

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO, HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, MARCH 15, 1990,

\* \* \* \*

The meeting was called to order by the Presiding Officer, Mayor Lila Cockrell, with the following members present: BERRIOZABAL, WEBB, DUTMER, WING, MARTINEZ, THOMPSON, VERA, WOLFF, LABATT, HASSLOCHER, COCKRELL. Absent: NONE.

90-12 The invocation was given by Reverend Dennis Darilek, St. Paul's Catholic Church.

90-12 The members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

90-12 ADAMS ELEMENTARY PARENT ENRICHMENT PROGRAM

Mayor Cockrell congratulated a group of parents representing the Parent Enrichment Program at Adams Elementary School, part of the Harlandale Independent School District "Communities In School Program", in which parents of schoolchildren are taking GED and ESL classes.

Mrs. Hardy, representing the group, spoke of the class activities, and thanked the Mayor and City Council for the welcome.

90-12 DEFENSE LANGUAGE SCHOOL STUDENTS

Mayor Cockrell welcomed a group of students from the English language program at the Defense Language School, Lackland Air Force Base, and asked that each student introduce themselves and identify their individual homeland.

90-12 CONSENT AGENDA

Mrs. Dutmer made a motion to approve Agenda Items 7 through 34, constituting the Consent Agenda, with Items 9, 11, 18, 20, 22, 29 and 34

to be pulled for individual consideration. Mr. Webb seconded the motion.

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

AN ORDINANCE 71,189 .

.  
ACCEPTING THE PROPOSAL OF STANDARD & POOR'S CORPORATION FOR A SUBSCRIPTION RENEWAL FOR REFERENCE MATERIAL FOR THE CITY OF SAN ANTONIO PUBLIC LIBRARY FOR A TOTAL OF \$8,178.00.

\* \* \* \*

AN ORDINANCE 71,190 .

.  
ACCEPTING THE PROPOSAL OF PRENTICE HALL INFORMATION SERVICES TO RENEW A SUBSCRIPTION FOR REFERENCE MATERIALS FOR THE CITY OF SAN ANTONIO PUBLIC LIBRARY FOR A TOTAL OF \$8,171.10.

\* \* \* \*

AN ORDINANCE 71,191 .

.  
ACCEPTING THE LOW QUALIFIED BIDS OF NORTHWEST RIVER SUPPLIES, B & B ENTERPRISES AND KNEUPPER FIRE AND RESCUE EQUIPMENT, INC., TO FURNISH THE CITY OF SAN ANTONIO WITH WATER SAFETY AND RESCUE EQUIPMENT FOR A TOTAL OF \$7,672.10.

\* \* \* \*

AN ORDINANCE 71,192 .

.  
ACCEPTING THE LOW QUALIFIED BID OF FIRST IMPRESSIONS FOR THE PRINTING OF THE HISTORY OF MARKET SQUARE BOOKLETS FOR THE CITY OF SAN ANTONIO MARKET SQUARE FOR A TOTAL OF \$6,090.40.

\* \* \* \*

AN ORDINANCE 71,193 .

.  
ACCEPTING THE LOW QUALIFIED BID OF MONTGOMERY ELEVATOR COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH AN ANNUAL CONTRACT FOR ELEVATOR MAINTENANCE AT

CITY HALL AND THE MAGNETIC PERIPHERALS BUILDING FOR  
A TOTAL OF APPROXIMATELY \$5,700.00 ANNUALLY.

\* \* \* \*

AN ORDINANCE 71,194 .

ACCEPTING THE LOW QUALIFIED BIDS OF ALAMO FORD NEW  
HOLLAND, INC., AND TEXAS EQUIPMENT COMPANY TO  
FURNISH THE CITY OF SAN ANTONIO PARKS AND RECREATION  
DEPARTMENT WITH A BRUSH CHIPPER AND CHEMICAL  
SPRAYERS FOR A TOTAL OF \$23,328.00.

\* \* \* \*

AN ORDINANCE 71,195 .

ACCEPTING THE LOW BIDS OF O. M. SCOTT & SONS  
COMPANY, TERRA INTERNATIONAL, INC., WILBUR ELLIS/  
TIDE DIVISION AND ESTES CHEMICAL, INC., TO FURNISH  
THE CITY OF SAN ANTONIO PARKS & RECREATION AND  
PUBLIC WORKS DEPARTMENTS WITH HERBICIDES FOR A TOTAL  
OF \$105,712.00.

\* \* \* \*

AN ORDINANCE 71,196 .

ACCEPTING THE LOW BID OF POLLOCK PAPER DISTRIBUTORS  
TO FURNISH THE CITY OF SAN ANTONIO CONVENTION CENTER  
WITH TOILET TISSUE FOR A TOTAL OF \$6,094.00.

\* \* \* \*

AN ORDINANCE 71,197 .

ACCEPTING THE PROPOSAL OF COMPUTER ASSOCIATES  
INTERNATIONAL TO FURNISH THE CITY OF SAN ANTONIO  
INFORMATION RESOURCES DEPARTMENT WITH A SECURITY  
SOFTWARE AGREEMENT FOR A TOTAL OF \$9,004.10.

\* \* \* \*

AN ORDINANCE 71,198 .

ACCEPTING THE LOW QUALIFIED BIDS OF SAN ANTONIO  
TRUCKS, SOUTHWAY FORD, GRANDE TRUCK CENTER, INC., TO  
FURNISH THE CITY OF SAN ANTONIO WITH LIGHT DUTY

TRUCKS FOR A TOTAL OF \$704,644.00.

\* \* \* \*

AN ORDINANCE 71,199 .

ACCEPTING A PROPOSAL FROM THE UNIVERSITY OF TEXAS AT SAN ANTONIO CENTER OF ARCHAEOLOGICAL RESEARCH TO CONDUCT PHASE I - HISTORICAL/ARCHIVAL RESEARCH FOR THE SAN ANTONIO MULTIPURPOSE DOME PROJECT IN THE AMOUNT OF \$96,283.00, FUNDED WITH VIA SALES TAX REVENUES; APPROPRIATING FUNDS AND AUTHORIZING EXECUTION OF A CONTRACT.

\* \* \* \*

AN ORDINANCE 71,200 .

ACCEPTING THE LOW, QUALIFIED BID OF LARIAT GENERAL CONTRACTORS, INC. IN THE AMOUNT OF \$43,200.00 FOR WORK TO BE PERFORMED AT THE VILLA CORONADO CHILDREN'S PLAYGROUND; ESTABLISHING A CONSTRUCTION CONTINGENCY IN THE AMOUNT OF CONSTRUCTION CONTINGENCY IN THE AMOUNT OF \$850.00; AUTHORIZING A CONTRACT; PROVIDING FOR PAYMENT; AND REVISING THE PROJECT BUDGET.

\* \* \* \*

AN ORDINANCE 71,201 .

AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$36,000.00 WITH LAMBDA CONSTRUCTION COMPANY FOR WORK IN CONNECTION WITH THE EISENHOWER PUBLIC WATER WELL PROJECT INVOLVING THE ADDITION OF A REVERSE OSMOSIS WATER TREATMENT SYSTEM, PUMP HOSE, CHAIN LINK FENCE, A WATER STORAGE TANK, AND NECESSARY TRENCHING AND PIPING; ESTABLISHING AN \$8,700.00 CONSTRUCTION CONTINGENCY; AUTHORIZING PAYMENT IN THE AMOUNT OF \$300.00 TO K.E.I., INC., FOR ENGINEERING SERVICES; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

\* \* \* \*

AN ORDINANCE 71,202 .

AUTHORIZING PAYMENT TO THE STATE DEPARTMENT OF

HIGHWAYS & PUBLIC TRANSPORTATION OF AN ADDITIONAL \$15,486.53 FOR THE CONSTRUCTION OF SIX ADDITIONAL DRIVEWAYS IN CONNECTION WITH THE HUEBNER-FREDERICKSBURG ROAD TO VANCE JACKSON PROJECT.

\* \* \* \*

AN ORDINANCE 71,203

ACCEPTING THE PROPOSAL OF SEGUIN & ASSOCIATES SURVEYING & MAPPING COMPANY FOR THE PROVISION OF CERTAIN SURVEY STAKING SERVICES IN CONNECTION WITH THE DESIGN OF HANDICAPPED ACCESSIBILITY MODIFICATIONS PLANNED FOR EMILIE AND ALBERT FRIEDRICH PARK; AUTHORIZING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$5,000.00; AND PROVIDING FOR PAYMENT.

\* \* \* \*

AN ORDINANCE 71,204

AMENDING THE PROFESSIONAL SERVICES CONTRACT WITH FISHER, HECK, IMBIMBO, ASSOCIATED ARCHITECTS AS AUTHORIZED PER ORDINANCE NO. 69838 PASSED JULY 20, 1989 SO AS TO PROVIDE FOR PAYMENT OF AN ADDITIONAL \$7,910.00 in ARCHITECTURAL FEES FOR COMPLETION OF BOTH DESIGN DEVELOPMENT AND CONTRACT DOCUMENTS; AND PROVIDING FOR PAYMENT. (EMILIE AND ALBERT FRIEDRICH PARK HANDICAPPED ACCESSIBILITY IMPROVEMENTS PROJECT)

\* \* \* \*

AN ORDINANCE 71,205

ACCEPTING THE PROPOSAL OF AND AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT WITH W. H. TOLLIVER COMPANY FOR THE AMOUNT OF \$5,520.00 TO RELOCATE A UTILITY POLE IN CONNECTION WITH THE GUADALUPE/CASTROVILLE ROAD FROM ALAZAN CREEK TO CUPPLES ROAD PROJECT; AND PROVIDING FOR PAYMENT.

\* \* \* \*

AN ORDINANCE 71,206

APPROVING A LEASE AGREEMENT WITH NEIGHBORHOOD HOUSING SERVICES OF SAN ANTONIO (NHS) FOR THE LEASE OF 1,056 SQUARE FEET OF OFFICE SPACE LOCATED AT 559 MORNINGVIEW STREET; AND AUTHORIZING THE CITY MANAGER

TO EXECUTE SAID LEASE AGREEMENT.

\* \* \* \*

AN ORDINANCE 71,207

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$12,218.77 OUT OF GENERAL OBLIGATIONS BONDS TO ACQUIRE TITLE TO TWO PARCELS AND PAYING FOR TITLE CHARGES IN CONNECTION WITH THE 36TH AND OLD HWY. 90 INTERSECTION IMPROVEMENTS PROJECT; ACCEPTING THE DEDICATION OF AN EASEMENT FOR ROAD PURPOSES AND GRANTING A RIGHT-OF-ENTRY IN CONNECTION WITH THE WIDENING OF BINZ-ENGLEMAN ROAD AT FORT SAM HOUSTON, TEXAS; AND ACCEPTING THREE DEDICATION DEEDS IN CONNECTION WITH EISENHAUER ROAD.

\* \* \* \*

AN ORDINANCE 71,208

ACCEPTING A RELEASE OF LEASE EXECUTED BY CARLTON J. MERTENS, DOING BUSINESS AS THE TEXAS CONNECTION, FOR THAT CERTAIN LEASE AUTHORIZED BY ORDINANCE 68902, PASSED AND APPROVED BY CITY COUNCIL ON FEBRUARY 23, 1989; AND AUTHORIZING A FIVE-YEAR LEASE AGREEMENT WITH JOHN H. ARISPE, DOING BUSINESS AS A LITTLE BIT OF TEXAS, FOR 398 SQUARE FEET OF SPACE LOCATED IN LA VILLITA BUILDING 16 FOR AN ANNUAL RENTAL OF \$3,042.71 FOR THE PURPOSE OF OPERATING A VISITOR INFORMATION SERVICE CENTER, SAID SPACE BEING FORMERLY OCCUPIED BY THE TEXAS CONNECTION.

\* \* \* \*

AN ORDINANCE 71,209

AUTHORIZING THE EXECUTION OF A THREE YEAR RENEWAL AND EXTENSION OF A LEASE AGREEMENT WITH STAACKE 1894, A TEXAS PARTNERSHIP, AS LESSOR, FOR THE CITY OF SAN ANTONIO, AS LESSEE, TO LEASE 247 SQUARE FEET OF OFFICE SPACE AND 150 SQUARE FEET OF RECEPTION SPACE AT THE STAACKE-STEVENS BUILDING LOCATED AT 315 EAST COMMERCE TO BE USED BY THE SAN ANTONIO LIBRARY FOUNDATION AT A FIRST YEAR MONTHLY RENTAL OF \$200.00.

\* \* \* \*

90-12 The Clerk read the following Ordinance:

AN ORDINANCE 71,210 .

.  
CANCELLING THE CONTRACT OF CASCO INDUSTRIES, INC.,  
TO FURNISH THE CITY OF SAN ANTONIO WITH FIRE HOSE  
AND AWARDING IT TO FIREQUIP, INC., FOR A TOTAL OF  
\$17,315.62.

\* \* \* \*

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

Mrs. Dutmer spoke of her concern for allowing a bidder to  
withdraw his bid after the bids have been opened.

Mr. Archie Titzman, Director of Purchasing and General Services,  
explained that the bidder in question had erred in making his bid  
tabulation and, therefore, could not perform for the price that he bid.

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

\* \* \* \*

- - -  
90-12 The Clerk read the following Ordinance:

AN ORDINANCE 71,211 .

.  
ACCEPTING THE LOW BID OF SOLIS GENERAL CONTRACTOR,  
INC., TO FURNISH THE CITY OF SAN ANTONIO  
ENVIRONMENTAL MANAGEMENT DEPARTMENT WITH A  
CANTILEVER GATE AT RILLING ROAD FOR A TOTAL OF  
\$3,038.00.

\* \* \* \*

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

In response to a question by Mrs. Dutmer, Ms. Mary Alice Garcia,  
Environmental Management Department, explained that, although the  
wastewater treatment plant in question is no longer in use, City employees  
are still at work there. She spoke to a number of incidents that have  
occurred at the plant recently, incidents that warrant security that will

be provided by this new gate. She noted that the plant still is being deactivated and stated that the site still is used by Solid waste-haulers from the southside, as well.

Mr. Hasslocher questioned the \$3,000 cost for the gate.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Labatt, Cockrell; NAYS: Hasslocher; ABSENT: Vera, Wolff.

90-12 The Clerk read the following Ordinance:

AN ORDINANCE 71,212

ACCEPTING THE PROPOSAL OF MOTOROLA COMMUNICATION AND ELECTRONICS, INC., TO FURNISH THE CITY OF SAN ANTONIO INFORMATION RESOURCES DEPARTMENT WITH MAINTENANCE OF MOBILE DIGITAL TERMINALS FOR A TOTAL OF \$59,220.00 FOR A PERIOD OF 12 MONTHS.

\* \* \* \*

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

In response to a question by Mr. Labatt, Mr. Archie Titzman, Director of Purchasing and General Services, explained the contract.

Mr. Wing noted that the City continues doing business with Motorola, while the Police Department, equipped with a Motorola communications system, continues having 'dead spots' around the City.

Mr. Titzman spoke of talks underway on solving those problems.

Mayor Cockrell asked for a staff report on the problem.

Mr. Titzman stated that staff would make that report.

In response to a question by Mr. Hasslocher, Mr. Frank Stromboe, Director of Information Resources, noted that the City has 335 mobile digital terminals in service at the present time.

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

None; ABSENT: Vera, Wolff.

90-12 The Clerk read the following Ordinance:

AN ORDINANCE 71,213

AUTHORIZING THE EXECUTION OF A CONTRACT WITH HUGHES ASSOCIATES, INC., IN AN AMOUNT NOT TO EXCEED \$10,000.00 TO PROVIDE LIFE SAFETY CONSULTANT SERVICES IN CONNECTION WITH THE MULTI-PURPOSE DOMED STADIUM FACILITY AND PROVIDING FOR PAYMENT.

\* \* \* \*

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

In response to a question by Mr. Labatt, Mr. Gene Camargo, Director of Building Inspections, noted that these "life safety consultant services" are being paid for by the VIA sales tax revenues.

Mrs. Dutmer spoke to the need for these services, in view of the close proximity of the Domed Stadium to Southern Pacific railroad tracks, on which dangerous cargoes often are carried.

Mr. Camargo explained plans for use of the consultants in this matter.

Mr. Thompson questioned why a design engineering firm doesn't do this work, in lieu of hiring consultants at a cost of some \$10,000.

Mr. Camargo explained that City staff needs the consultants' expertise in life safety matters in order to adequately enforce such things as the Building Code in Dome construction. He spoke to the need for rapid decisions by staff on construction matters during the building of the Domed Stadium.

A discussion then took place concerning the City's responsibilities in Dome construction.

Mr. Louis J. Fox, City Manager, spoke to instances of City liability in such matters.

Mr. Hasslocher spoke to the unusual nature of the Domed Stadium Project.

After consideration, the motion, carrying with the passage of the Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb,

Dutmer, Martinez, Thompson, Labatt, Hasslocher, Cockrell; NAYS: None;  
ABSENT: Wing, Vera, Wolff.

90-12 The Clerk read the following Ordinance:

AN ORDINANCE 71,214

AUTHORIZING AMENDMENT NO. 1 IN THE AMOUNT OF \$178,991.00 TO THE CONTRACT FOR PROFESSIONAL SERVICES FOR DESIGN SERVICES IN CONNECTION WITH THE MULTI-PURPOSE DOMED STADIUM FACILITY AUTHORIZED BY ORDINANCE NO. 69497 DATED MAY 18, 1989, TO PROVIDE DESIGN SERVICES FOR PHASE I - DEMOLITION OF EXISTING STRUCTURES IN THE DOMED SITE AREA; APPROPRIATING \$178,991.00 AND AUTHORIZING PAYMENT THEREOF IN CONNECTION WITH SAID AMENDMENT NO. 1, SUCH FUNDING TO BE PROVIDED WITH VIA SALES TAX REVENUES. (MARMON, BARCLAY, SOUTER, FOSTER, HAYS; W. E. SIMPSON; RABA-KISTNER).

\* \* \* \*

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

Mrs. Dutmer questioned the need for architectural services for demolition of buildings.

Mr. Roland Lozano, Director of the Dome Development Office, spoke to development of the plans and contract specifications to bid out demolition of the old Alamo Iron Works buildings. He then spoke to the complexity of the job.

Mrs. Dutmer stated her opinion that an architect is not needed for this.

In response to a question by Mr. Thompson, Mr. Lozano discussed plans for demolition of buildings and storage tanks on the new Domed Stadium site, and how costs for this design package were determined. He then spoke to major environmental issues to be addressed, including the matter of asbestos removal and contaminated soils.

In response to a question by Mr. Martinez, Mr. Lozano explained why this factor was not addressed when the contract was approved for the engineering design team.

Mrs. Dutmer stated her opinion that the project needs investigation, and noted that the City must stand behind any overruns on

project costs. She stated that she cannot support more fees for an architect on this project.

Mayor Cockrell noted that the costs will be paid for by VIA revenues.

In response to a question by Mrs. Dutmer, Mr. Lozano spoke to financing plans and project cost estimates, including the estimated \$6.2 million projected reserve.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Webb, Wing, Martinez, Thompson, Wolff, Labatt, Cockrell; NAYS: Berriozabal, Dutmer; ABSENT: Vera, Hasslocher.

- - -  
90-12 The Clerk read the following Ordinance:

AN ORDINANCE 71,215 .  
.  
.  
APPROPRIATING FUNDS BUDGETED IN THE AIRPORT CAPITAL  
IMPROVEMENT FUND IN THE AMOUNT OF \$200,000.00 FOR  
IMPLEMENTATION OF THE SECOND PHASE OF THE AVIATION  
DEPARTMENT COMPUTER SYSTEM.

\* \* \* \*

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

In response to a question by Mr. Labatt, Mr. Frank Stromboe, Director of Information Resources, briefly explained the Aviation Department's computer system and the enhancement to that system by addition of this second phase.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Wolff, Labatt, Cockrell; NAYS: Vera, Hasslocher.

- - -  
90-12 The Clerk read the following Ordinance:

AN ORDINANCE 71,216 .  
.  
.  
AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH  
THE MEXICAN AMERICAN UNITY COUNCIL, INC., FOR THE

CITY TO LEASE 7,067 SQUARE FEET OF SPACE AT THE MEXICAN AMERICAN UNITY COUNCIL CENTER LOCATED AT 2300 W. COMMERCE FOR USE BY THE BAZAN BRANCH OF THE PUBLIC LIBRARY AT A MONTHLY RENTAL OF \$4,240.20.

\* \* \* \*

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

In response to a question by Mr. Labatt, Mr. David Leamon, Library Director, spoke to the costs for this lease, noting that the 21-month contract will carry the City to construction of the new branch library that will replace these leased facilities.

A discussion then took place concerning the return to the library system from donation of property tax rollback checks by San Antonio citizens, a total estimated to reach some \$120,000. Mr. Leamon also spoke to future plans for support of volunteers for the library system.

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

- - -  
90-12 Agenda Item 35, being an invitation for bids to be accepted by the City Council for deposit of City funds in interest-bearing Certificates of Deposit, we removed earlier from consideration by the City Manager.

- - -  
90-12 The Clerk read the following Ordinance:

AN ORDINANCE 71,217

BANNING ALCOHOLIC BEVERAGES AND GLASS CONTAINERS AT DAWSON PARK LOCATED AT 2000 EAST COMMERCE STREET; BANNING ALCOHOLIC BEVERAGES AND GLASS CONTAINERS AT VILLA CORONADO PARK LOCATED AT 10420 RENOVA STREET; AND SETTING A FINE NOT TO EXCEED \$500 UPON CONVICTION OF ANY VIOLATION OF SAID BANS.

\* \* \* \*

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

Mrs. Dutmer spoke to problems experienced with certain persons in the use of Villa Coronado Park in the past.

Mr. Ron Darner, Director of Parks and Recreation, spoke to plans to counter some of these problems, including citizen reports of problems in the park and their notification of Park Rangers.

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

- - -  
90-12 The Clerk read the following Ordinance:

AN ORDINANCE 71,218 .

.  
AUTHORIZING PAYMENT TO THE U.S. CONFERENCE OF MAYORS  
IN THE AMOUNT OF \$10,450.00 FOR THE FY 1989-90 CITY  
OF SAN ANTONIO MEMBERSHIP DUES.

\* \* \* \*

Mrs. Dutmer made a motion to approve the proposed Ordinance. Mr. Webb 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, Wolff, Labatt, Cockrell; NAYS: None; ABSENT: Vera, Hasslocher.

- - -  
90-12 The Clerk read the following Ordinance:

AN ORDINANCE 71,219 .

.  
DESIGNATING S. MARCUS JAHNS AS THE SIGNATORY AGENT  
FOR THE CITY OF SAN ANTONIO TO MAKE APPLICATIONS FOR  
GRANT ASSISTANCE UNDER THE FEDERAL WATER POLLUTION  
CONTROL ACT AND THE RULES AND REGULATIONS PURSUANT  
THERE TO, AND TO SIGN THE ACCEPTANCE OF THE GRANT  
ASSISTANCE AND ANY OTHER NECESSARY DOCUMENTS TO  
COMPLETE THE PROJECT ON BEHALF OF THE CITY OF SAN  
ANTONIO.

\* \* \* \*

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

Labatt 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, Wolff, Labatt, Cockrell; NAYS: None; ABSENT: Vera, Hasslocher.

- - -  
90-12 Agenda Item 39, being a proposed ordinance to amend Ordinance No. 70280 passed and approved on September 21, 1989, which adopted a preliminary FY 1989-90 budget of the Alamo Conservation and Reuse District (ACRD); further approving the FY 1989-90 amended budget of the ACRD; approving rates for the sale of non-potable water and authorizing the ACRD to charge, bill and collect for the sale of non-potable water; amending Ordinance No. 70945 to clarify the entitlement and diversion rights of the City Public Service Board and the rights of future ACRD revenue bond holders, was pulled earlier from consideration by the City Manager.

- - -  
90-12 Agenda Item 40, being a proposed resolution approving and consenting to the application of the Alamo Conservation and Reuse District to the Texas Water Commission for a permit to install diversion facilities for wastewater on the Medina River to divert, utilize, treat and sell for reuse groundwater-based effluent discharged from the City's Leon Creek Treatment Plant, and instructing the City Attorney to take all actions necessary to support and obtain the approval and issuance of the permit, was pulled earlier from consideration by the City Manager.

Mayor Cockrell noted that this item was earlier removed from consideration by the City Manager so that further discussion of the matter could be held with City Public Service officials, and will be replaced on the Council agenda shortly.

- - -  
90-12 The Clerk read the following Ordinance:

AN ORDINANCE 71,220 .

.  
AUTHORIZING TICKET PRICE INCREASES AND  
DINNER/CHARTER BOAT RENTAL PRICE INCREASES TO BE  
CHARGED BY PDR BOATS COMPANY, INC., FOR BOAT AND  
BARGE SERVICES ON THE DOWNTOWN SAN ANTONIO RIVER;  
AND AMENDING THE CONTRACT WITH PDR BOATS COMPANY,  
INC., PASSED AND APPROVED ON MAY 12, 1988, AS  
ORDINANCE NO. 67109.

\* \* \* \*

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

In response to a question by Mrs. Dutmer, Mr. Ron Darner, Director of Parks and Recreation, explained the proposed increases in rates for river barges and boats, some of which have not changed since 1982.

A discussion then took place concerning charter and dinner boat tours.

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

- - -  
90-12 The Clerk read the following Ordinance:

AN ORDINANCE 71,221

APPOINTING MEMBERS TO SERVE ON THE AFFIRMATIVE ACTION ADVISORY COMMITTEE.

\* \* \* \*

Mr. Martinez made a motion to approve the 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, Wolff, Labatt, Cockrell; NAYS: None; ABSENT: Vera, Hasslocher.

- - -  
90-12 The Clerk read the following Ordinance:

AN ORDINANCE 71,222

APPOINTING MEMBERS TO SERVE ON THE AIRPORT ADVISORY COMMITTEE.

\* \* \* \*

Mr. Martinez made a motion to approve the proposed Ordinance.  
Mr. Thompson seconded the motion.

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

- - -  
90-12 The Clerk read the following Ordinance:

AN ORDINANCE 71,223

APPOINTING MEMBERS TO SERVE ON THE ANIMAL CONTROL  
ADVISORY BOARD.

\* \* \* \*

Mr. Martinez 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, Wolff, Cockrell; NAYS: None; ABSENT  
Vera, Labatt, Hasslocher.

- - -  
90-12 The Clerk read the following Ordinance:

AN ORDINANCE 71,224

APPOINTING MEMBERS TO SERVE ON THE BOARD OF  
ADJUSTMENT FOR TERMS OF OFFICE TO EXPIRE ON FEBRUARY  
22, 1992.

\* \* \* \*

Mr. Martinez made a motion to approve the proposed Ordinance.  
Mr. Thompson 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, Wolff, Cockrell; NAYS: None; ABSENT:

Vera, Labatt, Hasslocher.

90-12 The Clerk read the following Ordinance:

AN ORDINANCE 71,225

REAPPOINTING KENNETH WILLENBERG AND PABLO ESCAMILLA TO SERVE AS COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF SAN ANTONIO FOR TERMS OF OFFICE TO EXPIRE ON APRIL 6, 1992.

\* \* \* \*

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

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

90-12 The Clerk read the following Ordinance:

AN ORDINANCE 71,226

REAPPOINTING KEN GOE AND C.P. SCHUMANN TO SERVE ON THE INDUSTRIAL WASTEWATER REVIEW BOARD FOR TERMS OF OFFICE TO EXPIRE ON JANUARY 17, 1992.

\* \* \* \*

Mr. Martinez made a motion to approve the proposed Ordinance. Mr. Thompson seconded the motion.

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

90-12 The Clerk read the following Ordinance:

AN ORDINANCE 71,227

REAPPOINTING MEMBERS TO SERVE ON THE MECHANICAL BOARD OF APPEALS FOR TERMS OF OFFICE TO EXPIRE ON MARCH 20, 1992.

\* \* \* \*

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

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

90-12 The Clerk read the following Ordinance:

AN ORDINANCE 71,228

AMENDING ORDINANCE NO. 29561 PASSED ON JUNE 14, 1961, TO PROVIDE FOR TWO YEAR TERMS OF OFFICE FOR MEMBERS OF THE PARKS AND RECREATION BOARD AND APPOINTING MEMBERS TO SERVE ON THE BOARD.

\* \* \* \*

Mrs. Dutmer made a motion to approve the proposed Ordinance. Mr. Martinez 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, Wolff, Labatt, Cockrell; NAYS: None; ABSENT: Vera, Hasslocher.

90-12 The Clerk read the following Ordinance:

AN ORDINANCE 71,229

APPOINTING MEMBERS TO SERVE ON THE PLUMBING APPEALS AND ADVISORY BOARD FOR TERMS OF OFFICE TO EXPIRE ON MARCH 20, 1992.

\* \* \* \*

Mrs. Dutmer made a motion to approve the proposed Ordinance. Mr. Martinez 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, Cockrell; NAYS: None; ABSENT: Vera, Labatt, Hasslocher.

90-12 The Clerk read the following Ordinance:

AN ORDINANCE 71,230

APPOINTING MEMBERS TO SERVE ON THE TRANSPORTATION ADVISORY BOARD FOR TERMS OF OFFICE TO EXPIRE ON JANUARY 26, 1992.

\* \* \* \*

Mr. Martinez 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, Wolff, Labatt, Hasslocher, Cockrell; NAYS: None; ABSENT: Vera.

90-12 The Clerk read the following Ordinance:

AN ORDINANCE 71,231

APPOINTING MEMBERS TO SERVE ON THE 201 AREA WASTEWATER ADVISORY COMMITTEE FOR TERMS OF OFFICE TO EXPIRE ON MARCH 6, 1992.

\* \* \* \*

Mrs. Dutmer made a motion to approve the proposed Ordinance. Mr. Wing 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, Wolff, Labatt, Hasslocher, Cockrell; NAYS: None; ABSENT: Vera.

90-12 The Clerk read the following Ordinance:

AN ORDINANCE 71,232

APPOINTING ROBERT MCKINLEY TO SERVE ON THE SMALL AND  
MINORITY BUSINESS ADVOCACY ADVISORY COMMITTEE FOR A  
TERM OF OFFICE TO EXPIRE ON NOVEMBER 20, 1990.

\* \* \* \*

Mrs. Dutmer made a motion to approve the proposed Ordinance. Mr. Haslocher 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, Wolff, Labatt, Hasslocher, Cockrell; NAYS: None; ABSENT: Vera.

90-12 The Clerk read the following Ordinance:

AN ORDINANCE 71,233

REAPPOINTING TIM HATHAWAY TO SERVE ON THE CABLE  
TELEVISION ADVISORY COMMITTEE FOR A TERM OF OFFICE  
TO EXPIRE ON DECEMBER 31, 1991.

\* \* \* \*

Mrs. Dutmer made a motion to approve the proposed Ordinance. Mr. Wing 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, Wolff, Labatt, Hasslocher, Cockrell; NAYS: None; ABSENT: Vera.

90-12 The Clerk read the following Ordinance:

AN ORDINANCE 71,234

APPOINTING OLIVIA BURDIN TO SERVE ON THE KEEP SAN  
ANTONIO/BEXAR COUNTY BEAUTIFUL COMMITTEE FOR A TERM  
OF OFFICE TO EXPIRE ON DECEMBER 22, 1991.

\* \* \* \*

Mrs. Dutmer made a motion to approve the proposed Ordinance. Mr. Wing 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, Wolff, Labatt, Hasslocher, Cockrell; NAYS: None; ABSENT: Vera.

ZONING HEARINGS

43. CASE Z90023 - to rezone a 5.396 acre tract of land out of Block 2, NCB 14159 from "B-1" Business District to "B-2" Business District, Southwest corner of Glen Ridge Drive and La Cima Drive located southwest of the intersection of Glen Ridge Drive and La Cima Drive, having 318.0 feet on Glen Ridge Drive and 644.0 feet on La Cima Drive.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

Mr. Wolff made a motion to approve the recommendation of the Zoning Commission. Mr. Labatt seconded the motion.

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

AN ORDINANCE 71,235

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSITITUATES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREING AS A 5.396 ACRE TRACT OF LAND OUT OF BLOCK 2, NCB 14159 FROM "B-1" BUSINESS DISTRICT TO "B-2" BUSINESS DISTRICT AT SOUTHWEST CORNER OF GLEN RIDGE DRIVE AND LA CIMA DRIVE. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

\* \* \* \*

90-12 The Clerk read the following Resolution:

A RESOLUTION NO. 90-12-09

BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO

ACKNOWLEDGING THE NEED FOR AN ACCURATE 1990 CENSUS COUNT AND URGING THE PRESIDENT OF THE UNITED STATES AND THE ATTORNEY GENERAL TO DIRECT THE COMMISSIONER OF THE IMMIGRATION AND NATURALIZATION SERVICE TO IMPLEMENT A MORATORIUM ON UNNECESSARY ENFORCEMENT EFFORTS AND TO INSTITUTE AFFIRMATIVE EFFORTS IN SUPPORT OF THE 1990 CENSUS.

\* \* \* \*

Ms. Berriozabal made a motion to approve the proposed Resolution. Mr. Martinez seconded the motion.

Ms. Berriozabal briefly explained the proposed Resolution dealing with a correct count in the upcoming 1990 federal census effort.

Mr. Martinez addressed the need for a complete census count and addressed the adverse impact of an incomplete count, including loss of federal aid dollars to San Antonio. He then spoke to Texas' loss of a large amount of federal aid dollars as a result of an incomplete census count in 1980.

Mrs. Dutmer voiced her concern with certain wording in the proposed Resolution that might be asking federal officials to break the law, and thus, she will not support the Resolution as written.

At this point, the three co-chairpersons for the Complete Count Committee were introduced, those being Ms. Judith Sanders-Castro, Mr. Manuel Reyes, and Mr. Bill Wallace.

Ms. Castro stated her opinion that the proposed Resolution is not asking federal law enforcement officials to disregard the law but only asking that they hold back in some areas of their enforcement because some persons fear retribution from law enforcement officials as a result of participation in the census. She spoke to the need for a complete census count of everyone in San Antonio in order to bring in more federal dollars to aid in many areas, and noted that some 80 federal entitlement programs are based upon census counts.

Mr. Reyes, representing the League of United Latin American Citizens (LULAC), spoke of his organization's efforts for a complete count and in support of a moratorium to enhance the complete census count.

Mr. Wallace spoke in support of a complete census count to benefit San Antonio.

Ms. Berriozabal noted that the push for a complete census count is bipartisan in nature, politically, and spoke of the census count's impact upon Community Development Block Grant funding.

Mrs. Dutmer stated that she supports a complete count, but cannot ask for "un-enforcement" of the laws.

Mr. Wolff explained the tenor of the request that participation in the census not be used to harass people, and spoke of his concerns because the government has accumulated large amounts of data on every citizen of the United States.

Mr. Webb addressed the under-count of persons in Texas in 1980 by some two million persons and its subsequent adverse impact upon the state.

A discussion then took place concerning the fact that citizenship is not a factor in the census count, according to the United States Constitution.

Mr. Labatt stated his opinion that the proposed Resolution only is asking officials to hold off on any unnecessary enforcement, not asking them to disregard the law.

Mrs. Dutmer spoke to the illegal nature of persons entering the United States without permission, and noted that she only has problems with one section of the proposed Resolution.

Mayor Cockrell spoke in support of the Resolution to insure that a correct census count of everyone in the United States takes place on April 1.

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

- - -  
90-12 The Clerk read the following Resolution:

A RESOLUTION NO. 90-12-10 .

.  
: .  
: .  
AUTHORIZING EARLY REDEMPTION OF CERTAIN CITY OF SAN ANTONIO, TEXAS, WATER SYSTEM REVENUE REFUNDING BONDS, SERIES 1980, AND DECLARING AN EMERGENCY.

\* \* \* \*

Mr. Hasslocher made a motion to approve the proposed Resolution. Mr. Labatt seconded the motion.

In response to a question by Mrs. Dutmer, Mr. Ralph Huber, Comptroller, City Water Board, explained the need for the emergency provision in the Resolution, in the interests of time in redeeming these

bonds.

Mrs. Dutmer spoke in objection to last-minute so-called "emergency" requests when, in fact, no emergency exists.

In response to a question by Mr. Martinez, Mr. Huber spoke of the benefits of redeeming these old bonds, noting that it will save some \$3.5 millions in interest costs. He then spoke briefly to settlement of the plastic pipe matter.

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

90-12 The Clerk read the following Ordinance:

AN ORDINANCE 71,236

OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS NOMINATING AN AREA CONTIGUOUS TO THE EXISTING EASTSIDE ENTERPRISE ZONE, TO BE INCLUDED IN THE ZONE, THUS AMENDING THE EXISTING ZONE, PURSUANT TO THE TEXAS ENTERPRISE ZONE ACT (TEXAS CIVIL STATUTES, ARTICLE 5190.7); PROVIDING CURRENT INCENTIVES OF EXISTING ZONE TO THE ADDITIONAL AREA; DESIGNATING AN AUTHORIZED REPRESENTATIVE TO ACT IN ALL MATTERS PERTAINING TO THE NOMINATION AND DESIGNATION OF THE AREA DESCRIBED HEREIN AS AN ENTERPRISE ZONE AND ITS EXPANSION; FURTHER DESIGNATING A LIAISON TO ACT ON ALL MATTERS PERTAINING TO THE ENTERPRISE ZONE ONCE AMENDMENT IS DESIGNATED BY THE TEXAS DEPARTMENT OF COMMERCE; AND AUTHORIZING THE SUBMISSION OF AN APPLIATION TO THE TEXAS DEPARTMENT OF COMMERCE FOR APPROVAL OF SAID EXPANSION OF THE EASTSIDE ENTERPRISE ZONE.

\* \* \* \*

Ms. Claudia Mora, Department of Economic and Employment Development, explained the planned expansion of the East Side Enterprise Zone.

Mayor Cockrell then declared the Public Hearing to be open.

Mr. Mack Chambers, representing the Eastside Economic Development Council, spoke in support of expansion plans for the East Side Enterprise Zone to promote new development in the area.

Mr. Stuart Summers, Director of DEED, spoke of the support for this proposed action by area organizations.

There being no further citizens to be heard on this matter, Mayor Cockrell declared the Public Hearing to be closed.

Mrs. Dutmer made a motion to approve the proposed Ordinance, provided that letters of endorsement submitted in this case are made a part of the official record. Mr. Thompson 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, Thompson, Vera, Labatt, Cockrell; NAYS: None; ABSENT: Martinez, Wolff, Hasslocher.

90-12 The Clerk read the following Ordinance:

AN ORDINANCE 71,237

ACCEPTING THE LOW QUALIFIED BID OF O'KRENT FLOOR COVERING CORPORATION TO FURNISH THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH CARPETING FOR THE MCFARLIN TENNIS CENTER PRO-SHOP FOR A TOTAL OF \$7,688.00.

\* \* \* \*

Mrs. Dutmer made a motion to approve the proposed Ordinance. Mr. Wing 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, Thompson, Vera, Labatt, Cockrell; NAYS: None; ABSENT: Martinez, Wolff, Hasslocher.

90-12 A proposal by Mr. Bert Foreman to acquire Urban Renewal Property in Rosedale Park Area for Nursing Home Development was taken up for discussion only at this time.

ITEM NO. 48 PROPOSED NURSING HOME DEVELOPMENT

Ms. Berriozabal briefly outlined the history of this proposed use of City-owned land for a nursing home to be located at McMullen Drive and West Martin Street. She noted that Communities Organized for Public

Service (COPS) supports the project that would utilize a neglected parcel of city-owned property, left over from development of Rosedale park. She addressed the dilemma of allowing a private citizen to construct a nursing home on city property, and asked that the City Council direct the proper City staff to work with the developer in question as well as all other appropriate agencies in order to solve the problem. She further noted that the City Attorney has problems with the recommendations of the San Antonio Development Agency concerning this matter.

Mr. Wolff noted that the City has been unsuccessful in selling this property at its appraised value, and spoke to meetings held recently on this matter and the City Attorney's reluctance to allow private development of City property.

Mr. Summers spoke to the possibility that something can be worked out, legally, on this issue, perhaps using the San Antonio Health Facilities Development Corporation. He stated that he could report back to the City Council next week, after having met with the developer.

Mr. Bert Foreman, representing La Posada Health Care Center, spoke to the need to move on this matter soon, but stated that he would be willing to meet with City staff to discuss it. He thanked City staff who worked on this matter, and briefly addressed details of the proposed \$2.5 million nursing home project, speaking to its advantages to both the neighborhood and the Edgewood Independent School District.

Ms. Lillie Lopez, COPS, spoke of the need for this project in the neighborhood.

Mr. Thompson spoke in support of the project as a neighborhood asset.

Mr. Bill Toudouze, Real Estate Manager, Public Works Department, noted that the law requires competitive bidding for sale of public property.

Mr. Lloyd Garza, City Attorney, addressed several areas he perceives as stumbling-blocks to settlement of this case.

Ms. Berriozabal addressed problems involved in negotiations with several city entities.

Mr. Louis J. Fox, City Manager, stated that Mr. Summers would be the City staff member in charge of coordinating efforts in this matter.

Mrs. Dutmer spoke in support of the project, but voiced her concern with possibly circumventing the law and the problems that could result.

Mr. Wolff spoke to the need for ingenuity in order to solve this

problem.

90-12

CITY MANAGER'S REPORT:

ENVIRONMENTAL MANAGEMENT INVESTIGATION

Mr. Louis J. Fox, City Manager, distributed to members of the City Council a brief handout concerning his proposals relative to investigation of actions within the Environmental Management Department, a copy of which is made a part of the papers of this meeting. He then addressed certain allegations and spoke to the status of the investigation of the department and his plans to deal with the issue.

In response to a question from Mayor Cockrell, Mr. Fox stated that those items which are not of interest to the District Attorney will be addressed through the City's Office of Municipal Integrity. He stated that he sees these matters as items of a "management-type" nature.

Mayor Cockrell expressed her concern that City employees will be required to testify before two separate investigating teams. She stated that she has met with the District Attorney and his two assistants handling this matter, and stated that it was her understanding that they were going to handle the matter in its entirety. She stated her belief that it is best that the investigation be handled by an outside agency, and noted that the office of the District Attorney is the primary agency, conducting the investigation. She also suggested that perhaps outside persons be invited to work with the Administrative Staff Team in an effort to achieve beneficial results.

Mrs. Dutmer stated that she feels certain that a thorough investigation will show no wrong doing.

In response to a question by Mr. Wolff, Mr. Fox stated that Ralph Andersen and Associates will be conducting a search for an Environmental Management Director, and stated his confidence that the City is within 30 days of employing someone. He also announced that the solid waste function of the Environmental Management Department has been transferred to the Public Works Department.

Mr. Wolff moved that City staff be directed to add two other persons from the community to each of the proposed two teams being formed, the Administrative Staff Team and the Professional Services and Construction Contract Staff Team. Ms. Berriozabal seconded the motion.

Mr. Hasslocher voiced his concern for premature leaks of information to the news media in connection with this matter, and addressed certain problems found at the Dos Rios Wastewater Treatment Plant during a visit there by several Council members in January of last

year. He discussed his perception of the root of certain problems, including salary scales, and offered several examples, including laboratory testing, and addressed the need for position action in this matter.

Mr. Thompson addressed his feeling that the department needs to be restructured, and of the need to minimize the City's losses in this matter. He spoke in support of the City Manager's team-concept in looking over the problems.

A discussion then took place concerning certain problems experienced in Environmental Management matters and staff plans to correct them.

Discussion also took place concerning the possibility of withholding certain background data on Council agenda items until they are under consideration at the City Council meetings.

Ms. Berriozabal briefly reviewed the history of the entire matter and expressed her need for staff briefings. She then spoke to leaks to the news media from within City staff, in her opinion.

In response to a question by Mayor Cockrell, City Attorney Lloyd Garza addressed certain legal issues involved in this matter, and stated his opinion that City staff information given to the City Council members should properly be channelled to the Office of Municipal Integrity. He spoke to the correlation of the ongoing criminal investigation and City staff action to be taken to resolve the problems, and noted that the City must not violate the integrity of the District Attorney's investigation.

Ms. Vera stated her opinion that the District Attorney needs direct access to witnesses, without going through the Office of Municipal Integrity, and she also spoke in favor of more outside participation on the city's proposed two Teams. She spoke to the need for the City to review its own internal procedures, and asked to have Council given frequent reports from the two Teams involved.

Mr. Fox stated that he would insure that this is done, and noted that the City's own investigation predated any news media revelations on this issue.

Mrs. Dutmer stated her belief that City staff did not follow correct procedures in this entire matter and voiced her concern that someone leaked information to the news media. She further stated her belief that some persons outside the City government are not qualified to serve on either of the City's proposed two Teams.

Mr. Martinez state his belief that the matter is in the proper hands, and that City staff may have to look at its own procedures. He spoke to his own concerns with allowing private-sector persons to have

administrative approval over all contracts, etc. in this area, and stated his belief that the City must rely on the technical expertise of professional City staff.

Mr. Labatt stated that he would like to request that the maker and seconder of the pending motion accept a friendly amendment that would (1) allow two persons outside City government to serve on the Administrative Staff Team only; and (2) that these two persons be named by the Mayor.

Following discussion, Mr. Wolff made a motion to accept the friendly amendment as outlined above. Ms. Berriozabal seconded the motion.

Mr. Labatt spoke to certain needs, including better staffing and salary structure in the Environmental Management Department.

Mr. Hasslocher addressed the two issues involved.

Mrs. Dutmer spoke against the plan to add two persons from outside City government to the Administrative Staff Team, noting that the City Council sets City policy and the City Manager carries out that policy.

After consideration, the motion, prevailed by the following vote: AYES: Berrizoabal, Webb, Dutmer, Martinez, Thompson, Vera, Wolff, Labatt, Hasslocher, Cockrell; NAYS: Dutmer; ABSENT: Wing.

The Council recessed it's "A" Session and convened its "B" Session at 5:10 P.M., reconvening in "A" Session at 6:00 P.M.

90-12

CITIZENS TO BE HEARD

MR. TOM CULBERTSON

Mr. Tom Culbertson, read a prepared statement to the City Council, a copy of which is on file with the papers of this meeting. He also read a few quotations from the report of the Technical Advisory Panel instituted by the State Legislature. Mr. Culbertson also distributed a copy of a letter he sent to Mr. Kenneth G. Ikels and members of the Edwards Underground Water District dated March 13, 1990. A copy of this letter is also on file with the papers of this meeting.

March 2, 1990

Honorable Mayor and Members of the City Council of the City of San Antonio

The following petition was received in my office and forwarded to the City Manager for investigation and report to the City Council.

March 1, 1990

Petition submitted by Mr. Tereso M. Castillo, requesting approval for 12 - 15 additional taxi cab permits.

\* \* \* \*

/s/ Norma S. Rodriguez  
City Clerk

- - -  
There being no further business to come before the Council the meeting adjourned at 6:10 P.M.  
- - -

A P P R O V E D

*Lila Cockrell*

M A Y O R

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

March 15, 1990  
jd/alh

