

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

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The meeting was called to order by Mayor Pro Tem Wing, with the following members present: BERRIOZABAL, WEBB, DUTMER, WING, MARTINEZ, THOMPSON, VERA, WOLFF, LABATT, HASSLOCHER; Absent: COCKRELL.

- - -  
91-05 Invocation - Reverend Kenneth Brown, Kirby Baptist Church.

- - -  
91-05 DESERT STORM FAMILIES

Mayor Pro Tem Wing introduced representatives of each District 7 family in attendance today, representing a family member participating in Operation Desert Storm, who then led the City Council and audience in the Pledge of Allegiance to the flag of the United States.

Ms. Vera then introduced the attending family members of the following service men and women: Louis Baltazar, Jr., Frank Berrones, Anthony I. Collaso, Francis C. Jackson, Jr., Stephen J. Janis and David L. Wharton, George M. Ramos, Vivianita de Lourdes Saucedo, and Ricky and Andrew P. Villar.

Mrs. Dutmer then introduced members of the family of Charles David and Richard E. Leader of District 3, present in the audience, as well.

Mayor Pro Tem Wing and Ms. Vera presented Citations, U. S. flags and yellow ribbons to the family members present from District 7.

Mr. Labatt spoke of his desire for the establishment of a fund to assist those service people whose income has been severely impacted by the war in the Persian Gulf. A discussion ensued concerning establishment of such a fund, during which City Manager Alex Briseno stated that City staff would investigate the matter and report back to the City Council.

Ms. Vera spoke to the number of persons who wished to make contributions to such a fund.

Ms. Berriozabal noted that the Salvation Army may be of help.

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Mayor Pro Tem Wing introduced Mr. George Becker, former Chairman of San Antonio's Seaworld of Texas theme park, noting that he will be leaving San Antonio shortly to take another position within the Busch Entertainment Corporation. He spoke of his involvement with the Convention and Visitors Bureau, and noted that Mr. Becker is being honored today for his many contributions to the community of San Antonio.

Mayor Pro Tem Wing then read and presented a Citation to Mr. Becker.

Mr. Becker thanked the Mayor and Council on behalf of those who made Sea World so successful in San Antonio and introduced his replacement, Ms. Robin Carson.

Ms. Carson stated her hopes that she can continue the traditions established by Mr. Becker.

Mr. Steve Moore, Director of the Convention and Visitors Bureau, and Mr. Doug Leonhart, Chairman of the Advisory Board to the Bureau, thanked Mr. Becker for his service to the Bureau and outlined his many accomplishments.

Mr. Becker spoke briefly to his new position in Orlando, Florida.

Mayor Pro Tem Wing introduced Mr. Alfred DelliBovi, Deputy Secretary of the Department of Housing and Urban Development, Washington, D.C., and noted that he was in the city to attend the first annual HUD awards ceremony in the local offices of HUD.

Mr. Martinez joined Mayor Pro Tem Wing in presenting an Alcalde proclamation to the Deputy Secretary, and introduced Mr. Sam Mosley, HUD Regional Director, and others in the official party.

Members of the Council welcomed the group to City Hall.

Mr. DelliBovi thanked the Council for the honor, and spoke of San Antonio's history of vitality as a community, noting that HUD will continue its close working relationship to San Antonio in the future.

Ms. Berriozabal noted that the Deputy Secretary had viewed a major HUD project, the downtown TriParty project, and addressed the need for funding for more downtown housing. Several Council members spoke of their desire to work with HUD through new housing legislation.

91-05 Minutes of the December 20, 1990 Regular City Council Meeting were approved.

91-05

MR. EDDIE PFIEL

On a Point of Personal Privilege, Mrs. Dutmmer introduced Mr. Eddie Pfiel, her brother, present in the audience.

91-05

\$60,645,000 GENERAL IMPROVEMENT BONDS

4B. Ms. Nora Chavez, Director of Finance, spoke to the excellent bids received earlier today for the sale of these bonds, as well as the Certificates of Obligation to follow this Ordinance. She then briefly outlined the bids received and spoke to the estimated \$8.9 million savings over estimates made earlier by City staff.

Mr. Karl Wurz, 820 Florida, spoke to the need for 'pay-as-you-go' plans in lieu of the sale of these bonds.

Mr. Alex Briseno, City Manager, spoke to the significance of this bond sale, in light of last year's drop in the City's bond rating. He spoke of the impact upon the received bids by the City's solution of its budget problems and addressed the good bids received for sale of these bonds, reflecting financial confidence in San Antonio by the market. He also spoke of the excellent interest rate of 6.6846%.

Mr. Labatt noted that the Council is only following-through on the wishes of the people who approved these improvements being financed today.

Mr. Thompson spoke to the City's good bond rating and having received the lowest bond-sale interest rate in 25 years.

Mr. Wolff spoke of the impact upon the bonds of the City's handling of recent budgetary problems, noting that the number of City employees has dropped by 1,000 in the past six years.

Mr. Briseno thanked members of the City staff involved for their hard work on this matter.

The City Clerk read the following Ordinance:

AN ORDINANCE 72,977

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS AUTHORIZING THE ISSUANCE OF \$60,645,000 "CITY OF SAN ANTONIO, TEXAS GENERAL IMPROVEMENT BONDS, SERIES 1991"; LEVYING A CONTINUING DIRECT ANNUAL AD VALOREM TAX FOR THE PAYMENT OF THE BONDS; PRESCRIBING THE FORM, TERMS, CONDITIONS, AND RESOLVING OTHER MATTERS INCIDENT AND

RELATED TO THE ISSUANCE, SALE, AND DELIVERY OF THE BONDS, INCLUDING THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING THERETO; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT; AND DECLARING AN EMERGENCY. (AWARD MADE TO J. P. MORGAN)

\* \* \* \*

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

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

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91-05 The Clerk read the following Ordinance:

AN ORDINANCE 72,978

AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$10,075,000 "CITY OF SAN ANTONIO, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 1991; PROVIDING FOR THE PAYMENT OF THE CERTIFICATES BY THE LEVY OF AN AD VALOREM TAX UPON ALL TAXABLE PROPERTY WITHIN THE CITY AND FURTHER SECURING THE CERTIFICATES BY A LIEN ON AND PLEDGE OF THE PLEDGED REVENUES; PROVIDING THE TERMS AND CONDITIONS OF THE CERTIFICATES AND RESOLVING OTHER MATTERS INCIDENT AND RELATING TO THE ISSUANCE, PAYMENT, SECURITY, SALE, AND DELIVERY OF THE CERTIFICATES, INCLUDING THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT; AND DECLARING AN EMERGENCY (AWARD MADE TO GOLDMAN, SACHS & CO. AT 6.0668%).

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

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

The Clerk read the following Ordinance:

AN ORDINANCE 72,979

SUPPORTING THE RECOMMENDATION OF THE LIBRARY BOARD OF TRUSTEES TO ACQUIRE APPROXIMATELY 4.142 ACRES BORDERED BY NAVARRO, SOLEDAD, GIRAUD, AND AUGUSTA STREETS (KNOWN AS "SEARS ROMANA PLAZA") AS THE LOCATION OF A NEW MAIN LIBRARY; AND AUTHORIZING CITY STAFF TO PROCEED WITH PURCHASE NEGOTIATIONS.

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

Mr. Karl Wurz, 820 Florida, spoke against the proposed purchase of the Sears site for the new Main Library. He stated his belief that less than five per cent of the city's registered voters approved the library bond sale in May 1989. He spoke in favor of keeping the Main Library on its present site, then construct new libraries in all four quadrants on a 'pay-as-you-go' basis.

Ms. Jane Foster, President, San Antonio Conservation Society, spoke in favor of the Jordan Ford site at South St. Mary's and Durango, and spoke to its location on the San Antonio River. She noted that new cost figures submitted to the City indicate a drop in the cost to purchase this site, and she stated that her organization favors retaining the Sears building as a National Historic Site. She spoke against planned demolition of the Sears building to make way for a new Main Library building.

Mr. Hal Thornton, Thornton Commercial Properties, spoke in favor of the Jordan Ford site and outlined its advantages.

Mr. John Rice, 14331 Larkstone, voiced several concerns with the Sears site, including asbestos removal during demolition. He spoke in favor of a Hemisfair Park site with a new parking garage.

Ms. Carolene Zehner, 242 King William, President, King William Association, stated that her organization enacted a resolution in support of the Jordan Ford site in order to help revitalize the new "Urban Main Street" design for South St. Mary's Street in this area.

Mrs. Dutmmer stated that, despite the lowering of the bid for purchase of the Jordan Ford site, it still fails to meet three of the criteria involved, and she spoke to each one. She then spoke to the disadvantages of other sites, other than the Sears site, and spoke in favor of that site, which meets all criteria for the new Main Library site, in her opinion.

Mr. Wolff spoke to the 18 months of study and planning which led up to the selection of the Sears site.

In response to a question by Mr. Wolff, Mr. Milton Babbitt, head of the consultant team on the project, spoke to the specifications

requiring removal of all hazardous materials from the Sears building by the seller, and noted that the Sears building is not on the National Historic Register. He spoke to the architectural history of the Sears building, which was altered in 1946 by Sears into the current structure.

Mr. Gene Camargo, Director of the Department of Building Inspections, stated that the City Council has never designated the Sears building as historical.

Mr. Babbitt spoke of the recent reappraisal which lowered the value of the Jordan Ford site, but noted that the library board of trustees still favors the Sears site. He further noted that, despite the lowering of the sale price for the Jordan Ford site, it still is above the cost for the Sears site.

Ms. Vera spoke in support for the Sears site and addressed its advantages over the other sites considered.

Mr. Thompson stated his desire for the new Main Library to be uniquely San Antonio in style, and noted that the Sears site is the lowest-risk choice, though the Jordan Ford site is his personal preference, because of its location on the river.

Mr. Labatt addressed the advantages of the Sears site and spoke to the fact that it is not an historic building.

Mr. Hasslocher also spoke in support for the Sears site, noting that the site already contains an intact parking garage.

Mr. Martinez thanked members of the Council for agreeing to delay their vote on this matter for one week, allowing him time to study the issue further and to view the sites. He spoke in favor of the Sears site, noting that he is doing so after much deliberation. He stated that the presence of an existing parking garage on the site is a major advantage.

Ms. Berriozabal spoke in support for the decision by the library committee and the board of trustees, and addressed the advantages of both the Sears and Jordan Ford sites, noting that major amenities already are in place at the Sears site.

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

Ms. Vera spoke to the plans to display a collection of book covers from Mexico, including four of the most famous pieces of art from these covers, and asked the library to consider this display.

91-05

BOND VOTE

Mr. Hasslocher, on a Point of Personal Privilege, asked that he

be recorded as voting "Aye" for the bond sale, considered earlier in this meeting.

91-03      CONSENT AGENDA

Mr. Hasslocher made a motion to approve Agenda Items 8 through 37, constituting the Consent Agenda, with Items 14, 34 and 35 to be pulled for individual consideration, and Items 27 and 36 having been pulled earlier by City Manager. Mr. Labatt seconded the motion.

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

AN ORDINANCE 72,980

ACCEPTING THE PROPOSAL OF MANUFACTURER'S NEWS, INC. TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH REFERENCE MATERIALS FOR THE BUSINESS AND SCIENCE SECTION FOR A TOTAL OF \$3,641.95.

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AN ORDINANCE 72,981

ACCEPTING THE PROPOSAL OF STANDARD & POOR'S CORPORATION TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH A SUBSCRIPTION RENEWAL FOR REFERENCE MATERIAL FOR A TOTAL OF \$8,710.00.

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AN ORDINANCE 72,982

ACCEPTING THE BID OF LEDERLE LABORATORIES DIVISION TO FURNISH THE CITY OF SAN ANTONIO HEALTH DEPARTMENT WITH DTP AND OPV VACCINE FOR A TOTAL OF \$45,895.00.

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AN ORDINANCE 72,983

ACCEPTING THE LOW BIDS OF DE LA GARZA FENCE & SUPPLY COMPANY, JAMIESON FENCE SUPPLY, AND SAN ANTONIO QUALITY FENCE AND WELDING TO FURNISH THE CITY OF SAN ANTONIO AVIATION DEPARTMENT WITH FENCING FOR A TOTAL OF \$17,762.50.

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AN ORDINANCE 72,984

ACCEPTING THE PROPOSAL OF MOTOROLA COMMUNICATIONS AND ELECTRONICS TO FURNISH THE CITY OF SAN ANTONIO COMMUNICATIONS DIVISION WITH MOBILE RADIO TEST EQUIPMENT FOR A TOTAL OF \$9,164.75.

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AN ORDINANCE 72,985

ACCEPTING THE BID OF DATA IMAGE TO FURNISH THE CITY OF SAN ANTONIO INFORMATION RESOURCES DEPARTMENT WITH COMPUTER AIDED DESIGN SYSTEM SOFTWARE FOR A TOTAL OF \$4,739.50 TO BE PAID FROM THE CERTIFICATES OF OBLIGATION, SERIES 1991.

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AN ORDINANCE 72,986

ACCEPTING THE PROPOSAL OF MOTOROLA COMMUNICATIONS AND ELECTRONICS, INC. TO FURNISH THE CITY OF SAN ANTONIO POLICE AND FIRE DEPARTMENTS WITH PORTABLE RADIOS FOR A TOTAL OF \$791,743.50 TO BE PAID FROM THE CERTIFICATES OF OBLIGATION, SERIES 1991.

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AN ORDINANCE 72,987

ACCEPTING THE LOW QUALIFIED BID OF FERRERA FIREFIGHTING EQUIPMENT TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH A HIGH PRESSURE REFILL SYSTEM FOR A TOTAL OF \$105,093.52 TO BE PAID FROM THE CERTIFICATES OF OBLIGATION, SERIES 1991.

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AN ORDINANCE 72,988

ACCEPTING THE LOW QUALIFIED PROPOSAL OF HITACHI DATA SYSTEMS, INC. TO FURNISH THE CITY OF SAN ANTONIO INFORMATION RESOURCES DEPARTMENT WITH A HOST TAPE DRIVE UPGRADE FOR A TOTAL OF \$73,567.00 TO BE PAID FROM THE CERTIFICATES OF OBLIGATION, SERIES 1991.

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AN ORDINANCE 72,989

ACCEPTING THE PROPOSAL OF XEROX CORPORATION TO FURNISH THE CITY OF SAN ANTONIO INFORMATION RESOURCES DEPARTMENT WITH A HOST-BASED LASER PRINTING SYSTEM FOR A TOTAL OF \$283,477.00 TO BE PAID FROM THE CERTIFICATES OF OBLIGATION, SERIES 1991.

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AN ORDINANCE 72,990

ACCEPTING THE LOW QUALIFIED PROPOSAL OF AMDAHL CORPORATION TO FURNISH THE CITY OF SAN ANTONIO WITH A HOST DASD UPGRADE FOR A TOTAL OF \$461,925.00 TO BE PAID FROM THE CERTIFICATES OF OBLIGATION, SERIES 1991.

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AN ORDINANCE 72,991

ACCEPTING THE LOW BID OF STANDARD REGISTER COMPANY TO FURNISH THE CITY OF SAN ANTONIO INFORMATION RESOURCES DEPARTMENT WITH LASER PRINTER PERIPHERALS FOR A TOTAL OF \$22,945.00 TO BE PAID FROM THE CERTIFICATES OF OBLIGATION, SERIES 1991.

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AN ORDINANCE 72,992

ACCEPTING THE PROPOSALS OF SOUTHWESTERN BELL TELEPHONE COMPANY AND AT&T TO UPGRADE THE TELEPHONE SYSTEM FOR THE CITY OF SAN ANTONIO INFORMATION RESOURCES DEPARTMENT FOR A TOTAL OF \$210,693.00 TO BE PAID FROM THE CERTIFICATES OF OBLIGATION, SERIES 1991.

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AN ORDINANCE 72,993

ACCEPTING THE PROPOSAL OF PITNEY BOWES TO FURNISH THE CITY OF SAN ANTONIO WITH AN INSERTER/FOLDER FOR A TOTAL OF \$36,672.00 TO BE PAID FROM THE CERTIFICATES OF OBLIGATION, SERIES 1991.

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AN ORDINANCE 72,994

ACCEPTING THE LOW BID OF VALEMAS, INC. IN THE AMOUNT OF \$30,870.00 FOR CONSTRUCTION SERVICES IN CONNECTION WITH THE RAMP & DRAINAGE MODIFICATIONS, FIRE STATIONS #4 AND #39 PROJECT; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$7,717.50 FOR THE CONSTRUCTION CONTINGENCY; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 72,995

ACCEPTING THE LOW, QUALIFIED BID OF V. K. KNOWLTON PAVING CONTRACTORS, INC. IN THE AMOUNT OF \$446,885.76 IN CONNECTION WITH THE MCA MARTINEZ CREEK STREETS PROJECT; AUTHORIZING A CONTRACT; AUTHORIZING \$44,688.58 FOR CONSTRUCTION CONTINGENCIES, \$18,769.20 FOR PROJECT OVERSIGHT COSTS, AN ADDITIONAL \$3,799.64 FOR ENGINEERING EXPENSES, \$4,248.21 FOR ENGINEERING CONTINGENCIES EXPENSES, \$4,248.21 FOR ENGINEERING CONTINGENCIES AND \$250.00 FOR BID ADVERTISING FEES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 72,996

ACCEPTING THE LOW, QUALIFIED BID OF A.V.S., INC. IN THE AMOUNT OF \$270,000.00 IN CONNECTION WITH THE ELLA AUSTIN COMMUNITY HEALTH CENTER RENOVATION PROJECT; AUTHORIZING A CONTRACT; REVISING THE PROJECT BUDGET; AUTHORIZING \$67,500.00 FOR CONSTRUCTION CONTINGENCIES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 72,997

ACCEPTING THE LOW QUALIFIED BID OF CATO ELECTRIC COMPANY, IN THE AMOUNT OF \$158,748.00, TO CONSTRUCT THE APRON FLOOD LIGHTS AT SAN ANTONIO INTERNATIONAL AIRPORT; APPROVING A CONTRACT; AUTHORIZING \$15,875.00 FOR A CONTINGENCY ACCOUNT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

\* \* \* \*

AN ORDINANCE 72,998

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT, IN THE AMOUNT OF \$195,000.00 WITH RABA-KISTNER CONSULTANTS, INC. TO PROVIDE ENVIRONMENTAL SERVICES IN CONNECTION WITH AN ENVIRONMENTAL SITE ASSESSMENT AND REMEDIATION OF AN ABANDONED FUEL FARM SITE AT SAN ANTONIO INTERNATIONAL AIRPORT; AUTHORIZING \$19,500.00 FOR A CONTINGENCY ACCOUNT; AUTHORIZING \$1,000.00 FOR ADMINISTRATIVE EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 72,999

ACCEPTING THE PROPOSAL OF W. E. SIMPSON COMPANY, INC., IN AN AMOUNT NOT TO EXCEED \$60,484.00 FOR GEOTECHNICAL SERVICES IN CONNECTION WITH THE MITCHELL LAKE DAM PROJECT; AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 73,000

AUTHORIZING AN AMENDMENT TO THAT CERTAIN LA VILLITA BUILDING NUMBER 16 LEASE AGREEMENT WITH DHBO, INC., SAID AMENDMENT TO (1) APPROVE A RESTAURANT NAME CHANGE FROM "LA VILLITA DELI" TO "GUADALAJARA GRILL AND CHARLIE'S BAR," (2) 2,391.5 SQUARE FEET OF SPACE IN THE UPSTAIRS AREA, AND (3) EXPAND SAID RESTAURANT'S MENU, WITH AN ADDITIONAL MONTHLY CONSIDERATION OF \$884.86, BRINGING THE TOTAL MONTHLY RENTAL TO \$1,952.44.

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AN ORDINANCE 73,001

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$1,455.00 OUT OF VARIOUS FUNDS FOR THE PURPOSE OF ACQUIRING TITLE TO THREE PARCELS IN CONNECTION WITH THE STOCKYARDS/PRODUCE MARKET AREA STREET & DRAINAGE IMPROVEMENTS PROJECT AND ACQUIRING TITLE TO TWO PARCELS IN CONNECTION WITH THE STOCKYARDS/PRODUCE MARKET AREA STREET & DRAINAGE IMPROVEMENTS PROJECT AND ACQUIRING TITLE TO TWO PARCELS IN CONNECTION WITH THE WEST AVENUE - FREDERICKSBURG ROAD TO I. H. 10 PROJECT.

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AN ORDINANCE 73,002

AUTHORIZING THE ESECUTION OF A NEW, CONSOLIDATED STINSON MUNICIPAL AIRPORT LEASE FOR A TERM OF TEN YEARS WITH HALLMARK AERO TECH, INC. FOR 306,210 SQUARE FEET OF GROUND SPACE AND CERTAIN BUILDINGS SITUATED THEREUPON AT AN INITIAL ANNUAL RENTAL OF \$40,168.96 SUBJECT TO A RENTAL ADJUSTMENT FOR PRIOR OVERPAYMENTS AND, IN CONNECTION WITH SUCH NEW LEASE, THE CANCELLATION BY AGREEMENT OF EXISTING STINSON MUNICIPAL AIRPORT LEASES WITH RICHARD H. FESSLER AND PAUL H. BOGGS.

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AN ORDINANCE 73,003

AUTHORIZING PAYMENTS OF REFUNDS TO PERSONS MAKING A DOUBLE PAYMENT, OVERPAYMENT OR AS A RESULT OF A VALUE CHANGE ON 294 TAX ACCOUNTS.

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AN ORDINANCE 73,004

AUTHORIZAING PAYMENT OF \$12,495 TO THE AIRPORT OPERATORS COUNCIL INTERNATIONAL FOR 1991 MEMBERSHIP DUES.

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91-05 The Clerk read the following proposed Resolution:

A RESOLUTION NO. 91-05-05

SETTING TIMES, DATES AND LOCATIONS FOR SIXTEEN (16) NEIGHBORHOOD CITIZEN PARTICIPATION MEETINGS AND TWO (2) CITY COUNCIL PUBLIC HEARINGS AS REQUIRED IN CONNECTION WITH THE CITY'S ANNUAL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) BUDGET PROCESS.

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Mr. Labatt asked that Wilson Elementary School be considered as the site for one Community Development Block Grant (CDBG) public hearing, since the listed area site, St. Mary Magdalen's Church, is out of District 9.

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

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

91-05 The Clerk read the following proposed Ordinance:

AN ORDINANCE 73,005

ACCEPTING THE PROPOSAL OF SOFTWARE, A. G. OF NORTH AMERICA, INC. TO FURNISH THE CITY OF SAN ANTONIO INFORMATION RESOURCES DEPARTMENT WITH SOFTWARE FOR THE COMPUTER AIDED DISPATCH SYSTEM FOR A TOTAL OF \$1,079,000.00 TO BE PAID FROM THE CERTIFICATES OF OBLIGATION, SERIES 1991.

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

Mr. Frank Stromboe, Director of Information Resources, spoke to the proposed purchase of a new computerized emergency dispatching service for fire, police and EMS service. He briefly explained details of the system and its redundant characteristics, and spoke to San Antonio's role in future marketing of this system. He explained how the dispatching will take place to achieve an estimated 29 per cent savings in response time for emergency vehicles.

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

91-05 The Clerk read the following proposed Ordinance:

AN ORDINANCE 73,006

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE MISSOURI PACIFIC RAILROAD COMPANY, A DELAWARE CORPORATION, AND AUTHORIZING \$167,910.00 PAYABLE TO THE MISSOURI PACIFIC RAILROAD COMPANY FOR RECONSTRUCTION OF FIVE TRACK CROSSINGS AT BRAZOS STREET IN THE STOCKYARD/PRODUCE MARKET AREA.

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

A discussion of project funding took place, during which Mr. Labatt voiced his concern with railroads delaying work on certain projects. He asked City staff to place deadlines in any contract with the railroads.

Mr. Martinez explained project plans and EDA funding to be matched by City bond funds.

A discussion then took place concerning difficulties encountered in dealing with the railroads, and the possibility of taking those concerns to the State Railroad Commission.

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

91-05 The Clerk read the following Ordinance:

AN ORDINANCE 73,007

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE SOUTHERN PACIFIC TRANSPORTATION CO., A DELAWARE CORPORATION, AND AUTHORIZING \$468,327.00 PAYABLE TO THE SOUTHERN PACIFIC TRANSPORTATION COMPANY FOR RECONSTRUCTION OF SOUTHERN PACIFIC RAILROAD CROSSINGS ON SAN MARCOS, BRAZOS, ZARZAMORA, AND MERIDA STREETS IN THE STOCKYARD/PRODUCE MARKET AREA.

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

91-05 The Clerk read the following Ordinance:

AN ORDINANCE 73,008

AUTHORIZING PAYMENT OF AN ADDITIONAL \$42,860.97 TO GALBRAITH ENGINEERING CONSULTANTS, INC. FOR ENGINEERING SERVICES IN CONNECTION WITH THE STOCKYARD/PRODUCE MARKET AREA PROJECT.

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

91-05 The Clerk read the following Ordinance:

AN ORDINANCE 73,009

ACCEPTING A \$50,000.00 GRANT FROM THE BROWN FOUNDATION, INC., TOWARD THE DEVELOPMENT OF A CHILDREN'S PLAYGROUND IDENTIFIED AS "BRACKENRIDGE PARK PLAYScape,"; PLACING SAID GRANT FUNDS ON TEMPORARY HOLD IN THE "PARKS - THE CITY'S FRONT YARD" ACCOUNT PENDING AWARD OF AN URBAN PARK AND

RECREATION RECOVERY PROGRAM GRANT; AND EXPRESSING THE CITY'S APPRECIATION TO THE BROWN FOUNDATION FOR ITS GENEROUS ASSISTANCE.

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

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91-05 The Clerk read the following Ordinance:

AN ORDINANCE 73,010

ACCEPTING THE PROPOSAL OF MOBILE DATA INTERNATIONAL, A DIVISION OF MOTOROLA CANADA LIMITED, TO FURNISH THE CITY OF SAN ANTONIO INFORMATION RESOURCES DEPARTMENT WITH EXPANSION OF THE MOBILE DIGITAL COMMUNICATIONS SYSTEM FOR A TOTAL OF \$1,232,465.00 TO BE PAID FROM THE CERTIFICATES OF OBLIGATION, SERIES 1991.

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

In response to a question by Mr. Thompson, Mr. Frank Stromboe, Director of Information Resources, explained the planned acquisition of 150 more of these terminals for police vehicles, and 107 more for fire vehicles, to enhance the dispatching system.

Mr. Thompson noted that this leaves only 25 per cent of the police vehicles not yet equipped with these computer terminals.

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

- - -  
91-05 The Clerk read the following Ordinance:

AN ORDINANCE 73,011

AMENDING ORDINANCE NO. 72415, PASSED SEPTEMBER 27, 1990, BY AUTHORIZING THE ACCEPTENCE OF AN ADDITIONAL \$62,407.00 IN MANAGEMENT DEVELOPMENT FUNDS UNDER THE

JOB TRAINING PARTNERSHIP ACT (JTPA) TO INCREASE THE  
CONTRACT AMOUNT FROM \$31,893.00 TO \$94,300.00.

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

Mrs. Dutmmer spoke of her concerns for the planned increases in  
travel costs.

Mr. Kevin Moriarty, Acting Director, Department of Economic and  
Employment Development, noted that state-mandated conferences, which  
require local attendance, account for most of these increases in travel  
costs.

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

91-05 The Clerk read the following Ordinance:

AN ORDINANCE 73,012

AMENDING ORDINANCE NOS. 72495 AND 72831, PASSED ON  
OCTOBER 18, 1990 AND DECEMBER 20, 1990,  
RESPECTIVELY, BY AUTHORIZING THE ADJUSTMENT AND  
REALLOCATION OF THE JOB TRAINING PARTNERSHIP ACT  
(JTPA) TITLE III ECONOMIC DISLOCATION AND WORKER  
ADJUSTMENT ASSISTANCE ACT (EDWAAA) PROGRAM 60% AND  
40% FUNDS TO PREVIOUSLY APPROVED CATEGORIES AND  
SERVICE PROVIDERS FOR THE 1990-91 PROGRAM YEAR, AS  
APPROVED BY THE ALAMO PRIVATE INDUSTRY COUNCIL;  
AUTHORIZING THE ACCEPTANCE OF \$226,358.00 IN  
SUPPLEMENTAL FUNDS TO THE JTPA TITLE III 60%  
PROJECT; AND AUTHORIZING THE EXECUTION OF CONTRACT  
MODIFICATIONS TO THE EXECUTION OF CONTRACT  
MODIFICATIONS TO REFLECT SUCH ADJUSTMENT,  
REALLOCATION AND ACCEPTANCE OF FUNDS.

\* \* \* \*

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

In response to a question by Mrs. Dutmmer, Mr. Kevin Moriarty,  
Acting Director, Economic & Employment Development Department, explained  
the need for this ordinance to provide needed funds for service providers  
until their additional state grant funds are available.

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

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

91-05

CITY MANAGER'S REPORT

COUNCIL TERM LIMITATION PETITIONS

City Clerk Norma S. Rodriguez distributed to Council members copies of her written report on the sufficiency of petitions submitted to require that the matter of limitation of Council terms be on the May 4, 1991 Municipal Election ballot. She verified that sufficient valid petitions had been received to mandate such an election call. A copy of her report is made a part of the papers of this meeting. She noted further that the Council, if it wishes, can call this Special Election matter at the same time as the planned call of the Municipal Election, now planned for February 14, 1991.

A discussion then took place concerning the exact wording on the petitions.

In response to a question by Mr. Thompson, Mr. Lloyd Garza, City Attorney, noted that the office of City Council member and the office of Mayor are different offices. He stated that one can serve two terms as a City council member, then serve two terms as Mayor, if the matter passes the voters in May, and the person is successful in running for those offices.

In response to questions by Mr. Wolff, Ms. Rodriguez and Mr. Garza stated that the Council can place the Charter revision question of council terms on the May 4, 1991 ballot no later than February 28, 1991.

In response to questions, Ms. Rodriguez noted that a final dispositions of the Applewhite Reservoir petitions must await the expiration of time for submission of additional petitions, and the City Clerk's official count of those signatures.

Ms. Rodriguez then read from the actual petition form certified to, today, and addressed the specific number of valid signatures.

In response to a question by Mr. Webb, Mr. Garza stated that, if this limitation were to prevail at the May 4, 1991 election, it would apply to the following City Council election, in 1993. He stated that, under terms of the limitation in question, if a Council member already has served two terms in office, the limitation would apply and the Council member would not be eligible for that Council office.

A discussion then took place concerning the legalities involved.

City Clerk Norma S. Rodriguez noted that February 28, 1991 is the absolute deadline for submission of any election call for May 4, 1991 to the Justice Department for pre-clearance.

Mr. Martinez urged the Council to wait until February 21 or 28

for the election call on the term limitation issue, noting that the final word on whether or not San Antonio will be pre-cleared must come from the Justice Department. He further stated his belief that certain community groups may appeal this to the Justice Department, and noted his intention to become so involved, himself, stating that he believes it to be a question of minority voting rights.

Ms. Vera stated her personal belief that a Council member should not have to respond to call such an election if less than five per cent of that Council member's district registered voters did not petition for it.

Ms. Berriozabal stated her belief that the Charter Review Committee should be allowed to make statements or recommendations on this matter, and asked the Council's concurrence to direct City staff to ask the Charter Review Committee for its comments or recommendations.

Mr. Garza spoke to the public's access to the ballot, under the law, noting that he feels that the City Charter applies to all citizens of San Antonio, not to residents of any one district. He further noted that the petition process is mandatory under the City Charter, and the election so petitioned must be called by the City Council.

Mr. Webb made a motion to delay the call of the Special Election on the matter of Council term limitations until February 28, 1991. Ms. Vera seconded the motion.

Mr. Webb spoke in objection to 'back-door' removal of a City council member.

Mrs. Dutmer stated her belief that it is up to the people who vote their representatives in and out of office, and voiced concern that spread of the limitation on terms might reach upward to the national level.

Ms. Berriozabal asked that the Charter Review Committee be advised of Council's actions on this matter, and respond within one week.

City Clerk Norma S. Rodriguez stated that she would see that the message is relayed to Mr. Gilbert Vasquez, Chairman of the Charter Review Committee.

After consideration, the motion to postpone the call of the Special Election on the matter of Council term limitations until February 28, 1991, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Vera, Labatt, Hasslocher; NAYS: None; ABSENT: Wolff, Cockrell.

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91-05

COPS' JTPA PROGRAM

Mayor Pro Tem Wing read for the record Mayor Cockrell's written comments on this matter.

Ms. Patricia Ozuna, representing Communities Organized for

Public Service, presented a written statement to the Council on a new plan for job training in the City, and outlined a proposed system for the Council and asked that Council instruct City staff to prepare a plan for implementation of a new public human investment system. A copy of the report is made a part of the papers of this meeting.

Speaking on behalf of the COPS' presentation were Mr. Rodolfo Diaz and Mr. Arturo Martinez.

Ms. Margarita Castro spoke in particular of the different agencies in San Antonio which provide job training, and of the need to have San Antonio create a new system for educating and re-training its citizens.

Pastor Dailey, representing Metro Alliance, reiterated statements made by previous speakers.

Ms. Ozuna then outlined the four major points of the COPS proposal: (1) Unified intake, assessment and counseling system. Multiple locations throughout the City. Independent from job-training providers. Serves as center of the system. (2) Unified system of competency-based learning centers. Goal is to prepare participants for longer-term vocational training. (3) Human Capital Development Account. Voucher-based system akin to GI Bill. Provides funds for tuition and support services to trainee. Educational institutions must be certified by system to accept vouchers. (4) Employer Training Agreement. Systematic effort to create lines between employers and trainees. Goal is to identify concrete employment possibilities for higher-skilled jobs.

City Manager Alex Briseno responded briefly to the recommendations made by COPS, commending the group for the work it has done in this issue. He reminded the Council that it had appointed a Blue-Ribbon Committee to review the entire Job Training Partnership Act (JTPA) program, and he suggested that COPS present its recommendations to that panel, as well.

Mr. Rolando Bono, Assistant City Manager, stated that panel members would be given a videotape of the COPS presentation, in order that they can be cognizant of what these recommendations are, prior to any future meeting of the two groups.

Ms. Berriozabal commended the COPS organization for the work and their presentation of the suggested program, and asked that the City Manager work with the board of the Private Industry Council to secure their input, as well, and bring them into the picture. She recommended that a report from the PIC board be made within 30 days.

Mr. Briseno stated that he would present a report back to the Council within 30 days on the PIC board's assessment of this project.

A discussion then took place concerning addressing of the needs of the under-employed as well as the unemployed.

Mr. Wolff stated that there already are 26 agencies involved in performance of job training in San Antonio, and noted that COPS faces a

tough battle in this effort. He urged them to proceed with their plan.

Ms. Ozuna stated her belief that there will be many agencies who will survive the recommended system, and those who don't survive were not doing a good job.

In response to a question by Mr. Webb, Ms. Ozuna explained the mechanics and purpose of the intake assessment center.

Mr. Webb expressed his concern with persons being trained, then still not being able to find employment.

Mr. Ozuna explained Component 4 of the COPS plan, which the organization hopes will address this particular problem.

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91-05

CITIZENS TO BE HEARD

MR. AND MRS. ED FANICK

Mr. and Mrs. Ed Fanick, 1070 Rice Road, presented a letter from City Public Service, as well as a letter Mr. Fanick wrote to the Utility, regarding a utility easement across their property. Copies of both letters are made a part of the papers of this meeting. They briefly explained the problem with the utility easement.

Mrs. Dutmer expressed concern about what had transpired concerning Mr. and Mrs. Fanick, and spoke about the abuse of the power of eminent domain.

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(At this point, Mayor Pro Tem Wing was obliged to leave the meeting. Mrs. Dutmer presided.)  
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MR. JIM PACE

Mr. Jim Pace, San Jose, California, spoke of his desire that the City of San Antonio help establish the Youth Conservation Corps in San Antonio, and spoke to how it would function, similar to the Works Project Administration, and involving work in social areas such as caring for children and the elderly, etc. He feels the program could handle 60,000 youths each year, nationwide, and addressed contacts made with the National Association of Service and Conservation Corps, quoting from several of their documents. He stressed the proposed youth group's involvement in such things as the recycling effort, for partial program funding.

Ms. Berriozabal noted that this program already is very successful in the State of California, and asked City staff to meet with Mr. Pace to discuss what can be done here, then report back to the Council.

(At this point, Mayor Pro Tem Wing returned to the meeting to preside.)

MS. CLAUDETTE VARBOROUGH

Ms. Claudette Varborough, 8103 Hunters Forest, spoke to Job Training Partnership Act Title II-B programs and the need for technical assistance that could be funded by JTPA actions approved by City council earlier today, involving some \$62,000.00. She urged its usage, until the state funding arrives, noting that technical assistance will help agencies which have failed.

Mayor Pro Tem Wing asked Mr. Kevin Moriarty, Acting Director, Economic and Employment Development, to look into it.

MR. HAYDEN STEWART

Mr. Hayden Stewart, 4607 Stony View, noted that Code Compliance inspectors have issued violation notices for a basketball goalpost erected on his cul-de-sac, and he spoke to Mr. Hasslocher's actions in October 1988 which resulted in discussion on the possibility of a waiver to Code provisions to allow the goalpost to remain. He asked the Council to do something at this time to allow the goalpost to remain in place.

Mayor Pro Tem Wing noted that, in these cases, complaints to Code Compliance often come from neighbors because of youngsters playing basketball at night and disturbing them, and noted that the Council cannot grant such a waiver from a City Code provision.

Mr. Hasslocher stated he would again look into this matter, and stated his opinion that these basketball goalposts are not a problem to the neighborhood. He noted that someone has lodged a complaint, triggering the Code compliance citation.

In response to a question by Mrs. Dutmmer, Ms. Elisa Bernal, Assistant City Attorney, stated that no such waiver of a City Code provision is legally possible on the part of the City Council.

Mr. Labatt spoke to the possibility that the law may need to be changed, to allow use of such basketball goalposts during certain hours of the day.

City staff was instructed to look into all possible options.

MR. DON WILKINS CASTILLO

Mr. Don Wilkins Castillo spoke of having had problems with the brother of a police officer, and stated that he has been wrongfully

accused of firing a weapon at 667 W. Theo Avenue. He stated his opinion that the officer in question should be reprimanded, and that the rights of his mother, and of himself, have been violated. He asked for an investigation of the matter.

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91-05

CITY MANAGER'S REPORT

JONES AVENUE IMPROVEMENTS

Mr. Joe Aceves, Director of Public Works, spoke to planned improvements to a segment of Jones Avenue near the San Antonio Museum of Art. A copy of his report is made a part of the papers of this meeting. He noted that such improvements are deemed necessary in view of the museum's hosting of the important international exhibit "Splendors of Mexico". He noted that the planned improvements will cost some \$150,000 and asked that the City be allowed to begin its work as soon as possible, with verbal direction if necessary because of the tight time-frames, then seek Council ratification after the fact, if necessary.

After discussion, the Council directed staff to proceed with the work, as requested.

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91-05 (Council recessed at 6:03 P.M., reconvening in regular session at 6:47 P.M., then immediately recessed into Executive Session at 6:48 P.M. to discuss the following:

1. Status report on litigation styled GERA v. City of Lytle, et. al.
2. Claim and contract - City Towing Associates threatened litigation.
3. Status report and briefing on criteria for litigation challenging the 1990 Census.

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91-05 Regular City Council meeting reconvened at 8:35 P.M. and Mayor Pro Tem Wing reported that staff had discussed and received direction on the issues as outlined.

91-05 There being no further business to come before the Council, the meeting was adjourned at 8:40 P.M.

A P P R O V E D

*Lila Cockell*

M A Y O R

Attested:

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