

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBERS, MUNICIPAL
PLAZA BUILDING, THURSDAY, JULY 7,
1994.

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94-33 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Nelson W. Wolff, with the following members present: PEREZ, McCLENDON, AVILA, SOLIS, AYALA, ROSS, THORNTON, PEAK, LARSON, WOLFF. Absent: BILLA BURKE.

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94-33 Invocation - Father Peter Hinde, Christ the King Catholic Church.

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94-33 Pledge of Allegiance to the flag of the United States.

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94-33 Minutes of the May 12, 1994 Special City Council meeting and May 26, 1994 Regular City Council meeting were approved.

94-33 SAWS EMPLOYEE TEAM HONORED

Mayor Wolff stated that a team of employees from San Antonio Water System (SAWS) competed against other employee teams in the annual pipe-tapping competition at the National American Waterworks Association meeting in New York City June 21-22, 1994, and won first place in that competition. He noted that the SAWS team competed in the preliminaries against 21 other teams from throughout the nation and won the right to compete against the four-time national champion team from Los Angeles, and triumphed in that head-to-head encounter.

He introduced team members Gordon Mahan, general foreman; Jeffrey Andrews, lead foreman; Joe Casanova, foreman; James Stautzenberger, helper; and Jeffrey Guajardo, equipment maintenance clerk, who came forward to be recognized by the Mayor and City Council.

Mr. Ron Graf, Vice President for Operations, SAWS, briefly explained the pipe-tapping competition details.

Mayor Wolff congratulated members of the team, on behalf of City Council, and spoke to the new attitude and quality of work at San Antonio Water System.

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CITATIONS FOR BOND STEERING COMMITTEE

Mayor Wolff noted that the City Council has invited members of the Bond Steering Committee to Council chambers today, to be recognized for their work which resulted in passage of the General Obligation Bond Issue for street, drainage, parks and public safety improvements on May 7, 1994. He then introduced Bond Steering Committee members present, and spoke to their hard work in planning and steering the bond issue to success at the polls. He lauded the work of Coordinating Chairperson, Mayor Emeritus Lila Cockrell, and other members of the committee.

Mayor Wolff and City Council members then presented special Citations to Bond Steering Committee members present, and congratulated them.

Mayor Emeritus Cockrell then detailed how the successful campaign for passage of the bonds was staged, and thanked the Mayor and Council for the recognition.

Mayor Wolff then thanked the Loaned Executives from various San Antonio businesses for their efforts in this work.

City Council members individually offered their congratulations.

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94-33

FOREIGN VISITORS

Mayor Wolff stated that officials and representatives from Croatia, Indonesia, Nepal, Swaziland and the United Kingdom are visiting City Hall today as guests of the United States Information Agency. He noted that they have been meeting with local attorneys and immigration specialists to discuss civil rights and immigration issues, and he welcomed the group to City Hall.

As each official came forward to identify themselves and their respective nation, Mayor Wolff presented each with a special San Antonio tile.

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94-33

CONSENT AGENDA

Ms. McClendon made a motion to approve Agenda Items 5 through 21n, constituting the Consent Agenda, with Item 15 being pulled for individual consideration. Ms. Ayala seconded the motion.

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After consideration, the motion, carrying with it the passage of the following Ordinances, prevailed by the following vote: AYES: Perez, McClendon, Avila, Solis, Ayala, Ross, Thornton, Peak, Larson, Wolff. NAYS: None. ABSENT: Billa Burke.

AN ORDINANCE 80,406

ACCEPTING THE LOW, QUALIFIED BID OF DIXIE PRINTING COMPANY IN THE AMOUNT OF \$4,800.00 TO PROVIDE ARTSTEACH CATALOGS TO BE DISTRIBUTED TO PARTICIPATING SAN ANTONIO SCHOOL DISTRICTS IN PROVIDING ART CURRICULA FOR ELEMENTARY SCHOOL CHILDREN.

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AN ORDINANCE 80,407

ACCEPTING THE PROPOSAL OF BYRES CADNET TO PROVIDE THE CITY OF SAN ANTONIO INFORMATION SERVICES, PUBLIC WORKS AND POLICE DEPARTMENTS WITH COMPUTER SOFTWARE FOR A TOTAL OF \$8,540.00.

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AN ORDINANCE 80,408

ACCEPTING THE PROPOSAL OF FISCHER INTERNATIONAL SYSTEMS CORPORATION TO RENEW ITS ANNUAL COMPUTER MAINTENANCE CONTRACT WITH THE CITY OF SAN ANTONIO INFORMATION SERVICES DEPARTMENT FOR A TOTAL OF \$5,250.00.

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AN ORDINANCE 80,409

ACCEPTING THE LOW BID OF SCOBAY MOVING SERVICES IN THE AMOUNT OF \$3,889.00 TO MOVE ALL PROPERTY AT THE LAS PALMAS BRANCH LIBRARY FROM 511 CASTROVILLE ROAD TO ITS NEW LOCATION AT 911 CASTROVILLE ROAD.

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AN ORDINANCE 80,410

ACCEPTING THE LOW BID OF ALAMO FORD NEW HOLLAND, INC. IN THE AMOUNT OF \$10,481.00 TO PROVIDE THE SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH A FLAT BED TRAILER FOR TRANSPORTING CONSTRUCTION EQUIPMENT.

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AN ORDINANCE 80,411

ACCEPTING THE BID OF COOPER EQUIPMENT COMPANY IN THE AMOUNT OF \$27,715.00 TO PROVIDE THE SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH A LIQUID ASPHALT MAINTENANCE UNIT.

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AN ORDINANCE 80,412

ACCEPTING THE LOW BID OF TEXAS PROFESSIONAL SECURITY COMPANY FOR AN APPROXIMATE AMOUNT OF \$38,000.00 ANNUALLY, TO PROVIDE COMMISSIONED SECURITY GUARD SERVICES AT THE SAN ANTONIO MUNICIPAL BASEBALL STADIUM.

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AN ORDINANCE 80,413

ACCEPTING THE LOW BID OF DAVIS TRUCK & EQUIPMENT OF SAN ANTONIO, INC. IN THE AMOUNT OF \$202,400.00 TO PROVIDE THE SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH EIGHT (8) HYDRAULIC CRANE LOADERS FOR USE IN BRUSH COLLECTION OPERATIONS.

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AN ORDINANCE 80,414

ACCEPTING THE LOW, QUALIFIED BID OF COMMERCIAL BODY CORPORATION IN THE AMOUNT OF \$175,281.00 TO PROVIDE THE CITY OF SAN ANTONIO PUBLIC WORKS AND PARKS & RECREATION DEPARTMENTS WITH AERIAL LIFTS FOR USE IN SIGNAL AND OVERHEAD MAINTENANCE AND CONSTRUCTION WORK.

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AN ORDINANCE 80,415

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 1994-95 FISCAL YEAR FOR A TOTAL OF APPROXIMATELY \$1,625,000.00.

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AN ORDINANCE 80,416

APPROPRIATING \$12,604.00 TO PURCHASE FEE TITLE TO LOT 27, NCB 7676, BEXAR COUNTY, TEXAS AND TO PAY COURT COSTS AS PART OF THE SAN ANTONIO MISSIONS NATIONAL HISTORICAL PARK VISITOR INFORMATION CENTER PROJECT AND AUTHORIZING DISBURSEMENT OF THE FUNDS.

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AN ORDINANCE 80,417

AUTHORIZING THE LEASE OF 800 PARKING SPACES IN THE HEMISFAIR GARAGE TO THE ALAMOBOWL ASSOCIATION FOR USE BY FOOTBALL SEASON TICKET HOLDERS ATTENDING PROFESSIONAL AND COLLEGE FOOTBALL GAMES IN THE ALAMODOME FOR THE COST OF \$4.00 PER EVENT.

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AN ORDINANCE 80,418

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$4,319.00 OUT OF GENERAL OBLIGATION BONDS; ACQUIRING TITLE TO ONE PARCEL IN CONNECTION WITH THE 34TH STREET RECONSTRUCTION PROJECT - CULEBRA ROAD TO W. COMMERCE STREET; ACQUIRING TITLE TO ONE PARCEL IN CONNECTION WITH THE OCTAVIA PLACE DRAINAGE PROJECT #63; AND ACQUIRING TITLE TO ONE PARCEL IN CONNECTION WITH THE CHERRY STREET DRAINAGE PROJECT #15B, PHASE II.

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AN ORDINANCE 80,419

ACCEPTING THE BID OF NESCO IN THE AMOUNT OF \$41,598.00 TO INSTALL A WASTE OIL AND MODIFIED FUEL STORAGE TANK SYSTEM AT THE NORTHWEST SERVICE CENTER; APPROPRIATING \$4,160.00 FOR CONSTRUCTION CONTINGENCY; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 80,420

GRANTING A PARADE PERMIT TO TEXAS A & M UNIVERSITY FOR THE PURPOSE OF HOLDING ITS TEXAS A & M CORPS PARADE ALONG E. DOLOROSA, E. MARKET, AND S. BOWIE TO THE INSTITUTE OF TEXAN CULTURES ON SATURDAY, OCTOBER 29, 1994, FROM 10:00 A.M. UNTIL 11:00 A.M.

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AN ORDINANCE 80,421

APPOINTING DIANE WIESNER (DISTRICT 4) AND DR. JOHN R. HERBOLD TO THE ANIMAL CONTROL ADVISORY COMMITTEE FOR TERMS OF OFFICE TO EXPIRE ON APRIL 3, 1996.

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AN ORDINANCE 80,422

REAPPOINTING SHARON A SMITH (MAYOR) AND APPOINTING MICHAEL LACKEY (DISTRICT 4) TO THE BOARD OF APPEALS FOR TERMS OF OFFICE TO EXPIRE ON JULY 31, 1996.

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AN ORDINANCE 80,423

REAPPOINTING LINDA LOPEZ (MAYOR) AND APPOINTING FRANCES GUZMAN (DISTRICT 7) TO THE COMMISSION FOR CHILDREN AND FAMILIES FOR TERMS OF OFFICE TO EXPIRE ON JUNE 27, 1996.

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AN ORDINANCE 80,424

REAPPOINTING JACQUELINE EK-HOUL (DISTRICT 7) TO THE DISABILITY ACCESS ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON JUNE 30, 1996.

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AN ORDINANCE 80,425

REAPPOINTING ROY RIVERO (DISTRICT 7) AND DAVID SCHWARZ (MAYOR) TO THE HOME IMPROVEMENT ADVISORY BOARD FOR TERMS OF OFFICE TO EXPIRE ON JUNE 23, 1996.

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AN ORDINANCE 80,426

REAPPOINTING ELINOR FRIES (MAYOR) TO THE HOUSING TRUST FUND BOARD OF TRUSTEES FOR A TERM OF OFFICE TO EXPIRE ON MAY 30, 1996.

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AN ORDINANCE 80,427

REAPPOINTING ELAINE LUDWIG (MAYOR) TO THE OPEN SPACE ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON AUGUST 29, 1996.

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AN ORDINANCE 80,428

REAPPOINTING GEORGE ENSLEY (DISTRICT 7), AND MARGARET LECZNAR (DISTRICT 8) TO THE SAN ANTONIO PUBLIC LIBRARY BOARD OF TRUSTEES FOR TERMS OF OFFICE TO EXPIRE ON SEPTEMBER 30, 1996.

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AN ORDINANCE 80,429

REAPPOINTING THERESA INGLE (DISTRICT 7), JOHN GLENN CLAMP (DISTRICT 8) AND GREG TRIMBLE (MAYOR) AND APPOINTING JOE SCOTT (MAYOR) TO THE SAN ANTONIO LOCAL DEVELOPMENT COMPANY AS TRUSTEES.

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AN ORDINANCE 80,430

REAPPOINTING BEVERLY DUDLEY (DISTRICT 2), MICHAEL A. MCMAHON (DISTRICT 8) AND CHARLES WILLIAMS (MAYOR) TO THE ZONING COMMISSION FOR TERMS OF OFFICE TO EXPIRE ON JUNE 30, 1996.

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AN ORDINANCE 80,431

APPOINTING AND REAPPOINTING MEMBERS TO SERVE ON THE CONVENTION AND VISITORS BUREAU ADVISORY COMMITTEE.

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AN ORDINANCE 80,432

APPOINTING BOBBY PEREZ, JAIME MACIAS, HOPE ANDRADE AND RICHARD GONZALEZ TO THE MARKET SQUARE COMMISSION.

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AN ORDINANCE 80,433

REAPPOINTING ALBERT CISNEROS AND ALLIE B. FLOYD AND

APPOINTING MIKE GARCIA AND ANITA S. HEIM TO THE
PLANNING COMMISSION.

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AN ORDINANCE 80,434

APPOINTING AND REAPPOINTING MEMBERS TO THE
WORK/FAMILY COMMISSION.

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94-33 The Clerk read the following Ordinance:

AN ORDINANCE 80,435

AUTHORIZING FIELD ALTERATION NO. 4 IN THE DECREASED
AMOUNT OF \$60,879.40 TO THE CONTRACT WITH V.K.
KNOWLTON PAVING CONTRACTOR, INC. IN CONNECTION WITH
THE ESTRELLA FROM ACME TO 41ST AND 41ST FROM
ESTRELLA TO JOE BLANKS RECONSTRUCTION PROJECT; AND
REVISING THE PROJECT BUDGET.

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

Mr. John German, Director of Public Works, noted that this is
the final field alteration on this project, and decreases the project
amount by some \$60,000.00.

In response to a question by Ms. Ayala, Mr. German spoke to
the Community Development Block Grant (CDBG) funding involved, and noted
that several CDBG-funded projects are tied together and coordinated
before the planned Acme Road project can begin construction.

After consideration, the motion, carrying with it the passage
of the Ordinance, prevailed by the following vote: AYES: Perez,
McClendon, Avila, Solis, Ayala, Ross, Thornton, Peak, Larson, Wolff;
NAYS: None; ABSENT: Billa Burke.

94-33 The Clerk read the following Ordinance:

AN ORDINANCE 80,436

APPROVING AN AGREEMENT FOR USE OF SPACE AT THE LANDA
BRANCH LIBRARY BY THE MONTE VISTA HISTORICAL
ASSOCIATION IN EXCHANGE FOR A PLEDGE BY THE

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ASSOCIATION TO RENOVATE THE SPACE AND TO DONATE AT LEAST \$9,000.00 TO THE LANDA BRANCH LIBRARY DURING AN INITIAL TERM OF FIVE YEARS AND AT LEAST \$3,000.00 PER YEAR DURING ANY EXTENSION.

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

Ms. June Garcia, Library Director, explained the proposed agreement to provide office space in the Landa Library for the Monte Vista Historical Association, which, in turn, has agreed to renovate the space provided.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Avila, Solis, Ayala, Ross, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: Billa Burke.

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94-33 The Clerk read the following Ordinance:

AN ORDINANCE 80,437

APPROVING A CONTRACT WITH ALLIED BUS BENCH ADS, INC., FOR PLACING BENCHES WITH ADVERTISING AT BUS STOPS, AND ADDING AN ADMINISTRATIVE ASSISTANT II POSITION TO THE BUILDING INSPECTIONS DEPARTMENT FOR PROVIDING ADMINISTRATION AND OVERSIGHT OF THE BUS BENCH CONTRACT.

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

Ms. Rebecca Waldman, Senior Management Coordinator, provided Council members with a comparison of the present and proposed new contract with Allied Advertising for bus bench advertising, a copy of which is made a part of the papers of this meeting. She then spoke to changes and clarifications involved from the previous contract, and outlined the main points of the new contract.

Mr. David Curtis, 11811 Burning Bend, representing the San Antonio Coalition of Neighborhood Associations, thanked the Council for certain changes in bus bench advertising in historical areas of the city.

Ms. Claudette Mullen, representing the same organization, provided a handout of information for Council members and addressed the many meetings held and citizen concerns expressed during those meetings.

Mr. Ray Hamilton, representing Northside Neighborhoods For Organized Development, stated his belief that the contract reflects needed changes, and he spoke in support for adding a personnel position to oversee the contract and its provisions. He thanked the City staff for its hard work on this issue.

Mr. Larson spoke to his belief that bus bench advertising for City political uses should be eliminated, and addressed the perception of a certain conflict of interest involved in administering the contract while at the same time utilizing that contract's benefits.

Mr. Larson made an amendment to preclude mayoral and City Council candidates from using bus bench advertising under the new contract with Allied Advertising. Mr. Peak seconded the motion.

After discussion, Mayor Wolff and Mr. Alex Briseno, City Manager, stated their belief that this issue should be considered at this time, as part of this proposed ordinance, rather than as a part of the City's Ethics Ordinance.

Mr. Larson stated his belief that, even if his amendment fails to carry, steps should be taken to preclude loss of any revenues through pricing advantages given by the contractor to any one candidate.

Mr. Thornton discussed the results of negotiations with VIA Metropolitan Transit Authority on the contract provisions for bus bench advertising, and stated his opposition to the proposed amendment, and addressed his reasons for that opposition.

In response to a question by Mr. Perez, Ms. Waldman noted that, under terms of the new contract, VIA will place its own bus benches in historic districts, in place of any Allied Advertising benches presently located there.

In response to a question by Mr. Peak, Mr. Dic McGoon, representing Allied Advertising, discussed bus bench location and configuration. Mr. McGoon stated that, as a sitting VIA board member, he sees VIA adding more seating at its bus-stop locations, as needed, in the years ahead.

Mr. Solis noted that City staff negotiated this proposed contract, not the City Council, and he spoke to citizen concerns that were addressed in those negotiations.

Mr. Ross spoke to his concerns with possible adverse effects of bus benches located on collector streets, and addressed several examples. He also spoke to the need for an appeals process in this matter.

Ms. Waldman noted that, under the new contract, the Director of Building Inspections has the power to grant variances.

Mr. Tom Finlay, Assistant City Attorney, noted that no petition process is included in the draft ordinance, as it is written, but the Council may be able to amend the ordinance in the future.

Mr. Lloyd Garza, City Attorney, spoke to several options available in this matter.

Mr. Ross asked City staff to come back to City Council with a draft appeal process, to petition VIA for additional bus benches where none are presently available.

A discussion then took place concerning financial audits of the contractor.

In response to a question by Mr. Larson, Mr. Bill Kaufman, attorney for Allied Advertising, noted that the City's adopted Electrical Code prohibits his client from giving preferential pricing treatment to any political candidates.

A discussion ensued concerning negotiations on the proposed contract, and the fact that no City Council member took part in those negotiations.

After consideration, the Amendment failed to carry by the following vote: AYES: Larson, Wolff; NAYS: Perez, McClendon, Avila, Solis, Ayala, Ross, Thornton, Peak, ABSENT: Billa Burke.

After consideration, the main motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Avila, Solis, Ayala, Ross, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: Billa Burke.

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94-33 The Clerk read the following Ordinance:

AN ORDINANCE 80,438

AMENDING SECTION 28-7 OF THE CITY CODE TO EXEMPT ONLY ADVERTISING BENCHES PLACED PURSUANT TO A CITY CONTRACT FROM THE REGULATIONS CONTAINED IN CHAPTER 28.

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

Mr. Gene Camargo, Director of Building Inspections, briefly explained the differences between the current Code provisions and those being proposed, dealing with advertising benches, and noted that the new provisions regulate off-premise bus bench advertising.

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: McClendon, Solis, Ayala, Ross, Thornton, Peak, Larson, NAYS: None; ABSENT: Perez, Billa Burke, Avila, Wolff.

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94-33 The Clerk read the following Ordinance:

AN ORDINANCE 80,439 .

APPROPRIATING \$131,533.14 AND AUTHORIZING PAYMENT TO THE LAW FIRM OF SOULES & WALLACE OF \$112,698.00 FOR LEGAL SERVICES RENDERED AND \$18,835.14 FOR RELATED EXPENSES IN CONNECTION WITH THE APPEAL OF CAUSE NO. 91-CI-10839, VAN DE WALLE AGRICULTURAL PROPERTIES, LTD. VS. CITY OF SAN ANTONIO.

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

Mr. Lloyd Garza, City Attorney, explained the legal fees owed to the subject firm in connection with the Van de Walle lawsuit against the City.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Avila, Solis, Ayala, Thornton, Larson, NAYS: None; ABSENT: Billa Burke, Ross, Peak, Wolff.

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94-33 The Clerk read the following Ordinance:

AN ORDINANCE 80,440 .

AUTHORIZING THE EXPENDITURE OF \$1,606.00 FROM MAYOR NELSON W. WOLFF'S DISCRETIONARY FUNDS, AS REQUESTED BY MAYOR NELSON W. WOLFF TO PAY FOR RENTAL FEE OF THE SAN ANTONIO MUNICIPAL BASEBALL STADIUM ON JULY 17, 1994, FOR THE NATIONAL ADULT BASEBALL ASSOCIATION (NABA) TO HOST A LOCAL ALL-STAR BASEBALL GAME.

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

Mr. Ron Darner, Director of Parks & Recreation, stated that he will have a "B" Session report on the municipal baseball stadium usage in the near future.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Avila, Solis, Ayala, Thornton, Larson, NAYS: None; ABSENT: Billa Burke, Ross, Peak, Wolff.

94-33 The Clerk read a proposed ordinance establishing The Blue Ribbon Committee on The Federal Clean Air Amendments.

Mr. Lloyd Garza, City Attorney, noted that the proposed ordinance establishes the Blue Ribbon Committee on Federal Clean Air amendments, and that actual appointments to that committee will come later.

A discussion took place concerning possible needed changes in the proposed ordinance.

After consideration, Mr. Ross made a motion to table further consideration of this proposed ordinance until the Mayor returns to the meeting. Mr. Larson seconded the motion.

After discussion, the proposed ordinance was tabled by the following vote:

The motion to table prevailed by the following vote: AYES: Perez, Avila, Solis, Ayala, Ross, Thornton, Peak, Larson, NAYS: None; ABSENT: McClendon, Billa Burke, Wolff.

(NOTE: Agenda Item 27 was concluded later during this meeting. See Page 20.)

94-33 The Clerk read the following Ordinance:

AN ORDINANCE 80,441

AUTHORIZING THE REIMBURSEMENT OF \$672.00 PER MONTH TO COUNCILMAN HENRY AVILA FOR THE PERIOD JUNE 1994 TO SEPTEMBER 1994, FOR A TOTAL AMOUNT OF \$2,688.00 FOR A PART-TIME ADMINISTRATIVE SERVICE CONTRACT FROM THE DISTRICT 4 DISCRETIONARY ACCOUNT, AS REQUESTED BY COUNCILMAN HENRY AVILA.

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Avila, Ayala, Ross, Thornton, Peak, Larson, NAYS: None; ABSENT: McClendon, Billa Burke, Solis, Wolff.

94-33 The Clerk read the following Ordinance:

AN ORDINANCE 80,442

AUTHORIZING THE EXPENDITURE OF \$400.00 FROM DISTRICT 4 DISCRETIONARY FUNDS, AS REQUESTED BY COUNCILMAN HENRY AVILA, FOR THE RENTAL OF A SHOOTING MOBILE TO BE USED AT THE "GET INTO THE BEAT - GET INTO THE HEAT CONCERT", SPONSORED BY EL CENTRO DEL BARRIO, ON JULY 11, 1994; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT AFFIRMATIVE VOTES.

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Avila, Solis, Ayala, Ross, Thornton, Peak, Larson, NAYS: None; ABSENT: McClendon, Billa Burke, Wolff.

94-33 The Clerk read the following Ordinance:

AN ORDINANCE 80,443

APPROPRIATING \$36,000.00 AND AUTHORIZING PAYMENT THEREOF IN SETTLEMENT OF CAUSE NO. 90-CI-11500 IN THE 73rd JUDICIAL DISTRICT COURT OF BEXAR COUNTY, TEXAS STYLED THOMAS SAENZ VS. CITY OF SAN ANTONIO.

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Mr. Perez 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, Avila, Solis, Ayala, Ross, Thornton, Peak, Larson, NAYS: None; ABSENT: McClendon, Billa Burke, Wolff.

94-33 The Clerk read the following Ordinance:

AN ORDINANCE 80,444

RATIFYING FIELD ALTERATION NO. 60 IN THE AMOUNT OF \$30,773.00 FOR THE CONSTRUCTION CONTRACT WITH ERMCO/MARTIN-WRIGHT FOR WORK ON THE ALAMODOME: PACKAGE 7A - ELECTRICAL SYSTEMS, AMENDING THE CONSTRUCTION CONTINGENCY BY \$33,946.46; AND PROVIDING FOR PAYMENT FROM THE 1/2 PERCENT SALES TAX FUND.

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

Mr. Roland Lozano, Director of Dome Development, explained the need for ratification of the field alteration on certain Alamodome electrical work, which involved lighting at the facility during hockey and basketball configurations.

In response to a question by Mr. Larson, Mr. Lozano discussed the current status of negotiations with the firm over disputed costs, and the overall wrap-up of construction work at the Alamodome, including delays in securing a final Certificate of Occupancy. Mr. Lozano stated that he hopes to complete all this in the next 60-90 days.

Mr. Ross voiced his concern with still-unpaid subcontractors on the Alamodome project.

Mr. Lozano discussed the status of actions involving Salazar Construction Company and possible legal action forthcoming, noting that the City is doing everything it can to resolve these issues.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Avila, Solis, Ayala, Ross, Thornton, Peak, Larson, NAYS: None; ABSENT: Perez, McClendon, Billa Burke, Wolff.

94-33 The Clerk read the following Ordinance:

AN ORDINANCE 80,445

RATIFYING FIELD ALTERATION NO. 61 IN THE AMOUNT OF \$19,874.00 FOR THE CONSTRUCTION CONTRACT WITH ERMCO/MARTIN-WRIGHT FOR WORK ON THE ALAMODOME: PACKAGE 7A - ELECTRICAL SYSTEMS; AND PROVIDING FOR

PAYMENT FROM THE 1/2 PERCENT SALES TAX FUND.

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

Mr. Roland Lozano, Director of Dome Development, explained the field alteration concerning the heating/ventilation/air conditioning system.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Avila, Solis, Ayala, Ross, Thornton, Peak, Larson, NAYS: None; ABSENT: McClendon, Billa Burke, Wolff.

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94-33 Agenda item 33, being a proposed ordinance authorizing the execution of a land purchase contract for the Regional Environmental Enterprise Zone (REEZ) site consisting of 5,000 acres near Moore, Texas; authorizing the Public Works Director to conduct certain soil, hydrologic, and topographic studies on the site, and other studies related to economic feasibility; and authorizing funds from the Solid Waste Reserve Fund, was earlier removed from consideration by the City Manager.

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94-33 COUNCILMAN THORNTON'S MOTHER

On a Point of Personal Privilege, Mr. Thornton introduced his mother, present in the audience, from Abilene, Texas.

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94-33 GODPARENTS OF COUNCILMAN SOLIS

On a Point of Personal Privilege, Mr. Solis introduced his godparents, present in the audience, from New York City.

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94-33 City Council recessed its regular meeting at 3:07 P.M. and convened in Executive Ses

A. Staff briefing on Washington, D.C. representation before the 1995 Base Closure and Realignment Commission.

E. Staff briefing on the revocation of taxicab operating permits.

City Council reconvened in regular session at 4:36 P.M. with

Councilman Perez presiding in the temporary absence of the Mayor and Mayor Pro Tem, and noted that City Council was briefed in Executive Session on the two above-listed items, but City Council took no official action, only gave direction to City staff.

94-33

The Clerk read a proposed Ordinance authorizing the revocation of taxicab operating permits where it is in the best interest of the City under the provision of Chapter 33 for failure to commence operations within 90 days of the date of issuance of the operating permits, as requested by Councilman Juan Solis III.

Mr. Solis spoke to the two possible options presented to City Council by City staff relative to Taxicab Permit Revocation Procedures, and made a motion to direct City staff to implement Option I, to wit: Director initiated action; Holder has 30 days to comply; Director shall revoke permits; No Council review; No appeal; Director's decision final. The motion also includes making immediately available to individuals wanting to apply for them the 55 Taxicab Permits currently held in reserve by the City. Ms. McClendon seconded the motion.

Mr. Ross spoke to his desire that the Council action follow procedures set out in Chapter 33 of the City Code.

Captain Tom Polonis, San Antonio Police Department-Ground Transportation Unit, explained the 30-day time-period given for compliance with the current regulations, and he addressed the possibility that taxicab cooperative firms might be permitted for taxicab service.

The following citizens appeared to speak:

Mr. Cruz Chavira, representing San Antonio Taxi Drivers Alliance, spoke in agreement with the pending motion, and stated that taxicab coops will be applying for the available permits at the end of the 30-day period.

Mr. Jacinto C. Senizaiz, 250 West Boyer, spoke to the pending transfer of taxicab permits, and stated that he has never heard from City staff on this matter.

Mr. Solis stated that those permits not used will revert to the City's control.

Mr. Bill Stephens, taxicab driver, spoke in support for the proposed plan.

Mr. Jim Fisher, representing Yellow and Checker Cabs, spoke to the letter received by his firm, stating that the City of San Antonio plans to revoke some 126 permits he currently holds for taxicabs. He

then addressed the problems with the taxicab business, and stated that it is not the firm's fault that some taxicab permits have not been used. He then spoke to the reasons why some permits were not used, and stated that he cannot prepare new taxicabs in the 30 days' time. He stated that the economy plays a large role in permitting of taxicabs, and spoke to a lack of demand for cabs after the recent rate-hike was put into effect. He stated his opinion that the proposed plan is not fair, and predicted that it will adversely affect taxicab service to the elderly persons who rely on cabs for transportation. He also predicted that new permittees will be selling those permits for a large profit.

Mr. Robert Gonzales, representing National Cab Company, spoke to his concern that more than 150 cab drivers have been put out of work because of new taxicab regulations, and stated his belief that a 90-day time-period is not enough time to bring all taxicabs up to standards set by the regulations. He noted that San Antonio now has some 328 taxicabs operating on its streets, and stated his opinion that all fleet taxicab operators need more time, or they will be out of business.

Mr. Gary Brandenburg, manager, Taxi Express, presented a written statement to City Council, a copy of which is made a part of the papers of this meeting. He noted that his firm has the same problem as Checker and Yellow Cab, and addressed his concern for delays in the inspection process for taxicabs.

Ms. Betty Rowan, employee of Smith Chevrolet, 1221 Broadway, stated that her firm ordered vehicles for Advance Century Transit, Inc., parent firm for Taxi Express, in April, and stated that these new vehicles cannot be ready within 30 days.

Mr. Joe Cloutie, 223 Rainbow Drive, an independent taxi driver, spoke to the failure of his taxicab to pass inspection, and the reasons why. He noted that he cannot afford a new permit.

Mr. Antranin Baldjian, driver for Victory Cab, asked the City Council to give drivers like himself a break, noting that San Antonio needs good drivers, not new cars.

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

Mr. Reza Sameri, President, Taxicab Association, stated his belief that 30 days is not enough time.

Mr. David Clark, 9430 Alsatian, stated that he is out of business, since he had to turn in his six taxicabs to Yellow Cab Company. He then offered several recommendations and urged the City to keep the permits and only issue them when a vehicle is produced.

Mr. Mark Brame, Texas Cab Company, noted that he cannot operate three of his vehicles because of the new regulations, and spoke to the need for more cabs on the road. He also stated his belief that

responsible, proven cab drivers should be given the 55 reserve permits now about to be issued.

Ms. Virginia Reyes, 7918 Jones Maltsberger, dispatcher for Yellow Cab, stated that there are not enough taxicabs on the streets to properly service the city, and the public is suffering, as a result. She noted that drivers are not able to make a living, and she spoke against revoking any taxicab permits.

* * * *

Mr. Peak noted that many taxicabs have been inspected and cleared to operate, while others haven't been cleared, since new rules went into effect. He stated his belief that the additional 30 days being given for compliance with inspection rules will help get more cabs cleared for operation. He also noted that the new regulations went into effect last April 1, and that permit owners had ample time to get their cabs inspected and cleared to operate. He spoke in support for the pending motion.

Mr. Solis stated his opinion that the question is, whether or not taxicab permit holders can continue to hold onto unfilled cab permits indefinitely, and stated that he is trying to treat everyone concerned equally by cutting out the "brokering" of cab permits in San Antonio.

Mr. Thornton stated that the City is trying to improve the quality of taxicabs on city streets and to curb the 'brokering' of taxicab permits. He noted that the City is not in the business of providing a commodity to be sold or traded.

Mr. Larson stated his belief that the 30-day grace-period will see a large number of taxicabs inspected and cleared to operate in city streets. He stated that permit holders need to get their vehicles inspected, or to purchase new vehicles.

In response to a question by Ms. Ayala, Captain Polonis noted that some 328 taxicabs have been permitted for operation, as of today, and he spoke to the number of taxicab cooperatives in operation.

In response to a question by Ms. Ayala, Mr. Chavira stated his belief that the new cooperatives will be healthy for the local taxicab industry.

Ms. Ayala spoke in support for equity in the taxicab industry.

A discussion took place concerning inspection of taxicabs.

Mr. Solis' motion, giving direction to City staff, as outlined in his motion prevailed by the following vote: AYES: Perez, Avila, Solis, Ayala, Ross, Thornton, Peak, Wolff. NAYS: None. ABSENT: McClendon, Billa Burke, Larson.

At this time, Mr. Peak made a motion to untable Agenda Item 27. Mr. Perez seconded the motion.

After consideration, the motion to untable Agenda Item 27 prevailed by the following vote: AYES: Perez, McClendon, Avila, Ayala, Ross, Thornton, Peak, Wolff. NAYS: None. ABSENT: Billa Burke, Solis, Larson.

Mr. Peak then made a motion to approve Agenda Item 27. Mr. Solis seconded the motion.

Mayor Wolff noted that this ordinance creates the Blue Ribbon Committee, and he asked Council members to submit possible names of committee members by next week.

Discussion then took place concerning possible actions to help clean up the air.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Avila, Ayala, Ross, Thornton, Peak, Wolff; NAYS: None; ABSENT: McClendon, Billa Burke, Solis, Larson.

AN ORDINANCE 80,446

ESTABLISHING THE BLUE RIBBON COMMITTEE ON THE FEDERAL CLEAN AIR ACT AMENDMENTS TO MAKE RECOMMENDATIONS ON MEASURES THAT COULD BE TAKEN TO AID IN MAINTAINING THE CITY'S ATTAINMENT STATUS UNDER THE FEDERAL CLEAN AIR ACT AMENDMENTS.

* * * *

Mr. Peak noted members of the Alamo Area Council of Governments committee on air quality, and members of this committee, should coordinate their activities.

Ms. Ayala noted that the river barges on the downtown San Antonio River should be included in this study.

Mr. Thornton noted that the Metropolitan Planning Organization has applied to the state for grant funds to seek alternative fuels, such as might be used on the downtown river barges.

CITIZENS TO BE HEARD

RUBEN ALTAMIRANO

Mr. Ruben Altamirano spoke to the Council about not being paid the minimum wage in his last two jobs.

Mayor Wolff advised Mr. Altamirano that he needs to take his case to either the Texas Attorney General or the U.S. Justice Department if there may be fraud. He stated that this is not under the City's jurisdiction nor purview.

Mr. Altamirano then stated that he got assaulted by the San Antonio Police Department at the corner of Houston and Navarro.

Mayor Wolff asked Mr. Altamirano to meet with staff present in the audience on his complaint about the assault.

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DON WILKENS CASTILLO

Mr. Castillo stated that there is a need for more police presence in the City, especially District 5. He also stated that the City's Curfew Ordinance is not being properly enforced.

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94-33 City Council recessed its regular meeting at 6:20 P.M. for an Executive Session on:

B. Staff briefing on Cause No. 92-16549 in the 331st District Court of Travis County, Texas, styled State of Texas, et al, vs. First Quality Cylinders.

C. Update on the site location for the Regional Environmental Enterprise Zone (REEZ).

D. Update on Alamodome soil remediation at Petroleum Drive.

City Council reconvened at 7:35 P.M., at which time Mayor Wolff announced that City Council took no official action during the Executive Session, but gave direction to City staff.

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94-33 There being no further business to come before the Council, the meeting was adjourned at 7:36 P.M.

A P P R O V E D
John W. Wall
M A Y O R

Attest:

Anna S. Rodriguez
C I T Y C L E R K

