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Agenda  
City Council Meeting  
Municipal Plaza Building  
City Hall Complex  
114 W. Commerce  
San Antonio, TX 78205  
February 12, 2009

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 a.m. 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: Citizens to be Heard
- 7:00PM: Adjourn

At any time during the Regular City Council Meeting, the City Council may meet in executive session for consultation concerning attorney-client matters (real estate, litigation, contracts, personnel and security) under Chapter 551 of the Texas Government Code.

**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, Northside. Auxiliary Aids and Services are available upon request (Interpreters for the Deaf must be requested forty-eight[48] hours prior to the meeting). For Assistance, Call (210) 207-7245 Voice/TTY.

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 Rev. Dr. Robert F. De Wolfe, Vicar, St Margaret's Episcopal Church. Guest of Councilmember John Clamp, District 10.
2. Pledge of Allegiance.
3. Approval of Minutes for the January 29, 2009 City Council meeting.

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

**ACTION ITEMS FOR STAFF BRIEFING**

4. Briefing and possible action on legislation filed in the 81st Regular State Legislative Session. [A.J. Rodriguez, Deputy City Manager; Carlos Contreras, Director, Intergovernmental Relations]
5. A Public Hearing and consideration of an Ordinance amending the Final Project and Finance Plan for the Inner City TIRZ (Reinvestment Zone Number Eleven, City of San Antonio, Texas, located in Council Districts 1, 2 and 5), by adding the City acquisition of 1511 E. Commerce Street, a garage project at 243 Center Street, and five properties in St. Paul's Square; approving payment of incremental ad valorem taxes generated from these new projects into the Tax Increment Fund; and authorizing the execution of a Development Agreement between the City, the TIRZ Board, and University of the Incarnate Word, for the public improvements portion of the UIW Eastside Eye Clinic. [T.C. Broadnax, Assistant City Manager; David D. Garza, Director, Housing and Neighborhood Services]

2009-02-12-0099

**CONSENT AGENDA**

**Purchase of Equipment, Supplies and Services**

6. An Ordinance accepting the bid from Air Pollution Control Products, Inc. to provide the Animal Care Services Department with the purchase of an animal cremator unit for a cost of \$102,146.00. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & General Services]

2009-02-12-0100

7. An Ordinance authorizing a contract with First Call Network, Inc. to provide the Emergency Operations Center, a Division of the Fire Department, with an Emergency and Non-Emergency Notification Alert System for an initial cost up to \$200,000.00 annually. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & General Services]

2009-02-12-0101

8. An Ordinance authorizing an interlocal agreement with the National Joint Powers Alliance (NJPA), to provide the City of San Antonio Municipal Court with a Court Case Management System from Tyler Technologies, Inc. for an estimated initial cost of \$1,999,817.00 and

\$382,000.00 annually thereafter. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & General Services]

**2009-02-12-0102**

- 9. An Ordinance authorizing the purchase of fifteen additional automated refuse collection trucks from Freightliner of San Antonio Ltd. for a cost of \$2,388,120.00. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & General Services]

**2009-02-12-0103**

### Capital Improvements

- 10. An Ordinance authorizing Change Order No. 3 in the amount of \$63,021.73 and Change Order No. 2 in the deductive amount of \$300,000.00 to the construction contract with Yantis Company for the Runway Safety Assessment Airfield Improvement Project at San Antonio International Airport. [Penny Postoak Ferguson, Assistant City Manager; Michael J. Sawaya, Interim Director, Aviation]

**2009-02-12-0104**

- 11. An Ordinance authorizing Change Orders in the amount of \$184,957.61 and Change Orders in an amount not to exceed \$1,730,285.25 to the construction contract with Archer Western Contractors, Ltd. for additional work for the San Antonio International Airport Expansion Program Project 6 – Roadways & Utilities and Project 10 – Volume 2 – Hydronic Lines Relocation. [Penny Postoak Ferguson, Assistant City Manager; Michael J. Sawaya, Interim Director, Aviation]

**2009-02-12-0105**

- 12. An Ordinance authorizing an amendment to the Construction Manager at Risk contract with Clark Construction Group LLC/Thos. Byrne to add the Terminal B Building Package services in the amount of \$66,600,777.00 and approve reallocation of contingency; and approving Change Order No. 1 in the amount of \$6,052,369.00 for the Terminal 1/B Consolidated Baggage Facility at San Antonio International Airport. [Penny Postoak Ferguson, Assistant City Manager; Michael J. Sawaya, Interim Director, Aviation]

**2009-02-12-0106**

- 13. An Ordinance accepting the low, qualified bid of Silverado Brothers Construction Company, Inc. in the amount of \$748,752.99 to perform construction work in connection with the Affordable Showcase of Homes Tierra del Sol Subdivision Community Development Block Grant (CDBG) project, located in Council District 7. [T.C. Broadnax, Assistant City Manager, David D. Garza, Director, Housing and Neighborhood Services]

**2009-02-12-0107**

### Acquisition, Sale or Lease of Real Property

- 14. An Ordinance closing, vacating and abandoning an improved portion of S. Flores Street for construction of the Bexar County Justice Center Expansion Project in Council District 1, for \$6,375.00. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

**2009-02-12-0108**

### Grant Applications and Awards

- 15. An Ordinance authorizing a contract with the University Health System for up to \$40,850.00 to support child injury prevention activities conducted by the San Antonio Metropolitan Health District for up to three years beginning September 1, 2008. [Frances A. Gonzalez, Assistant City Manager; Dr. Fernando A. Guerra, Director, Health]

2009-02-12-0109

- 16. An Ordinance approving a contract with Novartis Vaccines and Diagnostics, Inc. for an amount up to \$62,875.00 for the San Antonio Metropolitan Health District to conduct a meningococcal clinical vaccine study through June 30, 2011. [Frances A. Gonzalez, Assistant City Manager; Dr. Fernando A. Guerra, Director, Health]

2009-02-12-0110

#### Boards, Commissions and Committee Appointments

- 17. Consideration of Board, Commission and Committee appointments, to be effective immediately upon appointment following the receipt of eight affirmative votes: [Leticia M. Vacek, City Clerk]

- A. Reappointing Chris D. Alderete (District 4) to the Port Authority of San Antonio, for the remainder of an unexpired term of office to expire November 30, 2010.

- B. Appointing John P. Jennings (District 1, Category: Real Estate) to the Brooks Development Authority for the remainder of an unexpired term of office to expire November 4, 2010.

- C. Appointing Robert B. Hahn (District 7, Category: Community Representative) to the Capital Improvements Advisory Committee for the remainder of an unexpired term of office to expire October 25, 2010.

- D. Reappointing Reynaldo A. De Los Santos (District 10) to Keep San Antonio Beautiful, Inc. for the remainder of an unexpired term of office to expire December 22, 2010.

- E. Appointing Scott W. Carpenter (District 10, Category: Public Art) to the Historic Design and Review Commission for the remainder of an unexpired term of office to expire October 31, 2010.

- F. Appointing Dan Weingart (Mayoral) to the Port Authority of San Antonio for the remainder of an unexpired term of office to expire November 30, 2010.

#### Miscellaneous

- 18. An Ordinance authorizing an amendment to the Professional Services Agreement with Carter & Burgess, Inc. in the amount of \$500,000.00 to reduce the program management services at the San Antonio International Airport. [Penny Postoak Ferguson, Assistant City Manager; Michael J. Sawaya, Interim Director, Aviation]

2009-02-12-0111

- 19. An Ordinance amending a Professional Services Agreement with 3D/International for an increase in the amount of \$1,768,915.00 for an increase in project scope and duration and a decrease in the amount of \$1,185,412.00 for elimination of Terminal C – Construction Administration Services. [Penny Postoak Ferguson, Assistant City Manager; Michael J. Sawaya, Interim Director, Aviation]

2009-02-12-0112

- 20. An Ordinance authorizing the settlement of a lawsuit styled *Grethel Echartea v. City of San Antonio*, in the 45th Judicial District Court, Cause No. 2007-CI-07671, for the amount of \$130,000.00. [Michael Bernard, City Attorney; Sheryl Sculley, City Manager]

2009-02-12-0113

- 21. An Ordinance ordering the General City Election to be held on Saturday, May 9, 2009 and Run-off Election to be held on Saturday, June 13, 2009, if necessary; and also setting forth election procedures. [Leticia Vacek, City Clerk]

Postponed to February 19, 2009

- 22. Consideration of the following items in connection with the City's Tax-Exempt Lease/Purchase program: [Pat DiGiovanni, Deputy City Manager; Ben Gorzell, Director, Finance]

- A. An Ordinance authorizing the execution of a Tax-Exempt Master Equipment Lease/Purchase Agreement and an Escrow Agreement with SunTrust Equipment Finance & Leasing Corp. and SunTrust Bank; authorizing Schedules 1 and 2 in the collective amount of \$10,914,136.96, which consists of \$10,387,654.23 for the acquisition of forty-two (42) Automated Refuse Collection Trucks for the Solid Waste Management Department at a rate of 3.27% for a 7-year term (Schedule 1); and \$526,482.73 for the acquisition of three (3) Printers and Related Components for the Purchasing and General Services Department at a rate of 2.87% for a 5-year term (Schedule 2).

2009-02-12-0114

- B. A Resolution authorizing funds previously expended to be reimbursed from the proceeds of the Tax-Exempt Master Equipment Lease/Purchase Agreement entered into between the City of San Antonio and SunTrust Equipment Finance & Leasing Corp.

2009-02-12-0003R

- 23. Consideration of the following Ordinances relating to economic development activities in Council District 2: [T. C. Broadnax, Assistant City Manager; David D. Garza, Director, Housing and Neighborhood Services]

- A. An Ordinance authorizing the acceptance of a \$150,000.00 donation from Zachry Corporation for economic development activities in Council District 2.

2009-02-12-0115

- B. An Ordinance authorizing a funding agreement with San Antonio for Growth on the Eastside (SAGE) in an amount up to \$150,000.00, for the period February 12, 2009 through September 30, 2009, for economic development activities in Council District

2. 2009-02-12-0116

- 24. An Ordinance authorizing a five-year food and beverage concession agreement at San Antonio International Airport with Host International, Inc. with minimum annual guaranteed rentals of \$231,000.00. [Penny Postoak Ferguson, Assistant City Manager; Michael J. Sawaya, Interim Director, Aviation]

2009-02-12-0117

25. **City Manager's Report**

- A. Housing & Neighborhood Services Program Update
- B. Public Works Department Project Update

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

**The City Council will recess into an executive session to discuss the following:**

- A. Deliberations regarding economic development negotiations pursuant to Texas Government Code Section 551.087 (economic development).
- B. 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).
- C. 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).
- D. Discuss legal issues related to employee benefits pursuant to Texas Government Code Section 551.071 (consultation with attorney).

**6:00 P.M. (may be heard after this time) – Citizens to be Heard**

**ADJOURN**

*7:00 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.*