

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, OCTOBER 31, 1991.

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The meeting was called to order by the Presiding Officer, Mayor Nelson W. Wolff, with the following members present: PEREZ, PIERCE, BILLA BURKE, WING, MARTINEZ, THOMPSON, VERA, THORNTON, LABATT, LARSON, WOLFF. Absent: NONE.

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- 91-46 Invocation - Reverend Ruben J. Canas, Central Baptist Church.
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- 91-46 Pledge of Allegiance to the flag of the United States.
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- 91-46 Minutes of the September 19, 1991 Regular City Council meeting were approved.
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91-46 CERTIFICATES OF HEROISM

Mayor Wolff introduced three individuals, who were present to receive Certificates of Heroism for saving the life of a six-month-old infant taken to the Westside YMCA after he had stopped breathing. The three employees of the Westside YMCA are Ms. Maria Jensen, Ms. Jesusita Palafos, and Mr. David Reyna.

Mayor Wolff then read the wording of the Certificates of Heroism, to wit:

"In recognition of their heroic efforts that saved the life of a six-month-old infant on February 22, 1991.

Ms. Jensen, Ms. Palafos and Mr. Reyna, who are employed at the Westside YMCA, were at work when a woman rushed frantically into the facility, requesting assistance with an unconscious, limp, seemingly-lifeless six-month-old infant. Upon determining that the infant was not breathing and did not appear to have a pulse, Ms. Jensen, Ms. Palafos and Mr. Reyna started administering CPR to him. After several unsuccessful attempts to resuscitate him, the infant finally began breathing, albeit unsteadily at times. Ms. Jensen, Ms. Palafos and Mr. Reyna continued to attend to him until EMS units arrived. Their actions assured that the infant was kept alive until more definitive care could be administered by the paramedics and, eventually, the hospital personnel.

"The City Council, on behalf of a grateful citizenry, officially commends Ms. Jensen, Ms. Palafos and Mr. Reyna for their timely intervention, thereby averting a tragedy, and expresses its sincere appreciation for their willingness to assist a fellow human being in distress."

Ms. Jensen, speaking for the three employees, spoke of their CPR training received through the YMCA program, a skill that contributed to the saving of the infant boy's life.

Mayor Wolff presented each of them with Certificates of Heroism in appreciation of their efforts of the three individuals.

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91-46

LITERACY FUNDS FROM SEA WORLD

Mayor Wolff recognized representatives of Sea World of Texas, who presented representatives of the San Antonio Commission on Literacy a check in the amount of \$7,937.00, the result of pledges from Sea World of Texas of a portion of the receipts from the 1991 Labor Day Weekend Festival at the theme park. He noted that a check, in the same amount, is to be presented to San Antonio Youth Literacy.

Ms. Robin Carson, representing Sea World of Texas, spoke to the events held at Sea World over the Labor Day weekend, events that produced these funds for literacy efforts in San Antonio.

Ms. Carson then presented the check made payable to the San Antonio Commission on Literacy to Mayor Wolff, who in turn presented it to Mr. Joe Rust, Chairman of the Commission.

Ms. Carson then presented a check in a like amount, made payable to San Antonio Youth Literacy, to Mayor Wolff, who in turn presented it to Ms. Harriet Marmon, Chairman of San Antonio Youth Literacy and a member of the Commission on Literacy.

Mayor Wolff thanked Sea World of Texas, on behalf of the citizens of San Antonio.

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91-46

CITATION TO RUSSELL "RUSTY" LYONS

Mayor Wolff recognized Mr. Russell "Rusty" Lyons, for his many years of service to amateur baseball in San Antonio and South Texas. He recalled his days of amateur baseball in the Spanish-American League while Lyons was commissioner, then read the following Citation:

CITATION TO RUSSELL "RUSTY" LYONS

IN RECOGNITION OF HIS DEDICATED SERVICE AND
UNSURPASSED LEADERSHIP IN SUPPORT OF AMATEUR
BASEBALL IN SAN ANTONIO AND SOUTH TEXAS FOR MORE

IN 50 YEARS, ACCUMULATING A VAST STOREHOUSE OF KNOWLEDGE AND EXPERIENCE THROUGH SEVEN YEARS AS A PROFESSIONAL BASEBALL PLAYER AND MORE THAN THREE DECADES AS AN UMPIRE, MR. LYONS HELPED FOUND THE SAN ANTONIO BASEBALL COMMISSION IN 1940, AND SERVED AS COMMISSIONER FOR 40 YEARS, RETIRING AS THE LAST SURVIVING MEMBER OF THE ORIGINAL 13 CHARTER MEMBERS. HIS UNSELFISH DEDICATION TO YOUTH, SPORTS AND TRUE SPORTSMANSHIP IS UNPARALLELED IN SAN ANTONIO'S RICH HISTORY. THE CITY COUNCIL OFFICIALLY COMMENDS MR. LYONS FOR HIS MANY ACHIEVEMENTS AND EXAMPLE TO OTHERS, AND EXTENDS BEST WISHES FOR HIS CONTINUED SUCCESS.

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Mayor Wolff then presented the Citation to Mr. Lyons.

Mr. Lyons thanked the Mayor and City Council for the honors, and recalled his years of involvement with baseball in San Antonio and elsewhere. He then thanked a number of other persons for their support of baseball in San Antonio, in particular amateur baseball, and spoke to Mayor Wolff's years of playing amateur baseball in the Spanish-American League. He also spoke of the participation and playing years of both Mr. Wing and former City Councilman Van Henry Archer in the same league.

Mr. Wing congratulated Mr. Lyons and others who governed amateur baseball in San Antonio, and who helped many young men from many walks of life.

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91-46

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MENTORSHIP PROGRAM
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City Manager Alex Briseno briefly explained the Mentorship Program to the City Council, whereby City employees serve as mentors to schoolchildren at risk in Bonham Elementary School. He noted that some 45 City employees currently are involved in the Mentorship Program just now underway, and thanked Mr. Sergio Soto, Community Initiatives Department, and United Services Automobile Association (USAA), whose representatives helped the City install its mentorship program.

Mr. Soto introduced some of the persons involved in administering the Mentorship Program for the City, and introduced Ms. Anita Ayala, Principal at Bonham Elementary School, and three of her students who are being mentored by City employees.

Ms. Ayala thanked the City for choosing Bonham for its Mentorship Program work.

A group of City employees, involved in the program, then identified themselves and their respective departments.

Members of the City Council thanked Mr. Briseno, Mr. Soto and the City employees for their involvement in this program.

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91-46

"FIREARM SAFETY IN THE HOME MONTH"

Dr. Fernando Guerra, Director of the Metropolitan Health District, introduced "Captain Safety" and spoke briefly to his department's involvement and interest in promoting firearm safety in the home.

Mayor Wolff read a Proclamation designating "Firearm Safety in the Home Month" in San Antonio, and presented it to "Captain Safety".

Dr. Guerra provided Council members with a handout, explaining firearm safety in the home, especially as it relates to young children. He then spoke of plans to utilize "Captain Safety" in visits to local schools, and spoke briefly to the latest statistics on firearm deaths in both Texas and the United States.

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91-46

SAN ANTONIO EARLY MUSIC FESTIVAL

Mayor Wolff introduced Ms. Margaret Stanley, Executive Director, San Antonio Performing Arts Association.

Ms. Stanley spoke briefly to details of the Early Music Festival and introduced Mr. Frans de Ruiter, Director of the Holland Festival Early Music event, her counterpart from Utrecht, Holland.

Mr. de Ruiter spoke to the scheduled appearances of various musicians from both Holland and Germany at the San Antonio Early Music Festival, and expressed official greetings to the Mayor from the Mayor of Utrecht, Holland. He then described the performances utilizing ancient musical instruments.

Mayor Wolff then presented Mr. de Ruiter with an official San Antonio book.

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91-46

CONSENT AGENDA

Mr. Labatt made a motion to approve Agenda Items 6 through 25d, constituting the Consent Agenda, with Item 20 removed from consideration by the City Manager. Ms. Vera seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinances, prevailed by the following vote: AYES: Perez, Pierce, Martinez, Thompson, Vera, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: Billa Burke, Wing.

AN ORDINANCE 74,644

ACCEPTING THE PROPOSAL OF DATAPRO RESEARCH CORPORATION FOR A SUBSCRIPTION RENEWAL FOR THE CITY

SAN ANTONIO PUBLIC LIBRARY FOR A TOTAL OF
\$4,421.00.

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AN ORDINANCE 74,645

ACCEPTING THE PROPOSAL OF UNIQUE BOOKS, INC. TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH BOOKS FOR A TOTAL OF \$5,979.72.

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AN ORDINANCE 74,646

ACCEPTING THE LOW BIDS OF ADVANCED CONTROL SYSTEMS AND FAKOURI ELECTRICAL ENGINEERING, INC. TO FURNISH THE CITY OF SAN ANTONIO INFORMATION SERVICES WITH A MAINTENANCE CONTRACT FOR UNINTERRUPTIBLE POWER SOURCE UNITS FOR APPROXIMATELY \$18,630.00.

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AN ORDINANCE 74,647

AUTHORIZING THE EXECUTION OF A CONTRACT IN THE AMOUNT OF \$39,619.00 WITH JOHNSON CONTROLS, INC. IN CONNECTION WITH REPAIRS OF A ROOF-TOP, AIR-COOLED LIQUID CHILLER LOCATED AT CITY HALL; AUTHORIZING \$3,500.00 FOR A CONSTRUCTION CONTINGENCY; REVISING THE SPECIAL REVENUE FUND BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 74,648

ACCEPTING THE LOW BIDS OF MENCO, INC. AND JOHN H. SOROLA, INC. TO FURNISH THE CITY OF SAN ANTONIO WITH AN ANNUAL CONTRACT FOR LAWN MOWER PARTS AND SERVICE FOR APPROXIMATELY \$5,000.00.

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AN ORDINANCE 74,649

ACCEPTING THE LOW BID OF LOSACK, INC. FOR THE REMOVAL OF AN UNDERGROUND FUEL STORAGE TANK AT FIRE STATION #3 FOR APPROXIMATELY \$1,730.00.

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AN ORDINANCE 74,650

AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$1,574,740.15 WITH SAN ANTONIO CONSTRUCTORS, INC.; AUTHORIZING \$78,737.01 FOR A CONSTRUCTION CONTINGENCY AND \$27,582.42 FOR ENGINEERING EXPENSES; APPROPRIATING 1985 G.O. DRAINAGE BONDS, SANITARY SEWER IMPROVEMENT AND CONTINGENCY FUNDS; AND PROVIDING FOR PAYMENT IN CONNECTION WITH THE HI LIONS DRAINAGE PROJECT NO. 80, PHASE I.

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AN ORDINANCE 74,651

ACCEPTING A PROPOSAL FROM CIVIL ENGINEERING CONSULTANTS FOR ENGINEERING SERVICES RELATED TO THE BARBARA DRIVE DRAINAGE PROJECT NO. 73 OUTFALL; APPROPRIATING 1985 G.O. DRAINAGE BOND FUNDS IN THE AMOUNT OF \$13,159.25; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 74,652

AUTHORIZING THE EXECUTION OF FIELD ALTERATION NO. 5 IN THE DECREASED AMOUNT OF \$44,357.50 TO THE CONTRACT WITH V.K. KNOWLTON PAVING CONTRACTOR, INC. IN CONNECTION WITH THE MCCULLOUGH, NORTH OF BASSE ROAD-LOW WATER CROSSING PROJECT.

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AN ORDINANCE 74,653

APPROPRIATING ADDITIONAL ENGINEERING FEES IN THE AMOUNT OF \$1,500.00 FOR THE PROVISION OF CERTAIN ENGINEERING SERVICES IN CONNECTION WITH THE GOLIAD ROAD FROM SOUTH EAST MILITARY TO IH-410 PROJECT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT TO SEDA CONSULTING ENGINEERS, INCORPORATED.

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AN ORDINANCE 74,654

APPROVING FIELD ALTERATION NO. 6, IN THE AMOUNT OF \$23,415.33, TO THE CONTRACT WITH R. L. JONES COMPANY, INC. FOR THE CONSTRUCTION OF STREETS, DRAINAGE & SANITARY SEWER IMPROVEMENTS AT SAN ANTONIO INTERNATIONAL AIRPORT; AUTHORIZING ADDITIONAL ENGINEERING FEES, IN THE AMOUNT OF

964.85, PAYABLE TO SUN ENGINEERS, INC., FOR CONSTRUCTION PHASE SERVICES IN CONNECTION WITH THE PROJECT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 74,655

AMENDING THE CONTRACT WITH MIRAMONTES ENGINEERING FOR PROFESSIONAL SERVICES IN CONNECTION WITH THE STINSON MUNICIPAL AIRPORT RUNWAY & TAXIWAY GUIDANCE SIGN PROJECT BY INCREASING THE SCOPE OF WORK TO INCLUDE ADDITIONAL REQUIRED SIGNAGE AND INCREASING THE TOTAL ENGINEERING FEES PAYABLE TO \$20,400.00; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 74,656

ACCEPTING THE DEDICATION OF TITLE TO 3.056 ACRES OF LAND BY SPECIAL WARRANTY DEED FROM THE FIDUCIARY TRUST COMPANY INTERNATIONAL, TRUSTEE OF SEVERAL BATESON FAMILY TRUSTS, AND INDIVIDUAL BATESON FAMILY MEMBERS IN CONNECTION WITH THE PRUE ROAD BRIDGE AT THE LEON CREEK PROJECT.

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AN ORDINANCE 74,657

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$16,331.00 OUT OF GENERAL OBLIGATION BONDS FOR THE PURPOSE OF ACQUIRING A TEMPORARY EASEMENT IN CONNECTION WITH THE DRIFTWOOD DRAINAGE PROJECT #39 B-F SOUTH; ACQUIRING TITLE TO THREE PARCELS IN CONNECTION WITH THE ASHLEY ROAD RECONSTRUCTION PROJECT - BASCUM BLVD. TO S. FLORES; ACQUIRING TITLE TO ONE PARCEL IN CONNECTION WITH THE SCIENCE PARK DRAINAGE PROJECT #58H, I & J; AND ACCEPTING THE DEDICATION OF AN EASEMENT FOR A SIDEWALK AT MAIDEN LANE AND RIVERDALE DRIVE.

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AN ORDINANCE 74,658

AUTHORIZING PAYMENT OF ANNUAL MEMBERSHIP DUES FOR THE WASTEWATER MANAGEMENT DEPARTMENT TO THE ASSOCIATION OF METROPOLITAN SEWERAGE AGENCIES IN THE AMOUNT OF \$8,795.00; APPROPRIATING SEWER OPERATIONS

AND MAINTENANCE FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 74,659

AUTHORIZING THE EXTENSION OF A CONTRACT WITH ATTENTIVE HEALTH SERVICES, INC. TO PROVIDE NURSING SERVICES INVOLVING THE SCREENING AND OBSERVATION OF DETAINEES IN THE CITY PUBLIC INEBRIATE HOLDING FACILITY AT AN ESTIMATED COST OF \$221,240.00; AND AUTHORIZING THE PAYMENT OF UP TO \$19,000.00 TO PHYSICIANS TO PROVIDE ON-CALL MEDICAL SERVICE FOR THE PUBLIC INEBRIATE HOLDING FACILITY.

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AN ORDINANCE 74,660

AUTHORIZING THE ACCEPTANCE OF THE U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES GRANT FOR THE FAMILY SUPPORT PROJECT IN THE AMOUNT OF \$300,000.00 FOR THE PERIOD SEPTEMBER 30, 1991 THROUGH SEPTEMBER 29, 1994; AUTHORIZING THE CITY MANAGER TO ACCEPT THE GRANT; AND AUTHORIZING AN AGREEMENT WITH PARENT-CHILD, INC. TO OPERATE THE PROGRAM.

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AN ORDINANCE 74,661

APPROPRIATING AN AMOUNT NOT TO EXCEED \$49,000.00 FOR COSTS ASSOCIATED WITH HOSTING THE CLOSING EVENT OF THE PROFESSIONAL EDUCATION CONFERENCE OF MEETING PLANNERS INTERNATIONAL; AND AUTHORIZING PAYMENT TO CATERING BY ROSEMARY AND CHARTER COORDINATORS IN CONNECTION THEREWITH.

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AN ORDINANCE 74,662

REAPPOINTING MARILYN COCKBURN TO THE ARTS AND CULTURAL ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON NOVEMBER 15, 1993.

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AN ORDINANCE 74,663

APPOINTING ARMANDO ARANDA TO SERVE ON THE CABLE

VISION ADVISORY COMMISSION FOR A TERM OF OFFICE
TO EXPIRE ON DECEMBER 31, 1992.

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AN ORDINANCE 74,664

REAPPOINTING ROBERT DUNLOP TO SERVE ON THE
RIVERWALK COMMISSION FOR A TERM OF OFFICE TO EXPIRE
ON OCTOBER 31, 1993.

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AN ORDINANCE 74,665

REAPPOINTING BERT PFEISTER TO SERVE ON THE SAN
ANTONIO COMMISSION ON LITERACY FOR A TERM OF OFFICE
TO EXPIRE ON SEPTEMBER 15, 1993.

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91-46 The Clerk read the following Ordinance:

AN ORDINANCE 74,666

TEMPORARILY CLOSING NORTHAMPTON AND TICONDEROGA
STREETS FROM 4:00 P.M., NOVEMBER 4, 1991 UNTIL 6:00
A.M., NOVEMBER 5, 1991, FOR THE PURPOSE OF FILMING
BY HILL COUNTRY PRODUCTIONS; AND DECLARING AN
EMERGENCY.

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

After consideration, the motion, carrying with it the passage
of the Ordinance, prevailed by the following vote: AYES: Perez,
Pierce, Wing, Martinez, Thompson, Vera, Thornton, Labatt, Larson, Wolff;
NAYS: None; ABSENT: Billa Burke.

91-46 The Clerk read the following Ordinance:

AN ORDINANCE 74,667

CLOSING THE 200 BLOCK OF PRINCETON, ON OCTOBER 31,
1991, SO THAT IT MAY BE USED BY UNIVERSITY
NEIGHBORHOOD ASSOCIATION FOR ITS FIRST ANNUAL
HALLOWEEN BLOCK PARTY AND DECLARING AN EMERGENCY.

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Mr. Thompson 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, Pierce, Billa Burke, Wing, Martinez, Thompson, Vera, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: None.

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91-46 It was the concensus of the City Council members present to temporarily bypass Agenda Item 28 for consideration later in this meeting.

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91-46 The Clerk read the following Ordinance:

AN ORDINANCE 74,668

APPROVING A REQUEST BY JOHN DELAVAN BAINES, CHAIRMAN OF VIETNAM VETERANS MEMORIAL OF SAN ANTONIO, INC., TO TERMINATE AN AGREEMENT WITH SAID CORPORATION, SAID AGREEMENT HAVING BEEN EVIDENCED BY ORDINANCE NO. 68303, DATED NOVEMBER 17, 1988, AND ACCEPTING A PERSONAL MEMORANDUM OF AGREEMENT WITH MR. BAINES RELATED TO MR. BAINES' CONTINUED SERVICES IN CONNECTION WITH THE VIETNAM VETERANS MEMORIAL.

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Mr. Larson made a motion to approve the proposed Ordinance.
Mr. Pierce seconded the motion.

Mr. Ron Darner, Director of Parks & Recreation, briefly explained the proposed Ordinance.

Mr. John D. Baines, representing the Vietnam Veterans Memorial, spoke to the background history of the statue and memorial.

Mr. Thompson addressed Mr. Baines' prominence in creation of the memorial, and spoke to the significance of the structure itself.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Pierce, Billa Burke, Martinez, Thompson, Vera, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: Wing.

Agenda Item 28 being a presentation and discussion of water agency coordination issues including the status of the Texas Water Commission's recent actions was considered at this time by the City Council members present.

Mr. Joe Aceves, Director of Public Works, distributed copies of a printed memorandum to City Council members, a copy of which is made a part of the papers of this meeting. He spoke to water agency cooperation and coordination issues, and briefly addressed recent actions of the Texas Water Commission, thanking all involved water agencies for their cooperation.

The following persons appeared to speak to the Council:

Mr. Tom Culbertson, representing Regional Clean Air and Water, spoke to his objections to any possible consolidation of local water agencies and in favor of allowing these agencies to remain separate.

Ms. Kay Turner, 7535 North New Braunfels, stated her opinion that these proposals should be addressed by the Council's Water Committee, and she spoke against proposed consolidation of water-related agencies at this time and urged use of caution in proceeding with this proposed action.

Mr. Guenther Krellwitz, also representing Regional Clean Air and Water, spoke to the importance of water issues and the need to establish a "water goal". He spoke in favor of consolidation of water agencies into a "super-agency", with both elected and appointed board members. He then addressed the need for change in the mentality of all concerned regarding water issues, and spoke to his opinion calling for renovation of the entire water issue at the legislative level. He then urged use of caution, not haste, in water matters.

Mayor Wolff stated his opinion that the proposed action today should not affect the Citizens Committee on Water and its work, and he spoke to that group's coming report for a 50-year plan to supply water to this area. He stated his belief that any consolidation would be at least a three-year process, and all involved would be heard on the subject. He urged that steps be taken toward consolidation of water-related agencies.

In response to a question by Mr. Thornton, Mr. Aceves discussed Texas Water Commission objections to a lack of coordination among San Antonio's water agencies.

Mr. Thornton addressed his concern with a lack of communication between San Antonio's water-related agencies and the City of San Antonio. He noted that discussions on water-related matters have been ongoing for some time, and he addressed the number of local groups that favor consolidation of water-related agencies.

Mr. Thornton moved that City staff be instructed to prepare a

plan for consolidation of the three major water-related agencies into a City department. Ms. Billa Burke seconded the motion.

In response to a question by Mr. Labatt, Mr. Marcus Jahns, Executive Director, Alamo Water Re-use and Conservation District, noted that an Austin law firm was hired by his agency to represent it in environmental issues, and its hiring had no relation to the firm's work for the City of San Antonio and its defense against the lawsuit brought against the City by City Water Board.

Mr. Labatt stated his belief that the Texas Water Commission wants San Antonio to succeed in its water plan, and expressed his opinion that the time is now for consolidation; however, it must be done thoroughly and carefully. He stated his belief that the City should look at all possible options for consolidation, not simply consolidation of all water-related functions into a City department. He also stated his opinion that a third party might be brought in to assess the local situation, and that, to him, the ultimate solution to our water problems must be regional in scope, and must also include changes in the law.

Mayor Wolff stated his confidence that City staff can assess the three possible models of consolidation and make recommendations to the City Council on the matter of either City control; control by an outside board; or a hybrid of each.

Mr. Thornton expressed his opinion that his motion carries with it the inclusion of the possible use of an outside board, similar to that used to govern the Job Training Partnership Act (JTPA) board.

Mr. Labatt made a amendment to the motion to instruct City staff also to look into the three possible options for consolidation, including possible functioning under an outside board of directors. Mr. Perez seconded the motion.

(At this point, Mayor Wolff was obliged to leave the meeting. Mr. Larson presided so that Mayor Pro Tem Wing might speak to this issue.)

Mr. Thompson briefly review the local water situation and spoke in support of looking at the possibilities of consolidation. However, he noted his belief that San Antonio, to him, is some distance from this point, and he addressed the "turf battles" involved.

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

Mr. Wing noted that he has supported the consolidation of the City Water Board into the City structure since 1978, and expressed his belief that the requested City staff study of consolidation will be both lengthy and involved. He then spoke to certain questions that he feels must be answered before consolidation is approved.

Ms. Vera stated that she cannot support the main motion, since she feels it is too hasty, and one that doesn't explore all the options. She also expressed her opinion that City staff cannot perform this

study, and

Mayor Wolff agreed that City staff may need outside help with this study.

Mr. Thornton stated his opinion that Dr. Richard Howe, chairman of the Citizens Water Committee, supports consolidation, and noted that the group's July report to City Council urged action before the end of the fiscal year, which ended September 30, 1991. He stated that, because of this, he feels his motion is not precipitous. He stated his belief that the City is losing its options, and must move forward with the consolidation issue.

Mr. Martinez stated his belief that the City Council is moving too fast, without more public input and review.

Mr. Aceves noted that when Council accepted Dr. Howe's committee report, City staff at that time was directed to look into the recommendations outlined in that report.

Mayor Wolff stated that at the time of that report, no consensus of City Council members prevailed to pursue consolidation, but that today might be different.

In response to a question by Mr. Martinez, Mr. Alex Briseno, City Manager, noted that an in-depth analysis will take time. He stated his belief that the focus at this moment is on policy matters, not a full financial analysis, and that if that is so, then the report can be prepared sooner. If, however, an in-depth financial analysis is desired, a consultant and more time will be needed.

Mr. Martinez stated that he favors setting a Public Hearing to receive input from the public and the various entities involved.

Mr. Perez spoke in support of a study of all the options, even though the Council may not vote to proceed further than that study. He stated his belief that City Water Board has done a good job on basic needs of its customers.

Mr. Larson stated his belief that if the City Council is the agency that answers to the citizens, it needs more control. He spoke in support for a study of the options.

Ms. Billa Burke spoke in support for both pending motions, stating her opinion that it is time to do something in this area.

Mayor Wolff then spoke briefly in clarification of the two pending motions.

In response to a question by Mr. Martinez, Mr. Briseno stated his belief that staff can have an initial report in about three weeks, and that report will be made at a "B" Session.

After consideration, the amendment to the motion, prevailed by the following vote: AYES: Perez, Pierce, Billa Burke, Martinez,

Thompson, Vera, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: Wing.

After consideration, the main motion, as amended, prevailed by the following vote: AYES: Perez, Pierce, Billa Burke, Martinez, Thompson, Vera, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: Wing.

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91-46 City Council recessed its Regular Meeting at 3:55 P.M. in order to convene in "B" Session to discuss the proposed German Heritage Park in Hemisfair Park. City Council reconvened in Regular Session at 6:02 P.M.

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91-46 The Clerk read the following Ordinance:

AN ORDINANCE 74,669

REAFFIRMING THE DUTIES AND RESPONSIBILITIES OF THE PRESIDING MUNICIPAL JUDGE; PROVIDING AUTHORITY FOR THE ADOPTION OF ADMINISTRATIVE DIRECTIVES FOR MUNICIPAL JUDGES AND MAGISTRATES; APPROVING NEW POLICIES FOR THE EFFICIENT ADMINISTRATION OF THE COURTS AND THE EQUAL DISTRIBUTION OF CASE LOADS PURSUANT TO THE AUTHORITY PROVIDED TO THE PRESIDING MUNICIPAL JUDGE; AND DECLARING THE GOALS AND INTENTIONS OF THE COUNCIL REGARDING MUNICIPAL COURT OPERATIONS.

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

Mr. Lloyd Garza, City Attorney, explained the proposed plan of action being developed for Municipal Court, and stated that today's proposed action deals with the Presiding Judge and the setting of goals and intentions of the Council regarding Municipal Court operations.

Mr. Wing, Chairman of the City Council Municipal Court Committee, amplified the proposed ordinance provisions as to budgetary and accountability areas. A copy of his printed memorandum to City Council is made a part of the papers of this meeting. He stated his personal opinion that Municipal court judges should not practice law while also serving as judges of Municipal Court, even though state law allows it. He also noted that state law is silent on the matter of removal of judges of Municipal Court, and stated his belief that a change in the law is needed as it relates to removal of Municipal Court judges.

Mr. Larson spoke to the need to continue work with Municipal Court operations, past today's action. He stated his belief that

Municipal Court needs to operate on performance, not personal.

Mr. Albert Pena, Presiding Judge, Municipal Court, stated that he will require the backing of the City Council in order to implement needed changes in Municipal Court.

Mr. Perez and Mr. Pierce spoke in support for the proposed ordinance in order to achieve a fair and efficient Municipal Court.

Mr. Labatt stated his opinion that a periodic review of the judges in Municipal Court is good, and also spoke in support for a change in state law governing Municipal Courts.

Mr. Briseno stated that he would be back to City Council in three weeks with City staff's analysis, as requested.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Pierce, Billa Burke, Wing, Martinez, Thompson, Vera, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: None.

91-46 The Clerk read the following Resolution:

A RESOLUTION NO. 91-46-64

EXPRESSING THE CITY COUNCIL'S INTENT TO ENTER INTO A TAX PHASE-IN AGREEMENT WITH VLSI TECHNOLOGY, INC. IF THE LAND LOCATED AT 9651 WESTOVER HILLS BLVD. IS ANNEXED INTO THE SAN ANTONIO CITY LIMITS.

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Ms. Vera made a motion to approve the proposed Resolution. Mr. Perez seconded the motion.

Mr. Clint Bolden, Director of Economic Development, provided a brief background of VLSI Technology and its plans to expand via a \$6 million addition to its present facility. He then explained the proposed tax abatement agreement.

A representative of VLSI spoke to the work done at his facility by some 330 current employees.

After consideration, the motion, carrying with it the passage of the Resolution, prevailed by the following vote: AYES: Perez, Pierce, Billa Burke, Martinez, Vera, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: Wing, Thompson.

91-46 The Clerk read the following Ordinance:

AN ORDINANCE 74,670

APPROPRIATING UP TO \$1,000.00 FROM THE DISTRICT 7 DISCRETIONARY ACCOUNT FOR USE BY THE HOLY ROSARY NUTRITION SITE AND THE HOLY FAMILY NUTRITION SITE FOR UPCOMING SPECIAL EVENT ACTIVITIES FOR THE SENIOR CITIZENS AS REQUESTED BY COUNCILMEMBER VERA.

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Pierce, Billa Burke, Wing, Martinez, Thompson, Vera, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: None.

91-46

DISCUSSION ON EXCEL CABLE FRANCHISE

Mr. George K. Noe, Director of Management Services, stated that City staff is requesting a 30-day extension of the original November 1, 1991 deadline for Excel's proof of financial capability, in order to allow staff time to fully evaluate new foreign investments which reportedly will bring Excel's financial underwriting from \$2 million to some \$9 million. The time also will allow staff to finalize the four current points of unresolved negotiations with Excel officials, and allow Council to proceed with the Second Reading of the franchise ordinance.

A discussion then took place concerning protection of the City's interests in this matter.

Mr. Labatt made a motion to grant a 30-day extension of the Excel deadline in order to allow City staff time to (1) evaluate additional capital, and (2) negotiate the remaining four points of negotiation for the franchise. Mr. Perez seconded the motion.

In response to a question by Mr. Thompson, Mr. Noe discussed recent information on new capitalization for Excel.

Mr. Martinez compared Excel's proposed franchise to the proposal for the German Heritage Park in Hemisfair Park.

A discussion ensued concerning potential new major investments, and alleged problems experienced with the present cable television franchisee.

After consideration, the motion, prevailed by the following vote: AYES: Perez, Pierce, Billa Burke, Wing, Martinez, Thompson, Vera, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: None.

91-46 The Clerk read the following Ordinance:

AN ORDINANCE 74,671

AUTHORIZING THE ESTABLISHMENT OF THE INTERNATIONAL INITIATIVES FUND; AUTHORIZING TRANSFERS OF \$130,000.00 FROM THE GENERAL FUND AND \$25,000.00 FROM THE HOTEL/MOTEL TAX FUND THERETO; AUTHORIZING THE ACCEPTANCE OF CONTRIBUTIONS FROM THE SAN ANTONIO INTERNATIONAL AFFAIRS FOUNDATION IN SUPPORT OF THE CITY'S INTERNATIONAL ECONOMIC AND CULTURAL INITIATIVES; AND APPROPRIATING A BUDGET AND AUTHORIZING PERSONNEL POSITIONS FOR CASA SAN ANTONIO IN GUADALAJARA.

* * * *

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

Mr. Clint Bolden, Director of Economic Development, noted that the proposed ordinance involves a transfer of funds to finance San Antonio's new office in Guadalajara.

Ms. Vera stated her contention that all applicable funds should be in the International Relations budget.

Mr. Rolando Bono, Assistant City Manager, noted that International Relations is funded out of the Economic Development Department overall budget, and that the new office in Guadalajara is an economic development office.

Mr. George K. Noe, Director of Management Services, explained the establishment of a special account for international initiatives, merging General Fund monies, hotel/motel tax funds, and private contributions.

Mr. Henry Sauvignet, Manager of the Guadalajara office, explained the early contacts from Mexican firms seeking San Antonio contacts, and vice versa.

A discussion ensued concerning allocation of a \$100,000 budget set-aside for international relations activities.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Pierce, Billa Burke, Wing, Martinez, Thompson, Thornton, Labatt, Larson, Wolff; NAYS: Vera; ABSENT: None.

CITIZENS TO BE HEARD

MR. TOM MORGAN

Mr. Morgan, 1033 Austin Highway, provided Council members with an alleged photocopy of a notice provided to all Supervan vehicle operators, a copy of which is made a part of the papers of this meeting. He briefly described the operations of Supervan Shuttle and spoke to the firm's alleged failure to have its vehicles pass inspection. He stated his opinion that officials at International Airport are allowing Supervan vehicles to operate without the required inspection stickers. He also alleged that Supervan may also not have the proper insurance, and may not have paid the required franchise fee. He also spoke to alleged ticket-fixing at International Airport, and Supervan's usage of unmarked vehicles. He stated his belief that an investigation is necessary.

Officer Dale Jacobs, Police Department, spoke to inspections of vehicles and correction notices sent, where necessary. He stated his belief that all concerned have responded to these notices except Supervan Shuttle. He then spoke to Supervan's operations under franchise at International Airport, and spoke to attempts to solve the situation. He noted that his office, the Transportation Division, may be before City Council in January, and he addressed legal issues involved.

Mayor Wolff spoke of the need to treat all concerned equally.

Mr. Thompson, Chairman of the Council's Transportation Committee, spoke to the two separate services provided by Supervan Shuttle and the use of vehicles in both services.

CITY MANAGER'S REPORT

CURFEW

Mr. Sergio Soto, Youth Services Division, Department of Community Initiatives, provided Status Report No. 7 to City Council, and distributed a packet of information, a copy of which is made a part of the papers of this meeting.

Ms. Vera voiced her concern with how the curfew is affecting the crime rate.

Captain Al Phillipus, San Antonio Police Department, noted that the curfew has not been in effect long enough to make those comparisons, and spoke of the need to have six months' experience with the curfew in order to achieve measurable results against the crime rate. He stated that he would attempt to estimate this, in future reports.

Mr. Thompson discussed youth adjudication procedures in Bexar County and spoke to the need for a new facility for long-term

incarceration of youths.

Mr. Larson stated that the number of children, out on the streets after midnight, has dropped 60 per cent, and he expressed his satisfaction with these statistics.

In response to a question by Mr. Wing, Captain Phillipus explained why Curfew Report No. 6 showed an increase in the number of citations for violation of the curfew. He stated his belief that it was a matter of the holidays, a teacher holiday and unseasonably warm weather.

91-46 City Council recessed its Regular Meeting at 8:00 P.M. to go into Executive Session to give Council direction concerning the Excel Cable Franchise Negotiations, reconvening in regular session at 8:25 P.M., at which time Mayor Wolff announced that City Council had given City staff the necessary direction to proceed on the above-stated matter.

91-46 There being no further business to come before the Council, the meeting was adjourned at 8:26 P.M.

A P P R O V E D
Robert W. Wolff
M A Y O R

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