

RECEIVED  
CITY OF SAN ANTONIO  
CITY CLERK

2016 MAY -6 PM 3: 21

## City of San Antonio



### AGENDA City Council A Session

City Hall Complex  
105 Main Plaza  
San Antonio, Texas 78205

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**Thursday, May 12, 2016**

**9:00 AM**

**Municipal Plaza Building**

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The City Council shall hold its regular meetings in the Norma S. Rodriguez Council Chamber in the Municipal Plaza Building within the City Hall Complex beginning at 9:00 AM. After the meeting is convened, the City Council shall consider the following time certain items no sooner than the designated times, but may consider them at a later time.

**9:00AM: Invocation and Approval of Minutes**

**12:00PM: Lunch Break**

**6:00PM: Adjourn**

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The City Council of San Antonio will convene in the Norma S. Rodriguez Council Chamber, Municipal Plaza Building in a Regular Council Meeting at 9:00 A.M.

1. Invocation by Reverend Paul Gaedke, Associate Pastor, San Pedro Presbyterian Church, guest of Councilmember Joe Krier, District 9.



2. Pledge of Allegiance
3. Approval of Minutes for the Regular City Council Meetings of April 6 - 7, 2016

**THE FOLLOWING ITEMS MAY BE CONSIDERED AT ANY TIME DURING THE REGULAR COUNCIL MEETING:**

**CONSENT AGENDA**

**Purchase of Services, Supplies and Equipment**

4. An Ordinance accepting the bids from Mission Golf Cars and Ewald Kubota Tractor to provide six additional and two replacement light utility vehicles to the City's Parks & Recreation, Center City & Operations, and Aviation Departments for a total cost of \$76,128.76, funded from the General Fund and the Parking and Airport Operations & Maintenance Funds. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]
5. An Ordinance authorizing the following contracts establishing unit prices for goods and services for an estimated annual cost of \$265,000.00: (A) AWE, Inc. dba Advanced Workstations in Education for early literacy stations & accessories (B) Automated Logic Corporation for building automation system maintenance for various facilities, and (C) Zoll Medical Corporation for Zoll AED defibrillators & accessories. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

**Capital Improvements**

6. An Ordinance authorizing a Job Order Contract with Kencon Constructors in an amount not to exceed \$157,983.45 for the FY 2016 Municipal Retrofits Project, a FY 2016 Energy Efficiency Funds funded project, for providing energy efficient retrofits for City owned facilities located in Council Districts 3, 4, and 5. [Peter Zaroni, Deputy City Manager; Douglas Melnick, Director, Office of Sustainability]
7. An Ordinance for the Japanese Tea Garden Improvement Project authorizing a task order to a Job Order Contract with The Sabinal Group, in an amount not to exceed \$165,436.08, a 2012-2017 Bond



Project, located in Council District 2. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

**Acquisition, Sale or Lease of Real Property**

8. An Ordinance declaring as surplus the property commonly known as The German-English School, located at 421 South Alamo in Council District 1, and authorizing its sale to HH San Antonio LLC for \$1,900,000.00. [Lori Houston, Assistant City Manager; John Jacks, Interim Director, Center City Development & Operations]
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10. An Ordinance authorizing a lease agreement with Clayton Aircraft Services, LLC for Building 612/Hangar 8 and 5,800 square feet of ground space at Stinson Municipal Airport and generating \$5,821.80 in annual revenue. [Carlos R. Contreras, Assistant City Manager; Noel T. Jones, Director, Aviation]
11. An Ordinance authorizing an Amendment to the River Walk patio lease agreement with R & D Brands Inc. d/b/a Bella on the River to extend the lease term through May 31, 2021. [Lori Houston, Assistant City Manager; John Jacks, Interim Director, Center City Development & Operations]

**Boards, Commissions and Committee Appointments**

12. Consideration of the following Board, Commission and Committee appointments for the remainder of unexpired terms of office to expire May 31, 2017, 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: [Leticia M. Vacek, City Clerk]
  - A) Appointing Geraldine J. Garcia (District 5) to the Mayor's Commission on the Status of Women.
  - B) Reappointing Valeria Hernandez (District 5) to the San Antonio



Arts Commission.

**Miscellaneous**

13. An Ordinance amending the FY 2016 Annual Operating Budget based on actual revenues and expenditures for the first six months of FY 2016 (October 2015 to March 2016) and projections for the remaining six months of FY 2016 (April 2016 to September 2016) in the General Fund and various Restricted Funds and authorizing positions. [María Villagómez, Assistant City Manager; John Woodruff, Director, Management and Budget]
14. An Ordinance approving the Financial Underwriter Syndicate selected from the Financial Underwriting Pool for financings of General Improvement and Refunding Bonds, Series 2016, Combination Tax and Revenue Certificates of Obligation, Series 2016, and Tax Notes, Series 2016. [Ben Gorzell, Jr., Chief Financial Officer; Troy Elliott, Director of Finance]
15. An Ordinance authorizing and approving publication of Notice of Intention to issue City of San Antonio, Texas Combination Tax and Revenue Certificates of Obligation in one or more series in a maximum aggregate principal amount not to exceed \$125,000,000; and providing for an effective date. [Ben Gorzell, Chief Financial Officer, Troy Elliott, Director, Finance]
16. An Ordinance authorizing the final extension of a contract with Tri-Starr Personnel, LLC to provide medical staffing at the San Antonio Fire Department Wellness Center through September 30, 2017 in an amount not to exceed \$300,000.00. [Erik J. Walsh, Deputy City Manager; Charles N. Hood, Fire Chief]
17. An Ordinance authorizing an agreement with The Evolvers Group, L.P. for professional healthcare services for the Metropolitan Health District's STD/HIV Health Program for a total amount not to exceed \$50,000.00 for an initial term ending September 30, 2016 and three optional one year renewals. [Erik Walsh, Deputy City Manager; Dr. Vincent R. Nathan, Director, Health]
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Technology Network to increase digital literacy. [Maria Villagomez, Assistant City Manager; Ramiro Salazar, Director, San Antonio Public Library]

19. An Ordinance authorizing an amendment of a Professional Services Agreement in the amount of \$620,000.00 and authorizes payment for \$60,000.00 in contingency and \$60,000.00 in required project fees from the 2015 Proposition 2 Sales Tax Initiative to Bain Medina Bain, Inc. in the total amount of \$740,000.00 to provide design and construction administration for an additional 3.5-mile extension of the Howard W. Peak Greenway Trail System along Salado Creek from Loop 1604 to Eisenhower Park in Council District 9. [María D. Villagómez, Assistant City Manager; Janet A. Martin, Interim Director, Parks and Recreation]
20. An Ordinance approving the Fiscal Year 2017 Budget in the amount of \$40,618,127 for the Pre-K 4 SA program as adopted by the Pre-K 4 SA Board of Directors. [Peter Zanoni, Deputy City Manager; Kathy Bruck, CEO, Pre-K 4 SA]

#### City Manager's Report

21. City Manager's Report  
A. VITA Update  
B. Library Update

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  - B) Reappointing Valeria Hernandez (District 5) to the San Antonio



Arts Commission.

C) Appointing Sylvia S. Romo (Mayoral) to the Port Authority of San Antonio.

### Miscellaneous

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2016 MAY -6 PM 3:21



**AGENDA**  
**City Council B Session**

City Hall Complex  
105 Main Plaza  
San Antonio, Texas 78205

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**Wednesday, May 11, 2016**

**2:00 PM**

**Municipal Plaza Building**

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The City Council of San Antonio will convene in the "B" Room of the Municipal Plaza Building at 2:00 P.M. for discussion and possible action on the following:

1. Briefing and possible action on the FY 2016 Six Plus Six Financial Report (2nd Quarter Actuals with Annualized Projections), Mid Year Budget Adjustment Recommendations, and Five Year Financial Forecast. [María Villagómez, Assistant City Manager; John Woodruff, Director, Management and Budget]
2. Briefing on the Pre-K 4 SA Board of Directors adopted FY 2017 Budget. [Peter Zaroni, Deputy City Manager; Kathy Bruck, CEO, Pre-K 4 SA]

At any time during the meeting, the City Council may recess into executive session to discuss the following:

- A. Deliberations regarding economic development negotiations and discuss related legal issues pursuant to Texas Government Code Sections 551.087 (economic development) and 551.071 (consultation with attorney).
- B. 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).
- C. Discuss legal issues related to collective bargaining pursuant to Texas Government Code Section 551.071 (consultation with attorney).

- D. Deliberate competitive matters regarding CPS Energy and discuss related legal issues pursuant to Texas Government Code Section 551.086 (competitive matters) and Texas Government Code Section 551.071 (consultation with attorney).
- E. Discuss legal issues related to annexation pursuant to Texas Government Code Section 551.071 (consultation with attorney).

**Adjourn**

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**5:15 PM (may be heard after this time) - Ceremonial Recognitions**

**6:00 PM (may be heard after this time) - Citizens to be Heard**

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agreed on by early October and that funding for the amendments could potentially be needed for a tentative agreement.

The City began meeting with the police union to negotiate a new collective bargaining contract in January 2014. Significant progress was made during the month of September 2015; however on September 30, the Police Union notified the Mayor and City Council of their decision to cease contract negotiations. As a result of this, the amendments to the FY 2016 General Fund Budget, deferred in September, were approved by City Council in October.

As part of the City's financial management practices, City Council will be provided an update on the City's FY 2016 Budget. The FY 2016 Six Plus Six Budget and Financial Status Report will focus on the financial performance through the Second Quarter (October through March) of the fiscal year and will provide projections for the remaining six months of the fiscal year (March through September).

Additionally, the FY 2016 Proposed Mid-Year Budget adjustment will be presented to the City Council. This recommends adjustments based on revenue and expense actual activity seen in the first six months of the fiscal year along with revenue and expense projections for the remainder of the fiscal year. The recommended FY 2016 Mid-Year Budget Adjustment Ordinance will be considered during the May 12, 2016 City Council "A" Session.

**FY 2017 to FY 2021 Five-Year Financial Forecast.** Also presented to City Council on May 11, 2016 will be the City's Five-Year Financial Forecast covering Fiscal Year 2017 through Fiscal Year 2021. The Financial Forecast provides a current and long-range financial assessment addressing revenues, City services and programs, and financial reserves. The Forecast will focus on the City's General Fund, Development Services Enterprise Fund, Solid Waste Enterprise Fund, and the HOT Related Funds.

The Financial Forecast is a projection of revenues and expenses for the next five fiscal years based on a set of known economic assumptions as of April 2016. The Financial Forecast is not a budget, it is intended to provide the City Council and the community with an early financial outlook for the City as the budget development process begins for FY 2017.

#### **ISSUE:**

City Council will be presented with the FY 2016 Six Plus Six Financial Report (2nd Quarter Actuals with Annualized Projections) along with the FY 2016 Mid-Year Budget Adjustment Recommendations for the operating and capital budgets. The recommended FY 2016 Mid-Year Budget Adjustment Ordinance will be considered during the May 12, 2016 City Council "A" Session.

The City's Five-Year Financial Forecast for FY 2017 to FY 2021 will be presented to the City Council. This Forecast will provide the City Council with financial projections and help identify significant issues that need to be addressed in the upcoming FY 2017 Budget Development Process. The Forecast will focus on the City's General Fund, Development Services Enterprise Fund, Solid Waste Enterprise Fund, and the HOT Related Funds.

#### **ALTERNATIVES:**

This is an informational briefing only.

**FISCAL IMPACT:**

This briefing is for informational purposes. The FY 2016 Mid-Year Adjustment recommendations will be considered at the May 12, 2016 City Council "A" session.

**RECOMMENDATION:**

The FY 2016 Six Plus Six Budget and Finance Report presentation is a briefing item with no staff recommendation to be considered by the City Council. The recommended Mid-Year Budget Adjustment will be considered by City Council at the May 12, 2016 "A" Session.

The Five-Year Financial Forecast is a briefing item with no staff recommendation to be considered by the City Council.

**SUPPORTING DOCUMENT NOTICE**

**This City Council Agenda Memo contains 1 or more attachments.**

**The attachment(s) may be accessed and viewed through the City's Website at [www.sanantonio.gov](http://www.sanantonio.gov) and selecting the Council Agenda link.**

**Copies of the agenda and any supporting documents may also be requested through the Office of the City Clerk or any public library.**



# City of San Antonio

## Agenda Memorandum

**File Number:** 16-2554

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**Agenda Item Number:** 2.

**Agenda Date:** 5/11/2016

**In Control:** City Council B Session

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**DEPARTMENT:** Pre-K 4 SA

**DEPARTMENT HEAD:** Kathy Bruck, CEO

**COUNCIL DISTRICTS IMPACTED:** City Wide

### **SUBJECT:**

Pre-K 4 SA FY 2017 Budget

### **SUMMARY:**

During the May 11, 2016 "B" Session, staff will present the Pre-K 4 SA FY 2017 Budget adopted by the Pre-K 4 SA Board of Directors on April 5, 2016. The Council is scheduled to consider approving the FY 2017 Pre-K 4 SA Budget on May 12, 2016, as required by the Pre-K 4 SA bylaws.

### **BACKGROUND INFORMATION:**

City staff will provide City Council with an overview of the Pre-K 4 SA program's Board of Directors Adopted FY 2017 Budget. The Board of Directors bylaws, approved by City Council, require that City Council approve the program's annual Budget on or before July 1 of each year. As stated in the bylaws, an Annual Budget is required to be adopted by the Board by May 1 each year and approved by City Council prior to the start of the new program year on July 1. Council consideration of the Board of Director's Adopted FY 2017 Budget is scheduled for the Council "A" session on May 12, 2016.

### **ISSUE:**

Below is an overview of the Board of Director's Adopted Operating Budget for FY 2017 to include major program areas.

<b>Operating Expenses</b>	<b>Adopted Budget FY 2017</b>
Pre-K 4 SA Education Center Services	\$ 28,666,898
Transportation Services	\$ 1,026,332
Facilities Leases & Maintenance	\$ 5,653,342
Competitive Grants	\$ 4,592,019
Professional Development	\$ 1,966,810
Program Assessment	\$ 237,467
Administration	\$ 1,575,811
Transfers	\$ 3,840,535
<i>Total Budget</i>	<i>\$ 47,559,214</i>

<b>Revenues</b>	<b>Adopted Budget FY 2017</b>
Sales Tax	\$ 34,101,742
State/Local Match	\$ 4,166,400
USDA (Food)	\$ 1,425,416
Sliding Scale Tuition	\$ 900,000
Interest/Misc Revenue	\$ 24,569
Fund Balance	\$ 6,941,087
<i>Total Revenues &amp; Transfers</i>	<i>\$ 47,559,214</i>

The FY 2017 sales tax assumes a 3.1% growth rate from the FY 2016 estimate. Sales tax makes up 84% of the Pre-K 4 SA total revenue. State/Local Match, USDA and Sliding Scale tuition have a 13%, 15% and 35% increase respectively from the FY 2016 Estimate. This is due to an increase of 300 students for the 2016-2017 school year.

The FY 2017 Board of Director's Adopted Annual Budget reflects a 22% increase from the FY 2016 Adopted Annual Budget. Pre-K 4 SA will accept a total of 2,000 students for the 2016-2017 school year, which reflects over a 17% increase in students from the 2015-2016 school year. Appropriations are required for the hiring of Education Center staff, food service, and other expenses required for the daily operations of each Education Center.

#### **ALTERNATIVES:**

The Board of Director's Adopted FY 2017 Budget will be placed on the agenda for the May 12, 2016 "A" Session. City Council could choose to not approve the Board of Director's Adopted FY 2017 Pre-K 4 SA Budget and request changes to the budget by the Corporation. In this event, the Corporation's Board of Directors would need to amend their adopted Budget(s) and forward the budget(s) to the City Council for approval.

#### **FISCAL IMPACT:**

This is a briefing only and will not impact the City's General Fund Budget. The Council is scheduled to consider approving the FY 2017 Pre-K 4 SA Budget on May 12, 2016, as required by the Pre-K 4 SA bylaws. It does allow City Council to approve the fiscal year budgets for the Pre-K 4 SA program: the FY 2017 budget.

**RECOMMENDATION:**

This is a staff briefing. Staff intends to take the Pre-K 4 SA FY 2017 Adopted Operating Budget to City Council for consideration on May 12, 2016.



**PRE-K 4 SA  
SUMMARY OF ADOPTED BUDGET**

Description:

In November 2012, voters approved a 1/8 cent sales tax to fund the Pre-K 4 SA initiative to provide high quality pre-k for four year olds throughout San Antonio. The Fiscal Year for Pre-K 4 SA runs from July 1 through June 30.

	ACTUAL FY 2015	BUDGET FY 2016	ESTIMATED FY 2016	ADOPTED FY 2017
<b>AVAILABLE FUNDS</b>				
Beginning Balance	\$ 17,556,680	\$ 18,957,445	\$ 19,585,654	\$ 19,510,394
<i>Net Balance</i>	\$ 17,556,680	\$ 18,957,445	\$ 19,585,654	\$ 19,510,394
<u>REVENUES</u>				
Sales Tax	\$ 32,137,216	\$ 34,033,665	\$ 33,068,357	\$ 34,101,742
State/Local Match	3,114,667	4,047,360	3,692,615	4,166,400
USDA (Food)	933,609	1,308,012	1,235,906	1,425,416
Sliding Scale Tuition	393,483	374,000	666,182	900,000
Interest/Misc Revenue	437,326	28,244	106,661	24,569
<i>Total Revenues &amp; Transfers</i>	\$ 37,016,301	\$ 39,791,281	\$ 38,769,721	\$ 40,618,127
<b>TOTAL AVAILABLE FUNDS</b>	\$ 54,572,981	\$ 58,748,726	\$ 58,355,375	\$ 60,128,521
<u>APPROPRIATIONS</u>				
<u>Operating Expenses</u>				
Pre-K 4 SA Education Centers	\$ 20,973,245	\$ 23,632,869	\$ 23,844,366	\$ 26,413,182
Transportation Services	954,547	1,026,128	985,575	1,026,332
Facilities Leases & Maintenance	5,062,482	5,615,222	5,098,144	5,653,342
Competitive Grants	-	-	-	4,592,019
Professional Development	1,841,125	2,045,781	1,907,620	1,966,810
Program Assessment	195,719	132,068	237,467	237,467
Enrollment/Attendance Services	-	-	-	662,287
Public Relations/Marketing	367,036	379,361	664,605	909,394
Sales Tax Collection Fee	635,223	680,673	674,522	682,035
Administration	1,470,124	1,762,162	1,675,309	1,575,811
<i>Subtotal Operating</i>	\$ 31,499,501	\$ 35,274,264	\$ 35,087,608	\$ 43,718,680
<u>Transfers To</u>				
General Fund-Indirect Cost	176,665	235,553	423,666	486,370
Transfers to Debt Service	3,311,161	3,335,484	3,333,707	3,354,165
Transfers to Insurance Reserve	-	-	-	-
<i>Subtotal Transfers</i>	\$ 3,487,826	\$ 3,571,037	\$ 3,757,373	\$ 3,840,535
<b>TOTAL APPROPRIATIONS</b>	\$ 34,987,327	\$ 38,845,301	\$ 38,844,981	\$ 47,559,214
<b>GROSS ENDING BALANCE</b>	\$ 19,585,654	\$ 19,903,425	\$ 19,510,394	\$ 12,569,306

Attachment II  
Pre-K 4 SA FY 2017 Proposed Personnel Complement

**Pre-K Education Centers**

Position Title	FY 2016 Adopted	FY 2016 Midyear	FY 2017 Adopted
Director	4	4	4
Assistant Director	8	8	8
Master Teacher	104	107	120
Teacher	2	2	0
Extended Day Coordinator	4	4	4
Teacher Assistant II	102	102	116
Teacher Assistant I (Transportation)	34	34	34
Teacher Assistant I (Part Time)	52	52	80
Family Specialist	8	8	8
Senior Nurse	5	4	4
Administrative Associate	8	8	8
Administrative Assistant I (Data Clerk)	4	4	0
Cafeteria Assistant	4	4	4
Cafeteria Supervisor	4	4	4
Substitute School Nurses (Part Time)	2	2	0
<b>Total Pre K Centers</b>	<b>345</b>	<b>347</b>	<b>394</b>

**Facilities Maintenance**

Position Title	FY 2016 Adopted	FY 2016 Midyear	FY 2017 Adopted
Supervisor	1	1	1
Crew Leader II	4	4	4
Building Maintenance Custodian	21	21	21
	<b>26</b>	<b>26</b>	<b>26</b>

**Professional Development**

Position Title	FY 2016 Adopted	FY 2016 Midyear	FY 2017 Adopted
Director	1	1	1
Professional Development Coach	15	14	14
Administrative Associate	1	1	1
	<b>17</b>	<b>16</b>	<b>16</b>

Attachment II

Pre-K 4 SA FY 2017 Proposed Personnel Complement

**Public Relations/Marketing**

Position Title	FY 2016 Adopted	FY 2016 Midyear	FY 2017 Adopted
Special Projects Manager	1	1	1
	1	1	1

**Competitive Grants**

Position Title	FY 2016 Adopted	FY 2016 Midyear	FY 2017 Adopted
Special Projects Manager	0	1	1
Management Analyst	0	1	2
Professional Development Coach	0	0	2
	0	2	5

**Enrollment**

Position Title	FY 2016 Adopted	FY 2016 Midyear	FY 2017 Adopted
Sr. Management Analyst	0	0	1
Administrative Assistant I (Data Clerk)	0	0	4
Administrative Associate	0	0	1
	0	0	6

**Administration**

Position Title	FY 2016 Adopted	FY 2016 Midyear	FY 2017 Adopted
Chief Executive Officer	1	1	1
Sr. Executive Secretary	1	1	1
Special Projects Manager	1	1	1
Department Fiscal Administrator	1	1	1
Senior Accountant	1	1	1
Accountant	1	1	1
Procurement Specialist II	1	1	1
Time & Attendance Specialist	2	2	2
Employee Relations Business Partner	1	1	1
Human Resources Specialist	1	1	1
Executive Assistant	1	1	1
Sr. Management Analyst	3	3	2
Administrative Associate	3	2	1
<b>Total</b>	18	17	15

TOTAL POSTIONS	FY 2016 Adopted	FY 2016 Midyear	FY 2017 Adopted
	407	409	463



2016 MAY -5 PM 3:22

## City of San Antonio



### AGENDA City Council A Session

City Hall Complex  
105 Main Plaza  
San Antonio, Texas 78205

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Thursday, May 12, 2016

9:00 AM

Municipal Plaza Building

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The City Council shall hold its regular meetings in the Norma S. Rodriguez Council Chamber in the Municipal Plaza Building within the City Hall Complex beginning at 9:00 AM. After the meeting is convened, the City Council shall consider the following time certain items no sooner than the designated times, but may consider them at a later time.

**9:00AM: Invocation and Approval of Minutes**

**12:00PM: Lunch Break**

**6:00PM: Adjourn**

At any time during the meeting, the City Council may meet in executive session for consultation concerning attorney-client matters under Chapter 551 of the Texas Government Code.

Citizens may appear before the City Council to speak for or against any item on this agenda, in accordance with procedural rules governing City Council meetings. Questions relating to these rules may be directed to the Office of the City Clerk at (210) 207-7253.

#### DISABILITY ACCESS STATEMENT

**This meeting site is wheelchair accessible. The Accessible Entrance is located at the Municipal Plaza Building / Main Plaza Entrance. Accessible Visitor Parking Spaces are located at City Hall, 100 Military Plaza, north side. Auxiliary Aids and Services, including Deaf interpreters, must be requested forty-eight [48] hours prior to the meeting. For assistance, call (210) 207-7268 or 711 Texas Relay Service for the Deaf.**

For additional information on any item on this agenda, please visit [www.sanantonio.gov](http://www.sanantonio.gov) or call 207-7080.

The City Council of San Antonio will convene in the Norma S. Rodriguez Council Chamber, Municipal Plaza Building in a Regular Council Meeting at 9:00 A.M.

1. Invocation by Reverend Paul Gaedke, Associate Pastor, San Pedro Presbyterian Church, guest of Councilmember Joe Krier, District 9.

2. Pledge of Allegiance
3. Approval of Minutes for the Regular City Council Meetings of April 6 - 7, 2016

**THE FOLLOWING ITEMS MAY BE CONSIDERED AT ANY TIME DURING THE REGULAR COUNCIL MEETING:**

**CONSENT AGENDA**

**Purchase of Services, Supplies and Equipment**

4. An Ordinance accepting the bids from Mission Golf Cars and Ewald Kubota Tractor to provide six additional and two replacement light utility vehicles to the City's Parks & Recreation, Center City & Operations, and Aviation Departments for a total cost of \$76,128.76, funded from the General Fund and the Parking and Airport Operations & Maintenance Funds. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]
5. An Ordinance authorizing the following contracts establishing unit prices for goods and services for an estimated annual cost of \$265,000.00: (A) AWE, Inc. dba Advanced Workstations in Education for early literacy stations & accessories (B) Automated Logic Corporation for building automation system maintenance for various facilities, and (C) Zoll Medical Corporation for Zoll AED defibrillators & accessories. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

**Capital Improvements**

6. An Ordinance authorizing a Job Order Contract with Kencon Constructors in an amount not to exceed \$157,983.45 for the FY 2016 Municipal Retrofits Project, a FY 2016 Energy Efficiency Funds funded project, for providing energy efficient retrofits for City owned facilities located in Council Districts 3, 4, and 5. [Peter Zaroni, Deputy City Manager; Douglas Melnick, Director, Office of Sustainability]
7. An Ordinance for the Japanese Tea Garden Improvement Project authorizing a task order to a Job Order Contract with The Sabinal Group, in an amount not to exceed \$165,436.08, a 2012-2017 Bond

Project, located in Council District 2. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

#### **Acquisition, Sale or Lease of Real Property**

8. An Ordinance declaring as surplus the property commonly known as The German-English School, located at 421 South Alamo in Council District 1, and authorizing its sale to HH San Antonio LLC for \$1,900,000.00. [Lori Houston, Assistant City Manager; John Jacks, Interim Director, Center City Development & Operations]
9. An Ordinance authorizing a lease and concession agreement with Northwest Petroleum, LP for a gas station, convenience store and fast food restaurant at the San Antonio International Airport. [Carlos R. Contreras, Assistant City Manager; Noel T. Jones, Director, Aviation]
10. An Ordinance authorizing a lease agreement with Clayton Aircraft Services, LLC for Building 612/Hangar 8 and 5,800 square feet of ground space at Stinson Municipal Airport and generating \$5,821.80 in annual revenue. [Carlos R. Contreras, Assistant City Manager; Noel T. Jones, Director, Aviation]
11. An Ordinance authorizing an Amendment to the River Walk patio lease agreement with R & D Brands Inc. d/b/a Bella on the River to extend the lease term through May 31, 2021. [Lori Houston, Assistant City Manager; John Jacks, Interim Director, Center City Development & Operations]

#### **Boards, Commissions and Committee Appointments**

12. Consideration of the following Board, Commission and Committee appointments for the remainder of unexpired terms of office to expire May 31, 2017, 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: [Leticia M. Vacek, City Clerk]

A) Appointing Geraldine J. Garcia (District 5) to the Mayor's Commission on the Status of Women.

B) Reappointing Valeria Hernandez (District 5) to the San Antonio

Arts Commission.

**Miscellaneous**

13. An Ordinance amending the FY 2016 Annual Operating Budget based on actual revenues and expenditures for the first six months of FY 2016 (October 2015 to March 2016) and projections for the remaining six months of FY 2016 (April 2016 to September 2016) in the General Fund and various Restricted Funds and authorizing positions. [María Villagómez, Assistant City Manager; John Woodruff, Director, Management and Budget]
14. An Ordinance approving the Financial Underwriter Syndicate selected from the Financial Underwriting Pool for financings of General Improvement and Refunding Bonds, Series 2016, Combination Tax and Revenue Certificates of Obligation, Series 2016, and Tax Notes, Series 2016. [Ben Gorzell, Jr., Chief Financial Officer; Troy Elliott, Director of Finance]
15. An Ordinance authorizing and approving publication of Notice of Intention to issue City of San Antonio, Texas Combination Tax and Revenue Certificates of Obligation in one or more series in a maximum aggregate principal amount not to exceed \$125,000,000; and providing for an effective date. [Ben Gorzell, Chief Financial Officer, Troy Elliott, Director, Finance]
16. An Ordinance authorizing the final extension of a contract with Tri-Starr Personnel, LLC to provide medical staffing at the San Antonio Fire Department Wellness Center through September 30, 2017 in an amount not to exceed \$300,000.00. [Erik J. Walsh, Deputy City Manager; Charles N. Hood, Fire Chief]
17. An Ordinance authorizing an agreement with The Evolvers Group, L.P. for professional healthcare services for the Metropolitan Health District's STD/HIV Health Program for a total amount not to exceed \$50,000.00 for an initial term ending September 30, 2016 and three optional one year renewals. [Erik Walsh, Deputy City Manager; Dr. Vincent R. Nathan, Director, Health]
18. An Ordinance authorizing the acceptance of the FY 2016 Digital Inclusion Fellowship award in the amount of \$59,836.00 for the period of July 18, 2016 to July 17, 2017 granted by Nonprofit

Technology Network to increase digital literacy. [Maria Villagomez, Assistant City Manager; Ramiro Salazar, Director, San Antonio Public Library]

19. An Ordinance authorizing an amendment of a Professional Services Agreement in the amount of \$620,000.00 and authorizes payment for \$60,000.00 in contingency and \$60,000.00 in required project fees from the 2015 Proposition 2 Sales Tax Initiative to Bain Medina Bain, Inc. in the total amount of \$740,000.00 to provide design and construction administration for an additional 3.5-mile extension of the Howard W. Peak Greenway Trail System along Salado Creek from Loop 1604 to Eisenhower Park in Council District 9. [Maria D. Villagómez, Assistant City Manager; Janet A. Martin, Interim Director, Parks and Recreation]
20. An Ordinance approving the Fiscal Year 2017 Budget in the amount of \$40,618,127 for the Pre-K 4 SA program as adopted by the Pre-K 4 SA Board of Directors. [Peter Zanoni, Deputy City Manager; Kathy Bruck, CEO, Pre-K 4 SA]

#### City Manager's Report

21. City Manager's Report  
A. VITA Update  
B. Library Update

**THE CITY COUNCIL WILL RECESS FOR LUNCH AT NOON AND RECONVENE TO CONSIDER ANY UNFINISHED COUNCIL BUSINESS**

#### ADJOURNMENT

6:00 P.M. – If the Council has not yet adjourned, the presiding officer shall entertain a motion to continue the council meeting, postpone the remaining items to the next council meeting date, or recess and reconvene the meeting at a specified time on the following day.



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



**DRAFT**

**Meeting Minutes**

**City Council B Session**

City Hall Complex  
105 Main Plaza  
San Antonio, Texas 78205

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Wednesday, April 6, 2016

2:00 PM

Municipal Plaza Building

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The City Council of San Antonio convened in the "B" Room of the Municipal Plaza Building. City Clerk Leticia Vacek took the Roll Call with the following Councilmembers present:

**PRESENT:** 10 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Gonzales, Medina, Nirenberg, Krier, and Gallagher

**ABSENT:** 1 - Lopez

Mrs. Vacek announced that Councilmember Lopez was out due to a medical emergency.

1. A Briefing on the River Barge Design Competition for a new fleet design in preparation for the City's 300th anniversary celebrations in 2018. [Lori Houston, Assistant City Manager; John Jacks, Interim Director, Center City Development]

John Jacks presented information on the River Barge Design Competition and highlighted the Members that served on the Jury and Technical Committees. He stated that during Phase 1; there were 19 Registrants and 12 Anonymous Submissions. He outlined the Evaluation Criteria noting that 60% was allocated toward Constructability, Functionality, & Maintenance; while 40% was allocated toward Design and Innovation. He spoke of Phase 2 which included Innovation, incorporating the San Antonio Culture, and the Technical

Review Process. He reported that the Jury selected Metalab Design and highlighted their design which includes durable materials and San Antonio Branding. He outlined next steps and stated that the new fleet would be operational in September 2017. He added that the Rio SA Cruises Contract would be extended to September 30, 2017 and that they would increase ticket pricing effective May 1, 2017.

Mr. Jacks reported that the Barge Operator Request for Proposals (RFP) would be released next month and outlined the Scope and Criteria. He stated that the proposals were due in July and would award the contract in October.

Mayor Taylor thanked staff for the presentation and stated that she was pleased with the creativity in relationship to the process. She asked of the cost and payment for the new barges. Mr. Jacks replied that they estimated purchasing 44 barges at a maximum cost of \$4 Million. Lori Houston added that they would issue debt for the \$4 Million and service the debt with revenue received from the Barge Contract. Mayor Taylor asked of the life of the barges. Mr. Jacks stated that the life cycle was 20 years.

Councilmember Viagran stated that changing the barges was long overdue and asked of the battery life. Mr. Jacks replied that the expectation was that all electric barges would operate in the same time frame as they are operating today in which the battery could be used from 12-14 hours. Councilmember Viagran asked of the responsibility of maintaining the batteries and charging the fleet. Mrs. Houston replied that it would be the responsibility of the selected Operator. Councilmember Viagran asked what made Metalabs stand out from the other proposals. Mr. Jacks indicated that it was based on their durability, maintainability, and accessibility.

Councilmember Warrick asked of the local manufacturers available to create the barge. Mr. Jacks stated that he was not aware of any but the RFP would be open to anyone. Councilmember Warrick asked if the design would still be appropriate in 20 years which was the life span of the barge. Mr. Jacks stated that he could not speak to that but that they were looking for something both innovative and functional. Councilmember Warrick asked of the capacity for the barges to operate for other uses. Mrs. Houston stated that it would depend on capacity and that they were required to run tours every 30 minutes.

Councilmember Treviño thanked everyone for their work and asked if the selection was unanimous. Mr. Jacks replied that the vote was 9 to 1. Councilmember Treviño asked of other uses for the barge. Mr. Jacks stated that the boats would be available for charters and configured for special events that may not be available today. Councilmember Treviño spoke to the panels that could be interchanged for special occasions and asked representatives from Metalab to discuss their design. The representative stated that they

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were honored to be selected and stated that they started their logo from a simple and elegant form. They noted that the barge included ground lighting that would shine downward into the water and make the barges glow.

Mayor Taylor thanked everyone for the presentation.

2. A Briefing by Brooks Development Authority on economic activity at Brooks City Base. [Carlos Contreras, Assistant City Manager; Rene Dominguez, Director, Economic Development]

Leo Gomez presented information on Brooks City Base and stated that their goal was to attract investment, create jobs, and sustain growth. He presented a Land Use Plan and highlighted the uses at Brooks today. He stated that the future at Brooks would include an Embassy Suites Hotel and University of the Incarnate Word (UIW) School of Osteopathic Medicine. He outlined the projects in process and spoke to the Challenges and Opportunities.

Mr. Gomez reported that their Reserve Funds consisted of \$4.8 Million in Operating Funds and \$5 Million in Capital Funds. He stated that Land Sales were used to replenish both Capital and Operating Reserve Funds. He mentioned that they began pursuing Revenue Bonds in 2015 and currently have nearly \$55 Million. He added that they are utilizing \$36 Million of same for Infrastructure Projects. He provided an overview of the Tax Increment Reinvestment Zone (TIRZ) that was designated in 2004 with a Base Value of \$36.8 Million. He spoke to the Employment at the Brooks Campus noting that there were over 3,000 jobs. He reported that the TIRZ had created more than \$6.8 Million in tax revenue for the City of San Antonio and Bexar County last year. He highlighted the Road Improvements occurring and mentioned the Legislative Agenda Item they would be pursuing with regard to Third Party Equity Investments. He provided projections for the next three to five years in the areas of Job Growth, High-Density Urban Development, and Sustainable Development.

Mayor Taylor thanked Mr. Gomez for their work and the Board Members for their service. She stated that Brooks was a great economic generator for the entire city and was pleased to see the growth occurring. She asked of the funding requested in the 2017 Bond Program. Mr. Gomez replied that they had requested a total of \$29 Million to include \$5 Million to make South New Braunfels shovel ready for consideration by the Metropolitan Planning Organization (MPO). Mayor Taylor asked if the Brooks Employees were living in nearby housing. Mr. Gomez stated that the Multi-Family Development "The Landing" was fully occupied and 1/3 of the residents worked on the Brooks Campus. Mayor Taylor asked of the EB5 Program. Mr. Gomez responded that they had two projects that were part of the

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EB5 Program to include a Multi-Family Development and the Embassy Suites Hotel. He noted that the EB5 Investors have not come online as quickly as they would have liked.

Councilmember Viagran thanked the Board Members for their service and spoke of the importance of the Road and Infrastructure Improvements in the area. She stated that she was pleased with the proactive planning for the area which was in close proximity to the World Heritage Sites. She asked that they look at all types of housing to ensure there is Affordable and Work Place Housing. Mr. Gomez spoke of the Base Academy that has an enrollment of 1,800 students and mentioned that KIPP Academy was bringing a 15-Acre Campus to Brooks a year from this fall.

Councilmember Warrick asked of Market Rate Housing and how it compared to other parts of town. Mr. Gomez replied that it was from \$1.35 to \$1.40 per square foot and was comparable to other Multi-Family Development in and around the Urban Core. Councilmember Warrick asked of Affordable Housing. Mr. Gomez replied that it was not included within the current developments but would consider it in the future development at Brooks and in the surrounding area. Councilmember Warrick asked of the impact from the Eagle Ford Shale. Mr. Gomez replied that they had not been negatively affected as there was enough demand at "The Landing" so that the leases that were not renewed were quickly re-leased. He stated that Eagle Ford Shale should have an even greater impact once the hotel was completed and those living in Atascosa and Wilson Counties would be frequenting the area.

Councilmember Saldaña stated that he was pleased with the economic development and balanced growth for the area and asked of the \$5 Million requested for South New Braunfels. Mr. Gomez replied that they needed the project to be shovel ready if Federal Funding became available. Councilmember Saldaña spoke to the investments being made in order to address future congestion and funding needed to address same.

Councilmember Medina stated that this was a great City-Wide Asset and asked of the projected housing for the area. Mr. Gomez replied that they were building 2,000 units and would review future projections with the Board. He added that they would evaluate the 2,000 units before determining any more significant investments to be made in the area. Councilmember Medina referenced the CCR he submitted regarding Live Music and asked if there was a culture for same at Brooks. Mr. Gomez replied that they were investing in a 40-Acre Linear Park that could be used for programming and Music Festivals.

Councilmember Krier commended Mr. Gomez for his great work and asked of the future of the area due to the UIW School of Osteopathic Medicine. Mr. Gomez stated that UIW would have an option to develop three additional buildings for a campus to be used for their

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Medical School or other Medical Related Offerings. Councilmember Krier spoke of the great demand for Medical Services to include Medical Research and Manufacturing and stated that it would continue to grow over the next 25 years.

Councilmember Treviño stated that the projects at Brooks were great force multipliers that would impact other things in the area. He asked of the regional benefit of a partnership with Stinson Airport. Mr. Gomez replied that it was very important and that many of their prospects fly into Stinson Airport when they come meet with them. He noted that the Airport helped them connect to the rest of the country and to Mexico. Councilmember Treviño expressed his support for improving connectivity with Stinson and the surrounding area.

Councilmember Gonzales asked of the Legislative Agenda related to Third Party Equity Investments. Mr. Gomez replied that as a Development Authority, they were prohibited from entering into a direct partnership with a private entity that may be interested in investing equity. He stated that they were looking to change that in order to make projects more attractive for investors. Councilmember Gonzales stated that she served on the MPO and spoke to the importance of having shovel-ready projects.

Councilmember Gallagher expressed support for the great work occurring at Brooks and stated that he was pleased that they were working on the Legislative Agenda to resolve issues. Councilmember Nirenberg added that he was also pleased with everything occurring at Brooks and stated that it was important to continue conversations regarding congestion management to include the Legislative Agenda.

Mayor Taylor thanked everyone for the presentation and commended Councilmember Viagran for her leadership.

#### **EXECUTIVE SESSION**

Mayor Taylor recessed the meeting into Executive Session at 4:29 pm to discuss the following:

- A. Deliberations regarding economic development negotiations and discuss related legal issues pursuant to Texas Government Code Sections 551.087 (economic development) and 551.071 (consultation with attorney).
  - B. 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).
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- C. Discuss legal issues related to collective bargaining pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- D. Discuss legal issues relating to a solid waste services contract pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- E. Discuss legal issues relating to financial advisor services contracts and the City's Small Business Economic Development Advocacy Program pursuant to Texas Government Code Section 551.071 (consultation with attorney).

### **RECONVENED**

Mayor Taylor reconvened the meeting at 5:43 pm and announced that no action was taken in Executive Session. She addressed the Ceremonial Items.

### **CEREMONIALS**

Mayor Taylor presented a Proclamation to Texas Cavaliers King Antonio XCIV (94). It was noted that this member of royalty will reign over the Texas Cavaliers River Parade to be held on Monday, April 18, 2016. It was also noted that during his year-long reign, King Antonio will visit schools, hospitals, nursing homes, local businesses and community groups. King "Tony" presented his Official Fiesta Medal to Mayor Taylor and the City Council.

Mayor Taylor presented a Proclamation to the South Texas Damage Prevention Council in recognition of National Safe Digging Month during the month of April 2016. It was noted that excavation damage remains one of the leading causes of serious pipeline accidents and that the first step in preventing these type of accidents is to call 8-1-1 before digging.

Mayor Taylor presented a Citation to the Alamo City Bhangra Dance Team for winning 1st Place at the 11th Annual Raas Rave & Bhangra Blitz (R2B2). It was noted that the event was hosted by the Indian Student Association at Southern Methodist University. It was also noted that R2B2 is an intercollegiate Raas/Garba and Bhangra Competition and the only South Asian Acapella Competition in the nation. Mayor Taylor commended the Alamo City Bhangra Team for having won the 1st Place trophy three times in the last four years.

### **CITIZENS TO BE HEARD**

Mayor Taylor called upon the citizens registered to speak.

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Mark Perez expressed concern with various businesses operating without the proper permits to include the AGE Refining Facility. He expressed concern with various City Staff that had not responded to his concerns.

Dustin Martinez stated that he was an unemployed Veteran and expressed concern with the City's Hiring Process. He noted that he had applied for numerous City Positions but had not been contacted for an interview. He asked for assistance from the Human Resources Department with regard to his application.

Will McLeod expressed concern with the appointment of Steven Hussain to the VIA Metropolitan Board of Directors noting that there was a potential conflict of interest. He also expressed concern with the deterioration of one of the streets in his neighborhood.

Sherry Reddick stated that she had collected 75 signatures from citizens of San Antonio requesting that all past raises for Police Officers and Firefighters be retroactive from the dates of past contract raise approvals. She noted that they were also requesting annual raises from the current adjusted rates as of July 1, 2016.

Faris Hodge, Jr. submitted written testimony referencing Siebert Brandford Shank, the nation's largest African-American, Latino, and Woman-Owned Public Finance Firm. He noted an inventory of gasoline by the U.S. Energy Information Administration. He highlighted the new candidates of diversity in the Republican Party.

#### **ADJOURNMENT**

There being no further discussion, Mayor Taylor adjourned the meeting at 6:22 pm.

APPROVED

IVY R. TAYLOR  
MAYOR

ATTEST:

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



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



**DRAFT**

**Meeting Minutes**

**City Council A Session**

City Hall Complex  
105 Main Plaza  
San Antonio, Texas 78205

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Thursday, April 7, 2016

9:00 AM

Municipal Plaza Building

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

**PRESENT:** 10 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Gonzales, Medina, Nirenberg, Krier and Gallagher

**ABSENT:** 1 - Lopez

Mrs. Vacek announced that Councilmember Saldaña was attending a meeting with the Texas Education Agency but would be present for Zoning. She stated that Councilmember Lopez was out due to a medical emergency.

1. The Invocation was delivered by Pastor Janie Rose Alejandro, Divine Grace United Methodist Church, guest of Councilmember Shirley Gonzales, District 5.
2. Mayor Taylor led the Pledge of Allegiance to the Flag of the United States of America.

**POINTS OF PERSONAL PRIVILEGE**

Mayor Taylor recognized Bobby Perez with Spurs Sports and Entertainment. Mr. Perez introduced Mr. Tim Holt, Managing Director of San Antonio FC, the City's United Soccer League Team. Mr. Holt thanked the City Council for their support and stated that he was privileged to be part of the San Antonio Community. He invited everyone to attend the Home Opening Game at Toyota Field this Saturday and added that they would continue working to bring Major League Soccer to San Antonio. Mayor Taylor and the City Council welcomed Mr. Holt to San Antonio and wished the team good luck.

Councilmember Warrick recognized Kim Abernathy of ChildSafe. Ms. Abernathy highlighted the Cardboard Kids Campaign to raise awareness of Child Abuse. Councilmember Viagran thanked ChildSafe for their work to raise awareness of Child Abuse throughout the community. Councilmember Krier also thanked ChildSafe for their work. He requested a moment of silence for Mailani Godin, a 12-Year-Old Student at Eisenhower Middle School who was struck and killed on her way to school this morning. Mayor Taylor stated that it reinforced the need to commit to Vision Zero and work diligently to prevent those types of incidents.

Mayor Taylor recognized Mr. David Elmore, Owner of the Missions Baseball Team on their 30th Anniversary. She announced that The Elmore Group had committed to bring a Triple A Franchise to play in a new Downtown Stadium for the 2019 Season. Mr. Elmore thanked the City Council for the recognition and stated that he looked forward to many more years in San Antonio. The City Council congratulated the Missions Baseball Team on their 30th Anniversary.

Councilmember Treviño announced the progress on the Lerma's Nite Club Project (Item #20) and called upon Graciela Sanchez. Ms. Sanchez spoke of their fundraising efforts noting that they had raised \$250,000 last year and \$250,000 this year. Ms. Susana Segura stated that they were also approved for Brownfields Funding and were in the process of testing for lead and asbestos. Ms. Sanchez added that they were working with the Architect and Engineer and would continue moving forward.

3. Approval of Minutes for the Regular City Council Meetings of February 17 - 18, 2016

Councilmember Viagran moved to approve the Minutes for the Regular City Council Meetings of February 17-18, 2016. Councilmember Warrick seconded the motion. The motion prevailed by the following vote:

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**AYE:** 9 - Mayor Taylor, Treviño, Warrick, Viagran, Gonzales, Medina, Nirenberg, Krier and Gallagher

**ABSENT:** 2 - Saldaña and Lopez

**ACTION ITEM FOR STAFF BRIEFING**

City Clerk Vacek read the caption for Item 4:

4. A Briefing by the San Antonio Water System (SAWS) on the Vista Ridge Project to include but not be limited to the following topics: [Robert R. Puente, President and CEO, San Antonio Water System]
  - A. Vista Ridge Project
  - B. Meter Estimation
  - C. Rate Structure
  - D. Rate Challenge Petition

Robert Puente presented a Power Point and provided an update on various SAWS Projects. With regard to the Vista Ridge Pipeline, he reported that Abengoa would be selling 80% equity interest in the project to Garney Construction. He stated that Garney Construction had a 30-Year History in San Antonio and had been designated for Project Construction in the Water Transmission and Purchase Agreement (WTPA). He noted that Abengoa would retain a silent 20% Equity Share for money invested. He mentioned that Garney Construction would build the project to SAWS' Standards and would invest \$55 Million to get to Financial Close. He added that Garney Construction would receive an \$800 Million Bank Loan at Financial Close. He outlined the conditions required to be met and the SAWS Due Diligence performed.

Mr. Puente spoke of the alternatives available noting that they could take no action on the leadership change of Vista Ridge which would leave Abengoa to continue or fail. Additionally, they could terminate the contract for convenience or default leaving SAWS to procure/build the project. Mr. Puente stated that they would conduct further analysis as well as hold public discussions. He noted that SAWS Board would consider action in late April or early May. He added that the risk profile with Garney Construction was more favorable to SAWS and that costs would likely decrease from previous projections. He presented an update of the billing process noting that they had contracted with a Third Party Meter Reading Vendor. He stated that they had made staffing changes at the Call Center and with their Meter Readers. He noted that they were incorporating continuous

improvement methodologies and added an estimation indicator to bills for transparency purposes. He indicated that they were reviewing how they read meters and allowing customers to read their own meters. He reported that 99% of meters were read in the First Quarter.

Mr. Puente spoke of the petition filed with the Public Utility Commission on March 30, 2016 to review the San Antonio Rate Ordinance approved on November 19, 2015. He stated that SAWS was reviewing the validity of signatures and affected customers outside of the City Limits. He noted that SAWS would provide a more accurate customer response to price signals in the new structure based on summer usage. He highlighted the successful transition from BexarMet to SAWS which resulted in \$17 Million in savings. He thanked the City Council for their continued support.

Mayor Taylor called upon the citizens registered to speak.

Meredith McGuire representing the Alamo Group of the Sierra Club addressed the City Council in opposition to the Vista Ridge Project. She expressed concern that ratepayers would pay for the pipeline and with the public/private partnership.

Alan Montemayor asked the City Council to terminate the contract for the Vista Ridge Project noting that there were too many associated risks.

Rachel Hanes stated that she was a student at Trinity University and opposed to the Vista Ridge Project. She expressed concern with the contributions made to the City Council by Pape Dawson.

Duane Wilson, CEO of the North San Antonio Chamber of Commerce, addressed the City Council in support of the Vista Ridge Project. He noted that an adequate water supply was necessary to ensure economic development.

Nazirite Ruben Flores Perez addressed the City Council in opposition to the Vista Ridge Project.

Gianna Rendon addressed the City Council in opposition to the Vista Ridge Project. She expressed concern that Abengoa would continue to be a Silent Partner and with the associated risks.

Jack M. Finger addressed the City Council in opposition to the Vista Ridge Project. He expressed concern with the contributions made to the City Council by Pape Dawson.

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David Klar addressed the City Council and asked them to “Opt Out” of the Vista Ridge Project. He stated that the project was flawed and that the water was not needed.

Mayor Taylor thanked Mr. Puente for the presentation and stated that she did not have any questions at this time.

Councilmember Gonzales asked how much of the rate increase would be used to address aging infrastructure and how much would be used for the Vista Ridge Project. Mr. Puente replied that in 2016; only a small amount would be used for the Vista Ridge Project while the majority of it would be used for infrastructure. Mr. Doug Evanson added that less than one-half of one percent that would be used for the Vista Ridge Project in 2016. Councilmember Gonzales asked of the life cycle of a pipe. Mr. Steve Clouse stated that there was not one specific measure and it depended on the material used when the pipe was originally constructed. Councilmember Gonzales asked how water from the Vista Ridge Project would affect the aging infrastructure. Mr. Puente stated that part of the rate increase would be used to upgrade the infrastructure and they would know more about how Vista Ridge would affect it once they start building the pipeline.

Councilmember Gallagher thanked Mr. Puente for the information and stated that he appreciated the great amount of transparency on the project. He asked how San Antonio’s Water Rates compared to other major cities. Mr. Puente replied that even with the rate increases approved in 2015; San Antonio Water Rates were the lowest of any major city in Texas. Councilmember Gallagher stated that it was important for ratepayers to understand that most of the rate increases were being used to address aging infrastructure. He expressed concern that those criticizing the Vista Ridge Project had not brought forth alternative solutions.

Councilmember Nirenberg stated that there had been some alternatives brought forth and asked of the progress on the Consent Decree. Mr. Puente replied that they continued to meet their milestones and that they were three years into the Decree. Councilmember Nirenberg asked how SAWS would assure that there would not be continued billing issues. Mr. Puente responded that the previous issues stemmed from lack of manpower but had since hired temporary and permanent workers. Councilmember Nirenberg asked if Smart Meters were included as part of the rate increase. Mr. Puente stated that they had been studying Smart Meters but they had not been deemed to be cost effective at this time. Councilmember Nirenberg asked how much debt Garney Construction would assume. Mr. Puente replied that they would assume \$8 Million to Bank of America. Mr. Evanson added that there had been a reference to a \$120 Million Loan drawn by Abengoa Vista Ridge that was being worked though by the banks. Councilmember Nirenberg asked if Garney Construction had the expertise to manage the project. Mr. Puente stated that they were an

experienced construction company and would hire the appropriate Law Firms and Financial Advisors to get them through the project. He added that they would not change the obligations associated with financial close scheduled for May 2017. He confirmed that SAWS would only pay for water received. Councilmember Nirenberg spoke of the importance of protecting ratepayers and asked when they would have results regarding maintaining Stage I Water Restrictions Year-Round. Mr. Puente stated that they would have that information during the next presentation to the City Council.

Councilmember Krier thanked Mr. Puente for the update and called upon SAWS Board Chair, Berto Guerra to speak of the importance of a long-term water supply for major industrial companies. Mr. Berto Guerra stated that a long-term water supply was extremely important to companies such as Toyota and its suppliers. He noted that water was important for their business but also for their employees and families. Councilmember Krier stated that the project was in the best interest of the City of San Antonio and stated that he would continue to support it.

Councilmember Treviño thanked Mr. Puente for the many meetings that SAWS Staff have attended. He asked how the City would not be responsible if SAWS had to take over the project. Mr. Puente stated that SAWS would be responsible for building the project if they had to and that SAWS would have to utilize bonds to pay for the project. He stated that the contract was currently structured so that SAWS would pay more for the water in order to transfer the risk. He added that SAWS would be required to ask the City Council for Bond Authority and that SAWS building the project was not a likely scenario. Mayor Taylor thanked Mr. Puente for the information and stated that she looked forward to continuing the dialogue on this important project. No action was required for Item 4.

#### **CONSENT AGENDA ITEMS**

Items 10, 11, and 18 were pulled for Individual Consideration. Councilmember Warrick moved to approve the remaining Consent Agenda Items. Councilmember Gonzales seconded the motion.

Mayor Taylor called upon the citizens registered to speak.

Nazirite Ruben Flores Perez expressed concern with the celebration of various holidays at Pre-K 4 SA (Item 9).

Jack M. Finger spoke in opposition to the Funding Agreement with the Esperanza Peace and Justice Center for the stabilization of the former Lerma's Building (Item 20).

Janet Dietel, President of the San Antonio Conservation Society, addressed the City Council

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in support of the Funding Agreement with the Esperanza Peace and Justice Center for the stabilization of the former Lerma's Building (Item 20). She stated that San Antonio should embrace and invest in Lerma's because of its relevance to Latino Americans across the country.

Faris Hodge, Jr. submitted written testimony in favor of Items 5, 9, 11, 13, 15, 18, and 19. He wrote in opposition to Items 12 and 14.

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

**AYE:** 7 - Mayor Taylor, Warrick, Gonzales, Medina, Nirenberg, Krier and Gallagher

**ABSENT:** 4 - Treviño, Viagran, Saldaña and Lopez

**2016-04-07-0234**

5. An Ordinance authorizing a contract with Vroozi, Inc., to provide the City with an integrated vendor hosted electronic catalog management solution for an amount not to exceed \$994,275.00, funded from the Purchasing and General Services Fund, with an initial contract term of three years with two, one-year renewal options. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

**2016-04-07-0235**

6. An Ordinance accepting the offer from Doggett Freightliner of South Texas, LLC to provide up to three replacement and two additional aerial trucks to the City's Transportation & Capital Improvements Department for a total cost of \$750,818.86, funded from the Transportation and Capital Improvements Stormwater Operations Fund and the Equipment Renewal and Replacement Fund. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

**2016-04-07-0236**

7. An Ordinance accepting the offer from Century Industries to provide one replacement 32' Show Trailer to the City's Parks & Recreation Department for a total cost of \$115,327.00, funded from the Equipment Renewal and Replacement Fund. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

**2016-04-07-0237**

8. An Ordinance authorizing an amendment to a lease agreement with HH Aviation, LLC at the San Antonio International Airport to extend the term to April 30, 2021. [Carlos Contreras, Assistant City Manager; Noel T. Jones, Director, Aviation]

**2016-04-07-0238**

9. An Ordinance authorizing a no cost five-year lease agreement with the San Antonio Early Childhood Education Municipal Development Corporation ending June 30, 2021 for a 4.476 acre parcel of land located at 1243 Enrique M. Barrera Parkway (State Highway 151) to be utilized for additional playground area and staff parking for the Pre-K 4 SA West Education Center. [Peter Zanoni, Deputy City Manager; Kathleen Bruck, CEO, Pre-K 4 SA]
  
12. Appointing Steven B. Hussain and Patricia Y. Rodriguez for the remainder of unexpired terms of office to expire December 31, 2016; and reappointing Lester Bryant and Carl A. Morgan for the remainder of unexpired terms of office to expire December 31, 2017 to the VIA Metropolitan Transit Authority Board of Trustees. [Leticia M. Vacek, City Clerk]

**2016-04-07-0241**

13. An Ordinance approving the City of San Antonio Brownfield Redevelopment Policy and Program Guidelines to assist with identification, assessment, cleanup, and development of sites with potential environmental contamination. [Lori Houston, Assistant City Manager; John Jacks, Interim Director, Center City Development]

**2016-04-07-0242**

14. An Ordinance rescheduling the April 20-21, 2016 City Council Meetings. [Leticia M. Vacek, City Clerk]

**2016-04-07-0243**

15. An Ordinance authorizing a Third Amendment to the Tax Phase-In Agreement with Maxim Integrated Products, Inc. to provide for the acquisition of Maxim's interest by TJ Texas, Inc. [Carlos Contreras, Assistant City Manager; Rene Dominguez, Director, Economic Development]

**2016-04-07-0244**

16. An Ordinance authorizing an agreement with the Residential Energy Assistance Partnership, Inc. through December 31, 2018 for the issuance of utility assistance credits as part of the Residential Energy Assistance Partnership utility assistance program, in an amount of \$800,000.00 with two automatic annual renewals; and authorizing an agreement with CPS Energy through December 31, 2018 for the issuance of utility assistance credits as part of the Project Winter Assistance Relief Mobilization Program, in an amount of \$75,000.00 with two automatic annual renewals. [María Villagómez, Assistant City Manager; Melody Woosley, Director,

Department, Human Services]

**2016-04-07-0245**

17. An Ordinance authorizing an adjustment in Administrative Fees for the Inner City TIRZ and the Midtown TIRZ, payable beginning in Tax Year 2015, consistent with the Fee Schedule previously approved by City Council. [Peter Zanoni, Deputy City Manager; John Dugan, Director, Planning and Community Development]

**2016-04-07-0247**

19. An Ordinance adopting Policy Guidelines for the Municipal Setting Designation Program which certifies designated groundwater at the designated property will not be used as potable water and will be prohibited from future use as potable water through deed restriction. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

**2016-04-07-0248**

20. An Ordinance authorizing a Funding Agreement with Esperanza Peace and Justice Center in an amount not to exceed \$500,000.00 for stabilization of the former Lerma Building located at 1612 North Zarzamora, including architectural and engineering design for necessary mechanical, electrical, and plumbing repairs; and authorizing a 20 year lease for the same building from the Esperanza Peace and Justice Center, for a total of \$10.00, and a 20 year lease-back of the property to the Esperanza Peace and Justice Center, for a total of \$10.00, located in Council District 1. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

**CONSENT ITEMS CONCLUDED**

**ITEMS PULLED FOR INDIVIDUAL CONSIDERATION**

City Clerk Vacek read the caption for Item 10:

**2016-04-07-0239**

10. An Ordinance closing, vacating and abandoning 0.076 acres of unimproved Public Right of Way known as First Street, located between Gabriel Street and Douglas alley in Council District 2, as requested by Citybuild Community Development Corporation, for a fee of \$2,500.00. [Peter Zanoni, Deputy City Manager, Mike Frisbie, Director, Transportation & Capital Improvements]

Councilmember Warrick asked for additional information on the project. Debbie Raeca-Sittre showed a map of the area and stated that Citybuild would use the property to

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provide Summer and After School Instruction and Job Training. She noted that they were also planning to build an outdoor playground that would be open to the public.

Councilmember Warrick moved to approve the proposed Ordinance for Item 10 with the condition that the \$2,500 fee be waived. Councilmember Nirenberg seconded the motion. The motion prevailed by the following vote:

**AYE:** 7 - Mayor Taylor, Warrick, Gonzales, Medina, Nirenberg, Krier and Gallagher

**ABSENT:** 4 - Treviño, Viagran, Saldaña and Lopez

City Clerk Vacek read the caption for Item 11:

**2016-04-07-0240**

- 11.** An Ordinance approving revisions to Chapter 37 of the Municipal Code which governs the acquisition, use of, and disposition of city real property, including the correction of clerical and formatting items; clarifying items; combining various sections; and amending definitions. [Peter Zaroni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

Councilmember Nirenberg asked of the revisions being made to Chapter 37 of the Municipal Code. Debbie Racca-Sittre provided a summary of the revisions and stated that Chapter 37 could not be used to meet requirements of the Unified Development Code (UDC) or as a short-cut for any other Code Requirement. She noted that they would streamline processes to reduce administrative time, develop a cost of service, and benchmark with other cities. She added that they would relocate the Fee Table to its own section as well as remove the exemption from fees for government.

Councilmember Nirenberg asked what changes were being made to the power of the City Council over disposition and acquisition of property. Mrs. Racca-Sittre stated that they were not changing the power of the City Council as they could always bring up any issues. She noted that the revision to remove City Council Approval for SAWS or CPS Drainage Easement Requests was to remove the double standard noting that Private Entities did not require Council Approval for the same request. Councilmember Nirenberg asked of the Federal Rule on Wireless Siting. Hugh Miller replied that they were addressing same in the UDC and would be finalizing language soon. He stated that it would cover the process for when an entity wants to place a tower on City Property or add technology devices to a Traffic Light.

Councilmember Gallagher asked of the impact of allowing the use of Bexar County

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Appraisal District Assessments in lieu of hiring an Appraiser. Mrs. Racca-Sittre replied that sometimes the money spent on an Appraisal is more than the property is worth. Additionally, she noted that appraisals can take 45 to 60 days which slows down the development process. She stated that they were recommending to take the properties on either side and apply a mathematical calculation to determine a square foot value. Councilmember Gallagher expressed concern that they would be required to use the Bexar Appraisal District for larger pieces of property. Mrs. Racca-Sittre stated that they were working on an amendment that would apply parameters based on wording in the UDC. Councilmember Gallagher asked of the impact of removing the exemption for fees for governmental entities. Mrs. Racca-Sittre stated that there was confusion with the wording in the current Code in that the Fair Market Value of the property could be misconstrued as a fee. She noted that the fees assessed were based on the cost for service and should not be waived; however, the City Council could waive fees as requested.

Councilmember Nirenberg moved to adopt the proposed Ordinance for Item 11. Councilmember Warrick seconded the motion. The motion prevailed by the following vote:

**AYE:** 8 - Mayor Taylor, Warrick, Viagran, Gonzales, Medina, Nirenberg, Krier and Gallagher

**ABSENT:** 3 - Treviño, Saldaña and Lopez

City Clerk Vacek read the caption for Item 18:

**2016-04-07-0246**

18. An Ordinance approving the First Amendment to the Development Agreement with the Inner City Tax Increment Reinvestment Zone (TIRZ #11) Board of Directors and the Blue Star Contemporary Arts Museum to revise the scope of work, extend the term, and increase funding from \$50,000.00 to \$100,000.00 to include the the facade of the Mosaic Student Artist Program and enhance the overall design. [Peter Zanoni, Deputy City Manager; John Dugan, Director, Planning and Community Development]

Councilmember Gonzales highlighted the project and asked staff for a presentation. John Dugan stated that staff was recommending an amendment to the Development Agreement with Blue Star Contemporary Art Museum to revise the scope of work, extend the term, and increase funding from \$50,000 to \$100,000. He reported that to date, Blue Star has completed Architectural Drawings, and received approval from the Blue Star Board of Directors and Historic Design and Review Commission. He noted that proposed amendments would include: 1) Revise the Scope of Work to improve design and include

MOSAIC Façade at 132 Blue Star; 2) Extend Construction Schedule to August 2016; and 3) Increase funding amount to \$100,000. He indicated that funding for the project would be provided by the Inner City Tax Increment Reinvestment Zone (TIRZ). Councilmember Gonzales stated that she was excited to see the transformation of the Southside, especially along the Mission Reach. She highlighted the MOSAIC Student Art Program and their great work. Mayor Taylor stated that she had the opportunity to see some of the construction and it was exciting and transformative.

Councilmember Gonzales moved to adopt the proposed Ordinance for Item 18. Councilmember Viagran seconded the motion. The motion prevailed by the following vote:

**AYE:** 8 - Mayor Taylor, Warrick, Viagran, Gonzales, Medina, Nirenberg, Krier and Gallagher

**ABSENT:** 3 - Treviño, Saldaña and Lopez

#### **POINTS OF PERSONAL PRIVILEGE**

Councilmember Viagran stated that this month was Sexual Assault Awareness Month and highlighted the "Start by Believing" Campaign being initiated by the Rape Crisis Center.

Mayor Taylor recognized Councilmember Nirenberg who would be celebrating his birthday on April 11th. The City Council wished Councilmember Nirenberg a Happy Birthday.

#### **RECESSED**

Mayor Taylor recessed the meeting at 11:47 am and announced that the meeting would resume at 2:00 pm for Zoning.

#### **RECONVENED**

Mayor Taylor reconvened the meeting at 2:05 pm and addressed the Consent Zoning Items.

#### **CONSENT ZONING ITEMS**

Zoning Items Z-4, Z-5, Z-12, Z-13, and Z-17 were pulled for Individual Consideration. Mayor Taylor announced that Item Z-15 was withdrawn by the applicant and would not be addressed. Councilmember Warrick moved to approve the remaining Consent Zoning Items. Councilmember Treviño seconded the motion.

Mayor Taylor called upon the citizens registered to speak.

Kevin Anderson spoke in opposition to the Car Wash requested in Item Z-19. He expressed concern with increased traffic in the neighborhood and with decreased property values.

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Jeff Castingway also expressed opposition to the Car Wash requested in Item Z-19 noting concerns with the children that play in the area. He stated further concerns with noise and chemicals.

Faris Hodge, Jr. submitted written testimony in favor of Items 21, Z-1, Z-2, Z-3, Z-5 through Z-12, P-2, and Z-18 through Z-20. He wrote in opposition to Items Z-13 and Z-15.

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

**AYE:** 9 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Medina, Nirenberg, Krier and Gallagher

**ABSENT:** 2 - Gonzales and Lopez

**2016-04-07-0017R**

- 21.** A Resolution to initiate a rezoning of Lot 1, NCB 13965 located at 4802 Morey Avenue in Council District 4 to a zoning district consistent with the proposed development.

**2016-04-07-0249**

- Z-1.** ZONING CASE # Z2016082 (Council District 1): An Ordinance amending the Zoning District Boundary from "C-2 NCD-1 AHOD" Commercial South Presa/South Saint Mary's Street Neighborhood Conservation Overlay Airport Hazard Overlay District to "IDZ NCD-1 AHOD" Infill Development Zone South Presa/South Saint Mary's Street Neighborhood Conservation Overlay Airport Hazard Overlay District with uses permitted for three (3) Residential Single-Family units on 0.208 acres of land out of NCB 2962 located at 1123 South Presa Street. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 0.208 ACRES OF LAND OUT OF NCB 2962 TO WIT: FROM "C-2 NCD-1 AHOD" COMMERCIAL SOUTH PRESA/SOUTH SAINT MARY'S STREET AIRPORT HAZARD OVERLAY DISTRICT TO "IDZ NCD-1 AHOD" INFILL DEVELOPMENT ZONE SOUTH PRESA/SOUTH SAINT MARY'S STREET AIRPORT HAZARD OVERLAY DISTRICT WITH USES PERMITTED FOR THREE (3) RESIDENTIAL SINGLE-FAMILY UNITS.

**2016-04-07-0250**

- Z-2.** ZONING CASE # Z2016086 (Council District 1): An Ordinance amending the Zoning District Boundary from "I-1 RIO-2 AHOD" General Industrial River Improvement Overlay Airport Hazard Overlay District to "IDZ RIO-2 AHOD" Infill Development Zone River Improvement Overlay Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and "RM-4" Residential Mixed District on 0.289 acres of land out of NCB 7007 located 102 West Josephine Street. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 0.289 ACRES OF LAND OUT OF NCB 7007 TO WIT: FROM "I-1 RIO-2 AHOD" GENERAL INDUSTRIAL RIVER IMPROVEMENT OVERLAY AIRPORT HAZARD OVERLAY DISTRICT TO "IDZ RIO-2 AHOD" INFILL DEVELOPMENT RIVER IMPROVEMENT OVERLAY AIRPORT HAZARD OVERLAY DISTRICT WITH USES PERMITTED IN "C-2" COMMERCIAL DISTRICT AND "RM-4" RESIDENTIAL MIXED DISTRICT.

**2016-04-07-0251**

- Z-3.** ZONING CASE # Z2016090 (Council District 1): An Ordinance amending the Zoning District Boundary from "MF-33 H AHOD" Multi-Family Tobin Hill Historic Airport Hazard Overlay District to "IDZ H AHOD" Infill Development Zone Tobin Hill Historic Airport Hazard Overlay District with uses for two (2) Single-Family Attached Homes on East 50 feet of Lot 5, Block 3, NCB 1738 located at 321 East Locust Street. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: EAST 50 FEET OF LOT 5, BLOCK 3, NCB 1738 TO WIT: FROM "MF-33 H AHOD" MULTI-FAMILY TOBIN HILL HISTORIC AIRPORT HAZARD OVERLAY DISTRICT TO "IDZ H AHOD" INFILL DEVELOPMENT ZONE TOBIN HILL HISTORIC AIRPORT HAZARD OVERLAY DISTRICT WITH USES FOR TWO (2) SINGLE-FAMILY ATTACHED HOMES.

**2016-04-07-0252**

- Z-6.** ZONING CASE # Z2016096 (Council District 1): An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport

Hazard Overlay District to "C-1 AHOD" Light Commercial Airport Hazard Overlay District on Lot 5, Block 85, NCB 3254 located at 1330 West Mulberry Avenue. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 0.1818 ACRES OF LAND OUT OF NCB 3254 TO WIT: FROM "R-4 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "C-1 AHOD" LIGHT COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.

**2016-04-07-0253**

**P-1.** PLAN AMENDMENT # 16024 (Council District 2): An Ordinance amending the future land use plan contained in the Arena District/Eastside Community Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use of approximately 6.999 acres of land out of NCB 678 and 7057 and Lots 11, 12, 13, 21, 22, and 23, Block 23, NCB 671, generally located 51 Essex Street, 601 and 604 Carolina Street, generally located at the intersection of Essex Street and South Cherry Street from "Light Industrial" to "Mixed Use." Staff and Planning Commission recommend Approval. (Associated Zoning Case Z2016085)

**2016-04-07-0254**

**Z-7.** ZONING CASE # Z2016085 (Council District 2): An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District and "I-1 S AHOD" General Industrial Airport Hazard Overlay District with Specific Use Authorization for Millwork and Wood Products Manufacturing to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2," Commercial District, Multi-Family Residential Uses not to exceed 100 units per acre, Bar, Micro-Brewery, Beer Garden and Hotel on 6.999 acres of land out of NCB 678 and NCB 7057 and Lots 11,12,13, 21, 22 and 23, Block 23, NCB 671 located at the 51 Essex Street, 601 and 604 Carolina Street, generally located at the intersection of Essex Street and South Cherry Street. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment 16024)

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 7.7104 ACRES OUT OF NCB 678, NCB 7057 AND NCB

671 TO WIT: FROM "I-1 AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT AND "I-1 S AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT WITH SPECIFIC USE AUTHORIZATION FOR MILLWORK AND WOOD PRODUCTS MANUFACTURING TO "IDZ AHOD" INFILL DEVELOPMENT ZONE AIRPORT HAZARD OVERLAY DISTRICT WITH USES PERMITTED IN "C-2," COMMERCIAL DISTRICT, MULTI-FAMILY RESIDENTIAL USES NOT TO EXCEED 100 UNITS PER ACRE, BAR, MICRO-BREWERY, BEER GARDEN AND HOTEL.

**2016-04-07-0255**

**Z-8.** ZONING CASE # Z2016088 (Council District 2): An Ordinance amending the Zoning District Boundary from "R-6 H AHOD" Residential Single-Family Dignowity Hill Historic Airport Hazard Overlay District to "IDZ H AHOD" Infill Development Zone Dignowity Hill Historic Airport Hazard Overlay District with uses permitted for Single-Family attached homes not to exceed 25 units/acre on Lots 1, 2, and 21, Block 1, NCB 560 located 506 Nolan Street and 518 Cherry Street. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 0.468 ACRES OF LAND OUT OF NCB 560 TO WIT: FROM "R-6 H AHOD" RESIDENTIAL SINGLE-FAMILY DIGNOWITY HILL HISTORIC AIRPORT HAZARD OVERLAY DISTRICT TO "IDZ H AHOD" INFILL DEVELOPMENT ZONE DIGNOWITY HILL HISTORIC AIRPORT HAZARD OVERLAY DISTRICT WITH USES PERMITTED FOR SINGLE-FAMILY ATTACHED HOMES NOT TO EXCEED 25 UNITS/ACRE.

**2016-04-07-0256**

**Z-9.** ZONING CASE # Z2016089 (Council District 2): An Ordinance amending the Zoning District Boundary from "C-3 H HE AHOD" General Commercial Dignowity Hill Historic Exceptional Airport Hazard Overlay District, "C-3 H AHOD" General Commercial Dignowity Hill Historic Airport Hazard Overlay District, and "RM-4 H AHOD" Residential Mixed Dignowity Hill Historic Airport Hazard Overlay District to "IDZ H AHOD" Infill Development Zone Dignowity Hill Historic Airport Hazard Overlay District with uses permitted for Multi-Family not to exceed 36 units per acre and "IDZ H HE AHOD" Infill Development Zone Dignowity Hill Historic Exceptional Airport Hazard Overlay District with uses permitted for Multi-Family not to exceed 36 units per acre on 0.758 acres of land out of NCB 590 located at 402 and 406 Center Street, 126 Cherry Street, and 126, 130, 134 and 139 North Swiss

Street. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 0.758 ACRES OF LAND OUT OF NCB 590 TO WIT: FROM "C-3 H HE AHOD" GENERAL COMMERCIAL DIGNOWITY HILL HISTORIC EXCEPTIONAL AIRPORT HAZARD OVERLAY DISTRICT, "C-3 H AHOD" GENERAL COMMERCIAL DIGNOWITY HILL HISTORIC AIRPORT HAZARD OVERLAY DISTRICT, AND "RM-4 H AHOD" RESIDENTIAL MIXED DIGNOWITY HILL HISTORIC AIRPORT HAZARD OVERLAY DISTRICT TO "IDZ H AHOD" INFILL DEVELOPMENT ZONE DIGNOWITY HILL HISTORIC AIRPORT HAZARD OVERLAY DISTRICT WITH USES PERMITTED FOR MULTI-FAMILY NOT TO EXCEED 36 UNITS PER ACRE.

**2016-04-07-0257**

**Z-10.** ZONING CASE # Z2016092 (Council District 2): An Ordinance amending the Zoning District Boundary from "I-1 MC-3 AHOD" General Industrial Austin Highway/Harry Wurzbach Parkway Metropolitan Corridor Overlay Airport Hazard Overlay District to "C-2 MC-3 AHOD" Commercial Austin Highway/Harry Wurzbach Parkway Metropolitan Corridor Overlay Airport Hazard Overlay District on the Northeast 160 feet of Lot 3, NCB 12172 located at 1950-1960 Austin Highway. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: NORTHEAST 160 FEET OF LOT 3, NCB 12172 TO WIT: FROM "I-1 MC-3 AHOD" GENERAL INDUSTRIAL AUSTIN HIGHWAY/HARRY WURZBACH PARKWAY METROPOLITAN CORRIDOR AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 MC-3 AHOD" COMMERCIAL AUSTIN HIGHWAY/HARRY WURZBACH PARKWAY METROPOLITAN CORRIDOR AIRPORT HAZARD OVERLAY DISTRICT.

**2016-04-07-0258**

**Z-11.** ZONING CASE # Z2016093 (Council District 2): An Ordinance amending the Zoning District Boundary from "O-2 H AHOD" High-Rise Office Dignowity Hill Historic Airport Hazard Overlay District to "RM-4 H AHOD" Residential Mixed Dignowity Hill Historic Airport Hazard Overlay District on the South 89.21 feet of Lot 25 and the West 10 feet of the South 89.21 feet of Lot 26, Block 2, NCB 1370

and North 89.21 feet of Lot 25 and the North 89.21 feet of the West 10 feet of Lot 26, Block 2, NCB 1370 located at 1833 East Houston Street. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: SOUTH 89.21 FEET OF LOT 25 AND THE WEST 10 FEET OF THE SOUTH 89.21 FEET OF LOT 26, BLOCK 2, NCB 1370 AND NORTH 89.21 FEET OF LOT 25 AND THE NORTH 89.21 FEET OF THE WEST 10 FEET OF LOT 26, BLOCK 2, NCB 1370 TO WIT: FROM "O-2 H AHOD" HIGH-RISE OFFICE DIGNOWITY HILL HISTORIC AIRPORT HAZARD OVERLAY DISTRICT TO "RM-4 H AHOD" RESIDENTIAL MIXED DIGNOWITY HILL HISTORIC AIRPORT HAZARD OVERLAY DISTRICT.

**2016-04-07-0260**

**Z-14.** ZONING CASE # Z2016026 CD (Council District 6): An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-2NA CD AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with Conditional Use for a Moving Company on 0.510 acres of land out of NCB 34400 generally located in the 1800 Block of Loop 1604 North and Kilmarnoch. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 0.510 ACRES OF LAND OUT OF NCB 34400 TO WIT: FROM "R-6 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "C-2NA CD AHOD" COMMERCIAL NONALCOHOLIC SALES AIRPORT HAZARD OVERLAY DISTRICT WITH CONDITIONAL USE FOR MOVING COMPANY.

**WITHDRAWN BY APPLICANT**

**Z-15.** ZONING CASE # Z2016062 (Council District 6): An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "RM-5 AHOD" Residential-Mixed Airport Hazard Overlay District on Lot 18, Block 14, NCB 8988 located at 718 Southwest 41st Street. Staff and Zoning Commission recommend Denial.

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**2016-04-07-0261**

- P-2.** PLAN AMENDMENT # 16003 (Council District 8): An Ordinance amending the future land use plan contained in the North Sector Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use of Lot 1, Block 1, NCB 17615 located at 13407 Western Oak Drive from "Suburban Tier" to "Regional Center." Staff and the Planning Commission recommend Approval. (Associated Zoning Case Z2016013)

**2016-04-07-0262**

- Z-16.** ZONING CASE # Z2016013 CD S ERZD (Council District 8): An Ordinance amending the Zoning District Boundary from "C-3NA ERZD" General Commercial Nonalcoholic Sales Edwards Recharge Zone District to "C-3NA CD S ERZD" General Commercial Nonalcoholic Sales Edwards Recharge Zone District with Conditional Use and Specific Use Authorization for a Construction Trade Contractor Facility on Lot 1, Block 1, NCB 17615, located at 13407 Western Oak Drive. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment 16003)

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 1, BLOCK 1, NCB 17615 TO WIT: FROM "C-3NA ERZD" GENERAL COMMERCIAL NONALCOHOLIC SALES SALES EDWARDS RECHARGE ZONE DISTRICT TO "C-3NA CD S ERZD" GENERAL COMMERCIAL NONALCOHOLIC SALES EDWARDS RECHARGE ZONE DISTRICT WITH A CONDITIONAL USE AND SPECIFIC USE AUTHORIZATION FOR CONSTRUCTION TRADES CONTRACTOR FACILITY.

**2016-04-07-0264**

- P-3.** PLAN AMENDMENT # 15089 (Council District 9): An Ordinance amending the future land use plan contained in the North Sector Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use of Lot 11, Block 4, NCB 15671 located in the 1900 Block of East Sonterra Boulevard from "Regional Center" to "Mixed Use Center." Staff and Planning Commission recommend Approval. (Associated Zoning Case Z2015311 ERZD)

**2016-04-07-0265**

- Z-18.** ZONING CASE # Z2015311 ERZD (Council District 9): An Ordinance amending the Zoning District Boundary from "C-3 S MLOD-I ERZD" General Commercial Camp Bullis Military Lighting Overlay Edwards Recharge Zone District with

Specific Use Authorization for Animal Clinic, Automobile Parts Sales Facility, Building Specialties, Retail Facility, Paint and Wallpaper Store with Retail and Wholesale Sales, Print Shop, and Blueprinting Photostatting Facility to "MF-50 MLOD-1 ERZD" Multi-Family Camp Bullis Military Lighting Overlay Edwards Recharge Zone District on Lot 11, Block 4, NCB 15671 located at 1900 Block of East Sonterra Boulevard. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment 15089)

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 11, BLOCK 4, NCB 15671 TO WIT: FROM "C-3 S MLOD-1 ERZD" GENERAL COMMERCIAL MILITARY LIGHTING OVERLAY EDWARDS RECHARGE ZONE DISTRICT WITH SPECIFIC USE AUTHORIZATION FOR ANIMAL CLINIC, AUTOMOBILE PARTS SALES FACILITY, BUILDING SPECIALTIES, RETAIL FACILITY, PAINT AND WALLPAPER STORE WITH RETAIL AND WHOLESALE SALES, PRINT SHOP, AND BLUEPRINTING PHOTOSTATTING TO "MF-50 MLOD-1 ERZD" MULTI-FAMILY MILITARY LIGHTING OVERLAY EDWARDS RECHARGE ZONE DISTRICT.

**2016-04-07-0266**

**Z-19.** ZONING CASE # Z2016076 S ERZD (Council District 9): An Ordinance amending the Zoning District Boundary from "C-2 ERZD" Commercial Edwards Recharge Zone District to "C-2 S ERZD" Commercial Edwards Recharge Zone District with Specific Use Authorization for a Carwash on Lot 7, Block 10, NCB 18218 located at 3103 TPC Parkway. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 7, BLOCK 10, NCB 18218 TO WIT: FROM "C-2 ERZD" COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT TO "C-2 S ERZD" COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT WITH SPECIFIC USE AUTHORIZATION FOR A CARWASH.

**2016-04-07-0267**

**Z-20.** ZONING CASE # Z2016074 (Council District 10): An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District, "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District and "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District to "IDZ

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AHOD" Infill Development Zone Airport Hazard Overlay District with Single-Family uses not to exceed 15 units per acre on Lots 2, 3, 4, 9, 10, 11 and 12 NCB 9634 located at 129 and 135 Cloudhaven Drive, and 208, 210, 212, and 222 Rainbow Drive. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 1.565 ACRES OF LAND OUT OF NCB 9634 TO WIT: FROM "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT, "R-4 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT AND "RM-4 AHOD" RESIDENTIAL MIXED USE AIRPORT HAZARD OVERLAY DISTRICT TO "IDZ AHOD" INFILL DEVELOPMENT ZONE AIRPORT HAZARD OVERLAY DISTRICT WITH SINGLE-FAMILY USES UP TO 15 UNITS PER ACRE.

#### **CONSENT ZONING CONCLUDED**

#### **ZONING ITEMS PULLED FOR INDIVIDUAL CONSIDERATION**

##### **CONTINUED UNTIL JUNE 2, 2016**

**Z-4.** ZONING CASE # Z2015004 (Council District 1): An Ordinance amending the Zoning District Boundary from "MF-33 H S AHOD" Multi-Family King William Historic Airport Hazard Overlay District with a Specific Use Authorization for a Child Care Institution (Specialized) to "IDZ H AHOD" Infill Development Zone King William Historic Airport Hazard Overlay District with Single-Family Residential uses (attached townhomes) at a density not to exceed 25 units per acre on Lots 7, 8 and the north 12.4 feet of Lot 9, Block B, NCB 935 and "RM-4 H AHOD" Residential Mixed King William Historic Airport Hazard Overlay District on the south 43.8 feet of the west 69 feet of Lot 9 and the west 69 feet of Lot 10, Block B, NCB 935 all on Lots 7, 8, the north 12.49 feet and south 43.8 feet west of 69 feet of Lot 9 and west 69 feet of Lot 10, Block B, NCB 935 located at 139 Cedar Street and 311 Pereida. Staff and Zoning Commission recommend Approval. (Continued from February 18, 2016)

Catherine Hernandez presented Item Z-4 and stated that staff and the Zoning Commission recommended approval. She reported that of 37 notices mailed; three were returned in favor and one was received in opposition. She noted that the King William Neighborhood Association was in support of the request.

Councilmember Treviño moved to continue Item Z-4 until June 2, 2016. Councilmember

Viagran seconded the motion. The motion to continue prevailed by the following vote:

**AYE:** 9 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Medina, Nirenberg, Krier and Gallagher

**ABSENT:** 2 - Gonzales and Lopez

**DENIED**

**Z-5.** ZONING CASE # Z2016025 CD (Council District 1): An Ordinance amending the Zoning District Boundary from "C-2NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District to "C-1 CD AHOD" Light Commercial District Airport Hazard Overlay District with Conditional Use for Motor Vehicle Sales on Lot 28, Block 79, NCB 2794 located at 1538 and 1542 West Hildebrand Avenue. Staff and Zoning Commission recommend Approval. (Continued from March 3, 2016)

Catherine Hernandez presented Item Z-5 and stated that staff and the Zoning Commission recommended approval. She reported that of 47 notices mailed; 7 were returned in favor and none were received in opposition. She stated that the Los Angeles Heights Neighborhood Association was in support of the request.

Mayor Taylor called upon Mr. Rene Morales to speak.

Mr. Rene Morales stated that he was the Applicant and they had complied with all city requirements. He noted that the facility had been closed for the last five years and they were trying to improve the neighborhood.

Councilmember Treviño stated that they had continued this case to further engage conversation between the Keystone Neighborhood Association and the applicant but it was not successful. He noted that they did not feel that the use was in line with the Neighborhood Plan for what they would like to see along Hildebrand.

Councilmember Treviño moved to deny Item Z-5. Councilmember Warrick seconded the motion. The motion to deny prevailed by the following vote:

**AYE:** 9 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Medina, Nirenberg, Krier and Gallagher

**ABSENT:** 2 - Gonzales and Lopez

**CONTINUED UNTIL APRIL 28, 2016**

**Z-12.** ZONING CASE # Z2016081 CD (Council District 3): An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with Conditional Use for a Professional Office on the East half of Lot 11 and Lot 12, Block 48, NCB 3316 located at 646 East Rigby Avenue. Staff and Zoning Commission recommend Approval.

Catherine Hernandez presented Item Z-12 and stated that staff and the Zoning Commission recommended approval. She reported that of 24 notices mailed; none were returned in favor or in opposition.

Councilmember Viagran moved to continue Item Z-12 until April 28, 2016. Councilmember Warrick seconded the motion.

The motion to continue prevailed by the following vote:

**AYE:** 9 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Medina, Nirenberg, Krier and Gallagher

**ABSENT:** 2 - Gonzales and Lopez

**2016-04-07-0259**

**Z-13.** ZONING CASE # Z2016031 (Council District 5): An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District on Lot 31, Block 24, NCB 11357 located at 2122 Valencia Calle. Staff recommends Denial. Zoning Commission recommends Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 31, BLOCK 24, NCB 11357 TO WIT: FROM "R-6 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "RM-4 AHOD" RESIDENTIAL MIXED AIRPORT HAZARD OVERLAY DISTRICT.

Catherine Hernandez presented Item Z-13 and stated that staff recommended denial while the Zoning Commission recommended approval. She reported that of 39 notices mailed; none were returned in favor or in opposition.

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Mayor Taylor called upon Mr. Jose Cruz Montelongo to speak. Mr. Jose Cruz Montelongo stated that he did not speak English and his neighbor would speak on his behalf. His neighbor noted that Mr. Montelongo had modified his garage to add a bathroom and bedroom for his daughters and that as his closest neighbor, he was supportive of the request.

Councilmember Medina stated that Councilmember Gonzales was in support of the request and moved to approve Item Z-13. Councilmember Treviño seconded the motion. The motion prevailed by the following vote:

**AYE:** 9 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Medina, Nirenberg, Krier and Gallagher

**ABSENT:** 2 - Gonzales and Lopez

**2016-04-07-0263**

**Z-17. ZONING CASE # Z2016078 CD (Council District 8):** An Ordinance amending the Zoning District Boundary from "MF-50 MLOD" Multi-Family Camp Bullis Military Lighting Overlay District, "C-3 GC-1 MLOD" General Commercial Hill Country Gateway Corridor Camp Bullis Military Lighting Overlay District and "MF-50 GC-1 MLOD" Multi-Family Hill Country Gateway Corridor Camp Bullis Military Lighting Overlay District to "C-2 CD GC-1 MLOD" Commercial Hill Country Gateway Corridor Camp Bullis Military Lighting Overlay District with Conditional Use for a Dance Hall with Live Entertainment without cover charge 3 or more days per week and "C-2 CD MLOD" Commercial Camp Bullis Military Lighting Overlay District with Conditional Use for a Dance Hall with Live Entertainment without cover charge 3 or more days per week on 3.500 acres of land out of NCB 15825 located at 5053 UTSA Boulevard. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 3.5 ACRES OF LAND OUT OF NCB 15825 TO WIT: FROM "MF-50 MLOD" MULTI-FAMILY CAMP BULLIS MILITARY LIGHTING OVERLAY DISTRICT, "C-3 GC-1 MLOD" GENERAL COMMERCIAL HILL COUNTRY CORRIDOR CAMP BULLIS MILITARY LIGHTING OVERLAY DISTRICT AND "MF-50 GC-1 MLOD" MULTI-FAMILY HILL COUNTRY CORRIDOR CAMP BULLIS MILITARY LIGHTING OVERLAY DISTRICT TO "C-2 CD GC-1 MLOD" COMMERCIAL HILL COUNTRY CORRIDOR CAMP BULLIS MILITARY LIGHTING OVERLAY DISTRICT WITH CONDITIONAL USE FOR A DANCE HALL WITH LIVE

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ENTERTAINMENT WITHOUT COVER CHARGE 3 OR MORE DAYS PER WEEK AND "C-2 CD MLOD" COMMERCIAL CAMP BULLIS MILITARY LIGHTING OVERLAY DISTRICT WITH CONDITIONAL USE FOR A DANCE HALL WITH LIVE ENTERTAINMENT WITHOUT COVER CHARGE 3 OR MORE DAYS PER WEEK.

Catherine Hernandez presented Item Z-17 and stated that staff and the Zoning Commission recommended approval. She reported that of 10 notices mailed; three were returned in favor and one was received in opposition.

Councilmember Nirenberg called upon Mr. James McKnight. Mr. McKnight presented the Site Plan and stated that there were two buildings which would be used as a Restaurant with a Dance Hall on one side and a Piano Bar on the other side. He stated that there was enough of a buffer that the entertainment would not disturb people in the area. Councilmember Nirenberg asked if there were any noise restrictions. Mr. McKnight replied that there were no noise restrictions but the owner was the same owner as Cooter Brown's, an establishment that had been around for many years. Councilmember Nirenberg stated that was a great example of the development pattern they wanted to see around UTSA.

Councilmember Nirenberg moved to approve Item Z-17. Councilmember Medina seconded the motion. The motion prevailed by the following vote:

**AYE:** 9 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Medina, Nirenberg, Krier and Gallagher

**ABSENT:** 2 - Gonzales and Lopez

**ADJOURNMENT**

There being no further discussion, Mayor Taylor adjourned the meeting at 2:23 pm.

APPROVED

IVY R. TAYLOR  
MAYOR

ATTEST:

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





Item 2 received no bids and will be re-solicited at a later date. Bids for Item 5 did not meet published specifications and will be re-solicited at a later date.

This equipment will be utilized by the Parks & Recreation, Downtown Operations, and Aviation departments for daily operational and grounds keeping maintenance and project support throughout the City.

**ISSUE:**

These contracts will provide three units for Parks & Recreation Department, three units for Downtown Operations, and two units for Aviation. Six units are additions and two are replacements to the City's fleet.

Life expectancy for these light utility vehicles is 60 months.

This equipment has a minimum of one year warranty. The warranty shall commence from the date the City accepts delivery of units.

The Small Business Economic Development Advocacy (SBEDA) Ordinance requirements were waived due to the lack of small, minority, and/or women businesses available to provide these goods and services.

The Veteran-Owned Business Program does not apply to good/supplies contracts, so no preference was applied to this contract.

**ALTERNATIVES:**

Should these contracts not be approved, the Parks & Recreation, Downtown Operations, and Aviation Departments could be impacted in their ability to provide essential services to the public parks throughout the City of San Antonio, the downtown area and the San Antonio International Airport.

**FISCAL IMPACT:**

The total cost of this procurement is \$76,128.76 of which \$42,564.80 will be funded from the General Fund, \$8,512.96 will be funded from the Parking Operations and Maintenance Fund, and \$25,051.00 will be funded from the Aviation Operations and Maintenance Fund as additional and replacement equipment to the City's fleet.

**RECOMMENDATION:**

Staff recommends the approval of two contracts to purchase two golf carts from Mission Golf Cars for a cost of \$25,051.00, and six utility vehicles from Ewald Kubota Tractors for a cost of \$51,077.76. The total cost of the

units is \$76,128.76.

These contracts were procured on the basis of low bid and a Contracts Disclosure Form is not required.



# CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.  
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

## OFFICE USE ONLY CERTIFICATION OF FILING

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

Mission Golf Cars  
San Antonio, TX United States

Certificate Number:  
2016-29549

Date Filed:  
03/22/2016

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

City of San Antonio

Date Acknowledged:

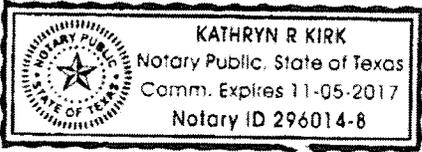
3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the goods or services to be provided under the contract.

6100007230  
Purchase of Light Utility Vehicles

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

5 Check only if there is NO Interested Party.

6 AFFIDAVIT



I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.

*[Handwritten Signature]*

Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said CHAD BACHHOFFER, this the 23RD day of MARCH, 2016, to certify which, witness my hand and seal of office.

*[Handwritten Signature]* KATHRYN R. KIRK NOTARY  
Signature of officer administering oath Printed name of officer administering oath Title of officer administering oath



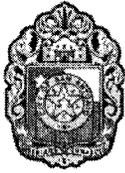
**SUPPORTING DOCUMENT NOTICE**

**This City Council Agenda Memo contains 1 or more attachments.**

**The attachment(s) may be accessed and viewed through the City's Website at [www.sanantonio.gov](http://www.sanantonio.gov) and selecting the Council Agenda link.**

**Copies of the agenda and any supporting documents may also be requested through the Office of the City Clerk or any public library.**





# City of San Antonio

## Agenda Memorandum

**File Number:** 16-2482

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**Agenda Item Number:** 5.

**Agenda Date:** 5/12/2016

**In Control:** City Council A Session

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**DEPARTMENT:** Finance

**DEPARTMENT HEAD:** Troy Elliott

**COUNCIL DISTRICTS IMPACTED:** CityWide

### SUBJECT:

5/12/2016 Annual Contracts

### SUMMARY:

An ordinance awarding three contracts to provide the City with commodities and services on an annual basis for the terms of the contract, for an estimated annual cost of \$265,000.00. This ordinance provides the procurement of the following items, as needed, and dependent on the Department's available budget, for the terms of the contract:

- A. AWE, Inc. dba Advanced Workstations in Education for Early Literacy Stations & Accessories, \$51,000.00 annually, (1 contract, Library Department)
- B. Automated Logic Corporation for Building Automation System for Various Facilities, \$19,000.00 annually; \$95,000.00 contract period (1 contract, Building and Equipment Services Department)
- C. Zoll Medical Corporation for Zoll AED Defibrillators & Accessories, \$195,000.00 annually (1 contract, Fire Department)

### BACKGROUND INFORMATION:

The City of San Antonio utilizes annual contracts for procuring high volume repetitive purchases. Annual contracts are an efficient method of securing the best prices through volume purchasing and reducing large amounts of work related to the bid process. Utilization of annual contracts allows the City to procure numerous different commodities in support of the normal daily operations.

**Contracts procured on the basis of sole source:**

A. AWE, Inc. dba Advanced Workstations in Education for Early Literacy Stations & Accessories, \$51,000.00 annually, upon award through June 30, 2017 with four, one year renewal options - will provide the San Antonio Public Library with a contractor to provide early literacy stations and peripheral support equipment. This contract will allow for a product refresh of all existing AWE computers. Many of the current AWE devices are at the end of life expectancy and they do not take advantage of the touch screen technology.

These items are being purchased as Sole Source according to the provisions of Texas Statutes Local Government Code 252.022.07. No other source can supply the items listed nor can any comparable item fulfill the same requirements. Vendor acknowledges, with his/her signature, that all items offered are considered a Sole Source.

B. Automated Logic Corporation for Building Automation System for Various Facilities, \$19,000.00 annually; \$95,000.00 contract period, upon award through March 31, 2019, with two, one year renewal options - will provide the Building and Equipment Services Department with a contractor to provide preventive maintenance and repairs for the Building Automation System (BAS). The BAS is a system that monitors and controls a building's HVAC system. The BAS will adjust building temperature and provides notification of component malfunctions such as overheating. The BAS is utilized at the following eight facilities; Animal Care Services, City Hall, Emergency Operations Center, Municipal Plaza Building, Cliff Morton Development and Business Services Center (One Stop), Plaza De Armas, Public Safety Headquarters and Police Property and Evidence Storage Facility. The estimated annual amount of \$19,000.00 includes \$2,800.00 for parts and labor repairs not included in the preventive maintenance.

These items are being procured as a Sole source according to the provisions of the Texas Statutes Local Government Code 252.022.07. No other source can supply the items listed nor can any comparable item fulfill the same requirements.

C. Zoll Medical Corporation for Zoll AED Defibrillators & Accessories, \$195,000.00 annually, upon award through September 30, 2019 with two, one year renewal options - will provide the San Antonio Fire Department with the purchase and delivery of Zoll 3-Lead Automated External Defibrillators (AED) and accessories utilized by emergency first responders. This contract will provide replacement AED's and replenishment of supply inventories. Zoll AED's and accessories for use by emergency first responder personnel are only available from Zoll Medical Corporation.

These items are being purchased as Sole Source according to the provisions of Texas Statutes Local Government Code 252.022.07. No other source can supply the items listed nor can any comparable item fulfill the same requirements. Vendor acknowledges, with his/her signature, that all items offered are considered a Sole Source.

**ISSUE:**

These contracts represent a portion of approximately 250 annual contracts that will be brought before City Council throughout the fiscal year. These products and services are used by city departments in their daily operations.

A. Early Literacy Stations & Accessories - This contract is exempt from competitive bidding and is excluded from the scope of the SBEDA Program.

This contract is an exception to the Local Preference Program.

The Veteran-Owned Small Business Preference Program does not apply to goods/supplies contracts, so no preference was applied to this contract.

B. Building Automation System for Various Facilities - This contract is exempt from competitive bidding and is excluded from the scope of the SBEDA Program.

This contract is an exception to the Local Preference Program.

The Veteran-Owned Small Business Program does not apply to non-professional services, so no preference was applied to this contract.

C. Zoll AED Defibrillators & Accessories- This contract is exempt from competitive bidding and is excluded from the scope of the SBEDA Program.

This contract is an exception to the Local Preference Program.

The Veteran-Owned Small Business Preference Program does not apply to goods/supplies contracts, so no preference was applied to this contract.

**ALTERNATIVES:**

A. Early Literacy Stations & Accessories - Should this contract not be approved, the Library will need to continue to make individual purchases in order to sustain existing equipment.

B. Building Automation System for Various Facilities - Should this contract not be approved, the Building and Equipment Services Department will be required to procure maintenance and repairs on an as-needed basis which may result in higher pricing and delays in returning the HVAC system to service.

C. Zoll AED Defibrillators & Accessories - Should this contract not be approved, fire personnel may have to respond without a 3-Lead AED on-board due to the lack of available replacement units and accessories. EMS responders use the 3-Lead AED's to provide emergency patient care.

**FISCAL IMPACT:**

Funds are not encumbered by this ordinance. All expenditures will be in accordance with the Department's adopted budget approved by City Council. Purchases made by the Department are as needed and dependent upon available funds within their adopted budget.

**RECOMMENDATION:**

Staff recommends the acceptance of three contracts submitted through this ordinance to provide the City with specified services on an annual contract basis. These annual contracts are critical to the City's daily operations.

These contracts were procured on the basis of sole source and Contract Disclosure Forms are not required.



# CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.  
 Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

## OFFICE USE ONLY CERTIFICATION OF FILING

Certificate Number:  
 2016-29136

Date Filed:  
 03/22/2016

Date Acknowledged:

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.  
 AUTOMATED LOGIC CONTRACTING SERVICES  
 SAN ANTONIO, TX United States

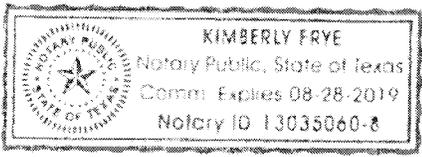
2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.  
 City of San Antonio

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the goods or services to be provided under the contract.  
 6100007287  
 Service agreement

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

5 Check only if there is NO Interested Party.

6 AFFIDAVIT I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.



*Christopher Torres*  
 Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said Christiane Parra, this the 22 day of March, 2016, to certify which, witness my hand and seal of office.

*Kimberly Frye*      Kimberly Frye      Notary Public  
 Signature of officer administering oath      Printed name of officer administering oath      Title of officer administering oath

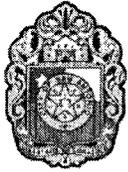


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# City of San Antonio

## Agenda Memorandum

**File Number:** 16-2487

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**Agenda Item Number:** 6.

**Agenda Date:** 5/12/2016

**In Control:** City Council A Session

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**DEPARTMENT:** Office of Sustainability

**DEPARTMENT HEAD:** Douglas Melnick

**COUNCIL DISTRICTS IMPACTED:** Council Districts 3, 4, and 5

### **SUBJECT:**

Contract Award: (Job Order Contract) FY 2016 Municipal Lighting Retrofits

### **SUMMARY:**

An Ordinance authorizing a Job Order Contract (JOC) with Kencon Constructors in an amount not to exceed \$157,983.45 for the FY 2016 Municipal Retrofits Project, a FY 2016 Energy Efficiency Funds funded project, for providing energy efficient retrofits for City owned facilities located in Council Districts 3, 4, and 5.

### **BACKGROUND INFORMATION:**

As part of the FY 2016 Energy Efficiency Fund budget, \$450,000.00 was included for energy efficiency retrofits to be overseen by the Office of Sustainability. The balance of the energy funds are to be used for additional energy efficiency projects in FY 2016.

Existing interior and exterior lighting at Fire Station #25, the SAPD Property and Evidence Storage and the Park's South Flores Yard will be replaced with high efficiency fluorescent or LED technologies, in order to reduce energy consumption, lower operating and maintenance costs and realize environmental benefits. CPS Energy has estimated an annual energy savings of approximately \$12,331.00 from the three buildings in total and could be eligible for a rebate of up to \$14,900.00 resulting in a payback of project costs through savings in 11.6 years. The rebate and utility cost savings will be transferred to the Energy Efficiency Fund for use in future energy efficient retrofits.

Since FY 2011, the Office of Sustainability has completed 393 energy efficiency projects at over 180 municipal buildings. These projects include lighting retrofits, HVAC equipment and controls upgrades, window film and

retro-commissioning. The total avoided annual energy cost of these projects is over \$1.3 million.

Future Planned Projects include:

Project Name	Scope	No. of Facility
Variable Frequency Drive (VFD) Retrofit	This project will install VFDs on the HVAC fan motor to reduce the energy consumption of the fans.	6
Retro-commissioning	This project will review existing HVAC controls sequence of operation and optimize their current operation in an effort to save energy while increasing occupant comfort	5
Lighting Retrofit	This project will retrofit existing light fixtures with energy-efficient LED fixtures.	1

<p><b>VFD retrofit at:</b> Animal Care Services, Hamilton Community Center, San Juan Brady Community Center, North Substation, Northwest Substation and West Substation</p> <p><b>Retro-commissioning at:</b> Fire Station #50, CoSA and Bexar County EOC, One Stop DSD, Parman Library, and Public Safety Answering Point</p> <p><b>Lighting Retrofit at:</b> NE Service Center</p>
--

Energy retrofits are selected based on quantitative assessments of potential energy and cost reductions relative to implementation costs. All retrofits must pay for themselves through avoided energy costs and utility rebates and result in a positive return on investment (ROI) in order to be selected.

Procurement of Services

This Project was selected to utilize Job Order Contracting (JOC), an alternative project delivery method, through which 10 contractors were approved through Ordinance 2015-01-15-0013 by City Council on January 15, 2015. The use of the JOC delivery method has provided the City with on-call construction, renovation and maintenance services for City buildings and facilities. Assignment of a JOC contractor to a specific job is based on the contractor’s current workload, overall capacity, familiarity with a specific facility, cost, expertise in completing specific task(s) and/or managing a specific trade needed to carry out the job. Of the ten contractors, Kencon Constructors was selected to submit an estimate and project schedule for this Project

Kencon Constructors is a small, minority-owned business that has committed to 23% Minority/Women Business Enterprise and 3% African-American Business subcontractor participation.

Discretionary Contracts Disclosure Form, as required by the City’s Ethics Ordinance for all Projects, where subjective criteria are used to select the contractor or consultant rather than by low bid, is attached.

**ISSUE:**

This Ordinance for the FY 2016 Municipal Lighting Retrofits, a FY 2016 initiative located in council Districts 3, 4, and 5, authorizes a task order to a Job Order Contract with Kencon Constructors in an amount not to exceed \$157,983.45.

This Project will consist of interior and exterior lighting retrofits to Fire Station #25, the Property & Evidence Storage Building and the Park's South Flores Yard with high efficiency fluorescent and LED technology. Since FY2011, the Office of Sustainability has completed 393 energy efficiency projects at over 180 municipal buildings. These projects include lighting retrofits, HVAC equipment and controls upgrades, window film and retro-commissioning. The total avoided annual energy cost of these projects is over \$1.3 million.

Energy retrofits are selected based on quantitative assessments of potential energy and cost reductions relative to implementation costs. All retrofits must pay for themselves through avoided energy costs and utility rebates and result in a positive return on investment (ROI) in order to be selected.

Coordination with the SAFD, SAPD and Parks & Recreation will be made to allow necessary access to each property during retrofits.

**ALTERNATIVES:**

As an alternative, this Project could be delivered utilizing another delivery method. However, considering the additional time required for another solicitation process, this would adversely affect the timely completion of the project.

**FISCAL IMPACT:**

This is a one-time capital improvement expenditure in the amount of \$157,983.45, payable to Kencon Constructors. Funds are available in FY 2016 Energy Efficiency Fund.

**RECOMMENDATION:**

Staff recommends approval of this ordinance authorizing a task order to a Job Order Contract in an amount not to exceed \$157,983.45 to Kencon, Inc., for the FY 2016 Municipal Lighting Retrofits-Phase I.







\* = Required fields



# City of San Antonio Contracts Disclosure Form

Office of the  
City Clerk

Please fill out this form online, print completed form and submit with proposal to originating department. All questions must be

For details on use of this form, see Section 2-59 through 2-61 of the City's Ethics Code

\*This is a  New Submission or  Correction or  Update to previous submission.

\*1. Name of person submitting this disclosure form:

First: Laurence M.I. D Last: Garcia Suffix: \_\_\_\_\_

\*2. Contract information:

a) Contract or project name: Office of Sustainability FY2016 Municipal Lighting Retrofits

b) Originating department: Office of Sustainability

\*3. Name of contracting party:

Kencon Constructors / Construction Managers Ltd.

\*4. Does the contracting party have partner, parent, joint venture, or subsidiary entities listed in Q1?

Not applicable. Contracting party(ies) does not have partner, parent, joint venture, or subsidiary entities.  
 Names of partner, parent, joint venture or subsidiary entities, and all the board members, executive committee members, and officers of each entity:

\*5. Are there any subcontractors retained for this contract?

Not applicable. No subcontractors will be retained for this contract.  
 Subcontractors may be retained, but have not been selected at the time of this submission.  
 List of subcontractors, including the name of the owner(s), and business name:

Sunset Electric LLC,  
Owner: Jeanne Vincent  
  
Keylich Electric  
Owner: Chris Keylich

\*6. Have any attorneys, lobbyists, or consultants been retained to assist in seeking this contract?

Not applicable. No attorneys, lobbyists, or consultants have been retained to assist in seeking this contract.  
 List of attorneys, lobbyists, or consultants retained to assist in seeking this contract:

\* = Required fields



# City of San Antonio Contracts Disclosure Form

Office of the  
City Clerk

## 7. Disclosure of Political Contributions

List any campaign or officeholder contributions made by the following individuals in the past 24 months totaling more than \$100 to any current member of City Council, former member of City Council, any candidate for City Council, or to any political action committee that contributes to City Council elections:

- a) any individual seeking contract with the city (Question 3)
- b) any owner or officer of entity seeking contract with the city (Question 3)
- c) any individual or owner or officer of an entity listed above as a partner, parent, or subsidiary business (Question 4)
- d) any subcontractor or owner/officer of subcontracting entity retained for the contract (Question 5)
- e) the spouse of any individual listed in response to (a) through (d) above
- f) any attorney, lobbyist, or consultant retained to assist in seeking contract (Question 6)

Not applicable. No campaign or officeholder contributions have been made in preceding 24 months by these individuals.

List of contributions:

## 8. Update Information

Information regarding contributions must be updated by submission of a revised form from the date of the submission of this form, up through the time City Council takes action on the contract identified in response to Question 2 and continuing for 30 calendar days after the contract has been awarded.

Section 2-309 of the Municipal Campaign Finance Code, the following listed individuals are prohibited from making a campaign or officeholder contribution to any member of City Council, candidate for City Council or political action committee that contributes to City Council elections from the 10th business day after a contract solicitation has been released until 30 calendar days after the contract has been awarded:

- a) Legal signatory of a high-profile contract
- b) Any individual seeking a high-profile contract
- c) Any owner or officer of an entity seeking a high-profile contract
- d) The spouse of any of individual listed in response to (a) through (c) above
- e) Any attorney, lobbyist, or consultant retained to assist in seeking a high-profile contract

**Penalty.** A high-profile contract cannot be awarded to the individual or entity if a prohibited contribution has been made by any of these individuals during the contribution "black-out" period, which is the 10th business day after a solicitation has been released until 30 calendar days after the contract has been awarded.

## 9

Are you aware of any fact(s) with regard to this contract that would raise a "conflict of interest" issue under Sections 2-43 or 2-44 of the City Ethics Code for any City Council member or board/commission member that has not or will not be raised by these city officials?

I am not aware of any conflict(s) of interest issues under Section 2-43 or 2-44 of the City Ethics Code for members of City Council or a city board/commission.

I am aware of the following conflict(s) of interest:



# City of San Antonio Contracts Disclosure Form

Office of the  
City Clerk

**Contracts**

Currently, or within the past twelve (12) months, have you, your spouse, sibling, parent, child or other family member within the first degree of consanguinity or affinity served on a City board or commission?

Currently, or within the past twelve (12) months, has an owner, partner or employee of a business entity in which you, your spouse, parent, child own 10% or more of the voting stock or shares, or 10% or more of the fair market value served on a City board or commission?

Currently, or within the past twelve (12) months, has an owner, partner, or employee of a business entity who owns 10% or more of the voting stock or shares, or 10% or more of the fair market value, that will be a subcontractor for this contract, served on a

No  
 Yes

Please be aware, the City's Charter and Ethics Code prohibits members of certain more-than-advisory boards and commissions, as well as their close family members and any businesses they or their families hold a 10% or greater ownership interest from obtaining a contract with the City during their board or commission service. The prohibition extends to subcontracts on City contracts, and would also apply to parent, subsidiary or partner businesses owned by the member of the board or commission and their family. Please see section 141 of the City Charter and Section 2-52 of the City Ethics Code (Prohibited Interests in Contracts) for complete information.

Former members of certain more-than-advisory boards and commissions, their family members and the businesses they own will continue to be prohibited from obtaining any discretionary contracts for one year after leaving City service. Please see Section 2-56 of the City Ethics Code (Prohibited Interest in Discretionary Contracts) for complete information.

Please note that any contract in place at the time the applicant becomes a City officer may remain in effect, but cannot be amended, extended, modified, or changed in any manner during the officer's City service on the more-than-advisory board.

If you have any questions, please contact the Office of the City Attorney to request to speak with a member of the Ethics staff:

### Acknowledgements

**\*1. Updates Required**

I understand that this form must be updated by submission of a revised form if there is any change in the information before the discretionary contract, housing and retail development incentive, or the purchase, sale, or lease of real estate to or from the City is the subject of action by the City Council, and no later than 5 business days after any change has occurred, whichever comes first. This includes information about political contributions made after the initial submission and up until 30 calendar days after contract has been awarded.

**\*2. No Contact with City Officials or Staff during Contract Evaluation**

I understand that a person or entity who seeks or applies for a city contract or any other person acting on behalf of that person or entity is prohibited from contacting city officials and employees regarding the contract after a Request for Proposal (RFP), Request for Qualification (RFQ), or other solicitation has been released.

This no-contact provision shall conclude when the contract is posted as a City Council agenda item. If contact is required with city officials or employees, the contact will take place in accordance with procedures incorporated into the solicitation documents. Violation of this prohibited contacts provision set out in Section 2-61 of the City Ethics Code by respondents or their agents may lead to disqualification of their offer from consideration.

\* = Required fields

XXXXXXXXXXXX



# City of San Antonio Contracts Disclosure Form

Office of the  
City Clerk

**\*3. Contribution Prohibitions for "High-Profile" Contracts**

- This is not a high-profile contract.
- This is a high-profile contract.

**\*4. Conflict of Interest Questionnaire (CIQ)**

Chapter 176 of the Local Government Code requires all contractors and vendors to submit a Conflict of Interest Questionnaire Form (CIQ) to the Office of the City Clerk, even if contract is not designated as "High Profile".

- I acknowledge that I have been advised of the requirement to file a CIQ form under Chapter 176 of the Local Government Code.

I swear or affirm that the statements contained in this Contracts Disclosure Form, including any attachments, to the best of my knowledge and belief are true, correct, and complete.

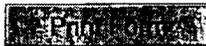
Your Name: Jan Gao Title: Assi. Proj. Manager

Company Name or DBA: Kencor Constructors/Construction Ltd. Date: 4.15.16

Please fill this form out online, print completed form and submit with proposal to originating department. All questions must be answered.

If necessary to mail, send to:

Purchasing  
P.O. Box 839966  
San Antonio, Texas 78283-3966



# CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

**OFFICE USE ONLY  
CERTIFICATION OF FILING**

Certificate Number:  
2016-42004

Date Filed:  
04/19/2016

Date Acknowledged:

Complete Nos. 1 - 4 and 6 if there are interested parties.  
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.  
Kencon Constructors/Construction Managers, Ltd.  
San Antonio, TX United States

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.  
The City of San Antonio

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the goods or services to be provided under the contract.  
4600014342  
Job Order Contracting

4 Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
		Controlling	Intermediary
Kennedy, J Clayton	San Antonio, TX United States	X	

5 Check only if there is NO Interested Party.

6 AFFIDAVIT

I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.

*[Signature]*  
\_\_\_\_\_  
Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said James M Suenz, this the 19th day of April, 2016, to certify which, witness my hand and seal of office.

*[Signature]*  
\_\_\_\_\_  
Signature of officer administering oath

Liz Mendiola  
\_\_\_\_\_  
Printed name of officer administering oath

Contractor  
\_\_\_\_\_  
Title of officer administering oath

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# City of San Antonio

## Agenda Memorandum

**File Number:** 16-2496

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**Agenda Item Number:** 7.

**Agenda Date:** 5/12/2016

**In Control:** City Council A Session

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**DEPARTMENT:** Transportation & Capital Improvements

**DEPARTMENT HEAD:** Mike Frisbie, P.E.

**COUNCIL DISTRICTS IMPACTED:** Council District 2

**SUBJECT:**

Contract Award: (Job-Order Contract) Japanese Tea Gardens - Flagstone Paving

**SUMMARY:**

An ordinance for the Japanese Tea Gardens Improvement Project authorizing a task order to a Job Order Contract with The Sabinal Group, in an amount not to exceed \$165,436.08, a 2012 Bond funded project, located in Council District 2.

**BACKGROUND INFORMATION:**

Project Background

The 2012 - 2017 General Obligation Bond Program approved \$750,000.00 for general facility improvements to the Japanese Tea Gardens. In 2012, the City of San Antonio's Parks and Recreation Department entered into a Funding Agreement with the San Antonio Parks Foundation to improve the observation deck at the Japanese Tea Garden for a total of \$250,000.00. The remaining funds were to be utilized for construction of a perimeter fence, wall stabilization and flagstone paving at the Japanese Tea Gardens.

The Project provides for the construction of flagstone paving within the area of the Pavilion and the Jingu House and will replace the current "limestone gravel chat" in the same area. This phase of the Project will begin in July 2016 and will be complete in October 2016. The pricing of the flagstone is approximately \$30 per square foot. Factors that contributed to this higher than average pricing include several factors. First, the "limestone gravel chat" must be removed by a Texas Historic Commission approved mason which

automatically limits the contractors that perform such work. Secondly the layout of the Tea Gardens provides poor access for the contractor, and requires each and every stone or rock to be removed and hand carried to the dump site the contractor provides. A tractor cannot be driven through the Gardens. Lastly, the contractor has to coordinate the project around the Japanese Tea Gardens Committee events schedule which requires the contractor to mobilize and demobilize at least two times to construct the flagstone paving in two or more phases.

The construction of a perimeter fence was performed by another JOC contractor in winter 2014-2015, ordinance 2014-08-21-0590. The improvements to two failing historic stone walls adjacent to the lower entrance of the Japanese Tea Garden was completed by a JOC task order under \$100,000 by the The Sabinal Group in April 2016.

#### Procurement of Services

This Project was selected to utilize the Job Order Contracting (JOC), an alternative Project delivery method which ten contractors were approved through Ordinance 2015-01-15-0013 by City Council on January 15, 2015. The use of the JOC delivery method has provided the City with on-call construction, renovation and maintenance services for City buildings and facilities. Assignment of JOC contractors to specific jobs is based on the contractor's current workload, overall capacity, familiarity with a specific facility, cost, expertise in completing specific task(s) and/or managing a specific trade needed to carry out the requested repair or rehabilitation. Of the ten contractors, The Sabinal Group was selected to submit an estimate and project schedule for this Project.

The Sabinal Group is a small, minority-owned business that has committed to 23% Minority/Women Business Enterprise and 3% African-American Business subcontractor participation.

Discretionary Contracts Disclosure Form, as required by the City's Ethics Ordinance for all Projects, where subjective criteria are used to select the contractor or consultant rather than by low bid, is attached.

#### **ISSUE:**

An ordinance for the Japanese Tea Gardens Improvement Project authorizing a task order to a Job Order Contract with The Sabinal Group in an amount not to exceed \$165,436.08, a 2012 Bond funded project, located in Council District 2.

This Project provides for the removal of the existing limestone gravel chat floor in the area of the Pavilion and Jingu House and replace it with flagstone paving to match the existing flagstone paving in the same general area of the garden. This Project will begin in July 2016 and will be complete in October 2016.

The Transportation and Capital Improvements Department has coordinated with the Parks and Recreation Department, Texas Historical Commission, the Japanese Tea Garden Committee and vendors leasing space at the Japanese Tea Gardens' Jingu House. The facility will remain accessible to patrons and vendors during construction.

#### **ALTERNATIVES:**

As an alternative, this Project could be delivered utilizing another delivery method. However, considering the additional time required for another solicitation process, this would adversely affect the timely completion of the project.

**FISCAL IMPACT:**

This is one-time capital improvement expenditure in the amount of \$165,436.08, payable to The Sabinal Group. Funds are available from 2012 General Obligation Bonds and are included in the FY 2016-2021 Capital Budget.

**RECOMMENDATION:**

Staff recommends approval of this ordinance authorizing a task order to a Job Order Contract in an amount not to exceed \$165,436.08, to The Sabinal Group for the Japanese Tea Garden Improvement Project.



\* = Required fields



# City of San Antonio Contracts Disclosure Form

Office of the  
City Clerk

Please fill out this form online, print completed form and submit with proposal to originating department. All questions must be answered.

For details on use of this form, see [Section 2-59 through 2-61](#) of the City's Ethics Code.

This is a  New Submission or  Correction or  Update to previous submission.

\*1. Name of person submitting this disclosure form.

First: RON M.I. R Last: GONZALES Suffix: MR.

\*2. Contract information.

a) Contract or project name: JOC - 2015

b) Originating department: TCI

\*3. Name of individual(s) or entity(ies) seeking a contract with the city (i.e. parties to the contract).

THE SABINAL GROUP

\*4. List any individual(s) or entity(ies) that is a partner, parent, joint venture, or subsidiary entity(ies) of the individual or entity listed in Question 3.

Not applicable. Contracting party(ies) does not have partner, parent, joint venture, or subsidiary entities.

Names of partner, parent, joint venture or subsidiary entities, and all the board members, executive committee members, and officers of each entity:

\*5. List any individuals or entities that will be subcontractors on this contract.

Not applicable. No subcontractors will be retained for this contract.

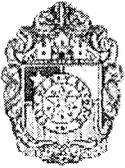
Subcontractors may be retained, but have not been selected at the time of this submission.

List of subcontractors, including the name of the owner(s), and business name: SAN JACINTO MARSHALS  
RAY SMITH

\*6. List any attorneys, lobbyists, or consultants retained by any individuals listed in Questions 3, 4, or 5 to assist in seeking this contract.

Not applicable. No attorneys, lobbyists, or consultants have been retained to assist in seeking this contract.

List of attorneys, lobbyists, or consultants retained to assist in seeking this contract:



# City of San Antonio Contracts Disclosure Form

Office of the  
City Clerk

**\*7. Disclosure of political contributions.**

List any campaign or officeholder contributions made by the following individuals in the past 24 months totaling more than \$100 to any current member of City Council, former member of City Council, any candidate for City Council, or to any political action committee that contributes to City Council elections:

- a) any individual seeking contract with the city (Question 3)
- b) any owner or officer of entity seeking contract with the city (Question 3)
- c) any individual or owner or officer of an entity listed above as a partner, parent, or subsidiary business (Question 4)
- d) any subcontractor or owner/officer of subcontracting entity retained for the contract (Question 5)
- e) the spouse of any individual listed in response to (a) through (d) above
- f) any attorney, lobbyist, or consultant retained to assist in seeking contract (Question 6)

Not applicable. No campaign or officeholder contributions have been made in preceding 24 months by these individuals.

List of contributions:

**Updates on Contributions Required**

Information regarding contributions must be updated by submission of a revised form from the date of the submission of this form, up through the time City Council takes action on the contract identified in response to Question 2 and continuing for 30 calendar days after the contract has been awarded.

**Notice Regarding Contribution Prohibitions for "High-Profile" Contracts**

Under [Section 2-309 of the Municipal Campaign Finance Code](#), the following listed individuals are prohibited from making a campaign or officeholder contribution to any member of City Council, candidate for City Council or political action committee that contributes to City Council elections from the 10th business day after a contract solicitation has been released until 30 calendar days after the contract has been awarded:

- a) Legal signatory of a high-profile contract
- b) Any individual seeking a high-profile contract
- c) Any owner or officer of an entity seeking a high-profile contract
- d) The spouse of any of individual listed in response to (a) through (c) above
- e) Any attorney, lobbyist, or consultant retained to assist in seeking a high-profile contract

**Penalty.** A high-profile contract cannot be awarded to the individual or entity if a prohibited contribution has been made by any of these individuals during the contribution "black-out" period, which is the 10th business day after a solicitation has been released until 30 calendar days after the contract has been awarded.

**\*8. Disclosure of conflict of interest.**

Are you aware of any fact(s) with regard to this contract that would raise a "conflict of interest" issue under [Sections 2-43 or 2-44](#) of the City Ethics Code for any City Council member or board/commission member that has not or will not be raised by these city officials?

I am not aware of any conflict(s) of interest issues under Section 2-43 or 2-44 of the City Ethics Code for members of City Council or a city board/commission.

I am aware of the following conflict(s) of interest:



# City of San Antonio Contracts Disclosure Form

Office of the  
City Clerk

### 9. Prohibited Interest in Contracts.

Currently, or within the past twelve (12) months, have you, your spouse, sibling, parent, child or other family member within the first degree of consanguinity or affinity served on a City board or commission?

Currently, or within the past twelve (12) months, has an owner, partner or employee of a business entity in which you, your spouse, parent, child own 10% or more of the voting stock or shares, or 10% or more of the fair market value served on a City board or commission?

Currently, or within the past twelve (12) months, has an owner, partner, or employee of a business entity who owns 10% or more of the voting stock or shares, or 10% or more of the fair market value, that will be a subcontractor for this contract, served on a City board or commission?

No

Yes

### Notice Regarding Prohibited Interest in Contracts.

Please be aware, the City's Charter and Ethics Code prohibits members of certain more-than-advisory boards and commissions, as well as their close family members and any businesses they or their families hold a 10% or greater ownership interest from obtaining a contract with the City during their board or commission service. The prohibition extends to subcontracts on City contracts, and would also apply to parent, subsidiary or partner businesses owned by the member of the board or commission and their family. Please see [Section 141 of the City Charter](#) and [Section 2-52 of the City Ethics Code \(Prohibited Interests in Contracts\)](#) for complete information.

Former members of certain more-than-advisory boards and commissions, their family members and the businesses they own will continue to be prohibited from obtaining any discretionary contracts for one year after leaving City service. Please see [Section 2-58 of the City Ethics Code \(Prohibited Interest in Discretionary Contracts\)](#) for complete information.

Please note that any contract in place at the time the applicant becomes a City officer may remain in effect, but cannot be amended, extended, modified, or changed in any manner during the officer's City service on the more-than-advisory board.

If you have any questions, please contact the Office of the City Attorney to request to speak with a member of the Ethics staff: (210) 207-8940.

### Acknowledgements

#### 1. Updates Required

I understand that this form must be updated by submission of a revised form if there is any change in the information before the discretionary contract, housing and retail development incentive, or the purchase, sale, or lease of real estate to or from the City is the subject of action by the City Council, and no later than 5 business days after any change has occurred, whichever comes first. This includes information about political contributions made after the initial submission and up until 30 calendar days after contract has been awarded.

#### 2. No Contact with City Officials or Staff during Contract Evaluation

I understand that a person or entity who seeks or applies for a city contract or any other person acting on behalf of that person or entity is prohibited from contacting city officials and employees regarding the contract after a Request for Proposal (RFP), Request for Qualification (RFQ), or other solicitation has been released.

This no-contact provision shall conclude when the contract is posted as a City Council agenda item. If contact is required with city officials or employees, the contact will take place in accordance with procedures incorporated into the solicitation documents. Violation of this prohibited contacts provision set out in [Section 2-61 of the City Ethics Code](#) by respondents or their agents may lead to disqualification of their offer from consideration.

\* = Required fields



# City of San Antonio Contracts Disclosure Form

Office of the  
City Clerk

### 3. Contribution Prohibitions for "High-Profile" Contracts

- This is not a high-profile contract.
- This is a high-profile contract.

### \*4. Conflict of Interest Questionnaire (CIQ)

Chapter 176 of the Local Government Code requires all contractors and vendors to submit a Conflict of Interest Questionnaire Form (CIQ) to the Office of the City Clerk, even if contract is not designated as "High Profile".

- I acknowledge that I have been advised of the requirement to file a CIQ form under Chapter 176 of the Local Government Code.

### \*Oath

- I swear or affirm that the statements contained in this Contracts Disclosure Form, including any attachments, to the best of my knowledge and belief are true, correct, and complete.

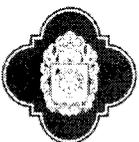
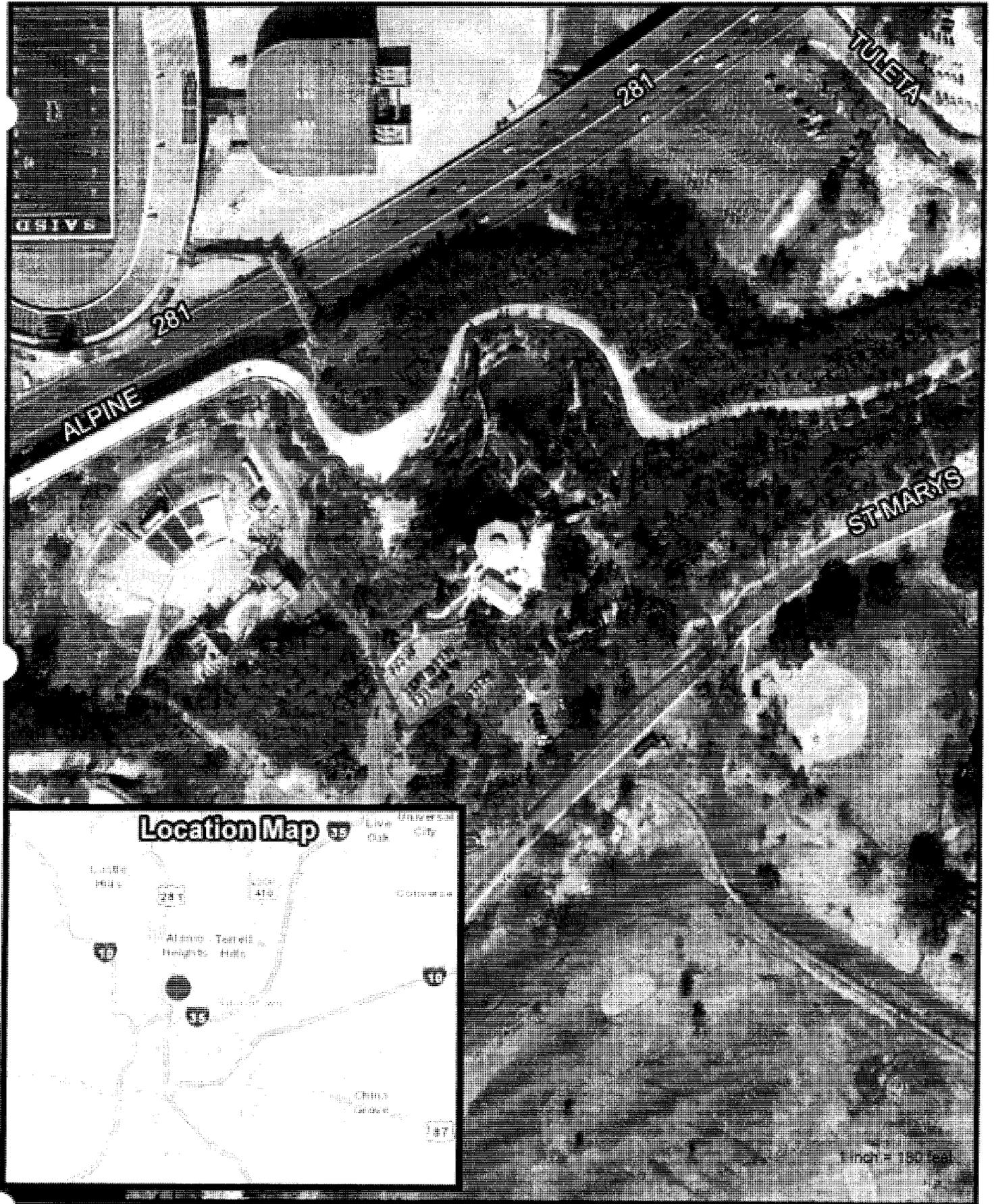
Your Name: RON GONZALES Title: ESTIMATOR

Company Name or DBA: THE SABINAL GROUP Date: 04/15/2016

Please fill this form out online, print completed form and submit with proposal to originating department. All questions must be answered.

If necessary to mail, send to:

Purchasing  
P.O. Box 839966  
San Antonio, Texas 78283-3966



**Japanese Tea Gardens**  
**3853 ST Mary's N**  
**San Antonio, TX 78212**



**SUPPORTING DOCUMENT NOTICE**

**This City Council Agenda Memo contains 1 or more attachments.**

**The attachment(s) may be accessed and viewed through the City's Website at [www.sanantonio.gov](http://www.sanantonio.gov) and selecting the Council Agenda link.**

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# City of San Antonio

## Agenda Memorandum

**File Number:** 16-1969

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**Agenda Item Number:** 8.

**Agenda Date:** 5/12/2016

**In Control:** City Council A Session

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**DEPARTMENT:** Center City Development & Operations

**DEPARTMENT HEAD:** John Jacks

**COUNCIL DISTRICTS IMPACTED:** Council District 1

### **SUBJECT:**

Disposition: Sale of Property located at 421 S. Alamo

### **SUMMARY:**

An ordinance to declare as surplus The German-English School located at 421 S. Alamo, described as a 0.9827 acre (42,807.90 square feet) tract of land being a portion of Lots 4 and 5, NCB 155, and a portion of Lot 10, NCB 155, in Council District 1, and authorizing its sale to HH San Antonio LLC for \$1,900,000.00.

### **BACKGROUND INFORMATION:**

The City of San Antonio acquired property commonly known as The German English School (a portion of Lots 4 and 5, NCB 155) in 1953 as part of a property exchange with SAISD. The adjoining parking lot (Lot 10) was acquired in 1965 as part of a property exchange with St. John's Evangelical Lutheran Church, and the property is historic. The City has leased the property since 1978. The current Lessee is HH San Antonio, LLC on behalf of the Marriott Plaza San Antonio. The property is used as a Conference Center/Event Venue for the Marriott Plaza Hotel. Petitioner's current lease ends on March 31, 2018 and has a ten-year renewal option.

There are two masonry buildings on the property that were constructed circa 1859. The south building is used for storage. Petitioner would like to convert it into usable conference space to include a large meeting room on the first floor, meeting rooms on the second floor, kitchen renovations and renovation of the bathrooms. Petitioner plans to update the décor in the north building. Total renovation costs of both buildings will be an investment of approximately \$1,200,000.00. Petitioner requests the City declare the property as surplus and authorize its sale so Petitioner can complete the renovations which will allow both buildings to be utilized as

meeting space.

The request was canvassed throughout City departments and municipal utilities and was approved, with condition, for disposal. The property is historic, so disposition would be contingent upon any future improvements being reviewed and approved by the Historic & Design Review Commission.

In accordance with Chapter 272 of the Local Government Code, the subject property was advertised to the general public for sealed bids in the Hart Beat on Wednesday, September 16 and Friday, September 18, 2015. The property was also advertised on the City's website. One bid was received and the City accepted the bid of \$1,900,000.00 from HH San Antonio LLC. If approved, HH San Antonio LLC plans to invest \$1,200,000.00 to renovate both buildings for conference/event venues.

### **ISSUE:**

This ordinance declares as surplus The German-English School located at 421 S. Alamo, described as a 0.9827 acre (42,807.90 square feet) tract of land being a portion of Lots 4 and 5, NCB 155, and a portion of Lot 10, NCB 155, in Council District 1, and authorizes its sale to HH San Antonio LLC for \$1,900,000.00.

HH San Antonio LLC (Petitioner) is exercising a ten-year option on a lease for The German-English School for use as a Conference Center/Event Venue for the Marriott Plaza Hotel. The current term ends on March 31, 2018 and has a ten-year renewal option. There are two masonry buildings on the property that were constructed circa 1859. The south building is used for storage. Petitioner would like to convert it into usable conference space to include a large meeting room on the first floor, meeting rooms on the second floor, kitchen renovations and construction of updated bathrooms. Petitioner plans to update the décor in the north building. Total renovation costs of both buildings will be an investment of approximately \$1,200,000.00. Petitioner requests the City declare the property as surplus and authorize its sale so Petitioner can complete the renovations which will allow both buildings to be utilized as meeting space.

In compliance with Chapter 37 of the City Code, Section 37-2, fair market value of the subject property was based upon an independent State of Texas Certified Professional Appraisal Report in the amount of \$1,840,000 by Valbridge Property Advisors on April 28, 2015. The City accepted a sealed bid from HH San Antonio LLC in the amount of \$1,900,000.00.

### **ALTERNATIVES:**

City Council could choose not to authorize disposal of the property; however if Petitioner is unable to improve the property, the property cannot be utilized to its maximum capacity which could have an adverse effect on future marketability.

### **FISCAL IMPACT:**

In compliance with Chapter 37 of the City Code, Section 37-2, fair market value of the subject property was based upon an independent State of Texas Certified Professional Appraisal Report in the amount of \$1,840,000 by Valbridge Property Advisors on April 28, 2015. The City accepted a sealed bid from HH San Antonio LLC in the amount of \$1,900,000.00. The sales proceeds will be deposited into the General Fund.

**RECOMMENDATION:**

The City of San Antonio's Planning Commission reviewed and approved this request at its regular meeting on September 9, 2015.

Staff recommends approval of this request to sell an improved tract of City-owned real property located at 421 S. Alamo to HH San Antonio LLC for \$1,900,000.00.

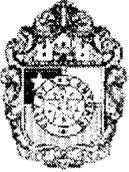




S.P. 1889 HH San Antonio, LLC requests the city declare property located at 421 Alamo as surplus



\* = Required fields



## City of San Antonio Contracts Disclosure Form

**Office of the  
City Clerk**

Please fill out this form online, print completed form and submit with proposal to originating department. All questions must be answered.

For details on use of this form, see Section 2-59 through 2-61 of the City's Ethics Code.

\*This is a  New Submission or  Correction or  Update to previous submission.

\*1. Name of person submitting this disclosure form.

First: Ashley M.I. Last: Friend Suffix:

\*2. Contract Information.

a) Contract or project name: Real Estate Sales Contract

b) Originating department: Transportation and Capital Improvements

\*3. Name of individual(s) or entity(ies) seeking a contract with the city (i.e. parties to the contract).

HH San Antonio LLC

\*4. List any individual(s) or entity(ies) that is a partner, parent, joint venture, or subsidiary entity(ies) of the individual or entity listed in Question 3.

Not applicable. Contracting party(ies) does not have partner, parent, joint venture, or subsidiary entities.

Names of partner, parent, joint venture or subsidiary entities, and all the board members, executive committee members, and officers of each entity:

\*5. List any individuals or entities that will be subcontractors on this contract.

Not applicable. No subcontractors will be retained for this contract.

Subcontractors may be retained, but have not been selected at the time of this submission.

List of subcontractors, including the name of the owner(s), and business name:

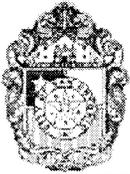
\*6. List any attorneys, lobbyists, or consultants retained by any individuals listed in Questions 3, 4, or 5 to assist in seeking this contract.

Not applicable. No attorneys, lobbyists, or consultants have been retained to assist in seeking this contract.

List of attorneys, lobbyists, or consultants retained to assist in seeking this contract:

Bobby Nandipati, Ashford (Associate Counsel for HH San Antonio LLC)  
BJ Shults, Gardere, Wynn Sewell LLP (Outside Counsel for HH San Antonio LLC)  
Michael ("Mike") Weiss, 4M Realty Company (Broker for HH San Antonio LLC)

\* = Required fields



# City of San Antonio Contracts Disclosure Form

Office of the  
City Clerk

### \*7. Disclosure of political contributions.

List any campaign or officeholder contributions made by the following individuals in the past 24 months totaling more than \$100 to any current member of City Council, former member of City Council, any candidate for City Council, or to any political action committee that contributes to City Council elections:

- a) any individual seeking contract with the city (Question 3)
- b) any owner or officer of entity seeking contract with the city (Question 3)
- c) any individual or owner or officer of an entity listed above as a partner, parent, or subsidiary business (Question 4)
- d) any subcontractor or owner/officer of subcontracting entity retained for the contract (Question 5)
- e) the spouse of any individual listed in response to (a) through (d) above
- f) any attorney, lobbyist, or consultant retained to assist in seeking contract (Question 6)

Not applicable. No campaign or officeholder contributions have been made in preceding 24 months by these individuals.

List of contributions:

Name of Contributor	To Whom	Date(s) of Contribution(s)	Total Amount of Contribution(s)	Add
Michael Weiss	Joe Crier	08/02/2015	\$500.00	Delete

### Updates on Contributions Required

Information regarding contributions must be updated by submission of a revised form from the date of the submission of this form, up through the time City Council takes action on the contract identified in response to Question 2 and continuing for 30 calendar days after the contract has been awarded.

### Notice Regarding Contribution Prohibitions for "High-Profile" Contracts

Under Section 2-309 of the Municipal Campaign Finance Code, the following listed individuals are prohibited from making a campaign or officeholder contribution to any member of City Council, candidate for City Council or political action committee that contributes to City Council elections from the 10th business day after a contract solicitation has been released until 30 calendar days after the contract has been awarded:

- a) Legal signatory of a high-profile contract
- b) Any individual seeking a high-profile contract
- c) Any owner or officer of an entity seeking a high-profile contract
- d) The spouse of any of individual listed in response to (a) through (c) above
- e) Any attorney, lobbyist, or consultant retained to assist in seeking a high-profile contract

**Penalty.** A high-profile contract cannot be awarded to the individual or entity if a prohibited contribution has been made by any of these individuals during the contribution "black-out" period, which is the 10th business day after a solicitation has been released until 30 calendar days after the contract has been awarded.

### \*8. Disclosure of conflict of interest.

Are you aware of any fact(s) with regard to this contract that would raise a "conflict of interest" issue under Sections 2-43 or 2-44 of the City Ethics Code for any City Council member or board/commission member that has not or will not be raised by these city officials?

I am not aware of any conflict(s) of interest issues under Section 2-43 or 2-44 of the City Ethics Code for members of City Council or a city board/commission.

I am aware of the following conflict(s) of interest:

\* = Required fields



## City of San Antonio Contracts Disclosure Form

Office of the  
City Clerk

### \*9. Prohibited Interest in Contracts.

Currently, or within the past twelve (12) months, have you, your spouse, sibling, parent, child or other family member within the first degree of consanguinity or affinity served on a City board or commission?

Currently, or within the past twelve (12) months, has an owner, partner or employee of a business entity in which you, your spouse, parent, child own 10% or more of the voting stock or shares, or 10% or more of the fair market value served on a City board or commission?

Currently, or within the past twelve (12) months, has an owner, partner, or employee of a business entity who owns 10% or more of the voting stock or shares, or 10% or more of the fair market value, that will be a subcontractor for this contract, served on a City board or commission?

No

Yes

### Notice Regarding Prohibited Interest in Contracts.

Please be aware, the City's Charter and Ethics Code prohibits members of certain more-than-advisory boards and commissions, as well as their close family members and any businesses they or their families hold a 10% or greater ownership interest from obtaining a contract with the City during their board or commission service. The prohibition extends to subcontracts on City contracts, and would also apply to parent, subsidiary or partner businesses owned by the member of the board or commission and their family. Please see [Section 141 of the City Charter](#) and [Section 2-52 of the City Ethics Code \(Prohibited Interests in Contracts\)](#) for complete information.

Former members of certain more-than-advisory boards and commissions, their family members and the businesses they own will continue to be prohibited from obtaining any discretionary contracts for one year after leaving City service. Please see [Section 2-58 of the City Ethics Code \(Prohibited Interest in Discretionary Contracts\)](#) for complete information.

Please note that any contract in place at the time the applicant becomes a City officer may remain in effect, but cannot be amended, extended, modified, or changed in any manner during the officer's City service on the more-than-advisory board.

If you have any questions, please contact the Office of the City Attorney to request to speak with a member of the Ethics staff: (210) 207-8940.

## Acknowledgements

### \*1. Updates Required

I understand that this form must be updated by submission of a revised form if there is any change in the information before the discretionary contract, housing and retail development incentive, or the purchase, sale, or lease of real estate to or from the City is the subject of action by the City Council, and no later than 5 business days after any change has occurred, whichever comes first. This includes information about political contributions made after the initial submission and up until 30 calendar days after contract has been awarded.

### \*2. No Contact with City Officials or Staff during Contract Evaluation

I understand that a person or entity who seeks or applies for a city contract or any other person acting on behalf of that person or entity is prohibited from contacting city officials and employees regarding the contract after a Request for Proposal (RFP), Request for Qualification (RFQ), or other solicitation has been released.

This no-contact provision shall conclude when the contract is posted as a City Council agenda item. If contact is required with city officials or employees, the contact will take place in accordance with procedures incorporated into the solicitation documents. Violation of this prohibited contacts provision set out in [Section 2-61 of the City Ethics Code](#) by respondents or their agents may lead to disqualification of their offer from consideration.

\* = Required fields



## City of San Antonio Contracts Disclosure Form

Office of the  
City Clerk

### \*3. Contribution Prohibitions for "High-Profile" Contracts

- This is not a high-profile contract.  
 This is a high-profile contract.

### \*4. Conflict of Interest Questionnaire (CIQ)

Chapter 176 of the Local Government Code requires all contractors and vendors to submit a Conflict of Interest Questionnaire Form (CIQ) to the Office of the City Clerk, even if contract is not designated as "High Profile".

- I acknowledge that I have been advised of the requirement to file a CIQ form under Chapter 176 of the Local Government Code.

### \*Oath\*

- I swear or affirm that the statements contained in this Contracts Disclosure Form, including any attachments, to the best of my knowledge and belief are true, correct, and complete.

Your Name: Ashley Friend

Title: Paralegal

Company Name or DBA: HH San Antonio, LLC

Date: 02/25/2016

Please fill this form out online, print completed form and submit with proposal to originating department. All questions must be answered.

If necessary to mail, send to:

Purchasing

P.O. Box 839966

San Antonio, Texas 78283-3966

Print Form

# CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.  
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

## OFFICE USE ONLY CERTIFICATION OF FILING

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.  
HH San Antonio LLC  
Dallas, TX United States

Certificate Number:  
2016-18531

Date Filed:  
02/25/2016

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.  
City of San Antonio

Date Acknowledged:

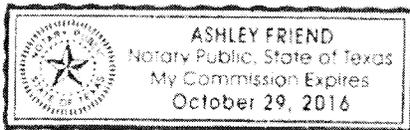
3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the goods or services to be provided under the contract.  
~~N/A~~ German-English School  
The sale of the land commonly known as The German English School, 421 South Alamo Street, from the City of San Antonio to HH San Antonio LLC.

4 Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
		Controlling	Intermediary
HH San Antonio LLC	Dallas, TX United States	X	

5 Check only if there is NO Interested Party.

### 6 AFFIDAVIT

I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.



*[Handwritten Signature]*  
\_\_\_\_\_  
Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said authorized agent, BOBBY NANDIPATI, this the 26<sup>th</sup> day of FEBRUARY, 20 16, to certify which, witness my hand and seal of office.

*[Handwritten Signature]*  
\_\_\_\_\_  
Signature of officer administering oath

ASHLEY FRIEND  
\_\_\_\_\_  
Printed name of officer administering oath

NOTARY PUBLIC  
\_\_\_\_\_  
Title of officer administering oath

**SUPPORTING DOCUMENT NOTICE**

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# City of San Antonio

## Agenda Memorandum

**File Number:** 16-2101

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**Agenda Item Number:** 9.

**Agenda Date:** 5/12/2016

**In Control:** City Council A Session

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**DEPARTMENT:** Aviation Department

**DEPARTMENT HEAD:** Noel T. Jones

**COUNCIL DISTRICTS IMPACTED:** Citywide

### **SUBJECT:**

Lease and Concession Agreement with Northwest Petroleum, LP at the San Antonio International Airport

### **SUMMARY:**

This Ordinance authorizes a lease and concession agreement with Northwest Petroleum, LP for a Phillips 66 Gas Station which will include a Q Mart Convenience Store and Burger King Restaurant at the San Antonio International Airport. The new facilities will provide the public with a gas station, restaurant and convenience store on Airport property at the northeast corner of the intersection of Airport Blvd. and Loop 410. Northwest Petroleum, LP will design and construct the building, which is expected to take 18 months. Construction will commence within 100 days of approval of the agreement.

The term of the agreement is 20 years with the option to extend for two additional 10 year terms, with guaranteed revenue of \$50,000.00 annually. In addition, the concessionaire will lease 81,889 square feet from the airport which will generate \$81,889.00 annually during the first five lease years of the term. As per 49 Code of Federal Regulations (CFR) 23, the Federal Aviation Administration (FAA) has approved the long-term, exclusive concession agreement.

### **BACKGROUND INFORMATION:**

Improving the customer service experience for passengers at the San Antonio International Airport is one of the San Antonio Airport System's top priorities. In 2013 the Aviation Department identified property that could be developed as a gas station that would be available to the public and customers who would like to fuel their rental vehicles before returning to their rental car companies. In addition, the Airport will relocate the existing

cell phone lot next to the gas station in order to provide customers with the ability to purchase gas or items at the convenience store or Burger King. The Airport System will also receive non-airline revenue from this project, which assists in keeping costs lower for airlines operating at the airport.

#### Phillips 66 Gas Station

The gas station will have 10 fuel pumps at five islands for a total of 20 fueling stations. It will have point-of-sale payment available during the hours when the convenience store is closed.

#### Q Mart Convenience Store

The convenience store will be a minimum of 4,500 square feet and will be open seven days a week from 5 a.m. until 11 p.m. It will have separate public restrooms that are accessible from the interior of the building.

#### Burger King Restaurant

The restaurant, which is part of the convenience store, will have a drive-thru and will be open seven days a week from 5 a.m. until 11 p.m.

Staff briefed the gas station project to the High Profile Contracts Committee on June 10, 2014, Audit Committee on April 19, 2016 and the Airport Advisory Commission on September 16, 2014 and March 22, 2016.

#### *Solicitation*

In November 2013, a Request for Proposals (RFP) was released to select a qualified respondent to provide complete development, financing, design, construction, operation, and maintenance of a Gas Station Concession on up to 4.67 acres at the northeast corner of Loop 410 and Airport Blvd at the San Antonio International Airport. The RFP was advertised in the San Antonio Express-News, on the City's website, TVSA, and Airports Council International website. One response was received in January 2014.

A selection committee consisting of representatives from the Aviation Department and a non-City employee subject matter expert evaluated the proposal. The selection committee used a consensus scoring method to evaluate the proposal based on the published criteria, which included: experience, background and qualifications in providing retail fueling service, consideration of the proposed plan for site plan, design and operation of a gas station concession, proposed minimum annual guarantee, and Airport Concessions Disadvantaged Business Enterprise (ACDBE) program compliance. The evaluation committee unanimously voted to recommend the respondent for contract award.

#### *Airport Concessions Disadvantaged Business*

The Office of Civil Rights for the FAA has approved the agreement as a long-term, exclusive lease. The ACDBE goal for this project is 11% and Northwest Petroleum has committed to meet or exceed the goal.

#### Northwestern Petroleum

The firm has engaged in the gasoline retail and convenience stores businesses since 1991 and has locations in San Antonio, Houston and Austin.

#### *Agreement*

The term of this agreement will include an initial construction period plus 20 years with a minimum \$2 million capital improvement requirement. The agreement can be extended for two additional 10-year options.

- For the first 10-year option, the firm is required to make an additional \$600,000 capital investment before the end of the primary (20-year) term
- For the second 10-year option, the firm is required to make an additional \$200,000 capital investment before the end of the first 10-year extension.

The firm will lease 81,889 square feet of ground space at the northeast corner of Airport Blvd and Loop 410, south of Northern Blvd. The firm will be responsible for the financing, design and construction of the facility.

**ISSUE:**

City Council is required to authorize lease and concession agreements.

**ALTERNATIVES:**

City Council could elect not to approve the concession agreement with Northwestern Petroleum for a gas station, convenience store and fast food restaurant at the San Antonio International Airport. The firm has agreed to finance, design and build the facility as part of the agreement. The Aviation Department does not have the means to finance, design and build the facility. With these facilities financed, built and operated by Northwestern Petroleum through the agreement, passengers and the public will be able to utilize the convenience of these services at the airport.

**FISCAL IMPACT:**

The firm agrees to the following rental rate for the ground space at the San Antonio International.

	<b>Total Square Footage</b>	<b>Annual Rental Rate per Square Foot</b>	<b>Annual Rate</b>
Initial Construction Period	81,889	\$0.15	\$12,283.35
Lease Years 1-5	81,889	\$1.00	\$81,889.00

The ground rent shall increase 15% every five years of the lease agreement.

The minimum annual guarantee (MAG) will be \$50,000.00 during the first lease year of the agreement. During year two and thereafter, the MAG will be 85% of the prior year's payables consisting of guaranteed rent and percentage rent. Revenue generated from these contracts will be deposited in the Airport Operations & Maintenance Fund.

<b>Product Category</b>	<b>Percentage Fee Rate</b>
All convenience store and fast food restaurant gross receipts	2.00% of Gross Receipts
Commissions paid to Northwest Petroleum on Lottery Sales and winnings	1% of amount paid to Northwest Petroleum
Retail fuel sales	\$0.01 per gallon
ATM Rental	\$100.00 per month

**RECOMMENDATION:**

Staff recommends the approval of the Lease and Concession Agreement with Northwestern Petroleum, LP for a gas station, convenience store and fast food restaurant at the San Antonio International Airport.

# CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 5 if there are interested parties.  
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

## OFFICE USE ONLY CERTIFICATION OF FILING

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

Qmart Airport LLC  
Houston, TX United States

Certificate Number:  
2016-2493

Date Filed:  
01/12/2016

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

City of San Antonio - Aviation Department

Date Acknowledged:

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the goods or services to be provided under the contract.

RFP # 13-068  
C-store / Fast Food / Gas Station

4 Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
		Controlling	Intermediary
Innovative Strategies	San Antonio, TX United States		X
Frank, Malik	Houston, TX United States	X	
Fazil, Malik	Houston, TX United States	X	

5 Check only if there is NO Interested Party.

### 6 AFFIDAVIT

I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.



*[Signature]*  
Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said FRANK MALIK, this the 12<sup>th</sup> day of JAN, 20 16, to certify which, witness my hand and seal of office.

*[Signature]*  
Signature of officer administering oath

AYESHA M  
Printed name of officer administering oath

PROJ. MANAGER  
Title of officer administering oath

**SUPPORTING DOCUMENT NOTICE**

**This City Council Agenda Memo contains 1 or more attachments.**

**The attachment(s) may be accessed and viewed through the City's Website at [www.sanantonio.gov](http://www.sanantonio.gov) and selecting the Council Agenda link.**

**Copies of the agenda and any supporting documents may also be requested through the Office of the City Clerk or any public library.**



# City of San Antonio

## Agenda Memorandum

**File Number:** 16-2579

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**Agenda Item Number:** 10.

**Agenda Date:** 5/12/2016

**In Control:** City Council A Session

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**DEPARTMENT:** Aviation

**DEPARTMENT HEAD:** Noel T. Jones

**COUNCIL DISTRICTS IMPACTED:** Citywide

### **SUBJECT:**

Lease Agreement with Clayton Aircraft Services, LLC at Stinson Municipal Airport

### **SUMMARY:**

This Ordinance authorizes a lease agreement with Clayton Aircraft Services, LLC for 2,488 square feet of hangar space and 5,800 square feet of ground space at Stinson Municipal Airport. The term of the agreement is for one year with the option to extend for one additional year. The lease agreement will generate annual revenue in the amount of \$5,821.80.

### **BACKGROUND INFORMATION:**

Clayton Aircraft Aviation, LLC specializes in aircraft maintenance and repair for general aviation and corporate aircraft. The firm has operated as a partner with Stinson Aviation at Stinson Municipal Airport with Stinson Aviation since March 1, 2014 and requested a direct lease. The term of the agreement would be for one year with the option to renew for an additional year.

The leasehold is located at 8547 Mission Road and includes Building 612/Hangar 8 which is 2,488 square feet and 5,800 square feet of ground space/ramp space.

### **ISSUE:**

City Council authorization is required for lease agreement.

**ALTERNATIVES:**

City Council could elect to not approve this lease agreement. However, by not approving the lease agreement, Clayton Aircraft would have to identify a new location for their operations and the Airport would lose \$5,821.80 in annual revenue.

**FISCAL IMPACT:**

The lease agreement will generate \$5,821.80 in revenue that will be deposited into the Airport Operating and Maintenance Fund.

<b>Leased Premises</b>	<b>Square Footage</b>	<b>Annual Rate per Square Footage</b>	<b>Annual Rental</b>
Building 612/Hangar 8	2,488	\$1.85	\$4,602.80
Ground Space	5,800	\$0.21	\$1,218.00
			<b>\$5,821.80</b>

**RECOMMENDATION:**

Staff recommends approval of a lease agreement with Clayton Aircraft Services, LLC at Stinson Municipal Airport.

= Required fields



# City of San Antonio Contracts Disclosure Form

Office of the  
City Clerk

Please fill out this form online, print completed form and submit with proposal to originating department. All questions must be answered.

For details on use of this form, see Section 2-59 through 2-61 of the City's Ethics Code.

This is a  New Submission or  Correction or  Update to previous submission.

1. Name of person submitting this disclosure form.

First: ROBERT M.I. B Last: CLAYTON Suffix: \_\_\_\_\_

2. Contract information.

a) Contract or project name: HAWKAR 8 LEAVE STATION AIRPORT

b) Originating department: CITY OF SAN ANTONIO AIRPORT SYSTEM

3. Name of individual(s) or entity(ies) seeking a contract with the city (i.e. parties to the contract).

CLAYTON AIRCRAFT SERVICE

4. List any individual(s) or entity(ies) that is a partner, parent, joint venture, or subsidiary entity(ies) of the individual or entity listed in Question 3.

Not applicable. Contracting party(ies) does not have partner, parent, joint venture, or subsidiary entities.

Names of partner, parent, joint venture or subsidiary entities, and all the board members, executive committee members, and officers of each entity:

5. List any individuals or entities that will be subcontractors on this contract.

Not applicable. No subcontractors will be retained for this contract.

Subcontractors may be retained, but have not been selected at the time of this submission.

List of subcontractors, including the name of the owner(s), and business name:

6. List any attorneys, lobbyists, or consultants retained by any individuals listed in Questions 3, 4, or 5 to assist in seeking this contract.

Not applicable. No attorneys, lobbyists, or consultants have been retained to assist in seeking this contract.

List of attorneys, lobbyists, or consultants retained to assist in seeking this contract:



# City of San Antonio Contracts Disclosure Form

Office of the  
City Clerk

### 7. Disclosure of political contributions.

List any campaign or officeholder contributions made by the following individuals in the past 24 months totaling more than \$100 to any current member of City Council, former member of City Council, any candidate for City Council, or to any political action committee that contributes to City Council elections:

- a) any individual seeking contract with the city (Question 3)
- b) any owner or officer of entity seeking contract with the city (Question 3)
- c) any individual or owner or officer of an entity listed above as a partner, parent, or subsidiary business (Question 4)
- d) any subcontractor or owner/officer of subcontracting entity retained for the contract (Question 5)
- e) the spouse of any individual listed in response to (a) through (d) above
- f) any attorney, lobbyist, or consultant retained to assist in seeking contract (Question 6)

Not applicable. No campaign or officeholder contributions have been made in preceding 24 months by these individuals.

List of contributions:

### Updates on Contributions Required

Information regarding contributions must be updated by submission of a revised form from the date of the submission of this form, up through the time City Council takes action on the contract identified in response to Question 2 and continuing for 30 calendar days after the contract has been awarded.

### Notice Regarding Contribution Prohibitions for "High-Profile" Contracts

Under Section 2-309 of the Municipal Campaign Finance Code, the following listed individuals are prohibited from making a campaign or officeholder contribution to any member of City Council, candidate for City Council or political action committee that contributes to City Council elections from the 10th business day after a contract solicitation has been released until 30 calendar days after the contract has been awarded:

- a) Legal signatory of a high-profile contract
- b) Any individual seeking a high-profile contract
- c) Any owner or officer of an entity seeking a high-profile contract
- d) The spouse of any of individual listed in response to (a) through (c) above
- e) Any attorney, lobbyist, or consultant retained to assist in seeking a high-profile contract

Penalty. A high-profile contract cannot be awarded to the individual or entity if a prohibited contribution has been made by any of these individuals during the contribution "black-out" period, which is the 10th business day after a solicitation has been released until 30 calendar days after the contract has been awarded.

### 8. Disclosure of conflict of interest.

Are you aware of any fact(s) with regard to this contract that would raise a "conflict of interest" issue under Sections 2-43 or 2-44 of the City Ethics Code for any City Council member or board/commission member that has not or will not be raised by these city officials?

I am not aware of any conflict(s) of interest issues under Section 2-43 or 2-44 of the City Ethics Code for members of City Council or a city board/commission.

I am aware of the following conflict(s) of interest:



# City of San Antonio Contracts Disclosure Form

Office of the  
City Clerk

### 9. Prohibited Interest in Contracts.

Currently, or within the past twelve (12) months, have you, your spouse, sibling, parent, child or other family member within the first degree of consanguinity or affinity served on a City board or commission?

Currently, or within the past twelve (12) months, has an owner, partner or employee of a business entity in which you, your spouse, parent, child own 10% or more of the voting stock or shares, or 10% or more of the fair market value served on a City board or commission?

Currently, or within the past twelve (12) months, has an owner, partner, or employee of a business entity who owns 10% or more of the voting stock or shares, or 10% or more of the fair market value, that will be a subcontractor for this contract, served on a City board or commission?

No

Yes

### Notice Regarding Prohibited Interest in Contracts.

Please be aware, the City's Charter and Ethics Code prohibits members of certain more-than-advisory boards and commissions, as well as their close family members and any businesses they or their families hold a 10% or greater ownership interest from obtaining a contract with the City during their board or commission service. The prohibition extends to subcontracts on City contracts, and would also apply to parent, subsidiary or partner businesses owned by the member of the board or commission and their family. Please see [Section 141 of the City Charter](#) and [Section 2-52 of the City Ethics Code \(Prohibited Interests in Contracts\)](#) for complete information.

Former members of certain more-than-advisory boards and commissions, their family members and the businesses they own will continue to be prohibited from obtaining any discretionary contracts for one year after leaving City service. Please see [Section 2-58 of the City Ethics Code \(Prohibited Interest in Discretionary Contracts\)](#) for complete information.

Please note that any contract in place at the time the applicant becomes a City officer may remain in effect, but cannot be amended, extended, modified, or changed in any manner during the officer's City service on the more-than-advisory board.

If you have any questions, please contact the Office of the City Attorney to request to speak with a member of the Ethics staff. (210) 207-8940.

### Acknowledgements

#### 1. Updates Required

I understand that this form must be updated by submission of a revised form if there is any change in the information before the discretionary contract, housing and retail development incentive, or the purchase, sale, or lease of real estate to or from the City is the subject of action by the City Council, and no later than 5 business days after any change has occurred, whichever comes first. This includes information about political contributions made after the initial submission and up until 30 calendar days after contract has been awarded.

#### 2. No Contact with City Officials or Staff during Contract Evaluation

I understand that a person or entity who seeks or applies for a city contract or any other person acting on behalf of that person or entity is prohibited from contacting city officials and employees regarding the contract after a Request for Proposal (RFP), Request for Qualification (RFQ), or other solicitation has been released.

This no-contact provision shall conclude when the contract is posted as a City Council agenda item. If contact is required with city officials or employees, the contact will take place in accordance with procedures incorporated into the solicitation documents. Violation of this prohibited contacts provision set out in [Section 2-61 of the City Ethics Code](#) by respondents or their agents may lead to disqualification of their offer from consideration.

\* = Required fields



# City of San Antonio Contracts Disclosure Form

Office of the  
City Clerk

### \*3. Contribution Prohibitions for "High-Profile" Contracts

- This is not a high-profile contract.
- This is a high-profile contract.

### \*4. Conflict of Interest Questionnaire (CIQ)

Chapter 176 of the Local Government Code requires all contractors and vendors to submit a Conflict of Interest Questionnaire Form (CIQ) to the Office of the City Clerk, even if contract is not designated as "High Profile".

- I acknowledge that I have been advised of the requirement to file a CIQ form under Chapter 176 of the Local Government Code.

### Oath

- I swear or affirm that the statements contained in this Contracts Disclosure Form, including any attachments, to the best of my knowledge and belief are true, correct, and complete.

Your Name: Robert Clayton Title: OWNER  
 Company Name or DBA: CLAYTON AIRCRAFT SERVICE Date: 03/01/2016

Please fill this form out online, print completed form and submit with proposal to originating department. All questions must be answered.

If necessary to mail, send to:

Purchasing  
P.O. Box 839966  
San Antonio, Texas 78283-3966

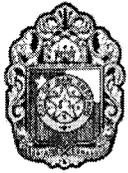


**SUPPORTING DOCUMENT NOTICE**

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# City of San Antonio

## Agenda Memorandum

**File Number:** 16-2792

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**Agenda Item Number:** 11.

**Agenda Date:** 5/12/2016

**In Control:** City Council A Session

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**DEPARTMENT:** Center City Development and Operations Department

**DEPARTMENT HEAD:** John Jacks

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Amendment to River Walk Lease Agreement with R& D Brands Inc. d/b/a Bella on the River

**SUMMARY:**

This ordinance authorizes an Amendment to the River Walk Lease Agreement (Agreement) between the City of San Antonio and R & D Brands, Inc. d/b/a Bella on the River to extend the lease term.

**BACKGROUND INFORMATION:**

Ordinance 2011-06-090480 authorized an Agreement with Bella on the River for use of 127.1 square feet of River Walk Patio Space. The term of the agreement was five years, commencing June 1, 2011 - May 31, 2016.

This ordinance will authorize an Amendment to the Agreement with Bella on the River, to extend the Agreement's term through May 31, 2021. Bella on the River will pay a rate of \$1.72 per square foot per month with an annual increase of 1.5%.

**ISSUE:**

Approval of this ordinance is consistent with the City's policy of leasing River Walk patio space to adjacent businesses for outdoor dining alongside the San Antonio River.

**ALTERNATIVES:**

The City may elect not to amend and extend the Agreement, which would result in the Bella on the River's occupancy becoming at will or terminating.

**FISCAL IMPACT:**

Bella on the River will pay an initial rate of \$1.72 per square foot per month beginning on June 1, 2016 and will increase 1.5% annually. The total amount to be received by Bella on the River is summarized below:

<b>Lease Year</b>	<b>Rate</b>	<b>Monthly</b>	<b>Annual</b>
June 1, 2016 - May 31, 2017	\$1.72	\$218.61	\$2,623.32
June 1, 2017 - May 31, 2018	\$1.75	\$222.43	\$2,669.16
June 1, 2018 - May 31, 2019	\$1.78	\$226.24	\$2,714.88
June 1, 2019 - May 31, 2020	\$1.81	\$230.05	\$2,760.60
June 1, 2020 - May 31, 2021	\$1.84	\$233.86	\$2,806.32
<b>Total</b>			<b>\$13,574.28</b>

All funds received will be deposited into the River Walk Capital Improvements Fund.

**RECOMMENDATION:**

Staff recommends approval of the Amendment to the River Walk Lease Agreement between the City of San Antonio and R & D Brands d/b/a Bella on the River to extend the lease term through May 31, 2021.

= Required fields



# City of San Antonio Contracts Disclosure Form

Office of the  
City Clerk

Please fill out this form online, print completed form and submit with proposal to originating department. All questions must be answered.

For details on use of this form, see Section 2-59 through 2-61 of the City's Ethics Code.

This is a  New Submission or  Correction or  Update to previous submission.

1. Name of person submitting this disclosure form.

First: DAVID M.I. A. Last: SNYDER Suffix: \_\_\_\_\_

2. Contract information.

a) Contract or project name: RIVERWALK PATIO LEASE - 106 E. RIVERWALK

b) Originating department: CITY OF SAN ANTONIO

3. Name of individual(s) or entity(ies) seeking a contract with the city (i.e. parties to the contract).

R&D BRANDS, INC. DBA Bella ON The RIVER  
DAVID SNYDER

4. List any individual(s) or entity(ies) that is a partner, parent, joint venture, or subsidiary entity(ies) of the individual or entity listed in Question 3.

Not applicable. Contracting party(ies) does not have partner, parent, joint venture, or subsidiary entities.

Names of partner, parent, joint venture or subsidiary entities, and all the board members, executive committee members, and officers of each entity:

5. List any individuals or entities that will be subcontractors on this contract.

Not applicable. No subcontractors will be retained for this contract.

Subcontractors may be retained, but have not been selected at the time of this submission.

List of subcontractors, including the name of the owner(s), and business name:

6. List any attorneys, lobbyists, or consultants retained by any individuals listed in Questions 3, 4, or 5 to assist in seeking this contract.

Not applicable. No attorneys, lobbyists, or consultants have been retained to assist in seeking this contract.

List of attorneys, lobbyists, or consultants retained to assist in seeking this contract:



# City of San Antonio Contracts Disclosure Form

Office of the  
City Clerk

### \*7. Disclosure of political contributions.

List any campaign or officeholder contributions made by the following individuals in the past 24 months totaling more than \$100 to any current member of City Council, former member of City Council, any candidate for City Council, or to any political action committee that contributes to City Council elections:

- a) any individual seeking contract with the city (Question 3)
- b) any owner or officer of entity seeking contract with the city (Question 3)
- c) any individual or owner or officer of an entity listed above as a partner, parent, or subsidiary business (Question 4)
- d) any subcontractor or owner/officer of subcontracting entity retained for the contract (Question 5)
- e) the spouse of any individual listed in response to (a) through (d) above
- f) any attorney, lobbyist, or consultant retained to assist in seeking contract (Question 6)

Not applicable. No campaign or officeholder contributions have been made in preceding 24 months by these individuals.

List of contributions:

### Updates on Contributions Required

Information regarding contributions must be updated by submission of a revised form from the date of the submission of this form, up through the time City Council takes action on the contract identified in response to Question 2 and continuing for 30 calendar days after the contract has been awarded.

### Notice Regarding Contribution Prohibitions for "High-Profile" Contracts

Under Section 2-309 of the Municipal Campaign Finance Code, the following listed individuals are prohibited from making a campaign or officeholder contribution to any member of City Council, candidate for City Council or political action committee that contributes to City Council elections from the 10th business day after a contract solicitation has been released until 30 calendar days after the contract has been awarded:

- a) Legal signatory of a high-profile contract
- b) Any individual seeking a high-profile contract
- c) Any owner or officer of an entity seeking a high-profile contract
- d) The spouse of any of individual listed in response to (a) through (c) above
- e) Any attorney, lobbyist, or consultant retained to assist in seeking a high-profile contract

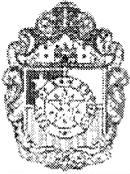
Penalty. A high-profile contract cannot be awarded to the individual or entity if a prohibited contribution has been made by any of these individuals during the contribution "black-out" period, which is the 10th business day after a solicitation has been released until 30 calendar days after the contract has been awarded.

### \*8. Disclosure of conflict of interest.

Are you aware of any fact(s) with regard to this contract that would raise a "conflict of interest" issue under Sections 2-43 or 2-44 of the City Ethics Code for any City Council member or board/commission member that has not or will not be raised by these city officials?

I am not aware of any conflict(s) of interest issues under Section 2-43 or 2-44 of the City Ethics Code for members of City Council or a city board/commission.

I am aware of the following conflict(s) of interest:



# City of San Antonio Contracts Disclosure Form

Office of the  
City Clerk

**\*9. Prohibited Interest in Contracts.**

Currently, or within the past twelve (12) months, have you, your spouse, sibling, parent, child or other family member within the first degree of consanguinity or affinity served on a City board or commission?

Currently, or within the past twelve (12) months, has an owner, partner or employee of a business entity in which you, your spouse, parent, child own 10% or more of the voting stock or shares, or 10% or more of the fair market value served on a City board or commission?

Currently, or within the past twelve (12) months, has an owner, partner, or employee of a business entity who owns 10% or more of the voting stock or shares, or 10% or more of the fair market value, that will be a subcontractor for this contract, served on a City board or commission?

No  
 Yes

**Notice Regarding Prohibited Interest in Contracts.**

Please be aware, the City's Charter and Ethics Code prohibits members of certain more-than-advisory boards and commissions, as well as their close family members and any businesses they or their families hold a 10% or greater ownership interest from obtaining a contract with the City during their board or commission service. The prohibition extends to subcontracts on City contracts, and would also apply to parent, subsidiary or partner businesses owned by the member of the board or commission and their family. Please see [Section 141 of the City Charter](#) and [Section 2-52 of the City Ethics Code \(Prohibited Interests in Contracts\)](#) for complete information.

Former members of certain more-than-advisory boards and commissions, their family members and the businesses they own will continue to be prohibited from obtaining any discretionary contracts for one year after leaving City service. Please see [Section 2-58 of the City Ethics Code \(Prohibited Interest in Discretionary Contracts\)](#) for complete information.

Please note that any contract in place at the time the applicant becomes a City officer may remain in effect, but cannot be amended, extended, modified, or changed in any manner during the officer's City service on the more-than-advisory board.

If you have any questions, please contact the Office of the City Attorney to request to speak with a member of the Ethics staff: (210) 207-8940.

**Acknowledgements**

**1. Updates Required**

I understand that this form must be updated by submission of a revised form if there is any change in the information before the discretionary contract, housing and retail development incentive, or the purchase, sale, or lease of real estate to or from the City is the subject of action by the City Council, and no later than 5 business days after any change has occurred, whichever comes first. This includes information about political contributions made after the initial submission and up until 30 calendar days after contract has been awarded.

**2. No Contact with City Officials or Staff during Contract Evaluation**

I understand that a person or entity who seeks or applies for a city contract or any other person acting on behalf of that person or entity is prohibited from contacting city officials and employees regarding the contract after a Request for Proposal (RFP), Request for Qualification (RFQ), or other solicitation has been released.

This no-contact provision shall conclude when the contract is posted as a City Council agenda item. If contact is required with city officials or employees, the contact will take place in accordance with procedures incorporated into the solicitation documents. Violation of this prohibited contacts provision set out in Section 2-61 of the City Ethics Code by respondents or their agents may lead to disqualification of their offer from consideration.

\* = Required fields



# City of San Antonio Contracts Disclosure Form

Office of the  
City Clerk

### \*3. Contribution Prohibitions for "High-Profile" Contracts

- This is not a high-profile contract.
- This is a high-profile contract.

### \*4. Conflict of Interest Questionnaire (CIQ)

Chapter 176 of the Local Government Code requires all contractors and vendors to submit a Conflict of Interest Questionnaire Form (CIQ) to the Office of the City Clerk, even if contract is not designated as "High Profile".

- I acknowledge that I have been advised of the requirement to file a CIQ form under Chapter 176 of the Local Government Code.

### \*Oath

- I swear or affirm that the statements contained in this Contracts Disclosure Form, including any attachments, to the best of my knowledge and belief are true, correct, and complete.

Your Name:

*DAVID A. SMYDEL*

Title:

*OWNER*

Company Name or DBA:

*Bella on the River*

Date: 04/15/2016

Please fill this form out online, print completed form and submit with proposal to originating department. All questions must be answered.

If necessary to mail, send to:

Purchasing

P.O. Box 839966

San Antonio, Texas 78283-3966

# CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.  
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

## OFFICE USE ONLY CERTIFICATION OF FILING

**1** Name of business entity filing form, and the city, state and country of the business entity's place of business.  
R&D Brands, Inc.  
San Antonio, TX United States

Certificate Number:  
2016-40825

Date Filed:  
04/15/2016

Date Acknowledged:

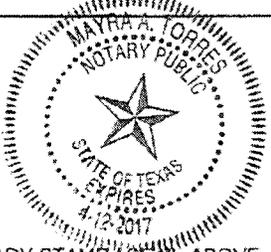
**2** Name of governmental entity or state agency that is a party to the contract for which the form is being filed.  
City of San Antonio

**3** Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the goods or services to be provided under the contract.  
2011-06-09-0480  
River Walk Lease Agreement

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

**5** Check only if there is NO Interested Party.

**6 AFFIDAVIT**



I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.

*[Handwritten Signature]*

Signature of authorized agent of contracting business entity

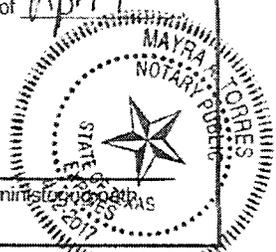
AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said DAVID ALAN SNYDER, this the 20<sup>th</sup> day of April, 2016, to certify which, witness my hand and seal of office.

*[Handwritten Signature]*  
Signature of officer administering oath

Mayra A. Torres  
Printed name of officer administering oath

notary  
Title of officer administering oath



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# City of San Antonio

## Agenda Memorandum

**File Number:**16-2806

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**Agenda Item Number:** 12.

**Agenda Date:** 5/12/2016

**In Control:** City Council A Session

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**DEPARTMENT:** Office of the City Clerk

**DEPARTMENT HEAD:** Leticia M. Vacek (OCC)

**COUNCIL DISTRICTS IMPACTED:** Mayoral and Council District 5

**SUBJECT:**

Board Appointments

**SUMMARY:**

- A) Appointing Geraldine J. Garcia (District 5) to the Mayor's Commission on the Status of Women for the remainder of an unexpired term of office to expire May 31, 2017.
- B) Reappointing Valeria Hernandez (District 5) to the San Antonio Arts Commission for the remainder of an unexpired term of office to expire May 31, 2017.

**BACKGROUND INFORMATION:**

Applications for District Boards were submitted to the Office of the City Clerk who coordinated review of the applications with the pertinent City Departments and the City Attorney's Office. Qualified applications were forwarded to the respective City Council Offices for their review. A memorandum designating the Councilmember's appointee was submitted to the Office of the City Clerk for processing.

**ISSUE:**

Board appointments require full City Council approval.

**ALTERNATIVES:**

The Office of the City Clerk will continue to advertise vacancies.

**FISCAL IMPACT:**

There is no fiscal impact.

**RECOMMENDATION:**

In order to proceed with the direction of the City Council, the Office of the City Clerk recommends approval of the Board Appointments.



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# City of San Antonio

## Agenda Memorandum

**File Number:** 16-3035

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**Agenda Item Number:** 13.

**Agenda Date:** 5/12/2016

**In Control:** City Council A Session

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**DEPARTMENT:** Office of Management and Budget

**DEPARTMENT HEAD:** John Woodruff (OMB)

**COUNCIL DISTRICTS IMPACTED:** City Wide

**SUBJECT:** FY 2016 Mid-Year Budget Adjustment

### **SUMMARY:**

A mid-year budget adjustment is recommended to the FY 2016 Budget that will result in a revised budget based on actual revenues and expenditures for the six months of the fiscal year (October to March) and projections for the remaining six months of the fiscal year (April to September) in the General Fund and various Restricted Funds.

### **BACKGROUND INFORMATION:**

As part of the City's financial management practices, the City Manager recommends a Mid-Year Budget Adjustment for City Council consideration annually. This Adjustment aligns revenues and expenses based on actual activity for the first six months of the fiscal year (October to March) and updated projections for the remaining six months of the fiscal year (April to September). The result of this adjustment is a revised Budget for the Fiscal Year.

City Council adopted a balanced budget on September 10, 2015 for the City's fiscal year that began October 1, 2015.

In October 2015, the City Council amended the FY 2016 General Fund Budget. Prior to the budget adoption, the Mayor and City Council had deferred the adoption of City Council requested amendments to the General Fund with the anticipation that a collective bargaining agreement with the Police Union would be tentatively agreed on by early October and that funding for the amendments could potentially be needed for a tentative agreement.

The City began meeting with the police union to negotiate a new collective bargaining contract in January 2014. Significant progress was made during the month of September 2015; however on September 30, the Police Union notified the Mayor and City Council of their decision to cease contract negotiations. As a result of

this, the amendments to the FY 2016 General Fund Budget, deferred in September, were approved by City Council in October.

The FY 2016 Six Plus Six Financial Report (2nd Quarter Report) will be presented to the City Council at the May 11th "B" Session. At this presentation, City Council will be provided with a briefing and recommended Mid-Year Budget Adjustment for the General Fund and various restricted funds.

**ISSUE:**

The Six Plus Six Financial report to be presented to City Council during the May 11<sup>th</sup> "B" Session will provide City Council with an informational briefing on the City's FY 2016 financial status of revenues and expenses through the second quarter of the fiscal year (October to March) and projections for the remaining six months (April to September). At this briefing, City Council will be provided with information regarding specific areas within the FY 2016 Budget that are recommended for increases or decreases. The specific appropriation adjustments with supporting resources and justifications will be presented during the May 11<sup>th</sup> City Council "B" Session.

**ALTERNATIVES:**

Should the recommended Mid-Year Budget Adjustment not be implemented, the FY 2016 budget would not be reset to reflect the actual revenues and expenditure activity for the first six months of FY 2016 and projections for the remaining six months of the fiscal year.

**FISCAL IMPACT:**

The FY 2016 Mid-Year Budget Adjustment adjusts appropriation levels and adjusts budgeted revenues within the General Fund and some restricted funds.

**RECOMMENDATION:**

Staff recommends approval of the FY 2016 Mid-Year Budget Adjustment providing the necessary appropriation levels for the identified Funds and Departments to be presented to City Council at the May 11<sup>th</sup> "B" Session.

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On May 29, 2014, City Council approved Ordinance 2014-05-29-0382 approving the first renewal term for the Financial Underwriting Pool from which Financial Underwriter Syndicate would be selected and approved by City Council for various financings for a term beginning October 1, 2014 and ending September 30, 2015.

On June 4, 2015, City Council approved Ordinance 2015-06-04-0493 approving the second renewal term for the Financial Underwriting Pool from which Financial Underwriter Syndicate would be selected and approved by City Council for various financings for a term beginning October 1, 2015 and ending September 30, 2016.

On May 3, 2016, staff of the Finance Department and the City's Co-Financial Advisors met to review and finalize recommendations for the Financial Underwriter Syndicate for financings planned for Fiscal Year 2016, including the following: General Improvement and Refunding Bonds, Series 2016, Combination Tax and Revenue Certificates of Obligation, Series 2016, and Tax Notes, Series 2016.

See Exhibit I for the Proposed Financial Underwriter Syndicates. In the development of the proposed syndicates for these transactions, consideration was given to the following:

1. Background and expertise of firm, lead banker, and lead underwriter.
2. Performance on past City financing transactions.
3. Customer service and innovative ideas presented to the City and the City's Co-Financial Advisors.
4. Capitalization and the firm's willingness to commit capital in recent transactions.
5. Expertise and experience in specific types of transactions.
6. Sales and distribution capabilities.
7. The firm's role in the syndicate.

**ISSUE:**

The selection of the Proposed Financial Underwriter Syndicate is consistent with the City's previous actions to employ underwriting syndicates to market and underwrite the City's debt obligations as well as to assist in the design and structuring of such obligations.

**ALTERNATIVES:**

The City could choose to delay the selection of the Financial Underwriter Syndicate; however, that decision would delay the various potential financing transactions which are anticipated to occur in Fiscal Year 2016. Additionally, the City would forego savings related to the proposed bond refinancings if this item is not approved.

**FISCAL IMPACT:**

Fees for financial underwriting services pertaining to the issuance of debt obligations are paid from the proceeds derived from the issuance and sale of such obligations. Therefore, there is no impact on the City's Operating Budget.

**RECOMMENDATION:**

Staff recommends approval of this ordinance approving the Financial Underwriter Syndicate selected from the

Financial Underwriting Pool for financings planned for Fiscal Year 2016.

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# City of San Antonio

## Agenda Memorandum

**File Number:**16-3051

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**Agenda Item Number:** 15.

**Agenda Date:** 5/12/2016

**In Control:** City Council A Session

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**DEPARTMENT:** Finance

**DEPARTMENT HEAD:** Troy Elliott

**COUNCIL DISTRICTS IMPACTED:** City-wide

### **SUBJECT:**

Approving Publication of Notice of Intention to Issue Certificates of Obligation

### **SUMMARY:**

This Ordinance authorizes and approves publication of Notice of Intention to issue City of San Antonio, Texas Combination Tax and Revenue Certificates of Obligation in one or more series in a maximum aggregate principal amount not to exceed \$125,000,000; and provides for an effective date.

### **BACKGROUND INFORMATION:**

The FY 2016 Adopted Capital Budget as well as other items to be approved by City Council are included in the proposed sale of approximately \$115,000,000 in Combination Tax and Revenue Certificates of Obligation in one or more series (the "Certificates"). This is a request to approve publication of Notice of Intention to Issue Certificates of Obligation and does not obligate the City to proceed with any such issuance or to undertake the capital projects listed in Exhibit I (which action items will be presented to the City Council at future dates).

State law requires that the Notice of Intention be published at least 30 days prior to the City's adoption of the ordinance authorizing the issuance of the Certificates. The total project amount to be funded is approximately \$115,000,000, while the Notice of Intention reflects a maximum aggregate principal amount of Certificates not to exceed \$125,000,000. The differential is attributable to the potential issuance of the Certificates at a premium which will be dependent upon market conditions and determined at the time of the sale. A portion of the premium may be used to fund the costs of issuance for the Certificates. The Certificates will be used for the purpose of providing funds for the payment of contractual obligations to be incurred for making public

improvements including but not limited to the following: Hemisfair Park, river barges, municipal facilities, street, service center, public safety, library, parks and recreation, equipment, information technology, and for other public purposes.

It is anticipated that parameter sale authorization for the sale of the Certificates will be approved on June 16, 2016. It is anticipated that the Certificates will be sold the week of August 1, 2016, with closing and delivery anticipated to occur on August 31, 2016.

**ISSUE:**

The aforementioned transaction will fund capital projects that have been approved in the FY 2016 Adopted Capital Budget and as well as other items to be approved by City Council are included in the proposed sale, and are consistent with the Debt Management Plan. This is a request to approve publication of Notice of Intention to Issue Certificates of Obligation and does not obligate the City to proceed with any such issuance or to undertake the capital projects listed.

**ALTERNATIVES:**

The cost of the improvements to be financed could be absorbed into the City's operating budget. However, this alternative is not budgeted and would negatively impact funding for other services and improvements.

**FISCAL IMPACT:**

Any costs pertaining to the proposed transactions will be paid for from the proceeds derived from the issuance and sale of such obligations. Therefore, there is no impact on the City's Operating Budget.

**RECOMMENDATION:**

Staff recommends approval of this Ordinance that approves publication of the Notice of Intention to issue the Certificates.

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# City of San Antonio

## Agenda Memorandum

**File Number:**16-2483

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**Agenda Item Number:** 16.

**Agenda Date:** 5/12/2016

**In Control:** City Council A Session

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**DEPARTMENT:** SAFD

**DEPARTMENT HEAD:** Charles N. Hood

**COUNCIL DISTRICTS IMPACTED:** Citywide

### **SUBJECT:**

Tri-Starr Personnel, LLC. professional services contract extension.

### **SUMMARY:**

This Ordinance authorizes an extension of a professional services contract with Tri-Starr Personnel, LLC. to provide medical staff for the San Antonio Fire Department Wellness Center. The one-year extension will commence on October 1, 2016 for an amount not to exceed \$300,000.00.

### **BACKGROUND INFORMATION:**

The FY 2010 budget approved the creation of a San Antonio Fire Department Wellness Program to monitor the health and wellness of its uniformed employees throughout their careers. This program was designed to provide early detection of serious medical conditions and encourage better health, thereby allowing our members to do their job more safely and effectively. The program was modeled after the International Association of Fire Fighters (IAFF), International Association Fire Chiefs (IAFC) Wellness-Fitness Initiative (WFI) and in accordance with National Fire Protection Association (NFPA) Standards.

City Council Ordinance 2010-09-09-0785 authorized a professional services agreement with Tri-Starr Personnel, LLC for the provision of medical staffing necessary to perform annual medical physicals and health related education for all uniformed employees on September 9, 2010. City Council Ordinance 2015-06-18-0565 authorized the first renewal option to extend the original contract for a one-year period beginning on October 1, 2015.

**ISSUE:**

The SAFD would like to exercise the second renewal option to extend the contract for one additional year.

**ALTERNATIVES:**

City Council could elect to not approve the contract extension with Tri-Starr Personnel, LLC. However, without the extension, the San Antonio Fire Department would not have the necessary medical staff to oversee the conduct of medical physicals.

**FISCAL IMPACT:**

This extension shall commence on October 1, 2016 and will continue through September 30, 2017. Expenditures for these services are subject to available funding through the Fire Department's fiscal year 2017 Adopted General Fund Operating Budget. The City will make no minimum guarantee pertaining to the volume of work which may be expected from this agency.

**RECOMMENDATION:**

Staff recommends authorizing the extension of the existing professional services agreement with Tri-Starr Personnel, LLC to provide medical staff for the SAFD Wellness Center.

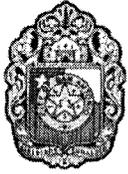
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# City of San Antonio

## Agenda Memorandum

**File Number:** 16-2735

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**Agenda Item Number:** 17.

**Agenda Date:** 5/12/2016

**In Control:** City Council A Session

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**DEPARTMENT:** Health Department

**DEPARTMENT HEAD:** Vincent R. Nathan, PhD, MPH

**COUNCIL DISTRICTS IMPACTED:** City Wide

### **SUBJECT:**

Authorizing an Agreement with the Evolvers Group, L.P. to perform preventative medical care under the general supervision of the Metropolitan Health District's Medical Director for the San Antonio Metropolitan Health District's STD/HIV Health Program.

### **SUMMARY:**

This Ordinance authorizes an agreement with Evolvers Group, L.P. to perform preventative medical care, as would fall within the scope of practice for a Public Health Nurse Practitioner or Physician Assistant, under the general supervision of the Metropolitan Health District's Medical Director for the San Antonio Metropolitan Health District's STD/HIV Health Program for a total amount not to exceed \$50,000 (Fifty Thousand Dollars) for the end of this term and in an amount not to exceed \$50,000 (Fifty Thousand Dollars) for each of the three optional one year renewals. The term of the proposed agreement begins upon award by City Council to end on September 30, 2016 and includes an option for (3) three one (1) year renewals.

### **BACKGROUND INFORMATION:**

The Finance Department, Purchasing Division on behalf of the San Antonio Metropolitan Health Department released a Request for Proposal (RFP) on September 21, 2015 seeking proposals for a Public Health Nurse Practitioner or Physician Assistant to provide preventative medical care under the general supervision of the Metro Health's Medical director and the STD/HIV Health Program Manager. The deadline for proposals was Monday, October 21, 2015. One response was received and evaluated. The Evaluation Committee included representatives from the San Antonio Metropolitan Health Department.

The Evaluation Committee finalized discussion and selected the Evolvers Group L.P. from the following criteria: Experience, Background, and Qualifications; Proposed Plan; Price; and the Small Business, Minority Owned Women Business Prime Contract Program. The evaluation committee unanimously voted to recommend the respondent for contract award.

**ISSUE:**

Metro Health is requesting City Council authorization of an agreement Evolvers Group, L.P. to perform preventative medical care under the general supervision of the Metropolitan Health District's Medical Director for the San Antonio Metropolitan Health District's STD/HIV Health Program.

The San Antonio Metropolitan Health District (Metro Health) is engaged in a variety of programs that require professional medical services. The STD and HIV Prevention and Control Program provide evaluation and diagnosis of sexually-transmitted disease (STD) infections, treatment and counseling for most STDs, and referrals to a primary care provider for infections requiring ongoing medical care.

These services are provided to residents of San Antonio and Bexar County and to those who have no other means of obtaining STD services. The onsite preventive care and supervision of a nurse practitioner/physician assistant is needed to examine, diagnose, and treat patients in the daily operations of the STD/HIV program clinic that is vital to the health of the community.

The Veteran-Owned Small Business Preference Program does not apply to professional service contracts governed by statute, so no preference was applied to this contract.

**ALTERNATIVES:**

Without the proposed agreement, Metro Health would have to identify an alternate consultant in order to meet this need for the San Antonio Metropolitan Health District's STD/HIV Health Program. Metro Health would not have the onsite preventive care and supervision of a nurse practitioner/physician assistant to examine, diagnose, and treat patients in the daily operations of the STD/HIV program clinic that is vital to the health of the community.

**FISCAL IMPACT:**

This agreement will be funded by the STD/HIV General Fund for a total amount not to exceed \$50,000 (Fifty Thousand Dollars) for the end of this term and in an amount not to exceed \$50,000 (Fifty Thousand Dollars) for each of the three optional one year renewals.

**RECOMMENDATION:**

Staff recommends approval of an ordinance authorizing an Agreement with the Evolvers Group, L.P. to perform preventative medical care under the general supervision of the Metropolitan Health District's Medical Director for the San Antonio Metropolitan Health District's STD/HIV Health Program.





**CERTIFICATE OF INTERESTED PARTIES**

**FORM 1295**

Complete Nos. 1 - 4 and 6 if there are interested parties.  
 Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

**OFFICE USE ONLY**

**1 Name of business entity filing form, and the city, state and country of the business entity's place of business.**

The Evolvers Group, L.P.

**2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.**

City of San Antonio

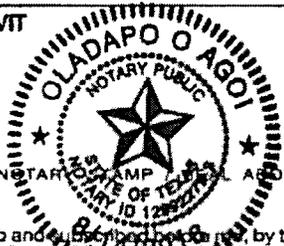
**3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the goods or services to be provided under the contract.**

PUBLIC HEALTH NURSE PRACTITIONER or PHYSICIAN ASSISTANT, 100006642, RFP-015-092

4 Name of Interested Party	City, State, Country (place of business)	Nature of Interest (check applicable)	
		Controlling	Intermediary
Sandeep Sharma	Flower Mound, TX. USA	X	

**5 Check only if there is NO interested Party.**

**6 AFFIDAVIT** I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.



*[Signature]*  
 Signature of authorized agent of contracting business entity

Sworn to and subscribed to before me, by the said SANDEEP SHARMA, this the 22 day of FEBRUARY, 2016, to certify which, witness my hand and seal of office.

*[Signature]* OLADAPO O. AGOI NOTARY PUBLIC  
 Signature of officer administering oath Printed name of officer administering oath Title of officer administering oath

**ADD ADDITIONAL PAGES AS NECESSARY**

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# City of San Antonio

## Agenda Memorandum

**File Number:**16-2827

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**Agenda Item Number:** 18.

**Agenda Date:** 5/12/2016

**In Control:** City Council A Session

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**DEPARTMENT:**Library

**DEPARTMENT HEAD:** Ramiro S. Salazar

**COUNCIL DISTRICTS IMPACTED:**Citywide

### **SUBJECT:**

FY 2016 Digital Inclusion Fellowship award, granted by Nonprofit Technology Network (NTEN)

### **SUMMARY:**

An ordinance authorizing the acceptance of the FY 2016 Digital Inclusion Fellowship award granted by Nonprofit Technology Network (NTEN) in the amount of \$59,836. The award period will be from July 18, 2016 to July 17, 2017. This ordinance also accepts the associated personnel complement of one privately funded City position and authorizes the Director of the San Antonio Public Library (SAPL), or his designee, to execute documents in connection with this private donation.

### **BACKGROUND INFORMATION:**

The San Antonio Public Library provides several educational and learning opportunities in the community through the 28 library locations. Digital literacy is included in the complement of educational and learning opportunities offered through the Library. In FY2015, through the a partnership with AmeriCorps Vista program, an AmeriCorps Vista Volunteer was assigned to the Library and created a digital literacy curriculum as well as helped the Library pilot computer classes taught by volunteers at Central Library and Las Palmas Branch (District 5). The program consisted of two computer classes a week at each facility and attendance reached 248 for the year. The computer classes were a success and the Library is exploring opportunities to enhance the computer class offering and expand class offering to more library locations in FY 2016 and 2017.

The Digital Inclusion Fellow provides the needed support, by way of personnel, to the Library to achieve the goal to expand the computer classes available through the Library to the community. This fellowship also leverages the Library's current engagement with the AmeriCorps Vista program.

National research shows that 34% of people who are not online do not see the web as relevant to their lives. While another 32% say they do not go online because they find it difficult to use a computer or navigate the Internet.

**ISSUE:**

The Digital Inclusion Fellow will complement the Library's strategic plan through improving the opportunities available for digital literacy through the refinement and updating of current curriculum to stay on top of ever-changing technology environment. Additionally, the Library will have the opportunity to develop more sophisticated outcome measurements for our class participants.

The Digital Inclusion Fellow will provide an opportunity for Library patrons' to increase their digital literacy and bring awareness of digital relevancy through additional workshops and classes. In addition to addressing the digital literacy needs of the San Antonio Community, the Digital Inclusion Fellow will also undertake a role of identifying ways to engage our community in issues of digital relevancy.

The Digital Inclusion Fellow focus is on creating a model for digital literacy for the Library that is self-sustaining. The goal for this self-sustaining model is the continuation of the digital literacy resources once the fellowship term concludes.

**ALTERNATIVES:**

If acceptance of this award is not provided, the San Antonio Public Library will continue to look for resources to expand efforts in digital literacy.

**FISCAL IMPACT:**

This ordinance authorizes the acceptance of gift funds to support the associated personnel complement of one private-funded City grant position and the addition of several digital literacy programs that will create a foundation for a long-term digital inclusion effort in the San Antonio community. The City and San Antonio Public Library has been awarded \$59,836. There is no fiscal impact to the General Fund and no additional personnel costs will be incurred as a result of these additional programs and there is no reoccurring commitment.

**RECOMMENDATION:**

Staff recommends approval to accept, the private award of \$59,836 from Nonprofit Technology Network to support the Library's digital literacy initiatives with the associated personnel complement of one privately-funded City position.

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# City of San Antonio

## Agenda Memorandum

**File Number:** 16-2828

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**Agenda Item Number:** 19.

**Agenda Date:** 5/12/2016

**In Control:** City Council A Session

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**DEPARTMENT:** Parks and Recreation

**DEPARTMENT HEAD:** Janet A. Martin, Interim Director

**COUNCIL DISTRICTS IMPACTED:** District 9

### **SUBJECT:**

Design Contract Amendment for the Howard W. Peak Greenway Trail System

### **SUMMARY:**

This ordinance authorizes an amendment of a Professional Services Agreement in the amount of \$620,000.00 and authorizes payment for \$60,000.00 in contingency and up to \$60,000.00 in required project fees from the 2015 Proposition 2 Sales Tax Initiative to Bain Medina Bain, Inc. in the total amount of \$740,000.00 to provide design and construction administration for an additional 3.5-mile extension of the Howard W. Peak Greenway Trail System along Salado Creek from Loop 1604 to Eisenhower Park in Council District 9.

### **BACKGROUND INFORMATION:**

The Greenway Trail System has been funded through a portion of a 1/8-cent voter-approved sales tax since its inception in 2000. The objectives of the program are to acquire and preserve open space along San Antonio creekways and to develop multi-use hike and bike trails, trailheads, signage and associated amenities for use by San Antonio residents and visitors.

On June 12, 2014, City Council approved a professional services agreement with Bain Medina Bain in an amount up to \$809,634.00, through Ordinance 2014-06-12-0442. Under this agreement, Bain Medina Bain, Inc. has begun design on two trail segments: the Leon Creek Greenway (I-10 to Eisenhower Park) in Council District 8 and Salado Creek Greenway (Huebner Road to Loop 1604) in Council District 9.

To complete the full connection between the Leon and Salado Creek Greenway Trail systems, an additional 3.5

mile extension needs to be designed and subsequently constructed along Salado Creek from Loop 1604 to Eisenhower Park. At the time of the original professional services agreement, the City had not acquired the necessary land to perform planning, design and construction for this segment. Because the land is now available, the design work on the final necessary segment can proceed. The proposed amendment will increase Bain Medina Bain's base contract value of \$809,634.00 by \$620,000.00 to a total contract amount of \$1,429,634.00, providing for the additional design and construction administration required in order to move forward with the third and final segment of the Leon to Salado Creek connection.

**ISSUE:**

This ordinance authorizes an amendment of a Professional Services Agreement to Bain Medina Bain, Inc. to provide design and construction administration for an additional 3.5-mile extension of the Howard W. Peak Greenway Trail System along Salado Creek.

Approval of this ordinance will be a continuation of City Council policy to complete projects authorized in the FY 2016-2021 Capital Improvement Plan.

**ALTERNATIVES:**

As an alternative, City Council could choose not to approve the recommended amendment and require an additional RFQ process. However, this would delay the completion of the project and would not likely result in a cost savings.

City Council could choose to remove this portion of trail from the project. However, this would result in a gap in the trail, creating two disconnected portions of trail instead of the fully connected trail project originally intended.

**FISCAL IMPACT:**

Funds are available from the 2015 Proposition 2 Sales Tax Initiative and are included in the FY 2016-2021 CIP. This contract represents a one-time capital improvement expenditure in the amount of \$620,000.00. With contingency and mandatory project fees, funds are authorized to be paid to:

Bain Medina Bain, Inc. in an amount up to \$740,000.00 for the Salado North (1604 to Eisenhower Park) Trail Project located in Council District 9 as follows:

Base design contract = \$620,000.00

Contingency = \$60,000.00

Other Required Fees or Permit Expenses = up to \$60,000.00

Funding for operation and maintenance of the city-wide greenway trail system is submitted annually as part of the General Fund budget process as trail miles are completed.

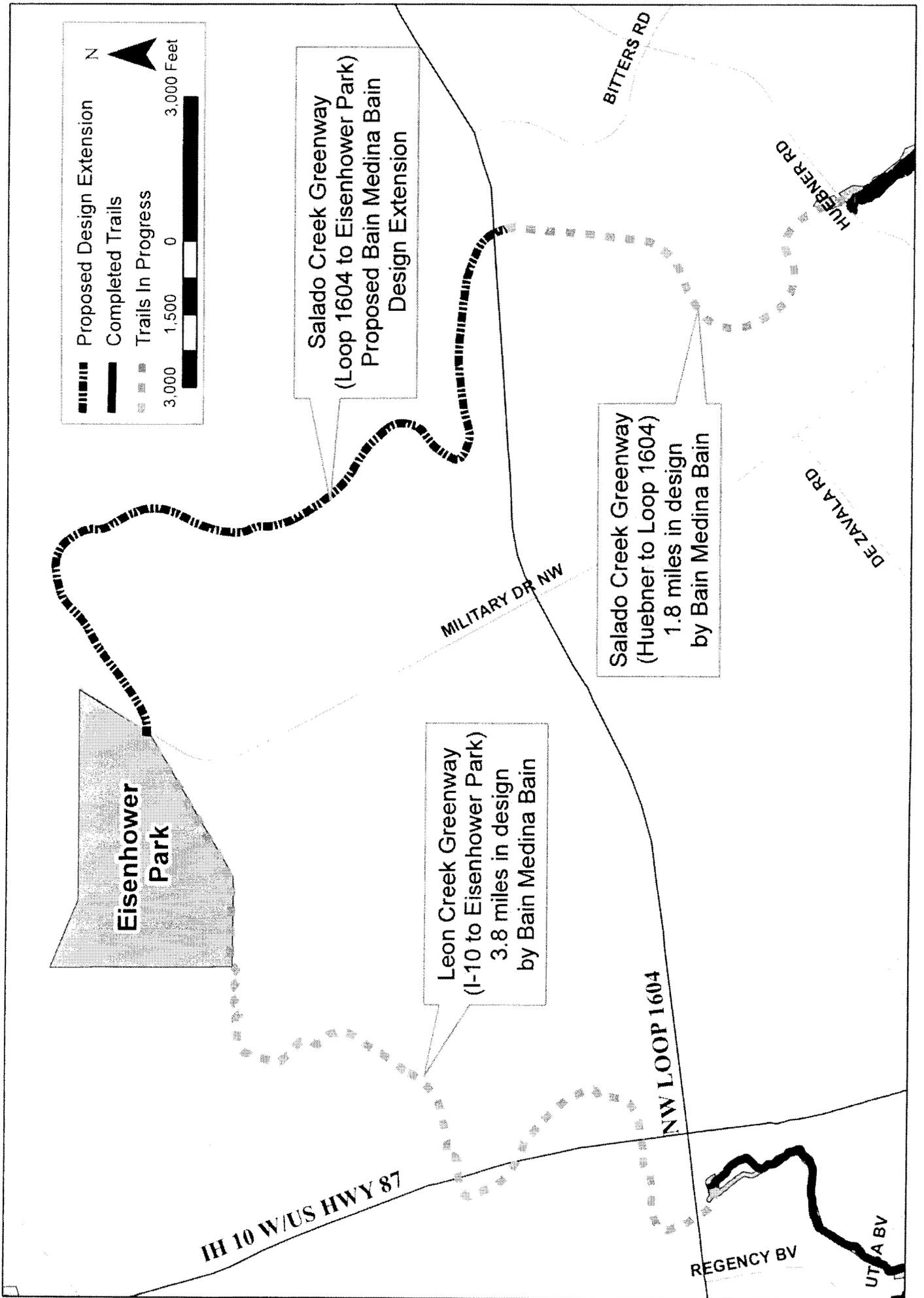
**RECOMMENDATION:**

Staff recommends approval of this ordinance authorizing an amendment to a Professional Services Agreement with Bain Medina Bain, Inc. for design work and construction administration on the Howard W. Peak Greenway Trail System.

The Contracts Disclosure Form required by the Ethics ordinance is attached.

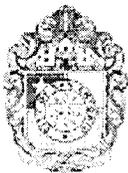


# Howard W. Peak Greenway Trail System Leon Creek to Salado Creek Connection





= Required fields



# City of San Antonio Contracts Disclosure Form

Office of the  
City Clerk

Please fill out this form online, print completed form and submit with proposal to originating department. All questions must be answered.

For details on use of this form, see [Section 2-59 through 2-61](#) of the City's Ethics Code.

This is a  New Submission or  Correction or  Update to previous submission.

1. Name of person submitting this disclosure form.

First: Carl M.I. \_\_\_\_\_ Last: Bain Suffix: \_\_\_\_\_

2. Contract information.

a) Contract or project name: Howard W. Peak Greenway Trails System #4600013898

b) Originating department: \_\_\_\_\_

3. Name of individual(s) or entity(ies) seeking a contract with the city (i.e. parties to the contract).

Bain Medina Bain, Inc.

4. List any individual(s) or entity(ies) that is a partner, parent, joint venture, or subsidiary entity(ies) of the individual or entity listed in Question 3.

Not applicable. Contracting party(ies) does not have partner, parent, joint venture, or subsidiary entities.

Names of partner, parent, joint venture or subsidiary entities, and all the board members, executive committee members, and officers of each entity:

5. List any individuals or entities that will be subcontractors on this contract.

Not applicable. No subcontractors will be retained for this contract.

Subcontractors may be retained, but have not been selected at the time of this submission.

List of subcontractors, including the name of the owner(s), and business name:

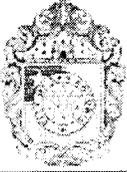
Adams Environmental, Inc.- Sable Kitchen  
Burge-Martinez Consultanting, Inc.- Robert Burge, Jr.  
Cleary Zimmermann Engineers, Inc.- Trey McDougall  
Coltrane, Fernandez, Zavala Group, Inc.- Wade Cleary  
Structural Engineering Associates, Inc.- David Covarrubias

6. List any attorneys, lobbyists, or consultants retained by any individuals listed in Questions 3, 4, or 5 to assist in seeking this contract.

Not applicable. No attorneys, lobbyists, or consultants have been retained to assist in seeking this contract.

List of attorneys, lobbyists, or consultants retained to assist in seeking this contract:

= Required fields



# City of San Antonio Contracts Disclosure Form

Office of the  
City Clerk

### 7. Disclosure of political contributions.

List any campaign or officeholder contributions made by the following individuals in the past 24 months totaling more than \$100 to any current member of City Council, former member of City Council, any candidate for City Council, or to any political action committee that contributes to City Council elections:

- a) any individual seeking contract with the city (Question 3)
- b) any owner or officer of entity seeking contract with the city (Question 3)
- c) any individual or owner or officer of an entity listed above as a partner, parent, or subsidiary business (Question 4)
- d) any subcontractor or owner/officer of subcontracting entity retained for the contract (Question 5)
- e) the spouse of any individual listed in response to (a) through (d) above
- f) any attorney, lobbyist, or consultant retained to assist in seeking contract (Question 6)

Not applicable. No campaign or officeholder contributions have been made in preceding 24 months by these individuals.

List of contributions:

Name of Contributor	To Whom	Date(s) of Contribution(s)	Total Amount of Contribution(s)	Add
Pamela Bain	Ivy R. Taylor	04/16/2015	\$500.00	Delete
Pamela Bain	Roberto C. Trevino	04/16/2015	\$250.00	Delete
Pamela Bain	Alan E. Warrick, II	04/16/2015	\$500.00	Delete
Pamela Bain	Ron Nirenburg	01/16/2015	\$500.00	Delete
Pamela Bain	Jon Krier	04/16/2015	\$500.00	Delete
Pamela Bain	Rebecca J. Viagran	04/16/2015	\$250.00	Delete
Pamela Bain	Ray Lopez	04/16/2015	\$500.00	Delete

### Updates on Contributions Required

Information regarding contributions must be updated by submission of a revised form from the date of the submission of this form, up through the time City Council takes action on the contract identified in response to Question 2 and continuing for 30 calendar days after the contract has been awarded.

### Notice Regarding Contribution Prohibitions for "High-Profile" Contracts

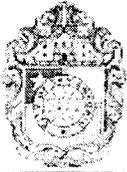
Under section 2-309 of the Municipal Campaign Finance Code, the following listed individuals are prohibited from making a campaign or officeholder contribution to any member of City Council, candidate for City Council or political action committee that contributes to City Council elections from the 10th business day after a contract solicitation has been released until 30 calendar days after the contract has been awarded:

- a) Legal signatory of a high-profile contract
- b) Any individual seeking a high-profile contract
- c) Any owner or officer of an entity seeking a high-profile contract
- d) The spouse of any of individual listed in response to (a) through (c) above
- e) Any attorney, lobbyist, or consultant retained to assist in seeking a high-profile contract

A high-profile contract cannot be awarded to the individual or entity if a prohibited contribution has been made by any of these individuals during the contribution "black-out" period, which is the 10th business day after a solicitation has been released until 30 calendar days after the contract has been awarded.

### 8. Disclosure of conflict of interest.

= Required fields



# City of San Antonio Contracts Disclosure Form

Office of the  
City Clerk

Are you aware of any fact(s) with regard to this contract that would raise a "conflict of interest" issue under [Sections 2-43 or 2-44](#) of the City Ethics Code for any City Council member or board/commission member that has not or will not be raised by these city officials?

- I am not aware of any conflict(s) of interest issues under Section 2-43 or 2-44 of the City Ethics Code for members of City Council or a city board/commission.
- I am aware of the following conflict(s) of interest:

### 9. Prohibited Interest in Contracts.

Currently, or within the past twelve (12) months, have you, your spouse, sibling, parent, child or other family member within the first degree of consanguinity or affinity served on a City board or commission?

Currently, or within the past twelve (12) months, has an owner, partner or employee of a business entity in which you, your spouse, parent, child own 10% or more of the voting stock or shares, or 10% or more of the fair market value served on a City board or commission?

Currently, or within the past twelve (12) months, has an owner, partner, or employee of a business entity who owns 10% or more of the voting stock or shares, or 10% or more of the fair market value, that will be a subcontractor for this contract, served on a City board or commission?

- No
- Yes

### Notice Regarding Prohibited Interest in Contracts.

Please be aware, the City's Charter and Ethics Code prohibits members of certain more-than-advisory boards and commissions, as well as their close family members and any businesses they or their families hold a 10% or greater ownership interest from obtaining a contract with the City during their board or commission service. The prohibition extends to subcontracts on City contracts, and would also apply to parent, subsidiary or partner businesses owned by the member of the board or commission and their family. Please see [Section 141 of the City Charter](#) and [Section 2-52](#) of the City Ethics Code (Prohibited Interests in Contracts) for complete information.

Former members of certain more-than-advisory boards and commissions, their family members and the businesses they own will continue to be prohibited from obtaining any discretionary contracts for one year after leaving City service. Please see [Section 2-55](#) of the City Ethics Code (Prohibited Interest in Discretionary Contracts) for complete information.

Please note that any contract in place at the time the applicant becomes a City officer may remain in effect, but cannot be amended, extended, modified, or changed in any manner during the officer's City service on the more-than-advisory board.

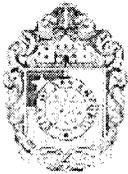
If you have any questions, please contact the Office of the City Attorney to request to speak with a member of the Ethics staff. (210) 207-8940.

## Acknowledgements

### 1. Updates Required

- I understand that this form must be updated by submission of a revised form if there is any change in the information before the discretionary contract, housing and retail development incentive, or the purchase, sale, or lease of real estate to or from the City is the subject of action by the City Council, and no later than 5 business days after any change has occurred, whichever comes first. This includes information about political contributions made after the initial submission and up until 30 calendar days after contract has been awarded.

= Required fields



# City of San Antonio Contracts Disclosure Form

Office of the  
City Clerk

## 2. No Contact with City Officials or Staff during Contract Evaluation

I understand that a person or entity who seeks or applies for a city contract or any other person acting on behalf of that person or entity is prohibited from contacting city officials and employees regarding the contract after a Request for Proposal (RFP), Request for Qualification (RFQ), or other solicitation has been released.

This no-contact provision shall conclude when the contract is posted as a City Council agenda item. If contact is required with city officials or employees, the contact will take place in accordance with procedures incorporated into the solicitation documents. Violation of this prohibited contacts provision set out in [Section 2-5.1](#) of the City Ethics Code by respondents or their agents may lead to disqualification of their offer from consideration.

## 3. Contribution Prohibitions for "High-Profile" Contracts

- This is not a high-profile contract.
- This is a high-profile contract.

## 4. Conflict of Interest Questionnaire (CIQ)

[Chapter 176 of the Local Government Code](#) requires all contractors and vendors to submit a Conflict of Interest Questionnaire Form (CIQ) to the Office of the City Clerk, even if contract is not designated as "High Profile".

I acknowledge that I have been advised of the requirement to file a CIQ form under Chapter 176 of the Local Government Code.

## Oath

I swear or affirm that the statements contained in this Contracts Disclosure Form, including any attachments, to the best of my knowledge and belief are true, correct, and complete.

Your Name: Carl Bain, PE

Title: Vice President

Company Name or DBA: Bain Medina Bain, Inc.

Date: 04/18/2016

Please fill this form out online, print completed form and submit with proposal to originating department. All questions must be answered.

If necessary to mail, send to:

Purchasing  
P.O. Box 839966  
San Antonio, Texas 78283-3966

# CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.  
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

## OFFICE USE ONLY CERTIFICATION OF FILING

**1 Name of business entity filing form, and the city, state and country of the business entity's place of business.**  
Bain Medina Bain, Inc.  
San Antonio, TX United States

Certificate Number:  
2016-41503

**2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.**  
City of San Antonio- Parks and Recreation Department

Date Filed:  
04/18/2016

Date Acknowledged:

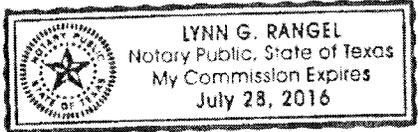
**3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the goods or services to be provided under the contract.**  
4600013898  
Civil Engineering and Land Surveying Professional Services

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Jaramillo, Hernan	San Antonio, TX United States		X
	Medina, Xochitl	San Antonio, TX United States	X	
	Bain, Carl	San Antonio, TX United States		X

5 Check only if there is NO Interested Party,

**6 AFFIDAVIT**

I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.



*Carl Bain*

Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said Carl Bain, this the 18th day of April, 2016, to certify which, witness my hand and seal of office.

*Lynn G. Rangel*  
Signature of officer administering oath

Lynn G. Rangel  
Printed name of officer administering oath

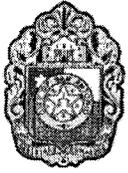
*HR Manager*  
Title of officer administering oath

**SUPPORTING DOCUMENT NOTICE**

**This City Council Agenda Memo contains 1 or more attachments.**

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# City of San Antonio

## Agenda Memorandum

**File Number:** 16-2556

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**Agenda Item Number:** 20.

**Agenda Date:** 5/12/2016

**In Control:** City Council A Session

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**DEPARTMENT:** Pre-K 4 SA

**DEPARTMENT HEAD:** Kathy Bruck, CEO

**COUNCIL DISTRICTS IMPACTED:** City Wide

**SUBJECT:**

Pre-K 4 SA FY 2017 Budget

**SUMMARY:**

An Ordinance considering approval of the Pre-K 4 SA program FY 2017 Budget adopted by the Pre-K 4 SA Board of Directors on April 5, 2016.

**BACKGROUND INFORMATION:**

City staff provided City Council with an overview of the Pre-K 4 SA program's FY 2016 Budget during the May 11 "B" session. The Pre-K 4 SA Board of Directors bylaws, which were approved by City Council, require that the City Council approve the corporation's annual Budget on or before July 1 of each year. As stated in the bylaws, an Annual Budget is required to be adopted by the Board before May 1 each year and approved by City Council prior to the start of the new program year on July 1.

**ISSUE:**

The Pre-K 4 SA Board of Directors adopted the FY 2017 Operating Budget on April 5, 2016. This item is for City Council's consideration of the approval of the Corporation's FY 2017 annual operating budgets. The Pre-K 4 SA fiscal year begins July 1 and ends June 30 of each year.

Below is an overview of the Board of Director's Adopted Operating Budget for FY 2017 to include major program areas.

<b>Operating Expenses</b>	<b>Adopted Budget FY 2017</b>
Pre-K 4 SA Education Center Services	\$ 28,666,898
Transportation Services	\$ 1,026,332
Facilities Leases & Maintenance	\$ 5,653,342
Competitive Grants	\$ 4,592,019
Professional Development	\$ 1,966,810
Program Assessment	\$ 237,467
Administration	\$ 1,575,811
Transfers	\$ 3,840,535
<i>Total Budget</i>	\$ 47,559,214

<b>Revenues</b>	<b>Adopted Budget FY 2017</b>
Sales Tax	\$ 34,101,742
State/Local Match	\$ 4,166,400
USDA (Food)	\$ 1,425,416
Sliding Scale Tuition	\$ 900,000
Interest/Misc Revenue	\$ 24,569
Fund Balance	\$ 6,941,087
<i>Total Revenues &amp; Transfers</i>	\$ 47,559,214

The FY 2017 sales tax assumes a 3.1% growth rate from the FY 2016 estimate. Sales tax makes up 84% of the Pre-K 4 SA total revenue. State/Local Match, USDA and Sliding Scale tuition have a 13%, 15% and 35% increase respectively from the FY 2016 Estimate. This is due to an increase of 300 students for the 2016-2017 school year.

The FY 2017 Board of Director's Adopted Annual Budget reflects a 22% increase from the FY 2016 Adopted Annual Budget. Pre-K 4 SA will accept a total of 2,000 students for the 2016-2017 school year, which reflects over a 17% increase in students from the 2015-2016 school year. Appropriations are required for the hiring of Education Center staff, food service, and other expenses required for the daily operations of each Education Center.

#### **ALTERNATIVES:**

City Council could choose to not approve the FY 2017 Pre-K 4 SA Budget and request changes to the budget by Pre-K 4 SA. In this event, the Pre-K 4 SA Board of Directors would need to amend their adopted Budget(s) and forward the budget(s) to the City Council for approval.

#### **FISCAL IMPACT:**

This action will not impact the City's General Fund Budget. It does allow City Council to approve the fiscal year budgets for the Pre-K 4 SA program: the FY 2017 budget.





**PRE-K 4 SA  
SUMMARY OF ADOPTED BUDGET**

Description:

In November 2012, voters approved a 1/8 cent sales tax to fund the Pre-K 4 SA initiative to provide high quality pre-k for four year olds throughout San Antonio. The Fiscal Year for Pre-K 4 SA runs from July 1 through June 30.

	ACTUAL FY 2015	BUDGET FY 2016	ESTIMATED FY 2016	ADOPTED FY 2017
<b>AVAILABLE FUNDS</b>				
Beginning Balance	\$ 17,556,680	\$ 18,957,445	\$ 19,585,654	\$ 19,510,394
<i>Net Balance</i>	\$ 17,556,680	\$ 18,957,445	\$ 19,585,654	\$ 19,510,394
<b>REVENUES</b>				
Sales Tax	\$ 32,137,216	\$ 34,033,665	\$ 33,068,357	\$ 34,101,742
State/Local Match	3,114,667	4,047,360	3,692,615	4,166,400
USDA (Food)	933,609	1,308,012	1,235,906	1,425,416
Sliding Scale Tuition	393,483	374,000	666,182	900,000
Interest/Misc Revenue	437,326	28,244	106,661	24,569
<i>Total Revenues &amp; Transfers</i>	\$ 37,016,301	\$ 39,791,281	\$ 38,769,721	\$ 40,618,127
<b>TOTAL AVAILABLE FUNDS</b>	\$ 54,572,981	\$ 58,748,726	\$ 58,355,375	\$ 60,128,521
<b>APPROPRIATIONS</b>				
<u>Operating Expenses</u>				
Pre-K 4 SA Education Centers	\$ 20,973,245	\$ 23,632,869	\$ 23,844,366	\$ 26,413,182
Transportation Services	954,547	1,026,128	985,575	1,026,332
Facilities Leases & Maintenance	5,062,482	5,615,222	5,098,144	5,653,342
Competitive Grants	-	-	-	4,592,019
Professional Development	1,841,125	2,045,781	1,907,620	1,966,810
Program Assessment	195,719	132,068	237,467	237,467
Enrollment/Attendance Services	-	-	-	662,287
Public Relations/Marketing	367,036	379,361	664,605	909,394
Sales Tax Collection Fee	635,223	680,673	674,522	682,035
Administration	1,470,124	1,762,162	1,675,309	1,575,811
<i>Subtotal Operating</i>	\$ 31,499,501	\$ 35,274,264	\$ 35,087,608	\$ 43,718,680
<u>Transfers To</u>				
General Fund-Indirect Cost	176,665	235,553	423,666	486,370
Transfers to Debt Service	3,311,161	3,335,484	3,333,707	3,354,165
Transfers to Insurance Reserve	-	-	-	-
<i>Subtotal Transfers</i>	\$ 3,487,826	\$ 3,571,037	\$ 3,757,373	\$ 3,840,535
<b>TOTAL APPROPRIATIONS</b>	\$ 34,987,327	\$ 38,845,301	\$ 38,844,981	\$ 47,559,214
<b>GROSS ENDING BALANCE</b>	\$ 19,585,654	\$ 19,903,425	\$ 19,510,394	\$ 12,569,306

Attachment II  
Pre-K 4 SA FY 2017 Proposed Personnel Complement

**Pre-K Education Centers**

Position Title	FY 2016 Adopted	FY 2016 Midyear	FY 2017 Adopted
Director	4	4	4
Assistant Director	8	8	8
Master Teacher	104	107	120
Teacher	2	2	0
Extended Day Coordinator	4	4	4
Teacher Assistant II	102	102	116
Teacher Assistant I (Transportation)	34	34	34
Teacher Assistant I (Part Time)	52	52	80
Family Specialist	8	8	8
Senior Nurse	5	4	4
Administrative Associate	8	8	8
Administrative Assistant I (Data Clerk)	4	4	0
Cafeteria Assistant	4	4	4
Cafeteria Supervisor	4	4	4
Substitute School Nurses (Part Time)	2	2	0
<b>Total Pre K Centers</b>	<b>345</b>	<b>347</b>	<b>394</b>

**Facilities Maintenance**

Position Title	FY 2016 Adopted	FY 2016 Midyear	FY 2017 Adopted
Supervisor	1	1	1
Crew Leader II	4	4	4
Building Maintenance Custodian	21	21	21
	<b>26</b>	<b>26</b>	<b>26</b>

**Professional Development**

Position Title	FY 2016 Adopted	FY 2016 Midyear	FY 2017 Adopted
Director	1	1	1
Professional Development Coach	15	14	14
Administrative Associate	1	1	1
	<b>17</b>	<b>16</b>	<b>16</b>

Attachment II  
Pre-K 4 SA FY 2017 Proposed Personnel Complement

**Public Relations/Marketing**

Position Title	FY 2016 Adopted	FY 2016 Midyear	FY 2017 Adopted
Special Projects Manager	1	1	1
	1	1	1

**Competitive Grants**

Position Title	FY 2016 Adopted	FY 2016 Midyear	FY 2017 Adopted
Special Projects Manager	0	1	1
Management Analyst	0	1	2
Professional Development Coach	0	0	2
	0	2	5

**Enrollment**

Position Title	FY 2016 Adopted	FY 2016 Midyear	FY 2017 Adopted
Sr. Management Analyst	0	0	1
Administrative Assistant I (Data Clerk)	0	0	4
Administrative Associate	0	0	1
	0	0	6

**Administration**

Position Title	FY 2016 Adopted	FY 2016 Midyear	FY 2017 Adopted
Chief Executive Officer	1	1	1
Sr. Executive Secretary	1	1	1
Special Projects Manager	1	1	1
Department Fiscal Administrator	1	1	1
Senior Accountant	1	1	1
Accountant	1	1	1
Procurement Specialist II	1	1	1
Time & Attendance Specialist	2	2	2
Employee Relations Business Partner	1	1	1
Human Resources Specialist	1	1	1
Executive Assistant	1	1	1
Sr. Management Analyst	3	3	2
Administrative Associate	3	2	1
<b>Total</b>	18	17	15

	FY 2016 Adopted	FY 2016 Midyear	FY 2017 Adopted
TOTAL POSTIONS	407	409	463

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