

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, FEBRUARY 6, 1992.

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

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92-06 Invocation - Reverend Norman Ermis of St. Alphonsus Catholic Church.

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92-06 Pledge of Allegiance to the flag of the United States.

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92-06 Minutes of the January 9, 1992 Regular City Council Meeting were approved.

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92-06 LIBRARY FOUNDATION MONTH

Mayor Wolff introduced Ms. Debbie Prost, President of the Library Foundation; Mr. T.L. Connally, Foundation Public Relations Vice-President; and Ms. Maria Cossio, Executive Director, all present in the audience. He then read the Proclamation designating Library Foundation Month in San Antonio and presented it to the group.

Ms. Prost spoke to the recent mailout of some 500,000 donation requests to San Antonio residents, and outlined details of the fundraising efforts during this special month.

Mr. Connally asked Council members to make special videotaped public service announcements in support of this effort, which was accomplished.

Mr. Perez asked other Council members to help defray the costs of a special parade for this event through the use of Council district discretionary funds.

Ms. Cossio noted that the Library Foundation has raised some \$2 million since its inception in 1983.

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92-06

SUPPORT FOR UPCOMING DRUG SUMMIT

Mayor Wolff, on a Point of Personal Privilege, recognized the presence in the audience today of Mr. Jarrett Jones, Regional Manager of IBM; and Vice President and Area General Manager David Richard.

Mr. Richard spoke to IBM's support efforts for the upcoming Drug Summit and also for Education 2000.

Mr. Jarrett briefly outlined IBM's \$50,000 equipment commitment in support of the Drug Summit operations.

Members of City Council congratulated IBM for its support.

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(At this point, Mayor Wolff was obliged to leave the meeting. Mayor Pro Tem Billa Burke presided.)

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92-06

DEFENSE LANGUAGE SCHOOL STUDENTS

Mayor Pro Tem Billa Burke recognized the presence in the audience of a group of students from the Defense Language School, Lackland Air Force Base.

Each student present came forward to introduce themselves and identify their nation.

City Council members welcomed the students to San Antonio and to City Hall.

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92-06

CONSENT AGENDA

Mr. Solis made a motion to approve Agenda Items 8 through 27, constituting the Consent Agenda, with Item 8 removed from consideration by City Manager and Item 18 moved to individual consideration. Mr. Perez seconded the motion.

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

AN ORDINANCE 75,156

ACCEPTING THE LOW BID OF BORDER ORNAMENTAL IRON & FENCE COMPANY FOR INSTALLATION OF A CHAIN LINK FENCE FOR THE CITY OF SAN ANTONIO POLICE DEPARTMENT GROWDON ROAD VEHICLE STORAGE FACILITY FOR A TOTAL OF \$15,528.68; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 75,157

ACCEPTING THE LOW QUALIFIED BIDS OF GUESS UNIFORM SALES AND R & R UNIFORMS, INC. TO FURNISH THE CITY OF SAN ANTONIO AVIATION DEPARTMENT WITH AN ANNUAL CONTRACT FOR UNIFORMS FOR APPROXIMATELY \$4,500.00.

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AN ORDINANCE 75,158

ACCEPTING THE LOW BID OF SNOBER INDUSTRIAL SERVICES TO RECOAT THE PASEO DEL RIO FOUNTAIN FOR THE CITY OF SAN ANTONIO PARKS AND RECREATION DEPARTMENT FOR A TOTAL OF \$8,998.70; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 75,159

ACCEPTING THE LOW BID OF GENE SEARS SUPPLY TO FURNISH THE CITY OF SAN ANTONIO PARKS AND RECREATION DEPARTMENT WITH SKEET MACHINES FOR A TOTAL OF \$62,360.00.

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AN ORDINANCE 75,160

AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$274,637.50 WITH YANTIS CORPORATION; AUTHORIZING \$27,463.75 FOR CONSTRUCTION CONTINGENCIES; APPROPRIATING \$4,016.57 FOR ENGINEERING SERVICES TO BE PROVIDED BY GARCIA AND WRIGHT, INC.; AND PROVIDING FOR PAYMENT ALL IN CONNECTION WITH THE DOS RIOS WASTEWATER TREATMENT PLANT CIVIL ENGINEER'S ENHANCEMENT GROUP II PROJECT.

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AN ORDINANCE 75,161

AUTHORIZING THE EXECUTION OF FIELD ALTERATION NO. 17 TO THE CONTRACT WITH V. K. KNOWLTON PAVING CO., INC. IN THE DECREASED AMOUNT OF \$30,488.03 IN CONNECTION WITH THE FAIR AVENUE AND S. PRESA STREET RECONSTRUCTION PROJECT.

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AN ORDINANCE 75,162

ACCEPTING THE LOW, QUALIFIED BID OF ROBINSON CONSTRUCTION, INC. IN THE AMOUNT OF \$79,447.75 IN CONNECTION WITH THE PEDESTRIAN ACCESS PROGRAM, PHASE XXVIII PROJECT; AUTHORIZING A CONTRACT; REVISING THE PROJECT BUDGET; AUTHORIZING \$7,944.78 FOR CONSTRUCTION CONTINGENCIES, \$200.00 FOR ADVERTISING EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 75,163

AUTHORIZING AN ADDITIONAL \$1,950.00 FOR ENGINEERING DESIGN SERVICE FEES PAYABLE TO HOYT CONSULTING ENGINEERS, INC. IN CONNECTION WITH THE RECONSTRUCTION OF CORONADO FROM MERIDA TO CASTROVILLE ROAD PROJECT; REVISING THE BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 75,164

APPROVING FIELD ALTERATION NO. 3, IN THE DECREASED AMOUNT OF \$62,656.74, TO THE CONTRACT WITH H. L. ZUMWALT CONSTRUCTION, INC. TO CONSTRUCT THE PERIMETER ROAD PROJECT; AND APPROVING FIELD ALTERATION NO. 2, IN THE INCREASED AMOUNT OF \$62,656.74, TO THE CONTRACT WITH H. B. ZACHRY COMPANY TO CONSTRUCT THE AIRCRAFT PARKING APRON PROJECT AT SAN ANTONIO INTERNATIONAL AIRPORT; REVISING THE BUDGETS FOR SAID PROJECTS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 75,165

APPROVING ASSIGNMENT OF A RIVER WALK OUTDOOR SPACE RESTAURANT LEASE FROM GILBERT M. DENMAN, JR., TO

ROGER A. FLORES AND EVANGELINA G. FLORES, SAID
LEASE BEING CONNECTED WITH OPERATIONS OF LA PALOMA
DEL RIO RESTAURANT.

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AN ORDINANCE 75,166 .

ACCEPTING A PHASE II PROPOSAL FROM ADMIRALTY
MANAGEMENT COMPANY IN AN AMOUNT NOT TO EXCEED
\$20,000 FOR LEASING, CONSULTING, AND MANAGEMENT
SERVICES IN CONNECTION WITH VACANT BUILDINGS IN
HEMISFAIR PARK; AUTHORIZING THE EXECUTION OF SAID
PROPOSAL AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 75,167 .

ACCEPTING A JOINT USE AGREEMENT WITH THE SAN ANTONIO
RIVER AUTHORITY IN CONNECTION WITH THE
LORRAINE/THELKA STREET RECONSTRUCTION PROJECT (SOUTH
FLORES TO THE SAN ANTONIO RIVER); AND AUTHORIZING
THE EXECUTION OF SAID AGREEMENT.

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AN ORDINANCE 75,168 .

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$8,594.00
OUT OF GENERAL OBLIGATION BONDS; ACQUIRING TWO
PARCELS AND PAYING FOR TITLE CHARGES IN CONNECTION
WITH THE DOLLARHIDE DRAINAGE OUTFALL PROJECT #81.

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AN ORDINANCE 75,169 .

AUTHORIZING PAYMENT IN THE AMOUNT OF \$41,960.00 TO
THE TEXAS WATER COMMISSION FOR 1992 WASTEWATER
INSPECTION FEES.

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AN ORDINANCE 75,170 .

AUTHORIZING PAYMENT OF \$18,340 TO THE AIRPORTS
ASSOCIATION COUNCIL INTERNATIONAL FOR 1992
MEMBERSHIP DUES.

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AN ORDINANCE 75,171 .

AMENDING THE MEMBERSHIP COMPOSITION OF THE SAN ANTONIO COMMISSION ON LITERACY AS ESTABLISHED BY ORDINANCE 65507 AND AMENDED BY 65629.

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AN ORDINANCE 75,172 .

APPROPRIATING THE SUM OF \$186,800.00 OF CONFISCATED PROPERTY FUNDS TO REIMBURSE THE 1988 PUBLIC IMPROVEMENT CERTIFICATES OF OBLIGATION FUND FOR THE CONSTRUCTION OF AN EVIDENCE ROOM IN THE NEW MUNICIPAL COURT AND DETENTION CENTER.

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AN ORDINANCE 75,173 .

REAPPOINTING MILTON BABBITT TO THE BOARD OF REVIEW FOR HISTORIC DISTRICTS FOR A TERM OF OFFICE TO EXPIRE ON NOVEMBER 24, 1993.

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(At this point, Mayor Wolff returned to the meeting to preside.)
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92-06 The Clerk read the following Ordinance:

AN ORDINANCE 75,174 .

EXTENDING THE MORATORIUM ON SIGN PLACEMENT ALONG PORTIONS OF IH-10 AND LOOP 1604 AS PROVIDED IN ORDINANCE #74097 FOR A PERIOD OF 120 DAYS.

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

Ms. Rebecca Q. Cedillo, Director of Planning, briefly explained the proposed ordinance.

Mr. Robert Hunt, Chairman, Ad Hoc Committee on Signage, briefed the Council on the committee's progress to date in the development of a proposed new ordinance on scenic corridor regulations.

In response to a question by Ms. Ayala, Mr. Hunt spoke to the economic impact of the proposed new ordinance changes on affected individuals and businesses, and stated that he would provide the Council with pertinent data in writing.

In response to a question by Mr. Larson, Mr. Hunt discussed the possible retroactive effects upon current sign owners, including the possible amortization agreements to provide economic relief for sign owners affected by the changes in the law.

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

92-06 City Council recessed into Executive Session at 2:02 P.M. for the purpose of discussing the following:

A briefing on status of SuperVan, Inc. contract, possible litigation, and Municipal Court cases.

City Council reconvened in regular session at 3:13 P.M.

92-06 DISCUSSION-SUPERVAN AND RELATED GROUND TRANSPORTATION ISSUES

Captain Bill Smith, San Antonio Police Department, spoke to the question of size and other specifications for vans, both maxivans and minivans, and contrasted the two. He noted that the City's primary concern in regulating the shuttle business is safety and accommodation of passengers. He then provided Council members with a brief history of the City's ordinances dealing with shuttles and vans, including the new delineation of what constitutes a shuttle..."more than eight passengers." He then discussed the moratorium on Chapter 33 of the City Code, and talked about discussions held with Mr. Don Rullo concerning details of Chapter 33. He outlined the subsequent Temporary Restraining Order obtained against City enforcement of Chapter 33 provisions, and noted that the TRO now has been dissolved. He stated his opinion that the 50-vehicle SuperVan fleet is not in compliance with City ordinances, and noted that some 15 cases have been filed against SuperVan and more than 200 tickets given.

Mr. Efren Gonzalez, Assistant Director, Operations & Maintenance, Department of Aviation, spoke to the history of the shuttle service contract at International Airport, which is due to expire

tomorrow, February 7, 1992. He then spoke to details of that contract, noting that International Airport offers two modes of public transportation: taxicabs and shuttles, and all must comply with City regulations. He then spoke to SuperVan's fare increase without the required approval of the City, which has not been obtained, even though shuttle service has continued at International Airport.

Mr. Robert Ortega, representing People Express/Hotel Courier, stated that his firm is willing to take on the airport shuttle business on 48 hours' notice, and stated that he has two eight-passenger vans ready now and can bring in some 16 more overnight. He noted that his firm provides shuttle service in Austin and he discussed reasons why he was denied a permit to operate, originally, in San Antonio, and pledged to have 15 acceptable vans in service within 48 hours of notification by the City.

Mr. Carlos Suarez, President, Bexar County Taxi Drivers Association, spoke against having a "double standard" in transportation services, and urged cancellation of SuperVan's permits.

Mr. Mike Beanland, taxicab driver, spoke to alleged continued operations of SuperVan at International Airport, and spoke in favor of a return to shuttle operations similar to that provided by VIA Metropolitan Transit in the past.

Mr. Robert Gonzalez, representing San Antonio Cabdrivers Association, addressed the ground transportation ordinance specifications, and spoke to its application to both taxicabs and to SuperVan shuttles. He stated his belief that SuperVan is operating illegal vehicles, under terms of the City regulations, and asked that SuperVan be punished by revocation of its 32 permits.

Mr. Rodrigo Ceniseros, representing Taxi Express, spoke to his concerns with allowing SuperVan to continue operating at International Airport.

Mayor Wolff stated his belief that the contract with SuperVan for the airport shuttle operations should not be extended, and asked City staff to come back to the City Council next week with alternatives to the present shuttle service. He asked that, in the some 90-day interval before a new shuttle ordinance is prepared for approval, the City Council's Transportation Committee, chaired by Mr. Perez, consider several things, including preparation of a new ground transportation ordinance by June 1; and direct City staff to advertise a Request for Proposals for a shuttle service.

Mr. Perez made a motion that SuperVan's shuttle contract not be extended past February 7, 1992; that City staff be instructed to come back to City Council at next week's Council meeting with options

for the interim shuttle operations, either one contractor or more than one; and that City staff be instructed to advertise a Request for Proposals for shuttle service for International Airport. Mr. Labatt seconded the motion.

Mr. Perez spoke to implementation of a new ground transportation ordinance and certain specifics of that ordinance, including seeing what other cities are doing in this area. He spoke of a need for shuttle service that works, and noted that the target date for preparation and passage of a new ground transportation ordinance is June 1, 1992, with Requests for Proposals advertised for this shuttle service.

In response to a question by Mr. Larson, Mr. Rullo stated his opinion that SuperVan was given a grant by separate ordinance (70904) to provide a shuttle service to International Airport without restriction on the type of vehicles used. He further stated his belief that this special provision conflicts with Chapter 33 of the City Code, and therefore, tickets written against SuperVan are not valid.

In response to a question by Mr. Larson, Ms. Carol Tucker, Assistant City Attorney assigned to the Department of Aviation, spoke to the vehicle size restrictions within the ground transportation ordinance, and spoke to the wording of ordinances involved.

Ms. Cynthia Marmolejo, Assistant City Attorney, spoke to the matter of SuperVan's plea-bargaining on tickets in Municipal Court.

Mr. Hugh Sable, Attorney representing SuperVan, spoke to his perceptions of alleged disparities in the applicable laws involved in this matter, especially as to definition of what constitutes a "shuttle".

Mr. Rullo stated his belief that a shuttle service for International Airport cannot be satisfactorily performed with less than 32 vehicles.

Mayor Wolff then clarified the various points of the pending motion, and noted that the shuttle requirement for vehicles of "more than eight passengers" is very specific under the current law.

Mr. Alex Briseno, City Manager, noted that, if SuperVan's shuttle permits are to be cancelled as of the end-date of its contract, being tomorrow, February 7, 1992, that will leave a gap of perhaps seven days during which the City will be without a contracted shuttle service.

Captain Smith noted that SuperVan can operate as a shuttle service so long as its vehicles are properly permitted by the City.

Mr. Mike Kutchins, Director of Aviation, outlined the various points of the current shuttle contract.

A discussion then took place concerning SuperVan's continued ability to pick up passengers at International Airport, even though the firm no longer is a "preferred carrier".

Mr. Perez and Ms. Ayala spoke of having met with Mr. Rullo over this matter, and noted that he has rejected operating a shuttle service on a month-to-month basis, pending completion of a new ground transportation ordinance for the City.

Mayor Wolff then restated the pending motion.

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

(At this point, Mayor Wolff was obliged to leave the meeting. Mayor Pro Tem Billa Burke presided.)

92-06 The Clerk read the following Ordinance:

AN ORDINANCE 75,175

AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$3,420,800.00 WITH STODDARD CONSTRUCTION COMPANY FOR SERVICES IN CONNECTION WITH THE \$171,040.00 FOR CONSTRUCTION CONTINGENCIES AND \$88,944.45 FOR ARCHITECTURAL EXPENSES; APPROPRIATING 1987 G. O. CRIME PREVENTION BOND FUNDS; AND PROVIDING FOR PAYMENT. (VEHICLE AND RADIO MAINTENANCE FACILITY)

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

Mr. Alex Briseno, City Manager, and Mr. Joe Rodriguez, Assistant Director of Public Works, briefly explained the proposed ordinance, noting that the former garage area behind Police Headquarters would then be demolished to make room for additional parking.

A discussion of the financing of the project then ensued, as well as details of construction of the new police sub-station on South Frio Street, and renovation to the existing fire station nearby.

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

92-06 The Clerk read the following Ordinance:

AN ORDINANCE 75,176

REDUCING THE SOUTHLAWN (MERIDA TO CASTROVILLE ROAD) COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT BY \$70,000.00 AND THE DELGADO/23RD STREET PROJECT BY \$28,000.00; REPROGRAMMING CDBG FUNDS IN THE AMOUNT OF \$123,000.00 TO ADDRESS FUNDING SHORTFALLS IN THREE (3) EXISTING PROJECTS (THE PEDESTRIAN BRIDGE - W. TRAVIS AT ALAZAN, THE LINARES STREET RECONSTRUCTION AND THE CATTLEMAN SQUARE ACQUISITION PROJECTS) AND CREATING TWO (2) NEW PROJECTS (THE DISTRICT 1 PARK ACQUISITION AND THE DISTRICT 3 EMERGENCY HOUSING REHABILITATION PROJECTS); MODIFYING THE SCOPE-OF-WORK OF THE APPROVED HEALY MURPHY CENTER RENOVATION PROJECT; AUTHORIZING THE BLESSED SACRAMENT ACADEMY TO RETAIN PROGRAM INCOME RECEIVED IN CONJUNCTION WITH THE NON-TRADITIONAL HIGH SCHOOL PROJECT; AND AUTHORIZING THE EXECUTION OF CONTRACTS AND OTHER DOCUMENTS AS NECESSARY IN CONNECTION THEREWITH.

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Mayor Pro Tem Billa Burke declared the Public Hearing to be open.

Mr. Andrew Cameron, Community Development Officer, explained the various aspects of the proposed ordinance.

Ms. Mary Piccione, representing Communities Organized for Public Service, stated her belief that a more open process should be used when items such as this come forward, i.e., reprogramming of Community Development Block Grant (CDBG) funds. She noted that COPS is against any squandering of these funds.

Mr. Solis spoke to what the ordinance will accomplish, and stated his desire to work closer with the community in the future on such items.

Mr. Perez and Mr. Cameron both spoke to specifics of the \$28,000 money transfer from one District 1 project to another.

Mr. Wing spoke of the involvement of COPS in a number of southside projects, and addressed the advantages of reprogramming CDBG funds, at times.

Several other Council members thanked COPS for its assistance on projects.

There being no further citizens to speak to this matter, Mayor Pro Tem Billa Burke declared the Public Hearing to be closed.

Mr. Wing 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: Perez, Pierce, Billa Burke, Wing, Solis, Ayala, Vera, Larson, AYES: None; ABSENT: Thornton, Labatt, Wolff.

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92-06 The Clerk read the following Ordinance:

AN ORDINANCE 75,177 .

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AUTHORIZING PAYMENTS OF REFUNDS TOTALING
\$196,437.38, TO PERSONS MAKING A DOUBLE PAYMENT,
OVERPAYMENT, OR AS A RESULT OF A VALUE CHANGE ON 31
TAX ACCOUNTS.

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

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

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92-06 The Clerk read the following Ordinance:

AN ORDINANCE 75,178 .

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ACCEPTING A GIFT OF 6,000 PRE-CHILLED, SPRING
BLOOMING BULBS FROM GARDEN WORLD PRODUCTS, INC., OF

GEORGIA, A SUBSIDIARY OF VAN BLOEM'S OF HOLLAND, SAID BULBS TO BE PLANTED IN THE SAN ANTONIO BOTANICAL CENTER, EXPRESSING CITY COUNCIL'S GRATITUDE FOR THIS GIFT AND EXTENDING THE CITY'S APPRECIATION TO MR. GEORGE WECHSLER OF WOLFE'S NURSERIES FOR HIS ASSISTANCE IN OBTAINING THIS GIFT.

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

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

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92-06 The Clerk read the following Ordinance:

AN ORDINANCE 75,179

AUTHORIZING ALAMO CONCESSIONS SUPPLY CO., INC. TO RENOVATE AND REPAIR AT ITS SOLE COST AND EXPENSE, THE PUBLIC RESTROOMS LOCATED IN THE TRAIN STATION SNACK BAR IN KOEHLER PARK SUBJECT TO APPROVAL OF SUCH RENOVATION PLANS BY THE CITY OF SAN ANTONIO AND APPLICABLE BOARDS AND COMMISSIONS.

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

Mr. Ron Darner, Director of Parks & Recreation, explained the renovations to be performed to the public restrooms located in the miniature train station snack-bar in Koehler Park.

A discussion ensued concerning Mr. Philip Sheridan's five contracts for concessions in the Brackenridge Park area, and revenues generated for the City therefrom.

Mr. Larson questioned the length of certain concessions contracts, some up to 25 years in length.

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

92-06 The Clerk read the following Resolution:

A RESOLUTION NO. 92-06-05

ENDORSING THE PLANNING COMMISSION'S PROPOSED ESTABLISHMENT OF AN AD-HOC MASTER PLAN ADVISORY COMMITTEE AND THE PROCESS FOR UPDATING THE CITY'S MASTER PLAN, AS REQUIRED BY ARTICLE IX OF THE SAN ANTONIO CITY CHARTER.

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

Ms. Rebecca Q. Cedillo, Director of Planning, briefly explained the proposed Resolution.

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

92-06 The Clerk read the following Ordinance:

AN ORDINANCE 75,180

AUTHORIZING THE EXECUTION OF FIELD ALTERATION NO. 4 TO THE CONTRACT WITH BALLOU CONSTRUCTION CO., INC., IN THE DECREASED AMOUNT OF \$524,376.61 IN CONNECTION WITH THE MICRO-SURFACING-1991 PROJECT.

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

Mr. Joe Rodriguez, Assistant Director of Public Works, explained the decreased amount of funding for the 1991 micro-surfacing project, and noted that the contractor agrees with the reduction. He further stated that the decreased expenditure for the 1991 project will allow carryover of funds to be added to the 1992 program, raising it to the \$2.8 million level.

Mr. Joe Aceves, Director of Public Works, explained the current City Council policy on use of funds for street maintenance.

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

92-06 The Clerk read the following Ordinance:

AN ORDINANCE 75,181

RATIFYING THE TERMS, CONDITIONS AND EXECUTION OF A TWO-YEAR EMS CONTRACT WITH THE CITY OF WINDCREST FOR A 1991-1992 FEE OF \$116,580.00.

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

Mr. Marc Rodriguez, Intergovernmental Relations Manager, noted that nine suburban cities are part of the City's Emergency Medical Services system.

A discussion then took place concerning the areas of Bexar County not covered by the City's EMS system.

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

92-06 (City Council recessed its regular meeting at 5:05 P.M. to convene in informal "B" Session for a Work Session on Board/Commission Appointments, reconvening into regular session at 6:18 P.M.)

92-06

CITIZENS TO BE HEARD

MR. JOSEPH ANDRUSKIEWICZ

Mr. Andruskiewicz, 2521 Corian Glen Drive, spoke to the Council against any amendments to the ordinance presently prohibiting pigs to be kept within the City limits.

Mr. Pierce stated at this point there is no movement to amend the ordinance, but the City Council is merely receiving input from citizens.

92-06 City Council recessed for dinner at 6:23 P.M., reconvening in regular meeting at 7:05 P.M., with Mayor Wolff presiding.

92-06 The Clerk read the following Ordinance:

AN ORDINANCE 75,182

RATIFYING THE TERMS, CONDITIONS AND EXECUTION OF A ONE-YEAR USER FEE CONTRACT WITH BROOKS AIR FORCE BASE FOR THE PROVISION OF EMERGENCY MEDICAL SERVICES (EMS) FOR A 12-MONTH CONTRACTUAL PERIOD COMMENCING OCTOBER 1, 1991 AND TERMINATING SEPTEMBER 30, 1992.

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

Mr. Marc Rodriguez, Intergovernmental Relations Manager, briefly explained the Emergency Medical Services contract with Brooks Air Force Base, noting that the base is the only one in the local area without its own emergency medical service, and which uses the City of San Antonio's EMS system, under contract.

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

92-06 The Clerk read the following Ordinance:

AN ORDINANCE 75,183

AUTHORIZING PAYMENT OF OUTSTANDING FEES AND EXPENSES IN THE AMOUNT OF \$664.95 FOR THE CASE STYLED NELDA WEATHERLY ET AL V. CITY OF SAN ANTONIO.

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

Mr. Larson asked for data on how much money that City Water Board has spent on this case in the past four months, and the firms involved.

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

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92-06 The Clerk read the following Ordinance:

AN ORDINANCE 75,184 .

AUTHORIZING AND RATIFYING THE EMPLOYMENT OF COX & SMITH AS ADDITIONAL COUNSEL FOR A TOTAL SUM NOT TO EXCEED \$35,000.00.

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

Mr. Lloyd Garza, City Attorney, outlined details of the lawsuit brought by the National Association of Government Employees (NAGE) against the City of San Antonio, on behalf of several Hispanic female City employees.

A discussion then took place concerning the number of City employees currently in this union.

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

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92-06 The Clerk read the following Ordinance:

AN ORDINANCE 75,185 .

AUTHORIZING PAYMENT IN THE AMOUNT OF \$50,000.00 IN SETTLEMENT OF OLIVIA ALDACO VS. CITY OF SAN ANTONIO, CAUSE NO. 90-CI-02447.

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

Mr. Lloyd Garza, City Attorney, explained details of the proposed ordinance and the reasons for recommending settlement of this case.



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

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92-06 The Clerk read the following Ordinance:

AN ORDINANCE 75,186 .

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AUTHORIZING PAYMENT OF OUTSTANDING FEE AND EXPENSES
IN THE AMOUNT OF \$175,522.25 FOR THE CASE STYLED
SIERRA CLUB V. LUJAN, ET AL, AND RELATED ACTIVITIES.

* * * *

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

Mr. Lloyd Garza, City Attorney, explained the proposed ordinance to pay the last two months of billings for legal representation of the City in this case. He then spoke to the current status of the case, and estimated its monthly costs to be in the \$80,000-\$100,000 range. He noted that City Water Board and the City of San Antonio together probably will have spent some \$2.5 million on the case since 1989.

Mr. Thornton spoke to the need to find a speedy solution to this matter.

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

- - -
92-06 The Clerk read the following Ordinance:

AN ORDINANCE 75,187 .

.
AUTHORIZING THE USE OF COUNCIL DISCRETIONARY FUNDS
TOTTALLING \$2,720.00 TO UNDERWRITE THE COSTS OF
PORTABLE RESTROOMS IN CONNECTION WITH A WORLD WAR II
COMMEMORATIVE DANCE SPONSORED BY KELLY AIR FORCE
BASE WHICH IS SCHEDULED TO BE HELD MARCH 7, 1992, AS
REQUESTED BY COUNCILMEMBER FRANK D. WING.

* * * *

Mr. Wing moved that agenda item 40 not be acted on by City Council. Mr. Solis seconded the motion.

Mr. Thornton stated his opinion that this is a civic activity, and the need exists for City Council members to underwrite the costs of portable restrooms in connection with the planned World War II Commemorative Dance sponsored by Kelly Air Force Base.

Ms. Billa Burke stated her desire to go forward with the proposed ordinance, approving Discretionary funding for this purpose.

Ms. Vera spoke in support for the funding as a good expenditure of City Council members' Discretionary Funds.

Ms. Ayala spoke in support of the effort as one deserving of support for the veterans of this nation.

Various City Council members then contributed varying amounts from their separate Discretionary Fund accounts to make up the needed \$2,720.00.

Mr. Labatt made a motion to approve the allocation of funds from various City Council Discretionary Funds, as outlined in the proposed ordinance. Mr. Thornton seconded the motion.

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

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

- - -

92-06 Agenda item 41, being a proposed Travel Authorization for Councilmember Yolanda Vera to travel to Guadalajara, Jalisco, Mexico at the invitation of the Mayor in order to attend the 450th anniversary of the founding of Guadalajara, was removed from consideration.

- - -

92-06 The Clerk read the following Ordinance:

AN ORDINANCE 75,188

TRANSFERRING \$2,000.00 FROM THE DISTRICT 5
DISCRETIONARY ACCOUNT TO THE TRAVEL LINE ITEM IN



GENERAL FUND ACCOUNT 01-01-01 TO BE USED FOR
TRAVEL-RELATED EXPENSES.

* * * *

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

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

- - -
92-06 The Clerk read the following Ordinance:

AN ORDINANCE 75,189 .
:
APPROPRIATING \$11,000.00 IN THE DISTRICT 5 .
DISCRETIONARY ACCOUNT TO BE USED FOR STAFF SUPPORT
FROM FEBRUARY 1, 1992, TO SEPTEMBER 30, 1992.

* * * *

Mr. Wing 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: Perez,
Pierce, Billa Burke, Wing, Solis, Ayala, Vera, Thornton, Labatt, Larson,
Wolff; NAYS: None; ABSENT: None.

- - -
92-06 The Clerk read the following Ordinance:

AN ORDINANCE 75,190 .
:
POSTPONING THE REGULAR CITY COUNCIL MEETING OF
FEBRUARY 27, 1992, UNTIL MARCH 5, 1992.

* * * *

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

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

- - -
92-06 The Clerk read the following Ordinance:

AN ORDINANCE 75,191

APPROVING FIELD ALTERATION NO. 10 IN THE AMOUNT OF \$43,148.00 FOR THE CONSTRUCTION CONTRACT WITH BRANDT ENGINEERING COMPANY, INC. FOR WORK ON THE ALAMODOME: PACKAGE 8C - HVAC SYSTEMS; AND PROVIDING FOR PAYMENT FROM THE CONSTRUCTION CONTINGENCY AND THE 1/2 PERCENT SALES TAX.

* * * *

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

Mr. Roland Lozano, Director of Dome Development, explained the need for the proposed field alteration.

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

- - -
92-06 Agenda item 46, being a proposed Ordinance accepting the low qualified bid of Kunz Construction Company, Inc., and awarding a construction contract in the amount of \$995,852.00 with a construction contingency of \$79,668.00 for the Alamodome: Package 12A-Montana Site Preparation, funded by the 1/2 percent sales tax collection, was removed from consideration by the City Manager.

- - -
92-06 The Clerk read the following Ordinance:

AN ORDINANCE 75,192

PROVIDING \$7,800.00 IN DISCRETIONARY FUNDS FOR THE INTERNATIONAL AFFAIRS FOUNDATION IN SUPPORT OF PREPARATION FOR THE INTERNATIONAL DRUG SUMMIT.

* * * *

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

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

92-06

COUNCIL BOARD/COMMISSION APPOINTMENTS

A brief discussion took place concerning the City Council's present appointment process dealing with boards and commissions, after which it was decided by informal consensus that the Council committee on Board/Commission Appointments, including Mr. Labatt, Ms. Ayala and Ms. Vera to study the matter and come back to the full Council at a later date with a report reviewing the appointment process.

92-06

EXECUTIVE SESSION BRIEFING ITEMS

City Council decided, on consensus voice vote, not to recess into Executive Session to receive briefings on (1) the proposed settlement of Cause No. 90-CI-14870, styled Raul Guerra and Carolyn Guerra v. City of San Antonio; and (2) a Judgement styled Stephanie Batarla v. City of San Antonio; and to move both items to the next City Council meeting "A" Session.

92-06 City Council recessed its regular meeting at 7:35 P.M. to convene in informal "B" Session for the purposes of receiving a City Staff presentation regarding the proposed changes on the Smoking Ordinance, reconvening in regular session at 8:14 P.M.

92-06 There being no further business to come before the Council, the meeting was adjourned at 8:15 P.M.

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

Attest: *Tom S. Rodriguez*
C I T Y C L E R K