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AGENDA
City Council Meeting
Municipal Plaza Building
City Hall Complex
114 W. Commerce
San Antonio, TX 78205
January 14, 2010

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RECEIVED
CITY OF SAN ANTONIO
CITY CLERK

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
- 5:30PM:** Ceremonial Recognitions
- 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 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 Father David Floyd-Archibald, Rector, St. Andrews Episcopal Church. Guest of Councilmember Justin Rodriguez, District 7.
2. Pledge of Allegiance.
3. Approval of Minutes for the City Council meetings of November 5, November 19, and December 3, 2009.
4. Swearing-in of Councilmember Elisa Chan as Mayor Pro-Tem, serving the period of January 18, 2010 – March 29, 2010.

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

ACTION ITEMS FOR STAFF BRIEFING

5. An ^{Resolution}~~Ordinance~~ approving the appointment of a member to the CPS Energy Board of Trustees.

2010-01-14-0001R

CONSENT AGENDA

Purchase of Equipment and Supplies

6. An Ordinance accepting bids for the following contracts in the estimated annual amount of \$956,000.00: (A) Airgas Southwest for oxygen, acetylene and welding supplies; (B) Paradigm Traffic Systems, Inc., Requisite Inc. and PSI Acquisition, L.L.C. for traffic controller cabinet assemblies and equipment; (C) High Sierra Electronics, Inc. for automated flood warning system parts; (D) Grande Truck Center for Telma brake retarder parts and service; (E) Heil of Texas for Toter rear tipper parts and service; and (F) SAP Public Services, Inc. for SAP procurement and budget formulation software module maintenance. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & General Services] **2010-01-14-0001**

7. An Ordinance accepting the offer from Automated Logic Texas to replace the heating, ventilation and air conditioning building control systems at City Hall and Municipal Plaza Building for a total cost of \$264,733.00 funded with Certificates of Obligation. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & General Services] **2010-01-14-0002**

8. An Ordinance authorizing the purchase of a brush collection truck from Freightliner of San Antonio, LTD for the Solid Waste Management Department for a total cost of \$92,624.00 utilizing a cooperative contract, funded by a tax-exempt lease purchase agreement and the Solid Waste Operating Fund. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & General Services] **2010-01-14-0003**

Capital Improvements

9. An Ordinance authorizing a change order in the increased amount of \$70,170.24 to the \$292,376.70 construction contract with Herschap Backhoe & Ditching, Inc. for Phase II of the HemisFair Groundwater Force Main Project, funded in the FY 2010 Budget, located in Council District 1. [Pat DiGiovanni, Deputy City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2010-01-14-0004

10. An Ordinance authorizing a professional services agreement with Freese and Nichols, Inc. in an amount up to \$334,667.00 for engineering services for Dam Breach Analysis and Emergency Action Plan funded by the FY 2010 - 2015 Capital Budget. [Sharon De La Garza, Assistant City Manager; Majed A. Al-Ghafry, Director, Public Works]

2010-01-14-0005

11. An Ordinance authorizing the negotiation and execution of an agreement with the Campus of the San Antonio Jewish Community in the amount of \$150,000.00 for the installation of a traffic signal and construction of a driveway, an authorized \$30 Million Tax Note funded project located in Council Districts 8 and 9. [Sharon De La Garza, Assistant City Manager; Majed Al-Ghafry, Director, Public Works]

2010-01-14-0006**Acquisition, Sale or Lease of Real Property**

12. An Ordinance authorizing two, one-year lease agreements to ClearWireless L.L.C. for the use of space on cell towers at 4531 South Zarzamora Street in Council District 5 and at 10100 Belga Drive in Council District 8 for a total of \$17,500.00. [Pat DiGiovanni, Deputy City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2010-01-14-0007

13. An Ordinance authorizing a five-year lease from GTM Washington Square, Ltd. for office space at 800 Dolorosa Street, Suite 115, in Council District 1, for the Department of Human Resources' Office of Municipal Integrity for an initial monthly rental rate of \$1,972.00 and increasing to \$2,135.00 in year five. [Pat DiGiovanni, Deputy City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2010-01-14-0008

14. An Ordinance authorizing renewal of a five-year lease from GTM Washington Square, Ltd. for office space at 800 Dolorosa Street, Suite 402, in Council District 1, for the San Antonio Police Department's Office of Internal Affairs for an initial monthly rental rate of \$12,298.00 and increasing to \$13,312.00 in year five. [Pat DiGiovanni, Deputy City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2010-01-14-0009**Grant Applications and Awards**

15. An Ordinance authorizing the acceptance and appropriation of \$90,000.00 in Federal Stimulus Grant Funds for the conversion of five existing City-owned hybrid electric vehicles into plug-in hybrid electric vehicles using conversion kits supplied by a certified third-party

battery manufacturer, and installing five dedicated electric vehicle recharging stations to provide electricity for the vehicles converted by this project. [Richard Varn, Chief Information Officer; Laurence Doxsey, Director, Office of Environmental Policy]

2010-01-14-0010

16. Consideration of the following Ordinances relating to 2010 Homeland Security Grant Program funds: [Erik J. Walsh, Assistant City Manager; Charles N. Hood, Fire Chief]

A. An Ordinance authorizing the submission of a grant application and acceptance, upon award, of up to \$10,000,000.00 from the Office of the Texas Division of Emergency Management (TDEM) for the 2010 Homeland Security Grant Program (HSGP) to prevent, respond to, and recover from acts of terrorism and natural disasters; appropriating funds; and authorizing a personnel complement of 12 positions.

2010-01-14-0011

B. An Ordinance authorizing a contract with the Texas Engineering Extension (TEEX) agency for up to \$150,000.00 per year, for up to three years, to assist in complying with federal and state homeland security grant guidelines and reporting requirements.

2010-01-14-0012

C. An Ordinance authorizing the acceptance of an additional 2006 HSGP Urban Area Security Initiative (UASI) grant award in the amount \$5,170.44; and authorizing any additional funding made available during the program year.

2010-01-14-0013

City Code Amendments

17. An Ordinance amending Chapter 16 (Licenses and Business Regulations) of the City Code of the City of San Antonio, Texas to clarify the number of times peddling is allowed and to hold property owners as well as peddlers responsible for activity in excess of the time prescribed. [T.C. Broadnax, Assistant City Manager; David D. Garza, Director, Housing and Neighborhood Services]

2010-01-14-0014

18. Consideration of the following Ordinances relating to Horse Drawn Carriages: [Erik J. Walsh, Assistant City Manager; William McManus, Police Chief]

A. An Ordinance approving interim permits to five existing horse drawn carriage operators through June 30, 2010; granting five new interim permits to a new company, Alamo Stage Line; and granting five additional interim permits to an existing company, Lone Star.

2010-01-14-0015

B. An Ordinance amending Chapter 33 of the City Code to make Article I of Chapter 33 applicable to horse-drawn carriage operations and to authorize the Chief of Police to establish horse-drawn carriage routes; and providing for criminal and civil penalties for violations.

2010-01-14-0016

Boards, Commissions and Committee Appointments

19. Consideration of Board, Commission and Committee appointments for the remainder of an unexpired term of office to expire May 31, 2011, to be effective as listed below or immediately, upon the receipt of eight affirmative votes, or, in the event eight affirmative votes are not received, ten days after appointment: [Leticia M. Vacek, City Clerk]

A. Appointing Michael K. Wolfe (At-Large, Category: Taxi Industry) and Barbara L. Loomis (At-Large, Category: Community) to the Airport Advisory Commission for the remainder of unexpired terms of office to expire March 18, 2010.

B. Reappointing Mary E. Briseno (At-Large) and Rick A. Pych (At-Large) to the VIA Metropolitan Transit Authority Board of Trustees and designating Mary E. Briseno to represent the interests of the transportation disadvantaged, for the remainder of unexpired terms of office to expire December 31, 2011.

C. Appointing Andrew M. Anguiano (District 3) to the Zoning Commission.

D. Reappointing Darryl W. Lyons, II (Mayoral, Category: Financial) and Robert A. Larios (District 8, Category: Technical/Research) to the Brooks Development Authority for the remainder of unexpired terms of office to expire November 4, 2010 and November 4, 2011, respectively.

E. Appointing Sylvia A. Enriquez (District 10) to the Affirmative Action Advisory Committee.

PULLED Appointing Bertha G. Perez (Mayoral) to the San Antonio Housing Authority for the remainder of an unexpired term of office to expire August 26, 2010.

G. Appointing Rose M. Maldonado (Mayoral) and Gabriella A. Lopez (Mayoral) to the San Antonio Youth Commission.

Miscellaneous

20. An Ordinance authorizing a Memorandum of Agreement with the Texas Historical Commission regarding the proper restoration, rehabilitation and adaptive reuse of historic elements at the Mission Drive-In Theater, located at 3100 Roosevelt in Council District 3. [Pat DiGiovanni, Deputy City Manager; Mike Frisbie, Director, Capital Improvements Management Services] **2010-01-14-0017**

21. Consideration of the following Ordinances related to the award of on-call professional services agreements: [Pat DiGiovanni, Deputy City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

A. An Ordinance authorizing the negotiation and execution of four on-call professional services agreements with Alderson & Associates, Inc., Joshua Engineering Group, Inc., K.M. Ng & Associates, Inc. and O'Connell Robertson, each in the amount of \$500,000.00 per year for a two-year contract with an extension option to provide mechanical, electrical, and plumbing design services for capital improvement projects.

2010-01-14-0018'

B. An Ordinance authorizing the negotiation and execution of three on-call professional services agreements with Consulting Engineers, Inc., Jaster-Quintanilla San Antonio, LLP., and Structural Engineering Associates, Inc., each in the amount of \$500,000.00 per year, for a two-year contract with an extension option to provide structural design services for capital improvement projects.

2010-01-14-0019

22. An Ordinance approving a waiver of \$27,464.40 in SAWS impact fees for the Mission Road Development Center as an exception to policy under the Incentive Scorecard System. [Pat DiGiovanni, Deputy City Manager / Interim Director, Center City Development]

2010-01-14-0020

23. An Ordinance authorizing an Economic Development Grant and Loan Agreement in the amount of \$200,000.00 with Site B Services Data Services Inc. [Pat DiGiovanni, Deputy City Manager / Interim Director, Center City Development]

2010-01-14-0021

24. An Ordinance authorizing a settlement agreement for the amount of \$225,000.00 in a lawsuit styled *Albert Moran, as Administrator of the Estate of Francisca (Francis) Moran, Deceased v. City of San Antonio, et al* in the 150th District Court of Bexar County, Texas, Cause No. 2009-CI-06269. [Sheryl Sculley, City Manager; Michael Bernard, City Attorney]

2010-01-14-0022

25. An Ordinance approving a local contribution in the amount of \$228,401.00 to the Events Trust Fund in anticipation of reimbursement for eligible expenses related to the 2009 Rock N Roll Marathon and the 2009 Notre Dame vs. Washington State University football game. [A.J. Rodriguez, Deputy City Manager; Michael J. Sawaya, Director, Convention, Sports & Entertainment Facilities]

2010-01-14-0023

26. An Ordinance authorizing a license agreement with the Missions Baseball Care Foundation for the use of approximately 60.40 acres of land adjacent to Hwy. 151, between Callaghan Rd. and Acme Rd., in City Council District 6, for a five-year term commencing January 1, 2010 with automatic renewal options, for the development and operation of an athletic facilities complex financed by the Bexar County Venue Tax Projects election held in May 2008. [A.J. Rodriguez, Deputy City Manager; Michael J. Sawaya, Director, Convention, Sports & Entertainment Facilities]

2010-01-14-0024

27. Consideration of the following in connection with the 2010 Master Equipment Lease/Purchase Agreement with Banc of America Public Capital Corp: [Pat DiGiovanni, Deputy City Manager, Ben Gorzell, Chief Financial Officer]

A. An Ordinance approving the Master Equipment Lease/Purchase Agreement with Banc of America Public Capital Corp and an Acquisition Fund and Account Control Agreement with Banc of America Public Capital Corp and The Frost National Bank,

San Antonio, Texas; authorizing Schedule A to the Master Equipment Lease/Purchase Agreement in the amount of \$7,494,456.00 for the acquisition of eight automated refuse collection trucks, one brush collection truck, and 120,000 refuse containers for the Solid Waste Management Department; and authorizing approximately \$4,124.00 in available City funds for the brush collection truck.

2010-01-14-0025

B. A Resolution authorizing the reimbursement of funds previously expended from the proceeds of the Lease Purchase Agreement entered into between the City of San Antonio and Banc of America Public Capital Corp; and providing for an immediate effective date.

2010-01-14-0002R

28. An Ordinance authorizing payment in an amount up to \$315,206.59 to Sterling's Public Safety, Inc. for remaining marked inventory from the Commissary contract with the Fire Department. [Erik J. Walsh, Assistant City Manager; Charles N. Hood, Fire Chief]

2010-01-14-0026

29. An Ordinance authorizing a Fourth Amendment to the Professional Services Agreement for Federal Representation Services with Patton Boggs LLP, extending the term through April 30, 2010. [A.J. Rodriguez, Deputy City Manager; Carlos Contreras, Director, Intergovernmental Relations]

2010-01-14-0027

30. City Manager's Report

A. Update on the Federal Economic Stimulus Funding

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

5:30 P.M. (may be heard after this time) – Ceremonial Recognitions

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.