

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO, HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, JANUARY 3, 1991.

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

91-01 INVOCATION AND PRESENTATION OF OPERATION DESERT SHIELD CITATION.

Mayor Cockrell spoke of a new suggested procedure for the opening of City Council meetings into the near-future, involving San Antonio families which have loved ones in the Persian Gulf area at this time. She then recognized Mr. Wing.

Mr. Wing then introduced the Valentin Martinez Sr. family, which has a son in the Persian Gulf, and addressed the proposal to honor such families. He spoke in depth on the Martinez family's connections with service to the nation.

Reverend Keith Fox, of House of Prayer Lutheran Church, came forward to offer the invocation.

Mr. Valentin Martinez Sr. then let the Council and audience in the Pledge of Allegiance to the flag of the United States.

Mayor Cockrell then read a Citation, to wit:

CITATION

THE IGNACIO G. LARA FAMILY

IN RECOGNITION OF THEIR CONTRIBUTION AND SACRIFICE AS THEIR HUSBAND AND FATHER, IGNACIO G. LARA, PLAYS A SIGNIFICANT ROLE IN SERVICE TO OUR COUNTRY DURING OPERATION DESERT SHIELD.

THE MAYOR AND MEMBERS OF THE CITY COUNCIL SALUTE AND COMMEND THE LARA FAMILY FOR THEIR COURAGE AND PATRIOTISM AS OUR NATION REAFFIRMS TO THE WORLD OUR BELIEFS IN THE PRINCIPLES OF DEMOCRACY AND THE PRESERVATION OF HUMAN FREEDOM.

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Mayor Cockrell and Mr. Wing then jointly presented the Citation to the family and congratulated them for their contributions to our nation's safety and defense over the years, as the audience joined other members of the City Council in a round of applause.

Mayor Cockrell asked other members of City Council to similarly recognize families from their own Council districts, which also have connections to the United States' presence in the Persian Gulf, at present.

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91-01 Minutes of the November 20, 1990 and November 29, 1990 Regular City Council meetings were approved.

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91-01 NEW MAYOR PRO TEM

City Clerk Norma S. Rodriguez administered the Oath of Office to incoming Mayor Pro Tem Wing and congratulated him.

Other members of the City Council offered their individual congratulations to Mr. Wing.

Mayor Cockrell publicly thanked outgoing Mayor Pro Tem Martinez for his service.

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91-01 CONSENT AGENDA

Mr. Hasslocher made a motion to approve Agenda Items 7 through 29, constituting the Consent Agenda, with Item 22 being pulled from consideration by the City Manager. Mr. Labatt seconded the motion.

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

AN ORDINANCE 72,854

ACCEPTING THE PROPOSAL OF CONGRESSIONAL INFORMATION SERVICES, INC. FOR SUBSCRIPTION RENEWAL TO THE 1991 CIS/INDEX FOR THE CITY OF SAN ANTONIO PUBLIC LIBRARY FOR A TOTAL \$4,075.00.

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AN ORDINANCE 72,855

ACCEPTING THE LOW BID OF GAYLORD BROTHERS TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH CARROUSEL AND DISPLAY SHELVING FOR A TOTAL OF \$17,366.00.

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AN ORDINANCE 72,856

ACCEPTING THE LOW BID OF SANIVAC, INC. DAVIS MANUFACTURING COMPANY TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH FLOOR CARE EQUIPMENT FOR A TOTAL OF \$3,515.00.

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AN ORDINANCE 72,857

ACCEPTING THE LOW BID OF MILE-HI T FIRE EQUIPMENT COMPANY TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH FIRE POWER PARTS FOR A TOTAL OF \$7,960.92.

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AN ORDINANCE 72,858

ACCEPTING THE LOW BID OF GT DISTRIBUTORS, INC. TO FURNISH THE CITY OF SAN ANTONIO WITH REVOLVERS FOR A TOTAL OF \$7,114.45.

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AN ORDINANCE 72,859

ACCEPTING THE LOW QUALIFIED PROPOSAL OF SOFTWARE ENGINEERING OF AMERICA TO FURNISH THE CITY OF SAN ANTONIO INFORMATION RESOURCES DEPARTMENT WITH ONLINE OUTPUT VIEWING SOFTWARE FOR A TOTAL OF \$14,800.00.

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AN ORDINANCE 72,860 .

CANCELLING THE CONTRACT OF FERNANDEZ CONSTRUCTION COMPANY FOR CONSTRUCTION OF A GROUP PICNIC FACILITY AT MARTIN LUTHER KING PARK AND AWARDING IT TO SOLIS MASONRY FOR A TOTAL OF \$12,990.00.

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AN ORDINANCE 72,861 .

ACCEPTING THE PROPOSAL OF MOTOROLA COMMUNICATIONS & ELECTRONICS, INC. TO FURNISH THE CITY OF SAN ANTONIO WITH FIELD TRAINING FOR RADIO COMMUNICATIONS PERSONNEL FOR A TOTAL OF \$11,201.00.

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AN ORDINANCE 72,862 .

ACCEPTING THE BID OF WESCO TO FURNISH THE CITY OF SAN ANTONIO ENVIRONMENTAL MANAGEMENT DEPARTMENT WITH REPAIR PARTS FOR WESTINGHOUSE PROGRAMMABLE CONTROLS FOR A TOTAL OF APPROXIMATELY \$25,000.00.

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AN ORDINANCE 72,863 .

CANCELLING THE ANNUAL CONTRACT OF AZTEC RENTAL, INC. FOR RENTAL OF A ROCK SAW AND AWARDING IT TO ROCKY HILL EQUIPMENT RENTALS, INC. FOR A TOTAL OF APPROXIMATELY \$3,100.00.

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AN ORDINANCE 72,864 .

ACCEPTING THE BID OF J & S OFFICE SUPPLY TO FURNISH THE CITY OF SAN ANTONIO WITH MAINTENANCE AND SERVICE OF SILVER REED & CANON TYPEWRITERS FOR A TOTAL OF APPROXIMATELY \$3,019.20 ANNUALLY.

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AN ORDINANCE 72,865 .

ACCEPTING THE BID OF J & S OFFICE SUPPLY TO FURNISH THE CITY OF SAN ANTONIO WITH MAINTENANCE AND SERVICE

OF IBM TYPEWRITERS FOR A TOTAL OF APPROXIMATELY \$4,000.00 ANNUALLY.

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AN ORDINANCE 72,866

ACCEPTING THE LOW BID OF MAX FOOTE CONSTRUCTION CO., INC. IN THE AMOUNT OF \$572,640.00 TO PROVIDE CONSTRUCTION SERVICES IN CONNECTION WITH THE SANITARY SEWER TRENCHLESS REHABILITATION PROJECT; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$57,264.00 FOR THE CONSTRUCTION CONTINGENCY; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 72,867

RATIFYING WORK AND APPROVING FIELD ALTERATION NO. 2 IN THE AMOUNT OF \$18,915.00 TO THE CONTRACT WITH R. L. JONES CO., INC. FOR ADJUSTMENTS IN CONNECTION WITH THE WEST HOUSTON STREET DRAINAGE PROJECT #48; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 72,868

ACCEPTING THE LOW, QUALIFIED BID OF S. A. WINCO, INC. IN THE AMOUNT OF \$122,744.47 IN CONNECTION WITH THE 39TH STREET (JOE BLANKS TO WEST COMMERCE) PROJECT; AUTHORIZING A CONTRACT; AUTHORIZING \$11,779.65 FOR CONSTRUCTION CONTINGENCIES; AUTHORIZING \$3,928.19 FOR PROJECT OVERSIGHT COSTS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 72,869

ACCEPTING THE LOW QUALIFIED BID OF R. L. JONES, CO., INC. IN THE AMOUNT OF \$643,914.15, TO CONSTRUCT THE STREETS, DRAINAGE AND SANITARY SEWER IMPROVEMENTS PROJECT AT SAN ANTONIO INTERNATIONAL AIRPORT; ACCEPTING A PROPOSAL FROM SOUTHWESTERN LABORATORIES, INC., IN THE AMOUNT OF \$9,172.00 TO PROVIDE CONSTRUCTION AND MATERIALS TESTING IN CONNECTION WITH THE PROJECT; AUTHORIZING \$64,391.85 FOR A

CONTINGENCY ACCOUNT; AUTHORIZING PAYMENT OF \$18,725.00 TO SUN BELT ENGINEERS, INC. FOR ADDITIONAL ENGINEERING FEES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 72,870

APPROVING A PROFESSIONAL SERVICES CONTRACT, IN THE AMOUNT OF \$12,000.00, WITH STEWARD B. LAMBERT, A.I.A. & ASSOCIATES TO PROVIDE ARCHITECTURAL SERVICES IN CONNECTION WITH ADDITIONS TO THE AIRPORT RESCUE AND FIREFIGHTING STATION AT SAN ANTONIO INTERNATIONAL AIRPORT; AUTHORIZING \$1,200.00 FOR A CONTINGENCY ACCOUNT; AUTHORIZING \$1,000.00 FOR ADMINISTRATIVE EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

\* \* \* \*

AN ORDINANCE 72,871

AUTHORIZING COMMENCEMENT OF PHASE 3 OF A CONTRACT BETWEEN THE CITY OF SAN ANTONIO AND INFORMATION SYSTEMS & NETWORK CORPORATION FOR CONSULTANT SERVICES FOR UPDATING THE SECURITY ACCESS CONTROL AND COMMUNICATIONS SYSTEMS AT SAN ANTONIO INTERNATIONAL AIRPORT; APPROVING FEES IN AN AMOUNT NOT TO EXCEED \$221,249.99; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

\* \* \* \*

AN ORDINANCE 72,872

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$10,602.90 OUT OF GENERAL OBLIGATION BONDS FOR THE PURPOSE OF ACQUIRING TITLE TO A PARCEL IN CONNECTION WITH THE HI-LIONS DRAINAGE PROJECT #80; ACQUIRING TITLE TO A PARCEL AND PAYING FOR TITLE CHARGES IN CONNECTION WITH THE ISOM ROAD IMPROVEMENTS PROJECT; ACQUIRING TITLE TO TWO PARCELS IN CONNECTION WITH THE BABCOCK ROAD - FREDERICKSBURG ROAD TO ST. CLOUD PROJECT; AND ACQUIRING TITLE TO SIX PARCELS IN CONNECTION WITH THE WEST AVENUE - FREDERICKSBURG ROAD TO I.H. 10 PROJECT AND APPROPRIATING FUNDS.

\* \* \* \*

AN ORDINANCE 72,873

AUTHORIZING PAYMENT IN THE AMOUNT OF \$5,388.65 FOR TITLE CHARGES ON PACIFIC DRAINAGE PROJECT #66, PHASE II-B AND BABCOCK ROAD - FREDERICKSBURG ROAD TO ST. CLOUD; APPRAISAL FEES ON HI-LIONS DRAINAGE PROJECT #80 AND SCIENCE PARK DRAINAGE PROJECT #58H, I & J; ENGINEERING FEES ON MARTIN/BOWIE CONNECTION; AND APPROPRIATING FUNDS.

\* \* \* \*

AN ORDINANCE 72,874

APPROVING A LEASE AGREEMENT FOR 5,970 SQUARE FEET OF OFFICE SPACE AT THE AVANTE PLAZA BUILDING, FOR USE BY THE CHILD CARE MANAGEMENT SERVICES PROJECT STARTING AT A RENTAL OF \$4,477.50 PER MONTH AND INCREASING ANNUALLY, PAYABLE TO THE EQUITABLE LIFE ASSURANCE SOCIETY OF THE UNITED STATES, AS LESSOR; AND AUTHORIZING AND APPROVING FUNDS IN CONNECTION THEREWITH.

\* \* \* \*

AN ORDINANCE 72,875

AUTHORIZING EXECUTION OF A RENTAL REHABILITATION PROGRAM ADMINISTRATION CONTRACT WITH THE SAN ANTONIO HOUSING AUTHORITY (SAHA); AND AUTHORIZING PAYMENT TO SAHA FOR PERSONNEL SERVICES IN AN AMOUNT NOT TO EXCEED \$64,764.00.

\* \* \* \*

91-01 The Clerk read the following Ordinance:

AN ORDINANCE 72,876

AUTHORIZING PAYMENT IN THE AMOUNT OF \$22,750.00 PLUS COURT COSTS IN THE SETTLEMENT OF ALL CLAIMS OF ROLAND AND SANDRA RAMIREZ AGAINST THE CITY OF SAN ANTONIO.

\* \* \* \*

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

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

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91-01 The Clerk read the following Ordinance:

AN ORDINANCE 72,877 .

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AUTHORIZING PAYMENT IN THE AMOUNT OF \$7,003.00 TO PETER J. MCBREEN AND ASSOCIATES, INC. AS THE CLAIMS SERVICE AGENCY FOR SOUTHERN MARINE LAND AVIATION, THE AIRPORT LIABILITY INSURANCE CARRIER, AS REIMBURSEMENT FOR LEGAL SERVICES RENDERED ON BEHALF OF THE CITY BY THE LAW FIRM OF BECKMANN, QUIRK AND FULTON IN CAUSE NO. 90-CI-01867, GAIR LOWRY VS. CITY OF SAN ANTONIO, ET AL.

\* \* \* \*

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

In response to a question by Mr. Labatt, Mr. Alex Briseno, City Manager, briefly explained the Ordinance.

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

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91-01 The Clerk read the following Ordinance:

AN ORDINANCE 72,878 .

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AUTHORIZING PAYMENT IN THE AMOUNT OF \$20,000.00 IN THE SETTLEMENT OF ALL CLAIMS OF GUADALUPE S. NATAL VS. CITY OF SAN ANTONIO.

\* \* \* \*

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

Mrs. Dutmer seconded the motion.

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

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91-01 Agenda Items 33 and 34 were removed from consideration by the City Manager.

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91-01 Agenda Item 35 was temporarily bypassed in order to undertake consideration of Agenda Item 36 at this time.

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91-01 The Clerk read the following Ordinance:

AN ORDINANCE 72,879

RATIFYING AND APPROVING CHANGE ORDER NO. 23 IN THE AMOUNT OF \$32,805.19 TO THE CONTRACT WITH CLEARWATER CONSTRUCTORS, INC. FOR ADJUSTMENTS ASSOCIATED WITH THE TRIPARTY DOWNTOWN TRANSPORTATION IMPROVEMENTS PROJECT; APPROPRIATING AND TRANSFERRING FUNDS; PROVIDING FOR PAYMENT TO CLEARWATER CONSTRUCTORS, INC.; AND AUTHORIZING PAYMENT OF AN ADDITIONAL \$700.00 TO THE FAWCETT FURNITURE COMPANY FOR REPAIR OF A DAMAGED SIGN.

\* \* \* \*

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

In response to a question by Mr. Labatt, Mr. Frank Perry, Assistant Director, Department of Planning, noted that the \$282,000 remaining in the TriParty contingency fund is sufficient, in his opinion, when combined with other revenues, to complete the TriParty project.

Mr. Thompson noted that the TriParty executive committee had cut out of the project some contingencies, should funding run short, and stated his belief that claims may still be made against the project. He then spoke to the uncertainty of the fund requirements for TriParty, over the next few months.

Ms. Berriozabal spoke to the history of the TriParty project and the items that remain on the 'wish-list', and also addressed the status of proposed restrooms for the TriParty area of downtown.

Mr. Perry spoke to original plans to erect three permanent restrooms and with resultant maintenance problems experienced with the prototype model. He spoke of plans for a new type of downtown chemical-type restroom facility, with four planned for construction in the TriParty area. He spoke to the desirability of their lower installation and maintenance costs because of the change from a plumbed facility to a chemical-system facility.

A discussion then took place concerning the need for sanitation in these facilities, and the establishment of new downtown VIA bus routes following completion of the TriParty project. A discussion also ensued over the new two-way segment of Houston Street in the downtown area.

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

91-01 The Clerk read the following Ordinance:

AN ORDINANCE 72,880

AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH THE WAGNER GROUP, INC., D/B/A MANAGEMENT SCIENTISTS II, IN THE AMOUNT OF \$33,381.25, FOR THE PREPARATION AND ADMINISTRATION OF A POLICE LIEUTENANTS' ASSESSMENT CENTER EXAMINATION.

\* \* \* \*

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

In response to a question by Mr. Labatt, Mr. George K. Noe, Director of Management Services, noted that the 'assessment center' approach is required in the new police contract.

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

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91-01 City Council decided to temporarily bypass consideration of Agenda Items 37 and 38 for the moment.  
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91-01 The Clerk read the following Ordinance:

AN ORDINANCE 72,881

INCREASING THE FLAG DROP RATE FOR TAXICABS FROM \$1.45 TO \$1.60, AND INCREASING THE MILEAGE CHARGE FROM \$1.00 PER MILE TO \$1.10 PER MILE.

\* \* \* \*

Mr. Thompson spoke to the history of the proposed increase in taxicab fares, in order to allow the taxicab industry to cope with recent increases in the cost of gasoline. He noted that the Transportation Advisory Board had recommended that a surcharge be levied on all taxicab fares, while City staff has no recommendation to make in this matter. He noted that the proposed ordinance, now before Council, is his own plan to help the industry cope with rising gasoline prices.

Mr. Robert Morales, representing the TAB, explained the board's recommendation for a 10 per cent surcharge, and he also spoke to Mr. Thompson's desire to reflect the increase in taxicab fares on the actual taxicab meter, rather than through the surcharge.

Mr. Robert Gonzales, representing San Antonio Cab Drivers Association, distributed a brief printed handout to Council members, a copy of which is made a part of the papers of this meeting. He spoke in favor of the surcharge option, noting that San Antonio taxicab drivers have had no rate increase in seven years and only wish to recoup their increased gasoline costs. He stated that his association wants a 10-cent-per-mile increase in meter rates, strictly as an emergency measure.

Mr. Jim Fisher, owner, Yellow and Checker Cab Companies, stated his opinion that the public needs to understand that the increase is because of higher gasoline prices. He compared San Antonio's taxicab rates to those of other cities.

Mrs. Dutmmer stated that she wants to have any new charges reduced, once gasoline prices come down, and spoke in favor of having signs printed for display in each taxicab, explaining the increase in taxicab fares.

Mr. Thompson spoke to the impact of rising gasoline prices on the taxicab industry, and stated that he would move to adjust any new charges with a new ordinance if gasoline prices go down dramatically. He spoke in support of the idea for signs in all taxicabs, explained the increased charges, and asked the City to coordinate such a uniform sign for all taxicabs.

Mr. Webb stated his desire to insure that taxicab meters don't change as a result of 'time', rather than cab 'movement', as is the present case.

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

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

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91-01 The Clerk read the following Ordinance:

AN ORDINANCE 72,882 .

.  
APPOINTING EVELYN M. MORTOLA TO SERVE ON THE KEEP  
SAN ANTONIO/BEXAR COUNTY BEAUTIFUL COMMITTEE FOR A  
TERM OF OFFICE TO EXPIRE ON DECEMBER 22, 1992.

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

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

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91-01 The Clerk read the following Resolution:

A RESOLUTION NO. 91-01-01 .

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REQUESTING THE VIA BOARD TO WITHHOLD AUTHORIZATION  
FOR THE STAFF AT VIA TO ATTEND A MEETING OF THE  
SOUTHWEST TRANSIT ASSOCIATION IN TEMPE, ARIZONA.

\* \* \* \*

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

Mr. Rick Greene, representing Organizations United for Eastside Development and the Martin Luther King March Committee, asked that supporters of the proposed Resolution asking that VIA representatives not attend a near-future meeting in Arizona, stand and be recognized in the audience. He stated his opinion that this is a rights issue, and the proposed Resolution by the City Council will send a message that San Antonio is a forward-thinking city.

Mr. Mario Salas, representing the same groups, briefly explained their request for the Resolution and urged its passage by the City Council. He stated his belief that the VIA board will honor that Resolution's intent.

Mr. Webb spoke to recent actions of the National League of Cities and the National Football League in cancelling events to be held in the state of Arizona, and asked the Council to support this Resolution.

Mr. Thompson voiced his concern with the Resolution, stating his belief that Dr. Martin Luther King would have carried his message directly to the people of Arizona himself, and would not have boycotted the state. He stated his belief that it is wrong to boycott the entire state, even though we disagree with them on the matter of the vote regarding a state holiday for Dr. King, and expressed his belief that that vote in Arizona ultimately will be reversed. He stated that he cannot support the Resolution because he feels that remedy is incorrect and inappropriate, although he agreed with Dr. King and his beliefs.

Ms. Berriozabal spoke of actions taken by the Hispanic Elected Local Officials (HELO) at the recent National League of Cities meetings, actions that resolved not to meet in Arizona as a result of the recent vote. She stated her support for the Resolution and her belief that this action is consistent with the Council's proposed course of action in this matter. She spoke of the significance of today's vote.

Mr. Wolff stated that he feels the Resolution will put pressure on the people of Arizona to reverse their vote and spoke in support of that Resolution.

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

91-01 The Clerk read the following Resolution:

A RESOLUTION NO. 91-01-02

ADOPTING THE 1991 LEGISLATIVE PROGRAM.

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Mr. Rolando Bono, Assistant City Manager, spoke to the 12-item San Antonio legislative package and the accompanying Texas Municipal League legislative package, copies of which have been made a part of the papers of this meeting. He stated that Ms. Veronica Madrid of the Legal Department will function as the City's legislative liaison and intergovernmental coordinator. He also introduced Mr. Marc Rodriguez as the new intergovernmental relations manager for the City, and Mr. Gerald Henckel, legislative liaison in Austin.

Mr. Marc Rodriguez discussed a brief synopsis of the 12 legislative package items for the City and outlined the City's stance on each.

Mrs. Dutmer stated that she is opposed to a discussed \$20.00-per-vehicle charge to be levied in order to provide funding for a streets maintenance program for San Antonio, and noted that it has been deleted from this package. She also spoke of her opposition to proposed legislation that diminishes San Antonio's control over the Edwards Aquifer, and also spoke to medical/dental coverage.

In response to a question by Mr. Labatt, Mr. Lloyd Garza, City Attorney, spoke to the probability that the State Supreme Court might soon make a decision on the requirement that City Hall be kept open to the public 24 hours a day because of the posting-of-notice provisions of the law. Mr. Garza stated that he is confident that the requirement will be overturned by the high court. He also stated his opinion that the City Council needs to be ready to act on possible new legislation if the case is not reversed by the court.

Mr. Labatt stated his belief that the local jurisdiction should be notified when a so-called "family home" is to be located in a particular neighborhood. He also spoke to the need for a change in the state plumbing code in order that water-saving features might be adopted.

Mr. Wolff noted that San Antonio is interested in any enacted state legislation, and spoke against imposition of the \$20.00-per-car fee to fund streets maintenance. He also stated that San Antonio should be allowed to collect the 15 per cent surcharge on delinquent ad valorem tax bills, a fee presently allowed only for an outside collector.

Ms. Berriozabal made a motion to approve the legislative package. Mr. Wolff seconded the motion.

Mr. Wolff made a motion to amend the Resolution so that the City Council supports legislation giving the City the right to collect a 15 per cent delinquent fee on ad valorem taxes owed, subject to the final approval of that particular legislation by the City Council. Mr. Labatt seconded the motion.

After consideration, the amendment prevailed by the following vote: AYES: Berriozabal, Webb, Dutmmer, Wing, Martinez, Thompson, Wolff, Labatt, Cockrell; NAYS: None; ABSENT: Vera, Hasslocher.

Mr. Thompson spoke against letting the state legislature tell San Antonio how to fund the school crossing guard program.

A discussion then ensued concerning how this would be done, by allowing San Antonio to have access to revenue sources to fund this program, such as a portion of a fine levied for a speeding traffic violation, etc.

Mr. Webb spoke to the proposed \$4 billion state budget deficit, and to the fact that a state lottery probably would not make up this deficit. He spoke to his concerns with the possible impact of an across-the-board sales tax increase.

Mrs. Dutmmer urged support for maintaining the VIA rate-review committee, and for a state lottery.

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

Ms. Berriozabal urged the use of tax-increment financing and legislation to insure this, stating her belief that San Antonio should be proactive in this area. She also voiced support for tax abatement legislation and legislation on education. She asked for support for better public and higher education as a major plank in San Antonio's legislative package.

Ms. Berriozabal made a motion to encourage the support of legislation for equitable funding for higher education and public education. Mr. Wolff seconded the motion.

After discussion, this motion and its second were withdrawn.

A pro-and-con discussion then took place concerning a possible Resolution on support for legislation on education and the matter of possible legislation concerning location of homes for mentally-retarded persons.

A discussion also took place concerning options for legislation on funding for street maintenance, and the use of tax-increment financing as a tool for economic development.

Ms. Veronica Madrid, City Attorney's office, then reviewed the Texas Municipal League's 39-item legislative package, with emphasis suggested on items 5, 11 and 20 to wit: redemption of foreclosed properties; purchases up to \$25,000 without competitive bidding; and use of traffic ticket revenues as 'performance criteria'.

Mr. Jerry Henckel, legislative liaison, addressed the significance of this coming session of the state legislature, including ethics reform, redistricting, equalization of education, and workmans compensation. He stressed the need to be alert for any possible new water legislation, as well.

Mr. Bono noted that the City Council has a 5:00 P.M. reception tomorrow with members of the Bexar County legislative delegation.

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

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91-01

APPEAL OF HISTORIC REVIEW BOARD RULING

Mr. Gene Camargo, Director of Building Inspections, briefly explained the case involving selection of a particular type of roofing for a home in the Monte Vista Historic Area, and the Historic Review Board's rejection of that selection.

Mrs. Claudette Victoria, the proponent, spoke to her request for a certain type of aluminum re-roofing as a fire deterrent, stating her belief that this type of roofing has been used on historical structures in the past. She also addressed several other points that she feels are in her favor in this case, and distributed photographs of her home and the requested roofing material for the City Council to study.

Ms. Pat Osborne, Historic Preservation Officer, stated that City staff believes that this type of roofing is not appropriate for this historical area and spoke to federal regulations dealing with the Secretary of the Interior's instructions for historic areas.

Mr. Labatt stated his opinion that the ruling of the Historic Review Board is appropriate.

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

Mr. Labatt made a motion to uphold the ruling of the Historic Review Board. Ms. Berriozabal seconded the motion.

Mrs. Dutmmer spoke against the motion, noting that raised-seam metal roofs are prevalent, for example, in historic areas of New Braunfels, and also have been used on several San Antonio Missions, as well. She stated her opinion that the Alcoa aluminum roofs are attractive.

Ms. Osborne noted that the Historic Review Board supports the use of the raised-seam metal roofs, but not made from aluminum, as in this case.

After consideration, the motion to uphold the ruling of the Historic Review Board, prevailed by the following vote: AYES: Berriozabal, Wing, Martinez, Thompson, Labatt, Cockrell; NAYS: Dutmmer; ABSENT: Vera, Wolff, Hasslocher.

The ruling of the Historic Review Board was upheld.

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91-01 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE FOR REPROGRAMING \$1.7 MILLION URBAN DEVELOPMENT ACTION GRANT FUNDS (UDAG) (HYATT SALE) TO DWYER AVENUE CENTER.

Mayor Cockrell declared the Public Hearing open:

Ms. Mary Piccione, representing the housing committee for Communities Organized for Public Service, asked for City Council approval of the ordinance.

Mr. Ed Cross, 138 East Hollywood, spoke in opposition to the use of Urban Development Action Grant (UDAG) funds for this, and noted that no detailed cost analysis has been made on the Dwyer Avenue Center, which estimates a higher per-foot cost than the Majestic Theater renovation and other similar projects. He also spoke to the need for an annual operating analysis, including an indication of how any shortfall will be paid back.

Mr. Kevin Moriarty, Acting Director, Department of Economic and Employment Development, noted that City staff had earlier presented the City Council with both these analyses, and stated his opinion that the per-foot cost won't be known until the project goes to bid, with only an estimated cost- range available at this time.

In response to a question by Mayor Cockrell, Mr. Moriarty noted that the project is short about \$300,000 in funding, and he spoke of plans to stay within the project budget.

Mr. Alex Briseno, City Manager, stated that the alternative would have cost the City more money, but noted that the Council still has the flexibility of several options. He also spoke to the avoidance of taxable debt if Certificates of Obligation had been used for this project, instead.

Ms. Berriozabal spoke to the possibility of setting into motion a public hearing on reprogrammable income of some \$2.4 million.

A discussion then took place on the shortfall of \$1 million, versus the \$300,000 referred to by Mr. Moriarty earlier, during which Mr. Moriarty refuted Mr. Cross' contention that the project will be \$1 million short of required funding.

A discussion also took place concerning the purposes for the Housing Trust Fund.

Mr. Robert Jodan, Housing Trust Fund, spoke to the process they intend to utilize with requests by the City.

Ms. Berriozabal spoke to the need to support a process regarding the use of the Housing Trust Fund for the homeless.

Mr. Cross stated his opinion that the project will not be able to repay the \$1.7 million from reprogrammed UDAG funds, and offered his services to work with City staff in this regard.

Ms. Berriozabal spoke in favor of a one-week postponement in this matter in order to allow time for further meetings and discussion, if necessary.

Mr. Moriarty spoke of the need to move on this matter now, noting that the project already is six months behind schedule.

Mr. Briseno stated his opinion that the City Council needs to decide "go" or "no-go" on this project, and recommended that action proceed on this matter today.

In response to a question by Mr. Labatt, Mr. Ernie Lentz, director of the SAMM Shelter, spoke to the increased use of the SAMM Shelter and the fact that the City puts no operating funds into that operation. He spoke in support for the proposed ordinance, today.

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

Mr. Labatt then made an amended motion authorizing the re-programming of \$1.7 million in UDAG program income resulting from the sale of the Hyatt Hotel and parking garage tracts to be appropriated as a loan to support the continuing renovation of the Dwyer Avenue Center Renovation Project. Ms. Berriozabal seconded the motion.

Ms. Piccione spoke in support for the amendment in question.

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

The City Clerk read the following Ordinance:

AN ORDINANCE 72,883

AUTHORIZING THE REPROGRAMMING OF \$1.7 MILLION IN PROGRAM INCOME REALIZED FROM THE HYATT UDAG SALE OF LAND SO AS TO SUPPORT THE DWYER AVENUE CENTER RENOVATION PROJECT; AND AUTHORIZING A PERSONNEL COMPLEMENT.

\* \* \* \*

In response to a question by Mrs. Dutmer, Mr. Andrew Cameron, Community Development Officer, noted that the repayment funds could be used for any CDBG-eligible projects, including street maintenance, if desired.

Mrs. Dutmer spoke against the pending amendment, for this reason.

Mr. Martinez spoke in favor of the amendment.

Mayor Cockrell also spoke in support for the amendment because of the flexibility it affords in providing funds for housing, a major need in San Antonio.

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

In response to a question by Mr. Thompson, Mr. Moriarty contrasted this facility and the SAMM Shelter, and spoke to the need for transitional housing.

Mrs. Dutmer stated her opinion that the federal government daily puts people out on the streets, when the Department of Housing and Urban Development (HUD) could renovate existing vacant houses for these people.

Mr. Wing spoke in support for the project because of the evident

need involved.

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

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91-01

CITIZENS TO BE HEARD

MS. NICKIE JACKSON

Ms. Nickie Jackson, representing the Epilepsy Foundation of South Texas, spoke to the City Council regarding her organization's request to relocate their office facilities to a City facility, free of charge. She spoke to the need for some 1,200 square feet of space.

Mr. Rolando Bono, Assistant City Manager, asked that Ms. Jackson meet with Mr. Sergio Soto, Acting Director, Department of Human Resources and Services, on this request.

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91-01

CITY MANAGER'S REPORT

HOUSTON OILERS

Mr. Alex Briseno, City Manager, briefly explained the history of current discussions with the Houston Oilers of the National Football League concerning moving their training site to San Antonio. A copy of his report is made a part of the papers of this meeting.

Mr. Steve Moore, Director, Convention and Visitors Bureau, explained the two-tier offer for a training camp and plans to hold two pre-season games in San Antonio. He also addressed the stated needs of the team.

Mayor Cockrell noted that Mr. Roger Heminghaus, Diamond Shamrock Petroleum, has agreed to chair a committee to seek private-sector financing for this project.

Mr. Wolff noted that the presence of the domed stadium is the main reason why the Oilers are looking at moving their training facilities to San Antonio.

A discussion then took place concerning the needs of the Houston Oilers for a practice facility and use of private funds to upgrade those facilities, yet to be identified. A further discussion ensued as to the

benefits to be derived by the San Antonio community from such a move.

91-01

BURGLAR BARS

Mr. Alex Briseno, City Manager, spoke to the deaths of two persons yesterday when they became trapped inside their burning home because of the presence of burglar bars over the windows and doors.

Mr. Gene Camargo, Director of Building Inspections, spoke to the various City codes and regulations as to burglar bars, and their impact on installation of burglar bars on homes. A copy of his report is made a part of the papers of this meeting.

A discussion ensued concerning the use of burglar bars.

91-01 . There being no further business to come before the Council, the meeting was adjourned at 5:55 P.M.

A P P R O V E D

*Lila Cockull*

M A Y O R

Attested:

*Thomas S. Rodriguez*  
CITY CLERK