

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, OCTOBER 4, 1990.

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The meeting was called to order by the Presiding Officer, Mayor Lila Cockrell, with the following members present: BERRIOZABAL, WEBB, DUTMER, WING, MARTINEZ, THOMPSON, VERA, WOLFF, LABATT, HASSLOCHER, COCKRELL.

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90-44 The invocation was given by Doctor David Roach of Good Shepherd Presbyterian Church.

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90-44 The members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

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90-44 The minutes of the Regular City Council meeting of September 6, 1990, were approved at this time.

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90-44 IGNACIO "BUTCH" CONSTANTINO

Mayor Cockrell welcomed Ignacio "Butch" Constantino to the Council Chambers, noting that he had been selected by the City Manager for his newly-inaugurated "At Your Service" Award, honoring one City employee each month. Mayor Cockrell spoke of Mr. Constantino's record of service to the City, and stated that he was beloved by all who worked with him at City Hall.

Mr. Alex Briseno, City Manager, noted that Mr. Constantino will be taking medical retirement from City employ, at the instructions of his doctor, and addressed his many accomplishments.

Mayor Cockrell and other members of the City Council offered personal congratulations to Mr. Constantino for his service.

Individual Council members spoke of Mr. Constantino's record of having overcome physical handicaps to perform a great job as a City employee, calling him an inspiration to all.

Mr. Constantino was given a special Certificate of Service and a book on San Antonio, autographed by each City Council member.

90-44

RETIRED CITY EMPLOYEES

Mayor Cockrell noted the presence in the audience today of a group of retiring City employees, part of the 62 who opted for early retirement.

Mr. Alex Briseno, City Manager, spoke of the loss of more than 1,500 years of experience and service by these retirements, and thanked each for his or her hard work for the City of San Antonio.

The audience joined Mayor and Council in a round of applause in honor of the retirees.

Each retiring City employee present in the audience came forward to introduce themselves, and to identify their department and years of service.

90-44

TWO-MILLIONTH U S A A POLICYHOLDER

Mayor Cockrell spoke of the record of civic service and involvement of United Services Automobile Association in San Antonio, and noted that USAA has reached two million policyholders. She then introduced the two-millionth policyholder, Navy Ensign Prevo and his wife, flown to San Antonio as part of the celebration of the event.

Mayor Cockrell then read the proclamation designating Ensign Prevo an Alcalde of San Antonio, and presented him with the certificate.

Ensign Prevo thanked the Mayor and Council for this honor.

90-44

MENTAL ILLNESS AWARENESS WEEK

Mayor Cockrell spoke of the high costs for treatment of those persons suffering from mental illness, and read the official Proclamation designating "Mental Illness Awareness Week" in San Antonio, presenting it to Dr. Damaso Oliva, Chairman of the Board of the Center for Health Care Services, and other members of that group.

Mr. Martinez spoke of the major accomplishments of the Center and its board.

Dr. Oliva spoke of a number of new initiatives undertaken by the board of the Center.

Representatives of Phoenix House then distributed to Council members special tote-bags made by them.

Several Council members offered their individual congratulations to the Center.

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90-44

DOMESTIC VIOLENCE AWARENESS MONTH

Mayor Cockrell read the official Proclamation designating "Domestic Violence Awareness Month" in San Antonio.

Ms. Berriozabal joined Mayor Cockrell in making the joint presentation of the Proclamation to representatives of the Battered Women's Shelter.

Mayor Cockrell urged community-wide awareness of the dangers of domestic violence.

Sister Jane Shafer and other representatives of the Shelter called for action to hold a citywide meeting during the month of October in order to consider the problems and possible solutions to this issue.

Ms. Berriozabal addressed the problem and the currently-inadequate solutions to domestic violence, in her opinion.

Mrs. Dutmer noted that "domestic violence" involves not only women and children, but, in some cases, men as well.

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90-44

CONSENT AGENDA

Mr. Hasslocher made a motion to approve Agenda Items 8 through 31, constituting the Consent Agenda, with Items 16, 23, 28 and 30 to be pulled for individual consideration, and Items 17 and 26 having been pulled earlier by the City Manager. Mr. Labatt seconded the motion.

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

AN ORDINANCE 72,419 .

ACCEPTING THE EIGHT LOW QUALIFIED BIDS OF VARIOUS VENDORS TO FURNISH THE CITY OF SAN ANTONIO WITH VARIOUS MATERIALS AND SERVICES ON AN ANNUAL CONTRACT BASIS.

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AN ORDINANCE 72,420 .

ACCEPTING THE PROPOSAL OF JOHNSON-DEMPSEY & ASSOCIATES IN THE AMOUNT OF \$3,440.00 FOR ADDITIONAL ARCHITECTURAL SERVICES IN CONNECTION WITH THE PLAZA DE ARMAS RENOVATIONS PROJECT; RATIFYING DESIGN SERVICES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 72,421 .

AUTHORIZING AN ADDITIONAL \$6,871.83 FOR ARCHITECTURAL FEES PAYABLE TO JOSE LUIS HERNANDEZ ARCHITECTS, INC. IN CONNECTION WITH THE BARRIO HEALTH CENTER INTERIOR FINISH-OUT PROJECT.

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AN ORDINANCE 72,422 .

ACCEPTING THE PROPOSAL OF BROWN ENGINEERING CO. FOR THE PROVISION OF ENGINEERING SERVICES IN CONNECTION WITH THE LEE HALL STREETS (PHASE IV) PROJECT; AUTHORIZING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$18,412.19; AUTHORIZING \$6,055.62 FOR ENGINEERING CONTINGENCY EXPENSES; AUTHORIZING \$200.00 FOR BID ADVERTISING EXPENSES ; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 72,423 .

ACCEPTING THE PROPOSAL OF K.M. NG & ASSOCIATES, INC. FOR THE PROVISION OF ENGINEERING DESIGN SERVICES IN CONNECTION WITH THE PENTAGON STREETS (PHASE IV) PROJECT; AUTHORIZING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$49,759.79; AUTHORIZING \$7,000.00 FOR ENGINEERING CONTINGENCY EXPENSES;

AUTHORIZING \$200.00 FOR BID ADVERTISING EXPESSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 72,424

AUTHORIZING AN ADDITIONAL \$9,970.27 FOR ENGINEERING FEES PAYABLE TO FORD EINGINEERING, INC. IN CONNECTION WITH THE WAZEE (TAOS TO CARMEN) PROJECT; AUTHORIZING \$200.00 FOR BID ADVERTISING EXPESSES; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 72,425

ACCEPTING THE LOW, QUALIFIED BID OF JOHN COPELAND ENTERPRISES, INC. IN THE AMOUNT OF \$5,445.00 IN CONNECTION WITH THE PEDESTRIAN BRIDGE FENCE ENCLOSURE AT LINCOLN COURTS PROJECT; AUTHORIZING A CONTRACT; AUTHORIZING \$1,361.25 FOR CONSTRUCTION CONTINGENCIES, \$228.69 FOR PROJECT OVERSIGHT COSTS AND \$200.00 FOR BID ADVERTISING FEES; PROVIDING FOR PAYMENT; AND REVISING THE PROJECT BUDGET.

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AN ORDINANCE 72,426

APPROPRIATING ADDITIONAL FEES IN THE AMOUNT OF \$7,286.95 PAYABLE TO NORRIS-RONNFELDT-ARANDA, A JOINT VENTURE, PROVIDE ENGINEERING SERVICES ASSOCIATED WITH THE DEVELOPMENT AND FIELD EXECUTION OF FIELD ALTERATION NOS. 1 THROUGH 3 RELATED TO THE DEELY STREET EMERGENCY SANITARY SEWER PROJECT, PHASE II; RATIFYING WORK ALREADY PERFORMED; AUTHORIZING \$3,000.00 FOR THE ENGINEERING CONTINGENCY; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 72,427

ACCEPTING THE PROPOSAL OF LAWRENCE E. HANS AND ASSOCIATES FOR THE PROVISION OF ENGINEERING SERVICES IN CONNECTION WITH THE ALAMO BRANCH YMCA AND THE EAST SIDE BOYS AND GIRLS CLUB SWIMMING POOL IMPROVEMENTS PROJECTS; AUTHORIZING A PROFESSIONAL

SERVICES CONTRACT IN THE AMOUNT OF \$23,500.00 WITH ALLOCATIONS OF \$9,500.00 FOR THE ALAMO BRANCH YMCA PROJECT AND \$14,000.00 FOR THE EAST SIDE BOYS AND GIRLS CLUB PROJECT; AUTHORIZING ENGINEERING CONTINGENCY EXPENSES OF \$950.00 AND \$1,400.00 FOR THE ALAMO BRANCH YMCA AND THE EAST SIDE BOYS AND GIRLS CLUB PROJECTS, RESPECTIVELY; REVISING THE PROJECT BUDGETS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 72,428

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$2,875.00 OUT OF GENERAL OBLIGATION BONDS FOR ACQUIRING TITLE TO FOUR (4) PARCELS IN CONNECTION WITH THE PACIFIC DRAINAGE PROJECT #66, PHASE IIB; AND ACQUIRING TITLE TO A PARCEL IN CONNECTION WITH THE STOCKYARD/PRODUCE MARKET AREA STREET & DRAINAGE IMPROVEMENTS PROJECT.

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AN ORDINANCE 72,429

APPROVING A 25 YEAR LICENSE AGREEMENT FOR A FEE OF \$500.00 BETWEEN THE CITY OF SAN ANTONIO AND THE FROST NATIONAL BANK OF SAN ANTONIO (UNIVERSITY BRANCH) TO ENCROACH ON CITY RIGHT-OF-WAY, SPECIFICALLY A DRAINAGE EASEMENT ON LOT 3, NEW CITY BLOCK 16072 LOCATED ADJACENT TO THE I.H. 10 ACCESS ROAD AND CASABELLA STREET, FOR THE PURPOSE OF INSTALLING AN AUTOMATED TELLER MACHINE (A.T.M.)

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AN ORDINANCE 72,430

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH JOE L. SCATES, FOR PREPARATION OF RIGHT-OF-WAY ACQUISITION APPRAISALS FOR THE BABCOCK ROAD - NORTH AND SOUTH OF HUEBNER PROJECT, APPROPRIATING FUNDS AND AUTHORIZING PAYMENT UP TO \$13,000.00.

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AN ORDINANCE 72,431

APPROPRIATING \$6,830.96 FROM COMMUNITY DEVELOPMENT

BLOCK GRANT FUNDS FOR FEE TITLE TO LOTS 13 AND 30,
BLOCK 2, NCB 2207, BEXAR COUNTY, TEXAS NEEDED FOR
THE FARIAS PARK PROJECT AND FOR COURT COSTS AND
AUTHORIZING DISBURSEMENT AND DISPOSITION OF SUCH
SUMS.

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AN ORDINANCE 72,432 .

APPROVING A ONE YEAR EXTENSION OF A LEASE AGREEMENT
WITH MS. ISABEL VELA FOR SPACE AT MARKET SQUARE
KNOWN AS RANCHO GRANDE RESTAURANT AND AUTHORIZING
ITS EXECUTION.

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AN ORDINANCE 72,433 .

AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE
NATIONAL ENDOWMENT FOR THE ARTS (NEA) FOR A GRANT
IN THE AMOUNT OF \$20,000.00 TO HELP FUND A PUBLIC
ART MASTER PLAN FOR THE MULTIPURPOSE DOME FACILITY
AND THE IMMEDIATE SURROUNDING AREA.

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AN ORDINANCE 72,434 .

AUTHORIZING THE ACCEPTANCE OF A \$201,758.00 GRANT
FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN
SERVICES, PUBLIC HEALTH SERVICE, TO FUND AN INJURY
SURVEILLANCE/PREVENTION PROJECT; ESTABLISHING A
FUND; ADOPTING A BUDGET; AND AUTHORIZING PERSONNEL
POSITIONS.

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AN ORDINANCE 72,435 .

AUTHORIZING PAYMENT OUT OF THE GENERAL FUND IN THE
AMOUNT OF \$15,166.00 FOR MEMBERSHIP DUES TO THE
NATIONAL LEAGUE OF CITIES FOR THE PERIOD OCTOBER 1,
1990, THROUGH SEPTEMBER 30, 1991.

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AN ORDINANCE 72,436 .

CLOSING JOHN ADAMS STREET BETWEEN ST. CLOUD AND

WILLIFORD WAY ON SUNDAY, OCTOBER 14, 1990 FROM 9:00
A.M. UNTIL 10:00 P.M. TO ALLOW ST. PAUL'S CATHOLIC
CHURCH TO HOLD ITS ANNUAL FALL FESTIVAL.

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90-44 The Clerk read the following Ordinance:

AN ORDINANCE 72,437

ACCEPTING A DONATION FROM THE SAN ANTONIO PETROLEUM
BULK TERMINAL OPERATORS IN THE AMOUNT OF \$60,000.00
FOR USE BY THE SAN ANTONIO FIRE DEPARTMENT TO
PURCHASE FIRE-FIGHTING FOAM TO EXTINGUISH TANK FIRES
AND ESTABLISHING A FIRE FOAM USE FEE FOR REPLACEMENT
OF FOAM USED DURING EMERGENCY SERVICES, AND AMENDING
CITY CODE CHAPTER 11, SECTION 11-17.

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

Mr. Jack Whitby, representing the San Antonio Petroleum Bulk
Terminal Operators, presented the City with a \$60,000 check to purchase
firefighting foam to be used in case of bulk petroleum fires.

The City Council joined members of the audience in a round of
applause for the gesture.

Mayor Cockrell accepted the check, on behalf of the City.

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

In response to a question by City Manager Alex Briseno, Deputy
Fire Chief Jim Miller spoke to the uses for the firefighting foam.

Several City Council members thanked the group for its
contribution to the City for the purchase of firefighting foam, and noted
other recent contributions made to the City by various businesses.

90-44 The Clerk read the following Ordinance:

AN ORDINANCE 72,438

AUTHORIZING THE EXECUTION OF PERFORMANCE AND TECHNICAL SERVICES CONTRACTS IN THE AMOUNT OF \$203,720.00 FOR THE CARVER COMMUNITY CULTURAL CENTER'S AFRICAN CARIBBEAN FESTIVAL; AND DECLARING AN EMERGENCY.

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

In response to a question by Mrs. Dutmer, Mr. Sergio Soto, Acting Director, Department of Human Resources and Services, noted that the festival uses no general fund City monies, only donations and grant funds.

Mr. Webb spoke of the program and the absence of any general fund City monies, and thanked Ms. Jo Long, Director of the Carver Center. He then spoke briefly to the development of the Carver Center.

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

90-44 The Clerk read the following Ordinance:

AN ORDINANCE 72,439

AUTHORIZING AN AMENDMENT TO THE CURRENT CONSTRUCTION CONTRACT RETAINAGE POLICY AND THE SUBMITTAL DATE FOR THE GOOD FAITH EFFORT DOCUMENTATION FOR THE MULTIPURPOSE DOME FACILITY.

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

Mr. Roland Lozano, Director of Dome Development, explained that the program is designed to meet the City's minority business goals and incentives being offered to meet those goals, and recommended approval of the amendment.

Mr. Frank Herrera, Chairman, Mexican American Legal Defense and Education Fund, spoke to the City's progress in involving minority business activity, city-wide and addressed his request that the Dome concessions bid be opened to all. He then spoke to a possible joint arrangement with the Spurs on Dome concessions and stated his opinion that the Spurs' commitment to 33 per cent minority business involvement in the concessions at the Dome is inadequate. He then offered some \$2.5 million to the Spurs in return for a joint venture arrangement on the Dome concessions, and spoke to plans to use part of the receipts for Partnership for Education. He asked that the Council grant this request or give his group time to purchase the San Antonio Spurs.

Ms. Linda Guerra Matthews, Chairman-elect, Hispanic Chamber of Commerce, read for the record a Resolution of her organization in support of the plan put forth by Mr. Herrera, and asked for a 50 per cent minority business involvement in the Dome concessions contract.

Mr. Labatt spoke in support of the minority business efforts being put forth, but noted that the U.S. Supreme Court has ruled against making minority business goals into requirements. He then spoke against the incentives plan as presented by Mr. Herrera.

Mr. Martinez spoke to the current "good faith effort" policy on the Domed Stadium, and the retainage policy on Dome construction. He then spoke to the City staff's proposed amendments to those policies, and noted that a legal question exists concerning whether or not a general contractor can require a certain minority business level of sub-contractors. He stated his opinion that the City staff's incentive plan will contribute greatly to minority business involvement, and briefly explained how the program will work. He spoke in support of both staff recommendations and current negotiations with the Spurs on the Dome concessions contract. He stated his belief that the difference lies in the fact that no other firm other than the Spurs can bring along a professional basketball team to the Dome. He then spoke to the results of minority business negotiations with the Spurs, including other City facilities under lease to the Spurs, and noted that if Mr. Herrera can work out a 50-50 joint venture with the Spurs on the Dome concessions contract, that is a matter between those two parties, not involving the City Council.

In response to a question by Mrs. Dutmer, Mr. Lozano discussed minority business goals for the Domed Stadium and the relationship between the prime contractor and the sub-contractors as to minority business requirements and incentives. He noted that the City has no control over sub-contractors.

Mrs. Dutmer stated that she cannot support the proposed incentive program.

Ms. Vera, a member of the Dome Advisory Committee's minority business sub-committee urged the Council to implement both staff

recommendations, noting that the program is not intended to punish contractors but to reward them if they achieve certain incentive goals.

Ms. Berriozabal spoke in support of both initiatives and explained why, stating that she feels that the matter of minority business involvement negotiations should have been a "deal-breaker" early-on in the concessions talks. She stated her belief that the City's minority business goals are good and should be applied here. She then spoke of having problems with the cancellation clause, rentals, and minority business segments of the concessions contract talks with the Spurs.

In response to a question by Mr. Wolff, Mr. Lozano noted that the retainage policy deals only with that amount of the contracted funds that will be retained by the City as construction continues, and not with any other contractual issues.

In response to a question by Mr. Thompson, Mr. Lozano discussed the retainage proposal details.

Mr. Thompson stated his opinion that "good faith" cannot be legislated.

Mr. Dutmer voiced her concerns with the legalities involved in certain aspects of this issue.

Mayor Cockrell noted that the Dome Advisory Committee has come up with this incentive policy as the best available, and she stated her support for the proposed Ordinance.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Wing, Martinez, Thompson, Vera, Wolff, Cockrell; NAYS: Dutmer, Labatt; ABSENT: Hasslocher.

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90-44 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE CLOSING, VACATING, AND ABANDONING THAT PORTION OF AN EXISTING, IMPROVED STREET KNOWN AS GRUBB ROAD.

Mayor Cockrell declared the Public Hearing to be open.

No citizen appeared to speak on this issue.

Mayor Cockrell declared the Public Hearing to be closed.

Mr. Bill Toudouze, Real Estate Division, Public Works Department, explained the request for street closure and quitclaim, and noted that one nearby property owner had asked for a postponement of this matter for several weeks in order that all concerned could discuss and arrive at the

matter of access for that property, should the street be closed.

Mr. Wing made a motion to postpone this item. Mrs. Dutmer seconded the motion.

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

90-44

PARSONS STREET SUBSTATION

Item 33. The Clerk read a proposed ordinance declaring a public necessity for the acquisition of fee title to certain properties.

Mr. Joe Trevino, representing City Public Service, explained the need for a new electric substation to serve the new Domed Stadium and the immediate area. He identified the site for the proposed Parsons Street Substation, noting that it was sited there as the most economical site available. He spoke to offers that have been made for the needed properties, what already has been acquired through negotiation, and the remaining properties to be acquired. He spoke to the need for rapid action on this matter in order to secure the site.

Mr. Frank S. Vasquez, owner of property and a moving company thereon, spoke to several concerns and questions relative to acquisition of his property by CPS, and stated his belief that he has been harassed over this matter. He also stated his opinion that several senior citizen property owners in this area have been taken advantage of, and that he was never notified of CPS Board or City Council meetings that were to consider this property matter. He also stated his belief that there exist other possible sites for this substations for CPS.

Mr. Karl Wurz, 820 Florida, stated that no master plan for siting of CPS electrical substations exists, and he feels that this location in question, if approved, will kill any more economic development in the area. He spoke of the potential for a possible disastrous explosion because of what is located across the street from this site, and stated his opinion that a better electrical substation site exists on Carolina Street to the south of this area.

In response to a question by Mayor Cockrell, Mr. Trevino noted that CPS had studied this suggested alternative site and estimated that it would cost about \$1 million more to locate it there. He then spoke to the reasons for this estimate.

Mrs. Dutmer addressed her objections to the Parsons Street Substation site, stating her opinion that CPS is not offering residents a

fair market value for their properties. She spoke against installation of underground electrical lines in lieu of above-ground towers, and stated her belief that a better site would be across the nearby railroad tracks. She stated her intention to support the citizens in this case.

In response to a question by Mr. Thompson, Mr. Trevino estimated that it would cost about \$600 per foot in order to run electrical lines from the alternative site being proposed by the citizens.

In response to a question by Mr. Thompson, Mr. Gene Dukes, CPS, addressed the search for a proper site for this electrical substation.

Mr. Wolff stated his opinion that CPS needs to be equitable with area residents.

A discussion then took place concerning the need for CPS to follow the same relocation procedures for area residents as VIA Metropolitan Transit followed in relocation from the Domed Stadium site, itself. The discussion also considered other factors involved in making offers for a property.

Ms. Berriozabal stated her belief that there is room for more negotiations on these needed properties, noting that most residents of this area are willing to sell to CPS at equitable prices. She stated that she is against giving CPS the power to take this land by condemnation.

Mrs. Dutmer stated her belief that CPS is not offering a fair price for these properties; thus, she will vote against this Ordinance.

Ms. Vera stated that she would not be voting in favor of the Ordinance at this time, and spoke in favor of asking CPS to take another look at the property negotiations.

Mr. Lloyd Garza, City Attorney, spoke to future actions necessary to trigger the formal court processes designed to take this property by eminent domain.

Mr. Labatt stated her would support a postponement of this matter in order to allow more time for negotiations.

Mrs. Dutmer made a motion to postpone for three weeks. Ms. Berriozabal seconded the motion.

After consideration, the motion to postpone for three weeks, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Vera, Wolff, Labatt, Cockrell; NAYS: None; ABSENT: Hasslocher.

Agenda Item 33 was postponed for three weeks.

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The City Council recessed its Regular Meeting at 4:40 P.M. to convene a "B" Session to consider the Library Long Range Plan, reconvening in Regular Session at 5:30 P.M.

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City Manager Alex Briseno announced that Agenda Item 34 has been removed from consideration.

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90-44

CITIZENS TO BE HEARD

MR. JOHN HOLLRAH

Mr. John Hollrah, VOICE for Animals, spoke of the observance today of St. Francis of Assisi, the Patron Saint of animals. He stated that cruelty to animals is rampant in the City of San Antonio. He also expressed concern that the City of San Antonio does not have a cruelty investigator in the City of San Antonio. He also stated that this problem has a very low priority with the San Antonio Police. He suggested that the City Council approve an Ordinance concerning cruelty to animals and to create a position of Cruelty Investigator. A copy of the proposed ordinance is on file with the papers of this meeting. He also presented a petition signed by over 6000 residents in support of a position of Cruelty Investigator.

Mrs. Berriozabal stated that if the Council approved such an ordinance a corresponding amount of money will have to be appropriated. She feels that if money is not appropriated the ordinance will not be of any value. She also spoke of the need to prioritize any ordinance protecting children from Cruelty. This presently falls under the State of Texas Department's jurisdiction.

Mayor Cockrell stated that this matter would be referred to the staff for their review.

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MR. JULIAN RODRIGUEZ

Mr. Julian Rodriguez, Executive Director of SANYO invited the City Council to a tour of agencies funded by JTPA. He also asked that they be included as part of the assessment team to review the PIC Programs.

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MR. ARTURO RAMIREZ

Mr. Arthur Ramirez, P.O. Box 12081, read a prepared statement to the Council, a copy of which is on file with the papers of this meeting regarding the Environmental Asbestos & Underground Storage tank removal contract.

Mr. Roland Lozano, stated that this contract/proposal did not come before the City Council, but rather was handled totally by the San Antonio Development Agency. It is not a City of San Antonio contract.

Mayor Cockrell asked that Mr. Ramirez register his protest with the San Antonio Development Agency (SADA).

Mrs. Dutmer stated that she has a copy of the RFP's received and explained the process on how the bid was awarded.

Mayor Cockrell stated that the City Council was not the authority to award this bid. She urged him to revisit with the SADA Board & Staff.

Mrs. Berriozabal asked about the policies used by SADA on Minority participation contracting.

In response to Mr. Martinez, Mr. Lozano stated that the SADA Board approved the contract for the services and VIA Board ratified the action.

Mr. Martinez, Liaison to the SADA Board, stated that Mr. Ramirez has raised some important issues which should be heard by the SADA Board.

A discussion took place on the bid offered by Mr. Ramirez and the other bids received.

A discussion also took place on the manner of the removing of the storage tanks on the property.

Mr. Ramirez was asked to visit with the SADA Board & staff.

Mrs. Dutmer gave a breakdown of the bids received.

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90-44 At 6:00 P.M. City Council recessed its Regular Meeting for dinner, reconvening at 6:45 P.M.

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90-44 At 6:46 P.M., City Council recessed its Regular Meeting to

convene in Executive Session for the purpose of continuation of negotiations with the San Antonio Spurs for a new contract for the Domed Stadium, reconvening in Regular Session at 8:50 P.M.

Mayor Cockrell announced that in Executive Session, the City Council had received a proposal from the San Antonio Spurs, and that City staff has been instructed to review questions raised by Council members, and the matter will be on the Council's agenda for formal consideration next week.

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90-44 The Clerk read the following Ordinance:

AN ORDINANCE 72,440 .

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AUTHORIZING PAYMENT IN THE AMOUNT OF \$7,500.00 IN
THE SETTLEMENT OF CAUSE NO. 88-CI-22233, STYLED
PLACIDO HERNANDEZ, ET AL. V. CITY OF SAN ANTONIO, ET
AL.

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

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

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90-44 The Clerk read the following Ordinance:

AN ORDINANCE 72,441 .

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AUTHORIZING PAYMENT IN THE AMOUNT OF \$150,000.00 IN
THE SETTLEMENT OF CAUSE NO. 89-CI-09791, STYLED
PATRICIA WORCHUCK AND RICHARD WORCHUCK V. MARIA S.
LESTER AND THE CITY OF SAN ANTONIO.

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

After consideration, the motion, carrying with it the passage of

the Ordinance, prevailed by the following vote: AYES: Berriozabal, Dutmer, Wing, Thompson, Vera, Wolff, Labatt, Cockrell; NAYS: None; ABSENT: Webb, Martinez, Hasslocher.

90-44 The Clerk read the following Resolution:

A RESOLUTION NO. 90-44-55

SUPPORTING THE NOMINATION OF COUNCILMEMBER YOLANDA VERA FOR THE NATIONAL LEAGUE OF CITIES BOARD OF DIRECTORS.

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Mrs. Dutmer made a motion to approve the proposed Resolution. Mr. Thompson seconded the motion.

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

90-44 TRAVEL AUTHORIZATIONS - Granted:

Mayor Lila Cockrell to travel to Guadalajara, Mexico from October 11, 1990 to October 14, 1990, to attend "Fiestas De Octubre" Sister Cities Event, Bilateral Commission Meetings (between Jalisco & So. Texas)/San Antonio Products Expo, San Antonio convention & Visitors Bureau.

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Councilman Walter Martinez to travel to Guadalajara, Mexico from October 11, 1990 to October 15, 1990 to attend a Bilateral Commission Meeting between Jalisco and South Texas/San Antonio Products Expo, San Antonio Convention Visitors Bureau.

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Councilman Nelson W. Wolff to travel to Guadalajara, Mexico from October 11, 1990 to October 15, 1990 to attend Sister-City Event, "Fiestas De Octubre".

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90-44

DISCUSSION OF TENURE ON S.A.D.A. BOARD

Mrs. Dutmer stated her desire to grant an exception to current City Council policy relative to tenure on the City's Boards and Commissions, dealing specifically with the San Antonio Development Agency Board of Directors, and spoke briefly of the problems that could result should a large number of current board members be forced from that board at one time, leaving, in effect, three relatively new board members to handle several major projects now underway. She asked that consideration of an exception to the tenure policy be considered in a future City Council meeting as it relates solely to the SADA Board of Directors. She spoke to the large number of federal projects handled by that board involving large sums of money.

Mr. Labatt voiced his concern with the possible precedent to be set, noting that back in 1987, the City Council had voted 7 to 4 in favor of the current tenure policy for all Boards and Commissions.

Mr. Wing spoke in favor of a change in current policy in some instances, and he spoke to several cases, noting that some boards and/or commissions are finding it difficult to secure a quorum.

Ms. Berriozabal stated that the Council might wish to consider a staggering of terms on all boards and commissions in order to keep from eliminating a majority of experienced board/commission members at any one time. She spoke against returning to an open-ended appointment policy.

Mr. Thompson spoke in agreement with Ms. Berriozabal's points.

Ms. Vera spoke of problems she has encountered with certain boards because of the current tenure policy.

City Council took no action at this time.

90-44

JTPA BLUE RIBBON PANEL APPOINTMENTS

Ms. Berriozabal, the City's representative in current meetings with representatives of Bexar County and judges from 12 rural counties concerning the matter of board appointments to the Board of Directors of the Alamo Private Industry Council, explained the nominees for City of San Antonio appointment to a JTPA Blue Ribbon Panel on this topic, noting that her conference group recommended four possible nominees from the City, with two to be selected by the conference group including herself.

Council members nominated Mr. Phil Parker, Mr. Quincy Lee, Sister Rosita Hyland and Mr. Ken Christensen. The nominations then were closed and the above-named persons were declared nominated by acclamation.

90-44 The Clerk read the following Ordinance:

AN ORDINANCE 72,442

APPROVING FIELD ALTERATION NO. 3 IN THE AMOUNT OF \$20,541.00 OF THE CONTRACT WITH R. L. JONES COMPANY, INC., TO PROVIDE FOR ADJUSTMENTS IN CONNECTION WITH THE HIGHLAND PARK SANITARY SEWER-SOUTH PROJECT--PHASE I; RATIFYING WORK ALREADY PERFORMED; AND PROVIDING FOR PAYMENT.

* * * *

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

Mrs. Dutmer spoke of her concern that work-crews will fail to properly clean up when finished with the job, as they have done elsewhere in her area in the past.

Mr. Joe Aceves, Director of Public Works, stated that he would have the contractor involved in the matter of Mrs. Dutmer's concern take care of the necessary clean-up.

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

90-44 The Clerk read the following Ordinance:

AN ORDINANCE 72,443

AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH STEVEN PLANTE D/B/A PLANTE CONCESSIONS, TO OPERATE A CAFETERIA IN 2900 SQUARE FEET OF SPACE LOCATED AT THE POLICE TRAINING AND CAREER DEVELOPMENT CENTER AT 12200 S.E. LOOP 410.

* * * *

Mrs. Dutmer made a motion to approve the proposed Ordinance.

Mrs. Thompson seconded the motion.

In response to a question by Mrs. Dutmer, Mr. Dale Jacobs, Police Department, addressed the proposed food selections to be provided by the contractor/concessionaire, including diet foods.

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

90-44

CITY MANAGER'S REPORT:
NEWLY-APPOINTED ASSISTANT DIRECTORS
OF ENVIRONMENTAL MANAGEMENT

Mr. Alex Briseno, City Manager, introduced two newly-appointed Assistant Directors of Environmental Manager, Mr. Willie Horton and Mr. Jay Aldean, and he spoke briefly to their background qualifications. He noted that he would not anticipate appointing a new Director to that department until a final decision is made as to possible consolidation of certain functions within the City structure.

90-44 There being no further business to come before Council, the meeting was adjourned at 9:20 P.M.

A P P R O V E D

Lila Cockrell

M A Y O R

ATTEST

Norma S. Rodriguez
C i t y C l e r k

October 4, 1990
jd/alh

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