

AN ORDINANCE 2009-01-29-0054

APPROVING THE CITY OF SAN ANTONIO'S 2009 FEDERAL INITIATIVES PROGRAM FOR THE FIRST SESSION OF THE 111TH CONGRESS.

* * * * *

WHEREAS, development of the City's 2009 Federal Initiatives Program ("Program") began in early November 2008 with a memo that was sent out by the Intergovernmental Relations Department to the Management and Executive Teams seeking input from each city department for issues that could be included in the Program; and

WHEREAS, the proposed Program contains thirteen (13) legislative and regulatory issues and six (6) of the City's top priorities, including the Economic Stimulus Plan, San Antonio River Improvements Project, Surface Transportation Reauthorization and funding legislation, Rail Safety, Federal Transportation Funding/Planning and BRAC/Military Construction; and

WHEREAS, over the past several years, federal earmarks have become increasingly difficult to secure given the differing funding priorities between the Congress and the President and this difficulty may increase during the current administration given its aversion to Congressional earmarks; and

WHEREAS, for this reason, the City should focus on the following federal issues in addition to the priorities set out above: Energy Efficiency and Conservation Block Grant (EECBG), Police Technology Improvements, Perimeter Rule, San Antonio International Airport Checked Baggage Inspection System Improvements, Implementation of Planned Airfield Enhancements and the Acoustical Treatment Program for the San Antonio International Airport, Intelligence Fusion Center and Base Development Office; and

WHEREAS, the City's Program is more fully described in the copy of the Program attached to this Ordinance as Exhibit I; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The 2009 Federal Initiatives Program for the First Session of the 111th Congress is authorized and approved. A copy of the Program is attached to this Ordinance as Exhibit I.

SECTION 2. This Ordinance shall be effective immediately upon the passage of eight (8) affirmative votes. If it is not passed by (8) affirmative votes, this Ordinance shall be effective on and after the tenth day after passage.

PASSED AND APPROVED this 29th day of January, 2009.


M A Y O R

PHIL HARDBERGER

ATTEST:


City Clerk

APPROVED AS TO FORM:



City Attorney

Exhibit

I

City of San Antonio



Mayor and City Council

Phil Hardberger
Mayor

Mary Alice P. Cisneros
Jennifer V. Ramos
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City of San Antonio

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Executive Summary

In preparation for the 1st Session of the 111th Congress, the City of San Antonio has identified legislative and regulatory issues to be included in its 2009 Federal Legislative Program. These issues were identified in cooperation with the City's federal affairs consultants, coordinated through the Intergovernmental Relations Department, with assistance from the Intergovernmental Relations Committee, representatives from all City departments and local public and private partners. Four (4) of the City's top priorities, contained in this program, include the Federal Stimulus Package, San Antonio River Improvements Project; BRAC/Military Construction, Surface Transportation Reauthorization, and Rail Safety.

The 2009 Federal Program initiatives addresses legislative and regulatory issues including: potential funding from the Federal Stimulus Package for 15 general project categories, more than 120 individual projects with more than \$1.8 billion in requested funding; support of the San Antonio River Authority in securing \$45 million in 2010 federal appropriations for the ecosystem and aquatic restoration of the Mission Reach portion of the River Improvements Project, as well as, to pursue federal funding for economic development, transportation, historic preservation, public art and recreation amenities; securing regulatory oversight of hazardous rail cargo traveling through San Antonio and to build a derailment training facility; securing \$1.87 million in federal funding for the installation of in-car video equipment for the San Antonio Police Department (SAPD); seeking Congressional authorizations and appropriations to support implementation of the Base Realignment and Closure (BRAC) 2005 directives and actions; obtain slots for a daily non-stop flights from San Antonio International (SAT) to Ronald Reagan Washington National Airport (DCA).

While Congress is in session, the City Council Intergovernmental Relations Committee will meet periodically to review the City's priorities and receive updates from its government affairs team on pending legislative and regulatory affairs. As additional issues of interest to San Antonio arise during the session, the Committee will review them, and, if necessary, submit recommendations to the full Council for consideration.

The government affairs firms of Holland + Knight and Patton Boggs, have been retained to represent, advise and consult with the executive and legislative branches of the federal government on behalf of the City. Additionally, the City of San Antonio will continue to work closely with the National League of Cities and other municipally related organizations on a variety of local government issues pending before the Congress and the Administration.

SECTION I – INITIATIVES

*Federal Stimulus Plan**

PROPOSAL:

To secure federal funding for the City of San Antonio through the Federal Stimulus Package.

BACKGROUND:

The United State Congress is currently considering the American Recovery and Reinvestment Act of 2009 (Federal Stimulus Package). The Federal Stimulus Package could provide up to \$875 billion in funding for national economic stimulus purposes. City staff has been working over the last several weeks to identify good projects that will meet the economic stimulus goals of the Obama Administration and Congress.

The City's package contains 15 general project categories, more than 120 individual projects with more than \$1.8 billion in requested funding. If each project were to be fully funded more than 22,500 new jobs would be potentially created in and around San Antonio. Several of the projects identified include the San Antonio River Improvement Project, transportation infrastructure projects, low water crossing projects, environmental retrofitting projects and public safety projects. While the details of the funding mechanisms are still not clear, we anticipate that funding, if made available, would be made accessible through traditional federal programs and a significant amount of funding would be sent directly to the State of Texas.

FINANCIAL IMPACT:

There would be no fiscal impact to the City related to this item.

San Antonio River Improvements Project*

PROPOSAL

To secure federal funding in the Fiscal Year (FY) 2010 federal appropriations process to meet the U.S. Army Corps of Engineers (USACE) capability level to continue construction on the San Antonio River Improvements Project (SARIP) Mission Reach Ecosystem Restoration and Recreation Project, as well as, to pursue federal funding for economic development, transportation, historic preservation, public art and recreation amenities that could supplement local funding to complete the community's vision for the improvement of the San Antonio River. USACE construction estimates currently remain in flux, but the most recent estimates are:

	Contract Amount + 5%	Estimated Fed Share	Estimated Local Share	Actual Federal funded	Actual Local Funded	Federal Shortfall
Phase 1	\$25,000,000	\$15,750,000	\$9,250,000	9,100,000	\$15,900,000	\$6,650,000
Phase 2	79,800,000	\$50,274,000	\$29,526,000			
Phase 3	34,650,000	\$21,829,500	\$12,820,500			
Phase 4	79,800,000	\$50,274,000	\$29,526,000			
Phase 2A	42,000,000	\$26,460,000	\$15,540,000			
Phase 2B	42,000,000	\$26,460,000	\$15,540,000			
Phase 2C	42,000,000	\$26,460,000	\$15,540,000			

The work currently project for construction in FY 10 will include Phases 2B, 2C and 3. However, as the design is being completed for phases two through four, the cost estimates are becoming further refined and this cost projection may increase upon the completion of the project design.

BACKGROUND

The City of San Antonio, Bexar County, San Antonio River Authority (SARA), and the San Antonio River Oversight Committee (a 22-member citizens committee) developed a vision to restore and enhance 13 miles of the San Antonio River, extending both north and south of the famed San Antonio River Walk. When completed, the River Improvements Project will reintroduce a thriving ecosystem to a previously USACE channelized river, improve flood protection, restore the river's historic and cultural connections, enhance recreation, expand sightseeing opportunities, and stimulate economic development.

The 13-mile SARIP is a \$279 million investment in the San Antonio River and is comprised of three reaches:

- *The Mission Reach*: A nine-mile segment of the river extending south of downtown San Antonio from Alamo Street south to Loop 410 South, including the Eagleland segment (Phase I construction underway with final design completing on the remaining three phases);
- *The Downtown Reach*: A one-mile segment of the river in the heart of downtown from Houston Street to Lexington Avenue (completed in 2002);
- *The Museum Reach*: A four-mile unimproved segment of the river extending north of downtown San Antonio from Lexington Avenue to the river's headwaters near Hildebrand Avenue (Construction of the Museum Reach – Urban Segment will be complete in May 2009 and designs are underway for the Museum Reach – Park Segment).

The Mission Reach

The USACE was originally authorized by Section 203 of the Flood Control Act of 1954 to complete a comprehensive flood control project along 31 miles of the San Antonio River and its tributaries, known as the San Antonio Channel Improvement Project (SACIP). The original project channelized miles of the San Antonio River and its tributaries to provide flood protection, including constructing two underground tunnels to divert flood waters from downtown San Antonio. The USACE project authorization was modified in 2000 to include ecosystem restoration and recreation as project purposes.

In September 2004, the USACE completed a comprehensive General Reevaluation Report (GRR) of the Mission Reach Ecosystem Restoration and Recreation Project which received final approval and authorization for construction from the Assistant Secretary of the Army in June 2006. The project will bring back natural habitat to a segment of the river previously channelized for flood control purposes. The Mission Reach improvements identified in the GRR are cost-shared, 65 percent federal and 35 percent local for ecosystem restoration as well as 50 percent federal and 50 percent local on recreational components. Additional funding is being raised privately to enhance historical connections, including adding public art.

The USACE's restoration project will establish 24,000 native trees, 31 riffle structures, 13 acres of embayment, 113 acres of aquatic habitat, 334 acres of riparian woodland habitat and restore two river remnants along eight miles of the San Antonio River south of downtown from Lone Star Avenue to Mission Espada. In addition, the stability and flood storage capacity of the river channel will be improved, resulting in a reduction of the flood plain. The project will add more than seven miles of hike and bike trails to the existing Mission Trails system and restore the river as a connection between four of the five historic Spanish missions located in the Missions

National Historical Park. When completed, the restored river will stimulate economic development along the river and serve as a gateway to the City South Project home to Toyota and its affiliated manufacturing facilities. . The USACE awarded the initial construction contract on the first of four project phases for the federal project in May 2008. A groundbreaking ceremony was held in June 2008 for Phase I, which will be completed by December 2009. All four phases of the project are expected to be completed by 2014.

Federal Funding Requirement for the Mission Reach

Since 2002, the project has been funded through the Congressional appropriations process. To date, the project has received \$20.4 million to support the design and construction of the project. In 2007, the City and County authorized SARA to amend the existing project cooperation agreement with the USACE to allow for the acceleration of local funding to initiate construction of Phase I of the project. The FY 2009 appropriations request for the project was \$14.7 million to support the construction of Phase I and the USACE's continuation of design work for the remaining phases. Additional report language was also sought in the FY 2009 appropriations request to allow for local funding to be allocated to the project beyond the local match requirement in order to cover shortfalls in federal funding that may occur and to allow for reimbursement of the local funding applied to meet the federal share should federal funding become available for the project. The language would also allow the local project sponsor, San Antonio River Authority (SARA), to request bids for construction contracts should federal funds not materialize that would allow the project to continue forward on the present project time schedule. Before the FY 2009 appropriations process came to a halt in response to the 2008 campaign season, the House Energy & Water Appropriations Bill was passed which included \$1.4 million for the project but did not include the required language. The Senate Energy & Water Appropriations Bill was also passed which included \$10 million for the project and did include the necessary language. Therefore, when the FY 2009 appropriations process is completed, it will be imperative to support the higher number and the required language while the bill is in conference.

FINANCIAL IMPACT

The City of San Antonio has committed \$74.7 million from a variety of funding sources toward amenity and recreation elements of the San Antonio River Improvement Project. Bexar County has committed \$59 million in flood tax revenue toward flood control and environmental restoration costs. The federal funding needed to support the USACE project in Fiscal Year 2009 was \$14.7 million.

SARA, the City of San Antonio and Bexar County have initiated a strategy to identify additional private and public funding sources to fully fund the improvements to the San Antonio River. With voter approval in May, 2008, \$125 million in local tax dollars became available for the funding of enhancements and amenities for the San Antonio River Improvements Project, of which, \$109.5 million will be set aside for the Mission Reach.

Base Realignment and Closure (BRAC)*

PROPOSAL:

Endorse timely current and future Congressional authorizations and appropriations to support implementation of the Base Realignment and Closure (BRAC) 2005 directives and actions.

BACKGROUND:

The most recent round of BRAC in 2005 will have a profound affect on a number of military communities across Texas. Communities such as Corpus Christi/Ingleside and Red River will experience base closures, while El Paso and San Antonio will realize significant increase in missions and personnel at their local bases. All of the military communities in Texas are somehow impacted by BRAC 2005, and these military communities are facing a variety of challenges and opportunities. By law, all BRAC actions must be implemented by September 15, 2011.

FINANCIAL IMPACT:

The US Department of Defense provides an annual economic impact to San Antonio in excess of \$13 billion. BRAC 2005 will only add to the importance of the military in the community. San Antonio will become the center for combat medic training for all services and will become a world class research and care facility for trauma and burn patients as well as installation management.

San Antonio and the surrounding community will experience a net gain of approximately 4,000 jobs as a result of BRAC 2005. In particular, Fort Sam Houston will gain nearly 12,200 jobs and nearly 10,000 family members. Construction and renovation needed to accommodate the new missions in San Antonio will exceed \$2.5 billion. This construction will have a significantly positive impact on local businesses.

BRAC will also pose serious challenges to the community. Wilford Hall Medical Center will be closing its Level 1 trauma center at Lackland Air Force Base and Brooks City-Base will lose all of its current Air Force missions and personnel. BRAC will also have a significant impact on traffic, drainage, infrastructure, health care delivery and neighborhoods across the entire community.

ADDITIONAL INFORMATION AND COMMENTS:

Timely authorization and appropriation of funds is critical for successful BRAC implementation in San Antonio. Because San Antonio is receiving a number of significant training missions from other installations, timely funding is critical to ensure that construction projects are initiated and completed on schedule in order to adhere to the BRAC implementation timeline and not compromise mission readiness. In the event the timeline for BRAC implementation may become compromised, priority funding should be given to implementing BRAC-training mission actions to ensure mission readiness for US defense needs and the on-going Global War on Terror. BRAC-related actions that call for the realignment of missions to Continental United States (CONUS) installations should be delayed to ensure the BRAC-training mission actions do not compromise mission readiness or defense needs.

Surface Transportation Reauthorization*

PROPOSAL

To secure authorization and funding for transportation and transit projects in the reauthorization of the surface transportation law.

BACKGROUND/PROJECTS

The current surface transportation law, SAFETEA-LU, will expire September 30, 2009. The City will be pursuing funding for several projects that include, but may not be limited to the following projects:

Reauthorization Projects			
Location	Limits	Project Scope	Total Cost
Babcock Road	Loop 1604 to Hausman Rd.	Street reconstruction and widening to provide four 12' lanes with a 14' median and 10' multi-use path(sidewalk/bike path)	\$10,300,000
City Wide Bridge Replacements		Replace existing deficient and deteriorated bridges within the City limits that do not meet traffic load requirements.	\$20,000,000
Fort Sam Houston Support Sidewalk to Burr Road	New Braunfels to Harry Wurzbach	Narrow road to 24 feet cross section and add curb and 6-foot sidewalk on the north side of Burr Road	\$3,500,000
Fort Sam Houston Support Widen Harry Wurzbach	Rittiman to Fort Sam Houston Gate	Widen Harry Wurzbach Hwy to 5 lanes from 800' south of Rittiman to Harry Wurzbach East ACP gate and implement reversible lanes	\$29,480,000
Fort Sam Houston Support: Widen Harry Wurzbach from Rittiman to Loop 410	Rittiman to Loop 410	Widen Harry Wurzbach Hwy from 800' south of Rittiman to Loop 410	\$30,000,000
Gillette Road	Zarzamora Rd. to Commercial Ave.	Widen existing roadway to include four 12' lanes with a 14' median, sidewalks, drainage and bike lanes.	\$15,400,000
Goliad Road	Southeast Military to Loop 410	Street reconstruction and widening to provide four 12' lanes with a 14' median and 10' multi-use path(sidewalk/bike path)	\$24,200,000
Hardy Oak Boulevard Extension	550 ft. south of Stone Oak Pkwy. to 2200 ft. south of Knight Cross Rd.	Construction of a 4-lane roadway with medians to include installation of curbs, sidewalks, landscaping and street lights.	\$4,995,782
Hausman Road	NW Loop 1604 to IH 10 Access Rd.	Widen existing roadway to include four 12' lanes with a 14' median, sidewalks, drainage and bike lanes.	\$37,900,000

Location	Limits	Project Scope	Total Cost
Lackland AFB Support Medina Base Road - Phase II and III	Five Palms to NW Military	Design and construct Medina Base Road from Five Palms to NW Military Drive. Project design allows for widening of the roadway and provides curbs, sidewalks, driveway approaches, bicycle facilities, and necessary drainage and traffic signal improvements	\$35,000,000
Stone Oak Pkwy.	Loop 1604 to Evans/Gold Canyon Rd.	Widen existing roadway to include six lanes, left/right turn lanes, sidewalks and drainage.	\$38,447,352
UTSA Boulevard	Edward Ximenes Ave. to Babcock Rd.	Widen existing roadway to include four 12' lanes with a 14' median, sidewalks, drainage and bike lanes.	\$10,150,432

PROJECT ENDORSEMENTS

36th Street Extension/Port of San Antonio

Support federal funding for the 4.2 mile, four lane trade corridor. This project will open valuable air field sites and building developments at Port San Antonio to aerospace and air cargo industries.

**Denotes Priority Issues*

Federal Transportation Funding/Planning*

PROPOSAL

To support Congressional authorizations and appropriations for transportation infrastructure.

BACKGROUND

For the past 50 year, surface transportation programs have been funded by the Highway Trust Fund (not the Treasury or general fund). The primary revenue source for the HTF is the 18.4 cent per gallon tax on gasoline (24.4 cent per gallon on diesel fuel). These fuel taxes provide about 90% of the revenue for the HTF. For most of its history, the HTF has collected more revenue than has been expended, but that has changed dramatically over the past several years. The HTF is expected to reach a negative balance by 2009.

The City of San Antonio urges Congress and the new Administration to reach agreement on a transportation reauthorization bill that will:

- Eliminate projected shortfalls in the Federal Highway Trust Fund
- Develop strategies and solutions to end federal rescissions and restore lost funding to states and local government
- Continue to reduce disparities between donor and non-donor states
- Increase investments in highways, passenger rail and mass transit
- Increase transportation choices and efficiencies
- Keep the fundamental decision making at the local level
- Develop the safest, most efficient and most environmentally friendly designs for solving transportation problems.

Rail Safety*

PROPOSAL:

To secure \$1 million funding for the San Antonio Fire Department Derailment Training Site.

BACKGROUND:

The SAFD proposes the construction of a Derailment Training Site that will provide regional (11 surrounding counties) delivery of rail safety tank car operations. Participants will be trained on railroad tank car design and construction, valve repair, damage assessment, and derailment response via classroom instruction and field exercises. Key training components will encompass multi-level training to include the following: Initial first responder preparation; hazardous material response; incident management; National Incident Management System (NIMS) regional response; establishment of protective action zones, and establishment of incident for remediation activities.

The delivery of initial training will be conducted by a tank car expert, which will be provided by Union Pacific, a partner entity. The SAFD will have a minimum of eight instructors trained at the Train-the-Trainer level. This plan will permit the SAFD the ability to continue training new personnel in tank car safety operations. In addition, the SAFD will maintain the capability to offer long-term continuing education to incumbent staff. This site will provide significant initial and on-going training benefits to the members of the SAFD, as well as other paid and volunteer agencies in the region.

FINANCIAL IMPACT:

The total cost of rail relocation will cost several billion dollars, a cost that neither the city, state, nor federal government can afford. Therefore, the City is seeking greater oversight of hazardous material traveling through San Antonio.

Energy Efficiency and Conservation Block Grant (EECBG)

PROPOSAL:

Support full funding for the Energy Efficiency and Conservation Block Grant

BACKGROUND:

The Energy Efficiency and Conservation Block Grant is a new federal funding resource for cities to leverage in their efforts to improve energy efficiency, lower energy usage, and reduce fossil fuel emissions.

The block grant was enacted as part of the Energy Independence and Security Act of 2007, grants awarded under the EECBG program can be used to help cities undertake environmentally-friendly initiatives, such as updating building codes and old buildings, adopting renewable energy solutions, creating incentives for citizens to use transportation alternatives, and implementing energy saving campaigns.

Under the law, Congress can appropriate up to \$2 billion per year for the block grant program. The appropriated funds will be allocated to units of governments as follows, 68 percent of the funds will be set aside for grant awards to cities, towns, and counties.

Cities and towns may use grant funding to conduct programs and activities, such as:

- Developing and implementing an energy efficiency and conservation strategy;
- Conducting residential and commercial building energy audits;
- Establishing financial incentive programs for energy efficiency improvements;
- Developing and implementing energy efficiency and conservation programs for buildings and facilities;
- Developing and implementing programs to conserve energy used in transportation (e.g. flex time for employees; satellite work centers; zoning guidelines or requirements that promote energy efficient development; infrastructure, such as bike lanes, pathways and pedestrian walkways; and synchronized of traffic signals);
- Developing and implementing building codes and inspection services to promote building energy efficiency;
- Developing and implementing programs to increase participation and efficiency rates for recycling programs;
- Replacing traffic signals and street lighting with energy efficient lighting technologies;
- Purchasing and implementing technologies to reduce and capture methane and other greenhouse gases generated by landfills or similar sources; and

Developing, implementing and installing on or in any government building onsite renewable energy technology that generates electricity from renewable resources, such as solar and wind energy, fuel cells and biomass.

Police Technology Improvements

PROPOSAL

To secure \$1.87 million in federal funding for the installation of in-car video equipment and the implementation of a digital imagery capture and storage system by the San Antonio Police Department (SAPD).

BACKGROUND

The San Antonio Police Department strives to provide the best and highest level of police professionalism. One of the major citizen complaints about police behavior both in San Antonio and across the nation occurs during traffic stops. These complaints range from charges of rudeness to racial profiling to no probable cause in making traffic stops or detaining individuals. Obtaining a video recording of the officer/citizen interaction would provide more definitive proof of what transpired and bring about a speedier resolution of these complaints.

Since the early 1990s, SAPD has employed a tape-based video camera recorder in DWI patrol vehicles. As a result, the department has identified an increase in successful prosecutions as well as a decrease in court time and frivolous complaints against arresting officers. To date, complaints against SAPD officers that include arrest or interactions captured on video have exonerated the officer 100 percent of the time. The proposed next phase of installation would include 30 vehicles for the Westside patrol station and 81 vehicles for the traffic division.

SAPD has also determined that there are several problems with the current use of digital photography and videography utilized by the SAPD Evidence Unit for recording evidence. For example, digital photographs are now stored on CD's and DVD's. While this media is much more convenient than previously used 35mm film, the San Antonio Police Department wants to take this process to the next logical step of a server based storage system. This system would give stream lined uploads directly from the Evidence technician in the field to a secure server that can then be instantly accessed by the follow-up Detective or the District Attorney. This system provides court approved verification on the integrity of the evidence and merges photography and video into one streamlined system.

FINANCIAL IMPACT

Using Local Law enforcement Block Grant (LLEBG) funding, the SAPD in 2004 purchased an in-car digital video system and storage for the East side substation. The system included sufficient equipment to install video systems into 16 vehicles and provide 10 terabytes of storage. The system also included two spare systems and one system for training. The proposed next phase of installation would include 30 vehicles for the Westside patrol station and 81

vehicles for the traffic division. The estimated cost for this phase is \$1.3 million, averaging approximately \$11,700 per vehicle. This cost includes all cameras, audio, wiring and installation of all hardware, all software licenses and interfacing with the current Panasonic laptops. Also included would be 180 days of storage of all video evidence.

Migrating SAPD from current CD/DVD storage would require a dual server and SAN storage that would reside in two separate physical sites for protection against catastrophic loss, upgrades to the current cameras (both photographic and video) used by the Evidence Unit, upgrade of wireless connectivity between the Evidence Unit vehicles and the servers, purchase of court approved software for the servers and hardware and digital imagery processing equipment totaling \$570,000.

Perimeter Rule

PROPOSAL

To obtain slots for a daily non-stop flights from San Antonio International (SAT) to Ronald Reagan Washington National Airport (DCA) pursuant to the availability of slots being offered with the passage of pending FAA reauthorization legislation.

BACKGROUND

The DCA perimeter rule, which was enacted by the US Congress, prohibits incoming and outgoing flights that originate or are bound for destinations beyond 1,250 statute miles from DCA. San Antonio is 1,381 statute miles from DCA. The perimeter rule was enacted to support Dulles International Airport as the long-haul airport for the Washington, DC metropolitan area.

As a result of Air 21, passed in 2000, DOT for the first time was directed to grant 12 slot exemptions within the 1,250-mile perimeter and 12 outside the perimeter, in accordance with certain criteria. Airlines not airports apply to the Federal Aviation Administration (FAA) for slot exemptions. Large and small air carriers (e.g., American, Delta, TWA, National, Atlantic Southeast, Frontier, America West and United) submitted applications. There were nine applicants for beyond-perimeter exemptions, seeking a total of 44 exemptions. DOT noted that due to the limited number of exemptions it could award, not all the meritorious requests could be met. However, DOT said the exemptions it granted provided the best opportunity to enhance competition and provide new low-fare service to DCA.

The City's Aviation Department contacted American and Continental Airlines asking that these carriers consider filing with DOT slot exemptions for non-stop service between SAT and DCA. American advised that they had applied for DCA service to another destination. Continental seriously considered applying for the slot exemption for San Antonio, but did not follow through with a viable business case. Congressman Ciro Rodriguez also contacted Continental Airlines on behalf of San Antonio requesting consideration for non-stop service between San Antonio and DCA with no results.

Subsequently, DOT granted six exemptions (= 3 round trips) to America West - four (= 2 round trips) for service to Phoenix and two (= 1 round trip) to Las Vegas; two to Trans World Airlines for service to Los Angeles (After TWA's bankruptcy, slots went to Alaska Airlines and the non-stop service went to Seattle.); two to Frontier for service to Denver; and two to National Airlines for service to Las Vegas (given to Delta when National went out of business and used by Delta for service to Salt Lake City).

The criterion noted by DOT for awarding beyond-perimeter exemptions were if DOT found that the proposed service would:

- Provide air transportation with network benefits in areas beyond the perimeter;
- Increase competition by new entrant air carriers or in multiple markets;
- Not reduce travel options for communities served by medium hub airports within the perimeter, and
- Not result in meaningfully increased travel delays.

In 2004, an additional 12 slots were made available beyond the perimeter rule with the FAA reauthorization legislation. DOT granted two exemptions to United Airlines for Denver; four to Frontier for Denver, two to Alaska Airlines for Seattle, two to America West for Phoenix and two to Alaska Airlines for Los Angeles.

The 2007 FAA reauthorization legislation is again proposing to provide an additional 12 slots for non-stop flights beyond the perimeter rule. However, passage of this legislation is not expected until the first quarter of 2008. San Antonio's Aviation Department is working with outside counsel from Patton Boggs, Congressman James Oberstar, Chairman of Transportation and Infrastructure, and our legislative delegation to secure slots for the SAT-DCA route. American Airlines has committed to applying to the FAA for two slots (one daily round trip) as soon as the legislation has passed and slot applications are opened to interested airlines.

San Antonio currently has non-stop service to Southwest's hub in Baltimore and United's hub at Washington Dulles. The San Antonio business community prefers DCA when doing business in the District of Columbia.

FINANCIAL IMPACT

San Antonio's business community supports non-stop service to DCA. The potential benefits accrue mostly to our business community with resulting convenience and travel time savings.

San Antonio International Airport Checked Baggage Inspection System Improvements

PROPOSAL

To secure approximately \$6,855,000 in funding from the Transportation Security Administration (TSA) for checked baggage inspection system improvements.

BACKGROUND

On September 11, 2003, a Memorandum of Agreement (MOA) between TSA and the City outlining the responsibilities of each party in the installation of an In-Line Baggage Screening System was executed by City Council. The negotiated agreement tentatively obligated the TSA to participate in 75% of the costs of the new system, up to a maximum of \$30,417,000.00 contingent upon the availability of funds

The rush to abide by the December 31, 2002 deadline for installing baggage-screening devices resulted in forcing virtually all airports to install the explosive detection screening (EDS) machines, along with their accompanying equipment, in public areas. The placement of these machines in the public areas of Terminal 1 has led to crowded ticketing areas, passenger queuing problems and overall poor customer service.

During the implementation period following 9/11, the City of San Antonio was in the midst conceptual design for its new Terminal Expansion Program. The Program includes two new terminals (Terminal B and Terminal C) and improvements to Terminal 1, (soon to be renamed Terminal A). Earlier designs envisioned a separate BHS for each terminal. The current design incorporates over \$10 million of cost savings for a new consolidated BHS serving Terminals 1 and B. This approach will permit the current screening process to be located in non-public areas and greatly improve customer service in the terminals by freeing up the ticketing lobbies for enhanced passenger queuing and movement. Additionally, it will reduce TSA baggage screening workload, allowing TSA workforce to be redirected to passenger screening and other critical duties.

Following its initial concurrence with the concept of three independent screening systems, TSA suggested an agreement to reimburse the cost of the baggage conveyance system improvements. In order to qualify for the potential fiscal participation by the TSA, it was necessary to first execute the agreement outlining the responsibilities of both parties. This agreement does not obligate the TSA to any fiscal participation, but rather acknowledges conformance to the terms and conditions set forth and recognizes that the San Antonio International Airport has a program which may qualify for TSA fiscal participation.

Currently, the TSA negotiates agreements with airports called Other Transaction Agreements (OTAs), specifying agreed upon cost-sharing for facility modifications. Applying and/or receiving selection notification does not obligate TSA to fund equipment purchase or facility modifications and is subject to annual appropriations levels. The City of San Antonio Aviation Department applied for funding for both the Terminal 1 and Terminal B systems under this new program, and is currently in the process of updating its application to reflect the new consolidated cost-saving design.

FINANCIAL IMPACT

The Department submitted In-Line Support Applications for independent Terminal 1 and Terminal B BHS totaling \$24,270,369 on September 14, 2007. The necessary documents were also submitted with these applications. The applications and design documents are currently being updated to reflect the significant construction. The project is estimated to be eligible for approximately \$6,855,000 in TSA funding.

Implementation of Planned Airfield Enhancements and the Acoustical Treatment Program for the San Antonio International Airport

PROPOSAL

To secure approximately \$19 million in Federal Discretionary Grant funding from the Federal Aviation Administration (FAA) for the San Antonio International Airport's (SAT's) extension of Runway 3/21 including associated taxiway extensions, terminal apron reconstruction as part of the on-going Airport Expansion Project, and other airfield improvements.

BACKGROUND

A recently completed Terminal Area Forecast (TAF) has indicated that due to reduced airfield operations there is no longer a need for a Letter of Intent (LOI). The formerly requested LOI in previous City Federal Legislative initiatives was intended to cover a planned multi-year AIP for multiple airside development projects and was contingent upon a finding of significant capacity benefits as a result of an Environmental Impact Statement (EIS) process. The actual operations fell short of forecasts resulting in the postponement of the need for the upgrade of Runway 12L to air carrier standards.

Since the projected capacity constraints are outside the three to five year validity limits of the EIS, Runway 12L Reconstruction and the associated improvements have been removed from further consideration. As a result, the projects remaining for environmental evaluations (Runway 3 extension and the associated improvements and the land use analysis for the area north of Wurzbach Parkway), no longer warrant a full EIS. Continued evaluations were conducted under an Environmental Assessment (EA). The Environmental Assessment Public Hearing was held on August 27, 2007 along with the Revised Noise Exposure Maps. The Finding of No Significant Impact (FONSI) for the EA on Runway 3 was issued by the FAA on October 3, 2007. Planned airfield projects associated with extension of Runway 3/21, along with the terminal apron reconstruction, can now proceed.

The City initiated a Residential Acoustical Treatment Program in May, 2005. This program is a modified design/build delivery method which has proven to be highly successful both in quality and homeowner satisfaction. The projections based on volume and historical costs indicate that, in order to maintain the current production of 18 homes per month, FAA grants in the amounts of \$10M for FY 07 and FY08 and \$12.5M in FY 09 will be needed.

Since the inception of the federal Airport Improvement Program (AIP), the City has received and utilized multiple entitlement and discretionary grants for needed airfield capital projects,

including runway and taxiway improvements. Since airports across the nation compete against other airports for limited discretionary funds, congressional assistance is requested through the City's Federal Legislative Program.

FINANCIAL IMPACT

The Discretionary Grant amount plus Federal entitlement funds totaling approximately \$20 million will make up 75% of federal funding needed to implement planned airfield projects in 2009. The required 25% matching share funds will come from the Passenger Facility Charge (PFCs) and self-generated monies. Of the total federal discretionary grant funds needed, approximately \$10.2 million will be utilized for the Acoustical Treatment Program. This amount will make up 80% of the required funding (\$12.7 million) for the Program, with 20% match (\$2.7 million) coming from Airport self-generated monies.

The City plans to apply for approximately \$19 million in federal AIP Discretionary Grant funds, which it hopes to receive in fiscal year 2008-09. These funds will provide approximately 95% of the total funds required for the planned airfield improvements. The remaining 5% needed to make up the 75% grant fund total will be from the Airport's Federal Entitlement Funds. The City's 25% matching funds balance will come from PFCs and Airport self-generated monies.

The proposed airfield improvements will increase capacity to meet demand for the foreseeable future. Without the discretionary grant funds, the City's Aviation Department would need to issue additional debt and likely postpone implementation of the airfield capital projects, as well as possibly delay portions of the on-going Airport Terminal Expansion Project.

Of the total Discretionary Grant funds, \$10.2 million will be for the Acoustical Treatment Program. These funds would amount to 80% of the total required to complete this Program. The remaining 20% matching funds (\$2.7 million) will come from Airport self-generated monies. Without the discretionary grant funds, the City's Aviation Department would be required to suspend the Acoustical Treatment Program.

Intelligence Fusion Center

PROPOSAL:

To secure \$1 million for an intelligence fusion center to be created by the City of San Antonio which will serve the southwestern Texas region.

BACKGROUND

The City of San Antonio and participating law enforcement jurisdiction, fire departments and EMS agencies in Bexar County and the Metro 911 district, have created a regional organization to implement a shared CAD/RMS system. This system will become operational in less than two years. It is therefore high time to begin to discuss what additional capabilities could and should be added to this regional platform to increase public safety and provide better service to the communities.

Next steps will include:

- Improving information sharing among participating local jurisdictions
- Improve access to information at Federal, state and regional levels
- Develop capability to analyze available data and turn it into knowledge
- Improve capability to disseminate results of analyses
- Develop process and procedures for intelligence led policing

Since 9/11 2001, there has been a strong focus at all levels of government on improving the sharing of information at all levels of government. This focus has led to the development of state, regional and local intelligence fusion centers, where information is collected, shared, analyzed, and disseminated. The concept of fusion centers builds on earlier efforts such as the High Intensity Drug Trafficking Area (HIDTA) Center model and is made possible by the development of the Global Justice XML data standards to facilitate the exchange of information¹. There were 58 fusion centers in existence as of March 2008². Many states have them. Centers can also be found at local and regional levels. Examples include the Strategic Analysis and

¹ See Congressional Research Service, "Fusion Centers: Issues and Options for Congress", (Jan 18, 2008) www.fas.org/sgp/crs/intel/RL34070.pdf. Also see Russell M Porter "Focus on Fusion Centers: A Progress Report", Statement to the Subcommittee on State, Local, and Private Sector Preparedness and Integration, (April 17, 2008) http://hsgac.senate.gov/public/_files/PorterTestimony.pdf

² Dept of Homeland Security, "State and Local Fusion Centers", www.dhs.gov/xinfoshare/programs/gc_1156877184684.shtm.

Information Center in Ohio, The Los Angeles Joint Regional Intelligence Center, San Diego's Law Enforcement Coordination Center, the Chicago Crime Prevention Information Center, and the North Central Texas Fusion Center.

FINANCIAL IMPACT

Project costs include start-up costs for space, hardware and software. In addition there are operating costs for personnel, personnel training and access to networks.

Based on the number of analysts in Chicago and Minnesota in relation to population, a fusion center serving the Metro 911 area including the City of Schertz, would need four analysts and a supervisor. If a larger area would be contemplated, more analysts would be needed.

The previous section documented that there are large start-up costs for a fusion center almost regardless of the population served for hardware and software of \$500,000 to one million dollars. Operating costs would amount to \$400000.

Base Development Office

PROPOSAL:

To seek Congressional funding or support in the amount of \$600,000 through an earmark through the Department of Defense Office of Economic Adjustment (OEA) to establish a Base Development Office (BDO) to assist the military in BRAC-related activities, provide military-related economic opportunities for local businesses, and further integrate the military into the economic, political and social community of San Antonio.

BACKGROUND:

The military plays a major economic role in the San Antonio community. In 2006, the economic impact of the military was \$13 billion and that impact will expand to well over \$15 billion after the BRAC actions in San Antonio are completed in 2011. Military-related contracting in San Antonio is also a significant. In 2006, local businesses in San Antonio received \$5.7 billion in US Department of Defense (DOD) contracts with \$1.8 billion in contracts coming from local bases. These DOD contracts supported over 44,000 employees in San Antonio.

The BDO would be a one-stop-shop for local businesses interested in national and local DOD contracting opportunities. The BDO would be located near Fort Sam Houston in order to take advantage of the tremendous growth at the Post in the areas of healthcare, education and installation management. The BDO would have staff dedicated to small business procurement to facilitate military contracting opportunities for local small businesses and a small business development division to recruit and foster businesses to support military missions in San Antonio. The BDO will collaborate closely with the City of San Antonio's Small Business Outreach Division and the Procurement and Technical Assistance Center, the Office of Military Affairs and the Military Transformation Task Force's Economic Development Committee.

FINANCIAL IMPACT:

Funding of approximately \$300,000 per year for 2 years is needed to form the new BDO. Funding would be used to lease office space near Fort Sam Houston, hire a director, administrative support and two business procurement specialists, and for general office supplies.

San Antonio and the surrounding community will experience a net gain of approximately 4,000 jobs as a result of BRAC 2005. In particular, Fort Sam Houston will gain nearly 12,000 new personnel and nearly 10,000 new family members. New construction and renovation at Fort Sam Houston to accommodate the increased missions and personnel is estimated at \$2.5 billion and will yield an economic impact of nearly \$6 billion and employ nearly 46,000 jobs. Once BRAC is completed, it will support over 11,000 non-military related jobs, and provide an additional \$621 million impact. Overall earnings from BRAC will increase by over \$2 billion. The BDO would facilitate and leverage the planned investment and new job creation by the military in San Antonio to promote economic development opportunities.

Omnibus Policy

PROPOSAL

To support federal regulations or legislation which would clearly benefit the City and oppose any regulations or legislation that would clearly be detrimental to the City's interests.

BACKGROUND

In 1995 Congress created a mechanism that would place obstacles in the path of imposing new, unfunded federal mandates on the taxpayers of the nation's cities and towns. The law created a mechanism to force Congress and the White House to acknowledge the impact of proposed unfunded mandates on state and local governments. However, it left untouched federal authority to preempt traditional municipal rights, responsibilities and revenue resources.

The City of San Antonio has historically endorsed legislation that would clearly benefit the City and opposed bills that met one or more of the following criteria:

- undermines the principles of self-government;
- mandates increased cost to cities, including environmental mandates;
- results in the loss of revenue to cities or change the authority of the City to generate revenues;
- diminishes the fundamental authority of cities to operate in a manner consistent with the best interest of the health, safety and welfare of the general public; and/or
- preempts municipal authority, such as franchising, zoning, permits, licenses and municipal code development, and interfere with municipal control over the rate and nature of local taxation.

FINANCIAL IMPACT

This policy will assist the City staff and government affairs consultants in expediting measures to defeat detrimental legislation and play a proactive role in passing favorable legislation.