

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, MAY 12, 1988.

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The meeting was called to order by the presiding officer, Mayor Henry Cisneros, with the following members present: BERRIOZABAL, WEBB, DUTMER, WING, MARTINEZ, THOMPSON, VERA, WOLFF, LABATT, HASSLOCHER, CISNEROS. Absent: NONE.

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88-21 The invocation was given by Dr. James E. Carey, Lackland Baptist Church.

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88-21 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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88-21 AMBASSADOR MANUEL RODRIGUEZ ARRIAGA

Mayor Cisneros introduced Ambassador Manuel Rodriguez Arriaga, Under Secretary for Cooperation of the Foreign Affairs Ministry, Mexico City, and Consul General Hector Mendoza, present in the audience. He welcomed Ambassador Arriaga to City Hall and spoke of the relationship between San Antonio and Mexico.

Ambassador Arriaga thanked the Mayor and Council for their welcome and addressed his series of meetings that are underway with Mexican Consuls General in Texas, New Mexico, Arizona and California gathered in San Antonio in order to address cultural cooperation with the United States. He spoke of the need to project a more positive image for Mexico and to be better understood as a nation. He expressed his hopes that the current meetings will produce concrete results for better understanding between the United States and Mexico.

Mayor Cisneros lauded Consul General Mendoza for his fine cooperation with San Antonio and presented Ambassador Arriaga with an official San Antonio tie and a book.

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88-21

EAST-WEST CONNECTOR ROADWAY

Mayor Cisneros introduced Mr. Joe Aceves, Director of Public Works, and State Senator Cyndi Krier, as well as others gathered in the audience to make the presentation.

Senator Krier introduced Mr. Dick Lockhart and Mr. David Otwell, both with the State Highway Department, and she thanked the North San Antonio Chamber of Commerce for its hard work on this project and others for their technical expertise.

Mr. Ken Vickery, Vickery and Associates, described the project as a signal breakthrough in alleviating northside traffic in San Antonio.

Mr. Aceves briefly described the layout and the planning of the project.

Mr. Dick Lockhart stated that he hopes for other long range easing of northside traffic congestion in the future.

Mayor Cisneros stated that he would like to explore the creation of additional lakes within the City of San Antonio in order for them to be developed into public leisure areas.

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(At this point Mayor Cisneros was obliged to leave the meeting. Mayor Pro Tem Dutmer presided.)
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88-21

BOWIE ELEMENTARY SCHOOL

Mayor Pro Tem Dutmer recognized the presence in the audience today of thirteen Student Council representatives from the third, fourth and fifth grades of Bowie Elementary School, as well as their sponsor Ms. Lillian Torres and their principal Ms. Priscilla Armstead.

Ms. Berriozabal, in whose Council district the school is located, spoke of the benefits of new street work on Colorado Street that have created greater community improvements in the area of the school.

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88-21

CONJUNTO MUSIC WEEK

Mayor Pro Tem Dutmer introduced Mr. Juan Tejeda and Mr. Pedro Rodriguez, Guadalupe Cultural Arts Center, present in the audience to receive a proclamation designating May 9 - 15, 1988 as Conjunto Music Week.

Mayor Pro Tem Dutmer read the proclamation and presented it to Mr. Tejada, speaking to the importance of conjunto music to the history of San Antonio.

Mr. Tejada spoke to the details of the festival at the Guadalupe Cultural Arts Center, as well as other locations, and he presented special festival posters to City Council members.

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88-21

SKY HARBOUR ELEMENTARY

Mayor Pro Tem Dutmer noted that twenty-four fourth grade students from Sky Harbour Elementary School, accompanied by their teacher, Ms. Heather Baker, had to leave in order to return to school.

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88-21

JEFFERSON HIGH SCHOOL

Mayor Pro Tem Dutmer introduced four students from Thomas Jefferson High School present in the audience with their sponsor Ms. Jane Gaitan and their teacher Ms. Jan Blane. She welcomed them to City Hall and thanked them for coming to observe the City Council at work.

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88-21 The minutes of the City Council meeting of April 21, 1988 were approved.

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88-21 CONSENT AGENDA

Mr. Labatt made a motion to approve Agenda Items 5 - 41, constituting the Consent Agenda, with Item 32 pulled earlier by the City Manager from consideration and Items 10, 12, 14, and 41 to be pulled for individual consideration. Ms. Vera 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, Vera, Labatt; NAYS: None; ABSENT: Thompson, Wolff, Hasslocher, Cisneros.

AN ORDINANCE 67,066

ACCEPTING THE LOW QUALIFIED BID OF CASCO INDUSTRIES, INC. TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH FIREFIGHTING GLOVES FOR A TOTAL OF

\$3,552.

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AN ORDINANCE 67,067

ACCEPTING THE BID OF DIONEX CORPORATION TO FURNISH THE CITY OF SAN ANTONIO ENVIRONMENTAL MANAGEMENT DEPARTMENT WITH AN ION CHROMATOGRAPH SYSTEM FOR A TOTAL \$70,076.

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AN ORDINANCE 67,068

ACCEPTING THE LOW BID OF TESCO PRODUCTS COMPANY TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH LIBRARY FURNITURE FOR A TOTAL OF \$27,612.

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AN ORDINANCE 67,069

ACCEPTING THE LOW BID OF LIBRARY STEEL STACKS, INC. TO FURNISH THE CITY OF SAN ANTONIO WITH LIBRARY SHELVING FOR A TOTAL OF \$22,464.

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AN ORDINANCE 67,070

ACCEPTING THE LOW BID OF SAN ANTONIO FLOOR FINISHERS, INC. TO FURNISH THE CITY OF SAN ANTONIO HUMAN RESOURCES DEPARTMENT WITH FLOORING FOR THE BARBARA JORDAN COMMUNITY CENTER FOR A TOTAL OF \$4,980.

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AN ORDINANCE 67,071

ACCEPTING THE LOW BID OF OCE BUSINESS SYSTEMS TO FURNISH THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH COPIERS ON A RENTAL BASIS FOR A TOTAL OF APPROXIMATELY \$828 MONTHLY.

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AN ORDINANCE 67,072

ACCEPTING THE PROPOSAL OF DIGITAL EQUIPMENT CORPORATION FOR THE RENEWAL OF A MAINTENANCE AGREEMENT FOR THE ULTRIX 32 COMPUTER FOR A TOTAL OF \$5,757.

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AN ORDINANCE 67,073

AUTHORIZING THE DIRECTOR OF ENVIRONMENTAL MANAGEMENT TO SUBMIT A TECHNICAL DEMONSTRATION GRANT APPLICATION TO THE ENVIRONMENTAL PROTECTION AGENCY (E.P.A.) FOR FEDERAL GRANT FUNDS AND AMENDING THE CITY'S CONTRACT WITH ALPHA-BIOZED, INC. TO COVER THE E.P.A. GRANT PROGRAM.

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AN ORDINANCE 67,074

AWARDING A CONSTRUCTION CONTRACT TO R.L. JONES CO., INC., FOR THE CONSTRUCTION OF THE COUNTRY CLUB LANE SANITARY SEWER EXTENSION PROJECT IN THE AMOUNT OF \$23,936.10 WITH AN ADDITIONAL \$3,600.00 FOR A CONSTRUCTION CONTINGENCY.

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AN ORDINANCE 67,075

ACCEPTING THE LOW BID OF \$2,481,879.95 AND AWARDING A CONTRACT TO R.D.M. CONSTRUCTION, INC., TO CONSTRUCT THE NORTHWEST MUNICIPAL GOLF COURSE.

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AN ORDINANCE 67,076

ACCEPTING THE LOW QUALIFIED BID OF CARLOS FAJARDO COMPANY, INC., IN THE AMOUNT OF \$296,490.00, TO CONSTRUCT THE TERMINAL IMPROVEMENTS - PACKAGE 1 AT INTERNATIONAL AIRPORT; APPROVING A CONTRACT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 67,077

ACCEPTING THE LOW QUALIFIED BID OF H.B. ZACHRY COMPANY, IN THE AMOUNT OF \$696,696.00, TO CONSTRUCT THE PARKING LOTS & ROADWAY IMPROVEMENTS, PHASE 2 AT INTERNATIONAL AIRPORT AND APPROVING A CONTRACT; ACCEPTING A PROPOSAL FOR TESTING SERVICES; AMENDING THE PROFESSIONAL SERVICES CONTRACT WITH SOMERVILLE-GONZALES & ASSOCIATES, INC.; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 67,078

ACCEPTING THE LOW QUALIFIED BID OF HALLMARK ELECTRICAL CONTRACTORS, INC., IN THE AMOUNT OF \$275,471.00, TO CONSTRUCT THE REMOTE RECEIVER RELOCATION PROJECT AT INTERNATIONAL AIRPORT; APPROVING A CONTRACT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 67,079

ACCEPTING A PROPOSAL FROM RABA-KISTNER CONSULTANTS, INC., IN THE AMOUNT OF \$6,000.00 TO PROVIDE PROFESSIONAL SERVICES RELATED TO ASBESTOS ABATEMENT IN VACANT STRUCTURES SLATED FOR DEMOLITION.

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AN ORDINANCE 67,080

ACCEPTING THE ARCHITECTURAL SERVICES PROPOSAL FROM LEW, ALLEN, AND WONG, INC., IN THE AMOUNT OF \$7,500.00 RELATED TO THE CITY HALL ANNEX COMPUTER ROOM EXPANSION PROJECT.

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AN ORDINANCE 67,081

AUTHORIZING FIELD ALTERATION NO. 4 IN THE AMOUNT OF \$15,757.53 IN CONNECTION WITH THE ALAMETOS/BRAD/BUCKEYE/CLOWER STREETS RECONSTRUCTION PROJECT; AND AUTHORIZING PAYMENT TO THE CONTRACTOR, PEERLESS EQUIPMENT COMPANY.

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AN ORDINANCE 67,082

AUTHORIZING AN ADDITIONAL \$14,000.00 FOR ENGINEERING FEES PAYABLE TO PAPE-DAWSON ENGINEERS, RELATED TO THE HENDERSON PASS FROM THOUSAND OAKS TO BROOKHOLLOW PROJECT.

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AN ORDINANCE 67,083

AUTHORIZING AN ADDITIONAL \$185,000.00 FOR ENGINEERING FEES PAYABLE TO W.E. SIMPSON COMPANY, INC., RELATED TO THE DRIFTWOOD DRAINAGE PROJECT NO. 39 B-F.

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AN ORDINANCE 67,084

AUTHORIZING FIELD ALTERATION NO. 4 IN THE AMOUNT OF \$27,480.00 RELATED TO THE PACIFIC DRAINAGE PROJECT NO. 66A, PHASE II - PLEASANTON ROAD.

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AN ORDINANCE 67,085

AUTHORIZING FIELD ALTERATION NO. 26 IN THE AMOUNT OF \$63,181.00 IN CONNECTION WITH THE ASHBY STREET DRAINAGE PROJECT NO. 30 & 31.

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AN ORDINANCE 67,086

AUTHORIZING PAYMENT OF \$22,641.00 TO CITY PUBLIC SER- VICE BOARD IN CONNECTION WITH THE LIVE OAK/E. CROCKETT/CENTER/POTOMAC/DAWSON/S. PINE STREETS PROJECT.

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AN ORDINANCE 67,087

APPROVING AND AUTHORIZING THE EXECUTION BY THE CITY MANAGER OF A QUITCLAIM DEED TO DIANE K. CORCORAN OF A PORTION OF HITCHING POSTING ROAD ADJACENT TO LOT 13, BLOCK 2, NCB 11977.

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AN ORDINANCE 67,088

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$9,552.00 OUT OF GENERAL OBLIGATION BONDS FOR THE PURPOSE OF ACQUIRING TITLE TO CERTAIN LANDS; ACCEPTING THE DEDICATION OF EASEMENTS TO CERTAIN LANDS; ALL IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS. (CHIGAGO/FAIR/S. PRESA ST. PROJECT; LULLWOOD DRAINAGE PROJECT #36)

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AN ORDINANCE 67,089

APPROVING A LICENSE AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND THE EXPRESS-NEWS CORPORATION TO ENCROACH ONTO CITY RIGHT-OF-WAY ON FOURTH STREET ADJACENT TO LOT 13, BLOCK 20, NEW CITY BLOCK 427 FOR CONSTRUCTION OF AN IMPROVED ENTRYWAY FOR THE HANDICAPPED AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID LICENSE AGREEMENT IN CONNECTION THEREWITH.

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AN ORDINANCE 67,090

APPROVING A LICENSE AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND BEXAR COUNTY TO ENCROACH UPON AND UNDER CITY STREET RIGHT-OF-WAY, SPECIFICALLY SOUTH MAIN STREET, ADJACENT TO LOT 25, NEW CITY BLOCK 100, FOR CONSTRUCTION, MAINTENANCE, AND OPERATION OF AN UNDERGROUND TUNNEL BETWEEN THE BEXAR COUNTY COURTHOUSE AND BEXAR COUNTY JUSTICE CENTER AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID LICENSE AGREEMENT IN CONNECTION THEREWITH.

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AN ORDINANCE 67,091

AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT WITH SOUTH TEXAS ASSOCIATED YOUTH, INC., FOR USE OF THE DULLNIG HOUSE FOR RECREATIONAL AND YOUTH-ORIENTED PROGRAMS.

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AN ORDINANCE 67,092

APPROVING PRICE AND CONDITIONS OF SALE BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF CERTAIN

SINGLE-FAMILY RESIDENTIAL LOTS LOCATED WITHIN THE COLONIA SAN ALFONSO COMMUNITY DEVELOPMENT PROJECT LOCATED WITHIN THE BOUNDARIES OF THE NEIGHBORHOOD DEVELOPMENT PROJECT, TEX. A-8.

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AN ORDINANCE 67,093

APPROVING PRICE AND CONDITIONS OF SALE BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF CERTAIN SINGLE-FAMILY RESIDENTIAL LOTS LOCATED WITHIN THE COLONIA SANTA CRUZ COMMUNITY DEVELOPMENT PROJECT LOCATED WITHIN THE BOUNDARIES OF THE NEIGHBORHOOD DEVELOPMENT PROJECT, TEX. A-8.

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AN ORDINANCE 67,094

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE HARLANDALE INDEPENDENT SCHOOL DISTRICT PROVIDING FOR THE CITY TO OPERATE AND MAINTAIN A RECREATION SWIMMING PROGRAM AT THE TERRELL WELLS SCHOOL LOCATED ADJACENT TO MCCOLLUM HIGH SCHOOL AND TO CHARGE A FEE AT SAID POOL.

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AN ORDINANCE 67,095

AUTHORIZING EXECUTION OF AGREEMENTS WITH AGENCIES FOR OPERATING SITES IN THE 1988 SUMMER RECREATION SUPPORT PROGRAM AND AUTHORIZING RENTAL OF OFFICE SPACE FROM OUR LADY OF SORROWS CHURCH.

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AN ORDINANCE 67,096

ACCEPTING A PROPOSAL FROM THE UNIVERSITY OF TEXAS AT SAN ANTONIO TO CONDUCT ARCHAEOLOGICAL INVESTIGATIONS AT ALAMO PLAZA AT A COST NOT TO EXCEED \$19,646, ADJUSTING THE BUDGET OF FUND/PROJECT 40-005052, AND AUTHORIZING PAYMENT TO UTSA FOR SAID ARCHAEOLOGICAL INVESTIGATIONS.

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(NOTE: AGENDA ITEM NO. 39, BEING AN ORDINANCE CLOSING GONZALES STREET FROM HOEFGEN TO THE DEAD END, FROM 8:00 A.M. FRIDAY, MAY 13, 1988 TO 8:00 A.M. SATURDAY, MAY 14, 1988, AT THE REQUEST OF CHICAGO TITLE INSURANCE COMPANY, WAS ORIGINALLY CONSIDERED AND PASSED AS PART OF THE CONSENT AGENDA. HOWEVER, THE COUNCIL WAS LATER ADVISED THAT THE REQUIRED EIGHT VOTES TO MAKE THIS AN EMERGENCY ITEM AND THEREFORE EFFECTIVE IMMEDIATELY WERE NOT PRESENT AT THE TIME OF THE CONSENT AGENDA PASSAGE AND AGENDA ITEM NO. 39 HAD TO BE RECONSIDERED LATER IN THE MEETING.)

88-21 The Clerk read the following Ordinance:

AN ORDINANCE 67,097

ACCEPTING THE LOW BIDS OF BOISE CASCADE, H & H BUSINESS PRODUCTS, JOYCE OFFICE PRODUCT CENTERS, OFFICE RESOURCE CENTER, PAUL ANDERSON COMPANY AND STEPHENS OFFICE PRODUCTS TO FURNISH THE CITY OF SAN ANTONIO WITH OFFICE SUPPLIES FOR A TOTAL OF \$20,528.91.

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Mr. John Brooks, Director of Purchasing and General Services, briefly explained that a tie bid exists on one of the prospective purchases. He then provided details.

Mayor Pro Tem Dutmer declared that the highest number drawn will be the winner. She then drew No. 24 for H & H Business Products and No. 3 for Joyce Office Product Centers and declared that the bid of H & H Business Products was the winner.

Mr. Labatt then 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, Vera, Labatt; NAYS: None; ABSENT: Thompson, Wolff, Hasslocher, Cisneros.

88-21 The Clerk read the following Ordinance:

AN ORDINANCE 67,098

ACCEPTING THE LOW BIDS OF FELCO OFFICE SYSTEMS AND

TEXAS COPY TO FURNISH THE CITY OF SAN ANTONIO
ENVIRONMENTAL MANAGEMENT DEPARTMENT WITH COPIERS FOR
A TOTAL OF APPROXIMATELY \$1,298 MONTHLY.

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

In response to a question by Mr. Labatt, Mr. John Brooks,
Director of Purchasing and General Services, explained why Felco Office
Systems was the low bidder over a full year's time. He stated that he
would be happy to provide full details to Mr. Labatt at a later time.

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

88-21 The Clerk read the following Ordinance:

AN ORDINANCE 67,099

ACCEPTING THE PROPOSAL OF SERVICE AMERICA
CORPORATION TO FURNISH THE CITY OF SAN ANTONIO PARKS
& RECREATION DEPARTMENT WITH THE ANNUAL SUMMER
NUTRITION PROGRAM FOR A TOTAL OF \$393,607.19.

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Ms. Berriozabal made a motion to approve the proposed Ordinance.
Mr. Wing seconded the motion.

Mr. John Brooks, Director of Purchasing and General Services,
briefly explained the annual contract to furnish the Parks & Recreation
Department with the Annual Summer Nutrition Program and he noted that four
bids had been received. He added that the State of Texas had recommended
that the low bid of Service America Corporation be accepted.

Mr. Dario Chapa, representing Dynam, Inc., noted that his firm
has had the contract on the Annual Summer Nutrition Program for several
years and he feels the bid should be awarded to a local firm who buys
local products and employs local high school students and others to work
in the program. He noted that only one cent separated his third low bid
from the second low bidder involved and he stated further that he feels
that small businesses cannot compete with large firms such as Coca Cola
and Service America Corporation. Mr. Chapa stated further that he feels
that Dynam works beyond the requirements of the bid.

Mr. Charles Sierra, speaking on behalf of Dynam, Inc., spoke of the importance of the firm's involvement of high school students during the summer months.

Mr. Thomas Banks, graduate of South San Antonio High School, spoke of how employment with Dynam, Inc., helped him and other high school students.

Mr. Brooks noted that Dynam has had the bid for the last two years.

Mr. Lloyd Garza, City Attorney, noted that the bid standard required in this state-funded bid is for the "lowest and most qualified," and he noted that if other standards are to be considered as factors in the bid then they must be advertised as such before the bids are opened.

Mr. Jim Jennings, representing Service America Corporation, noted that his firm will hire local high school students as well as teachers and school bus drivers to service the program. He further stated that local products will be used and noted that his district office is located in San Antonio.

Mr. Martinez voiced his concern that the City did not specify the use of local and minority small firms in this instance.

Mr. Louis J. Fox, City Manager, spoke to the difference in the bids involved.

Mr. Garza noted that the City has little discretion in this state-funded program and stated that where the City can use its flexibility, small business enterprises have been awarded contracts in the past.

Mr. Brooks stated that bids must be mailed out only to firms on a state-approved list.

Mr. Martinez stated that he hopes the City can award bids to more small businesses in the future.

Ms. Berriozabal briefly read from written specifications in the bid.

Mr. Sierra stated that he feels the City has lee-way to award contracts to the most advantageous bidder and to the most responsible bidder, not necessarily only the lowest bidder.

Ms. Berriozabal spoke to the weighting of specifications to give the advantage to local firms if the City desires. She then voiced her concern that the City does not do this.

In response to a question by Mr. Wing, Mr. Jennings discussed the history of his firm and its local product usage under this contract.

Mr. Wing spoke against altering the bid system that is currently in place in order to maintain the integrity of the system.

Ms. Vera spoke to the City Council's Committee on Small Business and its soon-to-be-released report and she stated that she feels that specifications for bids can be tailored to allow other factors to be considered in the bidding process.

Mr. Thompson spoke in support of the bidding factors that reflect hiring of local students and he expressed fears that a restriction on "local firms only" can boomerang.

Ms. Berriozabal noted that, in her opinion, it is the concensus of the City Council that the City factor in other things into the bid process in the future.

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; NAYS: None; ABSENT: Cisneros.

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(Mayor Cisneros returned to the meeting to preside.)

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88-21 The Clerk read the following Ordinance:

AN ORDINANCE 67,100

AMENDING CHAPTER 6 (BUILDINGS) OF THE CITY CODE OF SAN ANTONIO, TEXAS, REQUIRING THE SECURING OF OPEN BUILDINGS; PROVIDING FOR APPEAL PROCESS; ESTABLISHING THE DANGEROUS STRUCTURE DETERMINATION BOARD; DECLARING REFUSAL TO SECURE TO BE UNLAWFUL; ESTABLISHING A FINE OR NOT LESS THAN \$50.00 NOR MORE THAN \$2,000.00 FOR EACH VIOLATION; PROVIDING FOR LIEN AGAINST CERTAIN RESIDENTIAL LAND; AUTHORIZING NECESSARY COLLECTION ACTIONS; AND PROVIDING FOR SEVERABILITY.

* * * *

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

Ms. Berriozabal noted that the backup material on this matter does not address the matter of the Dangerous Structure Determination Board.

Mr. Lloyd Garza, City Attorney, explained the makeup of this Board and noted that it assists the Code Compliance Manager in order that he might have a sounding board of key City staff members this year. Then, the Board will become a citizen's board next year.

Mr. Thompson spoke of the large amount of vacant homes in District 6 and stated that he feels this is a positive ordinance.

Mr. Thompson offered an amendment declaring the ordinance to be effective immediately subject to publication requirements. Ms. Vera seconded the motion.

A brief discussion then took place concerning the legal enforcement factors involved.

Mr. Webb urged swift action in enforcement of this ordinance and he spoke of specific cases on North New Braunfels Avenue.

Mr. Fox noted that City staff will address this matter immediately.

The amendment prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Vera, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT Wolff.

The main motion, as amended, was approved by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Vera, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: Wolff.

88-21

ORDINANCE CLOSING GONZALES STREET

At this time Mr. Martinez offered a motion to reconsider Agenda Item 39, enacted previously by the City Council. Mr. Wing seconded the motion to reconsider.

The motion prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Vera, Wolff, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: None.

The Clerk read the following Ordinance:

AN ORDINANCE 67,101

CLOSING GONZALES STREET FROM HOEFGEN TO THE DEAD-END

FROM 8:00 A.M. FRIDAY, MAY 13, 1988 TO 8:00 A.M.
SATURDAY, MAY 14, 1988 AT THE REQUEST OF CHICAGO
TITLE INSURANCE COMPANY.

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Mr. Labatt made a motion to approve the proposed Ordinance. 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, Wolff, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: None.

88-21 The Clerk read the following Ordinance:

AN ORDINANCE 67,102

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

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Ms. Vera made a motion to approve the proposed Ordinance. 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, Hasslocher, Cisneros; NAYS: None; DISQUALIFIED: Wolff, Labatt; ABSENT: None.

88-21 Agenda Item No. 45 was temporarily bypassed for consideration later in the meeting. Agenda Item No. 46, being a proposed ordinance amending Ordinance 66,651 providing for retention of certain qualifying insurers in the policy and procedures regarding the City's Voluntary Payroll Deduction Program, had earlier been pulled from consideration.

88-21 The Clerk read the following Ordinance:

AN ORDINANCE 67,103

AUTHORIZING THE CLOSURE OF VARIOUS COMPLETED CAPITAL
PROJECT ACCOUNTS, THE TRANSFER OF SURPLUS FUNDS TO

THE RESPECTIVE FUND BALANCES, AND THE TRANSFER OF THESE FUNDS TO THE DEBT SERVICE FUND.

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Ms. Vera made a motion to approve the proposed Ordinance. 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, Martinez, Thompson, Vera, Wolff, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: Wing.

88-21 The Clerk read the following Ordinance:

AN ORDINANCE 67,104

AMENDING CITY CODE CHAPTER THIRTY-ONE, ARTICLE IV, ENTITLED "HOTEL OCCUPANCY TAX" TO CLARIFY, AND EXPAND UPON DEFINITION OF TERMS, SPECIFY DATA TO BE REPORTED TO CITY, TO AUTHORIZE FINANCE DIRECTOR TO COLLECT WEEKLY OR DAILY FROM HOTELS AT RISK OR REPEATEDLY DELINQUENT; AND TO APPROVE REQUESTED ALTERNATE REPORTING PERIODS; AND TO SPECIFY GOODS AND SERVICES CONSTITUTING A SLEEPING FACILITY; TO AUTHORIZE SURETY BOND IN LIEU OF INJUNCTION TO CLOSE HOTEL; AND TO PROVIDE FOR A FINE OF NOT MORE THAN \$500.00 FOR EACH VIOLATION OF THIS ARTICLE.

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

In response to a question by Ms. Vera, Mr. Rolando Bono, Assistant City Manager, and Mr. Lloyd Garza, City Attorney, both spoke to the exemption status of certain hotels and motels and the effect of a recent State Attorney General's opinion on this matter. They noted that the ordinance affects any exemption the City may consider and they spoke to how the City defines hotels and motels that are "repeatedly delinquent."

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

(Item No. 49 was temporarily bypassed at this time.)

88-21 The Clerk read the following Ordinance:

AN ORDINANCE 67,105

AUTHORIZING THE EXPENDITURE OF A TOTAL OF \$15,000 TO AVENIDA GUADALUPE FOR THE MAINTENANCE AND OPERATION OF PLAZA GUADALUPE AND AUTHORIZING THE APPROPRIATION OF \$7,500 FROM THE DISTRICT 5 IMPROVEMENT AND DISCRETIONARY FUND TO BE INCLUDED IN SAID AMOUNT.

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Mr. Webb 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, Martinez, Thompson, Vera, Wolff, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: Wing.

ZONING HEARINGS

42. CASE Z88059 - to rezone Lot 25, NCB 10613, 4614 Emil Road, from "A" Single Family Residence District to "I-1" Light Industry District, located on the southside of Emil Road, being 367.23' west of the intersection of Emil Road and the railroad tracks, having 55' on Emil Road with a maximum depth of 210'.

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

Mr. Webb made a motion to approve the recommendation of the Zoning Commission, provided that a six-foot wood screen fence is erected and maintained along the east and west property lines until adjacent lots transition to non-residential uses. 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, Martinez, Thompson, Vera, Wolff, Hasslocher, Cisneros; NAYS: None; ABSENT: Wing, Labatt.

AN ORDINANCE 67,106

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 25, NCB 10613, 4614 EMIL ROAD, FROM "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT A SIX-FOOT WOOD SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE EAST AND WEST PROPERTY LINES UNTIL ADJACENT LOTS TRANSITION TO NON-RESIDENTIAL USES.

* * * *

43. CASE Z88075 - to rezone a 3.00 acre tract of land out of NCB 17642, State Hwy. 151 Westside Expressway, from Temporary "R-1" One Family Residence District to "B-2" Business District, located on the southside of State Hwy 151, being 1947.5' southeast of Rogers Road, having 307.09' on State Highway 151 and having a depth of 419.38'.

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

Ms. Vera made a motion that the recommendation of the Zoning Commission be approved provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. 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, Martinez, Thompson, Vera, Wolff, Hasslocher, Cisneros; NAYS: None; ABSENT: Wing, Labatt.

AN ORDINANCE 67,107

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 3.00 ACRE TRACT OF LAND OUT OF NCB 17642, STATE HWY 151 (WESTSIDE EXPRESSWAY), FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

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88-21

SHUTTLES

The Clerk read the following Ordinance:

AN ORDINANCE 67,108

AMENDING CHAPTER 33 ("VEHICLES FOR HIRE") OF THE CITY CODE OF THE CITY OF SAN ANTONIO BY ADDING ARTICLE V ENTITLED "SHUTTLES", PROVIDING FOR DEFINITIONS; PROVIDING THAT SHUTTLES BE OPERATED ONLY PURSUANT TO OPERATING AUTHORITY; PROVIDING FOR COLLECTION OF PERMIT FEES; PROVIDING FOR REGULATION OF PERMIT HOLDERS, SHUTTLE DRIVERS, VEHICLES AND EQUIPMENT; PROVIDING FOR A PENALTY OF A FINE OF NOT MORE THAN \$500.00; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

* * * *

Ms. Cynthia McMullin, representing VIA, asked that three items be added to the City's proposed ordinance:

1. A definition of the word "pre-arrangement;"
2. A full record of all requests for shuttle service; and
3. No refusal for shuttle service unless a matter of safety is involved.

Mr. Jim Fisher, representing Checker and Yellow Cab Companies, asked that several modifications to the ordinance language be considered, including reducing the number of vehicles required and the provision for the required posting of fares.

Mr. Scott Baker, Assistant General Manager for VIA, stated that he feels it is necessary to differentiate between shuttle service and the service that VIA provides as the Airport Limousine for the City in order that both can survive. He stated further that he feels a concrete definition of the word "pre-arrangement" is vital in order to eliminate walk-up traffic.

Mr. Lon Breedlove, representing the Hotel Sales and Marketing Association, noted that the City's northside hotels are not adequately serviced by the existing modes of transportation from the airport and he spoke against any "pre-arrangement" definition. He stated that he feels it will adversely affect service to northside hotels and motels.

Ms. Kim Kuykendall, representing Daisy Tours, spoke in support of Super Van Shuttle and asked that flexibility be allowed in the matter of "pre-arrangement" requirements.

Ms. Bettye Paretchin, representing Rio Cibolo Ranch, spoke to the need to have a shuttle service.

Ms. Janice Bartlett, representing the Crockett Hotel, spoke in support of the shuttle service to the airport.

Ms. Carolyn Smith, representing Sierra Royale, also spoke in support of shuttle service.

Ms. Mary Anne Rickhoff, also representing Sierra Royale, stated that San Antonio needs a shuttle service, especially to the Sea World area.

Mr. Ben Alexander spoke in support of freedom of choice of a citizen to choose the transportation service he desires.

Mr. Don Rullo, President, Super Van Service, spoke in support of the ordinance.

Mr. Bill Worden, taxi cab driver, stated that he has no objections to a shuttle service ordinance but he sees no need for it and spoke against it. He stated that he further agrees with the proposed requirement for a firm definition of the word "appointment." He spoke against having police as the enforcement arm of the ordinance and he also spoke to the need for a better definition of the word "attraction."

Mr. Kent Mantle, Operations Manager for Super Van Shuttle, spoke in support of the ordinance.

Mrs. Dutmer briefly explained the provisions of the proposed ordinance and she spoke of a letter to Super Van Shuttle from a Washington, D.C. attorney concerning the rejection of transportation service by a Super Van Shuttle operator at the airport because of intervention of a security guard who would not allow Super Van Shuttle to make a pickup. She then spoke against a VIA-requested ordinance provision as being "onerous."

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

Mr. Thompson spoke in support of the ordinance as a compromise effort that allows control of a specific transportation service that has previously not been controlled.

Mr. Labatt spoke in support of the motion to provide an alternate transportation mode and he addressed the need to closely screen applicants for shuttle service.

In response to a question by Mr. Martinez, Mr. Roger Ibarra,

Director of Public Utilities, addressed the enforcement of the ordinance noting that his office backs up the police in enforcement matters. He then addressed specifics of the shuttle operations at International Airport.

Mr. Thompson noted that the Council's Transportation Advisory Board now is working on a new ordinance for fair treatment of all modes of transportation in the City.

Mr. Mike Kutchins, Director of Aviation, spoke to Super Van Shuttle operations at the airport now and under consideration.

A brief discussion then took place concerning the shuttle ordinance provisions.

Mr. Labatt noted that the City Council is the agency that must award shuttle permits initially.

Mr. Hasslocher spoke briefly in support of the ordinance.

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, Cisneros; NAYS: None; ABSENT: None.

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88-21 DISCUSSION - FINANCIAL ADVISORY TEAM USE IN LIBRARY LOCATION

Mayor Cisneros stated that he feels this discussion may be somewhat premature until the entire recommendation process has been completed.

Ms. Vera stated that she hopes the financial advisory team can advise the Library Board itself during the process of screening and selecting a location.

Ms. Vera made a motion to direct the City Manager to create a financial advisory team at the appropriate time to advise other pertinent boards as well as the City Council on the Library issue. Mr. Labatt seconded the motion.

Mr. Martinez stated that he favors use of the financial advisory team at the proper time in order to evaluate all alternatives and he feels that that will depend on the recommendation by the Library Board itself.

Ms. Vera spoke in favor of making a financial advisory team at the disposal of the Library Board as desired.

Ms. Berriozabal spoke to the desire for a public hearing on the new Main Library matter at the proper time and she addressed the procedures of the recommendation process.

Mrs. Dutmer urged prudence in selection of the new Main Library site.

In response to a question by Mr. Thompson, Mr. David Garcia, Director of Special Projects, noted that the financial advisory team will cost between \$40,000 and \$50,000 in this case.

In response to a question by Mr. Wolff, Ms. Joan Mellard, Chairman of the Library Board, stated that she feels that the Library Board would welcome any assistance in the selection process.

The motion prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Thompson, Vera, Wolff, Labatt, Hasslocher, Cisneros; NAYS: Martinez; ABSENT: None.

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88-21 The Clerk read the following Ordinance:

AN ORDINANCE 67,109

ACCEPTING THE PROPOSAL OF PDR BOATS CO., INC., FOR A DOWNTOWN SAN ANTONIO RIVER BOATS AND BARGES CONCESSION.

* * * *

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

Mr. Ron Darner, Director of Parks and Recreation, provided a brief history of the ordinance and he spoke about the proposals being presented to a committee made up of eight members. He then described the point values that were established in the "Request for Proposal" (RFP) and the scoring categories. He then explained their recommendations that the contract be awarded to PDR Boats Company.

Mayor Cisneros then asked that the various groups make brief presentations to the City Council concerning their proposals.

Mr. Mike Hogan, representing San Antonio River Boats, Inc., described the changes to the original request for proposal which increased the point system by 35 points. He then presented the Council a copy of

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their presentation and he discussed in particular Exhibit B to their proposal. He then spoke to his concerns with the financial considerations and their evaluation by the rating committee, stating that he feels his group lost points inaccurately.

Mr. Henry Rodriguez, representing B San Antonio Company, distributed a packet of information to members of the City Council, a copy of which is made a part of the papers of this meeting. He then discussed the City's audit reports on the current contractor and he addressed the matter of a \$1.4 million dollar "revenue cap" which was placed on each of the proposals and its impact on the bids received. He then spoke to his reasons for suggesting that his bid is the best for the City.

Mr. Bill Lyons, representing PDR Boats, Inc., used an overhead projector to illustrate the growth of the current franchise operations and to speak to specifics of his group's proposal. He then compared it to the other proposals and spoke to his proven record of service and safety. He noted that he would guarantee at least a \$1.5 million dollar gross in the first year of the new contract.

Mr. Ernie Rodriguez, President of Fiesta River Boats, noted that his firm has a 50% minority ownership and a 50% minority representation on its board of directors. He then addressed highlights of his own proposal and what he believes are its advantages over the competitors.

Mayor Cisneros noted that he had received very few complaints about the present contractor over the years and he expressed appreciation for that contractor's record.

In response to a question by Mr. Labatt, Mr. Darner spoke to the City staff's establishment of the \$1.4 million dollar revenue cap annually and the expected increases. He then spoke to the record of growth of the current contract which has been 4% to 6% annually and he stated that he feels major price increases would be necessary in order to reach one of the bidder's projected \$4 million dollar annual revenue projection. He then briefly addressed what he termed realistic limits on the number of boats that can be used on the downtown river.

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

Mr. Darner concluded his remarks by stating that in his opinion PDR Boats offers the best deal to the City overall.

Mr. Martinez noted the narrow margin in the ratings between PDR Boats and Riverboats Del Rio. He stated that he feels a financial commitment rating made the difference in this selection process and he also stated that he feels that the category should have been spelled out

in more detail. He then stated that he feels that Riverboats Del Rio offers the best return to the City in this matter.

(Mayor Cisneros returned to the meeting to preside.)

In response to a question by Ms. Berriozabal, Mr. Darner spoke about the one-hour presentation time allotted to each applicant. He then briefly described the value assessment survey which is noted as Attachment 1 in the bid.

Mr. Narciso Cano then described the manner in which his group plans to operate under their contract.

In response to a question by Ms. Berriozabal, Mr. Darner spoke to the different variables in each of the proposals.

Ms. Berriozabal then stated that this was a great opportunity for the City to be very creative and to use the river to promote the downtown area. She asked if points were given for creativity. She then stated that she feels that the point system used here is full of holes.

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CHILEAN AIR FORCE VISITORS

Mayor Cisneros introduced Brigadier General Rene Alzerreca and three senior Chilean officers present in the audience. He noted that General Alzerreca and his party are in San Antonio to observe how our civilian government and military establishments function together. He noted that the group is in the United States at the invitation of the Departments of State and of Defense.

Mayor Cisneros then asked the group to come forward and he presented General Alzerreca with an Alcalde de la Villita, as well as a City book.

General Alzerreca then presented gifts to the City on behalf of the Chilean Air Force and discussed the group's visit to the United States.

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88-21

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RIVERBOATS (CONTINUED)

In response to a question by Ms. Berriozabal, Mr. Lyons and Mr. Henry Rodriguez briefly defended their revenue projections.

Mr. Wolff spoke in support of the staff recommendation and spoke briefly to his reasons for support of the City staff recommendation.

Mr. Webb stated that he feels a need to project expected revenues further in the future than has been done.

In response to a question by Mr. Wing, Mr. Lyons spoke of his community involvement and the number of employees in his company. Mr. Hogan also spoke of his own community involvement and addressed the number of employees that would be utilized if given the bid.

Mr. Ernie Rodriguez spoke of the scholarships they plan to award if given the bid.

Mr. Henry Rodriguez stated that his group plans to hire students and will also be awarding scholarships.

Mr. Martinez made a substitute motion to award the contract to Riverboats Del Rio. Ms. Berriozabal seconded the motion.

A brief discussion then took place concerning possible expansion of river areas available to riverboats and the possibility of having more than one concessionaire on the river at any one time.

Mr. Tom Finlay, Assistant City Attorney, noted that this contract being considered today is an exclusive contract for the area covered.

Ms. Vera spoke in favor of rotating concessionaires for the riverboats and she spoke in support of B San Antonio's bid based on its projected return to the City.

The substitute motion failed to carry by the following vote:
 AYES: Berriozabal, Webb, Dutmer, Martinez, Cisneros; NAYS: Wing, Thompson, Vera, Wolff, Labatt, Hasslocher; ABSENT: None.

Mr. Wing then made a second substitute motion which granted the contract to B San Antonio Boats. Ms. Vera seconded the motion.

The substitute motion failed to carry by the following vote:
 AYES: Webb, Wing, Martinez, Vera, Cisneros; NAYS: Berriozabal, Dutmer, Thompson, Wolff, Labatt, Hasslocher; ABSENT: None.

The main motion then prevailed by the following vote: AYES: Berriozabal, Dutmer, Thompson, Wolff, Labatt, Hasslocher, Cisneros; NAYS: Webb, Wing, Martinez, Vera; ABSENT: None.

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There being no further business to come before the City Council,
the meeting was adjourned at 6:30 P.M.

A P P R O V E D



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ATTEST: 
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