

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBERS, MUNICIPAL
PLAZA BUILDING, THURSDAY, FEBRUARY
2, 1995.

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95-05 The City Council convened in an informal "B" Session at 10:00 A.M., Municipal Plaza Building, "B" Room, to consider the following item(s). The Council members present were: PEREZ, McCLENDON, BILLA BURKE, AVILA, SOLIS, AYALA, ROSS, THORNTON, PEAK, LARSON, WOLFF.

A. City Council Work Session for scheduling of items for future "B" Session and City Council actions - Council concurred to have a discussion and review of that section of the present Ethics Ordinance dealing with contractors visiting with Council members on future proposed projects at either a "B" Session or "A" Session.

B. Consideration of appointment to the Planning Commission - Council voted to move forward to "A" Session next week the appointment of Ruben Ramos to fill the unexpired term of Mike Garcia who resigned.

C. Staff Presentation of a Comprehensive Family Advocacy Program - Council moved this item to "A" Session for formal consideration.

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95-05 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Nelson W. Wolff, with the following members present: PEREZ, McCLENDON, BILLA BURKE, AVILA, SOLIS, AYALA, ROSS, THORNTON, PEAK, LARSON, WOLFF. Absent: NONE.

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95-05 Invocation - Reverend Jeffrey Wood, First Presbyterian Church.

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95-05 Pledge of Allegiance to the flag of the United States.

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95-05 Minutes of the December 15, 1994 Regular City Council Meeting were approved.

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95-05

OFFICIAL CITY COUNCIL PHOTOGRAPH

The City Council and City Manager Alex Briseno posed for the annual formal City Council photograph in Council Chambers.

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95-05

CONSUL GENERAL OF CHILE

Mayor Wolff noted that the Consul General of Chile in Houston, the Honorable Luis Winter, is visiting San Antonio to meet with local business and industry leaders and City officials to promote economic development between San Antonio and the Republic of Chile. He then introduced the Consul General and asked him to come forward, where he was presented with an Alcalde de la Villita proclamation.

The Hon. Luis Winter thanked the Mayor and City Council, and spoke to his representation of his nation to Texas and all of the southwestern United States from Houston offices. He then addressed his nation's values, and presented the Mayor with a map of Chile and a book about the nation.

Mayor Wolff, in accepting the gifts on behalf of the City, presented the Consul General with a San Antonio tie.

City Council members welcomed the Consul General to San Antonio and spoke to Chile's plans to seek membership in the North American Free Trade Association (NAFTA).

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95-05

SOUTH TEXAS BLOOD & TISSUE CENTER

Mayor Wolff introduced Dr. Norman Kalmin, President, Chief Executive Officer and Medical Director of the South Texas Blood & Tissue Center.

Dr. Kalmin formally invited the Mayor and City Council members to the opening ceremonies for the Center's new facilities on Interstate 10 North, and introduced a number of persons involved with its design and construction, as well as financing. He then spoke to plans to expand the services of the Center.

City Council members congratulated those involved, and spoke to the Center's vital services to this area.

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95-05

LIBRARY FOUNDATION MONTH

Mayor Wolff read a proclamation designating "Library Foundation

Month" in San Antonio, and presented it to Ms. Kye Fox, Foundation Vice-President for Public Relations, and Ms. Maria Cossio, Executive Director.

Ms. Fox introduced other members of the delegation, who distributed special packets of information to City Council members concerning the events of the month.

Ms. Cossio thanked the Mayor and City Council members for the recognition and proclamation.

95-05

SAN ANTONIO SPORTS HALL OF FAME

Mayor Wolff noted that tomorrow, the San Antonio Sports Foundation will hold its First Annual San Antonio Sports Hall of Fame Tribute and will honor four outstanding individuals. He then read the proclamation concerning the event, and presented it to Dr. David Schmidt, Foundation Chairman.

Dr. Schmidt addressed the benefits of tomorrow's gala.

Mr. Larry Walker, President of the Foundation, then introduced the four inductees to the Hall of Fame: Mr. Bob Coleman, Mr. George Gervin, Mr. Kyle Rote, and Mr. Tommy Nobis.

Each of the inductees spoke of their thanks to the foundation for the honor.

Members of the delegation distributed special posters of the foundation to the Mayor and City Council members.

95-05

LAW STUDENT EXCHANGE

Mayor Wolff stated that the International Law Association at St. Mary's University School of Law periodically organizes an exchange trip with the law students from the University of Coahuila at Saltillo, Mexico. He noted that some 25 such students from Mexico are visiting in City Council chambers today, and introduced Ms. Susanna Visconti, student director of the association.

Ms. Visconti spoke briefly to details of the student exchange, after which each visiting law student came forward to introduce themselves. Mayor Wolff and City Council members presented each visitor with business card-size address/telephone number directories from the City of San Antonio.

The Mayor and Council members then welcomed the group to San Antonio and City Hall, and spoke of San Antonio's historic and economic relationship with the state of Coahuila.

Mr. Fred Johnson and Mr. Paul Wendland, representing the St. Mary's University School of Law, spoke briefly to the exchange objectives.

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

95-05 It was the concensus of City Council members present to consider Agenda Item 36 at this time.

95-05 The Clerk read the following Ordinance:

AN ORDINANCE 81,556

ACCEPTING A GRANT IN THE AMOUNT OF \$14,978.00 FROM RONALD MCDONALD CHILDREN'S CHARITIES (RMCC) OF GREATER SAN ANTONIO, INC. TO SUPPLEMENT THE EL PROTECTOR GRANT WITH PROMOTIONAL AND EDUCATIONAL MATERIALS TO REACH CHILDREN'S TARGETED BY THIS PROGRAM; AND APPROVING A BUDGET.

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

Deputy Police Chief Gilbert Sandoval briefly explained the grant and its uses.

Mr. Dale Peterson, Executive Director, Ronald McDonald Children's Charities, spoke to the group's fundraising efforts and presented a check to the San Antonio Police Department in the amount of \$14,978 for the "El Protector" program.

Mayor Wolff and individual Council members thanked McDonald's for the grant.

Police officers involved in the "El Protector" program came forward to explain that program.

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

Ms. Billa Burke made a motion to approve Agenda Items 7 through 42c, constituting the Consent Agenda, with Items 37, 40, and 41 having been removed earlier by the City Manager; and Items 15, 21, and 23 being pulled for individual consideration. Ms. McClendon seconded the motion.

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

AN ORDINANCE 81,557

ACCEPTING THE LOW BID OF TEXAS STATE DISTRIBUTORS, INC. TO FURNISH THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH SAFETY VESTS FOR A TOTAL OF \$18,150.00.

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AN ORDINANCE 81,558

ACCEPTING THE LOW BID OF VULCAN ALUMINUM TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH ALUMINUM SIGN BLANKS FOR A TOTAL OF \$53,449.00.

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AN ORDINANCE 81,559

ACCEPTING THE PROPOSAL OF MATRIX SYSTEMS, INC. FOR RENEWAL OF A MAINTENANCE SERVICE AGREEMENT FOR A MATRIX AUTOMATED ACCESS SYSTEM FOR THE CITY OF SAN ANTONIO AVIATION DEPARTMENT FOR A TOTAL OF \$48,696.00.

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AN ORDINANCE 81,560

ACCEPTING THE LOW BIDS OF FERRARA FIREFIGHTING EQUIPMENT, FOUR ALARM FIRE EQUIPMENT, AND CASCO INDUSTRIES, INC., TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH PROTECTIVE CLOTHING-FIREFIGHTING FOR A TOTAL OF \$37,446.00.

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AN ORDINANCE 81,561

ACCEPTING THE LOW BID OF CASCO INDUSTRIES, INC./KME FIRE APPARATUS TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH FIRE PUMPER TRUCKS FOR A TOTAL OF \$480,418.00.

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AN ORDINANCE 81,562

ACCEPTING THE LOW BIDS OF CDM CONTRACT FURNISHINGS, INC., TEXAS WILSON OFFICE FURNITURE & SERVICES, INC., WITTIGS OFFICE INTERIORS, RIO CONTRACT FURNITURE, JOSHUA MICROFILM COMPANY, AND SMITH OFFICE FURNITURE TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH TABLES, FILES, AND MISCELLANEOUS EQUIPMENT FOR THE NEW CENTRAL LIBRARY FOR A TOTAL OF \$401,121.69.

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AN ORDINANCE 81,563

ACCEPTING THE LOW BIDS OF TEXAS WILSON OFFICE FURNITURE & SERVICES, INC., WITTIGS OFFICE INTERIORS, RIO CONTRACT FURNITURE, AND SMITH OFFICE FURNITURE TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH SEATING FOR THE NEW CENTRAL LIBRARY FOR A TOTAL OF \$496,958.35.

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AN ORDINANCE 81,564

CANCELLING THE CONTRACT OF STANBERRY JANITORIAL SERVICE FOR JANITORIAL SERVICE FOR THE HEALTH CLINICS AND AWARDING IT TO POSH CLEANING SERVICE, FOR A TOTAL OF APPROXIMATELY \$16,000.00.

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AN ORDINANCE 81,565

ACCEPTING THE LOW, QUALIFIED BID OF V. K. KNOWLTON PAVING CONTRACTOR, INC. IN THE AMOUNT OF \$1,079,000.00 IN CONNECTION WITH THE HAWTHORNE FROM IH35 TO PLEASANTON ROAD COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AUTHORIZING A CONTRACT; REVISING THE PROJECT BUDGET; AUTHORIZING \$53,950.00 FOR CONSTRUCTION CONTINGENCY EXPENSES, \$5,569.80 FOR ENGINEERING FEES PAYABLE TO MAESTES & BAILEY, INC. FOR ADDITIONAL ADVERTISING EXPENSES AND \$36,739.64

FOR PROJECT OVERSIGHT COSTS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 81,566

ACCEPTING THE LOW, QUALIFIED BID OF E-Z BEL CONSTRUCTION CO., INC. IN THE AMOUNT OF \$642,849.14 IN CONNECTION WITH THE VILLA CORONADO STREETS, PHASE II COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) RECONSTRUCTION PROJECT; AUTHORIZING A CONTRACT; REVISING THE PROJECT BUDGET; AUTHORIZING \$21,368.62 FOR CONSTRUCTION CONTINGENCY EXPENSES AND \$3,011.11 FOR ADDITIONAL ENGINEERING EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 81,567

AUTHORIZING THE PLACING OF TRAFFIC SIGNALS AT FOUR INTERSECTIONS; AUTHORIZING \$150,000.00 FOR TRAFFIC SIGNAL EQUIPMENT, MATERIALS, CONTRACTUAL SERVICES, RENTAL OF EQUIPMENT, AND OVERTIME SALARIES AND WAGES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 81,568

AUTHORIZING THE EXECUTION OF AN AMENDMENT IN THE AMOUNT OF \$34,773.20 TO THE CONTRACT WITH WEYMEN & ASSOCIATES, INC. IN CONNECTION WITH THE HI-LIONS DRAINAGE #80 PROJECT.

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AN ORDINANCE 81,569

ACCEPTING THE LOW, QUALIFIED BID OF V. K. KNOWLTON PAVING CONTRACTOR, INC. IN THE AMOUNT OF \$1,091,149.70 IN CONNECTION WITH THE 34TH STREET FROM WEST COMMERCE TO MAYBERRY AND FORTUNA FROM PARKSIDE TO LA GLORIA COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) RECONSTRUCTION PROJECT; AUTHORIZING A CONTRACT; REVISING THE PROJECT BUDGET; AUTHORIZING \$163,672.46 FOR CONSTRUCTION CONTINGENCY EXPENSES, \$8,364.56 FOR ADDITIONAL ENGINEERING EXPENSES PAYABLE TO RONNFELDT/ARANDA JOINT VENTURE, \$350 FOR

ADVERTISING EXPENSES AND \$9,704.71 FOR PROJECT
OVERSIGHT COSTS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 81,570

AUTHORIZING THE EXECUTION OF A 1987 G.O. PUBLIC
SAFETY FIRE BOND CONSTRUCTION CONTRACT WITH NOBE
GENERAL CONTRACTOR IN THE AMOUNT OF \$878,900.00;
AUTHORIZING \$61,523.00 FOR MISCELLANEOUS
CONSTRUCTION CONTINGENCY EXPENSES AND \$2,000.00 FOR
ADVERTISING EXPENSES IN CONNECTION WITH THE INTERIOR
AND EXTERIOR MODIFICATIONS TO 15 FIRE STATIONS AND
THE FIRE DEPARTMENT TRAINING TOWER; APPROPRIATING
FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 81,571

AUTHORIZING THE EXECUTION OF A 1985 G. O. BOND
FUNDED FIELD ALTERATION NO. 1 TO THE CONSTRUCTION
CONTRACT WITH R. L. JONES CO., INC., IN THE AMOUNT
OF \$57,130.00; APPROPRIATING FUNDS AND PROVIDING
FOR PAYMENT IN CONNECTION WITH THE LORD ROAD
DRAINAGE #114C, PHASE I PROJECT.

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AN ORDINANCE 81,572

AUTHORIZING THE ONE YEAR EXTENSION OF A LEASE
AGREEMENT WITH BLAIRE CARNAHAN DBA BLAIRE CARNAHAN
FINE ART, FOR LEASE OF APPROXIMATELY 428 SQUARE FEET
OF REAL PROPERTY LOCATED AT 102 KING PHILIP V WALK
IN LA VILLITA FOR A RENTAL OF \$290.80 PER MONTH,
EXCLUDING UTILITIES AND AN ADJUSTMENT FOR THE NIGHT
IN OLD SAN ANTONIO ("NIOA") EVENT.

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AN ORDINANCE 81,573

AUTHORIZING THE TWO YEAR EXTENSION OF A LEASE
AGREEMENT WITH JOSEPH H. MARSHALL DBA YE OLD TIME
GALLERY, FOR LEASE OF APPROXIMATELY 330 SQUARE FEET
OF REAL PROPERTY LOCATED AT 102 KING PHILIP V WALK
IN LA VILLITA FOR A RENTAL OF \$229.40 PER MONTH,
EXCLUDING UTILITIES AND AN ADJUSTMENT FOR THE NIGHT
IN OLD SAN ANTONIO ("NIOA") EVENT.

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AN ORDINANCE 81,574

AUTHORIZING THE TWO YEAR EXTENSION OF A LEASE AGREEMENT WITH SCENTCHIPS, INC., DBA PUFF-N-STUFF CANDLES, FOR LEASE OF APPROXIMATELY 1,149 SQUARE FEET OF REAL PROPERTY LOCATED AT 503 E. NUEVA IN LA VILLITA FOR A RENTAL OF \$763.70 PER MONTH, EXCLUDING UTILITIES AND AN ADJUSTMENT FOR THE NIGHT IN OLD SAN ANTONIO ("NIOISA") EVENT.

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AN ORDINANCE 81,575

APPROVING A FIVE-YEAR RIVER WALK LEASE AGREEMENT WITH AZTEC THEATER LTD. FOR THE USE OF SPACE ON THE SAN ANTONIO RIVER WALK TO BE USED FOR OUTDOOR DINING, RETAIL, OR OTHER PERMISSIBLE USES ADJACENT TO THE PORTION OF CROCKETT STREET BETWEEN NORTH ST. MARY'S AND NAVARRO STREETS FOR AN INITIAL RENTAL NOT TO EXCEED \$1.25 PER SQUARE FOOT PER MONTH, SUBJECT TO AN ANNUAL UPWARD ADJUSTMENT OF NOT MORE THAN 15% OF THE PREVIOUS YEAR'S RENTAL.

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AN ORDINANCE 81,576

APPROVING A FIVE-YEAR RIVER WALK LEASE AGREEMENT WITH PETERSON AND MAXWELL PARTNERSHIP TO PERMIT THE UTILIZATION OF SPACE ALONG THE SAN ANTONIO RIVER WALK ADJACENT TO THE PORTION OF CROCKETT STREET BETWEEN NORTH ST. MARY'S AND NAVARRO STREET FOR OUTDOOR DINING, RETAIL OR OTHER PERMISSIBLE USES FOR AN INITIAL RENTAL NOT TO EXCEED \$1.25 PER SQUARE FOOT PER MONTH, SUBJECT TO AN ANNUAL UPWARD ADJUSTMENT OF NOT MORE THAN 15% OF THE PREVIOUS YEAR'S RENTAL.

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AN ORDINANCE 81,577

APPROVING A TWENTY-YEAR SUBSURFACE ("BRIDGE") LEASE AGREEMENT, INCLUDING A CONSTRUCTION ADDENDUM, WITH AZTEC THEATER, LTD., A TEXAS LIMITED PARTNERSHIP, TO PERMIT THE UTILIZATION OF 0.204 OF AN ACRE OR APPROXIMATELY 8.887 SQUARE FEET OF SUBSURFACE AREA UNDERNEATH THE PORTION OF CROCKETT STREET ADJACENT TO NEW CITY BLOCK 116, LOTS 2 THRU 9 AND ONE-HALF OF

THE ALLEY BETWEEN LOTS 9 AND 10 WHICH ARE CURRENTLY OWNED BY SAID ENTITY, FOR A FIRST-YEAR RENTAL RATE OF \$6,396.00 SUBJECT TO AN ANNUAL UPWARD ADJUSTMENT.

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AN ORDINANCE 81,578

APPROVING A TWENTY-YEAR SUBSURFACE ("BRIDGE") LEASE AGREEMENT, INCLUDING A CONSTRUCTION ADDENDUM, WITH PETERSON AND MAXWELL PARTNERSHIP, A TEXAS GENERAL PARTNERSHIP, TO PERMIT THE UTILIZATION OF 0.029 OF AN ACRE OR APPROXIMATELY 1,264 SQUARE FEET OF SUBSURFACE AREA UNDERNEATH THE PORTION OF CROCKETT STREET ADJACENT TO NEW CITY BLOCK 116, LOT 12 WHICH IS CURRENTLY OWNED BY SAID ENTITY, FOR A FIRST-YEAR RENTAL RATE OF \$910.00 SUBJECT TO AN ANNUAL UPWARD ADJUSTMENT.

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AN ORDINANCE 81,579

APPROVING THE RENEWAL AND EXTENSION OF A LEASE AGREEMENT FOR 715 SQUARE FEET OF RETAIL SPACE AT THE RIVERBEND PARKING GARAGE WITH CULLEN GRINNAN D/B/A ALAMO AREA TOURS FOR ONE YEAR BEGINNING FEBRUARY 1, 1995, AND ENDING JANUARY 31, 1996, AT A RATE OF \$1.00 PER SQUARE FOOT; AND PROVIDING FOR TWO ADDITIONAL ONE-YEAR EXTENSIONS UPON MUTUAL AGREEMENT OF THE PARTIES AT MARKET RENTAL RATES.

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AN ORDINANCE 81,580

AUTHORIZING PAYMENT IN THE AMOUNT OF \$1,517.00 FOR TITLE SERVICES ON THE 34TH STREET RECONSTRUCTION PROJECT - CULEBRA ROAD TO W. COMMERCE STREET AND THE WURZBACH PARKWAY PROJECT; A PROCESSING FEE FOR THE OCTAVIA PLACE DRAINAGE PROJECT #63; AND APPROPRIATING FUNDS.

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AN ORDINANCE 81,581

AUTHORIZING THE CITY MANAGER TO EXECUTE A FIVE (5) YEAR LEASE AGREEMENT WITH CENTRO DEL BARRIO, INC. FOR THE DULLNIG HOUSE AND PROPERTY LOCATED AT 204 NOLAN STREET AT AN ANNUAL RENTAL OF \$1.00.

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AN ORDINANCE 81,582

APPROVING A SIXTY (60) MONTH LEASE AGREEMENT WITH MILTON BONIUK, M.D., TRUSTEE, OF SAN ANTONIO, TEXAS AS LANDLORD, AT A MONTHLY RENTAL OF \$750.00 FOR THE FIRST THIRTY (30) MONTHS AND \$850.00 FOR THE FINAL THIRTY (30) MONTHS, FOR 1,170 SQUARE FEET OF OFFICE SPACE IN THE VILLAGE SQUARE SHOPPING CENTER, TO HOUSE THE YOUTH SERVICES DIVISION'S SOUTH WEST CENTER; AND AUTHORIZING THE PAYMENT OF THE MONTHLY LEASE RENTAL.

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AN ORDINANCE 81,583

AMENDING ORDINANCE NO. 80592, PASSED AND APPROVED AUGUST 11, 1994, TO REVISE THE BUDGET OF THE MEDICAL TRANSPORTATION PROJECT TO REFLECT THE ACTUAL AMOUNT OF GRANT FUNDS RECEIVED, \$169,994.00, FOR THE PERIOD FROM NOVEMBER 1, 1994 THROUGH OCTOBER 31, 1995 FROM THE TEXAS DEPARTMENT OF HUMAN SERVICES IN SUPPORT OF SAID PROJECT; AND APPROVING A REVISED BUDGET.

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AN ORDINANCE 81,584

AUTHORIZING A CONTRACT IN THE AMOUNT OF \$7,350.00 WITH THE SAN ANTONIO INDEPENDENT SCHOOL DISTRICT OF BEXAR COUNTY, TEXAS, TO PROVIDE NUTRITIONAL SNACKS IN THE URBAN SMARTS PROGRAM TO CLIENTS OF THE YOUTH SERVICES DIVISION OF THE DEPARTMENT OF COMMUNITY INITIATIVES; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 81,585

REAPPOINTING JOHN AGATHER (DISTRICT 9) TO THE AIRPORT ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 15, 1995.

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AN ORDINANCE 81,586

REAPPOINTING B. J. LUNSFORD (DISTRICT 6) TO THE CABLE TELEVISION ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 15, 1995.

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AN ORDINANCE 81,587

APPOINTING CAMILLE FIORILLI TO THE SAN ANTONIO
PUBLIC LIBRARY BOARD OF TRUSTEES FOR A TERM OF
OFFICE TO EXPIRE ON SEPTEMBER 30, 1995.

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95-05 The Clerk read the following Ordinance:

AN ORDINANCE 81,588

AUTHORIZING THE EXECUTION OF FIELD ALTERATION NO.
18 IN THE AMOUNT OF \$41,662.00 TO THE CONTRACT WITH
RAMEX CONSTRUCTION CO., IN CONNECTION WITH THE
DRIFTWOOD DRAINAGE PROJECT; AND PROVIDING FOR
PAYMENT.

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

Mr. John German, Director of Public Works, briefly explained
the need for the field alteration.

In response to a question by Ms. Ayala, Mr. German spoke to
certain gate problems on adjacent private properties, caused by the
concrete work.

Mr. Solis spoke to his concern with street problems along the
project, especially cracked asphalt, and questioned the timing in
determining the amount of asphalt being required on the job.

Mr. German noted that heavy street loads, such as that from
buses, caused the cracking problems with the asphalt, and also stated
his belief that the contractor underestimated the amount of asphalt
needed for the project.

Ms. Ayala stated her belief that the expansive clay soils in
the area may have caused much of the problem, and spoke to the need to
look at this problem on all projects first, with an eye toward different
standards being applied to different areas.

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

95-05 At the request of a City Council member present, it was the consensus of Council members to undertake consideration of Agenda Item 45 at this time.

The Clerk read the following Ordinance:

AN ORDINANCE 81,589

AMENDING SECTION 1-14 OF THE CITY CODE WHICH MAKES IT UNLAWFUL FOR ANY PERSON TO CAUSE, SECURE, AID OR ABET ANOTHER PERSON TO COMMIT AN ACT PROHIBITED BY THIS CODE SO AS TO ALSO MAKE IT UNLAWFUL FOR ANY INDIVIDUAL WITH PARENTAL AUTHORITY OVER A MINOR TO INTENTIONALLY, KNOWINGLY, RECKLESSLY OR WITH CRIMINAL NEGLIGENCE FAIL TO ATTEMPT TO PREVENT THE MINOR FROM COMMITTING AN ACT PROHIBITED BY THIS CODE OR BY ANY RULE OR REGULATION ADOPTED UNDER THIS CODE; AND PROVIDING FOR A PENALTY NOT TO EXCEED \$500.00 FOR VIOLATIONS OF THE PROVISIONS HEREOF.

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

Mr. Sergio Soto, Director of Youth Initiatives, narrated a brief video presentation and spoke to its details and possible ramifications.

Judge Stella Ortiz Kyle, Presiding Judge of Municipal Court, spoke to the legal aspects of the proposed new law and to prosecution details against both the juvenile and his or her parents.

(At this point, Mayor Wolff returned to the meeting to preside.)

The following persons spoke:

The Hon. Andy Mireles, District Court Judge, noted that such provisions have been state law since 1975 in Texas, and have been very effective. He spoke in support for their adoption by the City Council for San Antonio, noting that the city would be the first Texas city to adopt these provisions as their municipal law.

Mr. Ray Hamilton, Northside Neighborhoods for Economic Development, spoke in support for the proposed ordinance and its positive aspects.

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Ms. Billa Burke encouraged the law's enactment by City Council to force parents to take responsibility for their children's actions.

Mr. Peak noted that Municipal Court has discretion in the enforcement of the proposed new law.

Mr. Perez noted that this is a step in the right direction, and asked for periodic appraisal reports to assess the law's effectiveness.

Mr. Soto agreed to make reports to City Council every six months.

Ms. Ayala spoke to her concern with the impact on single-parent households.

Judge Kyle noted that the judges in Municipal Court will assess each case, individually, and she spoke to possible options.

Mr. Ross noted that this only applies to violations of the City Code, such as matters of graffiti, curfew violations, and weapons possession, among others.

A discussion then ensued, centering upon Mr. Ross's concerns about funding and staffing matters.

Mr. Larson spoke to the movement toward involvement of parents in taking responsibility for their children's actions.

Ms. McClendon noted the importance of involving parents early in each adjudication.

Mr. Thornton stated his belief that parents are the best deterrent to childrens' problems and values.

Mr. Solis spoke to the problems in a single-parent household, and spoke in support for the proposed ordinance.

Mayor Wolff thanked Mr. Larson and the Crime Commission for their work in this matter.

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

95-05 It was the concensus of Council members present to undertake consideration of Agenda Item 49 at this time.

The Clerk read the following Resolution:

A RESOLUTION NO. 95-05-10

EXPRESSING STRONG SUPPORT OF THE "MAYORS UNITED ON

SAFETY, CRIME, AND LAW ENFORCEMENT" (M.U.S.C.L.E.) STATEWIDE ANTI-CRIME LEGISLATIVE PACKAGE; URGING THE STATE LEGISLATURE TO CAREFULLY STUDY THE PENAL CODE, THE NEED FOR PRISON SPACE, APPROPRIATE PUNISHMENT AND DETERRENTS, AS WELL AS THE STATE PAROLE AND PROBATION SYSTEM; AND INCORPORATING INITIATIVES WITHIN THE PACKAGE INTO THE CITY OF SAN ANTONIO'S 1995 STATE LEGISLATIVE PROGRAM.

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

Ms. Myra Leo, Director of Intergovernmental Relations, briefly explained the anti-crime legislative package put forth by "Mayors United On Safety, Crime and Law Enforcement".

Mayor Wolff addressed a brief history of the MUSCLE organization and its impact upon new anti-crime legislation.

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

95-05 It was the concensus of Council members present to undertake consideration of Agenda Item 46 at this time.

The Clerk read the following Ordinance:

AN ORDINANCE 81,590

AMENDING AND EXPANDING THE CABLE ADVISORY COMMITTEE DUTIES AND RESPONSIBILITIES TO INCLUDE REVIEWING AND RESPONSIBILITIES TO INCLUDE REVIEWING AND SUBMITTING RECOMMENDATIONS TO THE CITY COUNCIL CONCERNING PROPOSED RATE CHANGES FOR CABLE TELEVISION .

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

Mr. Bill Arnette, Supervisor of Public Utilities, briefly explained the proposed ordinance.

Mr. T.J. Connally, representing Paragon Cable, stated that his firm supports the proposed revision of the Cable TV Advisory Committee ordinance and the involvement of citizens in reviewing cable TV rate requests.

Ms. McClendon spoke in support for consumer input into the cable TV rate review process.

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

95-05 It was the concensus of City Council members present to undertake consideration of Agenda Item 50 at this time.

The Clerk read the following Ordinance:

AN ORDINANCE 81,591

APPROPRIATING FUNDS IN THE AMOUNT OF \$25,000.00 FOR THE PERIOD FROM JANUARY 1, 1995 TO DECEMBER 31, 1995, AND EXPRESSING A COMMITMENT TO APPROPRIATE AN ADDITIONAL \$25,000.00 FOR THE PERIOD FROM JANUARY 1, 1996 TO DECEMBER 31, 1996, FOR THE ASSOCIATION OF SOUTH TEXAS COMMUNITIES IN SUPPORT OF ITS LEGISLATIVE INITIATIVES ON HIGHER EDUCATION, HEALTH CARE AND ECONOMIC DEVELOPMENT FOR THE SOUTH TEXAS BORDER REGION.

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

Ms. Myra Leo, Director of Intergovernmental Relations, briefly explained the use of the funds involved.

Mayor Wolff spoke to the importance of the legislative initiatives to bring the counties of south Texas together on common legislative goals.

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

95-05 City Council at this time returned to consideration of Consent Agenda items pulled for individual consideration.

95-05 The Clerk read the following Ordinance:

AN ORDINANCE 81,592

AUTHORIZING THE AMOUNT OF \$11,678.65 TO PROVIDE FOR THE EXTENSION OF GAS MAINS FOR THE AMIRES, GROFF, AND AZUCENA STREETS GAS MAINS (FROM 38TH STREET TO HORTENCIA) COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT TO CITY PUBLIC SERVICE.

* * * *

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

Mr. Ross spoke to the need to provide natural gas service to a pocket of homes on the city's west side.

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

95-05 The Clerk read the following Ordinance:

AN ORDINANCE 81,593

APPROVING A BEXAR METROPOLITAN WATER DISTRICT FUNDED FIELD ALTERATION NO. BM-2 TO THE CONSTRUCTION CONTRACT WITH RAMEX CONSTRUCTION CO., INC., IN THE AMOUNT OF \$46,018.25; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT IN CONNECTION WITH THE S. FLORES DRAINAGE PROJECT NO. 70-70A, PHASE II, PART 1.

* * * *

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

Mr. John German, Director of Public Works, explained details of the field alteration involved, funded by Bexar Metropolitan Water District.

Mr. Avila addressed certain problems experienced near Harlandale High School with inadequate patching of potholes.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Billa Burke,

Avila, Ayala, Thornton, Peak, Wolff; NAYS: None; ABSENT: Perez, McClendon, Solis, Ross, Larson.

95-05 Mayor Wolff declared the Public Hearing on Reprogramming \$6,693,132.11 CDBG funds to be open.

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

Mr. Andrew Cameron, Director of Housing & Community Development, spoke to City staff's recommendations on the proposed reprogramming of Community Development Block Grant funds, district by district, and city-wide.

The following persons appeared to speak:

Ms. Lillie Lopez, representing Christ the King Communities Organized for Public Service (COPS), asked for funding to complete the senior citizen housing apartment project at 4500 West Martin Street.

Rev. Richard Pena, also representing Christ the King COPS, addressed the importance of the senior citizen apartment housing project.

Mr. Bernardo Chavez, representing St. James COPS, spoke to senior citizen housing sponsored by St. James' retirement community, and asked for the proposed \$22,000 funding.

Ms. Gloria Martinez, also representing St. James COPS, asked for support for the project on Theo Avenue.

Ms. June Kachtik, representing U.U. Housing Assistance Corporation, noted that her group has a San Antonio Housing Trust grant for repair of homes in the Beacon Hill area, and spoke to the need for CDBG rehabilitation funds.

Mr. Rick Reyna, representing South Town Housing Directors, spoke regarding the need for funding of housing for low-income residents, and thanked the Council for the assistance given their project, Casa Lavaca Rehabilitation Project.

Ms. Angie Garza, representing Our lady of Good Counsel Parish COPS, asked the Council to support Our Lady of Good Counsel housing in the amount of \$210,000.

There being no further citizens signed to speak to this matter, Mayor Wolff declared the Public Hearing to be closed.

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

Mr. Perez stated that the Council's Housing Task Force needs to get projects that can be completed rapidly.

A discussion ensued concerning renovation of the former Robert E. Lee Hotel in the downtown area.

Mr. Perez asked City staff to develop a plan to prioritize the Christ the King Project in order to get it underway quickly, and noted that the project actually touches three Council districts.

Ms. Ayala addressed District 6 projects.

Ms. McClendon complimented the staff for its work and spoke to District 2 projects.

Mr. Solis spoke to his concern with the pressure of deadlines to complete projects, and stated his belief that the Public Works Department needs to work harder to keep San Antonio from having to reprogram CDBG funds for other projects.

Mr. Solis made an amendment to transfer \$60,000 from the San Antonio Alternative Housing Facility Expansion Project to Inner City Development Project.; and to increase by \$5,000 the allocation to the San Antonio Alternative Housing Rehabilitation Project, said funds to come from the City-Wide Bookmobile ADA allocation. Mr. Avila seconded the motion.

Mr. Peak stated his desire to pursue the request from U.U. Housing Assistance Corporation in the future, and asked for a staff report in March.

Mr. Alex Briseno, City Manager, spoke to San Antonio's spending ratio for CDBG funds and the importance of phasing all projects, rather than allocating all the funding up-front.

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

The main motion, as amended, carrying with it the passage of the following ordinance, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Solis, Ayala, Ross, Thornton, Peak, Wolff. NAYS: None. ABSENT: Larson.

The Clerk read the following Ordinance:

AN ORDINANCE 81,594

REPROGRAMMING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS IN THE AMOUNT OF \$6,693,132.11 MADE AVAILABLE THROUGH AN EXCESS OF FUNDS FROM COMPLETED PROJECTS, DISTRICT CONTINGENCIES, PROGRAM INCOME AND REDUCTIONS TO PROJECTS WHICH CANNOT BE FULLY

IMPLEMENTED DURING THE FISCAL YEAR; ALLOCATING SAID FUNDS TO COVER EXISTING CDBG PROJECT SHORTFALLS AND NEW PROJECTS WHICH CAN BE IMMEDIATELY IMPLEMENTED AND SUBSTANTIALLY COMPLETED WITHIN THE CURRENT FISCAL YEAR; REVISING THE APPROPRIATE CDBG BUDGETS; AND AUTHORIZING THE EXECUTION OF CONTRACTS AND OTHER DOCUMENTS AS NECESSARY IN CONNECTION THEREWITH.

* * * *

Mr. Perez made a motion to direct City staff to make every effort to identify funds expediently and to prepare action for City Council consideration so that funds can be made available in time to meet the July 30, 1995 construction start-time for the Christ the King Elderly Housing Project; further, that staff should develop a plan for funding this phase of development for this project. Ms. Billa Burke seconded the motion.

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

Mr. Peak made a motion to direct City staff to look into the request of the U.U. Housing Assistance Corporation and to come back to City Council in March with a report as to possible funding. Ms. McClendon seconded the motion.

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

95-05 Mayor Wolff declared the Public Hearing on cancelling third year atrium construction project reprogramming to project shortfalls to be open.

No citizen was signed to speak to this matter.

Mayor Wolff declared the Public Hearing to be closed.

The Clerk read the following Ordinance:

AN ORDINANCE 81,595

CANCELING THE 3RD YEAR HOME FUNDED ATRIUM ONE MULTI-FAMILY RENTAL NEW CONSTRUCTION PROJECT; REPROGRAMMING HOME FUNDS IN THE AMOUNT OF \$4000,000.00 MADE AVAILABLE FROM SAID PROJECT CANCELLATION TO ADDRESS EXISTING PROJECT SHORTFALLS IN THE ST. JAMES ELDERLY MULTI-FAMILY NEW CONSTRUCTION PROJECT AND THE FLORENCIA PLAZA FIRST-TIME HOMEBUYER NEW CONSTRUCTION, HABITAT FOR

HUMANITY PROJECT; REVISING THE APPROPRIATE HOME BUDGETS; AND AUTHORIZING THE EXECUTION AND SUBMISSION OF CONTRACTS AND OTHER DOCUMENTS AS NECESSARY IN CONNECTION THEREWITH.

* * * *

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

Mr. Andrew Cameron, Director of Housing & Community Development, explained the cancellation of one Community Development Block Grant (CDBG) project and the reprogramming of its funding to two other housing projects.

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

95-05 The Clerk read the following Ordinance:

AN ORDINANCE 81,596

AUTHORIZING PAYMENTS OF REFUNDS TOTALING \$85,860.10, TO PERSONS MAKING A DOUBLE PAYMENT, OVERPAYMENT, OR AS A RESULT OF A VALUE CHANGE ON 202 TAX ACCOUNTS.

* * * *

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

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

95-05 The Clerk read the following Ordinance for the first time.

AN ORDINANCE 81,597

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 88.50 ACRES OF LAND KNOWN AS THE AFS/AFD AREA PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

* * * *

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

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

95-05 The Clerk read the following Ordinance:

AN ORDINANCE 81,598

APPROVING AND ADOPTING A FIVE-YEAR SERVICE AND ASSESSMENT PLAN FOR THE CROCKETT STREET PUBLIC IMPROVEMENT DISTRICT; APPROVING THE PROPOSED ASSESSMENT ROLL FOR THE DISTRICT; CALLING A PUBLIC HEARING ON THE PROPOSED ASSESSMENTS; AND MAKING RELATED FINDINGS.

* * * *

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

Mr. Clint Bolden, Director of Economic Development, explained the Crockett Street Public Improvement District and its five-year Service & Assessment Plan.

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

95-05 The Clerk read the following Ordinance:

AN ORDINANCE 81,599

DIRECTING SETTLEMENT OF CAUSE NO. 83-CI-14959, STANLEY E. SINGLETON VS. CITY OF SAN ANTONIO, IN THE 45TH DISTRICT COURT OF BEXAR COUNTY, TEXAS AND APPROPRIATING \$235,000.00 FOR DISBURSEMENT IN CONNECTION THEREWITH.

* * * *

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

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

95-05 The Clerk read the following Ordinance:

AN ORDINANCE 81,600

GRANTING PERMISSION TO HOLD A FIREWORKS DISPLAY IN CONJUNCTION WITH OPENING CEREMONIES OF THE 1995 STOCK SHOW AND RODEO AT 7:00 P.M. ON FEBRUARY 4, 1995 WITH AN ALTERNATE "RAIN DATE" OF FEBRUARY 5, 1995 AT COCA-COLA DRIVE BETWEEN EAST HOUSTON STREET AND THE RAILROAD TRACKS; AND DECLARING AN EMERGENCY.

* * * *

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

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

95-05 City Council recessed its regular meeting at 4:30 P.M. and convened in Executive Session for:

A. Briefing in preparation for the Alamodome Soil Remediation Program/Public Hearing.

B. Briefing on legal issues involved in plans for Alamo Plaza.

95-05 City Council adjourned the Executive Session at 5:57 P.M. and reconvened its regular meeting at 5:58 P.M., at which time Mayor Wolff announced that City Council had taken no formal action, only gave city staff direction.

95-05 ALAMODOME ON-SITE LANDFILL

Mayor Wolff declared the Public Hearing to be open.

Mr. John German, Director of Public Works, spoke to the basic

data of the Alamodome On-Site Landfill matter and City staff recommendations pertaining to that landfill. He addressed its history, and noted that the Texas Natural Resources Conservation Commission had approved that landfill, although a later study found it to be constructed inadequately and ordered it removed. He then spoke to the environmental studies conducted on the landfill and the plan for its long-term, cost-effective removal, although contamination in the landfill has been found not to be hazardous. He stated that it will cost about \$3 million to remove the landfill, although it would cost more to keep it there and to monitor it for years. He then addressed the status of remediation costs for the contaminated Alamodome soil.

The following persons spoke:

Mr. Ed Fanick, 1070 Rice Rd., addressed problems with developments on the city's east side and the study of the Alamodome dirt removal.

Mr. Alan E. Thorn Bacon, representing Committee For Alternatives, spoke in support for moving the Alamodome soil, and spoke against the City purchasing a 'soil remediation unit'.

Mr. Abel P. Torres, Vice President, Residents Organized for a Safe Environment (ROSE), spoke in support for removal of the Alamodome dirt and urged proper training for those who supervise it.

Ms. Elizabeth Arevalo, ROSE Youth Leader, stated her belief that her grandmother's cancer and subsequent death were caused by the contaminated soil from the Alamodome, and she urged City Council to remove it.

Mr. George P. Terrell, 1002 Hoefgen, spoke in support for plans to remove the landfill dirt.

Mr. Tommy Calvert, Jr., representing the Southwest Community Empowerment Center, spoke in support for the proposed removal of the dirt.

Mr. Richard Garcia, 1107 South Hackberry, addressed several questions concerning the Alamodome dirt removal.

Ms. Kay Turner, representing Protect Our Water, spoke to the alleged waste of money on the Alamodome contaminated soils, over the years, stating her belief that the City Council has lost the trust of the citizens.

Mr. Kirk Patterson, 410 Larkwood, spoke in support for removal of the contaminated soils, and expressed his hope that City Council will pursue compensation for these costs.

Mr. T.C. Calvert, representing the Southwest Community Empowerment Center, commended City Council for taking action to remove the Alamodome soils, and spoke to his hope that contaminated soils at

other sites also will be removed. He spoke to his concern with actions that damage the city's south side, and also asked that adequate firefighting equipment near the Koch Refinery.

Ms. Annalisa Peace, representing Aquifer Guardians in an Urban Area (AGUA), stated her belief that no one should live in fear of contamination near their homes.

Mr. Jimmy Rodriguez, representing ROSE, expressed his belief that lead from the Alamodome soils has contaminated their bodies.

Mr. David Arevalo, 627 Delaware, thanked the Mayor and City Council for voting to remove the Alamodome soils, and expressed a special thanks for Mr. Gabriel Perez of the City staff for his cooperation.

Mr. Earl J. Walker, representing Harvard Place/Eastlawn Organization, spoke to having surveyed some 144 blocks about the Alamodome soils and spoke to his concerns about lead in those soils.

Ms. Marie Montgomery, representing ROSE, addressed her concern with industrial toxic waste and its effects upon the poor, noting that she was among the first to ask that the Alamodome south parking lot's contaminated dirt be removed. She spoke to her concern with who will pay to move this dirt.

Mr. John Foster, Chairman of the Board, Malcolm Pirnie, Inc., spoke to his firm's record of service, noting that the firm was hired after the Alamodome work already was underway and Alamo Iron Works had moved to a new site. He stated his belief that the City of San Antonio and VIA Metropolitan Transit made the decision to bury contaminated soils under the south parking lot of the Alamodome, and expressed his contention that the City Council should not move forward at this time with the removal of the landfill, speaking to three reasons for making that recommendation. He noted that his firm has avoided making any public comment on this matter, and asked to meet with the City to discuss matters.

Mr. Colin Barnhart, student at Texas Military Institute, stated his belief that the Alamodome soils were improperly disposed of, and he urged the soils be removed to a safe site.

Mr. Chavel Lopez, representing Southwest Workers Union, stated his belief that contamination of the Alamodome site was an injustice which poisoned nearby residents, and he spoke to his concern with the adverse impact on the poor, expressing his belief that this is 'environmental racism'.

Mr. Joe Linson, of State Rep. Karyne Conley's office, urged rapid removal of the contaminated soils, stating his belief that the City never had a permit to bury the dirt there, in the first place. He urged a spirit of healing in this matter, and urged that a qualified

minority firm be hired to move the dirt.

Mr. Clifton Hodge stated his belief that minorities did not profit from the Alamodome project, and asked City Council to vote to move the dirt now.

Mr. Mario Salas, representing Frontline 2000, addressed his concern with a number of dump sites and refineries on the east side, and urged removal of the Alamodome soils.

Mr. German at this time recognized the presence in the audience of representatives from the Texas Natural Resources Conservation Commission and Environmental Protection Agency, Richard Garcia and Guy Tidmore.

Mayor Wolff briefly reviewed the history of the Alamodome contaminated soils issue and noted that lawsuits have been filed against five firms. He stated that the landfill will be removed.

Ms. McClendon thanked the ROSE organization and Rep. Conley for their leadership on this issue, as well as U.S. Rep. Frank Tejada, and lauded the contributions of others involved in the matter. She spoke to her concern with 'environmental racism' on the city's east side, and stated her belief that the consultant that advised the City to bury contaminated soils at the Alamodome should pay for the removal of that soil.

Mr. Avila thanked Rep. Tejada and others for their leadership in this issue.

City Clerk Norma S. Rodriguez then read the following Resolution:

A RESOLUTION NO. 95-05-11

DIRECTING STAFF AND CONSULTANT TO INITIATE THE PROCESS OF REMOVING THE ALAMODOME ON-SITE LANDFILL.

* * * *

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

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

95-05 The Clerk read the following Ordinance:

AN ORDINANCE 81,601

AUTHORIZING AN AMENDMENT IN THE AMOUNT OF \$893,000.00 TO THE PROFESSIONAL SERVICES AGREEMENT WITH COOK-JOYCE, INC. FOR ENVIRONMENTAL ENGINEERING SERVICES IN CONNECTION WITH THE ALAMODOME ENVIRONMENTAL REMEDIATION PROJECT; AND AUTHORIZING A TRANSFER OF \$893,000.00 TO THE ALAMODOME ENVIRONMENTAL REMEDIATION FUND.

* * * *

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

Mr. John German, Director of Public Works, explained the funding matters related to the dirt removal, including the environmental engineering and other related costs for this work to be performed by Cook-Joyce, Inc.

(At this point, Mayor Wolff was obliged to leave the meeting. Mr. Perez presided in the temporary absence of the Mayor Pro Tem.)

Mr. Ross spoke against taking monies from the City's General Fund for this purpose, and spoke to the need to discuss this funding.

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

95-05 The Clerk read the following Ordinance:

AN ORDINANCE 81,602

RATIFYING THE ACTIONS OF CITY STAFF IN AUTHORIZING THE PROVISION OF PROFESSIONAL SERVICES IN THE AMOUNT OF \$68,824.79 FROM LLOYD, GOSSELINK, FOWLER, BLEVINS AND MATHEWS, P.C. IN CONNECTION WITH THE ALAMODOME ENVIRONMENTAL REMEDIATION PROJECT; AUTHORIZING AN AMOUNT NOT TO EXCEED \$148,175.21 FOR FURTHER SERVICES FROM SAID FIRM; AND AUTHORIZING A TRANSFER OF \$217,000.00 TO THE ALAMODOME ENVIRONMENTAL REMEDIATION FUND.

* * * *

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

Mr. Lloyd Garza, City Attorney, explained the payment for past and future legal costs in connection with the Alamodome soils remediation efforts.

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

95-05 (At this point, Mayor Wolff returned to the meeting to preside.)

95-05 The Clerk read the following Ordinance:

AN ORDINANCE 81,603

RATIFYING THE ACTIONS OF CITY STAFF IN AUTHORIZING PROFESSIONAL SERVICES IN THE AMOUNT OF \$183,443.12 FOR THE CONTRACT WITH COX & SMITH, INC. AND APPROPRIATING AN AMOUNT NOT TO EXCEED TO \$349,556.88 FOR LEGAL SERVICES RELATED TO ALAMODOME ENVIRONMENTAL LITIGATION EFFORTS; AUTHORIZING THE TRANSFER OF \$533,000.00 TO THE ALAMODOME ENVIRONMENTAL REMEDIATION FUND FOR THESE SERVICES.

* * * *

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

Mr. Lloyd Garza, City Attorney, briefly explained the costs incurred for certain legal services by the subject law firm.

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

95-55 The Clerk read the following Ordinance:

AN ORDINANCE 81,604

AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$191,074.11 TO EAGLE CONSTRUCTION AND ENVIRONMENTAL SERVICES INC., A NON-MBE, AND AUTHORIZING \$19,107.00 FOR CONSTRUCTION CONTINGENCIES IN CONNECTION WITH THE REMOVAL AND DISPOSAL OF CONTAMINATED SOILS

LOCATED ON RIGSBY ROAD IN COUNCIL DISTRICT NO. 3;
AND AUTHORIZING THE TRANSFER OF \$208,181.11 TO THE
ALAMODOME ENVIRONMENTAL REMEDIATION FUND.

* * * *

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

Mr. John German, Director of Public Works, spoke to the focus upon on another site where some 9,500 cubic feet of Alamodome soil were stored, albeit the fact that the materials involved are Class 2 materials. He noted that these soils will be disposed of in a municipal landfill, and spoke to the per cent of the work that will be subcontracted to minority firms.

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

95-05

CITIZENS TO BE HEARD

TAXICAB ISSUE

Mr. Cruz Chavira, San Antonio Taxi Alliance, appeared to speak to the City Council regarding several taxicab issues, namely, the status of the number of permits which were to be issued; questions about the insurance requirements and questions about a change of schedule for replacement dates for vehicles used as taxicabs.

Capt. Tom Polonis, Ground Transportation Division of the San Antonio Police Department, explained that the schedules which were handed out last Monday were meant to clear up confusion with a previous schedule. He explained the reasoning behind the newly distributed schedules which nonetheless did not change any part of the ordinance.

In response to a question by Mr. Solis, Capt. Polonis stated that the matter of the insurance was clarified last week in that Risk Management resolved the issue.

After discussion by several Council members on the issues brought forward by Mr. Chavira, it was concurred that these items be referred to the Council's Transportation Committee for review and a report brought back to the entire Council in two weeks.

* * * *

MS. PATSY CHEYNEY

Ms. Patsy Cheyney, San Antonio Alliance for the Mentally Ill, spoke to the Council about several agenda items which dealt with mental illness. She asked the City Council members to encourage their representatives on MH/MR to apply for available grant monies. She stated that MH/MR representatives have been deficient in this matter and that there are many grant monies available especially for children with mental illness. She then asked that they go to the Texas Legislature for legislative relief and spoke to the many pending bills which have been filed dealing with mental illness.

* * * *

MR. JOSE H. CHAVEZ

Mr. Jose H. Chavez spoke in opposition to the tearing down of the Arena and stated that the citizens of San Antonio should be the ones to decide on this issue since they were the ones who approved the bonds for its creation in the first place.

* * * *

DON WILKINS CASTILLO

* * * *

Mr. Don Wilkins Castillo spoke to the City Council about issues which he would concentrate on if he were Mayor such as more crime prevention meetings, more police officers, etc.

95-05 There being no further business to come before the Council, the meeting was adjourned at 6:40 P.M.

A P P R O V E D

Richard W. Walff
M A Y O R

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

February 02, 1995
bg