

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBERS, MUNICIPAL
PLAZA BUILDING, THURSDAY, AUGUST
31, 1995.

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95-38 The City Council convened in an informal "B" Session at 10:00 A.M., Municipal Plaza Building, "B" Room, to consider the following item(s). The Council members present were: FLORES, McCLENDON, AVILA, SOLIS, HERRERA, ROSS, MARBUT, PEAK, WEBSTER. Absent: BILLA BURKE, THORNTON.

Presentation on the budgets for Economic Development, International Affairs, Aviation, and City Attorney.

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95-38 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Pro Tem Henry Avila, with the following members present: FLORES, McCLENDON, BILLA BURKE, AVILA, SOLIS, HERRERA, ROSS, MARBUT, PEAK, WEBSTER. Absent: THORNTON.

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95-38 Invocation - Father Richard Pena, Christ the King Catholic Church.

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95-38 Pledge of Allegiance to the flag of the United States.

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95-38 Minutes of the Regular City Council Meetings of July 20, July 27, and August 3, 1995.

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95-38 CONSENT AGENDA

Ms. McClendon made a motion to approve Agenda Items 6 through 31R, constituting the Consent Agenda. Mr. Flores seconded the motion.

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

Flores, McClendon, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster.
NAYS: None. ABSENT: Billa Burke, Thornton.

AN ORDINANCE 82,695

ACCEPTING THE BIDS OF VARIOUS COMPANIES TO FURNISH THE CITY OF SAN ANTONIO WITH VARIOUS MATERIALS AND SERVICES ON AN ANNUAL CONTRACT BASIS FOR THE 1995-96 FISCAL YEAR FOR A TOTAL OF APPROXIMATELY \$1,068,000.00 (WBE, COPIES OF ALL BID PACKETS ARE AVAILABLE FOR REVIEW IN THE PURCHASING DEPARTMENT).

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AN ORDINANCE 82,696

APPROVING A 1987 GENERAL OBLIGATIONS DRAINAGE BONDS FUNDED FIELD ALTERATION NO. 3 IN THE AMOUNT OF \$22,416.33 PAYABLE TO V.K. KNOWLTON PAVING CONTRACTORS, INC. FOR STREET REPLACEMENT ALONG DARBY BOULEVARD BETWEEN GENERAL HUDNELL DRIVE AND ZARZAMORA IN CONNECTION WITH THE DRIFTWOOD DRAINAGE PROJECT NO. 39,B-F.

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AN ORDINANCE 82,697

APPROVING A LEASE AGREEMENT AUTHORIZING THE LEASE OF 3,200 SQUARE FEET OF RETAIL SPACE AT THE HEMISFAIR PARKING GARAGE TO BARTLETT COCKE-INCORE-HARDIN FOR A FOUR-YEAR TERM AT \$.80 PER SQUARE FOOT, AN ANNUAL RENTAL OF \$30,720.00.

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AN ORDINANCE 82,698

AUTHORIZING PAYMENT IN THE AMOUNT OF \$2,333.00 FOR TITLE SERVICES ON THE WESTERN AVENUE DRAINAGE #74, PHASE III B&C, THE HI-LIONS DRAINAGE PROJECT #80, THE ASHLEY ROAD RECONSTRUCTION PROJECT - BASCUM TO S. FLORES; AND THE OCTAVIA PLACE DRAINAGE PROJECT #63; AND APPRAISAL SERVICES FOR THE OCTAVIA PLACE DRAINAGE PROJECT #63; AND APPROPRIATING FUNDS.

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AN ORDINANCE 82,699

AUTHORIZING THE ACQUISITION OF TITLE TO ONE PARCEL AND AUTHORIZING THE EXPENDITURE OF \$5,300.00 OUT OF

GENERAL OBLIGATION BONDS IN CONNECTION WITH THE
MARCUM - ARVIL TO ELMER PROJECT.

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AN ORDINANCE 82,700

AUTHORIZING PAYMENT IN THE AMOUNT OF \$1,465.00 FOR
TITLE SERVICES ON THE WURZBACH PARKWAY P.A.S.S.
PROJECT, THE FIRE STATION NO. 6 EXPANSION PROJECT,
AND THE COMANCHE LOOKOUT PARK PROJECT; AND
APPROPRIATING FUNDS.

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AN ORDINANCE 82,701

AUTHORIZING A LICENSE AGREEMENT BETWEEN THE CITY OF
SAN ANTONIO AND MORNINGSIDE MINISTRIES TO ENTER UPON
AND USE CERTAIN PUBLIC DRAINAGE RIGHT-OF-WAY AND
AUTHORIZING THE CITY MANAGER OR THE ASSISTANT TO THE
CITY MANAGER TO EXECUTE SAME.

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AN ORDINANCE 82,702

AUTHORIZING THE EXECUTION OF A FIVE-YEAR LEASE
AGREEMENT WITH MOCKINGBIRD PLAZA, L.C., AS LESSOR,
FOR SPACE IN THE MOCKINGBIRD PLAZA TOWER (5430
FREDERICKSBURG ROAD) THAT WILL BE USED BY THE SAN
ANTONIO POLICE DEPARTMENT TO HOUSE VARIOUS HIDTA
GROUPS AT A RENT OF \$23,421.00 PER MONTH.

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AN ORDINANCE 82,703

RATIFYING CITY STAFF'S ACTIONS IN ACCEPTING A
\$209,950.00 GRANT FROM THE TEXAS PARKS AND WILDLIFE
DEPARTMENT PROJECT; ESTABLISHING A FUND,
AUTHORIZING TRANSFERS AND ADOPTING A BUDGET;
AUTHORIZING THE REIMBURSEMENT OF \$72,036.70 TO THE
CITY GENERAL FUND FOR 7.172 ACRES OF LAND PREVIOUSLY
PURCHASED FOR THIS PROJECT; AND AUTHORIZING
CONTRACTUAL SERVICES IN CONNECTION WITH SAID
PROJECT.

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AN ORDINANCE 82,704

ACCEPTING A DONATION OF 39.841 ACRES OF LAND FOR FRIEDRICH PARK VALUED AT \$204,950.00 FROM CIELO VISTA ASSOCIATES AND DEDICATING THIS PROPERTY FOR USE AS A PUBLIC PARK.

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AN ORDINANCE 82,705

AUTHORIZING THE EXECUTION OF A AGREEMENT CONSENTING TO THE ASSIGNMENT OF A CERTAIN SAN ANTONIO INTERNATIONAL AIRPORT LEASE BY RICHARD H. FESSLER TO HALLMARK AERO-TECH, INC. D.B.A. HALLMARK INSTITUTE OF TECHNOLOGY.

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AN ORDINANCE 82,706

AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH THE UNITED STATES OF AMERICAN, DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION (FAA) FOR LEASE OF 1.38 ACRES OF GROUND SPACE FOR THE FAA TO MAINTAIN AND OPERATE A NAVIGATIONAL ANTENNA AND REMOTE TRANSMITTER/RECEIVER SITE AT STINSON MUNICIPAL AIRPORT.

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AN ORDINANCE 82,707

AUTHORIZING THE EXECUTION OF A LEASE WITH TRANS WORLD AIRLINES, INC. FOR 1,747 SQUARE FEET OF WAREHOUSE SPACE AND 173 SQUARE FEET OF OFFICE SPACE IN THE WEST AIR CARGO BUILDING AT THE SAN ANTONIO INTERNATIONAL AIRPORT FOR A TOTAL ANNUAL RENTAL OF \$12,140.15 AND FOR A TERM ENDING ON AUGUST 31, 2000.

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AN ORDINANCE 82,708

AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT IN THE AMOUNT OF \$4,800.00 WITH THE INTERCULTURAL DEVELOPMENT RESEARCH ASSOCIATION (IDRA) OF BEXAR COUNTY, TEXAS TO PROVIDE RESEARCH AND EVALUATION SERVICES TO CLIENTS OF URBAN SMARTS OF THE YOUTH

SERVICES DIVISION OF THE DEPARTMENT OF COMMUNITY INITIATIVES.

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AN ORDINANCE 82,709

AUTHORIZING THE ACCEPTANCE OF A CASH GRANT AWARD OF \$4,500 FROM THE TEXAS DEPARTMENT OF HEALTH (TDH) TO THE CITY'S SAN ANTONIO METROPOLITAN HEALTH DISTRICT (SAMHD) TO AUGMENT FUNDING OF THE STD CONTROL PROJECT; AUTHORIZING THE EXECUTION OF CONTRACT CHANGE NOTICE NO. 21, COMPRISED OF ATTACHMENT 11A TO CONTRACT C5000104 WITH TDH; REVISING THE BUDGET FOR THE PUBLIC HEALTH STATE SUPPORT PROJECT 1994/95 ESTABLISHED IN ORDINANCE 77973 PASSED AND APPROVED MAY 20, 1993.

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AN ORDINANCE 82,710

AUTHORIZING THE AVIATION DEPARTMENT TO CONTRACT FOR SERVICES RELATED TO THE DISTRIBUTION OF THE SAN ANTONIO INTERNATIONAL AIRPORT FLIGHT GUIDE WITH THE SAN ANTONIO BUSINESS JOURNAL FOUR TIMES WITHIN THE NEXT YEAR FOR A TOTAL COST OF \$5,400.

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AN ORDINANCE 82,711

AUTHORIZING THE AVIATION DEPARTMENT TO CONTRACT FOR AND PAY AN AMOUNT NOT TO EXCEED \$29,000 FOR THE PLACEMENT OF SAN ANTONIO INTERNATIONAL AIRPORT INFORMATION AND DIAGRAMS IN 21 DIFFERENT LOCAL AND SURROUNDING COMMUNITY TELEPHONE DIRECTORIES PUBLISHED BY SOUTHWESTERN BELL TELEPHONE COMPANY, GTE, ASSOCIATED DIRECTORY SERVICE, AND ALLTEL.

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AN ORDINANCE 82,712

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH PARENT/CHILD INCORPORATED (PCI) ALLOWING THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT (SAMHD) TO PROVIDE PHYSICAL AND DENTAL EXAMINATIONS REIMBURSEMENT ON A FEE-FOR-SERVICE BASIS FOR AN

AMOUNT NOT TO EXCEED \$116,400.00; ESTABLISHING A FUND; ADOPTING A BUDGET; AUTHORIZING A PERSONNEL COMPLEMENT; AND AUTHORIZING CONTRACTUAL SERVICES.

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AN ORDINANCE 82,713

RATIFYING THE WORK PERFORMED BY SIA ACOUSTICS IN CONDUCTING AN ACOUSTICS STUDY OF THE ALAMODOME AND AUTHORIZING PAYMENT IN THE AMOUNT OF \$6,604.00.

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AN ORDINANCE 82,714

AUTHORIZING PAYMENT IN THE AMOUNT OF \$7,500.00 IN SETTLEMENT OF CYNTHIA VILLARREAL V. CITY OF SAN ANTONIO, IN CAUSE NO. 220,135.

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AN ORDINANCE 82,715

AUTHORIZING PAYMENT IN THE AMOUNT OF \$10,000.00 IN SETTLEMENT OF MATIAS L. HODGES V. CITY OF SAN ANTONIO, ET AL CAUSE 94-CI-11579.

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AN ORDINANCE 82,716

RATIFYING AGREEMENTS WITH FIESTA TEXAS AND SOUTHWEST PARADES, INC. AND AUTHORIZING PAYMENTS IN THE AMOUNTS OF \$3,166.86 TO FIESTA TEXAS AND \$9,000.00 TO SOUTHWEST PARADES, INC. FOR SERVICES RENDERED FOR THE CENTRAL LIBRARY GRANT OPENING FESTIVITIES HELD ON MAY 20, 1995; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 82,717

AUTHORIZING THE TEMPORARY CLOSURE OF GUADALUPE STREET BETWEEN SOUTH BRAZOS AND SAN JACINTO STREETS BEGINNING ON SATURDAY, SEPTEMBER 16, 1995 AT 3:00 P.M., SUNDAY, SEPTEMBER 17, 1995 IN CONNECTION WITH THE DIEZ Y SEIS BLOCK PARTY/FUNDRAISER.

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AN ORDINANCE 82,718

APPROVING A PARADE PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN STREETS IN CONNECTION WITH THE DIEZ Y SEIS PARADE TO BE HELD ON SATURDAY, SEPTEMBER 16, 1995 FROM 9:00 A.M. UNTIL 3:30 P.M.

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AN ORDINANCE 82,719

APPROVING A RUN/WALK PERMIT AND AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN STREETS IN CONNECTION WITH THE DAM CONCORD 12K/5K RACE TO BENEFIT THE CHILDREN'S SHELTER OF SAN ANTONIO TO BE HELD ON SATURDAY, OCTOBER 14, 1995 FROM 7:00 A.M. UNTIL 9:30 A.M.

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AN ORDINANCE 82,720

REAPPOINTING ROBERT WOLF TO THE ANIMAL CONTROL ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON APRIL 3, 1997.

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AN ORDINANCE 82,721

APPOINTING YOLIE RIOS TO THE ARTS AND CULTURAL ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON NOVEMBER 15, 1997.

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AN ORDINANCE 82,722

REAPPOINTING STAN GEORGE TO THE BOARD OF APPEALS FOR A TERM OF OFFICE TO EXPIRE ON JULY 31, 1997.

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AN ORDINANCE 82,723

APPOINTING FRANCES CADENA TO THE CABLE TELEVISION ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 31, 1996.

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AN ORDINANCE 82,724

APPOINTING WILLIAM HOAGLAND-FUCHS TO THE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON OCTOBER 25, 1997.

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AN ORDINANCE 82,725

REAPPOINTING MARGARET REYNA AND APPOINTING MICHAEL SMITH TO THE COMMISSION FOR CHILDREN AND FAMILIES FOR TERMS OF OFFICE TO EXPIRE ON JUNE 27, 1997.

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AN ORDINANCE 82,726

APPOINTING RUDY REYES AND CARLOS RICHARDSON TO THE DISABILITY ACCESS ADVISORY COMMITTEE FOR TERMS OF OFFICE TO EXPIRE ON JUNE 30, 1997.

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AN ORDINANCE 82,727

REAPPOINTING C. LAWRENCE GOTTSMAN, ALBERT DAVILA AND HARRY F. KATZ TO THE ELECTRICAL EXAMINING AND SUPERVISING BOARD FOR TERMS OF OFFICE TO EXPIRE ON JULY 31, 1997.

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AN ORDINANCE 82,728

REAPPOINTING WILLIAM B. JOHNSON AND MARC ROSS AND APPOINTING LARRY K. TRAVIS TO THE HOUSING TRUST FUND BOARD OF TRUSTEES FOR TERMS OF OFFICE TO EXPIRE ON MAY 30, 1997.

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AN ORDINANCE 82,729

APPOINTING JUDY A. STUBBS TO THE KEEP SAN ANTONIO/BEXAR COUNTY BEAUTIFUL COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 22, 1996.

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AN ORDINANCE 82,730 .

APPOINTING FRANK BELL TO THE MECHANICAL BOARD OF
APPEALS FOR A TERM OF OFFICE TO EXPIRE ON MARCH 20,
1997.

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AN ORDINANCE 82,731 .

REAPPOINTING STEVE AVERY AND APPOINTING G. EUGENE
SIMOR TO THE OPEN SPACE ADVISORY BOARD FOR TERMS OF
OFFICE TO EXPIRE ON AUGUST 29, 1997.

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AN ORDINANCE 82,732 .

REAPPOINTING NICHOLAS WILLIAMS TO THE PARKS AND
RECREATION BOARD FOR A TERM OF OFFICE TO EXPIRE ON
MARCH 31, 1997.

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AN ORDINANCE 82,733 .

REAPPOINTING ROB HOBBS AND APPOINTING RAYMOND FARIAS
AND PAUL SILBER, JR. TO THE PLUMBING APPEALS AND
ADVISORY BOARD FOR TERMS OF OFFICE TO EXPIRE ON
MARCH 20, 1997.

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AN ORDINANCE 82,734 .

REAPPOINTING MARK HILL AND JESSE LEWIS AND
APPOINTING R. JAVIER GUERRA AND RUDY VASQUEZ TO THE
SAN ANTONIO LOCAL DEVELOPMENT COMPANY.

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AN ORDINANCE 82,735 .

REAPPOINTING WILLIE HODGE AND APPOINTING KATHLEEN
TRENCHARD TO THE TRANSPORTATION ADVISORY BOARD.

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AN ORDINANCE 82,736 .

REAPPOINTING JOSE A. MENENDEZ AND YOLANDA ARELLANO

TO THE ZONING COMMISSION FOR TERMS OF OFFICE TO EXPIRE ON JUNE 30, 1997.

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AN ORDINANCE 82,737

APPOINTING KITTY CHAPPELL TO THE CLEAN-UP CITY COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON FEBRUARY 24, 1997.

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95-38 The Clerk read the following Ordinance:

AN ORDINANCE 82,738

AUTHORIZING PAYMENTS OF REFUNDS TOTALING \$88,883.15, TO PERSONS MAKING A DOUBLE PAYMENT, OVERPAYMENT, OR AS A RESULT OF A VALUE CHANGE ON 41 TAX ACCOUNTS.

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Flores, McClendon, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster, Thornton; NAYS: None; ABSENT: Billa Burke

95-38 The Clerk read the following Ordinance:

AN ORDINANCE 82,739

AUTHORIZING THE ACCEPTANCE OF A THREE-YEAR GRANT, OCTOBER 1, 1995 THROUGH SEPTEMBER 30, 1998, IN THE AMOUNT OF \$2,406,999 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT UNDER THE DEPARTMENT OF COMMUNITY INITIATIVES, COMMUNITY ACTION DIVISION, SUPPORTIVE HOUSING PROGRAM; AUTHORIZING THE EXECUTION OF DELEGATE AGENCY CONTRACTS WITH THE COUNTY OF BEXAR IN THE AMOUNT OF \$1,332,757; PROVIDENCE HOME IN THE AMOUNT OF \$157,041;

SALVATION ARMY IN THE AMOUNT OF \$796,851; APPROVING
A BUDGET AND PERSONNEL COMPLEMENT.

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

Mr. Kevin Moriarty, Director of Community Initiatives, explained the significance of the Supportive Housing Program for the homeless in San Antonio, and the funding of three delegate agencies. He stated his belief that this may be the last grant of this kind for several years.

In response to a question by Mr. Ross, Mr. Moriarty discussed liability, monitoring and control of delegate agencies.

In response to a question by Mr. Webster, Mr. Moriarty spoke briefly to the funding of this program.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Flores, Billa Burke, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster, Thornton; NAYS: None; ABSENT: McClendon.

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95-38 The Clerk read the following Ordinance:

AN ORDINANCE 82,740

AUTHORIZING REIMBURSEMENT FROM THE DISTRICT 3 CONTINGENCY FUNDS ACCOUNT TO COUNCILWOMAN LYNDA BILLA BURKE IN THE AMOUNT OF \$2,300.00 FROM SEPTEMBER 1, 1995, TO SEPTEMBER 30, 1995, FOR ADMINISTRATIVE SERVICES CONTRACTS, AS REQUESTED BY COUNCILWOMAN LYNDA BILLA BURKE.

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Flores, Billa Burke, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster; NAYS: None; ABSENT: McClendon, Thornton.

95-38 TRAVEL AUTHORIZATION - Granted:

Councilman Robert A. Herrera to travel to Washington, D. C. from September 30, 1995 to October 2, 1995, to meet with Federal Officials.

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95-38 The Clerk read the following Ordinance:

AN ORDINANCE 82,741

AUTHORIZING THE TEMPORARY CLOSURE OF MAIN PLAZA BETWEEN COMMERCE AND MARKET FROM 6:00 A.M. UNTIL 3:00 P.M., SATURDAY, OCTOBER 7, 1995 IN CONNECTION WITH A ONE DAY HEALTH FAIR FOR THE GENERAL PUBLIC OF ALL AGES SPONSORED BY THE SAN FERNANDO CATHEDRAL HEALTH FAIR COMMITTEE, AS REQUESTED BY COUNCILMAN ROGER FLORES.

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Flores, McClendon, Billa Burke, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster; NAYS: None; ABSENT: Thornton.

95-38 The Clerk read the following Ordinance:

AN ORDINANCE 82,742

ADOPTING WORDING, CONSISTENT WITH S.B. 373 OF THE 74TH TEXAS LEGISLATURE, FOR THE GENERAL SERVICE ELECTRIC (PL) RATE AND FOR THE GENERAL SERVICE GAS (G) RATE SCHEDULES, WHICH PROVIDE CITY PUBLIC SERVICE COMMERCIAL ELECTRIC AND GAS SERVICE FOR THE SAN ANTONIO ELECTRIC AND GAS SYSTEMS.

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

Mr. Bill Arnette, Supervisor of Public Utilities, explained the need for amending these City Public Service rates for state-owned

colleges and universities.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Flores, McClendon, Billa Burke, Avila, Solis, Ross, Marbut, Peak, Webster; NAYS: None; ABSENT: Herrera, Thornton:

95-38 The Clerk read the following Ordinance:

AN ORDINANCE 82,743

AUTHORIZING THE CITY MANAGER, ASSISTANT CITY MANAGER OR HIS DESIGNEE TO APPROVE CHANGE ORDERS TO CONTRACTS INVOLVING A DECREASE OR INCREASE OF \$25,000.00 OR LESS, IN ACCORDANCE WITH S.B. 99 PASSED DURING THE 74TH TEXAS STATE LEGISLATURE.

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

Mr. John German, Director of Public Works, explained the proposed changes in signatory authority for Change Orders or Field Alterations, as provided for in new state law. He spoke to the impact this action will have on the number of ordinances required for action by City Council.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Flores, Billa Burke, Avila, Solis, Herrera, Ross, Peak, Webster; NAYS: None; ABSENT: McClendon, Marbut, Thornton.

95-38 The Clerk read the following Ordinance:

AN ORDINANCE 82,744

AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE CONTRACT WITH TEXAS TOWING CORPORATION ENTERED INTO ON MAY 28, 1993, TO PROVIDE FOR A FIVE-YEAR EXTENSION OPTION.

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Mr. Jerry Pittman, Deputy Police Chief, spoke to the firm's request for a contract extension, so that its aging towing equipment can be replaced. He spoke to the firm's good record of service in meeting its contract requirements with the City of San Antonio.

August 31, 1995

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In response to a question by Mr. Peak, Chief Pittman addressed the matter of the 'overstatement of projected calls', as cited by the firm as one reason for this request, and the Police Department's recommendation to approve the five-year option, based upon the firm's service record.

Mr. Peak stated that he sees no justification for an extension of the present contract.

A discussion then ensued concerning the number of cancelled towing calls and the adverse impact of those cancelled calls upon the towing contractor.

Mr. Ross explained the contractor's need for the contract extension in order to secure necessary bank financing to replace the aging equipment. He noted that the proposed extension is predicated upon the contractor's track record, and the City Council has the right to either affirm or deny that extension.

In response to a question by Mr. Ross, Mr. Lloyd Garza, City Attorney, stated that this only provides for an extension option to the contract, it does not grant the extension itself.

Mr. Alexander E. Briseno, City Manager, explained the shortfall in the number of vehicle tows by the contractor, compared to the number projected in the City's Request For Proposal.

Ms. McClendon spoke to her concern with a precedent being set, and the rationale involved.

Police Chief, Al Philippus, spoke to the shortfall in the number of vehicle tows, based upon the RFP estimates, and the need for the extension option in order for the contractor to secure financing for new equipment.

Mr. Robert Thompson, attorney for the contractor, spoke to the uniqueness of the contract and the need for the contractor to replace some of his towing equipment.

Mr. Webster noted that it is important that the option rests with the City, not the contractor, and he spoke in favor of having a cap of only one option for extension, prior to a re-bid of the contract.

Mr. Peak stated his understanding of the rationale for the request, and spoke in support of that request.

Mr. Solis spoke to the importance of the new towing contractor's record, versus the predecessor's record, noting that the City has an upgraded service in place now.

Mayor Pro Tem Avila spoke the low number of complaints received, relative to the towing contractor.

After discussion, Mr. Webster made an amendment that no more than one contract extension option can be granted to the towing contract. Mr. Peak seconded the motion.

Mr. Solis stated that he would prefer to have City staff study this matter, first.

The maker and seconder of the amendment then withdrew their motion and second, in favor of allowing City staff to first study the matter.

Mr. Solis made a motion to approve the proposed Ordinance. Mr. Webster seconded the motion, prevailed by the following vote: AYES: Flores, McClendon, Billa Burke, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster; NAYS: None; ABSENT: Thornton.

Mr. Webster made a motion to instruct City staff to study the matter of restricting to no more than one the number of contract extension options that can be granted on the City's towing contract, and to report back to City Council with a recommendation. Mr. Solis seconded the motion.

The direction to City staff prevailed by the following vote: AYES: Flores, McClendon, Billa Burke, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster. NAYS: None. ABSENT: Thornton.

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95-38 The Clerk read the following Ordinance:

AN ORDINANCE 82,745

ADOPTING AN EXCEPTION TO CITY CODE SECTION 19-8 TO ALLOW SOLICITATION ON PUBLIC STREETS AND RIGHTS-OF-WAY; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

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

Mr. Lloyd Garza, City Attorney, stated that current City law forbids solicitations on City streets, and noted that an application has been received, seeking an exception to that law. He then spoke to the draft ordinance currently before City Council and its details, including certain proposed limitations, worked out by the City Council and City staff committee.

In response to a question by Mr. Peak, Mr. Garza stated his opinion that if the City allows one group to do this, then any group which meets the criteria can do so, as well. He discussed the matter of liability insurance required, noting that claims against the City could result from the granting of this request.

In response to a question by Mr. Peak, Police Chief, Al Philippus, spoke to the need for a 'wait and see' attitude, should this ordinance prevail. He then spoke to certain safeguards written into the proposed Ordinance.

Mr. Solis noted that safety is the primary issue in drafting the proposed new Ordinance.

In response to a question by Mr. Webster, Chief Philippus discussed enforcement of the proposed Ordinance.

Discussion then ensued concerning the possibility of restricting approval for street solicitations to the top 50 intersections in the city, and having the committee look at this idea.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Flores, McClendon, Billa Burke, Avila, Solis, Herrera, Ross, Marbut, Webster; NAYS: Peak; ABSENT: Thornton.

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95-38 It was the concensus of City Council members present to temporarily bypass Agenda Item 41 for consideration later in the meeting.

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95-38 The Clerk read the following Ordinance:

AN ORDINANCE 82,746
REAPPOINTING THE PRESIDING MUNICIPAL COURT JUDGE;
REAPPOINTING TEN (10) FULL-TIME AND SIX (6)
PART-TIME MUNICIPAL COURT JUDGES; SUCH APPOINTMENTS
TO BE FOR A TWO YEAR TERM TO BEGIN SEPTEMBER 1,
1995.

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

Ms. McClendon noted that the Council's Municipal Court Committee unanimously recommends approval of the proposed ordinance.

Mr. Solis spoke in support for the reappointments.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Flores, McClendon, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster; NAYS: None; ABSENT: Billa Burke, Thornton.

95-38 The Clerk read the following Ordinance:

AN ORDINANCE 82,747

CHANGING THE NAME OF THE STREET RECONSTRUCTION COMMITTEE TO STREET MAINTENANCE COMMITTEE AND ESTABLISHING A SPECIAL CITIZENS COMMITTEE TO EXPLORE ALTERNATIVE FUNDING FOR STREET MAINTENANCE.

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

Ms. McClendon spoke to the proposed name-change for the Street Reconstruction Committee and the need for alternative funding for street maintenance, asking each Council member to name one member to sit on a special subcommittee designed to seek alternate funding and design standards. She spoke to her desire to include the public as part of this process, as well.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Flores, McClendon, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster; NAYS: None; ABSENT: Billa Burke, Thornton.

95-38 The Clerk read the following Ordinance:

AN ORDINANCE 82,748

ACCEPTING A GRANT IN THE AMOUNT OF \$499,431.81 FROM THE DEPARTMENT OF DEFENSE, OFFICE OF ECONOMIC ADJUSTMENT, TO SUPPORT STAFF AND OTHER COSTS ASSOCIATED WITH THE REDEVELOPMENT OF KELLY AFB, AND MODIFYING THE BUDGET AND PERSONNEL COMPLEMENT OF THE OFFICE OF DEFENSE TRANSITION, APPROVED BY ORDINANCE NO. 82529 ON JULY 20, 1995 TO REFLECT THE GRANT AWARD AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON EIGHT AFFIRMATIVE VOTES.

* * * *

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

Mr. Paul Roberson, Director of the Office of Defense Transition, explained plans for use of the federal grant funds for the redevelopment of Kelly Air Force Base.

Mr. Solis noted that a retreat is being planned to begin work on this important effort, and spoke to his hopes to have a full plan of action ready by January, 1996.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Flores, McClendon, Avila, Solis, Herrera, Ross, Marbut, Peak, Webster; NAYS: None; ABSENT: Billa Burke, Thornton.

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95-38 It was the concensus of City Council members present to undertake consideration of Agenda Item 41 at this time.

Agenda Item 41 is a proposed Resolution directing the City of San Antonio through the San Antonio Water System to intervene in litigation styled Medina County Underground Water Conservation District v. Phil Barshop, et al, challenging the validity of HB 3189.

Mr. Peak made a motion to approve the Resolution. Mr. Solis seconded the motion.

Mr. Lloyd Garza, City Attorney, explained the proposed intervention, through SAWS, into the lawsuit challenging the validity of House Bill 3189, noting that the City of San Antonio has an interest in this case inasmuch as the Edwards Aquifer is the sole source of the City's water. He stated that he earlier today had verbally authorized SAWS to file the necessary papers in this regard, since depositions are planned for tomorrow. He further noted that, if the Resolution fails to carry, he will then withdraw that verbal authorization to SAWS.

The following persons appeared to speak:

Ms. Carol Patterson, 410 Larkwood, asked that the City of San Antonio not enter this case, and spoke to her reasons for the request. She stated her belief that, if the provisions of HB 3189 take effect, the federal courts will then dictate control of San Antonio's water supply. She then spoke to the impact that downstream water users will have on the new Edwards Aquifer Authority, through the provisions of this bill, and stated her belief that San Antonio has other alternatives. She asked that a briefing be set up to explain the entire issue.

(At this point, Mayor Pro Tem Avila was obliged to leave the

meeting. Mr. Webster presided.)

Mr. Jack Finger, P.O. Box 12048, representing Regional Clean Air & Water, urged the Council to vote against the proposed Resolution, and stated that the legislation in question contains no provision that would forbid water usage such as that of the catfish farm; in fact, he stated his belief the legislation would protect the owners of the catfish farm. A copy of his quoted segment of Senate Bill 1477, Section 116e, is made a part of the papers of this meeting. He then stated his opinion that the solution is to charge more for excess water usage.

Mr. Tom Culbertson, Regional Clean Air & Water, stated his belief that San Antonio has 'grandfathered' water rights and would be giving up those rights through the legislation in question. A copy of his remarks is made a part of the papers of this meeting.

Mr. Bob Comeaux asked the City Council to request from Paragon Cable that it telecast Citizens to be Heard segment of each City Council meeting, inasmuch as he felt that citizens not present at the Council meeting last week did not hear important information presented at that forum. He spoke against the proposed Resolution and supported intervention on the side of Medina County in the lawsuit. He stated his belief that the legislation in question is against the best interests of San Antonio, and does not solve the problems of endangered species and thus, should be killed.

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

Mr. Richard Beauvais spoke to his belief as to what is in the best interests of all San Antonio. A copy of his remarks is made a part of the papers of this meeting. He spoke against spending more money protecting endangered species, and spoke to what he considered a more 'common-sense approach'. He also stated his opinion that the residents who live west of San Antonio are really our friends and will be hurt by the loss of water through this legislation.

* * * *

Mr. Peak stated his opinion that the legislation guarantees San Antonio a supply of water, and does not take any away. He stated that the City cannot control such things as the catfish farm in an uncontrolled environment, and spoke in support for water management of the Edwards Aquifer, under this legislation.

In response to a question by Mr. Webster, Mr. Garza addressed the need to allow this intervention by SAWS, noting that the City can withdraw the intervention papers in the morning, before depositions are taken, if necessary. He spoke to the need to have San Antonio represented in this litigation, and expressed his belief that the City needs to "be at the table" as a player, and to stay there.

Mr. Ross noted that the State Attorney General now is a part of this lawsuit, defending that legislation enacted by the State Legislature. He also noted that two other major law firms are involved on the same side. He spoke in opposition to intervention in the lawsuit by the City of San Antonio, through SAWS, and the resulting expenditure of more taxpayers' and ratepayers' monies.

A discussion then took place concerning legal representation in the lawsuit by certain law firms.

In response to a question by Mr. Marbut, Mr. Garza spoke to what SAWS consultant information is public, and what is privileged, in this matter.

After consideration, the motion to approve the Resolution failed to carry by the following vote: AYES: Billa Burke, Avila, Herrera, Marbut, Peak. NAYS: Flores, Ross, Webster. ABSENT: McClendon, Solis, Thornton.

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95-38

CITY MANAGER'S REPORT

Mr. Alexander E. Briseno, City Manager, announced that Ms. Teresa Vasquez-Romero has been appointed Assistant to the City Council, replacing Ms. Julia Castellano-Hoyt, who now is Assistant to the Mayor. He spoke to Ms. Vasquez-Romero's background and qualifications, and distributed copies of a media release announcing the appointment.

Mr. Briseno then formally introduced Ms. Vasquez-Romero to the City Council.

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95-38 Discussion was then held on the proper manner in which possible reconsideration of Agenda Item 41 could be made, during which the City Attorney stated that the motion for reconsideration must be from a Council member on the prevailing side of the earlier vote on this matter.

No such motion for reconsideration was forthcoming, following further discussion of the issue.

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95-38 City Council recessed its regular meeting at 3:50 P.M. in order to convene in Executive Session for:

A. Staff briefing on litigation case styled Katherine Dayson vs. Michael G. Anders and City of San Antonio, Cause No. 95-CI-03560.

B. Staff briefing on status of litigation case styled Aguilar et al vs. City of San Antonio, Cause No. 90-CI-03285 (peach Grove Subdivision).

95-38 City Council adjourned the Executive Session and reconvened in regular session at 4:11 P.M., at which time Mayor Pro Tem Avila announced that the Council had been briefed in Executive Session on the above-stated matters and had taken no official action, and had given staff direction.

95-38 MAYOR EMERITUS LILA COCKRELL

Mayor Pro Tem Avila and other members of City Council recognized the presence in the audience of Mayor Emeritus Lila Cockrell, and welcomed her to the Council chambers.

95-38 BUDGET WORK SESSION

City Council received a proposed budget presentation for the Alamodome, after which it was decided that the Council now would hear from Citizens to be Heard.

95-38 CITIZENS TO BE HEARD

MS. PATSY CHEYNEY

Ms. Patsy Cheyney, volunteer with the San Antonio Alliance for the Mentally Ill, spoke to the City Council regarding mental illness in San Antonio. She also spoke to the activities of the Center for Health Care Services.

MS. LUCILLE DYESS

Ms. Lucille Dyess, 3971 Flagle, spoke to the Council regarding the numerous requests she has made through the years to have curbing installed on her street. She asked that the City Council address this needs especially since the area streets are being reconstructed at this time. She also spoke about the numerous complaints she has made to Code Compliance with reference to the

property in back of her residence.

Councilman Ross stated that he is familiar with her problems and has asked the Code Compliance Department as well as the Public Works Department to investigate and make a report back to him. He will be advising Ms. Dyess of the results of these investigations.

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MRS. MARIA DOMINGUEZ

Mrs. Maria Dominguez expressed her dismay with the problems expressed by Ms. Dyess and spoke to the new rules by which developers must provide sidewalks and curbs in new subdivisions.

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MR. BOB COMEAUX

Mr. Bob Comeaux spoke to the presentation he made to the Council last week and reiterated statements he made with reference to letters written to the TNRCC from Senators Wentworth and Madla which were identical in many instances. He then displayed a copy of these letters which were highlighted to make his point. He also asked the Council whether the City or the San Antonio Water System owed any money to George Shipley or the consulting firm of Shipley and Associates. He stated that he has asked for this information before and that he has not received it which is a violation of the Open Records Act.

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MR. JEFF HEPP

Mr. Jeff Hepp, 3045 Valley, spoke to the City Council regarding a city job he had subcontracted and the fact that to-date he had not been paid by the contractor.

Mr. Lloyd Garza, City Attorney, spoke to the facts in this case and why Mr. Hepp's lawsuit against the City was rejected by the courts.

Several Council members expressed concern over the non-payment of this subcontractor by the contractor in question and asked that the staff review the circumstances of the case and attempt to get the contractor to rectify this issue.

Mr. John German, Director of Public Works, stated that he had just been apprised of this particular case and would like the

opportunity to review the matter.

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MRS. CAROL PATTERSON

Mrs. Carol Patterson, 410 Larkwood, spoke to the Council regarding the catfish farm operation and her opposition to S.B. 1477. She also spoke to the scramble for water which will be taking place and questioned whether there is enough replacement water at any cost if the City gives up the Aquifer.

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MR. DON WILKINS CASTILLO

Mr. Don Wilkins Castillo, 1010 N. Frio Street, spoke to the Council regarding his opposition to the Applewhite Project and the monies spent on this project.

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MR. RICHARD (RICO) FLYNN

Mr. Richard (Rico) Flynn spoke to the Council on various subjects including his experience in running for President of the United States.

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MR. JACK M. FINGER

Mr. Jack M. Finger commended those Council members who voted against the Resolution listed as Item #41 on the agenda.

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95-38

BUDGET WORK SESSION (CONTINUED)

City Council received proposed budget presentations by Parks & Recreation/Golf, and Arts & Cultural Affairs.

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95-38 City Council recessed its regular session at 6:10 P.M. for dinner, reconvening in regular session at 7:20 P.M.

95-38

BUDGET WORK SESSION (CONTINUED)

City Council received proposed budget presentations by Convention Facilities, Convention Center Expansion, and the Convention & Visitors Bureau.

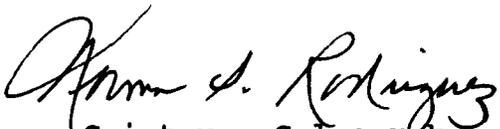
95-38 There being no further business to come before the Council, the meeting was adjourned at 8:08 P.M.

A P P R O V E D



M A Y O R

Attest:



City Clerk

August 31, 1995

Honorable Mayor and Members of the City Council of the City of San Antonio:

The following petitions were received in my office and forwarded to the appropriate departments for investigation and report to the City Council:

August 15, 1995

Petition submitted by Mr. and Mrs. James Dial, 234 Sinclair Road, San Antonio, Texas 78222, and Mr. and Mrs. Charles Wilson, 230 Sinclair Road, San Antonio, Texas 78222, on behalf of concerned residents, requesting street and drainage improvements and the addition of curbs and sidewalks in the Huth sub-division, to include the streets Sinclair, Mary Helen, Julia Helen, and Huth.

August 17, 1995

Petition submitted by Ms. Monique Close, 402 Oakleaf Drive, San Antonio, Texas 78209, requesting stop signs be installed on Oakleaf Drive between North New Braunfels and Kennilworth.

/s/ Norma S. Rodriguez
City Clerk