

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, JANUARY 22, 1987.

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The meeting was called to order at 1:00 P.M. by the presiding officer, Mayor Pro Tem Frank Wing, with the following members present: BERRIOZABAL, WEBB, DUTMER, WING, MARTINEZ, THOMPSON, VERA, HARRINGTON, LABATT, HASSLOCHER. Absent: CISNEROS.

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87-04 The invocation was given by Reverend A. Robertson, Coker Methodist Church.

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87-04 The members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

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87-04 MAGNET SCHOOL

Mayor Pro Tem Wing introduced a group of students, present in the audience, from the Magnet School of the Edgewood Independent School District and spoke of his pride in the district's work with its school children. He then welcomed the group to City Hall.

Several City Council members then individually welcomed the group and spoke to the economic development that is underway in the Edgewood Independent School District as expressed by several new commercial projects now under construction.

A representative of Magnet School briefly explained that the school is for under-achievers in the Edgewood District.

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87-04 WOMEN'S FACILITIES AT POLICE HEADQUARTERS

Ms. Vera and Mrs. Dutmer spoke to ribbon-cutting ceremonies to take place at police headquarters to open the new expanded women's locker room facilities at the headquarters building. Ms. Vera thanked City Council members for contributing their own funds to this project and stated that it was an example of what can be done with the police headquarters building when properly renovated.

87-04 The Clerk read the following Ordinance:

AN ORDINANCE 64,383

BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS, AUTHORIZING THE ISSUANCE OF \$391,780,000 "CITY OF SAN ANTONIO, TEXAS, ELECTRIC AND GAS SYSTEMS REVENUE FUNDING BONDS, NEW SERIES 1987", FOR THE PURPOSE OF REFUNDING CERTAIN OF THE CITY'S OUTSTANDING ELECTRIC AND GAS SYSTEMS REVENUE BONDS; PROVIDING THE TERMS, CONDITIONS AND SPECIFICATIONS FOR SUCH BONDS; MAKING PROVISIONS FOR THE PAYMENT AND SECURITY THEREOF; STIPULATING TERMS AND CONDITIONS FOR THE ISUANCE OF ADDITIONAL REVENUE BONDS ON A PARITY THEREWITH; ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS CRDINANCE; AND DECLARING AN EMERGENCY.

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Mr. Hasslocher made a motion to approve the proposed Ordinance. Mrs. Dutmer seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Vera, Harrington, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: None.

87-04 CONSENT AGENDA

Mrs. Dutmer made a motion to approve Agenda Items #8 - 29, constituting the Consent Agenda, with the exception of Items #14, 21, 22, and 28, to be pulled for individual consideration. Mr. Hasslocher seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Vera, Harrington, Labatt, Hasslocher; NAYS: None; ABSENT: Cisneros.

AN ORDINANCE 64,384

ACCEPTING THE BID OF CHARKATE COMPANY TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH FIREFIGHTING GLOVES FOR A TOTAL OF \$3,302.88.

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AN ORDINANCE 64,385 .

ACCEPTING THE BIDS OF CLEMENT INDUSTRIES INC. AND WEHRING-GOSS EQUIPMENT CORPORATION TO FURNISH THE CITY OF SAN ANTONIO BUILDING INSPECTIONS AND PUBLIC WORKS DEPARTMENTS WITH TRAILERS FOR A TOTAL OF \$92,423.00.

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AN ORDINANCE 64,386 .

ACCEPTING THE BID OF PURALLOY INC. TO FURNISH THE CITY OF SAN ANTONIO ENVIRONMENTAL MANAGEMENT DEPARTMENT WITH MINI DUMP BOXES WITH COVERS FOR A TOTAL OF \$10,350.00.

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AN ORDINANCE 64,387 .

ACCEPTING THE BID OF SOUTHWEST PROPANE CO. INC. TO FURNISH THE CITY OF SAN ANTONIO ENVIRONMENTAL MANAGEMENT DEPARTMENT WITH PROPANE ON AN ANNUAL CONTRACT BASIS FOR A TOTAL OF APPROXIMATELY \$12,500.00.

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AN ORDINANCE 64,388 .

ACCEPTING THE PROPOSAL OF SKK INC. TO FURNISH THE CITY OF SAN ANTONIO INFORMATION RESOURCES WITH A RENEWAL CONTRACT FOR AFC2 SOFTWARE MAINTENANCE FOR A TOTAL OF \$7,425.00.

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AN ORDINANCE 64,389 .

ACCEPTING THE BID OF ALLIANCE MANUFACTURING INC. TO FURNISH THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH PEDESTAL STYLE GRILLS FOR A TOTAL OF \$6,000.00.

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AN ORDINANCE 64,390

ACCEPTING THE LOW BIDS OF LOPC, J.R. INC., BUSINESS ENVIRONMENTS U.S.A. INC., H. MCCOY INC., PRIME OFFICE SUPPLY AND PAUL ANDERSON CO. TO FURNISH THE CITY OF SAN ANTONIO WITH VARIOUS OFFICE FURNITURE FOR A TOTAL OF \$13,897.52.

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AN OPDINANCE 64,391

ACCEPTING THE BID OF WILLIAMS-STACKHOUSE, INC. TO FURNISH THE CITY OF SAN ANTONIO PLANNING DEPARTMENT WITH AERIAL PHOTOGRAPHY AT VARIOUS LOCATIONS FOR A TOTAL OF \$26,900.00.

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AN ORDINANCE 64,392

ACCEPTING THE BID OF V.K. KNOWLTON PAVING CONTRACTOR, INC., IN THE AMOUNT OF \$295,541.31 FOR THE MISSION ROAD REALIGNMENT PROJECT; APPROVING A CONSTRUCTION CONTRACT; PROVIDING A CONTINGENCY; PROVIDING AN ADDITIONAL \$29,261.10 FOR ENGINEERING FEES PAYABLE TO GALBRAITH ENGINEERING CORPORATION; AND REVISING BUDGETS FOR ARCHAEOLOGICAL INVESTIGATIONS AND FOR SADA ADMINISTRATION SERVICES.

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AN ORDINANCE 64,393

TRANSFERRING EXISTING FUNDS IN THE AMOUNT OF \$3,500.00 FROM THE CONSTRUCTION CONTINGENCY ACCOUNT OF THE WESTSIDE EXPRESSWAY ROW CLEARANCE - PHASE I PROJECT TO THE ENGINEERING EXPENSE ACCOUNT PAYABLE TO AMNER, INC. FOR CONSTUCTION SUPERVISION SERVICES ON THE PROJECT.

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AN ORDINANCE 64,394

PROVIDING AN ADDITIONAL \$11,208.21 FOR ENGINEERING FEES PAYABLE TO W.H. MULLINS, INC., IN CONNECTION WITH THE THOUSAND OAKS FROM JONES MALTSBERGER TO THE MOPAC RAILROAD TRACKS RECONSTRUCTION PROJECT.

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AN ORDINANCE 64,395

AUTHORIZING FIELD ALTERATION NO. 1 TO HERMOSA/WILDWOOD/MARIPOSA/MANDALAY STREETS PROJECT IN THE AMOUNT OF \$40,149.88 TO PROVIDE FOR REPLACEMENT OF EXISTING PAVEMENT AND CURB ON BREEDEN AND BEACON BETWEEN MANDALAY AND MARIPOSA TO CORRECT A DRAINAGE PROBLEM AND TO COMPLETE THE TRANSITION OF STREET WORK BETWEEN THE KENWOOD DRAINAGE PROJECT AND THE HERMOSA, ETC. PROJECT.

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AN ORDINANCE 64,396

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$116,800.00 OUT OF VARIOUS FUNDS FOR THE PURPOSE OF ACQUIRING TITLE AND/OR EASEMENTS TO CERTAIN LANDS IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS.

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AN ORDINANCE 64,397

ACCEPTING AND AUTHORIZING THE EXPENDITURE OF THE SUM OF \$110,350.00 OUT OF SEWER FUNDS FOR THE PURPOSE OF ACQUIRING EASEMENTS ON CERTAIN LANDS, ACCEPTING THE DEDICATION OF AND AUTHORIZING AGREEMENTS AND RIGHT OF ENTRY ON CERTAIN LANDS, ALL IN CONNECTION WITH WASTEWATER PROJECTS.

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AN ORDINANCE 64,398

AUTHORIZING PAYMENT OF REFUNDS TO PERSONS MAKING OVERPAYMENTS OR DOUBLEPAYMENTS ON 97 TAX ACCOUNTS.

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AN ORDINANCE 64,399

RESCINDING ORDINANCE NO. 63851 PASSED ON OCTOBER 23, 1986, AND AWARDING A CONTRACT TO THE SECOND LOW BIDDER, SHAVANO RESTORATIONS CONSTRUCTION IN THE AMOUNT OF \$11,950.00 FOR THE CONSTRUCTION OF A HANDICAPPED ACCESS RAMP WITH HANDRAILS AT THE FAIRCHILD PARK TENNIS PRO SHOP; PROVIDING A

CONTINGENCY; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 64,400

EXTENDING THE EXISTING CONTRACT WITH THE SAN ANTONIO SOFTBALL ASSOCIATION, INC., TO OPERATE THE FOOD AND BEVERAGE CONCESSIONS AT ALVA JO FISCHER AND KENNEDY SOFTBALL COMPLEXES.

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AN ORDINANCE 64,401

APPROPRIATING AND AUTHORIZING THE PAYMENT TO THE TEXAS WATER COMMISSION IN THE AMOUNT OF \$32,300.00.

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87-04 The Clerk read the following Ordinance:

AN ORDINANCE 64,402

ACCEPTING THE BID OF INGRAM VIDEO TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH A VIDEOCASSETTE PURCHASE CONTRACT FOR A TOTAL OF \$30,000.00.

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Mrs. Dutmer made a motion to approve the proposed Ordinance. Mr. Webb seconded the motion.

In response to a question by Mr. Labatt, Mr. John Brooks, Director of Purchasing and General Services, explained the substantiation of the pricing and discounts involved in this ordinance and noted that the list price is fixed throughout this contract.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Vera, Harrington, Labatt, Hasslocher; NAYS: None; ABSENT: Cisneros.

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87-04 The Clerk read the following Ordinance:

AN ORDINANCE 64,403

APPROPRIATING \$678,652.00 PAYABLE TO THE SAN ANTONIO RIVER AUTHORITY (SARA) FOR RIGHT-OF-WAY ACQUISITION, RELOCATION AND DEMOLITION, AND ADMINISTRATIVE SERVICES NECESSARY FOR THE SAN PEDRO CREEK TUNNEL FROM QUINCY TO GUADALUPE PROJECT.

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Mrs. Dutmer made a motion to approve the proposed Ordinance. Mrs. Berriozabal seconded the motion.

Mrs. Berriozabal voiced her concern with "inlet structures" involved in this project and its impact on the neighborhood.

Mr. David Steitle, Director of Public Works, briefly explained the location of the inlet structures and noted that San Antonio River Authority has the design for these projects on public display at this time. He noted that the City of San Antonio has received no complaints from area citizens on compatibility of inlet and outlet structures with their impact on the neighborhoods. He further stated that the inlet and outlet structures have apparently caused a minimum of impact on the areas affected, and he spoke to the need to have briefings before the Council's River Corridor Committee in February.

In response to a question by Mr. Martinez, Mr. Steitle spoke of the southside outlet location of the underground tunnel.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Vera, Harrington, Labatt, Hasslocher; NAYS: None; ABSENT: Cisneros.

87-04 The Clerk read the following Ordinance:

AN ORDINANCE 64,404

ACCEPTING THE BID OF SHANNON-MONK, INC., IN THE AMOUNT OF \$2,161,222.61 FOR THE CONSTRUCTION OF THE DONALDSON AVENUE PROJECT FROM ELMENDORF TO QUILL STREETS; PROVIDING AN ADDITIONAL \$108,061.13 FOR A CONSTRUCTION CONTINGENCY; AND AUTHORIZING \$9,852.06 FOR ENGINEERING FEES FOR THE CONSTRUCTION PHASE PAYABLE TO ROSIN, KROESCHE & LAMBERT, INC.

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Ms. Vera briefly explained details of the project and spoke of problems that have arisen with the Elmendorf Drainage Project nearby. She stated that she had met with the Capital Improvements Project Management team that is involved with this particular project and has asked them to set up meetings with area residents on this project. She stated that she wants this matter included in the contract.

Mr. David Steitle, Director of Public Works noted that the city requires the contractor to participate in such area meetings.

Ms. Vera voiced her concern with the impact of the project on both ingress and egress to area homes.

Ms. Vera made a motion to approve the proposed Ordinance. Mr. Harrington seconded the motion.

Mrs. Berriczabal spoke of the number of problems involved with the Elmendorf Project.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Vera, Harrington, Labatt, NAYS: None; ABSENT: Hasslocher, Cisneros.

87-04 The Clerk read the following Ordinance:

AN ORDINANCE 64,405

AUTHORIZING THE CITY MANAGER TO REALLOCATE JOB TRAINING PARTNEPSHIP ACT (JTPA) TITLE IIA FUNDS PREVIOUSLY ALLOCATED UNDER ORDINANCE 62533, DATED MARCH 20, 1986 COVERING PROGRAM YEARS JULY 1, 1986 TO JUNE 30, 1988, FOR ECONOMIC DEVELOPMENT USES TO SUPPORT A PROCUREMENT OUTREACH PROGRAM STAFF POSITION AND A MARKETING PROGRAM WITH VENTURE CAPITAL NETWORK OF TEXAS; AND TRANSFERRING FUNDS PREVIOUSLY ALLOCATED FOR RESEARCH DEVELOPMENT USES TO SUPPORT TWO (2) YOUTH PROGRAMS OPERATED BY EDGEWOOD ISD AND ALAMO AREA CCUNCIL OF GOVERNMENTS.

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Mr. Harrington made a motion to approve the proposed Ordinance. Mr. Webb seconded the motion.

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In response to a question by Mrs. Dutmer, Mr. Stuart Summers, Director of Economic and Employment Development, stated that this project will not adversely impact any present jobs training programs. He explained the financing methods involved.

In response to a question by Mr. Labatt, Mr. Summers explained so-called "venture capital network" and the match of the investors to the needs in order to create new jobs under this program. He further stated that the University Texas at San Antonio and the Greater San Antonio Chamber of Commerce both sponsor this program to attract new venture capital to San Antonio.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Vera, Harrington, Labatt; NAYS: None; ABSENT: Thompson, Hasslocher, Cisneros.

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87-04 The Clerk read the following Ordinance:

AN ORDINANCE 64,406

ACCEPTING THE HIGH BIDS RECEIVED IN CONNECTION WITH CITY FUNDS AVAILABLE FOR DEPOSIT IN INTEREST-BEARING CERTIFICATES OF DEPOSIT.

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Mrs. Dutmer made a motion to approve the proposed Ordinance. Mr. Harrington seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Vera, Harrington; NAYS: None; ABSENT: Thompson, Hasslocher, Cisneros; ABSTAIN: Labatt.

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87-04 The Clerk read the following Ordinance:

AN ORDINANCE 64,407

RESCINDING ORDINANCE NUMBER 60509 DATED APRIL 4, 1985. (RAYMOND L. CLAUSS)

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Mrs. Dutmer made a motion to approve the proposed Ordinance. Ms. Vera seconded the motion.

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After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Vera, Harrington, Labatt; NAYS: None; ABSENT: Thompson, Hasslocher, Cisneros.

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87-04 The Clerk read the following Ordinance:

AN ORDINANCE 64,408 .
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: RESCINDING ORDINANCE NUMBER 62050, DECEMBER 19,
1985. (ROBERT CALLAWAY CORPORATION)

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Mrs. Dutmer made a motion to approve the proposed Ordinance. Mr. Harrington seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Vera, Harrington, Labatt; NAYS: None; ABSENT: Thompson, Hasslocher, Cisneros.

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87-04 The Clerk read the following Resolution:

A RESOLUTION 87-04-01 .
: .
: ADOPTING LEGISLATIVE ISSUES FOR THE CITY OF SAN
ANTONIO STATE LEGISLATIVE PROGRAM.

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Mrs. Dutmer made a motion to approve the proposed Resolution. Mr. Harrington seconded the motion.

Mrs. Karen Kliever, Director of Intergovernmental Relations, explained several issues involved in the legislative program of the city and recommended certain city stance in each matter.

In response to a question by Mrs. Dutmer, Mrs. Kliever briefly discussed the city's stance on the matter of legislation for parking violations and highway funding.

Ms. Vera spoke of the possibility of imposing surcharges on traffic fines as other states presently do.

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Mrs. Kliever stated that she would research this matter and report back to the City Council.

In response to a question by Mr. Wing, Mrs. Kliever stated that the city will be seeking legislation to raise the maximum fines for illegal dumping.

Mr. Tom Finlay, Acting City Attorney, explained the city can do this if it does not violate state laws at the present time.

Mr. Wing asked that the Legal Department research this matter fully as to its possibility and probability and then report back to the City Council.

Mr. Hasslocher voiced his concern with municipal court judges dismissing charges against illegal dumpers and stated that he would like to have Mr. Wing's Municipal Court Committee set up a meeting between the City Councilmembers and Municipal Court judges on this matter. He then spoke to the matter of illegal dumping and the enforcement problems on Holbrook Road as well as the need for stiffer penalties for illegal dumpings.

Mr. Wing spoke to the difficulty of prosecuting illegal dumpers.

Mr. Finlay then addressed the matter of minimum fines on a variety of areas but stated that no minimum fines are enacted at present concerning zoning violations.

Ms. Vera stated that she would like to have legislative permission to impose surcharges on traffic fines as well as set up minimum fines on such things as dumping and other environmental matters.

A discussion then took place concerning the littering laws and how to prosecute such cases.

In response to a question by Mr. Thompson, Mrs. Kliever discussed possible prosecution of those identified as owners of the illegally dumped refuse.

After consideration, the motion, carrying with it the passage of the Resolution, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Vera, Harrington, Labatt, Hasslocher; NAYS: None; ABSENT: Thompson; ABSTAIN: Cisneros,

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87-04 Agenda Item #34 was temporarily bypassed at this time.
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87-04 The Clerk read the following Ordinance:

AN ORDINANCE 64,409

APPROVING A SETTLEMENT WITH TWO DEFENDANTS IN THE LITIGATION STYLED CITY OF SAN ANTONIO V. CLOW CORPORATION, ET AL, CAUSE NO. 82-CI-05377.

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Mr. Harrington made a motion to approve the proposed Ordinance. Ms. Vera seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Vera, Harrington, Labatt, Hasslocher; NAYS: None; ABSENT: Thompson, Cisneros.

87-04 The Clerk read the following Resolution:

A RESOLUTION 87-04-02

DIRECTING BEXAR COUNTY MENTAL HEALTH AND MENTAL RETARDATION TO COMPLY WITH THE TERMS OF THE CONTRACT FOR THE PUBLIC INEBRIATE INCARCERATION PROGRAM, GIVING ONE YEAR NOTICE TO TERMINATE THE CONTRACT, AND AUTHORIZING STAFF TO PURSUE ALTERNATIVES.

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Mrs. Dutmer made a motion to approve the proposed Resolution. Mr. Harrington seconded the motion.

Mrs. Karen Kliewer, Director of Intergovernmental Relations, stated that his program with Bexar County Mental Health/Mental Retardation began in 1984 in order to reduce the jail population in the Bexar County Jail. She spoke to the costs of the two contracts involved and stated that under terms of a proposed new contract from MHMR, the number of availale beds would be reduced from 85 to approximately 55. She also spoke to a number of other alleged discrepancies. She further stated that, in her opinion, this resolutin puts MHMR on notice to either comply with the existing contracts or face the possibility of having those contracts cancelled by the city. She then spoke to several alternatives available to the city.

After consideration, the motion, carrying with it the passage of the Resolution, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Vera, Harrington, Labatt, Hasslocher; NAYS:

None; ABSENT: None.

87-04

HISTORIC DISTRICTS AND LANDMARKS

Mayor Pro Tem Wing announced to the meeting that Agenda Item #4 dealing with an ordinance on Historic Districts and Landmarks as well as a Resolution for an incentive program had been removed from today's agenda and rescheduled for 2:00 P.M. on February 12th because of improper public notice of the matters.

Mrs. Berriozabal stated that she wants to be assured of this date for action on these matters is kept.

Mr. Louis J. Fox, City Manager, assured Mrs. Berriozabal that the matters will be on the City Council agenda of February 12th and he would have his office notify all concerned.

87-04 Agenda Item #34, being a proposed Ordinance amending the Management Memorandum Agreement of Employment was discussed.

Mr. Thompson made a motion to pull this item from the agenda in order that it might be discussed in Executive Session. Mr. Harrington seconded the motion.

Mr. Thompson stated that this is a very complex issue that the whole City Council needs to review this matter in Executive Session before it is acted upon.

Mr. Sam T. Alvarado, National Vice President, National Association of Government Employees, stated that he feels that a contract with the City Manager is illegal under current state law and he read the portion of the state law concerned. He stated that he personally feels that a contract with the City Manager would make him a public employee and that state law currently forbids from holding a contract with the city.

Mr. Martinez and Mrs. Berriozabal stated that they want a decision made on this after public debate today.

After discussion, the motion to postpone this item for discussion in Executive Session, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Vera, Harrington, Labatt, Hasslocher; NAYS: None; ABSENT: Cisneros.

Agenda Item #34 was postponed.

87-04 The City Council recessed at 3:44 P.M. for Executive Session, reconvening at 4:45 P.M. to resume the Regular Meeting.

87-04 UT HEALTH SCIENCE CENTER GRANT

Mayor Pro Tem Wing stated that Mayor Cisneros has called from Austin to inform members of the City Council that a \$15 million grant has just been given to the University of Texas Health Science Center at San Antonio.

87-04 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE - HUD GRANT APPLICATION FOR A SHELTER FOR THE HOMELESS

Mayor Pro Tem Wing declared the Public Hearing to be open.

No citizen appeared to speak.

Mayor Pro Tem Wing declared the Public Hearing to be closed.

The Clerk read the following Ordinance:

AN ORDINANCE 64,410

AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO HUD FOR \$49,000 TO ASSIST IN THE PROVISION OF SHELTER FOR THE HOMELESS.

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Mrs. Dutmer made a motion to approve the proposed Ordinance. Ms. Vera seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Webb, Dutmer, Wing, Thompson, Vera, Labatt; NAYS: None; ABSENT: Berriozabal, Martinez, Harrington, Hasslocher, Cisneros.

87-04 MANAGER'S REPORT - CONVENTION CENTER CONSTRUCTION

Mr. Marc Jahns, Assistant City Manager, distributed copies of a staff report to members of the City Council, (a copy of which is attached to the papers of this meeting). He noted that on December 12, 1986 the

Building Trades Council spoke to a number of problems they envisioned concerning the construction at the Convention Center. He noted that city staff fully appreciates their concern and spoke to number of problems of keeping the Convention Center open during the period of construction that thereby resulted in tight deadlines and the need to have the entire facility open in time for the National League of Cities Conference. Mr. Jahns stated that this all resulted in "fast-tracking" of engineering work and created a number of field alterations as a result. He noted that the city staff had in turn noted a number of concerns with the construction project as early as last spring and stated that the city has worked with all persons involved in this matter in order to correct these problems.

Mr. Frank Kiolbassas, Director of Environmental Management, and former Director of Public Works, spoke to the alleged problems or irregularities noted in the paper presented by Mr. Jahns. He then spoke to the five major areas of concern those being: 1. Wage and hour violations; 2. Workmanship problems; 3. Contractor performance; 4. Payments to the contractor; 5. Payment to the project manager.

Mr. Jahns then inumerated a four part action plan as spelled out by the staff following completion of its investigation. That four part action plan includes; 1. Complete the project; 2. A task force to revise contract documents and review procedures; 3. Changes in the wage and hour matters; 4. To continue using Project Management Consultants for large city projects in the future.

Mr. Bob Salvatorre, representing the Construction Trades Council, submitted to the City Council a series of nine recommendations, (a copy of which is included in the papers of this meeting).

Mr. Salvatorre feels that poor management is a fault at the convention center project and that the city report, in his opinion, is a "white wash". He then spoke to certain specifics that he feels were wrong and where the fault lies concerning the project manager in this matter. He stated further that he feels that some contractors were overpaid for their work compared to prevailing local wage rates but he agreed with part of the city staff report however he requested that they continue working with the city staff in order to help correct this project. Mr. Salvatorre stated that he feels city construction contracts need major revision. He also stated that he feels some applicable codes are in conflict. He spoke against hiring an outside project manager on major city projects and spoke to the need to have legal representation on projects as well. He stated further that he would like to have Bexar County residents used on at least 80% of such projects in the future and he inumerated the five points of recommendation as submitted by his group.

Mrs. Dutmer noted that charges of so-called overcharging were made against Mr. Peter Grojean and Walter P. Moore & Associates on this project and she stated further that she feels the news media needs to take note that such charges have been fully investigated and those involved have

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been cleared of any wrong doing. Mrs. Dutmer stated that she feels the city's construction contracts do need revision and she noted that the National League of Cities Convention put a large amount of pressure on all concerned to complete the Convention Center work in time for the NLC Convention.

A discussion then took place concerning wage rates paid on the Convention Center project.

In response to a question by Mrs. Dutmer, Mr. Tom Finlay, Acting City Attorney, stated that the city cannot discriminate against anyone on its bids.

Mrs. Dutmer stated that she had discussed the problem sustained by this particular contractor because of the halt in his work on the Ramada Inn project in Vista Verde South and the impact on the contractors work on the Convention Center as a result. She stated that she fully agrees with some of the recommended changes as being necessary however she feels that such deadlines such as the National League of Cities Convention also are somewhat involved in the problems sustained in this project.

Mr. Martinez stated that he feels that scheduling problems were not a valid excuse for problems associated with quality and workmanship on the Convention Center project.

A discussion of the impact of so-called "as built" drawings on existing building constructed during Hemisfair.

In response to a question by Mr. Martinez, Mr. Jahns stated that he feels that the management will complete the project to the city's satisfaction or the city will take appropriate action.

Mr. Martinez stated that he wants the nine points of concern raised by the Building Trades Council to be part of the city's final "punch list" before acceptance of the project.

A discussion then took place concerning the current status of the Convention Center project and lessons learned thus far.

A discussion also took place at this time concerning the possibility of disbaring contractors with whom the city has problems.

Mrs. Berriozabal stated that she supports the staff recommendations but she feels that the many downtown construction projects either underway or currently planned may cause future problems because of their sheer number. She further stated that she feels the city needs an overall coordinator for its downtown projects.

Mr. Louis J. Fox, City Manager, noted that Mr. Frank Perry, the Director of Downtown Initiatives is currently doing this and spoke to

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several downtown projects underway noting that Mr. Perry now is coordinating these projects.

In response to a question by Mrs. Berriozabal, Mr. Salvatore stated that the city, in his opinion, is paying more than the prevailing wage rate on certain "change orders" for the Convention Center project.

Mrs. Berriozabal stated that she feels the city can legally be selective in its hiring on such projects and she also stated that she feels that a City Council should be named to address the matter of possibly giving priority to local people on city projects.

Mr. Finlay stated that it is the city's legal opinion that it would be a violation of the competitive bidding procedures to give such priority however he agreed to look at the entire matter if the City Council wishes.

Mrs. Berriozabal noted that city, in her opinion, needs to look at what other cities are doing in this area.

In response to a question by Mr. Labatt, Mr. Kiolbassa discussed the major design changes in the Convention Center project that may have contributed to the overall project completion problems. He stated that the city has little control over subcontractors used on major projects.

A discussion then took place of the effect of mechanical contractors on the Convention Center project.

Mr. Wing stated that the city may need to be its own project manager on such projects in the future either that or a city inspection team should be assigned to fully monitor these projects.

Mrs. Dutmer discussed the need for a speedup in the Convention Center project because of the proximity of the National League of Cities meeting.

Mr. Harrington spoke to the need for some control over subcontractors including possibly making each meet bonding requirements of the major contractors on the project.

Mr. Jahns stated that a task force will begin to implement the city's recommendations in this matter immediately and he will inform the City Council on continued work on the project.

Mr. Fox stated that he would welcome a City Council committee to be appointed on this matter as well.

87-04UT HEALTH SCIENCE GRANT

Mr. Harrington noted that the City Council's funding for work on a new extension of Floyd Curl Drive last week played a major role in Mayor Cisneros' ability to help secure a \$15 million grant today for the UT Health Science Center.

87-04

CITIZENS TO BE HEARD

COALITION FOR TWO-WAY
EAST COMMERCE STREET

Mr. Abram Emerson spoke to the Council about their concern although Phase I has already been completed. Phase II has not yet been started and expressed concern that the city's decision was not honored by the State Highway Department. He asked the City Council to cut the budget of the Texas Highway Department.

Mr. T.C. Calvert also stressed that the citizens are concerned with Phase II of the Two-Way East Commerce Street project. Mr. Calvert stated that the taxpayers pay the salaries of the Texas Highway Department and they have been opposed to the every position which has not been taken by the citizens on the east side. He asked that city staff proceed with negotiations with the Texas Highway Department and that the east side can again have two-way traffic on East Commerce street.

In response to a question by Mr. Webb, Mr. David Steitle, Director of Public Works, stated that the city's resolution was presented to the City Water Board. They stated that the City Water Board could not act on this request until the Texas Highway Department and the city work out their differences. An improvise was reached and the concept itself was not agreed upon by the Highway Department. He then described what transpired after this decision was reached.

Mr. Louis J. Fox, City Manager, reiterated Mr. Steitle's statements and explained that the Texas Highway Department would not agree to this request. He suggested that the Council direct him to meet with Mr. Raymond Stotzer at the state level.

Mr. Webb stated that Mr. Fox did not really need additional direction to meet with Mr. Stotzer since the Council had already agreed to the concept.

Mr. Emerson stated that the City Water Board has agreed to the concept that the state has interfered with their objections.

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Mr. Fox explained the manner by which the state is involved.

Mr. Webb asked that the City Manager proceed in this fashion.

Mr. Clifton Hodge stated that the Chairman of the City Water Board had stated that the items has not brought to them for concurrence.

Mr. Steitle stated that the concept was approved by the City Council and was asked by the City Water Board to have the city meet with the Texas Highway Department to settle the differences.

Mr. Mike Zaccaria stated that if the City Water Board approves the plan there will be more clout with the state.

Mr. Webb stated that the plan will be presented to Mr. Stotzer.

Mrs. Dutmer spoke of her concern and her opposition to the two-way Commerce street plan. She stated that she has a statement by the City Water Board and also by Mr. Raymond Stotzer in opposition to the concept. She then spoke of the reasons why she is opposed to the plan.

Mr. T.C. Calvert stated that this is a compromise plan and it had already been presented to the Texas Highway Department. They approved the plan and then two months later stated that they were opposed to it.

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MR. BILL LEFFLER

Mr. Leffler expressed to the City Council his appreciation to the Council for a job well done. He thanked in particular Mr. Wing for his efforts which have provided the community with drainage, parks and and public improvements.

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MR. JOHN ROYAL

Mr. Wing stated tha Mr. Royal, representing the South Texas Ambulance Association, had appeared before the City/County Committee on a particular problem they have. He suggested that the EMS rates will have to be adjusted in order for private ambulance companies to compete.

Mr. Royal also spoke about the federal and state government setting rates based on EMS rates because they are the principal purveyors in Bexar County. He asked the City Council to make a policy decision to have EMS increase their rates. He explained the manner in which this could be accomplished and that this increse could impact favorably on the budget.

Mrs. Dutmer asked that the item be discussed at a future "B" session to get both perspectives.

Mr. Wing stated that city staff is not in favor of raising the fees their rationale for not increasing the fees.

Mr. Bill Donahue explained that the EMS collection rate is 60%. A policy decision will be required to raise the fees. The city's concern is that it will be disincentive for indigent people to call EMS.

Mrs. Dutmer then moved to have this item on a future "A" session. Mr. Hasslocher seconded the motion.

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MS. LILA LANDEZ

Ms. Landez spoke to the City Council about the damage to Jennings street by VIA buses. She stated that this street was meant to be a residential street not one to carry bus service. She stated that a contractor was hired to replace the sewer lines. She advised him that there were no sewer lines in the streets but one in the alley. She then described what had occurred reconstructing and repairing Jennings street. She stated that the sewers did not need to be replaced and then displayed to the Council samples of the existing sewer lines and the materials that are being used by the contractor which she states is not sub-standard.

Mr. Martinez asked Mr. Steite to investigate this matter since it is a joint city/VIA project and report in writing to all the points raised by Mrs. Landez.

Mr. Kiolbassa explained current policy on the replacement of the lines.

Mr. Steitle stated that he will be investigating the allegations made and will report back to the City Council in one week.

Mrs. Landez again reiterated her concerns with the manner in which the contractor is proceeding.

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 There being no further business to come before the City Council, the meeting was adjourned at 7:10 P.M.

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A P P R O V E D

Henry Cisneros
M A Y O R

ATTEST: *Anna S. Rodriguez*
C i t y C l e r k