

**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, FEBRUARY 9, 2011 AND THURSDAY, FEBRUARY 10, 2011, RESPECTIVELY.

The San Antonio City Council convened in a Work Session at 2:00 pm Wednesday, **February 9, 2011**, Municipal Plaza Building with the following Councilmembers present: Cisneros, Taylor, Ramos, Cortez, Medina, Lopez, Williams, Chan, Clamp, and Mayor Castro. **ABSENT:** Rodriguez.

1. STAFF BRIEFING ON THE FINAL RECOMMENDATIONS FROM VISION 2050, THE MASTER PLAN FOR THE SAN ANTONIO INTERNATIONAL AIRPORT UPDATE.

Frank Miller reported that the Master Plan work has been completed, noting that the process was implemented in May 2009. He recognized the three committees that represent various sectors of the community: 1) Ad Hoc Regional Committee; 2) Technical Advisory Committee; and 3) Community Advisory Committee. He introduced Holland Young representing AECOM.

Mr. Young spoke of the public outreach and media coverage utilized for Vision 2050 and stated that they had received input from the public via public meetings held in May 2010 and January 2011. He outlined the following: Optimization, Financial Sustainability, and Positioning San Antonio International Airport as a Regional Transportation Hub. He reported that the Airport Property meets the needs through 2050 and conveniently serves the region. He provided a Passenger Enplanement Forecast, projecting a 4.5% average annual growth from 2010 through 2015.

Mr. Young highlighted the Terminal Plans and stated that Terminal A would require improvements and that additional gates would be needed to meet 2030 Requirements. He outlined Airfield Plans, noting that various runways would need to be upgraded and extended and that taxiway system improvements were necessary to improve circulation in the terminal area. He spoke of the Consolidated Rental Car Facility to improve passenger service and stated that 2,400 new public parking spaces would be needed by 2030. He noted that the Aviation Department's Goal was to generate additional revenues from non-aeronautical sources. He provided an overview of the proposed land acquisition of 1,078 acres that did not include any residential properties. Lastly, he reported that an environmental analysis of key issues had been conducted with no significant concerns.

Bonnie Deger representing Ricondo and Associates presented the Financial Plan. She stated that the Preferred Development Plan was based on Short-Term, Intermediate, and Long-Term Periods. She noted that the financial analysis focused on the Short-Term and outlined the Master Plan Projects for the period that totaled \$191 million. They include Concourse A Renewal and Replacement; Consolidated Rental Car Facility; and Airfield and Apron Improvements. She spoke to the funding sources, noting that 37% of the budget is provided through a Customer Facility Charge (CFC). She mentioned key assumptions which incorporate Series 2010 Bonds and no additional general airport revenue bonds being issued through 2016. She added that the Master Plan Projects and 2010 Capital Program were projected to be feasible. She provided project costs for the Intermediate-Term totaling \$397.3 million;

and \$671.7 million for the Long-Term. She stated that as projects moved into the Short-Term Planning Phase, they would be evaluated for feasibility.

Mr. Young reported that all Master Plan Documentation would be available on the Airport Website. He stated that the Master Plan established direction for the San Antonio International Airport to meet regional transportation needs and remain affordable and competitive. At this time, a short video was presented that highlighted various recommendations included in the Master Plan.

Mayor Castro thanked everyone for their work on the Master Plan and asked of the proposed Intermodal Station and Transit-Oriented Development. Mr. Miller replied that the map provided an area that could be utilized for same. Mr. Young added that it was an opportunity to create an "Airport City" and serve the region. Mayor Castro asked for a comparison to the Denver, Colorado Airport. Mr. Young stated that Denver had approached the "Airport City Concept" and were developing greatly in and among the airport. Mayor Castro asked of the total number of gates in San Antonio once Terminal D was completed. Mr. Young replied that there would be a total of 50 gates and would meet the 2050 Demand. He confirmed that Phoenix has more gates since it serves as a hub for Southwest Airlines. Mayor Castro asked of any negative impacts to being a hub airport. Mr. Young stated that the dominance of a single carrier at an airport increases fares and decreases the amount of individuals that can afford to fly. Mayor Castro stated that by 2050, San Antonio should increase to a business airport and asked of the funding provided to airports. Mr. Young replied that airports are typically funded by user fees. Ms. Sculley added that there were no General Funds utilized for the Airport. Mayor Castro asked of the impact of the assessment of a CFC. Mr. Holland replied that they did not project a significant impact related to the fee.

Councilmember Chan thanked the consultants for their work and asked of the land acquisition on the Northeast Side of the Airport referenced in the video. Mr. Young replied that he would confirm that it was included in the recommendation and provide the information to the City Council. Councilmember Chan asked of the total acreage that would be acquired for both areas. Mr. Holland replied that it was several hundred acres. Councilmember Clamp thanked everyone for their work on the presentation and asked of the funds for land acquisition. Ms. Sculley replied that if Airport Revenues are used to fund property acquisition, revenue generated must remain with the Airport. Councilmember Clamp spoke of the importance of identifying revenue streams. Councilmember Williams asked if the Master Plan, video, and Ricondo and Associates Report would be placed on website. Mr. Miller confirmed that they would be made accessible on the Airport Website. Councilmember Williams stated that he was in support of the consolidated rental car facility but concerned with the location and the shortage of short-term parking spaces. Mr. Miller stated that the Master Plan provided recommendations but a location had not been finalized. Councilmember Williams requested that additional discussion occur prior to a vote by the City Council.

Councilmember Cisneros asked of the status of Mexicana Airlines. Mr. Miller replied that they anticipate returning to San Antonio in the short-term but do not have a set date. Councilmember Cisneros noted the importance of accommodating international flights. Mr. Miller spoke of the non-stop flights available and the reduction of seat capacity due to economic conditions.

2. BRIEFING ON THE STATUS OF THE LONE STAR RAIL DISTRICT.

Tullos Wells, Vice Chairman of the Lone Star Rail District (LSRD) Board of Directors thanked the City Council for allowing them to present to the City Council and recognized Councilmember Clamp for his service on the Board. He spoke of the importance of the project to the region and introduced Chairman Sid Covington. Mr. Covington stated the objectives of the LSRD, noting that it was created by the Legislature to improve Public Safety and Mobility, create new tax base opportunities, and maintain Air Quality Status. He noted that the LSRD included members from cities, counties, and transportation agencies in the five-county corridor. He outlined the Board Members and the service areas they represent, noting that seven individuals represent San Antonio very well.

Mr. Covington spoke of the financial and economic benefits of the LSRD, noting that the forecast through 2030 recognized increases in Personal Income, State Tax Revenues, Local and School District Property Tax Revenues, and Sales Tax Revenues. He stated that City and Bexar County staff and other stakeholders actively participate in the Station Location Technical Advisory Committee and have participated in various workgroups since 2004. He reported that proposed service would encompass 117 miles from Georgetown to South San Antonio with up to 16 full service stations. He noted that 15-20 trains would run per day with express service of 75 minutes or less. He added that it was primarily routed in existing Union Pacific Rail right-of-way.

Mr. Covington reported that a great amount of funding had been raised for the project including \$7.7 million in Federal Funding and \$8.7 million in State Appropriations. He stated that they had completed feasibility, ridership, and preliminary revenue/cost studies and conducted several public meetings. He spoke of the branding program in which the project would be called LSTAR and noted that they had entered into a Memorandum of Understanding with Union Pacific in 2010. He provided an overview of their current efforts that include station location studies and updating the financing plan. He outlined next steps which include engineering and environmental studies, as well as finalizing design and construction.

Mr. Covington stated that annual operations and maintenance costs would be funded as follows: 1/3 from San Antonio/Bexar County Region; 1/3 from Austin/Travis County Region; and 1/3 from smaller cities and their counties. He noted that each would provide \$9.3 million for initial service and \$13.7 million for full service. He added that local operations and maintenance funding was needed in order to apply for Federal Grants and to solicit public-private financing options. He reported Capital Costs of \$394 million for initial service and \$613 million that could be covered through a combination of Federal Grants, State Relocation Funds, Union Pacific Cost-Sharing, and Public-Private Partnerships. He spoke of the San Antonio Rail Partnership that includes San Antonio, Bexar County, VIA Metropolitan, and the LSRD, and the many benefits that the project would provide to Central and South Texans.

Mayor Castro thanked Messrs. Covington and Wells for the presentation and stated that the project was beneficial to the region. He expressed support for identifying ways for San Antonio to participate in the project. Councilmember Clamp spoke of the city's commitment to the LSRD and noted the importance of identifying funding for the five stations recommended for San Antonio. He expressed support for the city moving forward with the economic analysis on the project. Mayor Castro referenced a comment made that the project was a "Brain Train," connecting two cities encompassing 230,000 students.

Councilmember Clamp asked of a connection with the Dallas Area. Mr. Covington replied that they were participating in ridership studies with Amtrak and the Texas Department of Transportation.

Councilmember Cortez recognized Councilmember Clamp and Former Councilmember Schubert for their service on the LSRD and stated that he was pleased that the rail line would connect to the Southside. He spoke of his efforts driving to the University of Texas in Austin and the great impact that the rail line will have for many individuals. He recommended that staff move forward with additional studies on the project. Councilmember Williams also recommended that staff pursue further studies on the project. Councilmember Lopez thanked all for their work and concurred with the recommendation that staff move forward with additional analysis. He stated that the project was a transportation catalyst for the region and asked of the potential for school districts to receive the benefits of increased property values. A Representative of the LSRD replied that they were establishing a work group to address funding issues. Councilmember Lopez asked of the timeline. Mr. Covington replied that the first trip could occur anywhere from 5-10 years and would depend greatly on the environmental studies and funding.

Councilmember Chan also recognized the members of the LSRD and stated that transportation in the corridor is important. She asked how the funding costs were estimated. Mr. Covington replied that these were the best estimates at this time but would change based on more specific information regarding land, parking, and other items. Councilmember Chan asked of the MOU with Union Pacific and necessary support from municipalities. Mr. Covington replied that the MOU was critical in order to utilize Union Pacific Property and to solicit Federal Funding. Ms. Sculley noted that by the end of the Fiscal Year, the LSRD would request an Interlocal Agreement that will commit the city to an annual operating amount. Councilmember Chan asked when funding would be needed. Mr. Covington stated that they would need to have the funds committed but would not be needed immediately. Councilmember Chan stated that she was in support or further exploration of the project.

Councilmember Taylor recognized all involved in process and expressed support for further analysis of the project. She asked of the difference between initial and full service costs. Mr. Covington responded that initial service would begin with a smaller number of stations. Councilmember Taylor asked of a plan for funding if Federal Funding is not available. Mr. Covington stated that they were not relying on Federal Funds but would be pleased to receive them.

EXECUTIVE SESSION

Mayor Castro recessed the meeting at 4:15 pm to convene in Executive Session for the purposes 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).**
- B. Deliberations regarding economic development negotiations and related issues pursuant to Texas Government Code Section 551.087 (economic development).**
- C. Deliberate the duties and organization of the Office of the City Auditor and discuss related legal issues pursuant to Texas Government Code Section 551.074 (personnel matters) and 551.071 (consultation with attorney).**

D. Discuss legal issues related to *Yvonne Sanchez, et al v. the City of San Antonio*, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

Mayor Castro reconvened the meeting at 6:00 pm at which time it was noted that the City Council had been briefed on the above-styled matters but took no action and that the City Council would continue the Executive Session during the Regular City Council Meeting.

CITIZENS TO BE HEARD

Mayor Castro called upon the individuals registered to speak.

Gary Arnold stated that he owned commercial property along Blanco Road and expressed concern with the widening of Blanco Road. He noted that the property owners had not been informed of the change and requested to meet with staff regarding same.

Vincent Huizar spoke of issues with Don Pedro Huizar Gardens Park and expressed concern with the lack of funding for same. He stated that signage should be installed and requested that funding be identified for the Park.

Epifanio Hernandez spoke of the San Jose Missions and stated that there was confusion regarding the true mission of the Indians. He expressed concern that the attitude toward Native Americans makes them feel rejected and asked that they be included in the Missions Project.

Mark Perez expressed concern that the Age Refinery did not have the proper permits or Certificate of Occupancy. He spoke of the fire that occurred at the facility and requested that the business be closed immediately. He expressed concern with the Director of Development Services, Fire Department, and Police Department. He spoke of issues with the Tetco and Kimberly Clark Facilities.

Faris Hodge, Jr. submitted written testimony and expressed concern that City Offices were open on Friday, February 4, 2011 when there was ice on highways and many street closures. He wrote that too many Police Officers were paid overtime to attend Municipal Court and asked why there was only one Municipal Court Judge on duty at any time. He wrote that he did not want the City and Bexar County to consolidate services. He stated that there was no signage and that the doors were locked to the Municipal Plaza Building for the Cultural Arts Board Meeting held on February 7, 2011. He wrote that he was opposed to the Mayor appointing members of the San Antonio Independent School District Board. He noted that CPS Energy did not have an emergency strategy in place to deal with rolling blackouts and requested that they implement an emergency public information plan. He requested that Park and Airport Police Officers receive the same pay as San Antonio Police Officers and that more Blacks be hired by the San Antonio Fire Department. Lastly, he requested that the Alamodome be named after him.

ADJOURNMENT

There being no further discussion, Mayor Castro adjourned the meeting at 6:18 pm.

The San Antonio City Council convened in a Regular Meeting on Thursday, **February 10, 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 Pastor Carlos Ferreyro, Trinity Church, guest of Councilmember John G. Clamp, District 10.

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 January 20, 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.

At this time, Item 26 was addressed.

Item 26. UTILITY BRIEFING BY SAN ANTONIO WATER SYSTEM, AND POSSIBLE ACTION BY CITY COUNCIL.

Robert Puente, SAWS CEO, presented a utility update and spoke of SAWS' efforts to meeting weather challenges. He stated that a SAWS potable water truck was used to help fill potable airplane water tanks at the San Antonio Airport after their piping froze and that SAWS Crews worked 24-hour shifts to prevent disruption of service. He outlined the Regional Carrizo Project, noting that project costs were reduced by \$90 million. He provided a project cost comparison by acre-foot and highlighted the supply of acre-feet per year by water source to include the Edwards Aquifer, Aquifer Storage and Recovery (ASR), and Western Canyon.

Mr. Puente spoke of the recent partnerships including the Schertz-Seguin Local Government Corporation Regional Carrizo Aquifer Project, noting that it was the largest non-Edwards supply in SAWS' History. He stated that they partnered with CPS Energy through the Recycled Water Contract Amendment that would encompass the potentially largest solar farm in Texas at Dos Rios. He indicated that they were seeking competitive proposals for non-Edwards permits up to 80,000 acre-feet to help close the 50-year supply gap.

Mr. Puente reported that SAWS was performing due diligence required in acquiring BexarMet and had created a Task Force to determine benefits and challenges to assuming service. He stated that 70% of BexarMet Ratepayers are SAWS sewer customers and 97% reside in Bexar County. He provided 2010 Financial Results and explained the variances in the budget. He reported that Operating Revenues were

\$12.7 million lower than projected due to the great amount of rain fall. He indicated that Interest Income was also decreased by \$3 million and that they had reduced expenditures by \$16.3 million. He noted that they had experienced an accounting loss of \$52 million and outlined the non-cash charges impacting the 2010 Budget. He stated that the Salado Creek Closure and Removal totaled \$13.4 million and would result in a more operationally efficient Dos Rios Plant that would save \$2 million per year in operational costs. He spoke of the \$16.2 million attributed to GASB 45-Related OPEB Expenses and the \$2 million cost for Texas Municipal Retirement System Phase-Ins.

Mr. Puente stated that in November 2010, all three major rating agencies had reaffirmed their strong credit ratings. He outlined the Texas Commission on Environmental Quality (TCEQ) Pass-Through Fee, noting that the City Council had authorized SAWS to administratively adjust the flat fee per month per customer. He noted that the TCEQ Fee would increase in 2011 by two cents per month from \$0.24 cents to \$0.26 cents. He provided a historical summary of the pass-through EAA Fee, noting that it would decrease in 2011 from \$1.43 to \$1.10. He outlined the items that would be brought to the City Council in 2011 to include Impact Fees and 2012 Rate Adjustment. He presented a comparison of water bills throughout the State, noting that SAWS had the second lowest average rates at \$44.38 per month. He added that since January 2006, SAWS had the lowest percentage in rate increases at 3.8%. He concluded by stating that SAWS was nationally ranked #1 in Water Conservation and Direct Recycled Water, and #2 in Aquifer Storage and Recovery.

Mayor Castro called upon Jack M. Finger to speak.

Mr. Finger expressed concern with the Regional Carrizo Project, noting that the costs were too high compared to other water sources. He spoke in opposition to increased water rates and stated that ratepayers were being penalized for conserving water. He noted that the City Council had received campaign contributions from Bury and Partners (Item 12). Lastly, he asked how much freedom would be provided to the Acting Internal Auditor when auditing city finances and expressed concern that no back up documents were available (Item 28).

Mayor Castro commended SAWS for the cost savings achieved through the Regional Carrizo Aquifer Project and stated that it was a good opportunity to diversify the water supply. Councilmember Williams stated that he was pleased with the new water supply identified through the Regional Carrizo and asked of the Increase/Decrease in Equity Before Capital Contributions for 2009. Doug Evanson replied that there was a loss of \$14 million. Councilmember Williams asked of the issues related to employee retirement. Mr. Evanson responded that the amount of unfunded liability as of the last actuarial evaluation was \$297 million and would be working with city staff to reduce the liability. Councilmember Williams asked of the decrease in the EAA Fee. Mr. Evanson provided an overview of the calculation of the EAA and noted that SAWS had received various rebates from the EAA which had caused over collection of the fee in 2010.

Councilmember Clamp asked of the impact of the decreased revenue on the proposed rate increase for 2011. Mr. Evanson replied that they would utilize the Transfer to Unrestricted Renewal and Replacement Line Item to fund construction initiatives and that the non-cash charges should not have an impact to the rate increase. He stated that they had been in conversation with the rating agencies due to the challenges in coverage ratios and would become more conservative in their budgeting. Councilmember Clamp asked of the budget projections for 2011. Mr. Evanson responded that the

budget began in January and the revenues and expenditures were on target. He noted that they were confident that they would meet their budget projections for the year. Councilmember Clamp asked of initiatives being implemented to decrease the 7% rate increase. Mr. Evanson stated that they had conducted a budget prioritization with the Board to identify projects that could be deferred or eliminated, and that a hiring chill had been enforced from February through December 2010. Councilmember Clamp expressed concern with the proposed rate increases through 2015 and stated that they were unsustainable over the long term. He asked of the status of the recharge and recirculation initiative. Mr. Puente replied that the EAA had completed several studies and that other subsequent studies were in progress. He stated that the initiative was a component of the Water Management Plan but expressed concern that they did not have definite rules on the recharge credits SAWS would receive. Councilmember Clamp asked of the status of the ASR. Kelley Neumann replied that the ASR had been designed to hold 35,000 acre-feet and were now at 90,000 acre-feet. She added that acquisition of another ASR was in the Management Plan and they were already researching options for same.

Councilmember Chan asked of the process for consolidation of BexarMet. Mr. Puente replied that they were designing a consolidation plan that would likely take 3-5 years to implement and would operate the BexarMet component as a separate special project. Councilmember Chan asked of the current coverage ratio. Mr. Evanson replied that the Sr. Lien Debt Coverage Ratio varied between 1.60 and 1.95 times and would like to see the number closer to 2.00 times. Councilmember Chan requested a meeting with SAWS Staff to discuss the Capital Plan in further detail. Councilmember Ramos asked of the increase to the TCEQ Fee. Mr. Puente replied that SAWS had the authority to adjust the fee administratively and would inform the City Council prior to implementation. He noted that the fee would be included in the next billing cycle beginning in March. Councilmember Ramos spoke of the flat rate for Stormwater Fees and noted that she would like to work toward more equity based on the size of facilities. Mr. Puente stated that they would work to address the issue. Councilmember Williams expressed concern with the amount of pass through fees collected and spoke of the obligation to citizens to ensure that fees are being collected and utilized appropriately.

There was no action required for Item 26.

At this time, the Consent Agenda was addressed.

CONSENT AGENDA ITEMS 5-25

Consent Agenda Items 8, 9, 10, 15, 24, 25, and 28 were pulled for Individual Consideration.

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

Faris Hodge, Jr. submitted written testimony in favor of Items 5-10, 12-14, and 16-25. He wrote that the city should not spend additional funding on Phil Hardberger Park (Item 11) and that the automated residential recycling and garbage pick up in alleys was a waste of money (Item 15).

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.

2011-02-10-0106

Item 5. AN ORDINANCE AUTHORIZING A CONTRACT WITH GOVERNMENTJOBS.COM, INC. (NEOGOV) AND THE USE OF THE GENERAL SERVICES ADMINISTRATION (GSA) CONTRACT WITH PROFILES INTERNATIONAL TO PROVIDE THE HUMAN RESOURCES DEPARTMENT WITH A COMPREHENSIVE, ONLINE HUMAN RESOURCES TALENT MANAGEMENT SYSTEM, RECRUITMENT SOLUTION, VALUES-BASED ASSESSMENTS AND ONBOARDING FOR AN INITIAL COST OF \$136,200.00 AND AN ESTIMATED AMOUNT UP TO \$122,200.00 ANNUALLY THEREAFTER FOR MAINTENANCE AND SUPPORT, FUNDED BY THE INFORMATION TECHNOLOGY SERVICES DEPARTMENT'S CAPITAL BUDGETS.

2011-02-10-0107

Item 6. AN ORDINANCE AUTHORIZING THE FOLLOWING CONTRACTS ESTABLISHING UNIT PRICES FOR ANNUAL GOODS AND SERVICES: (A) TWINCREST, INC. DBA TWINCREST TECHNOLOGIES FOR RADAR SENSOR EQUIPMENT, (B) EC AMERICA FOR CONSTRUCTION PHOTOGRAPHIC DOCUMENTATION SERVICES, (C) EBSCO PUBLISHING FOR PATIENT EDUCATION REFERENCE CENTER AND (D) LIBRARY IDEAS, LLC. FOR DOWNLOADABLE MUSIC.

PULLED FROM THE AGENDA

Item 7. AN ORDINANCE AUTHORIZING THE CITY TO UTILIZE A COOPERATIVE PURCHASING AGREEMENT WITH THE HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS (H-GAC) TO CONTRACT WITH THE FEDERAL SIGNAL CORPORATION TO PROVIDE THE SAN ANTONIO POLICE DEPARTMENT WITH AN AUTOMATED LICENSE PLATE IDENTIFICATION SYSTEM FOR AN INITIAL COST OF \$151,155.00 AND AN ESTIMATED AMOUNT UP TO \$15,200.00 ANNUALLY THEREAFTER FOR MAINTENANCE AND SUPPORT, FUNDED BY THE 2008 STATE HOMELAND SECURITY PROGRAM (SHSP) GRANT.

2011-02-10-0110

Item 11. AN ORDINANCE AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH LAKE FLATO ARCHITECTS, INC. FOR ARCHITECTURAL SERVICES IN AN AMOUNT UP TO \$594,000.00 FOR THE PHIL HARDBERGER PARK PHASE 3 URBAN ECOLOGY CENTER PROJECT, A CERTIFICATE OF OBLIGATION FUNDED PROJECT, LOCATED IN COUNCIL DISTRICTS 8 AND 9.

2011-02-10-0111

Item 12. AN ORDINANCE AUTHORIZING AN AMENDMENT IN THE INCREASED AMOUNT OF \$222,151.05, OF WHICH \$35,800.50 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEMS, TO THE \$298,394.70 PROFESSIONAL SERVICES AGREEMENT WITH BURY AND PARTNERS FOR ADDITIONAL DESIGN SERVICES FOR THE NORTH NEW BRAUNFELS AVENUE AND NACOGDOCHES ROAD INTERSECTION PROJECT, AN AUTHORIZED 2007-2012 GENERAL OBLIGATION BOND FUNDED PROJECT LOCATED IN COUNCIL DISTRICTS 9 AND 10.

2011-02-10-0112

Item 13. AN ORDINANCE AWARDED A CONSTRUCTION CONTRACT TO TROPICAL CONTRACTING, LLC IN THE AMOUNT OF \$898,000.00 AND AMENDING THE FY 2011-FY 2016 CAPITAL IMPROVEMENT PLAN BUDGET IN CONNECTION WITH THE LEON CREEK GREENWAY PROJECT'S SOUTHERN SEGMENT (PEARSALL PARK TO QUINTANA ROAD) PROJECT LOCATED IN COUNCIL DISTRICT 4.

2011-02-10-0113

Item 14. AN ORDINANCE AWARDED A CONSTRUCTION CONTRACT TO THE GFP GROUP IN THE AMOUNT OF \$179,000.00, AMENDING THE FY 2011-FY 2016 CAPITAL IMPROVEMENT PLAN BUDGET AND AUTHORIZING AN AGREEMENT WITH TXDOT TO ALLOW FOR THE CONSTRUCTION AND MAINTENANCE OF SALADO CREEK GREENWAY TRAIL IMPROVEMENTS WITHIN TXDOT RIGHT-OF-WAY LOCATED IN COUNCIL DISTRICT 10.

2011-02-10-0115

Item 16. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND THE ACCEPTANCE, UPON AWARD, OF \$4,000.00 FROM THE AMERICAN HUMANE ASSOCIATION.

2011-02-10-0116

Item 17. AN ORDINANCE AUTHORIZING THE SUBMISSION AND ACCEPTANCE UPON AWARD OF A CONTINUATION GRANT APPLICATION FOR THE JUVENILE ACCOUNTABILITY BLOCK GRANT FROM THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, STATE OF TEXAS, IN AN AMOUNT UP TO \$53,755.34 TO SUPPORT THE YOUTH AGAINST GANG ACTIVITY PROGRAM, FOR THE PERIOD SEPTEMBER 1, 2011 TO AUGUST 31, 2012; AND AUTHORIZING A CONTRACT WITH FAMILY SERVICE ASSOCIATION OF SAN ANTONIO, INC. AND DOCUMENTS IN CONNECTION WITH THE GRANT AWARD.

Item 18. CONSIDERATION OF THE FOLLOWING ORDINANCES RELATED TO THE FY 2011 HOMELAND SECURITY GRANT PROGRAM (HSGP):

2011-02-10-0117

- A. AN ORDINANCE AUTHORIZING THE SUBMISSION, ACCEPTANCE, AND APPROPRIATION UPON AWARD OF GRANT APPLICATIONS FOR FUNDS UP TO \$10,000,000.00 FROM THE TEXAS DIVISION OF EMERGENCY MANAGEMENT, STATE ADMINISTRATIVE AGENCY, AND FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), FOR THE 2011 HOMELAND SECURITY GRANT PROGRAM.

2011-02-10-0118

- B. AN ORDINANCE AUTHORIZING A TOTAL PERSONNEL COMPLEMENT OF 12 GRANT FUNDED POSITIONS UNDER THE HSGP GRANT PROGRAM.

2011-02-10-0119

- C. AN ORDINANCE AUTHORIZING A 50% "HARD" MATCH REQUIRED BY THE EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG). THE MATCH (ESTIMATED AT \$106,844) WILL BE USE TO OFFSET GENERAL FUND PERSONAL COST WITHIN THE OFFICE OF EMERGENCY MANAGEMENT.

2011-02-10-0120

- D. AN ORDINANCE AUTHORIZING THE EMERGENCY MANAGEMENT COORDINATOR (EMC) TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS TO EFFECTUATE 2003-2011 HSGP GRANT AWARDS ON BEHALF OF THE MAYOR, DIRECTOR OF EMERGENCY MANAGEMENT.

2011-02-10-0121

Item 19. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND ACCEPTANCE OF FUNDS UPON AWARD UP TO \$200,000.00 FROM THE U.S. DEPARTMENT OF JUSTICE (DOJ), OFFICE OF JUSTICE PROGRAMS (OJP), BUREAU OF JUSTICE ASSISTANCE (BJA) FOR AN INTELLECTUAL PROPERTY CRIME ENFORCEMENT PROGRAM GRANT.

PULLED FROM THE AGENDA

Item 20. AN ORDINANCE AMENDING CHAPTER 6 OF THE CITY CODE RELATED TO PROCEDURES FOR NAMING CITY STREETS AND FACILITIES.

Item 21. 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 PRISCILLA D. CAMACHO (MAYORAL) TO THE PARKS AND RECREATION BOARD.
- B. APPOINTING ARTURO VEGA (AT-LARGE, CATEGORY: UNIVERSITY REPRESENTATIVE - ST. MARY'S UNIVERSITY) TO THE WESTSIDE DEVELOPMENT CORPORATION FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE NOVEMBER 28, 2012.

2011-02-10-0122

Item 22. AN ORDINANCE AUTHORIZING AN AMENDMENT TO EXTEND THE PROFESSIONAL SERVICE AGREEMENT WITH RICONDO & ASSOCIATES, INC. FOR 24 MONTHS AND TO INCREASE THE CONTRACT AMOUNT BY \$250,000.00 FOR A TOTAL AMOUNT UP TO \$900,000.00 FOR AIRPORT FINANCIAL CONSULTING SERVICES FOR THE SAN ANTONIO AIRPORT SYSTEM.

2011-02-10-0123

Item 23. AN ORDINANCE ORDERING THE GENERAL CITY ELECTION TO BE HELD ON SATURDAY, MAY 14, 2011 AND RUN-OFF ELECTION TO BE HELD ON SATURDAY, JUNE 11, 2011 IF NECESSARY; AND AUTHORIZING AN AGREEMENT WITH BEXAR COUNTY TO CONDUCT A JOINT ELECTION ON SATURDAY, MAY 14, 2011 AND RUN-OFF ELECTION TO BE HELD ON SATURDAY, JUNE 11, 2011 IF NECESSARY.

[CONSENT ITEMS CONCLUDED]

EXECUTIVE SESSION

Mayor Castro recessed the meeting at 10:18 am to convene in Executive Session for the purposes 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).**
- B. Deliberations regarding economic development negotiations and related issues pursuant to Texas Government Code Section 551.087 (economic development).**
- C. Deliberate the duties and organization of the Office of the City Auditor and discuss related legal issues pursuant to Texas Government Code Section 551.074 (personnel matters) and 551.071 (consultation with attorney).**
- D. Discuss legal issues related to *Yvonne Sanchez, et al v. the City of San Antonio*, pursuant to Texas Government Code Section 551.071 (consultation with attorney).**

Mayor Castro reconvened the meeting at 12:01 pm at which time it was noted that the City Council had been briefed on the above-styled matters but took no action.

RECESSED

Mayor Castro recessed the meeting at 12:01 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 items pulled for Individual Consideration.

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2011-02-10-0108

Item 8. AN ORDINANCE AUTHORIZING THE CITY TO UTILIZE A COOPERATIVE CONTRACT WITH MUSCO SPORTS LIGHTING, LLC TO PROVIDE THE CAPITAL IMPROVEMENTS MANAGEMENT SERVICES DEPARTMENT WITH A CONTRACTOR TO INSTALL AN ENERGY SAVING LIGHTING SYSTEM FOR THE BURBANK HIGH SCHOOL

WALKING TRAIL LOCATED AROUND THE FOOTBALL FIELD FOR THE TOTAL COST OF \$76,500.00, FUNDED BY THE FY 2011-2016 CAPITAL IMPROVEMENTS PROGRAM BUDGET AND IS AVAILABLE FROM THE 2010 CERTIFICATES OF OBLIGATION.

Councilmember Medina highlighted the importance of said item stating that there was lack of lighting in the area. He asked of the timeline to complete the project. Mike reported that the project would provide for the installation of lighting around the track at Burbank High School and included 25-year maintenance. He noted that the timeline for completion was May, 2011. Councilmember Medina spoke of the importance of promoting a healthy lifestyle and encouraging fitness.

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:

2011-02-10-0109

Item 9. AN ORDINANCE AWARDED A CONSTRUCTION CONTRACT TO BLUE BAY CONSTRUCTION, LLC IN THE AMOUNT OF \$378,080.00 FOR THE DISTRICT 4 PARKS WEST PROJECT, AN AUTHORIZED 2007-2012 BOND PROJECT, LOCATED IN COUNCIL DISTRICT 4.

Councilmember Cortez asked of the three parks included in the contract and the scope of the projects. Mike Frisbie stated that for Gateway Terrace Park, an asphalt trail would be installed, as well as a rain garden detention pond, fencing, landscaping, lighting, and basketball court. He noted that Medina Base Park would receive a basketball court, concrete walkways, bleachers, lighting, 6-foot concrete exercise trail, and replacement of the low water crossing on the existing trail. Lastly, he stated that Stablewood Farms Park would receive lighting, rerouting of the existing trail, basketball court, bleachers, trash receptacles, and ADA improvements. Councilmember Cortez asked of the timeline. Mr. Frisbie replied that the projects were scheduled for completion in August, 2011.

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

The City Clerk read the following Ordinance:

CONTINUED

Item 10. AN ORDINANCE AWARDED A CONSTRUCTION CONTRACT TO JAMES CONSTRUCTION GROUP, LLC, (FORMERLY CRAVENS SERVICES) IN THE AMOUNT OF \$8,785,301.41, OF WHICH \$498,300.92 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM AND \$547,590.85 WILL BE REIMBURSED BY CPS ENERGY, FOR THE CALLAGHAN ROAD: CULEBRA ROAD TO COMMERCE STREET PROJECT, AN AUTHORIZED 2007-2012

GENERAL OBLIGATION BOND FUNDED PROJECT LOCATED IN COUNCIL DISTRICTS 6 AND 7.

Councilmember Rodriguez asked of the name change of the contractor and the impact to the quality of work on the project. Mike Frisbie replied that Cravens Services bid the project and was subsequently bought out by a larger national group, James Construction Group, LLC. He stated that the national capability of the company would benefit the project and they would be better equipped to meet the schedule. Councilmember Rodriguez asked if the group had a local presence. Mr. Frisbie stated that he would follow-up on same. Councilmember Rodriguez referred to the documentation of SAWS reimbursements noting that the streets and drainage line item was \$700,000 less than the next lowest bidder and hoped that the company would deliver a quality project. Mr. Frisbie replied that they had held an administrative hearing with the company and they reassured the city of their bid. Councilmember Lopez stated that he would like additional information on the plan for the property that will be assumed by Southwest. Councilmember Rodriguez asked of the Joe Ward Bathhouse and requested a follow-up on the design.

Councilmember Rodriguez moved to continue said item for 3 weeks. Councilmember Lopez seconded the motion.

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

The City Clerk read the following Ordinance:

2011-02-10-0114

Item 15. AN ORDINANCE ACCEPTING THE LOWEST RESPONSIVE BID AND AWARDING A CONSTRUCTION CONTRACT TO F.D. CONCRETE, LLC IN AN AMOUNT UP TO \$730,000.00 FOR CONSTRUCTION OF CONCRETE PADS FOR PLACEMENT OF AUTOMATED RESIDENTIAL RECYCLING AND GARBAGE CARTS IN VARIOUS ALLEYS.

Councilmember Cisneros asked when the project would begin and how the residents would be informed. David McCary stated that the project would begin in March and that all residents would be given notification so that they know what to expect. He noted that 97 of 295 alleys would be addressed in District 1 and that all of the alleys would be completed by the end of the 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, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro. **NAYS:** None. **ABSENT:** Medina.

The City Clerk read the following Ordinance:

2011-02-10-0124

Item 24. AN ORDINANCE AUTHORIZING A CONTRACT AMENDMENT IN ORDER TO AMEND THE BUDGET FOR THE DEPARTMENT OF STATE HEALTH SERVICES, COMMUNITY OBESITY PREVENTION PROJECT GRANT.

Councilmember Cortez asked if this was a Federal Grant. Charles Pruski stated that this was a State Grant. Councilmember Cortez asked how the funds would be utilized. Mr. Pruski stated that the monies were being reprogrammed to hire a Graphic Artist and Dietician to assist in the "Por Vida" Campaign that works with restaurants to offer healthy menu options. He added that there were three grants to combat obesity including Healthy Kids Healthy Communities, Community Obesity Prevention Project, and CPPW Grant Program. Councilmember Cortez asked of the communication with the community. Mr. Pruski stated that they are in the process of developing a web portal which will allow individuals to access fitness activities, as well as track health and progress. He added that they are identifying other restaurants to participate in the "Por Vida" Campaign.

Councilmember Lopez asked how all programs and initiatives were being publicized. Mr. Pruski replied that they would create an inventory of programs and work to educate the community. Councilmember Medina stated that this was a great opportunity to promote healthy lifestyles and address Diabetes.

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

The City Clerk read the following Ordinance:

2011-02-10-0125

Item 25. AN ORDINANCE AUTHORIZING A FUNDING AGREEMENT AND ACCEPTING UP TO \$68,500.00 FROM AMERICAN CAMPUS COMMUNITIES OPERATING PARTNERSHIP LP FOR COSTS RELATED TO THE CONSTRUCTION OF SIDEWALKS ON ONE SIDE OF BABCOCK ROAD AT UTSA BOULEVARD, AND ON ONE SIDE OF UTSA BOULEVARD FROM BABCOCK ROAD TO GEORGE BRACKENRIDGE, LOCATED IN COUNCIL DISTRICT 8; AND AUTHORIZING PAYMENT TO JCD CONSTRUCTION, LLC UNDER AN EXISTING INDEFINITE DELIVERY CONTRACT.

Councilmember Williams thanked staff for working on this project and asked for a map of the project area. He recognized American Campus Communities Operating Partnership for the funding for the sidewalks to provide for mobility and thanked the representatives present.

Councilmember Williams moved to adopt the proposed Ordinance. Councilmember Chan 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:

ADDENDUM #1

2011-02-10-0126

Item 28. AN ORDINANCE APPOINTING AN ACTING CITY INTERNAL AUDITOR FOR THE CITY OF SAN ANTONIO.

Mayor Castro stated that said item would appoint an Acting City Internal Auditor while the City Auditor is out on leave. Councilmember Cortez thanked the City Council for their work on the process to identify an Acting City Auditor.

Councilmember Cortez moved to adopt the proposed Ordinance appointing Kevin Barthold as the Acting City Internal Auditor for the City of San Antonio. Councilmember Lopez seconded the motion.

Councilmember Williams thanked Mr. Barthold for agreeing to serve in an acting capacity. Councilmember Ramos also thanked Mr. Barthold for his service and stated that she looked forward to working with him through the Audit Council Committee.

Mr. Barthold thanked the City Council for the opportunity to serve.

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

At this time, Item 4 was addressed.

ITEM 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 reported that House Committee Assignments had been announced on February 9, 2011 and that 1,900 bills had been filed to date. He provided a list of 82nd Legislature Committees and City of San Antonio Initiatives filed. He highlighted HB 1089 related to Graffiti filed by Representative Martinez Fischer; HB 727 - Extension of Diabetes Mellitus Pilot Program filed by Representative Gutierrez; HB 1055 – Historic Document Preservation Fee filed by Representative Villarreal; and numerous bills related to Transportation. He stated that Senate Hearings related to SB 1 would occur through March 1st and that the House Appropriations Committee Hearing related to HB 1 was held on February 9, 2011. Lastly, he noted that staff would work with the Delegation on bills in Legislative Council to ensure filing and monitor hearings on Appropriations Bills and other bills that would negatively impact the City of San Antonio.

Councilmember Lopez asked what Committee would oversee the restructuring of the sales tax. Mr. Contreras stated that it was the Appropriations Committees of the House and Senate and that a bill regarding same could be filed separately. Councilmember Lopez requested that staff create a quick mobilization plan and identify the individuals required to testify. Mr. Contreras stated that he would provide that information to the City Council.

There was no action required for Item 4.

Item 27. CITY MANAGER'S REPORT

A. TOP TEN CODE CASES CITY-WIDE

Ms. Sculley reported on the top ten code violations within the city. She stated that staff had begun identifying the major chronic violators over three years ago after a fire occurred in the 5700 Block of Commerce Street. She reported that of the 30 properties identified over the past three years; 26 remain compliant. She noted that Code Enforcement, City Attorney's Office, and the State of Texas were working to ensure that the two remaining properties from Series 1 and 2, located in the 11000 Block of Applewhite Road and the 13000 Block of Wetmore Road, come into compliance. She mentioned that two properties from Series 3 remain out of compliance and staff is working with the property owners to address the issues.

Mayor Castro thanked city staff for their work, noting that code issues can significantly diminish the quality of life of a neighborhood.

ADJOURNMENT

There being no further discussion, Mayor Castro adjourned the meeting at 3:08 pm.

APPROVED



**JULIÁN CASTRO
MAYOR**

Attest:



LETICIA M. VACEK, TRMC/CMC

City Clerk