

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, FEBRUARY 7, 1991.

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The meeting was called to order by Mayor Pro Tem Wing, with the following members present: BERRIOZABAL, WEBB, DUIMER, WING, MARTINEZ, THOMPSON, VERA, WOLFF, LABATT, HASSLOCHER; Absent: COCKRELL.

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91-06 Invocation - Reverend Adolfo Valdivia, St. Lawrence's Catholic Church.

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91-06 DESERT STORM FAMILIES

At the request of Councilman Thompson, District 6, members of 12 District 6 families with loved ones and relatives in the Persian Gulf conflict stepped forward and led the Council and audience in the Pledge of Allegiance to the flag of the United States.

Mr. Thompson then formally introduced those family members present, and presented each with special yellow ribbons and Citations, in addition to balloons for the children present. Those servicemen and servicewomen include: Michael Dunagan, Ruben Escamilla, Jr., John Gordon Kruitof, Ray Edward Kruitof, Earl John Lopez, Roland Lopez, Baldo Lozano, Jr., Patricia Reyes, Terrence Rodgers, Joan Rodriguez, Robert Valadez, and Edward Zavala.

Representatives of the group then distributed to Council Members special "prayer bracelets".

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(At this point, Mayor Cockrell arrived to preside.)

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91-06 DR. DAMASO OLIVA

Mayor Cockrell spoke of Dr. Oliva's many civic activities, including his service as a member and chairman of the Small and Minority

ANTONIO WASTEWATER MANAGEMENT DEPARTMENT WITH GAS MONITORS FOR A TOTAL OF \$8,383.60.

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AN ORDINANCE 73,016 .

.
ACCEPTING THE LOW QUALIFIED BID OF NEEL ASSOCIATES, INC. TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH A RESCUE TOOL FOR A TOTAL OF \$8,643.00.

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AN ORDINANCE 73,017 .

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ACCEPTING THE LOW BID OF B&M MATTRESS COMPANY TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH MATTRESSES AND BOX SPRINGS FOR A TOTAL OF \$5,600.00.

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AN ORDINANCE 73,018 .

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ACCEPTING THE LOW QUALIFIED BID OF GENERAL MEDICAL TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH NON-BREATHING MASKS FOR A TOTAL OF \$3,965.00.

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AN ORDINANCE 73,019 .

.
ACCEPTING THE LOW QUALIFIED BID OF MESA, INC. TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH BACK SUPPORT BELTS FOR A TOTAL OF \$8,750.00.

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AN ORDINANCE 73,020 .

.
ACCEPTING THE LOW BID OF COLLINS AMBULANCE SALES AND SERVICE FOR THE TRANSFER AND REFURBISHING OF EIGHT MODULAR AMBULANCE BODIES FOR THE CITY OF SAN ANTONIO FIRE DEPARTMENT FOR A TOTAL OF \$300,800.00.

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AN ORDINANCE 73,021 .

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ACCEPTING THE LOW BID OF SOUTHERN AMBULANCE BUILDERS TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH MODULAR TYPE AMBULANCES FOR A TOTAL OF \$176,082.00.

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AN ORDINANCE 73,022

ACCEPTING THE LOW BID OF PIERCE MFG., INC. TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH AN AERIAL LADDER TRUCK FOR A TOTAL OF \$385,000.00.

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AN ORDINANCE 73,023

ACCEPTING THE LOW QUALIFIED BIDS OF GOODYEAR TRUCK TIRE CENTER AND GENERAL TIRE SERVICE TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH EMERGENCY VEHICLE TIRES ON AN ANNUAL CONTRACT BASIS FOR A TOTAL OF APPROXIMATELY \$9,000.00.

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AN ORDINANCE 73,024

ACCEPTING THE LOW QUALIFIED BID OF CALLAGHAN BUSINESS MACHINES COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH TYPEWRITERS ON A CONTRACT BASIS FOR A TOTAL OF APPROXIMATELY \$19,413.00.

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AN ORDINANCE 73,025

ACCEPTING THE PROPOSAL OF BERRY COMPUTER, INC. TO FURNISH THE CITY OF SAN ANTONIO INFORMATION RESOURCES DEPARTMENT WITH A MAINFRAME COMPUTER AND MEMORY FOR A TOTAL OF \$45,000.00.

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AN ORDINANCE 73,026

ACCEPTING THE PROPOSAL OF HEWLETT-PACKARD TO RENEW THE PLOTTER MAINTENANCE AGREEMENT FOR THE CITY OF SAN ANTONIO INFORMATION RESOURCES DEPARTMENT FOR A TOTAL OF \$3,012.00.

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AN ORDINANCE 73,027

ACCEPTING THE LOW QUALIFIED BIDS OF NATIONAL BUSINESS PRODUCTS, OFFICE PAVILION CORPORATION, BUSINESS WORLD, WILSON BUSINESS PRODUCTS, AND WITTIGS OFFICE PRODUCTS TO FURNISH THE CITY OF SAN ANTONIO HUMAN RESOURCES DEPARTMENT WITH OFFICE FURNITURE FOR A TOTAL OF \$8,817.51

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AN ORDINANCE 73,028

AMENDING THE EXISTING PROFESSIONAL SERVICES CONTRACT WITH GALBRAITH ENGINEERING CONSULTANTS, INC. BY ACCEPTING AN ADDITIONAL PROPOSAL IN THE AMOUNT OF \$15,897.50 TO PROVIDE THE NECESSARY ENGINEERING DESIGN AND CONSTRUCTION SUPERVISION SERVICES RELATED TO THE SALTILLO/ELMENDORF STREET PROJECT; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 73,029

ACCEPTING THE PROPOSAL OF PHELTS, GARZA, BOMBERGER, ARCHITECTS AND PLANNERS, IN THE AMOUNT OF \$5,222.40 TO PROVIDE BID DOCUMENTS AND FIELD OBSERVATIONS IN CONNECTION WITH THE MUNICIPAL AUDITORIUM WATER INFILTRATION PROJECT; AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 73,030

RATIFYING WORK, AND APPROVING AND AUTHORIZING THE EXECUTION OF FIELD ALTERATION NO. 8 IN THE AMOUNT OF \$51,708.81 TO THE CONTRACT WITH S. A. WINCO, INC., TO CONSTRUCT THE BEL MEADE SEWER REHABILITATION PROJECT; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 73,031

ACCEPTING THE PROPOSAL OF PAUL R. W. KNIESTEDT IN THE AMOUNT OF \$3,000.00 TO PROVIDE CONSTRUCTION CLAIMS INVESTIGATION RELATED TO THE ELDRIDGE DRAINAGE PROJECT NO. 61 L, M, AND N; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 73,032

AUTHORIZING PAYMENT IN THE AMOUNT OF \$4,253.69 FOR TITLE CHARGES ON PACIFIC DRAINAGE PROJECT #66, PHASE II-B, DRIFTWOOD DRAINAGE #39 B-F SOUTH, NOGALITOS STREET - BIGFOOT TO FURNISH, BABCOCK ROAD - FREDERICKSBURG ROAD TO ST. CLOUD, BITTERS ROAD - WEST AVENUE TO TREASURE TRAIL, BULVERDE ROAD - NACOGDOCHES TO PERRIN BETTEL; AND APPRAISAL FEES ON PINN ROAD RECONSTRUCTION - WEST COMMERCE ST. TO U. S. 90 WEST; AND APPROPRIATING FUNDS.

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AN ORDINANCE 73,033

AUTHORIZING A LICENSE AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND MAURY M. HUEY, JR. FOR THE INSTALLATION OF A COMMERCIAL (RESTAURANT) SIGN ON CITY RIGHT-OF-WAY, AT THE GENERAL LOCATION OF SAN PEDRO AVENUE AND OBLATE DRIVE.

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AN ORDINANCE 73,034

APPROVING A 25 YEAR LICENSE AGREEMENT FOR A FEE OF \$10.00 BETWEEN THE CITY OF SAN ANTONIO AND GENEVIEVE L. CARNESI WALKER, TO ENCROACH ON CITY RIGHT-OF-WAY, BEING SOUTH FLORES STREET, FOR THE PURPOSE OF INSTALLING A CANOPY.

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AN ORDINANCE 73,035

ACCEPTING (1) A QUITCLAIM DEED OF 0/15 OF ONE ACRE IN NEW CITY BLOCK 403, BEING PART OF THE SAN ANTONIO RIVERWALK, FROM NCNB TEXAS NATIONAL BANK (ASSIGNEE FOR FDIC AS RECEIVER OF FIRST REPUBLICBANK SAN ANTONIO, N. A., FORMERLY KNOWN AS REPUBLICBANK SAN ANTONIO, N. A. AND OF FIRST REPUBLICBANK DALLAS, N. A.) AND (2) A GRANT OF PERMANENT INGRESS AND EGRESS EASEMENT TO THE RIVERWALK FROM BOTH TRAVIS AND HOUSTON STREETS IN NEW CITY BLOCK 403, ALSO FROM SAID BANK, FOR THE PURPOSE OF REPLACING CERTAIN PUBLIC EASEMENTS ABANDONED BY THE CITY OF SAN ANTONIO DURING CONSTRUCTION AND DEVELOPMENT OF THE FIRST REPUBLICBANK PLAZA, NOW KNOWN AS THE FIRST REPUBLIC OF TEXAS PLAZA.

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AN ORDINANCE 73,036

APPROVING THE PRICE, TERMS AND CONDITIONS OF SALE BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF A CERTAIN SINGLE-FAMILY RESIDENTIAL LOT LOCATED WITHIN THE SELECT HOUSING TARGET AREA (SHTA) 26 COMMUNITY DEVELOPMENT PROJECT.

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AN ORDINANCE 73,037

AUTHORIZING THE RENEWAL AND EXTENSION OF AN EXISTING LEASE AGREEMENT WITH STAACKE 1894, A TEXAS PARTNERSHIP, FOR 2,223 SQUARE FEET OF OFFICE SPACE AT A RENTAL OF \$1,556.10 PER MONTH FOR A TERM OF SIX (6) MONTHS IN THE STAACKE-STEVENS BUILDING, 315 EAST COMMERCE, FOR USE BY THE DEPARTMENT OF ARTS AND CULTURAL AFFAIRS.

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AN ORDINANCE 73,038

AMENDING ORDINANCE NO. 72247, PASSED ON SEPTEMBER 13, 1990, BY ALLOCATING \$42,168.00 IN JOB TRAINING PARTNERSHIP ACT (JTPA) TITLE IIA 6% FUNDS TO THE ALAMO PRIVATE INDUSTRY COUNCIL (PIC) TO PROVIDE ENHANCED SERVICES TO AFDC RECIPIENTS AND INITIATE THE JOB OPPORTUNITIES AND BASIC SKILLS (JOBS) PROGRAM; AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE ALAMO PIC FOR SUCH SERVICES.

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AN ORDINANCE 73,039

ACCEPTING AN INTERLOCAL AGREEMENT CONTRIBUTION OF \$150,000.00 FROM THE EDWARDS UNDERGROUND WATER DISTRICT FOR WATER CONSERVATION ACTIVITIES CONDUCTED BY THE CITY OF SAN ANTONIO PLANNING DEPARTMENT, WATER RESOURCES MANAGEMENT DIVISION, AND ESTABLISHING FUNDS/ACCOUNTS FOR THE ADMINISTRATION OF THESE CONTRIBUTIONS.

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91-06 Minutes of the January 3, 1991 Regular City Council Meeting were approved.

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91-06 Item 35, being a proposed ordinance appointing an underwriting team and authorizing said team to review the market and recommend future execution of an Airport Refunding Forward transaction which guarantees a 10% Present Value Savings, was pulled from consideration by the City Manager.

91-06

The Clerk read the following Ordinance:

AN ORDINANCE 73,040

AUTHORIZING THE RELEASE OF APPROXIMATELY 125 ACRES OF LAND GENERALLY LOCATED ALONG FAIR OAKS PARKWAY AND RALPH FAIR ROAD FROM THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF SAN ANTONIO; AND FURTHER AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE CITY SAN ANTONIO AND THE CITY OF FAIR OAKS RANCH WHEREIN THE CITY OF FAIR OAKS RANCH AGREES TO RESTRICT THE BOUNDARIES OF ITS' EXTRA-TERRITORIAL JURISDICTION AND THE CITY OF SAN ANTONIO AGREES TO AN APPROXIMATE 125 ACRE REDUCTION OF ITS' EXTRATERRITORIAL JURISDICTION.

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Mr. Hasslocher made a motion to approve this de-annexation request. Mrs. Dutmer seconded the motion.

Mr. Michael O'Neal, Planning Department, explained in detail the plans of Fair Oaks Ranch to obtain and maintain its entrance from IH-10, and agreements by Fair Oaks Ranch to restrict its own extra-territorial jurisdiction.

Mr. E. L. "Boots" Gaubatz, Mayor of Fair Oaks Ranch, described the good working relationship his community has with the City of 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, Wolff, Labatt, Hasslocher, Cockrell; NAYS: None; ABSENT: Thompson, Vera.

91-06 Item 37, being a proposed ordinance authorizing the execution of a 5-year lease agreement for 22,730 square feet of rentable office space at the Washington Place Office Building located at 215 S. San Saba Street, increasing to 24,800 square feet, for use by the Economic and Employment Development Department and Human Resources Operational Functions; was pulled earlier by the City Manager from consideration at this time.

91-06 The Clerk read the following Ordinance:

AN ORDINANCE 73,041

APPROVING THE REQUEST OF THE SAN ANTONIO LIVING HISTORY ASSOCIATION FOR CO-SPONSORSHIP OF "THE 13 DAYS OF THE ALAMO" EVENT, PART I TO BE HELD SATURDAY, FEBRUARY 23, 1991, AT THE ALAMO PLAZA

EAST, AND PART II TO BE HELD ON MARCH 2, 3, AND 6,
1991 AT THE ALAMO PLAZA EAST.

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

A discussion took place concerning an administrative error which
resulted in an erroneous date in the agenda for this matter.

Ms. Berriozabal asked City staff to insure proper access for
area businesses along Alamo Plaza, to be sure that access is not
restricted by this event.

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

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91-06 The Clerk read the following Ordinance:

AN ORDINANCE 73,042

AMENDING ORDINANCE NO. 71996 TO AUTHORIZE THE
PAYMENT OF \$31,368.00 TO GRID, \$3,377.00 TO COMPUADD
CORPORATION, AND \$43,455.00 TO AUSTIN RIBBON AND
COMPUTER SUPPLIES, INC., FOR REQUIRED CHILD CARE
MANAGEMENT SERVICES AUTOMATION EQUIPMENT, AS
SPECIFIED BY THE TEXAS DEPARTMENT OF HUMAN SERVICES;
AUTHORIZING THE CITY MANAGER TO CONTRACT FOR
START-UP COSTS WITH THE ALAMO AREA COUNCIL OF
GOVERNMENTS IN THE AMOUNT OF \$2,768.00 AND WITH THE
DEPENDENT CARE MANAGEMENT GROUP IN THE AMOUNT OF
\$16,707.00 IN SUPPORT OF THE CHILD CARE MANAGEMENT
SERVICES PROGRAM; AND DECLARING AN EMERGENCY.

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

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91-06 Item 40 was temporarily bypassed at the request of Mr.
Hasslocher.

91-06 The Clerk read the following Ordinance:

AN ORDINANCE 73,043

APPROVING CONTRACT AMENDMENT NO. 1 TO THE CONSTRUCTION AND POST-CONSTRUCTION PHASE ENGINEERING SERVICES CONTRACT WITH PDVA GROUP FOR THE CATEGORY 5, SALADO CREEK WASTEWATER TREATMENT PLAN FLOW EQUALIZATION FACILITIES PROJECT IN THE AMOUNT OF \$34,000.00.

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

Mr. Joe Aceves, Director of Public Works, explained the three separate contracts.

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

91-06 The Clerk read the following Ordinance:

AN ORDINANCE 73,044

APPROVING CONTRACT AMENDMENT NO. 1 TO THE CONSTRUCTION AND POST-CONSTRUCTION PHASE ENGINEERING SERVICES CONTRACT WITH PDVA GROUP FOR THE CATEGORY 5, DOS RIOS WASTEWATER TREATMENT PLAN FLOW EQUALIZATION FACILITIES PROJECT IN THE AMOUNT OF \$55,000.00.

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

91-06 The Clerk read the following Ordinance:

AN ORDINANCE 73,045

APPROVING CONTRACT AMENDMENT NO. 1 TO THE

CONSTRUCTION AND POST-CONSTRUCTION PHASE ENGINEERING SERVICES CONTRACT WITH PDVA GROUP FOR THE CATEGORY 5, LEON CREEK WASTEWATER TREATMENT PLAN FLOW EQUALIZATION FACILITIES PROJECT IN THE AMOUNT OF \$34,000.00.

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

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91-06 The Clerk read the following Ordinance:

AN ORDINANCE 73,046 .

.
APPROPRIATING \$1,500.00 FROM THE DISTRICT 7 DISCRETIONARY AND IMPROVEMENTS FUND TO SUPPORT THE HOLY ROSARY NUTRITION SITE, THE HOLY FAMILY NUTRITION SITE, AND THE SALVATION ARMY PEACOCK CENTER NUTRITION SITE FOR UPCOMING SPECIAL EVENT ACTIVITIES FOR THE SENIOR CITIZENS.

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

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91-06 The Clerk read the following Ordinance:

AN ORDINANCE 73,047 .

.
APPROPRIATING \$1,800.00 FROM THE MAYOR'S DISCRETIONARY FUND TO PAY FOR INSERTING STUFFERS IN CPS BILLS TO PUBLICIZE THE UPCOMING MAJOR ART EXHIBIT, "MEXICO, SPLENDORS OF THIRTY CENTURIES".

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

Mayor Cockrell briefly described the City Public Service bill-

stutter publicizing the upcoming exhibit "Mexico" Splendor of 30 Centuries" to be held at the Museum of Art from April through August. She noted that San Antonio is one of only three U.S. Cities to host this exhibit, and she spoke of access to the museum.

Mr. Labatt asked the Museum Association to come before the City Council and speak, perhaps during March, about this event.

Ms. Vera addressed the importance of this exhibition.

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

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91-06 The Clerk read the following Resolution:

A RESOLUTION NO. 91-06-06

NAMING A SECTION OF HIGHWAY 90 THE CLETO RODRIGUEZ MEMORIAL EXPRESSWAY.

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

In response to a question by Mayor Cockrell, Mr. Joe Aceves, Director of Public Works, stated that the City can give the freeway this name-designation, then ask the State Department of Highways and Public Transportation to erect signs with that name. He noted that this effort has been coordinated with the Highway Department and with State Senator Frank Tejada.

Mayor Cockrell then recognized the presence in the audience of the late Mr. Rodriguez' son, Joe Rodriguez, a City employee, and spoke to the loss of Medal of Honor winner Cleto Rodriguez. She noted that Bexar County had named a county park in his honor, and San Antonio Independent School District named a school after him.

Various Council members spoke of their recollections about Mr. Rodriguez.

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

Mr. Joe Rodriguez thanked the Mayor and Council for this recognition for his father.

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91-06 The Clerk read the following Resolution:

A RESOLUTION NO. 91-06-07

URGING THE STATE LEGISLATURE TO MAKE THE BIRTHDAY OF REVEREND MARTIN LUTHER KING, JR. AN OFFICIAL STATE HOLIDAY.

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

Mr. Webb stated that several legislators had suggested that the City Council might wish to enact this Resolution in support of the designation of Martin Luther King Day as a full state holiday.

A discussion then took place concerning the differences between an "optional" and a "full" state holiday.

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

91-06 The Clerk read the following Ordinance:

AN ORDINANCE 73,048

AUTHORIZING THE CITY MANAGER TO EXECUTE A TWO YEAR CONTRACT WITH CITY TOWING ASSOCIATES THAT PROVIDES FOR AN ADDITIONAL TWO YEAR EXTENSION IF NOT TERMINATED BY THE CITY AND WHICH REQUIRES SUBCONTRACTING, AND REPEALING ORDINANCES 62543 AND 65951.

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

In response to a question by Mr. Hasslocher, Mr. Steve Arronge, Assistant City Attorney, explained the contract provision dealing with assignment of payments by subcontractors to the wrecker ordinance prime contractor and how such a 'paper trail' of documents will prevent any possible kickback problems. He stated that this Ordinance meets the City council's intent in this matter.

Mr. Thompson voiced his concern for the control of wreckers at the scenes where towing of vehicles are necessary.

Mr. Arronge described the requirement for photo-badges required

to be carried by wrecker drivers.

A discussion then took place concerning controls on any possible 'kickbacks' from autorepair companies to wrecker drivers for taking wrecked automobiles to their facilities rather than to another.

A discussion also took place on negotiations leading up to the contract termination provisions and their wording, and the annual review provisions of the ordinance.

In response to a question by Ms. Berriozabal, Mr. Arronge explained potential problems concerning the handling of citizen complaints under section 7IIb of the contract, noting that such citizen complaints should be made to the Police Department. He then spoke to the contract provision for 25 per cent minority participation, in lieu of the City's stated goal of 32 per cent.

Mr. Alex Briseno, City Manager, noted that the 25 per cent tracks current City goals for use of minority sub-contractors.

A discussion then took place concerning the "non-compliance" provisions of the contract.

Mrs. Dutmmer urged the use of numbered stickers on each wrecker, for ease of identification.

A discussion ensued concerning guaranteed monthly payments to the City, ranging from \$140,000 to \$168,000.

Mr. Hasslocher spoke to subcontracting of wrecker firms involved.

Mr. Jim Perle, attorney for City Towing Associates, and Mr. Jim Champion, attorney for the Wrecker Association, both spoke to control actors and benefits involved in the subcontracting activities.

Mr. Wolff stated his desire to insure that the citizens are getting good rates, under the new contract.

Mr. Robert Siller, Public Utilities Division, Management Services Department, addressed reasons for increased rates and compared them to other municipalities, noting that the average increase is about \$4.00 per haul.

A representative of the wrecker association stated that his group concurs with the contract.

In response to a question by Mr. Wolff, Mr. Arronge spoke to litigation restrictions outlined in the contract, in order to preclude future lawsuits in favor of using an arbitration board.

Mayor Cockrell expressed her hope that the new contract will solve the problems with wrecker service, to everyone's satisfaction.

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

91-06

CITY MANAGER'S REPORT

FIRE & POLICE PENSION FUND CHANGES

City Manager Alex Briseno stated that he would have a Resolution on next week's Council agenda concerning support for certain legislative changes to the Fire and Police Pension Fund board of trustees.

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CENSUS

Mr. Alex Briseno, City Manager, stated that proposed actions relative to the 1990 census report will be on Council's agenda next week, and spoke of meetings that are scheduled with several entities in this regard.

Ms. Berriozabal voiced her concern on census reports that indicate a drop in the number of blacks in San Antonio.

Mr. Briseno stated that he would be reviewing the final census figures.

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DART PROGRAM

Ms. Berriozabal spoke of the fast-approaching deadline for the DART Program, and stated that City Council needs to set a public report by City staff on this matter. She asked City staff to check on the scheduling of this matter before the full City Council.

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91-06

FIRST PUBLIC HEARING ON ANNEXATION ON TWO AREAS:
250 ACRES ALONG ROGERS ROAD FOR THE PROPOSED HYATT SAN ANTONIO
RESORT; AND 4 ACRES AT THE INTERSECTION OF IH-10 AND CAMP BULLIS
ROAD.

Mayor Cockrell declared the Public Hearing to be open.

No citizens appeared to speak on the subject.

Mayor Cockrell declared the Public Hearing closed.

Mr. Hasslocher, Chairman of the Council's Annexation committee, outlined the committee's recommendations concerning these two tracts of land.

Mr. Frank Perry, Assistant Director of Planning, spoke to details of both sites.

91-06

CITY MANAGER'S REPORT (CONTINUED)

LEAVE POLICY ON CITY EMPLOYEES IN THE MILITARY SERVICE

Mr. George K. Noe, Director of Management Services, noted that some 323 City employees currently are members of the Reserve Force or National Guard, and 67 already have been called to active duty for Operation Desert Storm. He then outlined the new City policy in this regard, a copy of which is made a part of the papers of this meeting. He addressed several possible options for change to the present City policy available to City employees.

Mr. Wing stated his belief that these employees should be allowed to use their accumulated sick leave, as well, noting that all the provisions outlined as part of the City policy also are required by law.

Mr. Alex Briseno, City Manager, explained the City's Sick Leave Bank which, under present policy cannot be used for this purpose.

Mr. Wing again stated his belief that City employees should be allowed to use all their accumulated sick leave.

A discussion then took place concerning the City services which have been affected or lost because of City employees activated for military service.

Mr. Thompson expressed his opinion that the City may need to look at each of the 65 cases involving employees already activated on an individual basis, and he spoke of the need to achieve a balance in this area. He also spoke to the need for the City to look at any individual cases of hardship because of military activation of City employees, and treat each case individually.

Mr. Briseno noted that the City policy reflects the feeling that no City employee should be hurt because of his or her military activation, and stated that he feels that the City can allow employees to use all their accrued leave time, including the sick bank, by priority, until such leave time is exhausted, as reflected by Option 3; that is, upon request, and if the employee is making less in the military than on his or her city job.

A discussion then ensued concerning how to implement this policy, including the City Manager's discretion and prerogative in this issue.

Mr. Thompson made a motion to support the City Manager's recommendations regarding the policy on Sick Leave Usage for participants in the Desert Storm Operation, which include Option #3. Mr. Wing seconded the motion.

A discussion took place concerning the definition of "sick leave".

Mr. Noe then addressed possible legal restrictions to the City's option.

Ms. Vera stated her desire to have maximum flexibility in allowing City employees affected not to suffer financial loss.

Mrs. Dutmer asked that the matter be left up to those affected employees, stating her belief that sick leave should not be involved. She spoke to the possibility that the City may well need to go further, in proven hardship cases.

In response to a question by Mayor Cockrell, Mr. Garza addressed the legal restrictions on the use of certain types of leave.

Mr. Briseno spoke to his concern with allowing the use of banked sick leave in this matter.

After consideration, the motion to accept the recommendation of the City Manager, prevailed by the following vote: AYES: Dutmer, Wing, Martinez, Thompson, Vera, Wolff, Labatt, Hasslocher, Cockrell; NAYS: None; ABSENT: Berriozabal, Webb.

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91-06

NOISE VIOLATIONS - COWBOY BREAKFAST

Ms. Vera spoke to an incident during the Cowboy Breakfast, held on the grounds of Central Park Mall by the North San Antonio Chamber of Commerce, in which a complaint was lodged because of alleged excess noise, in non-compliance with the City's noise regulations. She noted that she had given an interview on the matter but did not say that the City Council should dismiss the citation involved; rather, that statement was an editorial comment apparently made by the reporter involved. She then read from a statement issued by the North San Antonio Chamber of Commerce in apology for any inconvenience caused by too much noise coming from the Cowboy Breakfast. The group stated that it would pay the fine involved, and further would arrange to have a City noise-abatement officer present at next year's Cowboy Breakfast to monitor the event for noise levels.

A copy of the statement is made a part of this meeting.

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91-06

CITY EMPLOYEE ON DRUG-INTERVENTION DUTY

Mr. Webb, on a Point of Personal Privilege, introduced Mr. Larry Tucker, a City Employee present in the audience.

Mr. Tucker stated that he had been penalized by loss of hours when he was called to military duty which involved drug-intervention duties.

Mr. Alex Briseno, City Manager, stated that he would meet with Mr. Tucker to discuss the matter.

91-06 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE

CLOSING ALLEY & PART OF MENEFEE BOULEVARD.

Mayor Cockrell opened the Public Hearing.

Mr. Bill Toudouze, Real Estate Division, Public Works Department, explained the request. He stated that City staff recommends approval.

Mr. Jerry Arredondo, the proponent, asked the Council to formally waive the fee in this case.

There being no further citizens to speak to this issue, Mayor Cockrell declared the Public Hearing closed.

The City Clerk read a proposed ordinance closing, vacating, and abandoning a 0.246 of an acre parcel of land consisting of an unimproved alley and a portion of an improved street, adjacent thereto, known as Menefee Boulevard, located east of U.S. Highway 90, in New City Block 12696, San Antonio, Bexar County, Texas; and authorizing the City Manager or Assistant City Manager to execute a quitclaim to Arredondo Interest, Inc. for a consideration of \$555.00.

Mr. Wing made a motion to approve the proposed Ordinance, with waiver of the fee involved. Mrs. Dutmer seconded the motion.

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

AN ORDINANCE 73,049

CLOSING, VACATING, AND ABANDONING A 0.246 OF AN ACRE PARCEL OF LAND CONSISTING OF AN UNIMPROVED ALLEY AND A PORTION OF AN IMPROVED STREET, ADJACENT THERETO, KNOWN AS MENEFEE BOULEVARD, LOCATED EAST OF U. S. HIGHWAY 90, IN NEW CITY BLOCK 12696, SAN ANTONIO, BEXAR COUNTY, TEXAS; AND AUTHORIZING THE CITY MANAGER OR ASSISTANT CITY MANAGER TO EXECUTE A QUITCLAIM TO ARREDONDO INTEREST, INC. FOR A CONSIDERATION OF \$1.00.

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91-06 The City Council recessed its regular meeting to convene in "B"

Session at 4:16 P.M. to conduct a Board/Commission Work Session.

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91-06 The City Council reconvened its regular meeting at 4:54 P.M., at which time the Council again recessed in order to convene an Executive Session to discuss the purchase of property for public park purposes.

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91-06 At 5:15 P.M., City Council reconvened the "A" Session, and Mayor Cockrell announced that the City Council had received a report from the staff and had directed the staff to continue discussion. to proceed.

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91-06

CITIZENS TO BE HEARD

MR. VAN HENRY ARCHER

Mr. Van Henry Archer, spoke to the Council about the Leon Creek Division system and its relationship to the Applewhite Aquifer. He asked that the Council formally amend the Permit and delete the Leon Creek Division plan. He also asked the City Council to formally cancel the permits which are not being planned for use.

Mayor Cockrell objected to statements made by Mr. Archer in relationship to the water that will be drawn from the Applewhite.

Mayor Cockrell also stated that the City Council has given direction with regard to the Leon Creek Division.

In response to a Council question, Mr. John Boggess, Staff member, City Water Board stated that the City Council in 1988 directed the City Water Board to delete the Leon Creek Diversion Plan.

Mr. Labatt read from those sections of the Ordinance which deleted the Leon Creek Diversion Plan.

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MR. CLIFF LINDSAY

Mr. Cliff Lindsay, 85303 Wakefield Drive, stated that he has investigated all the governments of the world. He stated that 99% of the American public is brainwashed. He expressed concern about the proposed Mexico and Canada Free Trade Zones. He stated that it will lead to the elimination of our national boundaries. He distributed a copy of his literature to the Council, a copy of which is on file with the papers of this meeting.

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.

January 18, 1990 - Petition submitted by Mr. Richard W. Riley, 105 S. St. Mary's, San Antonio, Texas 78205-2881, requesting the release of certain records as outlined in his petition concerning his client Mr. Milton Arbetter.

/s/ Norma S. Rodriguez
City Clerk

91-06 There being no further business to come before the Council, the meeting was adjourned at 5:35 P.M.

A P P R O V E D

Lila Cockrell

M A Y O R

Attested:

Norma S. Rodriguez
City Clerk