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AGENDA
City Council Meeting
Municipal Plaza Building
City Hall Complex
114 W. Commerce
San Antonio, TX 78205
May 30, 2013
9:00 A.M.

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: 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) 207-7245 or 711 (Texas Relay Services for the Deaf).

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 Clare Acosta-Matos, Minister for Social Justice, St. Mary's University, guest of Mayor Julián Castro.
2. Pledge of Allegiance.
3. Approval of Minutes for the May 8 - 9, 2013 City Council meetings.

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

ACTION ITEMS FOR STAFF BRIEFING

4. Consideration of the following financial matters relating to CPS Energy: [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

A. An Ordinance authorizing the issuance of the City's Electric and Gas Systems Junior Lien Revenue Bonds, Series 2013 ("Bonds"), in a principal amount not to exceed \$400 million, and other financial matters as necessary; and the distribution of an Official Statement relating to the Bonds.

2013 - 05 - 30 - 0350

B. An Ordinance authorizing an amendment and extension of two of the now existing Revolving Credit Agreements (being those agreements providing liquidity to the City's \$450,000,000 Electric and Gas Systems Commercial Paper Notes Series B and Series C, respectively), bringing the liquidity support equal to the Commercial Paper authorized capacity of \$600,000,000; and the distribution of an Updated Offering Memorandum relating to the Commercial Paper.

2013 - 05 - 30 - 0351

C. A Resolution authorizing a cash defeasance of certain of the City's Electric and Gas Systems Revenue Bonds in an amount not to exceed \$100 million and the execution of an Escrow Agreement.

2013 - 05 - 30 - 0017R

5. An Ordinance authorizing the negotiation and execution of a Construction Manager at Risk contract in the amount not-to-exceed \$105,000,000.00 with Turner Construction Company for the Consolidated Rental Car Facility at San Antonio International Airport, a Customer Facility Charge funded project. [Ed Belmares, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2013 - 05 - 30 - 0352

CONSENT AGENDA

Purchase of Equipment and Supplies

- 6. An Ordinance accepting the offer from Philpott Motors, Benson Honda and North Park Volkswagen to provide 43 Gasoline/Electric Powered Hybrid Administrative Sedans to the City of San Antonio for a total cost of \$1,033,342.20, from the Equipment Renewal and Replacement Fund. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

2013-05-30-0353

- 7. An Ordinance accepting the offer from Twincrest, Inc. d/b/a Twincrest Technologies for radar vehicle detection equipment for an estimated annual cost of \$441,000.00. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

2013-05-30-0354

Capital Improvements

- 8. An Ordinance authorizing the execution of a funding agreement in an amount not-to-exceed \$2,200,000.00 with Animal Defense League of Texas, for the design, construction and operation of a kennel facility for Stray Animal Kennels project on Animal Defense League owned land at 11300 Nacogdoches Drive, a 2012 – 2017 General Obligation Bond funded project; and, as part of the project authorizing the execution of a Lease/Sublease of the project land for a 25-year term. [Erik Walsh, Deputy City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2013-05-30-0355

- 9. Consideration of the following actions related to the Market Street Realignment Project, a \$36.3 million Downtown Streets Reconstruction and HemisFair Park Area Streets Redevelopment, 2012 – 2017 General Obligation Bond funded project, in connection with the Convention Center Expansion Project, located in Council District 1: [Peter Zaroni, Deputy City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

- A. An Ordinance approving a San Antonio Water System-driven deductive change order in the decreased amount not to exceed \$1,242,629.00 to the \$36,298,583.23 construction contract with Capital Excavation Company for the realignment of Market Street.

2013-05-30-0356

- B. An Ordinance authorizing a property exchange, whereby the City transfers to San Antonio Water System a 0.2254 acre parcel in exchange for a 0.2436 acre parcel needed for the realignment of Market Street, both parcels are located at 900 East Commerce (within NCB 13813); and, authorizing payment in an amount not-to-exceed \$100.00 to Bexar County Clerk's Office for associated property recording fees.

2013-05-30-0357

- 10. Consideration of the following actions related to the Culebra 58F Drainage Phase 2B Project, a 2007 – 2012 General Obligation Bond Project, located in Council District 7: [Peter Zaroni, Deputy City Manager; Mike Frisbie, Director, Capital Improvements Management Services]:

- A. An Ordinance approving a City-requested change order, in the decreased amount of \$406,000.00, with Liberty Mutual Insurance Company for the Culebra 58F Drainage Phase 2B Project.

2013-05-30-0358

- B. An Ordinance authorizing the execution of an Off-Site Mitigation Agreement with TCP III Straus Medina, LLC, in the amount not to exceed \$406,000.00, for the Culebra 58F Drainage Phase 2B Project.

2013-05-30-0359

Acquisition, Sale or Lease of Real Property

- 11. An Ordinance authorizing the extension of the concession agreements with Advantage, Alamo, Avis, Budget, Dollar/Thrifty, Enterprise, Hertz, and National at the San Antonio International Airport to coincide with the opening of the Consolidated Rental Car Facility, with a minimum guaranteed rent of \$7,829,700.00 per year from the agencies. [Ed Belmares, Assistant City Manager; Frank Miller, Director, Aviation]

2013-05-30-0360

- 12. An Ordinance authorizing an amendment to the concession agreement to extend the term for three additional years and increase the premises an additional 606 square feet with International Duty Free Stores/UETA at San Antonio International Airport. [Ed Belmares, Assistant City Manager; Frank Miller, Director, Aviation]

2013-05-30-0361

- 13. An Ordinance authorizing an extension retroactive from May 1, 2013 through April 30, 2018 of the parking agreement with Nix Hospitals LLC for use of 400 spaces in the Houston Street Parking Garage with a first year payment of \$471,528.00. [Ed Belmares, Assistant City Manager; Jim Mery, Interim Director, Downtown Operations Department]

2013-05-30-0362

- 14. An Ordinance authorizing a donation agreement, pedestrian easement, and temporary right of entry for construction of a pedestrian bridge over the San Antonio River in the River Walk Museum Reach. [Ed Belmares, Assistant City Manager; Jim Mery, Interim Director, Downtown Operations]

2013-05-30-0363

- 15. Consideration of the following items related to the management of Animal Care Services' facilities in Brackenridge Park: [Erik Walsh, Deputy City Manager; Kathy Davis, Director, Animal Care Services]

- A. An Ordinance authorizing a lease with San Antonio Pets Alive, Inc. to manage and operate the new Paul Jolly Center for Animal Adoptions and PETCO Pavilion in Brackenridge Park for an initial term of three years with the option to renew the lease for up to five two-year terms.

2013-05-30-0364

- B. An Ordinance authorizing a lease with PetShotz, Inc. to manage and operate the new PETCO Spay and Neuter Facility in Brackenridge Park for an initial term of three years, with the option to renew the lease for up to five two-year terms.

2013-05-30-0365

- 16. Consideration of ordinances authorizing three 10-year License Agreements with Calumet San Antonio Refinery, LLC, purchaser of the NuStar Energy San Antonio Refinery Pipeline, to continue using and operating the pipeline constructed within the public right-of-way by NuStar Energy in 2012: [Peter Zaroni, Deputy City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

- A. An Ordinance authorizing a 10-year License Agreement with Calumet San Antonio Refinery, LLC for use of public right-of-way to install, operate and maintain piping under Old Corpus Christi Road (between NCB 10927 and NCB 10879).

2013-05-30-0366

- B. An Ordinance authorizing a 10-year License Agreement with Calumet San Antonio Refinery, LLC for use of public right-of-way to install, operate and maintain piping under Shane Road (in NCB 10915).

2013-05-30-0367

- C. An Ordinance authorizing a 10-year License Agreement with Calumet San Antonio Refinery, LLC for use of public right-of-way to install, operate and maintain piping under Southton Road (between NCB 10917 and NCB 10915).

2013-05-30-0368

Grant Applications and Awards

- 17. An Ordinance authorizing the use of City Council Project Funds in the amount of \$37,471.19 for the Fit Family Challenge District 4 Get Fit 5K and the Fit Family Challenge District 6 Fitness Fest sponsored by San Antonio Sports. [Edward Benavides, Chief of Staff; Chris Callanen, Assistant to City Council]

2013-05-30-0369

- 18. An Ordinance authorizing a contract amendment with the Texas Department of State Health Services for Title V Child Dental Health Services to accept an additional \$11,975.00 in funding, bringing the total cumulative amount of the contract to \$265,000.00; and authorizing a contract amendment with the University of Texas Health Science Center at San Antonio Dental School to provide an additional \$9,580.00 bringing the total cumulative amount of the contract to \$212,000.00 for the provision of dental services during the term of September 1, 2012 to August 31, 2013. [Gloria Hurtado, Assistant City Manager; Dr. Thomas L. Schlenker, Director of Public Health]

2013-05-30-0370

- 19. An Ordinance authorizing the submission of a grant application for up to 25 police officers in the amount of \$3,125,000.00 to the U.S. Department of Justice, Office of Community Oriented Policing Services, for a Hiring Program grant. [Erik J. Walsh, Deputy City Manager; William P. McManus, Chief of Police]

2013-05-30-0371

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Boards, Commissions and Committee Appointments

20. Consideration of the following Board, Commission and Committee appointments for the remainder of unexpired terms of office to expire May 31, 2015, 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 Elizabeth Betty Feldman (District 9) to the Historic and Design Review Commission. **APPROVED**

B. Appointing Ella D. Gordon (District 10) to the City/County Joint Commission on Elderly Affairs. **APPROVED**

C. Appointing Matthew Carpenter, Curtis R. Casey, Suzanne B. Scott, Robert Shearer, Steven Sano, Marise McDermott-Grizzard, Joan Korte, Richard E. Hartman, Roberto Flores, and Christina E. Bigley (District 1) to the Tax Increment Reinvestment Zone No. 31 - Midtown Board. **APPROVED**

Miscellaneous

21. An Ordinance authorizing the amendment to a professional services agreement with XIP Consulting, LLC in an amount of \$3,565.00, funded by 2010 Airport Tax Notes, for IT Program and Construction Management oversight services. [Ed Belmares, Assistant City Manager; Frank Miller, Director, Aviation] **2013 - 05 - 30 - 0372**

22. An Ordinance amending the FY 2013 Annual Operating Budget to adjust revenue and appropriation levels in certain funds based upon the recently completed mid-year review of revenues and expenditures. [Peter Zanoni, Deputy City Manager; Maria Villagomez, Director, Management and Budget] **2013 - 05 - 30 - 0373**

23. An Ordinance approving a SAWS impact fee waiver in the amount of \$250,000.00 for the Masters Ranch at Pecan Valley Apartment Community, located at 3435 E. Southcross Blvd, a project partnership between the San Antonio Housing Trust Public Facility Corporation and Homespring Realty Partners. [Carlos Contreras, Assistant City Manager; Lori Houston, Director, Center City Development] **PULLED BY STAFF**

24. A Resolution nominating Southwest General Hospital, L.P. for consideration and designation as a State Enterprise Project qualifying the company for a potential refund of up to \$1,250,000.00 over 5 years in state sales and use taxes based on a project investment exceeding \$10 million and the retention of 744 jobs. [Carlos Contreras, Assistant City

2013 - 05 - 30 - 0018R

Manager; Rene Dominguez, Director, Economic Development]

- 25. An Ordinance authorizing the purchase of additional functionality from Tyler Technologies, Inc. for the San Antonio Municipal Court Case Management System in an amount not to exceed \$39,250.00 in one-time costs and \$24,625.00 for on-going maintenance for the Texas Vehicle and Driver's License Information and San Antonio Police Officer Scheduling modules, and authorizing the payment of \$3.00 per transaction for the online payments of citations. [John Bull, Presiding Judge, Municipal Court]

2013 - 05 - 30 - 0374

- 26. An Ordinance authorizing the settlement of a lawsuit styled *Miguel Montemayor, III v. Susan Ates v. City of San Antonio*, Cause Number 2011-CI-15153 in the 73rd Judicial District Court of Texas, Bexar County for payment in the amount of \$100,000.00 from the Self-Insurance Liability Fund. [Michael Bernard, City Attorney]

2013 - 05 - 30 - 0375

- 27. An Ordinance authorizing the settlement of a lawsuit styled *San Juana Salas v. City of San Antonio*, Cause Number 2010-CI-07258 in the 150th District Court, Bexar County, Texas for payment in the amount of \$170,000.00 from the Self-Insurance Liability fund. [Michael Bernard, City Attorney]

2013 - 05 - 30 - 0376

- 28. An Ordinance authorizing a contract amount of \$272,359.16 for Election Services to the Bexar County Elections Administrator for the June 15, 2013 Run-off Election in Council Districts 5 and 8. [Leticia M. Vacek, City Clerk]

2013 - 05 - 30 - 0377

- 29. Consideration of the following two Ordinances related to the Noise and Operations Monitoring System at the San Antonio International Airport: [Ed Belmares, Assistant City Manager; Frank Miller, Director, Aviation]

- A. An Ordinance consenting to the assignment of a contract with SRA International, Inc. to Exelis Inc.

2013 - 05 - 30 - 0378

- B. An Ordinance extending the contract with Exelis Inc. for the Noise and Operations Monitoring System for two years in the total amount of \$245,000.00, funded by Airport Operating and Maintenance Funds.

2013 - 05 - 30 - 0379

- 30. Consideration of the following items related to the Downtown Public Improvement District: [Ed Belmares, Assistant City Manager; Jim Mery, Interim Director, Downtown Operations]

- A. An Ordinance re-establishing the Downtown Public Improvement District to provide supplemental services in the downtown area for an additional ten years beginning October 1, 2013 through September 30, 2023 and expanding the boundaries of the District.

2013 - 05 - 30 - 0380

- B. An Ordinance amending the management contract with Centro San Antonio Management Corporation to include additional sidewalk power washing services to be provided in the Downtown Public Improvement District.

2013-05-30-0381

31. City Manager's Report

- A. San Antonio Police Department Update
- B. Alamodome Update

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

Adjourn

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.