

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY APRIL 21, 1994.

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94-19 The City Council convened in an informal "B" Session at 10:00 A.M., City Hall, "B" Room, to consider the following item(s). The Council members present were: PEREZ, McCLENDON, AVILA, SOLIS, AYALA, ROSS, THORNTON, PEAK, WOLFF. ABSENT: BILLA BURKE, LARSON.

Briefing on the Airport Gift and News Concession Policy.

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94-19 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Nelson W. Wolff, with the following members present: PEREZ, McCLENDON, BILLA BURKE, AVILA, SOLIS, AYALA, ROSS, THORNTON, PEAK, LARSON, WOLFF. Absent: NONE.

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94-19 Invocation - Pastor Rudy Hernandez, Jr., Faith Baptist Church.

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94-19 Pledge of Allegiance to the flag of the United States.

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94-19 Minutes of the March 24, 1993 Regular City Council Meeting were approved.

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94-19 KING ANTONIO LXXII, CHARLES M. HUEY JR.

Mayor Wolff introduced "King Antonio LXXII", Charles M. Huey Jr., who in turn introduced members of his court and accompanying queens, the Queen of Fiesta and the Queen of Soul, and spoke of his busy week in office, visiting local schools and hospitals.

King Antonio then spoke to the Texas Cavaliers Charitable Foundation and read from a letter to Mayor Wolff, noting the group's contributions to local needs and agencies involving children. He noted that a special gift has been made this year in honor of the Mayor and City Council members.

Mr. Larson and Ms. Billa Burke spoke to the charitable contributions of the Texas Cavaliers, and thanked the group for its contributions this year.

Mayor Wolff spoke to San Antonio's community spirit that overcomes any problems.

94-19

CORPORATE CHILD CARE COLLABORATIVE

Mayor Wolff spoke to the works of the Work/Family Commission, and introduced its chairperson, Ms. Tracy Wolff.

Ms. Wolff spoke to creation of the Corporate Child Care Collaborative, and introduced Ms. Peggy Walker, NationsBank.

Ms. Wolff and Ms. Walker invited City Council members to the Collaborative's May 17, 1994 dinner, and thanked the Council for its strong support of the Commission through the year. They also spoke to the coming announcements relative to the Collaborative, and addressed some of its plans.

Mr. Solis thanked the group for its hard work on child care.

94-19

'LET'S STOP KIDS KILLING KIDS' WEEK

Mayor Wolff introduced members of the group present to accept the proclamation, including Ms. Donna Kline, Public Affairs Manager, KENS-TV; Rev. Ann Helmke, Grace Lutheran Church; City Youth Commission members Mr. Anthony Herrera, Ms. Martha Martinez, and Mr. Robert Hughes; Dr. Fernando Guerra, Director of the San Antonio Metropolitan Health District; Ms. Diane Quaglia, Community Initiatives Department; Deputy Police Chief Gilbert Sandoval; and Mr. Sergio Soto, Youth Services Manager.

Mayor Wolff read the official proclamation and presented it to the delegation.

Mr. Soto spoke to the allied effort to curb youth violence.

Mayor Wolff spoke to the City's efforts to remove the threat of youth violence, including drive-by shootings.

Ms. Kline spoke to plans for the week and further defined the "Keep Every Neighborhood Safe" organization.

In response to a question by Mr. Thornton, Police Captain Amadeo Ortiz spoke to details of several recent drive-by shootings in San Antonio.

Mr. Thornton stated his belief that things such as this will change when enough people begin saying that 'enough is enough'. and addressed the need for legislation to help this effort.

Dr. Guerra spoke to the rising statistics on violence and youth deaths therefrom. He spoke to the need to approach the subject of youth violence in much the same way the world virtually eliminated certain diseases affecting young people.

Rev. Helmke spoke to the success of the recent 'gang summit', and steps taken by the City to curb youth violence. She noted that all must work together.

Mr. Herrera spoke to the need for adults to get control of their children, and he addressed the work yet to be done.

94-19

FIESTA POSTER CONTEST WINNERS

Mayor Wolff stated that the San Antonio Express-News and the City's Parks & Recreation Department recently sponsored the First Annual "Fiesta In San Antonio" Art Contest, and noted that the winning entry is being featured on this month's cover of Fiesta Magazine, the visitor magazine published by the Express-News. He noted that more than 400 entries were submitted and the overall winner, together with the first, second and third-place winners in the Elementary, Middle and High School categories, are present or represented here today.

He introduced Ms. Carol Barnes, magazine editor, to assist in the presentation of awards.

Ms. Barnes briefly explained the composition of the contest judges, and introduced the award winners, who came forward to receive their awards. They included:

ELEMENTARY SCHOOL CATEGORY: First Place-Amy Escobedo, St. Benedict; Second Place-Celeste Estrada, Sky Harbour; and Third Place-George Pena, Hidden Cove.

MIDDLE SCHOOL CATEGORY: First Place-Liz Garza, Eisenhower; Second Place-Bryan Pack, Eisenhower; and Third Place-Natalie K. Garcia, Cornerstone Christian.

HIGH SCHOOL CATEGORY: First Place-Myrna Salazar, McCollum; Second Place-Fatima Ronquillo, Business Careers; and Third Place-Valerie M. Palacios, West Campus.

OVERALL WINNER: Natalie Rubin, Eisenhower Middle School, accompanied by her teacher, Ms. Joan Magee.

FIESTA POSTER OF SAN FERNANDO CATHEDRAL

Mayor Wolff stated that Father Virgil Elizondo, pastor of San Fernando Cathedral, and Ms. Janie Dillard are present today to present the City with a poster of San Fernando, commissioned by Henry B. Gonzalez, Jr. in tribute to the late Mr. Conrad True, honoring his work to further develop Fiesta at San Fernando. He noted that a large print of this picture will hang in the Halls of Congress in Washington, D.C.

Father Elizondo spoke to the nature of Fiesta as an integral part of the fabric of San Antonio, and briefly explained Conrad True's contributions to the city and the creation of this commemorative poster.

Mayor Wolff spoke of True's many works on behalf of his city.

Mr. Thornton spoke to Father Elizondo's book, and to the importance of Fiesta to San Antonio. He also spoke to the need to give nighttime illumination to City Hall, once again, once its exterior restoration is complete.

Father Elizondo autographed copies of the poster for City Council members.

CONSENT AGENDA

Mr. Perez made a motion to approve Agenda Items 6 through 31d, constituting the Consent Agenda, with items 12, 13, 17 and 28 being pulled for individual consideration. Ms. McClendon seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinances, prevailed by the following vote: AYES: Perez, McClendon, Avila, Solis, Ross, Thornton, Peak, Larson, Wolff. NAYS: None. ABSENT: Billa Burke, Ayala.

AN ORDINANCE 80,013

ACCEPTING THE PROPOSAL OF MORRISON CHILTON SALES IN THE AMOUNT OF \$3,653.75 TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH AUTOMOTIVE REFERENCE BOOKS.

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AN ORDINANCE 80,014

ACCEPTING THE PROPOSAL OF HOWARD W. SAMS & COMPANY IN THE AMOUNT OF \$3,842.43 TO FURNISH THE CITY OF

SAN ANTONIO PUBLIC LIBRARIES WITH ELECTRONIC REPAIR BOOKS.

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AN ORDINANCE 80,015

ACCEPTING THE LOW, QUALIFIED BID OF UNIVERSAL DATA PRODUCTS INC. IN THE AMOUNT OF \$8,986.00 TO FURNISH THE INFORMATION SERVICES DEPARTMENT WITH COMPUTER PRINTERS AND PARTS FOR USE BY VARIOUS CITY DEPARTMENTS.

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AN ORDINANCE 80,016

ACCEPTING THE LOW QUALIFIED BID OF DATA DESIGNS IN THE AMOUNT OF \$7,050.00 TO FURNISH THE CITY OF SAN ANTONIO HEALTH DEPARTMENT WITH HANDHELD BAR CODE READERS FOR USE WITH THE HEALTH DEPARTMENT IMMUNIZATION TRACKING SYSTEM.

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AN ORDINANCE 80,017

ACCEPTING THE LOW BID OF SOUTHWEST LIFT, INC. IN THE AMOUNT OF \$6,479.00 TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH WALKIE STACKER.

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AN ORDINANCE 80,018

TERMINATING THE CONTRACT BETWEEN THE CITY OF SAN ANTONIO AND QUALITY TURF FARMS BY MUTUAL AGREEMENT TO FURNISH THE CITY OF SAN ANTONIO PARKS AND RECREATION DEPARTMENT WITH BERMUDA GRASS SOD; RATIFYING THE ACTIONS OF CITY STAFF IN PROCURING BERMUDA GRASS SOD FOR THE SAN ANTONIO MUNICIPAL BASEBALL STADIUM FROM THOMAS BROS. GRASS AT A COST OF \$16,000.00; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 80,019

ACCEPTING THE PROPOSAL OF CLEAN ENVIRONMENTS, INC. FOR A FEE OF \$7,400.00 TO PROVIDE LEAD ABATEMENT ANALYSIS AND THE PROPOSAL OF MENDOZA & ASSOCIATES

FOR A FEE OF \$15,015.30 TO PROVIDE ADDITIONAL ARCHITECTURAL SERVICES IN CONNECTION WITH THE FIRE STATIONS RENOVATIONS PROJECT; AUTHORIZING \$3,178.00 IN ADVERTISING EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 80,020

ACCEPTING THE PROPOSAL OF ALAMO CONSULTING ENGINEERING & SURVEYING, INC. IN THE AMOUNT OF \$3,520.00 AND \$9,100.00 TO PROVIDE ENGINEERING SERVICES RELATED TO THE WESTERN DRAINAGE PROJECT NO. 74, PHASE III-B-C; AND AUTHORIZING \$26,295.29 FOR CONSTRUCTION CONTINGENCIES.

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AN ORDINANCE 80,021

ACCEPTING THE LOW, QUALIFIED BID OF L&R BUILDERS, INC. IN THE AMOUNT OF \$150,846.50 IN CONNECTION WITH THE FEST STREET DRAINAGE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AUTHORIZING A CONTRACT; REVISING THE PROJECT BUDGET; AUTHORIZING \$15,084.65 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCIES, \$600.00 FOR ADVERTISING EXPENSES AND \$6,335.56 FOR PROJECT OVERSIGHT COSTS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 80,022

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT, IN THE AMOUNT OF \$90,082.00, WITH BROWN ENGINEERING COMPANY TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE DEVELOPMENT OF A STORM WATER POLLUTION PLAN FOR SAN ANTONIO INTERNATIONAL AND STINSON MUNICIPAL AIRPORTS; AUTHORIZING AN ADDITIONAL \$7,918.00 FOR A CONTINGENCY ACCOUNT; AUTHORIZING AN ADDITIONAL AMOUNT OF \$2,000.00 FOR ADMINISTRATIVE EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 80,023

AUTHORIZING ADDITIONAL ENGINEERING FEES, IN THE

AMOUNT OF \$6,140.85, PAYABLE TO SIA ENGINEERING,
INC. IN CONNECTION WITH THE PERIMETER ROAD
CONSTRUCTION PROJECT AT SAN ANTONIO INTERNATIONAL
AIRPORT; REVISING THE BUDGET FOR THE PROJECT;
APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 80,024

ACCEPTING AN INDENTURE WITH THE SOUTHERN PACIFIC
TRANSPORTATION COMPANY IN CONNECTION WITH THE
BURBANK, SONORA, ZAVALA (ST. HENRY STREETS) PROJECT;
AND AUTHORIZING A ONE TIME EXPENDITURE OF \$3,560.00.

AN ORDINANCE 80,025

AUTHORIZING PAYMENT IN THE AMOUNT OF \$2,550.00 TO
GUARANTY TITLE COMPANY FOR TITLE CHARGES FOR 17
PARCELS AT \$150.00 EACH IN CONNECTION WITH THE
HI-LIONS DRAINAGE PROJECT #80.

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AN ORDINANCE 80,026

AUTHORIZING A LICENSE AGREEMENT FOR 1994 AND 1995
WITH ALAMO KIWANIS CHARITIES, INC., FOR SAID
ORGANIZATION'S USE OF THE ARNESON RIVER THEATER FOR
ITS FIESTA NOCHE DEL RIO FOR A FEE OF \$7,000.00 PER
PERIOD.

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AN ORDINANCE 80,027

AUTHORIZING THE EXPENDITURE OF FUNDS OUT OF THE SAN
ANTONIO WATER SYSTEM SERVICES RECOVERY ACCOUNT FOR
THE PURPOSE OF OVERSIZING WATER MAINS AS PART OF THE
REDLAND HEIGHTS DEVELOPMENT TO ACCOMMODATE
ANTICIPATED GROWTH IN THE ANDERSON LOOP (1604) AND
REDLAND ROAD AREA, AS AUTHORIZED BY SAWS RESOLUTION
NO. 94-049 PASSED AND APPROVED ON FEBRUARY 15, 1994.

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AN ORDINANCE 80,028

AUTHORIZING A CONTRACT FOR CONSULTANT SERVICES WITH BARBARA CELITANS, AN INDIVIDUAL, FOR THE HERTZBERG CIRCUS MUSEUM AND COLLECTIONS FOR THE DEVELOPMENT OF SPECIAL EDUCATIONAL EXHIBITS, TRAINING VOLUNTEERS AND DOCENTS, COORDINATING THE MUSEUM'S EDUCATIONAL PROGRAMMING WITH OTHER COMMUNITY SERVICE ORGANIZATIONS, AND GRANT FUNDS FOR EDUCATIONAL OUTREACH PROJECTS IN AN AMOUNT NOT TO EXCEED \$20,000.00.

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AN ORDINANCE 80,029

RATIFYING THE MODIFICATION OF THE SECOND YEAR HOME INVESTMENT PARTNERSHIP ACT (HOME) ENTITLEMENT BUDGET BY AUTHORIZING THE REDUCTION OF THE EXISTING ALAMODOME AREA HOUSING PROJECT BUDGET BY \$275,000.00 AND THE CREATION OF AND ALLOCATION FOR THE NEW ST. PHILLIPS HOUSING PROJECT; REVISING THE APPROPRIATE HOME BUDGETS; AND AUTHORIZING THE EXECUTION OF ALL RELATED CONTRACTS AND OTHER DOCUMENTS IN CONNECTION WITH SAID MODIFICATION.

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AN ORDINANCE 80,030

AMENDING SECTION 22-10, FEE FOR USE OF PARK PAVILIONS, OF CHAPTER 22 OF THE CITY CODE, TO ESTABLISH USE FEES FOR GRAFF PAVILION LOCATED IN "O.P." SCHNABEL PARK.

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AN ORDINANCE 80,031

AUTHORIZING THE ACCEPTANCE OF \$13,211.00 FROM THE TEXAS DEPARTMENT OF HEALTH (TDH) TO FUND A CLERICAL POSITION IN THE HIV/TB SURVELLANCE PROGRAM OPERATED BY THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT (SAMHD); AUTHORIZING THE EXECUTION OF CONTRACT CHANGE NOTICE NO. 5, COMPRISED OF ATTACHMENT 9 TO CONTRACT C5000104 WITH THE TDH; REVISING THE BUDGET FOR THE PUBLIC HEALTH STATE SUPPORT PROJECT 1994/95

ESTABLISHED IN ORDINANCE 77973 PASSED AND APPROVED
MAY 20, 1993; AND AUTHORIZING ONE PERSONNEL POSITION.

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AN ORDINANCE 80,032

AUTHORIZING THE USE OF HEMISFAIR PARK AND THE TOWER
OF THE AMERICAS FOR THE 1994 CATTLE BARON'S GALA ON
OCTOBER 1, 1994, AND ESTABLISHING FEES FOR USE OF
SAID FACILITIES, SAID FEES BEING \$3604.00 FOR USE OF
THE OBSERVATION DECK.

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AN ORDINANCE 80,033

AUTHORIZING THE TEMPORARY CLOSURE OF CHIHUAHUA
BETWEEN SABINAS STREET AND TRINITY STREET FROM 4:00
P.M. UNTIL MIDNIGHT, SUNDAY, JUNE 12, 1994, AS
REQUESTED BY THE INNER CITY DEVELOPMENT TO HOLD ITS
FRIENDSHIP FESTIVAL.

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AN ORDINANCE 80,034

AUTHORIZING THE TEMPORARY CLOSURE OF SHANNON LEE
BETWEEN OBLATE AND MOUNTAIN TOP FROM NOON UNTIL 9:00
P.M., SUNDAY, MAY 1, 1994, AS REQUESTED BY THE
BLESSED SACRAMENT CHURCH TO HOLD ITS CHURCH
FESTIVAL.

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AN ORDINANCE 80,035

GRANTING A PARADE PERMIT TO SANTA ROSA HOSPITAL FOR
THE PURPOSE OF HOLDING ITS 11TH ANNUAL CHILDREN'S
HOSPITAL 5K RUN/WALK ON SUNDAY, MAY 1, 1994, FROM
8:00 A.M. UNTIL 9:30 A.M.; AND DECLARING AN
EMERGENCY.

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AN ORDINANCE 80,036

GRANTING A PARADE PERMIT TO N.W. CHRISTIAN CHURCH
FOR THE PURPOSE OF HOLDING ITS MARCH FOR JESUS
PARADE ALONG W. DURANGO, N. ALAMO, E. MARKET, AND S.
BOWIE STREETS ON SATURDAY, JUNE 25, 1994, FROM 10:00

A.M. UNTIL 12 NOON.

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AN ORDINANCE 80,037

GRANTING A PARADE PERMIT TO THE GUADALUPE ASSOCIATION FOR THE PURPOSE OF HOLDING ITS DIEZ Y SEIS PARADE ALONG W. GUADALUPE, N. TRINITY, E. COMMERCE, AND N. SANTA ROSA STREETS ON SATURDAY SEPTEMBER 10, 1994, FROM 1:00 P.M. UNTIL 3:30 P.M.

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AN ORDINANCE 80,038

REAPPOINTING HEBERTO GUTIERREZ AND JAMES HASSLOCHER TO THE BEXAR METRO 911 DISTRICT BOARD OF MANAGERS FOR A TERM OF OFFICE TO EXPIRE ON FEBRUARY 28, 1996.

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AN ORDINANCE 80,039

APPOINTING HECTOR J. GARCIA (DISTRICT 7) TO THE HOUSING TRUST FUND BOARD OF TRUSTEES FOR A TERM OF OFFICE TO EXPIRE ON MAY 30, 1996.

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AN ORDINANCE 80,040

APPOINTING SAMMY J. SMITH TO THE BOARD OF ADJUSTMENT FOR A TERM OF OFFICE TO EXPIRE ON FEBRUARY 22, 1995.

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AN ORDINANCE 80,041

APPROVING THE APPOINTMENT OF HORTENCIA CABRERA TO THE HOUSING AUTHORITY OF THE CITY OF SAN ANTONIO FOR A TERM OF OFFICE TO EXPIRE ON MAY 1, 1996.

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94-19 The Clerk read the following Ordinance:

AN ORDINANCE 80,042

ACCEPTING LOW BID OF SBS ENGINEERING, IN., ICAT

DIVISION , IN THE AMOUNT OF \$45,085.00 TO PROVIDE THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH A FIREARM TRAINING SIMULATION SYSTEM.

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Mr. Roger Perez made a motion to approve the proposed Ordinance. Mr. Avila seconded the motion.

Mr. Archie Titzman, Director of Purchasing & General Services, explained the background of the original bid for a firearm training simulation system, and the re-bid results.

(At this point, Mayor Wolff was obliged to leave the meeting. Mayor Pro Tem McClendon presided.)

Mr. Titzman stated that the matter before City Council today is the re-bid on this matter, and the low bidder is being recommended.

Mr. Gregg Rowland, representing Firearms Training Systems, Atlanta, stated his belief that his firm had met the bid specifications and should be awarded this bid, since it is the effective low bidder. He distributed to City Council a chronological listing of events concerning this bid matter. He noted that his firm's original bid was some \$9,000 lower than its competitors, and he is appealing the recommended award to a competitor. He asked that the system be re-bid once again because of alleged inequities.

Mr. Andrew C. Cruie, representing SBS Engineering, spoke in support for the City staff recommendations.

In response to a question by Mr. Larson, Mr. Titzman stated that the losing firm did not meet two major bid specifications on its original bid, and again failed to meet all the bid specifications on the re-bid, as well. He then addressed the matter of allegedly-lost re-bid specifications.

Captain Amadeo Ortiz, San Antonio Police Department, addressed demonstrations of systems by both competing firms, and expressed his belief that either would have been satisfactory. He spoke to details of how the system works and explained the advantages of having a 'remote monitor'.

In response to questions by Mr. Peak and Mr. Solis, Mr. Titzman explained the opening of bids and their consideration as public and open records, at that point.

In response to a question by Mr. Avila, Mr. Tom Finlay, Assistant City Attorney, stated his opinion that the City is legally sound in awarding the bid as recommended, or rebidding the matter, and explained his rationale.

After consideration, the motion, carrying with it the passage

of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Avila, Ross, Solis, Ayala, Peak, Larson; NAYS: None; ABSENT: Billa Burke, Thornton, Wolff

94-19 The Clerk read the following Ordinance:

AN ORDINANCE 80,043

AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT WITH YOUNG CONTRACTORS, INC. IN THE AMOUNT OF \$621,108.60 IN CONNECTION WITH THE SINGLE COURSE BITUMINOUS SLURRY SEAL--1994 PROJECT; AUTHORIZING \$43,477.60 IN CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$513.88 IN ADVERTISING EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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Mr. Solis made a motion to approve the proposed Ordinance. Mr. Avila seconded the motion.

In response to a question by Ms. McClendon, Mr. John German, Director of Public Works, spoke to the selection process for streets to be sealcoated.

Mr. Alex Briseno, City Manager, noted that the current City budget has some \$3 million included for streets work, and this particular ordinance represents only about \$600,000 of that total.

A discussion took place concerning street work at International Airport, and its funding.

Mr. German stated that he would prepare a presentation for City Council, outlining the City's streets work.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Avila, Ross, Solis, Ayala, Thornton, Peak; NAYS: None; ABSENT: Billa Burke, Larson, Wolff.

94-19 The Clerk read the following Ordinance:

AN ORDINANCE 80,044

ACCEPTING THE LOW, QUALIFIED BID OF SAN ANTONIO CONSTRUCTORS, INC. IN THE AMOUNT OF \$135,135.00 IN CONNECTION WITH THE MILVID FROM ELLA TO DEAD-END COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)

RECONSTRUCTION PROJECT; AUTHORIZING A CONTRACT;
REVISING THE PROJECT BUDGET; AUTHORIZING \$13,513.50
FOR MISCELLANEOUS CONSTRUCTION CONTINGENCIES,
\$600.00 FOR ADVERTISING EXPENSES, \$5,438.14 FOR
ENGINEERING EXPENSES AND \$5,675.67 FOR PROJECT
OVERSIGHT COSTS; AND PROVIDING FOR PAYMENT.

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Ms. Perez made a motion to approve the proposed Ordinance. Mr. Avila seconded the motion.

In response to a question by Mr. Avila, Mr. John German, Director of Public Works, spoke to the six-month timeline for completion of this project.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Avila, Ross, Solis, Ayala, Thornton, Peak; NAYS: None; ABSENT: Billa Burke, Larson, Wolff;

94-19 The Clerk read the following Ordinance:

AN ORDINANCE 80,045

AUTHORIZING THE ACCEPTANCE OF \$1,137,160.00 FROM THE TEXAS DEPARTMENT OF HEALTH (TDH) TO CONTINUE FUNDING OF ON-GOING RYAN WHITE TITLE II AIDS/HIV PROGRAMS OPERATED BY THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT (SAMHD), OTHER AGENCIES AND COMMUNITY BASED ORGANIZATIONS FOR THE PERIOD APRIL 1, 1994 THROUGH MARCH 31, 1995; AUTHORIZING THE EXECUTION OF CONTRACT CHANGE NOTICE NO.6, COMPRISED OF ATTACHMENT 1A TO CONTRACT C5000104 WITH THE TDH; REVISING THE BUDGET FOR THE PUBLIC HEALTH STATE SUPPORT PROJECT 1994/94 ESTABLISHED IN ORDINANCE 77973 PASSED AND APPROVED MAY 20, 1993; AUTHORIZING PERSONNEL POSITION; AUTHORIZING CONTRACTUAL SERVICES AND AUTHORIZING THE EXECUTION OF CONTRACTS WITH SUB-CONTRACTORS FUNDED UNDER THIS GRANT AWARD.

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Mr. Solis made a motion to approve the proposed Ordinance. Mr. Avila seconded the motion.

In response to a question by Mr. Solis, Dr. Fernando Guerra, Director of the San Antonio Metropolitan Health District, addressed the growth of AIDS in San Antonio and the impact of the AIDS Commission, noting that San Antonio currently averages some seven new AIDS cases each week. He stated his opinion that the new AIDS Commission will

become more of a policymaking body.

Mr. Solis spoke to the importance of the new commission.

Mr. Ross spoke to his concern that the majority of citizens are not being given full consideration in AIDS matters.

Dr. Guerra spoke to the reasons for the spread of the HIV virus and addressed his reasons for projecting the further spread of the disease, especially among young people. He stated his belief that a successful vaccine to combat AIDS is still years away.

Mr. Solis stated that he could not support any form of a quarantine for AIDS patients.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Ross, Solis, Ayala, Thornton, Peak; NAYS: None; ABSENT: Avila, Larson, Wolff;

94-19 The Clerk read the following Ordinance:

AN ORDINANCE 80,046

AUTHORIZING THE CITY MANAGER AND RISK MANAGER TO TAKE NECESSARY ACTION TO SETTLE THE CLAIM OF DANIEL RAMIREZ, CLAIM NO. 73700001183, AGAINST THE CITY OF SAN ANTONIO IN THE AMOUNT OF \$24,602.62; AND RATIFYING PAYMENT OF \$3,000.00 WHICH WAS ADVANCED FOR TEMPORARY EMERGENCY REPAIRS TO THE CLAIMANT'S PROPERTY, AND DECLARING AN EMERGENCY.

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Ms. McClendon made a motion to approve the proposed Ordinance. Mr. Perez seconded the motion.

Mr. Marc Persson, Risk Manager, explained the accident with a police vehicle, during which that vehicle struck a building.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Ross, Solis, Ayala, Thornton, Peak; NAYS: None; ABSENT: Avila, Larson, Wolff;

94-19 WITHDRAWAL OF AGENDA ITEM 4A FROM CONSIDERATION

Mr. Peak asked that Agenda Item 4A, being a 3:00 P.M.

time-certain agenda item for a Public Hearing and consideration of an ordinance authorizing the closing, vacating, abandoning and quitclaiming of improved Bitters Road between Starcrest Drive and Stuntman Street, as requested by Lancaster Asset Services, Inc., be withdrawn from consideration today, and placed consideration of this request before City Council at this time in the form of a motion. Ms. Billa Burke seconded the motion.

After discussion, the motion prevailed by the following vote:
AYES: Perez, McClendon, Billa Burke, Ayala, Ross, Thornton, Peak;
NAYS: None; ABSENT: Avila, Solis, Larson, Wolff.

Mr. Peak stated that this matter will be considered in conjunction with a future zoning case.

94-19 The Clerk read the following Ordinance:

AN ORDINANCE 80,047

AUTHORIZING PAYMENT TO THE UTSA CENTER FOR ARCHAEOLOGICAL RESEARCH NOT TO EXCEED \$8,000.00 FOR THE PREPARATION OF A BACKGROUND REPORT OF HISTORIC AND ARCHAEOLOGICAL MATERIALS TO ASSIST THE ALAMO PLAZA STUDY COMMITTEE IN THE DEVELOPMENT OF THEIR RECOMMENDATIONS TO THE CITY COUNCIL.

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Ms. Billa Burke made a motion to approve the proposed Ordinance. Mr. Peak seconded the motion.

Ms. Rebecca Waldman, Senior Management Coordinator, briefly explained the proposed ordinance for a background report of historic and archaeological materials to assist the Alamo Plaza Study Committee.

Mr. Peak, committee chairman, addressed the committee's work to date, and spoke to the need to put together all available data on the history of Alamo Plaza.

In response to a question by Mr. Ross, Mr. Peak discussed possible legal and other complications in any closing of Alamo Plaza East, because the City owns one side of the street, while the State of Texas owns the other. He stated that his committee would work with representatives of the state on any such possible closure, if necessary.

Mr. Larson questioned possible funding sources, should extensive excavation later be required.

Ms. Waldman stated that this ordinance does not seek excavation on Alamo Plaza, only the assembling of historic and

archaeological materials on Alamo Plaza.

In response to a question by Mr. Thornton, Mr. Wayne Cox, University of Texas at San Antonio, discussed the scope of work involved.

Mr. Thornton addressed the need for serious investigation of Alamo Plaza.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Ross, Ayala, Thornton, Peak, Larson; NAYS: None; ABSENT: Solis, Wolff.

94-21 The Clerk read the following Ordinance:

AN ORDINANCE 80,048

AUTHORIZING THE EXECUTION OF A NURSING SERVICES AGREEMENT WITH ATTENTIVE HEALTH SYSTEMS, INC. IN THE AMOUNT OF \$391,456.00 TO PROVIDE NURSING STAFF TO SCREEN AND OBSERVE INDIVIDUALS DETAINED IN THE CITY PUBLIC INEBRIATE HOLDING FACILITY FOR A ONE-YEAR PERIOD, WITH A TWO-YEAR OPTION RENEWAL BY THE CITY; AND AUTHORIZING PAYMENT OF UP TO \$25,000.00 TO PHYSICIANS TO PROVIDE ON-CALL MEDICAL SERVICES FOR THIS FACILITY.

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Mr. Avila made a motion to approve the proposed Ordinance. Mr. Perez seconded the motion.

Dr. Fernando Guerra, Director of the San Antonio Metropolitan Health District, explained the scope of the proposed ordinance to provide medical needs to the inebriate holding facility, and spoke briefly to the history of that facility.

Ms. Blanca Nieves, representing River City Nurses, spoke to her perception of several alleged irregularities in the bid for this work, and addressed alleged changes made in the bid of Attentive Health Systems after the bids were opened. She provided the City Council with a handout dealing with this matter, and spoke to a history of the bid involved. She further stated that she believes that she, too, has the right to change her bid, as well, and asked that her firm be awarded the contract.

In response to a question by Mr. Avila, Mr. Quentin Porter, Administrator of Municipal Courts, stated that the original contract with Attentive Health Systems was for one year, with two one-year options. He explained the Request For Proposal process sent out to

prospective bidders and the two responses received. He noted that a screening committee recommended the proposal of Attentive Health Systems, even though it was higher than that of River City Medical. He stated that that decision was based upon past work experience of the firm involved, and spoke to negotiations that led to a lower dollar figure for AHS.

A discussion then took place concerning the respective RFP's involved.

Ms. Nieves spoke to the experience of her nursing staff.

Ms. Barbara Lyssy, acting director of nursing for the Metropolitan Health District, discussed the extra hours worked by the nurses, under the present contract.

In response to a question by Mr. Peak, Mr. Porter noted that the Request For Proposal process gives the City the ability to negotiate certain parts of the proposal. He then spoke to the negotiations with AHS.

In response to a question by Mr. Peak, Dr. Guerra spoke to AHS's six-year track record in this work.

A discussion ensued concerning a brief history of the inebriate-handling services.

In response to a question by Mr. Thornton, Dr. Guerra recommended the proposal submitted by AHS for this work.

A discussion then took place concerning the length of the new contract.

Mr. Ross stated his desire to be informed as to the principals involved in any contract, in the future.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Billa Burke, Ross, Ayala, Thornton, Peak, Larson; NAYS: Avila; ABSENT: McClendon, Solis, Wolff.

94-21 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE
CLOSING VILLAGE DRIVE

Mayor Pro Tem McClendon declared the Public Hearing to be open, and polled the list of speakers signed to speak to this matter, as to their stance, for or against, to organize the speaking sequence.

Mr. Roland Lozano, Director of Asset Management, explained the proposed closure of Village Drive, and expansion plans for Northeast Baptist Hospital, noting that City staff recommends approval of the

proposed street closure. He then spoke to the results of mailings to some 496 area property owners, and noted that a petition has been received from 113 parents of St. Mary's Hall students and from the apartment project nearby.

The following persons were signed up to speak:

Mr. Gene Dawson, Jr., 9310 Broadway, engineer, spoke to a series of meetings held on the proposed street closure, and agreements reached. He addressed the results of an area traffic study and the matter of ingress/egress to and from the Marymont subdivision. He spoke to the importance of the street closure to the Baptist Memorial Hospital system.

Mr. Charles Sexton, Director of Development, BMH System, addressed the history of this project and the importance of the street closure.

Mr. Joe Soules, 9011 Village Drive, President, Marymont Homeowners Association, stated that 95 per cent of the homeowners present at the meeting to discuss this matter, voted approval of the proposed closure.

Mr. Ernesto Ancira, 9103 Autumn Leaf, spoke to the increasing traffic on Village Drive and the compromise reached which will reduce traffic into the neighborhood. He stated that he realizes that the closure will inconvenience St. Mary's Hall, but feels that safety of the neighborhood should prevail.

Mr. Gerald Cohn, 8915 Village Drive, stated his belief that this is a safety matter, and spoke in support for the 10-foot wall planned as part of the hospital expansion.

Mr. Tony Specia, 9214 Autumn Leaf, spoke in support of the closure of Village Drive as a traffic safety matter.

Ms. Kathy Hoffman, 3510 Twisted Oaks, spoke to traffic concerns in the area, and in support for the proposed closure.

Ms. Amanda Bergman, 3402 Haversham, stated her belief that the neighborhood will be much safer, after the street closure.

Speaking in opposition:

Mr. Phillip Hadley, Headmaster, St. Mary's Hall, spoke against the closure because of his concern for increased traffic congestion near the school, and addressed his concern for access to the school by emergency vehicles. He further stated his belief that this proposed street closure actually will be a threat to the traffic safety of his students.

Ms. Karen Hixon, President-Board of Trustees, St. Mary's Hall, also spoke in opposition to the closure because of its impact upon

the ingress/egress to and from the school. She spoke to other possible compromises instead, such as a narrowing of Village Drive.

Mr. Joe N. Haynes, Risk Manager, St. Mary's Hall, spoke against the closure and reiterated earlier comments about access to the facility by emergency vehicles. He noted that the school is not opposed to expansion of the hospital, but only to closure of the street in question. He then made other suggestions on possible compromises to accommodate the hospital's request.

Mr. Edward Austin, Trustee, St. Mary's Hall, reiterated earlier comments and urged City Council to look at other possible compromises.

Mr. Bob Black, 3803 Barrington, owner of the Barrington Condominiums, spoke of the various condominiums he represents and their position in this matter, noting that they were not included in the deliberations concerning the closure of Village Drive. He urged a six-month delay in Council consideration of this issue to allow time for his group to participate in these deliberations.

Ms. Saradell Crawford, representing the Church of Reconciliation, also stated that they were unaware of the pending street closure.

Mr. Stanley Schmidt, 3715 Twisted Oaks, stated that he feels that traffic pressure will increase on his street, if Village Drive is closed. He then spoke to his concerns for emergency evacuation plans for this area, in case of disaster.

Mr. Ronald S. Schmidt, 3715 Twisted Oaks, spoke to the proposed hospital building plans, and his interpretation of the applicable law as to whether or not the City Council can close Village Drive for 'private benefit'. He suggested turning Village Drive one-way, at the most.

Mr. Ed Duerr, 3719 Twisted Oaks, presented petitions from the Towne Oaks Retirement Community, opposing the closure of Village Drive. He also spoke to his own opposition to the proposal.

Mr. Robert Peterson, 3722 Twisted Oaks, stated his belief that the street closure will force an increase in traffic on Starcrest Drive.

Mr. James Hart, 3630 Barrington, voiced his concern with any increase in traffic on Starcrest Drive.

Speaking in rebuttal, Mr. Gene Dawson, Jr. noted that Starcrest Drive has multiple exits to other traffic arteries, and addressed the master plan of the Baptist Memorial Hospital System. He stated his belief that the proposed closure of Village Drive is a matter of inconvenience to Marymont homeowners.

There being no further persons to speak to this matter, Mayor

Pro Tem McClendon declared the Public Hearing to be closed.

The City Clerk read the following Ordinance:

AN ORDINANCE 80,049

AUTHORIZING THE CLOSING, VACATING, ABANDONING AND QUITCLAIMING OF AN IMPROVED PORTION OF VILLAGE DRIVE BETWEEN HAVERSHAM DRIVE AND HIDDEN ROAD, AS REQUESTED BY THE BAPTIST MEMORIAL HOSPITAL SYSTEM FOR A CONSIDERATION OF \$49,247.00.

* * * *

Ms. Billa Burke made a motion to approve the proposed Ordinance. Mr. Larson seconded the motion.

Mr. Larson noted that negotiations have been underway for some two years on this proposed street closure, and spoke to the growth of Northeast Baptist Hospital over the years. He stated his belief that much commercial traffic now uses neighborhood streets to reach Starcrest Drive, and the closure will cause that traffic to use Village Drive, instead. He spoke in support for the proposed closure for a number of reasons, and addressed the need to facilitate traffic flow to and from St. Mary's Hall. He then spoke to possible improvements to be made to Starcrest Drive with bond funds, and addressed the process of negotiations on this matter.

Mr. David Abbey, City Traffic Engineer, spoke to area traffic counts and plans for traffic improvements along Starcrest Drive.

Mr. Dawson stated that he would be willing to work with representatives of St. Mary's Hall and other area residents on possible traffic changes to alleviate pressure on Starcrest Drive.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Ross, Solis, Thornton, Peak, Larson; NAYS: None; ABSENT: Ayala, Wolff.

94-19

CITIZENS TO BE HEARD

There were no citizens signed to speak for Citizens To Be Heard.

94-19 City Council recessed its regular meeting at 5:31 P.M. to convene in Executive Session on:

A. Briefing and discussion on the status of Pace Contract

negotiations.

B. Update relating to Alamodome contracts for Environmental Remediation, Eastside Neighborhood lawsuit, styled William Hernandez, et al, vs. VIA Metropolitan Transit, et al, and Conveyance.

C. Status update on Pedro Bernal Narvaez, Jr., Cause No. 92-CI-14722 and Abraham Rodriguez, et al, Cause No. 87-CI-23305.

D. Briefing and discussion of negotiations of a new Multijurisdictional Agreement for the JTPA program.

- - -
94-19 City Council reconvened in regular session at 7:24 P.M., at which time it was announced that City Council took no action during Executive Session, but gave direction to City staff on several matters.

City Council then recessed for dinner at 7:25 P.M., reconvening at 7:56 P.M.
- - -

94-19 The Clerk read the following Ordinance:

AN ORDINANCE 80,050

AMENDING ORDINANCE NO. 79604 AND ORDINANCE NO. 79906, ORDERING A SPECIAL BOND ELECTION TO BE HELD ON MAY 7, 1994, TO REFLECT POLLING PLACE CHANGES.

* * * *

Mr. Solis made a motion to approve the proposed Ordinance. Mr. Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Solis, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: McClendon, Billa Burke, Avila, Ayala, Ross.
- - -

94-19 The Clerk read the following Ordinance:

AN ORDINANCE 80,051

AUTHORIZING THE SUBMISSION OF A PROPOSAL TO THE DEPARTMENT OF DEFENSE (DOD) FOR FUNDING THE PROCUREMENT OUTREACH PROGRAM IN THE AMOUNT OF \$149,461.00, AND TO PLAN A BUDGET FOR PROGRAM PERIOD JANUARY 1, 1995 TO DECEMBER 31, 1995.

* * * *

Mr. Perez made a motion to approve the proposed Ordinance.
Mr. Solis seconded the motion.

Mr. Clint Bolden, Director of Economic Development, explained the funding of the Procurement Outreach Program (POP) and spoke to its successes over the past year.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Avila, Ross, Solis, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: Billa Burke, Ayala.

94-19 The Clerk read the following Ordinance:

AN ORDINANCE 80,052

AUTHORIZING THE EXPENDITURE OF \$9,116.04 FROM MAYOR NELSON W. WOLFF'S DISCRETIONARY FUNDS, AS REQUESTED BY THE MAYOR, TO AUGMENT THE EMPLOYMENT OF A STAFF PERSON TO PROVIDE ADMINISTRATIVE SERVICES RELATED TO THE OPERATIONS OF THE MAYORS UNITED ON SAFETY, CRIME AND LAW ENFORCEMENT (M.U.S.C.L.E.) PROJECT.

* * * *

Ms. McClendon made a motion to approve the proposed Ordinance.
Mr. Avila seconded the motion.

Mayor Wolff and Mr. Larson briefly explained the need for a personnel position for Mayors United on Safety, Crime and Law Enforcement (MUSCLE), and spoke to the various issues to be addressed by the group.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Avila, Ross, Solis, Ayala, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: Billa Burke.

94-19 The Clerk read the following Ordinance:

AN ORDINANCE 80,053

AUTHORIZING THE ACCEPTANCE OF \$5,209,031.00 IN JOB TRAINING PARTNERSHIP ACT (JTPA) TITLE IIB FUNDS FROM THE TEXAS DEPARTMENT OF COMMERCE (TDOC); APPROVING THE CALENDAR YEAR 1994 SUMMER YOUTH EMPLOYMENT AND TRAINING PLAN; AUTHORIZING THE EXECUTION OF CONTRACTS WITH THE ALAMO AREA COUNCIL OF GOVERNMENTS IN THE AMOUNT OF \$671,965.00, SOUTHWEST WINNERS FOR AN AMOUNT NOT TO EXCEED \$427,066.00, TEXAS TEENAGE CRIME COMMISSION FOR AN AMOUNT NOT TO EXCEED

\$500,000.00, THE EMPLOYMENT NETWORK FOR AN AMOUNT NOT TO EXCEED \$500,000.00, THE GEORGE GERVIN YOUTH CENTER FOR AN AMOUNT NOT TO EXCEED \$396,773.00, SAN ANTONIO NEIGHBORHOOD YOUTH ORGANIZATION (SANYO) FOR AN AMOUNT NOT TO EXCEED \$500,000.00, COMMUNITIES-IN-SCHOOL FOR AN AMOUNT NOT TO EXCEED \$500,000.00, SAN ANTONIO POSITIVE SOLUTIONS, INC. FOR AN AMOUNT NOT TO EXCEED \$500,000.00; AUTHORIZING THE ALLOCATION OF \$280,984.00 FOR THE JTPA DEPARTMENT TO ADMINISTER THE PROGRAM FOR THE ALAMO SERVICE DELIVERY AREA; AND AUTHORIZING THE REMAINING PORTION OF \$932,243.00 TO BE ALLOCATED TO A POOL; APPROVING A BUDGET AND PERSONNEL COMPLEMENT; AND DECLARING AN EMERGENCY.

* * * *

Mr. Solis made a motion to approve the proposed Ordinance. Mr. Larson seconded the motion.

Mr. Ronald Fleming, Director, Job Training Partnership Act (JTPA) Department, spoke to the allocations approved by the San Antonio Works! Board for Summer Youth Employment Training and plans to serve an estimated 2,883 disadvantaged youth.

Mr. Solis addressed the advantages of the summer program.

In response to a question by Mr. Solis, Mr. Fleming spoke to the possibility of subcontracting plans, and addressed the question of possible funding for some problematic agencies not currently funded. He noted that there are more persons in need of assistance than can be assisted by this allocation.

Overhead transparencies then displayed areas to be served by the Summer Youth Employment and Training Plan this year.

Discussion ensued concerning the priorities used to determine the targeted service areas, and the concerns of several City Council members that some high-need and high-crime areas of the city are not within the targeted areas for the program.

Discussion also took place concerning funded agencies which are not part of a Department of Labor investigation and subsequent report.

Mr. Ross asked to receive a written evaluation of those agencies not recommended for funding under this program for 1994, and voiced his concern that some areas of the city are being bypassed for any programmatic funding over the year, from a number of sources. He spoke to a desire to compare several of the most recent fundings in order to determine allocations.

Ms. Ayala spoke to her concern for non-funding for Project SER, and asked for data on this matter as soon as possible. She stated her belief that Mr. Fleming is dismantling the infrastructure of those

organizations who most serve the needs of those who need this funding. She asked to have District 6 data on this matter by next Thursday.

Mr. Avila addressed his concerns that some of his district's high-crime areas are not being served by this program, and also expressed concern with the non-funding of Project SER.

Mr. Fleming spoke to Project SER's progress through the established appeals process.

Mayor Wolff spoke to a pending \$7 million penalty facing the City of San Antonio, as the result of that DOL audit and report.

Ms. McClendon stated that San Antonio is facing penalties because of politics in the prior funding process, and asked the City Council to enact this ordinance tonight.

Mr. Solis noted that the Council either approves or disapproves this proposed ordinance, tonight.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Ross, Solis, Ayala, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: None.

Mayor Wolff noted that the City Council is concerned about the lateness of this request for approval and spoke to the need for JTPA to make certain that these agencies being funded produce results.

94-21 The Clerk read the following Ordinance:

AN ORDINANCE 80,054

AUTHORIZING THE EXPENDITURE OF THE TOTAL SUM OF \$237,000.00 OUT OF THE GENERAL OBLIGATION BONDS; AND ACQUIRING FEE TITLE TO TWO PARCELS AND THREE EASEMENTS IN CONNECTION WITH THE SCIENCE PARK DRAINAGE PROJECT #58H, I & J.

* * * *

Ms. Billa Burke made a motion to approve the proposed Ordinance. Mr. Solis seconded the motion.

Mr. Jack Hubbard, Assistant City Attorney/Real Estate Division, explained the purchase of two of the final five remaining parcels to be secured for the Science Park project.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Billa Burke, Ross, Solis, Ayala, Thornton, Peak, Larson, Wolff; NAYS: None;

ABSENT: McClendon, Avila.

94-19 Agenda Item 39, being a proposed ordinance authorizing the settlement of Allen Angelus, et al vs. City of San Antonio, Cause No. 92-CI-09971, in the amount of \$5,000.00, was earlier removed from consideration by the City Manager.

94-21 The Clerk read the following Ordinance:

AN ORDINANCE 80,055

AUTHORIZING THE CLOSING, VACATING, ABANDONING AND QUITCLAIMING OF IMPROVED NAPIER AVENUE, MISSION ROAD AND WOODHULL DRIVE IN EXCHANGE FOR THE RELOCATION OF NAPIER AVENUE AND MISSION ROAD IN CONNECTION WITH THE PROPOSED DEVELOPMENT OF A NEW VISITOR CENTER BY THE NATIONAL PARK SERVICE, AND DECLARING AN EMERGENCY.

* * * *

Ms. Billa Burke made a motion to approve the proposed Ordinance. Mr. Perez seconded the motion.

Mr. Roland Lozano, Director of Asset Management, explained the proposed realignment of Napier Avenue in order to make way for the new Visitor Center for the Missions of San Antonio National Historic Park.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Billa Burke, Ross, Solis, Ayala, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: McClendon, Avila.

94-21 The Clerk read the following Ordinance:

AN ORDINANCE 80,056

AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO PAY THE JUDGEMENT IN CAUSE NO. 93-CI-01831, STYLED GLORIA I. HURON AND JOSE HURON VS. CITY OF SAN ANTONIO, ET AL, IN THE AMOUNT OF \$45,000.00, PLUS PRE-JUDGMENT, POST-JUDGMENT AND COURT COST.

* * * *

Ms. Billa Burke made a motion to approve the proposed Ordinance. Mr. Solis seconded the motion.

Mr. Tom Finlay, Assistant City Attorney, briefly explained the judgement granted in a lawsuit in connection with a Public Works truck accident.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Ross, Solis, Ayala, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: McClendon, Billa Burke, Avila.

94-21 The Clerk read the following Ordinance:

AN ORDINANCE 80,057

AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO COMPROMISE AND SETTLE CAUSE NO. 92-CI-14722, STYLED PEDRO NARVAEZ, JR., VS. CITY OF SAN ANTONIO, ET AL.

* * * *

Mr. Perez made a motion to approve the proposed Ordinance. Mr. Solis seconded the motion.

Mr. Tom Finlay, Assistant City Attorney, explained the lawsuit settlement for \$500,000.00 resulting from a death as a result of a high-speed chase by Police Department vehicles.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Ross, Solis, Ayala, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: McClendon, Billa Burke, Avila.

94-19 Agenda Item 43 is a proposed ordinance extending financial disclosure requirements to members of certain boards and commissions not presently covered, prohibiting board and commission members from having certain financial interests in contracts of the City or related entities, and requiring the City Clerk to make an annual public report of all officers who have failed to file the required financial statement.

Mayor Wolff asked that this issue be pulled from today's agenda and scheduled for "B" Session discussion at the meeting of May 5, 1994. He then appointed a committee of Ms. McClendon (chair), Mr. Perez and Mr. Peak to study and consider this issue, and be prepared to make recommendations to the full City Council at the "B" Session.

By consensus of City Council members present, Agenda Item 43

was removed from consideration and moved to a "B" Session on May 5, 1994.

94-19 The Clerk read the following Resolution:

A RESOLUTION NO. 94-19-19

INSTRUCTING ATTORNEYS REPRESENTING THE CITY TO SEEK SANCTIONS ON CASES DEEMED APPROPRIATE, AND WHEN LEGALLY FEASIBLE TO RECOVER LEGAL EXPENSES IN ALL CASES BROUGHT AGAINST THE CITY DEEMED FRIVOLOUS, GROUNDLESS, OR WITHOUT LEGAL MERIT.

* * * *

Mr. Larson made a motion to approve the proposed Resolution. Mr. Solis seconded the motion.

Mr. Larson stated that he had asked for this Resolution because of a recent lawsuit that the City prevailed in, yet had to pay all legal fees, anyway. He spoke to his desire to have the City counter-sue in cases of frivolous, groundless or without merit lawsuits.

After consideration, the motion, carrying with it the passage of the Resolution, prevailed by the following vote: AYES: Perez, Billa Burke, Avila, Ross, Solis, Ayala, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: McClendon.

94-19 The Clerk read the following Resolution:

A RESOLUTION NO. 94-19-20

ASKING BEXAR COUNTY COMMISSIONERS' COURT AND OTHER LOCAL ENTITIES TO PROHIBIT THE USE OF THEIR FACILITIES BY CONSUMER GUN SHOWS.

* * * *

Ms. McClendon made a motion to approve the proposed Resolution. Mr. Solis seconded the motion.

Mr. Thornton spoke to details of a recent drive-by shooting in San Antonio, and addressed the need for new legislation in Austin.

Mayor Wolff asked the City-County Cooperation Committee members on City Council to carry this Resolution to the Bexar County Commissioners for their consideration, as well.

A discussion took place concerning gun shows still being held

in public facilities outside of the City of San Antonio.

A discussion ensued concerning the outright ban on gun shows in City facilities, versus regulation of those gun shows.

After consideration, the motion, carrying with it the passage of the Resolution, prevailed by the following vote: AYES: Perez, McClendon, Solis, Ayala, Thornton, Wolff; NAYS: Avila, Ross, Peak, Larson; ABSENT: Billa Burke.

94-19 The Clerk read the following Ordinance:

AN ORDINANCE 80,058

AUTHORIZING THE EXPENDITURE OF VARIOUS DISTRICT DISCRETIONARY FUNDS IN THE TOTAL AMOUNT OF \$1,375.00 TO DEFRAY EXPENSES INCURRED BY THE SAN ANTONIO EARTH DAY COMMITTEE IN ITS "EARTH DAY '94" CELEBRATION ON APRIL 24, 1994, AT WOODLAWN LAKE PARK; AND DECLARING AN EMERGENCY.

* * * *

Mr. Ross asked other City Council members for financial assistance for "Earth Day", to which the following Discretionary Fund contributions were made: Mayor-\$250; Mr. Perez-\$100; Ms. McClendon-\$50; Mr. Avila-\$200; Mr. Solis-\$50; Mr. Ross-\$500; Mr. Thornton-\$50; Mr. Peak-\$100; Mr. Larson-\$25.

Mr. Ross made a motion to approve the proposed Ordinance. Ms. McClendon seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Avila, Ross, Solis, Ayala, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: Billa Burke.

94-19 DISCUSSION ON ALAMODOME CONVEYANCE FROM VIA

Mayor Wolff spoke to the current status of the proposed conveyance of the Alamodome from VIA Metropolitan Transit to the City of San Antonio, noting that the VIA board of trustees meets next Tuesday, and the City Council has a Special Meeting posted for next Wednesday.

Ms. Veronica Zertuche, Assistant City Attorney, spoke to the Executive Summary of the proposed conveyance document, and highlighted the 10 most important sections. A copy of the Executive Summary is made a part of the papers of this meeting.

Mayor Wolff stated that Mr. Arturo Sanchez, VIA board chairman, is making the proposed conveyance document available to his board members, and he thanked City staff for its hard work on the document, calling it fair to all sides. He then briefly discussed the key portions of the conveyance document, including the City's new right to pursue legal remedies concerning the Alamodome dirt issue. He noted that, under the agreement being proposed, the City assumes full liability for the Alamodome, but gets ownership of the facility, a \$170 million stadium.

Mr. Larson stated that he needs a better definition of exactly how much the remediation of the Alamodome contaminated soil will cost. He then spoke to yesterday's lawsuit filed by the Alamodome area residents.

Mayor Wolff stated his belief that Mr. David Arevalo, head of the ROSE organization, believes that the lawsuit is simply a lawyer's search for money, and does not involve the ROSE group.

Mr. George K. Noe, Director of Management Services, provided Council members with a handout and spoke to the City's strategy for funding remediation of contaminated soils at the Alamodome. A copy of his handout is made a part of the papers of this meeting.

Mr. Larson asked to have a matrix prepared, showing funding sources, based upon the final soils ruling made by the Texas Natural Resources Conservation Commission.

Mr. Thornton noted that the City now is legally clear to determine responsibility for the contaminated soils problems at the Alamodome, and expressed his belief that City Council should be ready to act in this regard next Wednesday.

Mr. Peak noted that the City, by accepting conveyance of the Alamodome, is actually not assuming that much more responsibility, but now will be in a position to be proactive in determining the responsibility for the Alamodome dirt problems.

A discussion ensued concerning priorities in 'distribution of new cash proceeds', as cited in the agreement, from any possible judgement against Alamo Iron Works.

Discussion also took place concerning the effects of any statute of limitations on possible lawsuits over the dirt issue, and also the possible composition of the new Alamodome advisory board to be named.

Mr. Perez noted that San Antonio is in the running for the Democratic National Committee's national convention, as a result of having the Alamodome.

94-19 There being no further business to come before the Council, the meeting was adjourned at 10:13 P.M.

A P P R O V E D


M A Y O R

Attest: 
C i t y C l e r k