

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO, HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, MARCH 14, 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.

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91-11 Invocation - Reverend Leroy Hayes III, New Union Missionary Baptist Church.

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91-11 DESERT STORM FAMILIES

Ms. Berriozabal spoke to the District 1 families who have loved ones serving in the Persian Gulf, and introduced the families of Jose Alatorre, Jr., James Anthony Cazares, Jesse R. Garza, Christopher David Gonzales, Louis M. Hapshie, Francisco Magallanes, Alex C. Martinez, Francisco Javier and Ronnie Martinez, Moses Menchaca, Jr., Manuel Nicasio, Jr., Vincent Ortiz, Jose L. Perales, Jr., Jose Ramon, Jr., Eutimio B. Ramos, Jr., Xavier Wong, and David and Simon Zuniga.

Representatives of the families present then led the Council and the audience in the Pledge of Allegiance to the flag of the United States.

Mayor Cockrell and Ms. Berriozabal presented Citations and green candles with yellow ribbons to each family present.

91-11 NEW BOARD/COMMISSION MEMBERS

Mayor Cockrell introduced the new City board/commission members present in the audience and the reappointees, as well.

City Clerk Norma S. Rodriguez administered the oath of office to the assembled group, en masse, after which each appointee/reappointee came forward to receive their Certificate of Office from the Mayor and City Council members.

91-11

EMPLOYEE SERVICE AWARDS

Mayor Cockrell recognized City employees present in the audience who are celebrating 30, 35 and 40 years of service, and spoke of the upcoming employee service awards banquet to be held tomorrow night.

Mr. Alex Briseno, City Manager, noted that City employees celebrating between 20 and 40 years of municipal service to the City of San Antonio this year represent more than 8,000 years of municipal service.

Mayor Cockrell, members of the City Council and Mr. Briseno congratulated each employee individually as they were introduced. Each received a special Certificate of Service.

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91-11

CATHY TEAGUE

On a Point of Personal Privilege, Mr. Martinez spoke to the pending departure of Ms. Cathy Teague, reporter for KSAT-TV since 1983, who is leaving to return to Amarillo as producer and host of a weekly issues show on public broadcasting television facilities in that city. He spoke to her achievements while at KSAT-TV and thanked her personally for her efforts.

Several other Council members expressed their appreciation for her work.

Mayor Cockrell presented Ms. Teague with a City of San Antonio desk clock.

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91-11 The minutes of the Council meeting of January 31, 1991 were approved.

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91-11 ZONING HEARINGS

4-A. CASE Z91022 (CC) - to rezone Lot 3, NCB 15674, 16302 San Pedro, from "B-3" ERZD Business Edwards Recharge Zone District to "B-3" CC ERZD Business Edwards Recharge Zone District with special city council approval for an animal clinic, located on the southeast side of Highway 281 North, being 797.67 feet southwest of the intersection of Thousand Oaks Drive and Highway 281 North, having 93.79 feet on Highway 281 North and a depth of 190.43 feet.

The Zoning Commission has recommended that this request of

change of zone be approved by the City Council.

Mr. Hasslocher explained the requirement for new zoning needed for expansion of an existing animal hospital.

Mr. Hasslocher made a motion to approve the recommendation of the Zoning Commission. Mr. Thompson seconded the motion.

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

AN ORDINANCE 73,270

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 3, NCB 15674, 16302 SAN PEDRO AVENUE, FROM "B-3" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT TO "B-3" CC ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR AN ANIMAL CLINIC. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4B. CASE Z90144 - to rezone P-3 (1.281 acres) and P-9B (3.679 acres), NCB 18392, in the 17400 Block of Blanco Road, from Temporary "R-1" ERZD Single Family Residence Edwards Recharge Zone District to "B-2" ERZD Business Edwards Recharge Zone District.

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

Mr. Wolff noted that the proponent and the homeowner Association involved both desire a 60-day postponement of this rezoning case.

Mr. Wolff made a motion to postpone the case for 60 days. Mrs. Dutmer seconded the motion.

Zoning Case Z90144 was postponed for 60 days.

4C. CASE Z91003 - to rezone Lot 167, NCB 15731, 233 Dinn, from Temporary "R-1" Single Family Residence District to "B-3R" Restrictive

Business District, located on the north side of Dinn Drive, 804.24 feet east of the intersection of Dinn Drive and I. H. 35 Expressway access road, having 75 feet on Dinn Drive and a depth of 150 feet.

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

In response to a question by Mr. Webb, Mr. Earl P. Forbrich, Jr., the proponent, stated that he owns all the surrounding property and plans to construct a building for lease to a tenant.

Mr. Webb made a motion to approve the recommendation of the Zoning Commission. Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 73,271

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 167, NCB 15731, 233 DINN, FROM TEMPORARY 'R-1' SINGLE-FAMILY RESIDENCE DISTRICT TO 'B-3R' RESTRICTIVE BUSINESS DISTRICT. THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4D. CASE Z91020 - to rezone the north 75 feet of Lots 25 and 85, NCB 11887, 500 Block of Everest, from "A" Single Family Residence District, and "B-1" Business District to "B-3NA" Non-alcoholic Sales Business District; and the south 220 feet of Lot 85 and Lot 25, save and except the north 75 feet and the south 150 feet of the west 90 feet, NCB 11887, 200 block of West Sunset, from "A" Single Family Residence District, and "B-1" Business District to "B-3R" Restrictive Business District, located northeast of the intersection of Everest Road and Sunset Road, having 300 feet on Everest Road and 231.2 feet on Sunset Road.

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

Mr. Thomas P. Leopold, Attorney, representing the proponent, explained his client's request for rezoning to allow for a vintage automobile rental business.

Mr. Labatt spoke in support for the request, even though the Zoning Commission recommends denial in this case.

Mr. Labatt made a motion to rezone the lower 225 feet to "B-3R" Restrictive Business District, and the north 75 feet to "B-3NA" Non-Alcoholic Sales Business District.

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

AN ORDINANCE 73,272

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE SOUTH 220 FEET OF LOT 85 AND LOT 25, SAVE AND EXCEPT THE NORTH 75 FEET AND THE SOUTH 150 FEET OF THE WEST 90 FEET, NCB 11887, 200 BLOCK OF WEST SUNSET, FROM 'A' SINGLE-FAMILY RESIDENCE DISTRICT AND 'B-1' BUSINESS DISTRICT TO 'B-3R' RESTRICTIVE BUSINESS DISTRICT; AND THE NORTH 75 FEET OF LOTS 25 AND 85, NCB 11887, 500 BLOCK OF EVEREST, FROM 'A' SINGLE-FAMILY RESIDENCE DISTRICT AND 'B-1' BUSINESS DISTRICT TO 'B-3NA' NON-ALCOHOLIC SALES BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4-E. CASE Z91023 - to rezone Lot 6, NCB 8712, 1537 Austin Highway, from "F" Local Retail District to "B-3" Business District, located between Eisenhower Road and Austin Highway, approximately 592.25 feet southwest of the intersection of Eisenhower Road and Austin Highway, approximately 592.25 feet southwest of the intersection of Eisenhower Road and Austin Highway, having 62.46 feet on Austin Highway and 28.14 feet on Eisenhower Road, with a maximum length on 348.01 feet.

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

Mr. Hasslocher made a motion to approve the recommendation of the Zoning Commission. Mr. Thompson seconded the motion.

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

AN ORDINANCE 73,273

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 6, NCB 8712, 1537 AUSTIN HIGHWAY, FROM 'F' LOCAL RETAIL DISTRICT TO 'B-3' BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4-F. CASE Z91021 - to rezone Lot 43, Block 6, NCB 10502, 415 Bushick, from "F" Local Retail District to "B-3NA" Non-Alcoholic Sales Business District, located northeast of the intersection of Goliad Road and Bushick Drive, having 160.84 feet on Bushick Drive and a depth of 120 feet.

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

Mrs. Dutmer made a motion to approve the recommendation of the Zoning Commission. Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 73,274

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 43, BLOCK 6, NCB 10502, 415 BUSHICK, FROM 'F' LOCAL RETAIL DISTRICT TO 'B-3NA' NON-ALCOHOLIC SALES BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4-G. CASE Z90140 - to rezone Lot 1 and Lot 5A, NCB 18289, a 0.78 acre tract out of Lot 12, Block 105, NCB 18288, from Temporary "R-1" Single Family Residence District to "B-3R" Restrictive Business District; and Lot 12, save and except a 0.78 acre tract, Block 105, NCB 18288, from Temporary "R-1" Single Family Residence District to "I-2" CC

Heavy Industry District with City Council approval for chemical manufacture and processing, located on the northwest side of Potranco Road, being 1,260 feet southwest of the intersection of Micron Drive and Potranco Road, having 420 feet on Potranco Road and a maximum depth of 1180.98 feet.

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

Ms. Vera noted that this is a continuation of an existing use for a recently-annexed property.

Ms. Vera made a motion to approve the rezoning request, except for creation of a 25-foot buffer of "B-3R" zoning around the southern portion of the rezoned property, with the remainder to be zoned "I-2 CC". Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 73,275

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 1 AND LOT 5A, NCB 18289, AND A 0.78 ACRE TRACT OUT OF LOT 12, BLOCK 105, NCB 18288, FROM TEMPORARY 'R-1' SINGLE-FAMILY RESIDENCE DISTRICT TO 'B-3R' RESTRICTIVE BUSINESS DISTRICT; AND LOT 12, BLOCK 105, NCB 18288, SAVE AND EXCEPT A 0.78 ACRE TRACT, FROM TEMPORARY 'R-1' SINGLE-FAMILY RESIDENCE DISTRICT TO 'I-2 CC' HEAVY INDUSTRY DISTRICT WITH CITY COUNCIL APPROVAL FOR CHEMICAL MANUFACTURE AND PROCESSING. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4-H. CASE Z90141 - to rezone NCB 16331, Block 1, Lot 1, NCB 16331, Parcels 11, 11B and 20, NCB 16331, Parcels 19B, save and except the south 1149.29 feet, NCB 18404, Block 44C, Lot 1 (1.474 acres), NCB 18404, Parcels 12 and 13, NCB 18404, Block 44B, Lots 1 thru 9, from Temporary "R-1" ERZD One Family Residence Edwards Recharge Zone District to "B-2" ERZD Business Edwards Recharge Zone District; NCB 18404, Block 44D, Lot 1 (1.339 acres) from Temporary "R-1" ERZD to "B-2" SUP ERZD CC Business Edwards Recharge Zone District with City council approval for a special use permit for an automatic car wash; and NCB 15669, Parcels 9,

9A, 9B, 23 and 45, NCB 16329, Parcels 2, 2A, 3, 3A, 3B, 4B, 5, 5A, 5C, 5D and 5E, NCB 16329, parcels 21, 21B, 44, 46, 47 and 100, NCB 16329, Parcel 4 (4.882 acres), NCB 16331, Parcel 4, 5, 11A, 19 and 42, NCB 16332, the south 1149.29 feet of Parcel 19B, and NCB 16332, Lots 1 and 2, from Temporary "R-1" ERZD One Family Residence Edwards Recharge Zone District to "B-3" ERZD Business Edwards Recharge Zone District, property being located on the north and southside of N. Loop 1604 West and on the east and west of Stone Oak Parkway, having as total of 4700 on N. Loop 1604 West, 2200 feet on Stone Oak Parkway and a total of 1500 feet, on Blanco Road.

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

Mr. Andy Guerrero, Land Development Services, explained the difference between the recommendations of the City staff and the Zoning Commission.

Mr. Herb Pounds, 17830-17850 Stone Oak Parkway, partner, spoke in support of the City staff recommendations because of current deed restrictions on the property which already restrict uses for that property.

Mr. Howard Peak, 238 Medford, representing several area property owners, explained the differences between the rezoning request and his clients' wishes and spoke in support for the recommendation of the Zoning Commission.

Mr. Dennis Hoyt, of Hoyt Consulting Engineers, 8310 Broadway, spoke in support for the Zoning Commission recommendations.

Mr. Hasslocher stated that he would like to work out a compromise in this matter.

Mr. Hasslocher made a motion to postpone consideration of this case for three weeks. Mr. Wolff seconded the motion.

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

Zoning Case Z90141 was postponed for three weeks.

4-I. CASE Z90142 - to rezone Lots 1 and 2, Block 29, NCB 18479, in the 6300 block of Seguin Road (F.M. 78), located east of the cutback between Seguin Road (F.M. 78) and Foster Road also bounded by Woodfield on the northeast and Heritage Lake on the southeast, having 670 feet on Seguin Road (F.M. 78), 585 feet on Foster Road, 845 feet on Heritage Lake and 620 feet on Woodfield and a distance of 146.27 feet on the cutback between Seguin Road and Foster Road; Parcels 7A, 7B, 7C, 7D, 7K, 8, and 9, NCB 17630, in the 6100 Block of Seguin Road (F.M.

78), located on the northwest side of Seguin Road (F.M. 78), being 175 feet northeast of the intersection of Tacco Drive and Seguin Road, having 2,170 feet on Seguin Road and a maximum depth of 900 feet; Parcel 5, 58, 58-A, 59, 58-B (0.2671 acres) and Lot 7 (0.1664 acres), NCB 16611, located west of the cutback between Seguin Road and Old Seguin Road, having 1525 feet on Seguin Road (F.M. 78), 1535 feet on Old Seguin Road and a distance of 95.49 feet on the cutback between Old Seguin Road and Seguin Road (F. M. 78); and Parcels 3C and Lot 7, NCB 17729, located northeast of the intersection of Tacco Drive and Seguin Road, having 540 feet on Tacco Drive and 915 feet on Seguin Road (F. M. 78), from Temporary "R-1" Single Family Residence District to "R-4" Manufactured Home Residence District; and Parcels 6, 7E, 7F and 7H, NCB 17729, Parcel 60, NCB 17630, in the 6001 Block of F. M. 78 (Seguin Road), from Temporary "R-1" Single Family Residence District to "R-4" Manufactured Home Residence District, located 380 feet north of Seguin Road and 400 feet east of Tacco Drive, having a length of 595 feet and a width of 250 feet.

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

Mr. Webb made a motion to approve the recommendation of the Zoning Commission. Mr. Thompson seconded the motion.

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

AN ORDINANCE 73,276

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 1 AND 2, BLOCK 29, NCB 18479, IN THE 6300 BLOCK OF SEGUIN ROAD (FM78), PARCELS 7A, 7B, 7C, 7D, 7K, 8 AND 9, NCB 17630, IN THE 6100 BLOCK OF SEGUIN ROAD (FM78), PARCEL 5, 58, 58-A, 59, 58-B (0.2671 ACRES) AND LOT 7 (0.1664 ACRES), NCB 16611, PARCELS 3C AND LOT 7, NCB 17729, FROM TEMPORARY 'R-1' SINGLE-FAMILY RESIDENCE DISTRICT TO 'B-3' BUSINDESS DISTRICT; AND PARCELS 6, 7E, 7F AND 7H, NCB 17729, PARCEL 60, NCB 17630, IN THE 6001 BLOCK OF SEGUIN ROAD (FM78), FROM TEMPORARY 'R-1' SINGLE-FAMILY RESIDENCE DISTRICT TO 'R-4' MANUFACTURED HOME RESIDENCE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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

91-11      CONSENT AGENDA

Mr. Thompson made a motion to approve Agenda Items 6 through 27, constituting the Consent Agenda, with Item 27 to be pulled for individual consideration, and Item 25 having been pulled from consideration earlier by the City Manager. Mr. Hasslocher 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, Martinez, Thompson, Vera, Wolff, Labatt, Hasslocher; NAYS: None; ABSENT: Wing, Cockrell.

AN ORDINANCE 73,277

ACCEPTING THE LOW BID OF MIDTEX OIL, INC. TO FURNISH THE CITY OF SAN ANTONIO WITH AUTOMOTIVE ANTI-FREEZE FOR A TOTAL OF \$3,015.36.

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AN ORDINANCE 73,278

ACCEPTING THE LOW BID OF G. T. DISTRIBUTORS, INC. TO FURNISH THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH POLICE REVOLVERS FOR A TOTAL OF \$11,196.50.

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AN ORDINANCE 73,279

ASSIGNING THE ANNUAL CONTRACT OF LIFESAVING RESOURCES, INC. FOR EXTRICATION COLLARS TO CALIFORNIA MEDICAL PRODUCTS, INC.

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AN ORDINANCE 73,280

CANCELLING THE ANNUAL CONTRACT OF COUNTYWIDE CONCRETE PRODUCTS COMPANY FOR READY-MIX CONCRETE AND AWARDING THE CONTRACT TO THE NEXT LOW QUALIFIED BIDDER CUSTOM CRETE, INC.

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AN ORDINANCE 73,281

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH CIVIL ENGINEERING CONSULTANT IN THE AMOUNT OF \$117,300.00 TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE CAMELOT/PARK VILLAGE AREA SANITARY SEWER REHABILITATION PROJECT; AUTHORIZING AN ADDITIONAL \$13,000.00 FOR SOIL INVESTIGATION SERVICES; AUTHORIZING \$250,000.00 ADVERTISING EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 73,282

AUTHORIZING THE CITY MANAGER OR ASSISTANT CITY MANAGER TO EXECUTE FIELD ALTERATION NO. 2 IN THE AMOUNT OF \$41,225.44 TO THE CONTRACT WITH V. K. KNOWLTON PAVING CONTRACTOR, INC. TO PROVIDE FOR ADJUSTMENTS IN CONNECTION WITH THE MCCULLOUGH, NORTH OF BASSE ROAD - LOW WATER CROSSING PROJECT; RATIFYING ALL ACTIONS TAKEN BY CITY STAFF IN CONNECTION THEREWITH; AND PROVIDING FOR FUNDING IN CONNECTION WITH SAID FIELD ALTERATION NO. 2.

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AN ORDINANCE 73,283

ACCEPTING THE LOW, QUALIFIED BID OF E. E. ROBERTS CO., INC. IN THE BASE BID AMOUNT OF \$2,294,996.00, PLUS \$7,500.00 FOR ADDITIVE ALTERNATE #1, TOTALING \$2,302,496.00 IN CONNECTION WITH THE DWYER AVENUE MULTI-SERVICE CENTER PROJECT; AUTHORIZING A CONTRACT THEREFOR; REVISING THE PROJECT BUDGET; AUTHORIZING \$80,925.57 FOR CONSTRUCTION CONTINGENCIES AND \$30,879.50 TO LLOYD WALKER JARY & ASSOCIATES FOR ARCHITECTURAL EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 73,284

ACCEPTING THE LOW, QUALIFIED BID OF TONY C. QUINTANILLA, INC. IN THE AMOUNT OF \$28,400.00 IN CONNECTION WITH THE ADDITIONS TO THE HEALTH, INC. PROJECT; AUTHORIZING A CONTRACT; REVISING THE PROJECT BUDGET; AUTHORIZING \$1,400.00 FOR CONSTRUCTION CONTINGENCIES AND \$200.00 FOR BID ADVERTISING FEES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 73,285

ACCEPTING THE LOW BID OF YANTIS CORPORATION IN THE AMOUNT OF \$2,296,475.73 TO PROVIDE CONSTRUCTION SERVICES IN CONNECTION WITH THE BITTERS ROAD-WEST AVENUE TO TREASURE TRAIL PROJECT; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$114,823.79 FOR THE CONSTRUCTION CONTINGENCY; AUTHORIZING \$10,530.64 FOR ADDITIONAL ENGINEERING FEES PAYABLE TO SOMERVILLE-GONZALES & ASSOCIATES, INC., AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 73,286

ACCEPTING THE PROPOSAL OF URBAN DESIGN GROUP IN THE AMOUNT OF \$1,585.00 FOR ADDITIONAL PROFESSIONAL SERVICES IN CONNECTION WITH THE JONES MALTSBERGER MIDDLE SCHOOL OFF-SITE SANITARY SEWER PROJECT; AUTHORIZING \$100.00 FOR REIMBURSEMENT OF THE REVIEW FEE PAID BY THE CONSULTANT TO THE TEXAS WATER COMMISSION; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 73,287

ACCEPTING THE LOW QUALIFIED BID OF CRIS A/C AND SHEET METAL CONTRACTING IN THE AMOUNT OF \$36,598.00 TO PROVIDE SWIMMING POOL PAINTING SERVICES AT FAIRCHILD, GARZA, LINCOLN, SOUTHSIDE LIONS AND WESTWOOD POOLS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 73,288

ACCEPTING THE LOW QUALIFIED BID OF NOBE GENERAL CONSTRUCTION, INC. IN THE AMOUNT OF \$14,950.00 TO PROVIDE SERVICES IN CONNECTION WITH THE RIVERWALK HANDRAIL EXTENSION & REPAIR - NORTH PRESA STREET PROJECT; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 73,289

ACCEPTING THE LOW QUALIFIED BID OF TCQ CONSTRUCTION IN THE AMOUNT OF \$28,031.00 TO PROVIDE CONSTRUCTION SERVICES IN CONNECTION WITH THE BOTANICAL CENTER GREENHOUSE REPLACEMENT PROJECT; AUTHORIZING \$4,207.00 FOR THE CONSTRUCTION CONTINGENCY;

AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 73,290

AUTHORIZING PAYMENT IN THE AMOUNT OF \$2,247.78 FOR TITLE CHARGES ON PACIFIC DRAINAGE PROJECT #66, PHASE II, HI-LIONS DRAINAGE PROJECT #80, BABCOCK ROAD IMPROVEMENT PROJECT - FREDERICKSBURG TO ST. CLOUD, AND WURZBACH ROAD IMPROVEMENT PROJECT - VANCE JACKSON TO LOCKHILL SELMA; AND APPRAISAL FEES ON TILLIE DRAINAGE PROJECT #114A OUTFALL, NOGALITOS STREET IMPROVEMENT PROJECT - BIGFOOT TO FURNISH AND BABCOCK ROAD IMPROVEMENT PROJECT - HUEBNER ROAD TO HAMILTON WOLFE; AND APPROPRIATING FUNDS.

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AN ORDINANCE 73,291

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$68,925.32 OUT OF VARIOUS FUNDS FOR THE PURPOSE OF ACQUIRING TITLE TO THREE PARCELS AND ONE EASEMENT AND PAYING FOR CLOSING COSTS IN CONNECTION WITH THE HI-LIONS DRAINAGE PROJECT NO. 80; AND ACQUIRING TITLE TO ONE PARCEL AND PAYING FOR CLOSING COSTS IN CONNECTION WITH THE HUEBNER ROAD IMPROVEMENT PROJECT - VANCE JACKSON TO FREDERICKSBURG ROAD.

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AN ORDINANCE 73,292

APPROVING THE PRICE OF \$31,500.00 AND THE TERMS AND CONDITIONS OF SALE BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF A CERTAIN PARCEL OF LAND LOCATED WITHIN THE VISTA VERDE SOUTH URBAN DEVELOPMENT ACTION GRANT (UDAG) PROJECT.

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AN ORDINANCE 73,293

AUTHORIZING THE CITY MANAGER OR THE ASSISTANT CITY MANAGER TO EXECUTE AN AGREEMENT TO PURCHASE FEE TITLE TO A PORTION OF LOT 6, NCB 1917 AND A TEMPORARY EASEMENT OVER ADJACENT PROPERTY AND APPROPRIATING \$231,590.10 IN COSTS AS PART OF THE FREDERICKSBURG ROAD-FIVE POINTS PROJECT AND

AUTHORIZING DISBURSEMENT OF SUCH SUMS.

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AN ORDINANCE 73,294

AUTHORIZING THE EXPENDITURE OF \$15,000.00 IN PARTIAL PAYMENT TO EDUCATIONAL DEVELOPMENT SPECIALIST (EDS) FOR THE SECOND YEAR PURCHASE OF THE "MAJOR RIVERS: TEXAS WATER EDUCATION PROGRAM."

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AN ORDINANCE 73,295

AUTHORIZING PAYMENTS OF REFUNDS TO PERSONS MAKING A DOUBLE PAYMENT, OVERPAYMENT OR AS A RESULT OF A VALUE CHANGE ON 94 TAX ACCOUNTS.

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AN ORDINANCE 73,296

APPROVING THE REQUEST OF THE FIRST PRESBYTERIAN CHURCH TO HOLD A PARADE HONORING THE ANNIVERSARY OF REVEREND LOUIS ZBINDEN ON SUNDAY, APRIL 7, 1991; AUTHORIZING THE ISSUANCE OF A PARADE PERMIT; AND AUTHORIZING THE TEMPORARY CLOSING OF CERTAIN STREETS IN CONNECTION WITH THE PARADE AND CELEBRATION THEREWITH.

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91-11 The Clerk read the following Ordinance:

AN ORDINANCE 73,297

AMENDING THE PROFESSIONAL SERVICES CONTRACT OF MARMON, BARCLAY, SOUTER, FOSTER, HAYS (MBSFH) FOR THE DESIGN OF THE MULTIPURPOSE DOME FACILITY; AUTHORIZING THE PURCHASE OF ARCHITECTS/ENGINEERS PROFESSIONAL LIABILITY INSURANCE (ERRORS & OMISSIONS) OFFERED BY VICTOR O. SCHINNERER & COMPANY, INC. FOR THE MULTIPURPOSE DOME FACILITY PROJECT; AND APPROPRIATING \$486,523.00 FROM THE 1/2 PERCENT SALES TAX COLLECTION.

\* \* \* \*

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

March 14, 1991  
alh

Mr. Roland Lozano, Director of Dome Development, explained details of this ordinance on errors and omissions insurance for the domed stadium project, recommending that the costs be taken from the contingency account. He stated the need for this insurance coverage because of the need to expand the insurance coverage limits due to the costs for the domed stadium.

Mr. Thompson stated his opinion that it is not the City's place to purchase insurance for the design firm involved.

A discussion then took place concerning the ramifications of this proposed action.

Mr. Alex Briseno, City Manager, explained the insurance requirements on City contracts and the reasons why the City favors this coverage in order to protect the City. He then spoke to a recent study to reassess the City's insurance policy, in the light of present-day impacts.

Mr. Harvey Marmon, representing Marmon Barclay Souter Foster Hays, spoke to previous like cases and the precedent for the requested action.

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

Mr. Lloyd Garza, City Attorney, briefly explained the rationale for the proposed action.

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

Mr. Hasslocher expressed his concern with the unusual nature of this proposed action.

Mr. Martinez explained the complex nature of the project and spoke to the extra protection this affords the City, up to \$7 million total.

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

Ms. Berriozabal stated that, as a general rule, she is against taking any retroactive action, but understands the unusual nature of the domed stadium project and the requirements for commitments to small and minority business activity on dome construction, as well as the precedent this action would set. She urged a study of the City's insurance requirements for future project applications.

Mr. Briseno spoke to the needed balance in insurance requirements, in order to continue to encourage minority business participation.

Mr. Labatt spoke in favor of this increase in the City's insurance requirements as a needed action.

In response to a question by Mr, Hasslocher, Ms. Nora Chavez, Director of Finance, explained the background of study of insurance needs for the domed stadium.

Mayor Cockrell spoke in support for the requested action.

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

- - -  
91-11 The Clerk read the following Ordinance:

AN ORDINANCE 73,298 .

.  
AUTHORIZING PAYMENT IN THE AMOUNT OF \$10,000.00 IN  
THE SETTLEMENT OF ALL CLAIMS OF REYNALDO BARRIENTOS  
V. CITY OF SAN ANTONIO AND WILLIAM BIESENBACH.

\* \* \* \*

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

- - -  
91-11 The Clerk read the following Ordinance:

AN ORDINANCE 73,299 .

.  
AMENDING ORDINANCE NO. 73071 DATED FEBRUARY 14,  
1991 BY APPROVING THE USE OF AN ADDITIONAL  
\$412,457.00 IN PY 90-91 JTPA TITLE II-A FUNDS FOR  
THE PLANNING AND START UP OF THE CY-91 JTPA TITLE  
II-B SUMMER YOUTH EMPLOYMENT AND TRAINING PROGRAM  
(SYETP) AND ALLOCATE THOSE AGENCIES AND CATEGORIES  
APPROVED BY THE ALAMO PRIVATE INDUSTRY COUNCIL.

\* \* \* \*

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

In response to a question by Mrs. Dutmer, Mr. Kevin Moriarty, Acting Director, Department of Economic and Employment Development, explained the planning for this project, noting that this is the second year of a three-year funding cycle.

Mrs. Dutmer stated her belief that some agencies were bypassed by the agency selection process and expressed fears that some needed recipients will not be served, as a result.

Mr. Moriarty noted that these are only planning funds, and actual operations allocations can be directed, as needed.

Mr. Webb spoke to his concern for under-served eastside areas and the need to plan to serve these areas with a high density of black children.

Mr. Moriarty stated that he feels the City Council should be given a plan for city-wide coverage of operational funds within a few weeks.

Ms. Claudette Yarborough presented the Council with copies of materials, expressing concerns about the JTPA 1991 summer programs and the 'dropout' program areas she feels are not being addressed.

Mr. Crosby A. Brown also spoke to the Council regarding his volunteerism in the eastside community and expressed concern about the need to address the problems faced by children on the streets, especially in the east side of San Antonio. He appealed to the Council to do something to address this problem.

Ms. Barbara Hawkins expressed her concerns about the need to address what is needed in the black community of San Antonio. She asked that the Council secure a commitment from these agencies that their objectives will be met. She also urged the Council to postpone today's proposed action until these agencies concerned come through with written modified plans.

Mr. Webb provided a brief history of what has transpired over the past year with the approval of a two-year plan.

Mr. Moriarty stated that in November, corrective action was sought by the board of the Private Industry Council and the agencies were so directed.

Mr. Erick Akins, Executive Director, Private Industry Council, spoke to the goals established by the PIC for these agencies and plans to have those agencies abide by their goals. He then explained the process in place and the goals established for the agencies.

Ms. Berriozabal noted that 60 per cent of the tenants in San Antonio's public housing projects are below the age of 17, and she spoke to the high density of populations within the projects. She then voiced her concerns with the school dropout problem and the need to address this.

Mr. Akins stated that he had spoken to this problem with the funded agencies this morning and addressed the need to work with this target group. He spoke to the state goals that must be met by the PIC, yet only five per cent of the funds can be used to address the dropout problem. He then spoke to other programs that work with these groups.

Ms. Berriozabal discussed the need to address the school dropout problem at all public housing projects, especially programs that are aimed at younger persons. She noted that the big problem involves schoolchildren ages eight to 14 and who are below the federal age guidelines.

Mr. Moriarty noted that the City Council will have a "B" Session in about a month, where each agency will spell out its programs prior to the Council allocating any of the more than \$5 million in agency operational funding. He stated that this informal session is to be held in about four weeks' time.

Mayor Cockrell noted that the National League of Cities is focusing on "Youth In Crisis", similar to this case.

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

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91-11 The Clerk read the following Ordinance:

AN ORDINANCE 73,300

AUTHORIZING THE DE-OBLIGATION AND RE-OBLIGATION OF PY-90 ALAMO SUBSTATE AREA JTPA TITLE III/ECONOMIC DISLOCATION AND WORKER ADJUSTMENT ASSISTANCE (EDWAA) 60% FORMULA AND 40% FUNDS, AND THE ACCEPTANCE OF \$650,000.00 IN TITLE III/EDWAA 40% FUNDS FROM THE TEXAS DEPARTMENT OF COMMERCE TO FUND ANTICIPATED DEFICITS THROUGH APRIL 15, 1991, AS APPROVED BY THE ALAMO PRIVATE INDUSTRY COUNCIL.

\* \* \* \*

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

91-11 The Clerk read the following Ordinance:

AN ORDINANCE 73,301

AMENDING ORDINANCE NO. 62606 AND ORDINANCE NO. 64372 WHICH ESTABLISHED THE 1,514 ACRE TEXAS RESEARCH AND TECHNOLOGY FOUNDATION INDUSTRIAL DISTRICT AND APPROVED A FIRE PROTECTION AGREEMENT COVERING THE DISTRICT SO AS TO DELETE 11.5 ACRES FROM THE DISTRICT AND FROM THE FIRE PROTECTION AGREEMENT.

\* \* \* \*

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

In response to a question by Mrs. Dutmer, Mr. Kevin Moriarty, Acting Director, Department of Economic and Employment Development, explained the need to delete this area of Research Park in order to allow creation of a zone for residential uses for scientists.

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

91-11 Item 33, being a proposed ordinance approving the request of First Presbyterian Church for a parade permit on Sunday, April 7, 1991, was pulled from consideration earlier by the City Manager.

91-11 The Clerk read the following Ordinance:

AN ORDINANCE 73,302

APPROPRIATING \$150.00 FROM THE DISTRICT 1 DISCRETIONARY FUND TO COVER THE COST OF RENTING THE ALMAGUER BUILDING AT WOODLAWN LAKE ON BEHALF OF THE WOODLAWN LAKE COMMUNITY ASSOCIATION COMMUNITY FORUM CONCERNING JUVENILE CRIME FOR COMMUNITY AWARENESS TO BE HELD ON APRIL 5, 1991, FROM 7:30 P.M. TO 9:30

P.M.

\* \* \* \*

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

91-11 The Clerk read the following Ordinance:

AN ORDINANCE 73,303

RELATING TO THE REQUEST OF THE SOUTHWEST TEXAS METHODIST HOSPITAL FOR CO-SPONSORSHIP OF THE "AWARENESS WALK" TO BE HELD ON SUNDAY, APRIL 7, 1991; AND AUTHORIZING A WALK PERMIT FOR SAID EVENT.

\* \* \* \*

Mr. Travis Bishop, Assistant to the City Manager, explained the request and the staff recommendation to deny it because of the costs involved.

Mr. Hasslocher spoke to the major expansion of Southwest Texas Methodist Hospital, now underway, and stated that he would be willing to use the necessary \$700 from the District 10 Discretionary Fund. He asked that this matter be placed on the Council agenda for next week.

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

Ms. Vera discussed the problems of semantics in ordinances such as this one, and addressed the Council policy on fee waivers or co-sponsorship.

Ms. Letitia Uribe, representing the sponsoring group, spoke to the need for awareness of organ and tissue donation efforts in San Antonio.

Ms. Berriozabal addressed the need to review the Council's policy on this policy and to set a firm process.

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

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

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91-11 The Clerk read the following Ordinance:

AN ORDINANCE 73,304

CONCERNING THE REQUEST OF HELPING HANDS LIFELINE FOUNDATION DRUG PROGRAM FOR CO-SPONSORSHIP OF THE MUSICAL SPRING BREAKER FESTIVAL TO BE HELD MARCH 22, 1991 FROM 1:00 P.M. TO 9:00 P.M. AT MATEO CAMARGO PARK; AND DECLARING AN EMERGENCY.

\* \* \* \*

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

Mr. Frank Weatherly, representing Helping Hands Lifeline Foundation, briefly explained the request.

Mr. Jaime Arredondo of the same organization explained his anti-drug activities.

Mr. Jose Montalvo, representing K-Mart Corporation, spoke of his firm's support for this effort.

Mr. Travis Bishop, Assistant to the City Manager, stated that it would cost the City more than \$900 for full co-sponsorship, including use of Park Rangers.

Mr. Labatt stated his opinion that the Council needs to be consistent in these things. He offered to donate \$100 from his Discretionary Fund, to be approved at next week's Council meeting.

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.

91-11 The Clerk read the following Ordinance:

AN ORDINANCE 73,305

CONCERNING THE PERMIT REQUEST OF THE CYSTIC FIBROSIS FOUNDATION FOR THE 1991 GREAT STRIDES WALK TO BE HELD ON SATURDAY, MAY 18, 1991; AND AUTHORIZING THE PARTIAL CLOSURE OF CERTAIN STREETS FOR THE EVENT.

\* \* \* \*

Mr. Travis Bishop, Assistant to the City Manager, briefly explained the event and noted that City staff recommends denial of the co-sponsorship application because the cost to the City would be some \$1,100.

Mr. Awbray Searcy briefly explained his organization's funding request.

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

Mr. Hasslocher stated that he and Mr. Wolff would split the costs evenly between them, in an ordinance to be approved next week.

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

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91-11 The Clerk read the following Ordinance:

AN ORDINANCE 73,306

APPROVING THE REQUEST OF INCARNATE WORD COLLEGE TO HOLD ITS INCARNATE WORD COLLEGE RUN FOR BRAIN POWER ON MARCH 23, 1991; AUTHORIZING THE ISSUANCE OF A PERMIT; AUTHORIZING THE TEMPORARY PARTIAL CLOSURE OF CERTAIN STREETS IN CONNECTION WITH SAID EVENT; AND APPROPRIATING \$3,100.00 FROM DISTRICT 1 DISCRETIONARY FUND; AND \$1,000.00 FROM THE DISTRICT 3 DISCRETIONARY FUND TO COVER SECURITY AND BARRICADE COSTS; AND DECLARING AN EMERGENCY.

\* \* \* \*

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

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

91-11 The Clerk read the following Ordinance:

AN ORDINANCE 73,307

REJECTING ALL BIDS RECEIVED FOR THE MULTIPURPOSE DOME FACILITY PACKAGE 3C, STRUCTURAL AND MISCELLANEOUS METALS, DIRECTING STAFF TO READVERTISE FOR BIDS FOR THIS PACKAGE, AND DECLARING AN EMERGENCY.

\* \* \* \*

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

Mr. Earl Maxwell, representing Hirschfeld Steel Company, Inc., stated his opinion that rejection of the bids on this matter would delay the ordering of necessary metals and materials and thus would prevent his firm from being able to meet planned construction schedules. He presented a detailed schedule/process which would need to be followed, in his opinion.

Mr. James Browning, representing Browning Construction Company, stated that his firm was the low bidder on this project and he strongly believes that to re-bid the project would not bring the bids into budget. He then distributed a copy of the bid breakdown to each Council member, a copy of which is made a part of the papers of this meeting. He further stated his opinion that the City's bid processes would be compromised if the project is re-bid. He asked that the bid be awarded to the lowest, most responsive bid.

Mr. Roland Lozano, Director of Dome Development, asked the Council to enact the ordinance to reject all bids on this project.

Mr. Steve Souter, representing the domed stadium design team, introduced Mr. John Wall, structural engineer, and spoke to reasons for the City receiving such high bids on this project. He stated his belief that the painting requirement called for in the bid specifications may have added almost \$1 million to the bid price.

Mr. John Wall, structural engineer, spoke to comparisons and differences between estimates and final bids received.

Mr. Souter spoke to recommended changes and deletions in a proposed new bid.

In response to a question by Mayor Cockrell, Mr. Lloyd Garza, City Attorney, spoke to the state law and City Charter provisions that impact the bid process. He stated that the law allows re-negotiation of bids only by 25 per cent, and stated that he feels this would not bring the bid back within budget. He stated that City staff has opted to reject all bids on this project and to re-advertise the bid, as allowed

by law. He then spoke to the expedited process of re-advertisement to be followed.

Mayor Cockrell stated that she wants to be certain that no sacrifice be made in the structural integrity of the domed stadium.

Mr. Souter stated that no such sacrifice would be made.

Mr. Hasslocher noted that the public is concerned with problems experienced in construction of the domed stadium.

In response to a question by Mr. Wolff, Mr. Ed Sanii, representing the consulting firm of Day & Zimmerman, discussed the new time-line on the project bid.

In response to a question by Mr. Thompson, Mr. Garza discussed the Lyda, Inc. bid which was lower than the remainder of the bidders, stating his legal opinion that Lyda cannot be held to his bid or caused to forfeit his bid bond, in this particular case.

Mr. Thompson spoke in favor of re-negotiation in lieu of rebidding the project, and spoke to a possible scenario of events.

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

Ms. Vera voiced her concern with changing the bid specifications on the project, and questioned the differences in the painting specifications, as noted in the discussion.

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

Mr. Labatt stated that he would be comfortable in renegotiating the Browning bid.

Mayor Cockrell noted that the City Attorney feels that a question exists as to the lowest bid received, so she is in favor of rebidding the project.

Mrs. Dutmer spoke in favor of rebidding the project.

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

The City Council recessed at 7:00 P.M., reconvening in regular session at 7:40 P.M.

91-11 The Clerk read the following Ordinance:

AN ORDINANCE 73,308

ACCEPTING THE LOW BID OF CMC ASSOCIATES, INC. IN THE BASE BID AMOUNT OF \$684,173.00 LESS DEDUCT ALTERNATE NOS. 5, 9, 10, AND 12 IN THE AMOUNT OF \$35,114.00 TO PROVIDE CONSTRUCTION SERVICES IN CONNECTION WITH THE GUADALUPE LEARNING AND LEADERSHIP DEVELOPMENT CENTER; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$200.00 FOR ADVERTISING EXPENSES AND AUTHORIZING A CONSTRUCTION CONTINGENCY IN THE AMOUNT OF \$45,434.13; AND PROVIDING FOR PAYMENT.

\* \* \* \*

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

91-11 The Clerk read the following Ordinance:

AN ORDINANCE 73,309

AUTHORIZING THE CITY ATTORNEY TO EMPLOY THE SERVICES OF BILL RIVES FOR STATISTICAL AND DEMOGRAPHIC CONSULTATION IN CIVIL RIGHTS CASES FOR A SUM NOT TO EXCEED \$25,000.00 DOLLARS.

\* \* \* \*

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

Mr. Lloyd Garza, City Attorney, explained the work to be done by the consultant.

Ms. Berriozabal asked that the consultant's work, if possible, be incorporated into the City's new Affirmative Action Plan.

Mr. Briseno noted that the updated AAP is now being refined.

A discussion then took place concerning the number of Title VII cases now in the courts, against the City of San Antonio.

Ms. Berriozabal urged that more money be spent on a proactive stance in affirmative action, and stated that she would like to know how much money has been spent over the past five years on employment lawsuits against the City of San Antonio.

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

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91-11                    STAFF REPORT REGARDING RESIDENTIAL SPEEDING

Captain Al Phillipus, San Antonio Police Department, distributed to members of the City Council copies of a document on "Operation Slowdown", a copy of which is made a part of the papers of this meeting. He briefly described a model program of this nature in place in Rochester Hills, Michigan, and described how it works.

Mr. Wolff asked that a trial program such as this be used in San Antonio.

Ms. Vera stated her opinion that school areas should be included in the program.

A discussion took place concerning possible locations for "Operation Slowdown" in San Antonio.

Mr. Wolff made a motion, asking City staff to implement this program at five to 10 sites in San Antonio, based upon need. Ms. Vera seconded the motion.

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

- - -

91-11                    STATUS REPORT ON THE TEXAS HIGH-SPEED RAIL PROPOSALS

Ms. Rebecca Q. Cedillo, Director of Planning, provided a brief overview of the Texas High-Speed Rail Authority and an assessment of the two proposals that have been received to install such a system in Texas. Copies of the two proposals are made a part of the papers of this meeting.

Mr. Jesus H. Garza, Planning Department, contrasted the two proposals and discussed their financing.

Ms. Cedillo noted that the Authority will be holding a Public

Hearing on the two proposals on March 25, 1991.

A discussion ensued concerning participation of San Antonio firms in the two proposals.

Mr. Thompson voiced his concern that San Antonio's inclusion into this process is too late, and stated his opinion that the city should have been included earlier in the process. He urged that an affidavit be filed tomorrow, asking that City representatives be allowed to speak at the March 25th Public Hearing.

Mr. Martinez stated his belief that San Antonio needs to be aggressive in this matter, and expressed his fears that decisions will be made before the state legislature can consider placing a San Antonian on the Authority board. He expressed his fear that San Antonio is being left out as a major player in this project, and spoke to the need to 'politicize' this matter with Governor Richards as soon as possible. He stated his belief that public funds will be involved in this project, and that San Antonio may well need to oppose the system, in the long run.

Mayor Cockrell urged rapid action be taken on this matter and asked for input from other Council members as to major points to stress at the Public Hearing March 25th.

A discussion then took place concerning the various points of action to be taken.

Mayor Cockrell reiterated the key points of the City's arguments on behalf of including San Antonio in this system.

- - -  
91-11 The Clerk read the following Resolution:

A RESOLUTION NO. 91-11-16 .

.  
SUPPORTING SENATE BILL 550 AND HOUSE BILL 1934  
ALLOWING FOR EXPANSION OF THE MEMBERSHIP OF THE  
TEXAS HIGH-SPEED RAIL AUTHORITY.

\* \* \* \*

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

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

91-11 The Clerk read the following Ordinance:

AN ORDINANCE 73,310

APPOINTING MEMBERS TO SERVE ON THE CHILD CARE ADVISORY COUNCIL FOR TERMS OF OFFICE TO EXPIRE APRIL 1, 1992.

\* \* \* \*

Mr. Sergio Soto, Acting Director, Department of Human Resources and Services, explained the requirement for a 17-member Child Care Advisory Council and how prospective appointees were arrived at.

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

91-11 The Clerk read the following Ordinance:

AN ORDINANCE 73,311

CLOSING SAN SABA STREET BETWEEN W. COMMERCE AND DOLOROSA STREETS ON DURING SPECIAL EVENTS IN MARKET SQUARE, DURING CERTAIN HOURS.

\* \* \* \*

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

Mr. Martinez asked that all affected businesses have suitable parking areas nearby.

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

91-11 The City Council recessed its regular meeting at 9:17 P.M. to convene in "B" Session for discussion regarding conflict of interest issues with respect to board or commission members doing business with the City, and re-examination of the City's ethics ordinance.



91-11 There being no further business to come before the Council, the meeting was adjourned at 9:40 P.M.

A P P R O V E D

*Lela Cockburn*

M A Y O R

Attest:

*Norma S. Rodriguez*  
C I T Y C L E R K

