

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBERS, MUNICIPAL
PLAZA BUILDING, THURSDAY, MAY 2,
1996.

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96-18 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, THORNTON. Absent: BILLA BURKE.

A. Staff Presentation of the Convention Center Hotel Development Process - presentation by Mr. Clint Bolden, Director of Economic Development. Council concurred with staff's recommendations to bring the following items to "A" Session with a compressed timeframe:

That the City Council extend a contract with PKF Consulting, the City's hotel development advisor, to (1) develop the RFQ/RFP documents, (2) coordinate the evaluation process, and (3) assist in developer negotiations.

Consultant cost to City: \$75,000 (current FY \$35,000; FY 96-97 \$40,000).

That outside legal counsel and financial consultants be selected during the new fiscal year to assist the City with the negotiation of a development agreement, other legal issues, and proposal evaluation.

Estimated consulting fees: \$250,000 (legal, FY 96-97, \$200,000; financial, FY 96-97, \$50,000).

Select Area C as the site for a future convention headquarters hotel.

Approval of the development and developer negotiation process.

Enter into a contract with PKF Consulting for \$35,000 this FY from the Improvements & Contingency Account of the Hotel/Motel Tax Fund.

Direct staff, as part of the budget process, to identify funds for FY 96-97 for the additional professional fees.

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Status report on the Prevalence of Tuberculosis - Presentation
by Dr. Fernando Guerra, Director, San Antonio Metropolitan Health
District.

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"B" Session adjourned at 11:45 A.M.

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96-18 The regular meeting was called to order at 1:00 P.M. by the
Presiding Officer, Mayor William E. Thornton, with the following
members present: FLORES, McCLENDON, AVILA, SOLIS, HERRERA, ROSS,
MARBUT, PEAK, WEBSTER, THORNTON. Absent: BILLA BURKE.

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96-18 Invocation - Reverend Hector Grant, Bethel United
Methodist Church.

Mayor Thornton spoke to the earlier presentation today of a
proclamation designating National Day of Prayer in San Antonio.

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96-18 Pledge of Allegiance to the flag of the United States.

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96-18 ALCALDE - MR. SAM RIDDLE

Mr. Steve Moore, Director of the San Antonio Convention &
Visitors Bureau, spoke to San Antonio's reputation as a film center,
especially in the matter of Hispanic films. He spoke to Mr. Sam
Riddle's background, noting that he began his entertainment career in
Texas and later moved to Los Angeles where he found success in radio and
television. He noted that Mr. Riddle now is a producer and his work
includes several television series and network music specials. He
stated that Mr. Riddle currently is in San Antonio to produce a number
of television series and specials.

Ms. Kathy Rhodes, Convention & Visitors Bureau, introduced
members of the film group present in the audience, including Mr. Sam
Riddle.

Mr. Riddle spoke to his entertainment background and his ties
to San Antonio and to Texas. He briefly spoke to the Hispanic TV shows
now being worked on, and San Antonio's impact upon them. He then
thanked the Convention & Visitors Bureau for its assistance in his
work.

Mayor Thornton then read the Alcalde proclamation and presented
it to Mr. Riddle.

96-18 CONSENT AGENDA

Mr. Avila made a motion to approve Agenda Items 4 through 16b, constituting the Consent Agenda, with item 13 being pulled for individual consideration. Mr. Solis 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, Webster, Thornton. NAYS: None. ABSENT: Billa Burke, Peak.

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AN ORDINANCE 84,022

ACCEPTING THE PROPOSAL OF STANDARD & POOR'S CORPORATION FOR RENEWAL OF A SUBSCRIPTION SERVICE FOR THE CITY OF SAN ANTONIO PUBLIC LIBRARY FOR A TOTAL OF \$17,385.00.

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AN ORDINANCE 84,023

ACCEPTING THE LOW BID OF SANIVAC/DAVIS MANUFACTURING TO PROVIDE THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH COMMERCIAL TRASH BAGS FOR A TOTAL OF \$28,000.00.

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AN ORDINANCE 84,024

ACCEPTING THE LOW BIDS OF JERRY WORDEN, HOOVER'S EDUCATIONAL, KAPLAN SCHOOL SUPPLY CORPORATION, BECKLEY CARDY, INC., THE GREETING TREE, CHILDREN'S PRESS, A DIVISION OF GROLIER PUBLISHING COMPANY, ENVIRONMENTS, INC. AND REYNOLDS MFG. CORPORATION TO PROVIDE THE CITY OF SAN ANTONIO COMMUNITY INITIATIVES DEPARTMENT WITH CHILDREN'S RESOURCE MATERIALS FOR A TOTAL OF APPROXIMATELY \$150,000.00 ANNUALLY. (WBE)

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AN ORDINANCE 84,025

CANCELING THE CONTRACT OF S.T.I., INC. FOR MAINTENANCE OF DATA PROCESSING EQUIPMENT FOR THE CITY OF SAN ANTONIO INFORMATION SERVICE DEPARTMENT AND AWARDING IT TO TRC COMPUTER SERVICES, INC.,

SOUTHERN CROSS ENTERPRISES, INC. D/B/A TEXAS DATA SYSTEMS, UNIVERSAL DATA PRODUCTS, INC., TMS COMPUTER MAINTENANCE, INC. AND MCCLINTOCK ASSOCIATES, INC. FOR A TOTAL OF APPROXIMATELY \$5,300.00 MONTHLY. (WBE) (AMENDS ORDINANCE NO. 83139 DATED NOV. 9, 1995)

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AN ORDINANCE 84,026

ACCEPTING A PROPOSAL BY METRO SYSTEMS ENGINEERING, INC. IN AN AMOUNT NOT TO EXCEED \$27,300.00 FOR ENGINEERING SERVICES RELATED TO TRAFFIC SIGNAL DESIGN, INSPECTIONS, REVIEWS, AND OTHER MISCELLANEOUS TRAFFIC ENGINEERING FUNCTIONS.

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AN ORDINANCE 84,027

AUTHORIZING PAYMENT IN THE AMOUNT OF \$9,300.00 FOR TITLE SERVICES FOR THE WETMORE ROAD RECONSTRUCTION PROJECT - THOUSAND OAKS TO THE CITY LIMITS, THE PINN ROAD RECONSTRUCTION PROJECT - W. COMMERCE TO U.S. 90 WEST AND ASHLEY ROAD RECONSTRUCTION PROJECT - BASCUM BOULEVARD TO S. FLORES; AND APPRAISAL SERVICES FOR THE CHERRY STREET DRAINAGE PROJECT #15B, PHASE II; AND APPROPRIATING FUNDS.

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AN ORDINANCE 84,028

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT FOR AN AMOUNT NOT TO EXCEED \$14,000.00 WITH RICHARD L. DUGGER, MAI, CRE, FOR PREPARATION OF PROFESSIONAL REAL ESTATE APPRAISALS RELATED TO THE BABCOCK AND HILLCREST INTERSECTION (METROPOLITAN PLANNING ORGANIZATION) PROJECT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 84,029

AUTHORIZING A THIRD LEASE RENEWAL AGREEMENT WITH THE ESTATE OF MS. BESSIE F. WALSH FOR USE BY THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR APPROXIMATELY 10,500 SQUARE FEET OF CLINIC AND OFFICE SPACE AT 345 WEST COMMERCE STREET FOR THE PERIOD JANUARY 1, 1996 THROUGH DECEMBER 31, 1996 AT A RATE OF \$1,775.00 PER MONTH; AUTHORIZING THE

EXECUTION OF SAID LEASE AGREEMENT BY THE CITY
MANAGER IN CONNECTION WITH THE CHILDHOOD
IMMUNIZATION PROJECT; AND APPROVING PAYMENTS TO THE
LESSOR IN CONNECTION THEREWITH. (AMENDS ORDINANCE
NO. 76865 OF NOV. 12, 1992.)

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AN ORDINANCE 84,030

AUTHORIZING PAYMENT OF ANNUAL MEMBERSHIP DUES IN AN
AMOUNT OF \$27,500.00 FOR THE CITY OF SAN ANTONIO IN
PUBLIC TECHNOLOGY, INC. FOR THE PERIOD OF DECEMBER
1995 THROUGH NOVEMBER 1996.

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AN ORDINANCE 84,031

APPROVING A PARADE PERMIT IN CONNECTION WITH THE
AMERICAN DIABETES ASSOCIATION TOUR DE CURE BICYCLE
RIDE FROM 7:30 A.M., UNTIL 11:30 A.M., SATURDAY,
JUNE 1, 1996 AND AUTHORIZING THE TEMPORARY CLOSURE
OF THE FOLLOWING STREETS FOR SAID EVENT; ENCINO RIO
FROM ENCINO RIO TO CITY LIMITS AT HWY. 281 AND
MARSHALL ROAD, EVENT WILL THEN PROCEED OUTSIDE CITY
LIMITS, ONCE WITHIN CITY LIMITS: BULVERDE FROM
MARSHALL ROAD AT CITY LIMITS LINE TO EVANS, EVANS
FROM BULVERDE TO ENCINO RIO, ENCINO RIO FROM EVANS
TO END AT ENCINO PARK ELEMENTARY SCHOOL.

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AN ORDINANCE 84,032

APPROVING A PARADE PERMIT IN CONNECTION WITH THE
PILGRIM CENTER OF HOPE EUCHARISTIC PROCESSION FROM
3:30 P.M., UNTIL 5:00 P.M., SUNDAY, JUNE 9, 1996 AND
AUTHORIZING THE TEMPORARY CLOSURE OF THE FOLLOWING
STREETS AND/OR SIDEWALKS FOR SAID EVENTS: ST.
MARY'S FROM ST. MARY'S CATHOLIC CHURCH TO HOUSTON
STREET, HOUSTON ST. FROM ST. MARY'S TO ALAMO USING
THE SOUTH SIDEWALK ALONG HOUSTON STREET, ALAMO FROM
HOUSTON TO COMMERCE USING THE EAST SIDEWALK ALONG
ALAMO STREET, COMMERCE STREET FROM ALAMO TO END AT
ST. JOSEPH'S CHURCH.

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AN ORDINANCE 84,033

APPOINTING WILLIAM A. REYNOLDS (DISTRICT 7) TO THE
BOARD OF APPEALS FOR A TERM OF OFFICE TO EXPIRE ON

JULY 31, 1997.

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AN ORDINANCE 84,034

APPOINTING JOSE J. ARZOLA (DISTRICT 3) TO THE HOUSING TRUST FUND BOARD OF TRUSTEES FOR A TERM OF OFFICE TO EXPIRE ON MARCH 20, 1998.

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96-18 The Clerk read the following Ordinance:

AN ORDINANCE 84,035

AUTHORIZING THE EXECUTION OF A ONE-YEAR PROFESSIONAL SERVICES CONTRACT WITH THE SAN ANTONIO SPORTS FOUNDATION IN THE AMOUNT OF \$65,000.00 FOR THE PURPOSE OF SOLICITING COMPETITIVE SPORTING EVENTS TO BE HOSTED IN SAN ANTONIO.

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

Mr. Steve Moore, Director of the San Antonio Convention & Visitors Bureau, explained the proposed contract with the San Antonio Sports Foundation.

The following citizens appeared to speak:

Ms. Maria Dominguez questioned the need for this expenditure and the high costs of local sporting events.

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Mayor Thornton spoke to the benefits to San Antonio because of the work of the San Antonio Sports Foundation.

Mr. Moore noted that the funds for this contract are coming from the Hotel/Motel Fund, room taxes paid by visitors to San Antonio hotels and motels. He then contrasted San Antonio's funding processes with those of other major cities, and introduced Mr. Bill Hanson, representing the San Antonio Sports Foundation.

Mayor Thornton spoke to the advantages of sports and its impact upon the youth of San Antonio.

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, Thornton; NAYS: None; ABSENT: Billa Burke, Peak, Webster.

96-18

STATE REPRESENTATIVE BILL SIEBERT

Mayor Thornton welcomed Rep. Siebert to the City Council meeting, and spoke of his plans to work with Rep. Siebert in the next legislative session. He then spoke to plans for coordination of mutual interests with members of the Bexar County legislative delegation to Austin.

Rep. Siebert stated that he was looking forward to working with representatives and officials of San Antonio's government in the legislative processes.

Mayor Thornton spoke to plans to seek legislative relief for homeowners.

Rep. Siebert spoke in agreement to the idea, noting that homeowners in Texas need assistance and relief.

96-18 It was the concensus of City Council members present to undertake consideration of Agenda Items 20 and 21 at this time.

The Clerk read the following Resolution:

A RESOLUTION NO: 96-18-14

AFFIRMING THE CITY COUNCIL'S SUPPORT FOR DEVELOPMENT OF A DOWNTOWN STREETCAR STATION IN CONVENTION PLAZA.

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

Mr. John German, Director of Public Works, narrated a video presentation, a copy of which is made a part of the papers of this meeting. He spoke to the need for a trolley system centered in the Convention Plaza area to serve various areas including St. Paul's Square. He then addressed funding for the proposed project from the City, VIA Metropolitan Transit, and the Federal Transit Administration. He further stated that the proposed plan for the trolley station needs to be part of the Downtown Strategic Plan now in development. He then tied the need for City Council concurrence for this project to

development in St. Paul Square by the Sunset Station Group, LLC.

The following citizens appeared to speak:

Mr. Kenneth Oleson, representing Sunset Station Group, LLC, spoke in support for location of the new trolley station in Convention Plaza.

Ms. Sally Buchanan, President, San Antonio Conservation Society, spoke to the new and improved plans for the trolley station and the need to improve the existing trolley stops in the Tri-Party area of downtown.

Dr. Michael Zaccaria, representing the St. Paul Square Association, spoke in support for the plan, and thanked everyone involved in its creation. He spoke to the need to encourage downtown development.

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Ms. McClendon noted that it will be a difficult chore to make this development work, and spoke of the effect that construction of IH 37 had in severing St. Paul Square from the remainder of the downtown area. She stated her belief that the trolley route and development of the area centered on St. Paul Square will do much to alleviate this problem. Finally, she spoke to plans for a new hotel next to the Southern Pacific Depot.

In response to a question by Ms. McClendon, a representative of Dal-Mac Corporation, Dallas developers of the proposed hotel, briefly described the planned 400-room hotel, stating that the proposed trolley route is important to the successful of the hotel.

Mr. Peak emphasized the general nature of the location for the proposed trolley station, a location to be finalized in coming months as part of the Downtown Strategic Plan. He spoke to the need to improve Commerce Street, and expressed his belief that the Park & Ride strategy is important to the development of the downtown area.

In response to a question by Mr. Peak, Mr. German spoke to various elevator access locations from street level down to the RiverWalk.

Mr. Solis addressed the need for cooperative efforts in such matters.

Mr. Flores spoke to the advantages of many facets of downtown development.

Mr. Avila spoke to the advantages of development of St. Paul Square.

Mr. Ross spoke to the need for a link between the downtown

area and St. Paul Square.

In response to a question by Mr. Ross, Mr. German described 'Convention Plaza', stating that the development will not adversely affect Market Street traffic.

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

96-18 The Clerk read the following Ordinance:

AN ORDINANCE 84,036

APPROVING A 45-YEAR LEASE AGREEMENT WITH SUNSET STATION GROUP, L.L.C. FOR THE USE OF FIVE CITY-OWNED BUILDINGS LOCATED IN ST. PAUL SQUARE FOR AN ANNUAL BASE RENT OF \$50,000.00, SUBJECT TO PERIODIC UPWARD ADJUSTMENTS, PLUS PERCENTAGE RENT AND CONSUMER PRICE INDEX INCREASES, AS APPROPRIATE; AND APPROVING THE AMENDED AND RESTATED DECLARATION OF RESTRICTIVE COVENANTS OF THE ST. PAUL'S SQUARE ASSOCIATION. (AMENDS ORDINANCE NO. 82566 DATED JULY 27, 1995)

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

Mr. Clint Bolden, Director of Economic Development, narrated a video presentation of the proposed agreement with Sunset Station Group, LLC, reciting the history of St. Paul's Square area development and details of the planned use of five City-owned buildings there by SSG. He addressed the financial aspects involved and spoke to needed environmental remediation. Finally, he spoke to certain necessary changes in the Restrictive Covenants of the St. Paul's Square Association and the City's voting rights therein.

The following citizens appeared to speak:

Ms. Sally Buchanan, President, San Antonio Conservation Society, spoke to the historic nature of the St. Paul's Square area.

Dr. Michael Zaccaria, President, St. Paul's Square Association, spoke in support for the lease agreement and covenant changes, noting that the members of the association all worked together.

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Ms. McClendon spoke to the overall agreement of the association on behalf of this agreement.

In response to a question by Mr. Ross, Mr. Bolden spoke to the financial milestones in the lease agreement.

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

96-18 It was the concensus of City Council members present to undertake consideration of Agenda Item 17 at this time.

96-18 The Clerk read the following Ordinance:

AN ORDINANCE 84,037

AUTHORIZING PAYMENTS OF REFUNDS TOTALING \$74,698.77 TO PERSONS MAKING DOUBLE PAYMENT, OVERPAYMENT, OR AS A RESULT OF A VALUE CHANGE ON 104 TAX ACCOUNTS.

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

96-18 The Clerk read the following Resolution:

A RESOLUTION NO: 96-18-15

EXPRESSING THE CITY'S SUPPORT OF AN APPLICATION BY THE ALAMO WORKFORCE DEVELOPMENT COUNCIL, INC. TO THE U.,S. DEPARTMENT OF LABOR FOR A DEMONSTRATION GRANT ENTITLED "YOUTH OPPORTUNITY AREA DEMONSTRATION PROGRAM" TOTALING \$3,000,000.00 TO BE USED TO PROVIDE EMPLOYMENT, EDUCATION AND TRAINING OPPORTUNITIES FOR ALL YOUTH IN A TARGETED AREA WITHIN THE CITY'S ENTERPRISE COMMUNITY ZONE; AND DECLARING AN EMERGENCY.

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Mr. Solis made a motion to approve the proposed Resolution. Mr. Avila seconded the motion.

Mr. Octavio Pena, Director of Internal Review, narrated a brief video presentation of the Youth Opportunity Area Demonstration Program. A copy of the presentation is made a part of the papers of this meeting.

Mr. Solis spoke to the impact of this program on the youth in the target areas.

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

96-18 The Clerk read the following Ordinance:

AN ORDINANCE 84,038

AUTHORIZING AN EXTENSION OF THE CURRENT CATERING CONTRACT WITH CATERING BY ROSEMARY AT THE CONVENTION CENTER FOR A PERIOD OF SIX (6) MONTHS BEGINNING AUGUST 1, 1996 AND EXPIRING ON JANUARY 31, 1997. (AMENDS ORD. NO. 40321 DATED JAN. 27, 1972)

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

Mr. Edward C. Garcia, Director of Convention Facilities Department, narrated a video presentation, a copy of which is made a part of the papers of this meeting. He explained the need for this requested extension of the Convention Facilities catering contract with Catering by Rosemary.

In response to a question by Mr. Webster, Mr. Garcia stated that a City Council "B" Session presentation scheduled for June 20, 1996 will address the various facets of the Request For Proposal being prepared for the upcoming catering concession in the Convention Facilities.

In response to a question by Mr. Ross, Mr. Garcia spoke to further details of expected results from the RFP, noting that City Council will decide all aspects of the new catering contract.

Discussion then took place concerning a possible transition time between caterers to the Convention Facilities.

In response to a question by Mr. Flores, Mr. Garcia discussed the possibility of having multiple caterers in the Convention Center and the matter of minority participation. He spoke to the transition period involved with the move into the expanded Convention Center, once that work is completed, and addressed a brief history of the catering contract matter.

In response to a question by Ms. McClendon, Mr. Garcia addressed the impact of the expansion project financing with the timing of the new RFP for catering.

In response to a question by Mr. Solis, Mr. Garcia spoke to the 25-year length of the current catering contract since its inception, and spoke again to the impact of the Convention Center expansion financing on the new RFP timing. He noted that staff did not have sufficient time to properly prepare for a scheduled "B" Session on this matter originally set for March 7, 1996.

In response to a question by Mr. Solis, Ms. Nora Chavez, Director of Finance, explained the impact of Convention Center expansion bonds on timing of the catering RFP formulation.

Mr. Solis stated his belief that it is important that everyone has the opportunity to participate in the catering contract RFP.

Mayor Thornton spoke to the record of service achieved by Catering by Rosemary, and the firm's reputation. He spoke to the quandary faced by City Council in maintaining quality catering service in the Convention Center, and its goal of bringing other catering firms along in the business process.

Mr. Alexander E. Briseno, City Manager, addressed the impact of the Convention Center expansion on the RFP process for a new 10-year catering contract, and emphasized City staff's heavy workload. He noted that it was his decision to seek this extension of the current contract.

Mr. Flores spoke to the need to be competitive, yet fair, in the catering matter, and he spoke in favor of the extension, stating his belief that the City can do better in the RFP process by this short delay.

Mr. Marbut stated his opinion that perhaps out-of-town customers of the Convention Center need to be involved in deciding this issue, and he spoke against politicizing the issue.

Mr. Solis stated his belief that a new caterer can reach the quality level of the current caterer.

Mr. Ross spoke to the need for a 'level playing field' in this situation, and let the best firm win the contract. He spoke to the need to explore all options.

Mr. Webster asked that the Council's Small Business Committee be involved.

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.

96-18 The Clerk read the following Ordinance:

AN ORDINANCE 84,039

AUTHORIZING THE CITY MANAGER, THE ASSISTANT CITY MANAGER, OR AN ASSISTANT TO THE CITY MANAGER TO ENTER INTO PROFESSIONAL SERVICE CONTRACTS WITH RAFAEL ALDAVE AND JOHN FOLK-WILLIAMS TO HELP DESIGN AND CONDUCT A DIALOGUE PROCESS FOR THE "MAYOR'S CITIZEN COMMITTEE ON WATER PLAN AND POLICY DEVELOPMENT"

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Mr. Avila made a motion to approve the proposed Ordinance. Mr. Flores seconded the motion.

Mr. John German, Director of Public Works, explained the contract for the two individuals selected as facilitators for the Mayor's Citizens Committee on Water Planning and Policy Development.

Mr. Joe Aceves, President and Chief Operating Officer, San Antonio Water System, stated that his board of directors supports this contract, and SAWS will fund the project up to \$150,000.

Mayor Thornton spoke to the importance of removing both SAWS and City Council from this process as much as possible in order to avoid any charges of 'pre-determination'. He stated that the City Council is depending upon the two facilitators to bring the process to fruition.

In response to a question by Mr. Peak, Mr. German spoke to the expected product of the two-phased program.

Mr. Peak spoke to the City's need to be involved in this issue, regardless.

Mr. John Folk-Williams, one of the contractors involved, described the process to be followed, noting that City Council will review the matter before any final recommendations are made.

Discussion ensued concerning the many pressures that impact upon this process.

Mayor Thornton noted that two water plans developed by San Antonio Water System in the past have failed. He stated his belief that no plan will be accepted by the voters until they are convinced that the answer is not pre-determined. He spoke to details of the current drought and San Antonio's reliance upon a single source of water, the Edwards Aquifer.

Mr. Ross noted that much of the needed water expertise involved is in San Antonio Water System, and spoke to his belief that the committee needs to recommend an option that works.

Mr. Flores spoke to the need for a good process with several options.

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

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96-18 TRAVEL AUTHORIZATION - Granted:

Mayor William E. Thornton to travel to Austin, Texas from May 3, 1996 to May 3, 1996, to attend the National Conference of State Legislatures.

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96-18 The Clerk read the following Ordinance:

AN ORDINANCE 84,040

AUTHORIZING THE EXPENDITURE OF \$350.00 FROM THE DISTRICT 4 CONTINGENCY ACCOUNT FUND TO ASSIST THE RAINBOW HILLS AREA NEIGHBORHOOD ASSOCIATION WITH OFFICE OPERATIONS TO COORDINATE NEIGHBORHOOD VOLUNTEER ACTIVITIES SUCH AS TRASH PICK-UP, AND GRAFFITI CLEANUP, AS REQUESTED BY COUNCILMAN HENRY AVILA.

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Mr. Avila made a motion to approve the proposed Ordinance. Mr. Flores seconded the motion.

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

96-18 The Clerk read the following Ordinance:

AN ORDINANCE 84,041

AUTHORIZING THE EXPENDITURE OF \$237.25 FROM THE DISTRICT 6 CONTINGENCY ACCOUNT FUND TO ASSIST THE PRINCE OF PEACE CHURCH CYO FOR THE PURCHASE OF BASEBALL SHIRTS FOR THE BOY'S BASEBALL TEAM, AS REQUESTED BY COUNCILMAN ROBERT A. HERRERA.

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Mr. Avila made a motion to approve the proposed Ordinance. Mr. Flores seconded the motion.

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

96-18 The Clerk read the following Ordinance:

AN ORDINANCE 84,042

AMENDING CHAPTER 19 OF THE CITY CODE OF SAN ANTONIO, TEXAS BY INCLUDING A PROVISION PROHIBITING THE PARKING OF VEHICLES ON CITY-OWNED PROPERTY AND PROVIDING FOR THE REMOVAL BY TOWING OF UNAUTHORIZED VEHICLES WHEN THERE IS DISPLAYED A SIGN PROHIBITING SUCH PARKING AND STATING THAT SUCH VEHICLES WILL BE TOWED AND DECLARING AN EMERGENCY.

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

Mr. Andrew Cameron, Director of Housing and Community Development, explained the need for the Ordinance prohibiting parking on certain City-owned property near the Alamodome.

Ms. McClendon briefly explained the problem that resulted in the proposed Ordinance.

In response to a question by Mr. Ross, Mr. Cameron described the area involved.

Mr. Ross spoke to his concern with the matter of liability to

the City because of an open area near the Alamodome, and spoke to the possible need for a fence around the property.

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

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96-18 City Clerk Norma S. Rodriguez spoke to the individual Council contributions made to date from various Council Contingency Fund accounts for this use.

Mr. Herrera asked that \$100.00 from his District 6 Contingency Account fund be added to the existing total.

The Clerk read the following Ordinance:

AN ORDINANCE 84,043

AUTHORIZING THE EXPENDITURE OF MONEYS FROM VARIOUS DISTRICT CONTINGENCY ACCOUNT FUNDS TO ASSIST IN PAYING FOR SECURITY COSTS INVOLVED WITH THE 26TH ANNUAL EARTH DAY TO BE HELD AT SAN PEDRO PARK, AS REQUESTED BY COUNCILMAN ROGER FLORES, II.

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

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

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96-18 City Council recessed its regular meeting at 3:35 P.M. in order to convene in Executive Session for the purpose of:

A. Attorney/client consultation regarding litigation styled City of San Antonio vs Alamo Iron Works et al, Cause No. 94-CI-06052 in the 45th Judicial District Court of Bexar County.

B. Attorney/client consultation regarding the terms and conditions relating to the negotiations for the Alameda Parking Garage.

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96-18 City Council adjourned the Executive Session and reconvened in

regular session at 5:04 P.M., at which time Mayor Thornton stated that Council had met on the above-named topics and had given staff direction, but had taken no official action.

96-18

SENATE 60-40 VOTE

Mayor Thornton read from a prepared statement, a copy of which is made a part of the papers of this meeting, relating to today's vote of the U.S. Senate Armed Services Committee to support a compromise in the repeal of the 60-40 Rule. He noted that the committee had voted to alter the ratio to 50-50 the amount of depot maintenance work that could be done by private contractors and that amount that must be done in depots such as at Kelly Air Force Base. He then spoke to the language now going to a House/Senate conference committee within the next two months, and the need for San Antonio to continue its lobbying efforts to ensure the 50-50 change, and to continue efforts toward total repeal of the Rule.

Mr. Solis noted that this is only Round 2, and the battle continues. He addressed the importance of total repeal of the Rule as we move toward privatization of Kelly Air Force Base work, and he thanked Senator Kay Bailey Hutchinson and Rep. Frank Tejeda for their hard work on this issue in Congress.

96-18 The Clerk read the following Ordinance:

AN ORDINANCE 84,044

APPROVING THE TERMS AND CONDITIONS AND AUTHORIZING THE CITY MANAGER AND THE CITY ATTORNEY TO ACCEPT THE EXECUTE SETTLEMENT AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND THE FIRMS OF ALAMO IRON WORKS, INC., DAY & ZIMMERMANN, INC., RABA KISTNER CONSULTANTS, INC., AND FUGRO-MCCLELLAND CONSULTANTS (SOUTHWEST), INC. IN THE MATTER STYLED CITY OF SAN ANTONIO V. ALAMO IRON WORKS, INC. ET AL. CAUSE NO. 94-CI06052, IN THE 45TH JUDICIAL DISTRICT COURT OF BEXAR COUNTY, TEXAS; AUTHORIZING THE CITY MANAGER TO TAKE ALL NECESSARY ACTION TO IMPLEMENT THE AUTHORIZED SETTLEMENT AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON EIGHT AFFIRMATIVE VOTES.

* * * *

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

Mr. Lloyd Garza, City Attorney, narrated a brief video presentation of the proposed lawsuit settlement, and recited the

chronology of the court case, to the present time. A copy of each is made a part of the papers of this meeting. He addressed details of the Memorandum of Understanding including cleanup of the Petroleum Drive site, to be remediated within two years, under oversight of the Texas Natural Resources Conservation Commission (TNRCC). He then spoke to the recommended three-point policy analysis, noting that the settlement agreement represents a \$7.65 million value to the City. He then addressed provisions being made to insure public access to the documents involved in depositions given in relation to this lawsuit, noting that those papers would be available for inspection beginning next week at both the Alamodome and the Central Library.

The following citizens appeared to speak:

Mr. Jack Finger, P.O. Box 12048, San Antonio, asked the City Council not to approve the settlement ordinance today, stating his belief that it would send the wrong message of capitulation in this matter. He stated his belief that not all the information related to this matter has been given to the citizens, and he questions the need to rush into the settlement. He stated his feeling that the citizens will have to pay for the eventual soils cleanup, and spoke to his fears that others will use these same settlement arguments when they also cannot pay the full costs to the City.

Ms. Maria Dominguez stated her opinion that companies that are found to be doing wrong deserve to go broke, and spoke to the need to know who was responsible for the Alamodome soils problem so that they can be prosecuted.

* * * *

Ms. McClendon noted that three Alamodome soils disposal sites are involved in this entire issue. She stated that she support initiation of this lawsuit by the City, but stated her belief that this proposed settlement is in the best interests of the citizens. She stressed that all records involved with depositions taken in this lawsuit are available for anyone's inspection.

Mr. Peak lauded Ms. McClendon's involvement in this matter, and stated his belief that this proposed settlement meets most objectives, with no capitulation on the part of the City. He also stressed that the information on papers taken in deposition in this case are open to the public.

Mr. Ross noted that enforcement agencies still are looking into the Alamodome soils remediation issue and have been for the past two years. He stated his opinion that the proposed settlement is a good business decision in that San Antonio recovers at least some of its costs. He noted that this action does not end this matter, since other questions remain and more sites need to be cleaned up. He stated his belief that to carry this lawsuit to its conclusion in court would have been an empty victory.

Mr. Webster spoke in support for the proposed settlement as being an act of responsibility to the taxpayers. He spoke to the need to move forward.

Mr. Flores also spoke in support for the proposed settlement, noting that to continue in court would have cost the taxpayers more money.

Mr. Avila also spoke in support as an act that makes good business sense.

Mayor Thornton stated his opinion that, as a first priority, the three soil-disposal sites need to be cleaned up, a move that the settlement sets into motion. He reminded everyone that the City of San Antonio was the plaintiff in this case, in the first place, and stressed that the documents of the case are open to all to inspect, inasmuch as the City will refuse to seal any of the documents in the case.

City Clerk Norma S. Rodriguez stated that Mr. Solis wishes to abstain from this coming vote.

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

96-18

CITIZENS TO BE HEARD

PATSY CHEYNEY

Ms. Patsy Cheyney, San Antonio Alliance for the Mentally Ill, spoke to the Council regarding mental illness and how it affects citizens in the community. She also spoke about the need for a mechanism and a senior management decision-making agency to work on this issue. She distributed a Flowchart on the Texas Mental Health Mental Retardation Planning Process, (a copy of which is on file with the papers of this meeting.)

MARIA DOMINGUEZ

Ms. Maria Dominguez expressed her concern with the actions taken by the City Council relative to the Sunset Depot issue at today's meeting. She also expressed concern about the condition of the buses.

GENARO CANO

Mr. Cano spoke to the Council about problems at the Senior Nutrition Programs. He stated that the City Council needs to investigate this issue.

NINFA CARDENAS

Ms. Ninfa Cardenas spoke to the Council about the last week's Fiesta week activities at Market Square. She doesn't think the process used to determine the location and award of the food stands is fair. She also objected to the preferential treatment given to the Chili Queens.

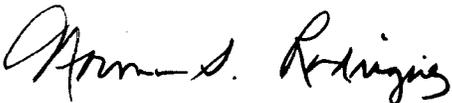
96-18 There being no further business to come before the Council, the meeting was adjourned at 6:12 P.M.

A P P R O V E D



M A Y O R

Attest:



C I T Y C L E R K