

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, APRIL 7, 1994.

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94-16 The City Council convened in an informal "B" Session at 10:00 A.M., City Hall, "B" Room, to consider the following item(s). The Council members present were: PEREZ, McCLENDON, BILLA BURKE, AVILA, SOLIS, AYALA, ROSS, THORNTON, PEAK, LARSON, WOLFF; Absent: NONE.

A. Gun Shows on or in City-owned Property.

Direction was given to move this item to "A" Session for formal consideration.

B. Airport Gift and News Concession (PULLED).

C. Scheduling for Future "B" Session Items (PULLED).

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94-16 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, BILLA BURKE, AVILA, SOLIS, AYALA, ROSS, THORNTON, PEAK, LARSON, WOLFF. Absent: NONE.

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94-16 Invocation - Councilman Bill Thornton.

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94-16 Pledge of Allegiance to the flag of the United States.

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94-16 Minutes of the March 10, 1994 Regular City Council Meeting were approved.

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94-16 FIESTA COMMISSION MEDALS

Mayor Wolff introduced Mr. Jack Saunders, President, and Ms. Marlene Pedroza, Executive Vice President, Fiesta San Antonio Commission.

Mr. Saunders spoke to the upcoming Fiesta Week and its history and traditions, as well as its economic impact.

Members of the Fiesta Commission delegation then came forward to present City Council members with special Fiesta medals.

94-16

KIDS DAY IN SAN PEDRO PARK

Mayor Wolff read the Proclamation designating "Kids Day In San Pedro Park", and presented it to Ms. Sandy Enders and Ms. Laura Hernandez, who spoke briefly to details of the event and invited all of San Antonio to attend this free-of-charge affair.

94-16

CLEAN UP SAN ANTONIO DAY

Mayor Wolff spoke to the city-wide cleanup day set for Saturday, April 9th, the second such clean-up event held in recent months in San Antonio. He then read the Proclamation designating "Clean Up San Antonio Day" and presented it to Mr. Rodrigo Garcia, representing the Clean Up City Commission and event chairman, Mr. David Carpenter.

(At this point, Mayor Wolff was obliged to leave the meeting. Mr. Larson presided in absence of the Mayor Pro Tem.)

Mr. Garcia thanked all participants in this clean-up event, including City crews and individuals. He then introduced the several private business firms and civic groups involved in the planning and execution of this event.

Mr. Larson congratulated the Commission and others involved.

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

Mayor Wolff and City Council members spoke to details of Saturday's planned clean-up event and congratulated the participants.

94-16

KABB KIDS FAIR DAYS

Mayor Wolff noted that KABB-TV is holding "KABB Kids Fair Days" April 9-10, 1994, and introduced Mr. Michael Liss, station manager; Ms. Kathleen O'Connell, Commander KO; and Project DARE officer, Greg Whittlock. He then read the Proclamation designating the "KABB Kids Fair Days" and presented it to the delegation.

Mr. Liss spoke to details of the planned event.

Mayor Wolff and City Council members thanked the station for its work with children.

Members of the group then came forward to present City Council members with special T-shirts and tickets to the event.

94-16

POLICE OFFICER CHARLIE CORTINAS

Mayor Wolff stated that he was exercising a Point of Personal Privilege in recognizing Police Officer Charlie Cortinas for his 22 years of service with the San Antonio Police Department, and especially his service as Executive Protection Officer in the Mayor's office, serving under three separate administrations.

Mayor Wolff noted that Officer Cortinas is leaving San Antonio for Washington, D.C. to become Deputy U.S. Marshal in the service of Secretary of Housing and Urban Development Henry Cisneros.

He then read a special Certificate of Appreciation and presented it to Officer Cortinas and members of his family.

Officer Cortinas spoke to his future plans, and to his remembrances of his years of service to the City of San Antonio.

Mayor Wolff, members of the City Council, and City Manager Alex Briseno spoke to their own personal remembrances of Officer Cortinas, and wished him good luck in the future.

94-16

CLARIFICATION OF "B" SESSION DIRECTION ON GUN SHOWS

Mayor Wolff re-stated, for the record, the direction given to City staff during this morning's "B" Session briefing on regulating of gun shows on or in City-owned property.

Ms. Billa Burke made a motion to direct City staff to move to "A" Session for formal discussion and consideration a proposed ordinance establishing a policy for regulating and/or banning gun shows in City-owned facilities. Mr. Peak seconded the motion.

After discussion, the motion to provide direction to City staff prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Ross, Thornton, Peak, Wolff. NAYS: None. ABSENT: Avila, Solis, Ayala, Larson.

Ms. McClendon made a motion to approve Agenda Items 7 through 26c, constituting the Consent Agenda, with Items 9, 13, and 14 being pulled for individual consideration. Mr. Solis seconded the motion.

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

AN ORDINANCE 79,925

ACCEPTING THE LOW BID OF DEALERS ELECTRIC IN THE AMOUNT OF \$9,921.75 TO PROVIDE THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH TRAFFIC SIGNAL CABLE FOR PEDESTRIAN SIGNALS.

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AN ORDINANCE 79,926

ACCEPTING THE PROPOSAL OF CRIMINAL INVESTIGATIVE TECHNOLOGY, INC. IN THE AMOUNT OF \$13,550.00 TO PROVIDE THE CITY OF SAN ANTONIO INFORMATION SERVICES DEPARTMENT WITH COMPUTER SOFTWARE CAPABLE OF PERFORMING VARIOUS INTELLIGENCE AND ANALYTICAL FUNCTION FOR THE POLICE DEPARTMENT'S HIGH INTENSITY DRUG TRAFFICKING OFFICE.

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AN ORDINANCE 79,927

ACCEPTING THE LOW QUALIFIED BIDS OF SMITH OFFICE FURNITURE AND WITTIGS OFFICE FURNITURE IN THE AMOUNT OF \$38,519.44 TO FURNISH THE CITY OF SAN ANTONIO CARVER AND LAS PALMAS BRANCH LIBRARIES WITH FURNITURE.

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AN ORDINANCE 79,928

ACCEPTING THE BID OF INDUSTRIAL DISPOSAL SUPPLY TO FURNISH PARTS AND SERVICE FOR THE ZAMBONI EQUIPMENT USED AT THE ALAMODOME FOR AN APPROXIMATE TOTAL OF \$3,000.00 ANNUALLY.

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AN ORDINANCE 79,929

ACCEPTING THE LOW BIDS OF GRANDE FORD TRUCK SALES, INC. AND SANTEX INTERNATIONAL TRUCK, INC. IN THE AMOUNT OF \$1,179,000.00 TO FURNISH THE CITY OF SAN ANTONIO AUTOMOTIVE OPERATIONS WITH MEDIUM AND HEAVY DUTY TRUCKS FOR USE BY VARIOUS CITY DEPARTMENTS.

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AN ORDINANCE 79,930

AUTHORIZING FIELD ALTERATION NO. 2 IN THE AMOUNT OF \$18,470.36 PAYABLE TO S. A. WINCO, INC. IN CONNECTION WITH THE BERLIN FROM ZARZAMORA TO HURON COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) RECONSTRUCTION PROJECT; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 79,931

ACCEPTING THE LOW, QUALIFIED BID OF MATRIX BUILDERS, INC. IN THE AMOUNT OF \$44,000.00 IN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) RECONSTRUCTION PROJECT; AUTHORIZING A CONTRACT; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 79,932

ACCEPTING THE LOW, QUALIFIED BID OF L & R BUILDERS, INC. IN THE AMOUNT OF \$82,102.00 IN CONNECTION WITH THE MERRICK FROM SOUTH FLORES TO PROBANDT COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) RECONSTRUCTION PROJECT; AUTHORIZING A CONTRACT; REVISING THE PROJECT BUDGET; AUTHORIZING \$8,210.20 FOR CONSTRUCTION CONTINGENCIES, \$3,448.28 FOR PROJECT OVERSIGHT COSTS AND \$600.00 FOR ADVERTISING EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 79,933

ACCEPTING THE LOW, QUALIFIED BID OF KESSLER BROS. CONSTRUCTION CO. IN THE AMOUNT OF \$31,743.00 IN CONNECTION WITH THE 24TH STREET (NAVARRO) PARK PLAYGROUND COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT; AUTHORIZING A CONTRACT; REVISING THE

PROJECT BUDGET; AUTHORIZING \$4,024.00 FOR
CONSTRUCTION CONTINGENCIES, \$4,124.00 FOR
ADVERTISING EXPENSES, \$409.00 FOR PRINTING FEES AND
\$200.00 FOR PROFESSIONAL FEES; AND PROVIDING FOR
PAYMENT.

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AN ORDINANCE 79,934

APPROVING AN AMENDMENT TO FARMERS MARKET PLAZA LEASE
AGREEMENT (NEW TENANTS - IN LINE STORES; FOOD
COURT/SPECIALTY TRUCKS), ORIGINALLY APPROVED BY
ORDINANCE NO. 79223, ON NOVEMBER 23, 1993, WITH
SOLOMON HAMIDEH, A SOLE PROPRIETORSHIP, DBA FLAG
WORLD TO RELOCATE THE LEASED PREMISES FROM SPACE
NUMBER 7 TO SPACE NUMBER 14 IN THE PLAZA.

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AN ORDINANCE 79,935

AUTHORIZING THE EXPENDITURE OF THE SUM OF
\$181,304.00 OUT OF GENERAL OBLIGATION BONDS;
ACQUIRING TWO TEMPORARY EASEMENTS IN CONNECTION WITH
THE OCTAVIA PLACE DRAINAGE PROJECT #63; AND
ACQUIRING TITLE TO TWO PARCELS IN CONNECTION WITH
THE F.M. 1517 (ECKHERT ROAD) PROJECT - S.H. 16 TO
HUEBNER ROAD.

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AN ORDINANCE 79,936

AUTHORIZING A LEASE AGREEMENT WITH THE TRES
MERCADOS, COMPRISED OF THE SAN ANTONIO FARMERS
MARKET, MARKET SQUARE, AND EL MERCADO MERCHANTS
ASSOCIATION, TO CONDUCT FIESTA WEEK ACTIVITIES AT
MARKET SQUARE APRIL 15 THROUGH APRIL 24, 1994, FOR A
RENTAL OF \$42,500.00 FOR 1994 AND A MINIMUM OF
\$50,000.00 PLUS A PERCENTAGE OF ANY GATE ADMISSION,
STARTING IN 1995 AS PART OF FOUR CONSECUTIVE ANNUAL
EXTENSIONS, TERMINATING IN 1998, AND DECLARING AN
EMERGENCY.

* * * *

AN ORDINANCE 79,937

AUTHORIZING THE EXECUTION OF A CONTRACT IN THE
AMOUNT OF \$4,773.00 WITH THE SAN ANTONIO INDEPENDENT
SCHOOL DISTRICT OF BEXAR COUNTY, TEXAS TO PROVIDE
NUTRITIONAL SNACKS IN CONNECTION WITH THE URBAN

SMARTS PROGRAM THROUGH 13, 1994 TO CLIENTS OF
THE YOUTH SERVICES DIVISION OF THE DEPARTMENT OF
COMMUNITY INITIATIVES.

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AN ORDINANCE 79,938

ACCEPTING THE PROPOSAL OF ENVIRONMENTAL COMPLIANCE
GROUP, INC. IN AN AMOUNT NOT TO EXCEED \$5,880.00 TO
PROVIDE ASBESTOS INSPECTOR TRAINING FOR
APPROXIMATELY 24 CODE COMPLIANCE INVESTIGATORS.

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AN ORDINANCE 79,939

AMENDING ORDINANCE NO. 78360, PASSED AND APPROVED
ON JULY 23, 1993, BY ACCEPTING AN ADDITIONAL
\$25,000.00 FOR THE CHILD CARE MANAGEMENT SERVICES
(CCMS) EARLY CHILDHOOD DEVELOPMENT RESOURCES (ECDR)
PROJECT; AMENDING THE PERSONNEL COMPLEMENT;
AUTHORIZING THE PURCHASE OF ADDITIONAL COMPUTER
EQUIPMENT DEEMED NECESSARY BY THE TEXAS DEPARTMENT
OF HUMAN SERVICES (TDHS); AMENDING THE CCMS BUDGET
IN CHILD CARE DEVELOPMENT BLOCK GRANT (CCDBG) FUNDS
FROM THE TDHS AND CHILD PROTECTIVE SERVICE (CPS)
FUNDS FROM THE TEXAS DEPARTMENT OF PROTECTIVE AND
REGULATORY SERVICES (TDPRS) AND EXTENDING THE
CONTRACT PERIOD TO END OCTOBER 31, 1994.

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AN ORDINANCE 79,940

AUTHORIZING THE CITY MANAGER TO EXECUTE AND SUBMIT A
PRE-APPLICATION FOR A GRANT UNDER THE URBAN PARK AND
RECREATION RECOVERY (UPARR) ACT OF 1978 IN
CONNECTION WITH THE MISSION HIKE AND BIKE TRAIL
REHABILITATION PROJECT; ASSURING THE GRANTING
AGENCY OF COMPLIANCE WITH ALL REQUIREMENTS FOR SUCH
UPARR GRANTS; ASSURING THE AVAILABILITY OF THE
LOCAL SHARE OF MATCHING FUNDS; ASSURING AND
CERTIFYING TO THE GRANTING AGENCY THAT THE CITY
POSSESSES THE LEGAL AUTHORITY TO APPLY FOR SAID
GRANT; AND DESIGNATING THE CITY MANAGER AS THE
OFFICIAL REPRESENTATIVE OF THE APPLICANT TO PROVIDE
SUCH ADDITIONAL INFORMATION AS MAY BE REQUIRED WITH
RESPECT TO THE CITY OF SAN ANTONIO'S PARTICIPATION
IN SAID PROJECT.

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AN ORDINANCE 79,941

AUTHORIZING THE TEMPORARY CLOSURE OF KENTUCKY AVENUE, BETWEEN ELMENDORF AND ZARZAMORA FROM 8:00 A.M., SATURDAY, APRIL 30, 1994 UNTIL 11:00 P.M., SUNDAY, MAY 1, 1994, AS REQUESTED BY OUR LADY OF MT. CARMEL AND ST. THERESE CHURCH FOR THE FESTIVAL DE AMISTAD.

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AN ORDINANCE 79,942

CLOSING CLOWER STREET BETWEEN BRAD ST. AND THE ACCESS ROAD TO IH 10 ON SUNDAY, MAY 1, 1994, FROM 6:00 A.M. UNTIL 12:00 P.M. FOR THE PURPOSE OF HOLDING THE 1994 MAY FROLIC AS REQUESTED BY ST. MARY MAGDALEN CHURCH.

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AN ORDINANCE 79,943

AUTHORIZING THE TEMPORARY CLOSURE OF CONVENT STREET, BETWEEN SOLEDAD AND AUGUSTA, FROM 10:00 A.M. MONDAY, APRIL 18, 1994, TO 10:00 A.M. TUESDAY, APRIL 19, 1994, IN ORDER THAT THE BLUE LIGHT CANDLE MAY HOLD ITS BLUE LIGHT CANDLE BLOCK PARTY.

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94-16 The Clerk read the following Ordinance:

AN ORDINANCE 79,944

ACCEPTING THE PROPOSAL OF GEAC/CLSI, INC. IN THE AMOUNT OF \$6,768.00 TO PROVIDE THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH AUTOMATED BARCODE READERS AND CONTROLLERS FOR USE AT AREA BRANCH LIBRARIES.

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

In response to a question by Mr. Larson, Mr. Archie Titzman, Director of Purchasing & General Services, spoke to the reasons for selection of this particular bar-code reader, made especially for this use and system.

April 7, 1994
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After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Solis, Ayala, Thornton, Larson, Wolff; NAYS: None; ABSENT: Ross, Peak.

94-16 The Clerk read the following Ordinance:

AN ORDINANCE 79,945

ACCEPTING THE PROPOSAL OF VICKREY & ASSOCIATES IN THE AMOUNT OF \$394,720.00 TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE SALADO CREEK WATERSHED DRAINAGE MASTER PLAN STUDY; AUTHORIZING \$10,000.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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

Ms. McClendon commended Vickery & Associates for agreeing to minority participation in the Salado Creek Watershed Drainage Master Plan Study.

In response to a question by Mr. Larson, Mr. John German, Director of Public Works, discussed the parameters of the Master Plan and possible amendments to be made in the Federal Emergency Management Administration (FEMA) floodplain maps for this area, as a result of this new study.

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

94-16 The Clerk read the following Ordinance:

AN ORDINANCE 79,946

AUTHORIZING THE EXECUTION OF FIELD ALTERATION NO. 4 IN THE AMOUNT OF \$18,215.00 TO THE CONTRACT WITH DYNA CONSTRUCTION, INC. IN CONNECTION WITH THE CARVER BRANCH LIBRARY RENOVATIONS PROJECT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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

In response to a question by Ms. McClendon, Mr. John German, Director of Public Works, and Mr. Joe Rodriguez, Assistant Director, stated that the City expects an early completion date on the Carver Branch Library Renovation and Additions, though the project has experienced some delays due to field alterations.

In response to a question by Mr. Ross, Mr. Kevin Moriarty, Director of Community Initiatives, explained the criteria for rental of the Carver Community Cultural Center, and addressed details of the Nation of Islam lecture use of that facility recently. He noted that the City has no right to refuse its use by citizens.

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

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94-16 Agenda Item 27, being a proposed ordinance authorizing the execution of a Memorandum of Agreement between the City of San Antonio and the United States Air Force concerning the design, relocation and construction of the Quintana Road Drainage Project, was earlier removed from consideration by the City Manager.

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94-16 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE
BASIC CABLE RATES

Mayor Wolff opened the Public Hearing.

The following citizens were signed to speak on the matter:

Mr. Bill Arnette, Supervisor of Public Utilities, explained City staff's recommendations relative to Paragon Cable's filings for basic cable tier service rates, installation and equipment charges, following a study of the filings. He stated that he expects Paragon to appeal the recommendations to the Federal Communications Commission.

Mr. T. J. Connolly, representing Paragon Cable, noted this his firm disagrees with City staff only in the matter of interpretation. He thanked the City staff for reasonable mediation, and spoke to new FCC rules that take effect next July 15th, at which time the City of San Antonio and Paragon Cable will meet once again in a new round of negotiations.

In response to a question by Mr. Thornton, Mr. Connolly spoke

to possible actions that Paragon Cable will take, if staff recommendations are approved by City Council today. He stated that Paragon will escrow the difference between what Paragon charges the customer, and the City's recommendation, pending an FCC decision, a ruling which he feels will be made in 30-60 days. He also stated his belief that cable rates will be allowed to rise, under the coming new FCC rules for cable television systems.

Responding to another question from Mr. Thornton, Mr. Connally noted that Paragon is the eighth-largest cable system in the nation, and stated that the firm has been approached by other firms in the past few months, leading him to believe that Paragon will have a new partner in the future.

A discussion then took place concerning Paragon's franchise fee paid to the City of San Antonio, and the fact that San Antonio's citizens pay a 'pass-through' sales tax on Paragon's charges, including the franchise fee payments.

In response to a question by Mr. Thornton, Mr. Robert Siller, Rate Analyst II, discussed the City's letter on paying that sales tax on the franchise fee, and spoke to the fact that the State Comptroller's office has ruled that the franchise fee is part of Paragon's gross receipts.

Mr. Siller then compared this with similar actions of Southwestern Bell relative to telephone bills.

Mr. Thornton stated his belief that San Antonio's citizens are paying more than their fair share for cable service, noting that Paragon customers outside the city in unincorporated areas pay less.

Mr. George K. Noe, Director of Management Services, explained the State Comptroller's ruling in some detail, noting that the City collects the franchise fee from Paragon in return for granting the firm the right to use City streets for its cables.

In response to a question by Ms. Ayala, Mr. Arnette discussed the use of the City's rights-of-way by various utilities, including Paragon Cable. He further noted that, should the FCC rule in the City's favor on the expected Paragon appeal, the City will receive the interest earned on the escrowed funds.

Ms. Ayala voiced her concerns that many citizens cannot afford cable television service because of the costs.

Mr. Larson commended City staff for its recommendations.

A discussion ensued concerning Paragon's movement of two "superstations" from its tiered service and made them "a la carte" optional choices. Further discussion included details of the proposed ordinance before Council today and the premium distribution fee question in Paragon's rate proposal.

In response to a question by Ms. McClendon, Mr. Siller stated that the City's Cable TV Advisory Committee at present does not get involved in the cable rate review procedures. He noted that when the committee was expanded in 1987, this oversight was not part of the committee's charge.

Ms. McClendon stated her desire that the Cable TV Advisory Committee be involved in future cable TV rate reviews.

Mayor Wolff stated that the Council may need to change the role of that committee, since the franchise ordinance addresses this matter. He asked Ms. McClendon and City staff to research this issue and report back to the rest of the City Council.

In response to a question by Ms. Ayala, Mr. Noe discussed the matter of distribution of any rebates and interest to cable subscribers.

After discussion, a motion by Ms. Ayala, seconded by Ms. Billa Burke, to delay action on this proposed ordinance until it can be reviewed by the Cable TV Advisory Committee, was withdrawn.

Mayor Wolff declared the Public Hearing closed.

The City Clerk then read the following Ordinance:

AN ORDINANCE 79,947

ESTABLISHING AND SETTING THE BASIC TIER CABLE TELEVISION RATE FOR SERVICE, AND RELATED INSTALLATION AND EQUIPMENT CHARGES AND DIRECTING THE CITY STAFF TO FILE COMPLAINTS WITH THE FCC ON BEHALF OF SAN ANTONIO SUBSCRIBERS CONCERNING CERTAIN PRACTICES OF THE CABLE FRANCHISEE.

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Mr. Thornton made a motion to approve the proposed Ordinance as the Staff recommended to (1) Reduce "Basic Cable Rate" from \$9.10 to \$8.93.; (2) Approve Paragon's Equipment and Installation Charge Schedule; and (3) Disallow New "Premium Distribution Fee". Ms. McClendon seconded the motion.

Ms. Ayala stated her desire that the Cable TV Advisory Committee be involved in these issues.

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

94-16 It was the concensus of City Council members present to undertake consideration of Agenda Item 37 at this time.

The Clerk read the following Ordinance:

AN ORDINANCE 79,948

AUTHORIZING A TEN-YEAR SAN ANTONIO MUNICIPAL BASEBALL STADIUM LEASE AGREEMENT, INCLUDING TWO FIVE-YEAR OPTIONS WITH THE SAN ANTONIO MISSIONS BASEBALL CLUB FOR SAID CLUB'S USE OF THE SAN ANTONIO MUNICIPAL BASEBALL STADIUM FOR A RENTAL OF \$100,000.00 PER YEAR FOR THE FIRST TEN-YEARS, PLUS ANNUAL ADJUSTMENTS BASED ON THE CONSUMER PRICE INDEX AND OTHER GOOD AND VALUABLE CONSIDERATIONS.

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

Mr. Ron Darner, Director of Parks & Recreation, spoke to the current status of negotiations on the baseball stadium lease by the San Antonio Missions Baseball Club and the concessions agreement contained in the next ordinance. He addressed details of each.

Ms. Ayala asked that work continue on the family-oriented baseball stadium areas, such as the no-smoking areas.

Mr. David Elmore, owner of the baseball club, stated that he will work on this, and he termed it an excellent suggestion.

Mayor Wolff spoke to the tough negotiations that took place, leading up to this agreement.

Ms. Ayala asked that the baseball club meet the City's goals relative to small and minority, and women-owned business enterprises. She also noted that the stadium, for the time being, will be called the "Municipal Baseball Stadium".

Mr. Solis spoke to the negotiations between the City and the Missions Baseball Club, and further talks with VIA Metropolitan Transit concerning mass-transit service to the stadium. He stated that he is glad to see the 28 per cent SMWBE goal in the contract.

Mr. Elmore and Mr. Burl Yarborough, General Manager of the baseball club, thanked the City's representatives in the negotiations, and spoke to the advantages of the new stadium, including the fact that ticket prices are being held to the same level as last year.

A discussion ensued concerning the possibility that San Antonio might, in a few years, be home to a AAA baseball team, rather than a AA team. Discussion also took place concerning uses for the stadium, other

than by the Missions.

Discussions took place concerning negotiations with VIA on mass transportation, and the pricing structure on both tickets and concessions at the baseball stadium.

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

On motion made by Ms. Ayala and seconded by Mr. Solis, City staff was instructed to continue working with Mr. Elmore and the baseball team to define a family section at the stadium, and also working to achieve the 28 per cent minority participation. The motion prevailed by unanimous vote, all City Council members being present and voting.

94-16 The Clerk read the following Ordinance:

AN ORDINANCE 79,949

AUTHORIZING A TEN-YEAR SAN ANTONIO MUNICIPAL BASEBALL STADIUM CONCESSIONS AGREEMENT WITH DIAMOND CONCESSION, INC., INCLUDING EXTENSION OPTIONS CONSISTENT WITH THE TERMS OF THE SAN ANTONIO MUNICIPAL BASEBALL STADIUM LEASE AGREEMENT WITH THE SAN ANTONIO MISSIONS BASEBALL CLUB, FOR CONCESSION RIGHTS AT THE SAN ANTONIO MUNICIPAL BASEBALL STADIUM, IN CONSIDERATION FOR PAYMENTS TO THE CITY OF 20% OF GROSS CONCESSION SALES DURING MISSION GAMES AND 30% OF GROSS CONCESSION SALES DURING NON-MISSION GAME EVENTS.

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

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

At this time, representatives of the San Antonio Missions Baseball Club distributed special caps and pennants to City Council members, in honor of the occasion.

PUBLIC HEARING AND CONSIDERATION OF ORDINANCE
REPROGRAMMING CDBG FUNDS

Mayor Wolff opened the Public Hearing.

No citizens were registered to speak on the matter.

Mayor Wolff declared the Public Hearing closed.

The City Clerk read the following Ordinance:

AN ORDINANCE 79,950

REPROGRAMMING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS IN THE AMOUNT OF \$1,509,275.88 MADE AVAILABLE THROUGH AN EXCESS OF FUNDS FROM COMPLETED PROJECTS, PROJECT FLOATS, CONTINGENCIES AND PROGRAM INCOME; ALLOCATING SAID FUNDS TO COVER COST OVERRUNS IN EXISTING PROJECTS ALLOWING FOR PROJECT CLOSEOUTS, TO ADDRESS PROJECT SHORTFALLS ALLOWING FOR THE TIMELY IMPLEMENTATION OF PREVIOUSLY APPROVED PROJECTS, TO CREATE THE RIP RAP #69 PHASE 11-B (PYRON-GERALD) PROJECT, AND TO MODIFY THE SCOPE OF WORK OF THE PREVIOUSLY APPROVED HIGHLAND PARK IMPROVEMENTS PROJECT; REVISING THE APPROPRIATE CDBG BUDGETS; AND AUTHORIZING THE EXECUTION OF CDBG BUDGETS; AND AUTHORIZING THE EXECUTION OF CONTRACTS AND OTHER DOCUMENTS AS NECESSARY IN CONNECTION THEREWITH.

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

Mr. Drew Cameron, Director of Housing & Community Development, explained the reprogramming of some \$1.5 million in Community Development Block Grant (CDBG) projects.

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

Mr. Cameron noted that this action today brings the City into full compliance with the spending requirements of the Housing & Urban Development Department.

Mr. Avila made an amendment to reduce the District 4 allocation for Rip Rap 69 to \$250,000.00 and to allocate the remaining \$6,000.00 to fund the St. Clare Nutrition Project. Mr. Perez seconded the motion.

In response to a question by Mr. Perez, Mr. Cameron reiterated the spending requirements of HUD and the reprogramming of

CDBG funds necessary to fulfill those spending guidelines.

A discussion took place concerning the engineering work on the Southlawn Street Project, and the possible encumbering of surplus project funds.

After consideration, the amendment to the motion, directing staff to reduce the allocation of Rip Rap #19 by \$6,000.00 to be saved for the St. Clare Nutrition Center, prevailed by the following vote: AYES: McClendon, Avila, Ross, Solis, Ayala, Peak; NAYS: None; ABSENT: Perez, Billa Burke, Thornton, Larson, Wolff.

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

(At this point, Ms. McClendon yielded the chair to Mr. Peak so that she might make motion, relative to CDBG funding in District 2.)

On motion of Ms. McClendon, City staff was directed to prepare an ordinance for consideration, moving approximately \$275,000.00 from Alamodome Housing to St. Philips Village Housing, to be used for interim construction loans on St. Philips Village; said funds must be replaced by January 1, 1995. Mr. Solis seconded the motion.

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

(Mayor Pro Tem McClendon again presided, in the absence of the Mayor.)

94-16 PUBLIC HEARING TO RECEIVE COMMENTS AS TO THE ADVISABILITY OF ESTABLISHING THE CROCKETT STREET IMPROVEMENT DISTRICT

Mayor Pro Tem McClendon declared the Public Hearing to be open.

No citizen appeared to speak to this matter.

Mayor Pro Tem McClendon declared the Public Hearing to be closed.

Mr. Clint Bolden, Director of Economic Development, briefly explained the proposed two-part action relative to the Crockett Street Improvement District, and discussed creation of that public improvement district as a legal requirement for financial security of the loan of Community Development Block Grant (CDBG) funds involved in the project. He spoke to continued discussion with the principals involved in the

Crockett Street Project, and of future City Council actions that will be needed.

94-16 The Clerk read the following Resolution:

A RESOLUTION NO. 94-16-18

ACCEPTING A SECTION 108 GUARANTEED LOAN FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) IN AN AMOUNT UP TO \$5,000,000.00 TO FURTHER THE CROCKETT STREET DEVELOPMENT PROJECT; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE LOAN DOCUMENTS; AND DECLARING AN EMERGENCY.

* * * *

A discussion took place concerning the financial obligations of the property owners involved in the Crockett Street Project.

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

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

94-16 It was the concensus of City Council members present to undertake consideration of Agenda Item 29 at this time..

The Clerk read the following Ordinance:

AN ORDINANCE 79,951

AMENDING ORDINANCE NO. 79772, PASSED AND APPROVED ON MARCH 10, 1994, BY AUTHORIZING THE ACCEPTANCE OF AN ADDITIONAL \$500,000.00 IN JOB TRAINING PARTNERSHIP ACT (JTPA) TITLE III/ECONOMIC DISLOCATED WORKER ADJUSTMENT ASSISTANCE ACT (EDWAA) FUNDS FROM THE TEXAS DEPARTMENT OF COMMERCE TO PROVIDE EMPLOYMENT AND TRAINING ASSISTANCE FOR AREA DISLOCATED WORKERS FOR THE PERIOD JULY 1, 1993 THROUGH JUNE 30, 1994; AND AMENDING THE PY93 TITLE III BUDGET.

* * * *

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

Mr. Solis seconded the motion.

Mr. Ronald Fleming, Director of the Job Training Partnership Act (JTPA) Department, explained the proposed ordinance.

In response to a question by Mr. Ross, Mr. Fleming noted that 30 per cent of the additional grant funds is for administration and training support, and 70 per cent is for actual training. He then explained the reasons for that ratio.

Mr. Ross spoke of a pending Department of Labor report from that department's Inspector General which might require San Antonio to repay certain grant funds.

Mr. Fleming briefly explained that matter.

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

94-16 The Clerk read the following Ordinance:

AN ORDINANCE 79,952

AMENDING THE PROGRAM YEAR 1993 (JULY 1, 1993 - JUNE 30, 1994) JOB TRAINING PARTNERSHIP ACT GRANT BUDGET BY REPROGRAMMING \$204,073.00 FOR ADMINISTRATIVE AND OPERATIONAL ACTIVITIES WITHIN THE JTPA DEPARTMENT, AND \$77,394.00 FOR THE ALAMO COMMUNITY COLLEGE DISTRICT (ACCD) TO CONTINUE THE TRAINING OF THOSE PARTICIPANTS CURRENTLY ENROLLED; AND AUTHORIZING THE EXECUTION OF A CONTRACT AMENDMENT WITH ACCD FOR SAID FUNDS.

* * * *

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

Mr. Ronald Fleming, Director of the Job Training Partnership Act (JTPA) Department, explained the budgetary adjustment for JTPA administration and operational activities, and training funds for the Alamo Community College District, in order to meet the requirements for this quarter of the grant-year.

Mr. Avila voiced his concern with this reprogramming action, and spoke to its need.

Mr. Fleming spoke to departmental cutbacks and budgetary changes that have come to pass, in order to meet available funding.

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

94-16 The Clerk read the following Ordinance:

AN ORDINANCE 79,953

AUTHORIZING THE CITY MANAGER AND RISK MANAGER TO TAKE NECESSARY ACTION TO SETTLE THE CLAIM OF BILL VICARS, CLAIM NO. 73700000998, AGAINST THE CITY OF SAN ANTONIO IN THE AMOUNT OF \$7,023.38.

* * * *

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

Mr. Mark Persson, Risk Manager, briefly explained the claim settlement.

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

94-16 The Clerk read the following Ordinance:

AN ORDINANCE 79,954

AUTHORIZING THE CITY MANAGER AND RISK MANAGER TO TAKE NECESSARY ACTION TO SETTLE THE CLAIM OF STEPHEN A. ENCINO, CLAIM NO. 73700000157, AGAINST THE CITY OF SAN ANTONIO IN THE AMOUNT OF \$12,000.00.

* * * *

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

Mr. Mark Persson, Risk Manager, briefly explained the claim settlement.

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

Perez, Avila, Solis, Peak, Wolff.

94-16 The Clerk read the following Ordinance:

AN ORDINANCE 79,955

AUTHORIZING THE REIMBURSEMENT OF \$8,184.39 TO PETER J. MCBREEN & ASSOCIATES, AIRPORT LIABILITY INSURANCE CLAIMS ADJUSTER FOR LEGAL FEES IN THE ARLENE CARVILL CASE, CLAIM NO. TZ 2011.

* * * *

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

Mr. Mark Persson, Risk Manager, briefly explained the reimbursement for legal fees in the Arlene Carvill case at International Airport.

Mr. Larson spoke to his concern with the jury verdict in this case, given the facts involved, in what he considers a frivolous lawsuit.

Mr. Tom Finlay, Assistant City Attorney, stated that staff would review current policies on this issue.

Mr. Rolando Bono, Assistant City Manager, stated that staff may target some cases to pursue further.

Mr. Larson spoke to the need to pursue legislation to curb these suits.

Discussion took place concerning the various options available to the City, and details of the airport liability insurance claims-adjusting contract, previously held by Peter J. McBreen & Associates.

Mr. Thornton pointed out that the City actually won this case, and that these funds in this ordinance are to pay out attorney's fees.

Mr. Larson spoke to the need to curb frivolous lawsuits, and stated that City staff should be allowed to counter-sue in some cases, simultaneously with the verdict.

Mr. Finlay stated that our attorneys need to argue that the other side should pay our legal fees, not the other way around.

Ms. McClendon asked for the status of lawsuits filed against the City, or lawsuits filed by the City.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Ross, Ayala, Thornton, Peak; NAYS: Larson; ABSENT: Solis, Wolff.

94-16 The Clerk read the following Ordinance:

AN ORDINANCE 79,956

AUTHORIZING THE COMPROMISE AND SETTLEMENT OF CAUSE NO. 93-CI-06494, STYLED "ROBERT GARCIA AND MARY GARCIA, INDIVIDUALLY AND AS NEXT FRIENDS OF ALEXANDER GARCIA, A MINOR VS. CITY OF SAN ANTONIO", FOR THE TOTAL AMOUNT OF \$22,500.00, PLUS COURT COSTS.

* * * *

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

Mr. Tom Finlay, Assistant City Attorney, spoke to details of the injury to a nine-year-old boy at the Harlandale Civic Center.

Mr. Larson spoke in objection to the settlement.

Ms. Elsa Nava, Assistant City Attorney, explained details and the rationale for the settlement proposal.

A discussion then took place on the details of the case and the options available to the City.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Avila, Ross, Ayala, Thornton, Peak; NAYS: Larson; ABSENT: Billa Burke, Solis, Wolff.

94-16 TRAVEL AUTHORIZATION - Granted:

Mayor Nelson W. Wolff to travel to Washington, D. C. from April 13, 1994 to April 14, 1994, to attend a meeting at the White House with President Clinton regarding the Crime Bill.

* * * *

94-16

BUS BENCH CONTRACT DISCUSSION

The Clerk read a proposed ordinance expressing the decision of

the City Council that it would be in the best interest of the City to seek a new contract concerning Bus Bench Advertising; denying the request of Allied Advertising, Inc. for a five-year extension of the present contract; directing staff to prepare a new request for proposals for such a contract; and authorizing a month to month extension of the contract with Allied Advertising, Inc. until the new contract commences.

Ms. Rebecca Waldman, Special Projects Manager, Office of the City Manager, explained details of the bus bench advertising contract, and the staff's recommendation to develop a Request For Proposal for this service. She then spoke to several areas of the proposed new RFP, being explored for inclusion.

The following persons appeared to speak:

Mr. Jack Judson, Chairman, Signage Committee, Historic & Design Review Commission, provided Council members with a letter from the commission chairman, Mr. Bob Dunlop, a copy of which is made a part of the papers of this meeting. He then spoke to the commission's concerns with certain bus benches and their placement in areas not near a VIA Metropolitan Transit Authority bus-stop. He then displayed a city map, with markers indicating where a recent survey indicates such bus-benches are located in one sector of the city. He then narrated a brief slide presentation showing several major traffic arteries and examples of inappropriately-located bus benches.

Ms. Vera Lee Phillips, representing the San Antonio Coalition of Neighborhood Associations, spoke against the bus bench advertising.

Mr. Larry diMartino, 115 Armour Place, stated his contention that all bench locations should be approved, and bus benches banned in locations away from bus-stops, or in areas where bus benches already are provided. He also spoke to his belief that bus benches should not be located in front of businesses that object to them, and that benches found to be in violation of the regulations should be impounded. He also expressed his belief that a new contract for this service also should include a phase-out of all advertising on bus benches.

Ms. Claudeette Mullen, advertising bench chairperson, San Antonio Coalition of Neighborhood Associations, provided a handout of materials to the Council, a copy of which is made a part of the papers of this meeting. She spoke in favor of a total ban on bus bench advertising, in favor of plain bus benches without advertising. She then spoke to various illegal bus benches remaining at the same inappropriate location, year after year, and spoke to the need to ban such bus benches with advertising in historic districts.

Ms. Kathleen Trenchard, representing the Tobin Hill Neighborhood Association, stated her belief that bus bench advertising is nothing more than off-premise signage, and expressed concern about the current contract for bus bench advertising. She stated that bus bench advertising in actuality is a billboard.

Mr. Jimmie Tucker, representing the San Antonio Coalition of Neighborhood Associations, asked the City Council not to renew the bus bench advertising contract, and spoke to his desire to have a ban on bus bench advertising. He asked for a public hearing on this issue, and stated that, at a minimum, the Council should limit the bus bench advertising locations solely to bus-stops.

Ms. Sara Sherblom, representing San Antonio Conservation Society, urged the City Council to (?) the subject ordinance, and asked that her group have input into any review of current policies on bus bench advertising.

Mr. Ray Hamilton, representing NNOD, spoke against the proliferation of bus bench signs, especially in neighborhoods. He recommended that the City Council not approve the five-year contract extension with Allied Advertising. He noted that he is in favor of banning bus bench advertising altogether, but at the least would like to minimize the number of such benches and insure that they are placed only at bus-stops. He urged monitoring of the bus bench contract by an appropriate City department.

Mr. Dic McGoon, Allied Advertising, gave a history of his contract with the City on bus bench advertising and the reasons why his firm was awarded this contract. He stated that, to date, he has received only one letter from a neighborhood association, the Vance Jackson Neighborhood Association, and he complied with its requests. He noted that his firm never has said that it would place the bus bench advertising solely at bus-stops, and he spoke to his perception of misinformation concerning his company. He spoke to the investment he has made in his business, and has put money back into the community by virtue of the franchise fee. He noted that the costs for bus bench advertising have not been increased in 10 years, and asked the City Council to renegotiate the contract.

In response to a question by Ms. Ayala, Mr. McGoon stated that Allied Advertising has 28 employees. He also spoke to the number of persons and businesses that would be adversely affected, if his contract is not renewed.

Ms. Ayala expressed her concern for the number of persons who would be affected by such an action.

Ms. Ayala made a motion to renegotiate the Five-year Option, with negotiation on several points of contention. Mr. Solis seconded the motion.

Mr. Larson then made a substitute motion to accept the City Staff's recommendation. Mr. Peak seconded the motion.

Ms. Waldman stated that, under the proposed substitute motion, City staff could come back to City Council later this month with a proposed Request For Proposal and seek its approval, then advertise it,

returning to City Council with a recommendation on a new contract within 60 days.

In response to a question by Mr. Larson, Mr. Tom Finlay, Assistant City Attorney, spoke to details of the current contract, noting that the City Council can deny the extension if it thinks it is not in the best interests of the city. He noted that the contract allows Allied Advertising to seek a contract extension, but it is up to City Council whether or not it wants to grant that extension.

Mr. Larson spoke to his perception of which bus benches need to be removed, noting that City Council now is considering a new sign ordinance. He addressed several points of concern, stating his belief that competition is good for any business or service.

Mr. Peak reviewed a list of his concerns about bus bench advertising, including (1) elimination of bus bench advertising where no bus-stop exists; (2) the question of the City receiving revenue from bus benches which carry advertising on two sides; and (3) the matter of bus benches blocking the view of motorists in some areas. He asked that these points be involved in any negotiations with the contractor.

Ms. Waldman noted that VIA is not installing any more bus benches at its bus-stops, and has not done so since 1985. She noted that VIA now is constructing shelters at some bus-stops, with a target of 1,000 such shelters to be installed.

Ms. Ayala stated her desire to award a five-year contract option to Allied Advertising.

In response to a question by Mr. Thornton, Ms. Waldman noted that the current contract states that bus benches must be placed only at bus-stops, and on public right-of-way. She noted that the contract does not affect placement of bus benches on private property. She also stated that of the some 7,000 bus-stops in San Antonio, VIA has placed some 1,100 bus benches of their own.

In response to a question by Mr. Thornton, Mr. McGoan stated that Allied Advertising has some 1,840 benches placed at bus-stops, with perhaps 40 of these benches on sites other than bus-stops.

Mr. Thornton spoke to his perception of two aspects of this issue: the contractual obligations and the question of aesthetics and the impact of bus benches on neighborhoods. He noted that some neighborhoods have expressed concern about bus bench advertising placed in their areas, and stated his opinion that bus bench advertising should not be placed on sites other than bus-stops. He further stated that he could be in favor of placing bus benches at some bus-stops where no benches current exist.

Mr. Perez noted that the City is not legally bound to renew this contract, and stated his desire that the Consumer Price Index attached to any new contract, along with the proviso that all bus

benches must be placed only at bus-stops. He stated his belief that bus benches cannot become traffic safety concerns, and must complement historic districts, corridors, etc. He then spoke in support of the main motion.

Mr. Solis stated his belief that now is the time to determine if exercising the five-year contract option is the way to go, and that going with a new RFP today would not be in consonance with the current contract. He spoke in favor of the main motion, made by Ms. Ayala, and asked City staff to meet with Mr. McGoon on problem areas.

Mr. Ross stated his belief that Allied is owed the contract option renewal, noting that the firm never has been notified that it was in violation of the contract. He spoke in support for the contract extension, and a study of certain concerns expressed by City Council members.

Ms. Billa Burke stated her contention that the contract needs to be revised, and that other advertising needs also should be addressed.

Ms. Ayala asked that certain concerns of City staff also be included as part of her main motion, those being: locational issues, specific documentation, and the revenue structure.

A discussion then took place concerning the placing of political advertising on public rights-of-way, without the City's express approval, and the fact that bus benches, by contract, give consent to that placement.

Ms. Waldman stated that she would work with Mr. McGoon on a draft contract to be ready by the end of April, after which City Council can resolve any unresolved issues on that contract.

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

After consideration, the main motion, to re-negotiate with Allied and then look to the option of renegotiating a 5-year contract after reviewing certain aspects of this contract, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Ross, Solis, Ayala, Thornton, Peak, NAYS: Larson; ABSENT: Wolff.

Discussion against was held on renegotiation of the contract with the three principal points of concern to be addressed.

CITIZENS TO BE HEARD

JOHN PAULSON

Mr. John Paulson spoke against passage of the proposed Bond Issue scheduled on May 7 Election. He stated that he is concerned that the City is putting out statements that there will not be any tax increase associated with the sale of these bonds.

Dr. Thornton spoke about the savings through refinancing, and the manner in which the bonds will be paid. He also spoke about the needed projects that will not be accomplished without passage of the bonds.

Mr. Paulson stated that the City could do better if these projects were paid for in cash instead of through sale of bonds. He stated he doesn't oppose the projects, but the method of financing. He stated this "cash" payments would save the City \$120 million in the long run.

Dr. Thornton spoke of the need to complete these projects in a timely fashion and that the City can't afford to wait to finance the projects on the "pay as you go" plan.

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NORMAN POSEY

Mr. Norman Posey, President of the Airport Allied Cabs Association, spoke to the City Council about the rejection of the permits for their 22 cabs. He objects to the scoring assigned to them by the staff, especially in view of the fact they have now just obtained new cars. He stated that their service is needed in all Council districts.

- - -
DON WILKINS CASTILLO

Mr. Don Wilkins Castillo, 1010 N. Frio Street, spoke to the City Council about the need for more police protection. He stated that the public should be more aware of crime awareness. He also stated that persons on probation should be the ones to do "clean-up" work instead of law abiding citizens having to do the clean-up work.

- - -
BILL STEPHENS

Mr. Bill Stephens spoke to the Council about the writing of tickets to taxi-cab drivers for "traffic delays". He distributed a

taxi-cab rate schedule which describes a comparison with other cities. He also stated that there has not been a substantial rate increase in many years. He urged City Council to assist them with the traffic delay issue.

94-16 City Council recessed its regular meeting for dinner at 7:45 P.M., with Mayor Pro Tem McClendon reconvening the "A" Session at 8:36 P.M. for the purpose of convening an Executive Session for a Briefing on status of Southwest Resource Development, Inc., et al vs. City of San Antonio, et al, Cause No. 92-CI-15349 and the Office of the Inspector General's JTPA Audit Report.

94-16 City Council reconvened in regular meeting at 10:08 P.M. and Mayor Pro Tem McClendon announced that the City Council had been briefed on the above-named case and that no official action was taken.

94-16 There being no further business to come before the Council, the meeting was adjourned at 10:09 P.M.

A P P R O V E D


M A Y O R

Attest: 
C i t y C l e r k