stated that he was wrongly terminated from the City of San Antonio. He requested that a city representative contact the local United States EEOC Office on his behalf regarding his reinstatement. He expressed concern that proper procedures were not being followed by the City regarding his termination and reinstatement.

Faris Hodge, Jr. addressed the Council spoke of the composition of the Citizen Advisory Action Board and requested that the City Council take action to require CPS Energy to stay open late to allow for individuals to reconnect utilities. As it relates to the Police Department, Mr. Hodge noted the unfairness in Police Officers receiving a higher salary than Airport and Park Police Officers. He

expressed concern that the train in Brackenridge Park was too small for adults to ride. He stated that the City Council was in violation of the Hill Law as it did not allow for citizens to be part of the B Session process. He also expressed concern that the Fire Department did not inspect all of the fire extinguishers at local schools and that CPS Energy did not allow for Citizens to be Heard during their meetings. He stated that the Fire Department did not hire enough Blacks and requested that the Alamodome be named after him.

Nick Calzoncit addressed the Council and requested that the City of San Antonio collaborate with various entities in forming a Peace Department and developing peace initiatives. He highlighted several books, reports, and educators that support the Chicano Movement, Mexican Culture, and the Spanish Immersion Program.

Emilio Guerrero, Arthur Gomez, Ruben Garcia, Cristobal Martinez, Paul Rivera, and Tom Spearman representing the San Antonio Park Police Officers Association addressed the Council and highlighted employment conditions. Mr. Martinez stated that he and fellow officers were hired under false pretense as they were not initially informed that their employment contract was temporary and would later be replaced. He expressed concern that he and his fellow officers had uprooted their families to move to San Antonio and would have to move again in 2013 when their employment contracts were up. Mr. Guerrero addressed the Council and stated that he too was hired under false pretenses, as he was not informed that his employment contract was temporary.

Heriberto Barrientes addressed the Council and highlighted the challenges he was encountering with having a second electrical meter installed. He noted that he was grandfathered from the permitting process.

Danny Segundo with the San Antonio Park Police Association read a letter written by Lt. William Barrett Travis to the Defenders of the Alamo in 1836. He equated the plight of the Defenders to the current plight of the San Antonio Park Police Officers. He questioned why 150 current Park Police Officers would be transferred to other positions in the City while at the same time the City planned on hiring replacements for those Officers. He requested that the City Council conduct a cost assessment study to determine the feasibility of said proposal and noted that shift changes were negatively impacting Park Police Officers. Lastly, he spoke of a proposal between the City and the San Antonio River Authority (SARA) which would result in Park Police Officers being transferred to other positions within the City and the creation of a Park Police Division within SARA.

### **ADJOURNMENT**

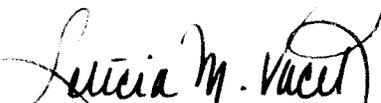
There being no further discussion, Mayor Pro Tem Williams adjourned the meeting at 6:50 pm.

**APPROVED**



**JULIÁN CASTRO**  
MAYOR

Attest:

  
**LETICIA M. VACEK, TRMC/CMC**  
City Clerk