

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, JANUARY 24, 1991.

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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. Absent: NONE.

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91-04 Invocation - Mrs. Blanche Russ, Parent Child Incorporated.

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91-04 Pledge of Allegiance to the flag of the United States.

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91-04 PRESENTATION OF OPERATION DESERT SHIELD

Mrs. Dutmer introduced representatives of nine District 3 families who have a loved one taking part in Operation Desert Storm in the Persian Gulf, including the families of Henry Aleman, Patrick B. Balleza, Joe Thomas Estrada, Michael J. Flores, John R. Harrell, Keith J. Martinez, Dennis L. Ryker, Seferino Steven Salais, and Roger Stewart.

Mrs. Dutmer spoke briefly of the families, then joined Mayor Cockrell in presenting special Citations to each family represented.

Ms. Vera introduced Mr. Tony Kuberski and Mr. Steve Sunter, representing neighborhood organizations in District 7, and Mr. Johnny Gonzalez of The Flower Box, then introduced other neighborhood organization members present in the audience. She stated that these individuals and groups will be distributing special yellow ribbons this Saturday at HEB Foodstore, Bandera and Hillcrest Drive, to honor those involved in Desert Storm.

Members of the group then distributed yellow ribbons to Council members.

Mr. Hasslochler thanked Mr. Wing for his own personal involvement in Operation Desert Shield and Desert Storm operations, and distributed to Council members special tee-shirts concerning Operation Desert Storm.

Mayor Cockrell noted that Dixie Flag Company has donated to the

City of San Antonio a specially-designed yellow flag honoring those participating in Desert Storm, in hopes it might fly below the United States flag atop City Hall.

Mrs. Dutmer spoke of having a grandson serving on an aircraft carrier in the Persian Gulf.

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GO WESTERN, GO RODEO DAYS

Mayor Cockrell read a Proclamation designating "Go Western, Go Rodeo Days" in San Antonio.

Ms. Janice Ricks, representing the North San Antonio Chamber of Commerce, received the Proclamation and introduced Mr. Dick Massey, co-chairperson for "Go Western, Go Rodeo Days", and Mr. Keith Martin, rodeo chairman. She then spoke briefly to the events planned for the stock show and rodeo this year.

Mr. Keith Martin spoke of the 43-year history and traditions of the San Antonio Stock Show and Rodeo, and addressed commitments to the troops of Desert Storm.

Mr. Hasslocher spoke of the scholarship fund that benefits from the proceeds of the stock show and rodeo.

Miss Rodeo Texas, Lana Grubb, recited her speech of pride in the State of Texas, given at the Miss Rodeo USA competition.

Representatives of the North Chamber then distributed bandanas, collar-tips and coffee mugs to members of the City Council and City staff.

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91-04

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CONSENT AGENDA

Mr. Hasslocher made a motion to approve Agenda Items 7 through 26, constituting the Consent Agenda, with Items 12, 14, 18, 20, 23 to be pulled for individual consideration. 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 72,948

ACCEPTING THE BID OF SAFF BIO-TECHNOLOGIES TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH EMS DISPOSABLE IMMOBILIZATION STRAPS FOR A TOTAL OF \$3,240.00.

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AN ORDINANCE 72,949

ACCEPTING THE BID OF BLAST DEFLECTORS, INC. TO FURNISH THE CITY OF SAN ANTONIO AVIATION DEPARTMENT WITH JET BLAST DEFLECTORS FOR A TOTAL OF \$4,842.00 PLUS TRANSPORTATION.

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AN ORDINANCE 72,950

ACCEPTING THE LOW BID OF SAACO AIR CONDITIONING COMPANY TO FURNISH THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH SERVICE AND MAINTENANCE OF ICE MAKERS AND ICE BOXES ON A CONTRACT BASIS FOR A TOTAL OF APPROXIMATELY \$3,000.00.

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AN ORDINANCE 72,951

ACCEPTING THE LOW BID OF ACE MUD SUMP SERVICE TO FURNISH THE CITY OF SAN ANTONIO WITH MUD SUMP SERVICE ON A CONTRACT BASIS FOR A TOTAL OF APPROXIMATELY \$10,000.00.

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AN ORDINANCE 72,952

ACCEPTING THE LOW QUALIFIED BID OF CASE POWER & EQUIPMENT TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH A SOIL COMPACTOR FOR A TOTAL OF \$79,011.70.

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AN ORDINANCE 72,953

ACCEPTING THE PROPOSAL OF MENDOZA AND ASSOCIATES, A.I.A., IN THE AMOUNT OF \$5,600.00 TO PROVIDE ARCHITECTURAL SERVICES RELATED TO RESTROOM RENOVATION AT FIRE STATION NO. 3; AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 72,954

ACCEPTING THE PROPOSAL OF S. H. TOLLIVER COMPANY IN THE AMOUNT OF \$14,438.75 FOR CORRECTIONS TO 28 VEHICULAR AND PEDESTRIAN GATES AND REPLACEMENT OF ONE COMMERCIAL TYPE DRIVEWAY APPROACH ALONG GUADALUPE/CASTROVILLE ROAD BETWEEN ALAZAN CREEK AND

CUPPLES ROAD; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 72,955

ACCEPTING THE PROPOSALS OF MALCOLM PIRNIE, INC. IN THE TOTAL AMOUNT OF \$65,700.00 TO PROVIDE ENVIRONMENTAL ENGINEERING SERVICES RELATED TO THE MAGNETIC PERIPHERAL BUILDING; AUTHORIZING THE EXECUTION OF PROFESSIONAL SERVICES CONTRACTS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 72,956

APPROVING A PROFESSIONAL SERVICES CONTRACT, IN THE AMOUNT OF \$67,425.00, WITH MSC & ASSOCIATES, TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH CONSTRUCTION OF A NEW AIRPORT RESCUE AND FIREFIGHTING TRAINING FACILITY AT SAN ANTONIO INTERNATIONAL AIRPORT; AUTHORIZING \$10,000.00 FOR A CONTINGENCY ACCOUNT; AUTHORIZING \$3,000.00 FOR ADMINISTRATIVE EXPENSES; APPROVING A BUDGET FOR THE PROJECT; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 72,957

APPROVING A PROFESSIONAL SERVICES CONTRACT, IN THE AMOUNT OF \$38,518.00, WITH GOETTING & ASSOCIATES, INC. TO PROVIDE ENGINEERING SERVICES TO EXPAND AND UPGRADE THE CENTRAL PLANT AT SAN ANTONIO INTERNATIONAL AIRPORT; AUTHORIZING \$3,852.00 FOR A CONTINGENCY ACCOUNT; AUTHORIZING \$1,000.00 FOR ADMINISTRATIVE EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 72,958

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$1,765.00 OUT OF GENERAL OBLIGATION BONDS FOR THE PURPOSE OF ACQUIRING TITLE TO A PARCEL IN CONNECTION WITH THE PACIFIC DRAINAGE PROJECT #66, PHASE II-B; ACCEPTING EIGHT TEMPORARY EASEMENT DEDICATIONS AND PAYING FOR DAMAGES IN CONNECTION WITH THE GOLIAD ROAD IMPROVEMENTS PROJECT - S. E. MILITARY TO I. H. 410; AND ACQUIRING TITLE TO A PARCEL IN CONNECTION WITH THE WEST AVENUE - FREDERICKSBURG ROAD TO I. H.

10 PROJECT; AND APPROPRIATING FUNDS.

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AN ORDINANCE 72,959

AMENDING PARAGRAPH 2, "NOISE REGULATION", OF CHAPTER VIII OF THE RIVER WALK POLICY GUIDELINES MANUAL.

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AN ORDINANCE 72,960

AUTHORIZING THE EXECUTION OF A SANITARY SEWER CONTRACT BETWEEN THE CITY OF SAN ANTONIO AND MILLER BROTHERS, ACTING BY AND THROUGH ITS PARTNER, MR. BALOUS MILLER, TO PROVIDE SEWER SERVICE TO A 1.18 ACRE TRACT GENERALLY LOCATED WEST OF U. S. 281 N. AND SOUTH OF FM1604 IN BEXAR COUNTY, TEXAS AND IN THE UPPER SALADO WATERSHED, OUTSIDE THE CITY REGIONAL AGENT BOUNDARY (RAB).

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AN ORDINANCE 72,961

AUTHORIZING THE EXECUTION OF THE 1991/92 PUBLIC HEALTH STATE SUPPORT CONTRACT WITH THE TEXAS DEPARTMENT OF HEALTH TO PROVIDE STATE AID TO THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT (SAMHD) WITH AN INITIAL AWARD OF \$715,737.00 TO SUPPORT THE AIDS SURVEILLANCE & PREVENTION ACTIVITIES, PRENATAL HEPATITIS B SCREENING, AND STD ACTIVITIES OF THE SAMHD; ESTABLISHING A GRANT FUND; ADOPTING A BUDGET; AND AUTHORIZING PERSONNEL POSITIONS.

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AN ORDINANCE 72,962

AMENDING ORDINANCE NO. 71416, PASSED ON APRIL 19, 1990 BY AUTHORIZING THE EXECUTION OF A SERVICE PROVIDER CONTRACT WITH THE ALAMO COMMUNITY COLLEGE DISTRICT FOR THE SOUTH TEXAS ADVANCED TECHNOLOGY TRAINING CENTER (STATTC), CONSIDERATION FOR SUCH CONTRACT TO BE AT A FIXED TUITION RATE PER STUDENT NOT TO EXCEED THE PREVIOUSLY AUTHORIZED AMOUNT OF \$2,000,000.00 IN JOB TRAINING PARTNERSHIP ACT (JTPA) FUNDS; AND ASSIGNING A PROGRAM YEAR 1990 INDEX NUMBER TO SUCH PROJECT.

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91-04 The City Clerk read the following Ordinance:

AN ORDINANCE 72,963

APPROVING FIELD ALTERATION NO. 10 IN THE AMOUNT OF \$40,000.00 TO THE CONTRACT WITH V. K. KNOWLTON PAVING CONTRACTOR, INC. TO PROVIDE FOR ADJUSTMENTS IN CONNECTION WITH THE WURZBACH ROAD FROM VANCE JACKSON TO LOCKHILL SELMA/WURZBACH ROAD BRIDGE AT OLMOS CREEK PROJECT; AND PROVIDING FOR PAYMENT.

* * * *

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

Mr. Dennie Berry, representing Lawns of Beauty, Inc., spoke in support for the idea of landscaping this area, but objected to the bidding process by which the Whispering Oaks Neighborhood Association has decided that it will not award the contract to the lowest bidder, but rather plans to have the contractor who is putting in the street do the landscaping work, as well. He noted that he has been told that the City feels it has had problems with his firm in the past, and he spoke to details of what he feels brought about the problem. He stated his belief that the landscaping job should be re-bid, and that the original process violates his constitutional rights.

Mr. Joe Aceves, Director of Public Works, explained the project and plans for the landscaping, noting that field alterations to individual jobs often are negotiated. He spoke to the history of proposals sought by the neighborhood association for this landscaping, and stated his opinion that the street contractor now on the job is in the best position to do the best landscaping job, as well. He stressed that this proposal was negotiated, not bid, as claimed.

Mr. Allen Riggs, representing Whispering Oaks Neighborhood Association, outlined the sequence of events in this matter and stated that he feels that no valid contract now exists on the landscaping work, even though another person from the neighborhood association may have signed a document relating to the work.

In response to a question by Mr. Wolff, Mr. Aceves discussed possible alternatives for this work and addressed the rationale for seeking a field alteration from the street contractor, rather than using another option.

Mr. Wolff noted that the neighborhood association already has put a large amount of its own money into projects related to this street work, and urged the Council to accept the City staff's recommendations.

Mr. Wing spoke of his concerns that some projects have landscaping while others do not.

Mr. Aceves stated that the City council has not set a clear

policy on this, and spoke to the involvement of neighborhoods in such work.

A discussion of a number of such landscaped projects then took place.

Mr. Wing stated his concern for the vague wording of this particular agenda item, and stated his opinion that the City never set aside monies in this project for landscaping.

Mr. Hasslocher spoke to reasons for and details of landscaping on a past drainage project in District 10.

A discussion then ensued concerning possible City policy on this matter.

Mr. Thompson spoke to the need to maintain the same standards on all such projects, which use tax money. He spoke to his opinion that, if the neighbors wish to enhance the work with their own contributions, then such is acceptable. He stated his further opinion that neighborhood requests for such amenities, at City cost, should not be allowed.

Mayor Cockrell briefly summarized the policy questions involved in this project, and spoke in favor of honoring this one particular case, then the Council could set up strict new guidelines on such work in the future.

Ms. Berriozabal discussed the matter of neighborhoods raising funds for aesthetics to City-funded projects, and asked City staff to draft a future policy and have the City Council discuss it, then decide on a firm policy.

Mr. Aceves stated that he would see that this is done at a future "B" Session.

Mr. Riggs briefly explained plans for the proposed field alteration for landscaping and noted that his association is taking responsibility for all maintenance of the landscaped area.

Mr. Alex Briseno, City Manager, agreed to the need for a firm policy on this.

Mr. Wolff spoke to the neighborhood association's financial involvement in this project.

Mr. Labatt spoke in support for an equal policy on this issue and for a "percentage setaside" in each project in order to fund restoration of an area to its previous condition, before the project began.

Mrs. Dutmer spoke in support for restoration, but not for enhancement.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb,

Dutmer, Wolff, Labatt, Hasslocher, Cockrell; NAYS: Wing, Martinez, Thompson; ABSENT: Vera.

91-04

VISITOR FROM ITALY

Mr. Martinez recognized Ms. Maria Beatrice Scarascia-Mugnozza of Italy, Administrator for the Christian Democratic Party, and welcomed her to San Antonio and to City Hall.

91-04 ZONING HEARINGS

4. CASE Z91006 (SUP) - to rezone Lot 7, Block 30, NCB 18080, 8025 Culebra Road, from Temporary "R-1" Single Family Residence District to "B-3NA" SUP Non-Alcoholic Business District with special use permit for a miniwarehouse facility exceeding 2.5 acres, located on the northeast side of Culebra Road, 463.39 feet northwest of the intersection of Culebra Road and Pipers Creek, having 60 feet on Culebra Road and a depth of 891.13 feet.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

Mr. Wolff made a motion to approve the recommendation of the Zoning Commission. Mr. Webb seconded the motion.

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

AN ORDINANCE 72,964

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 7, BLOCK 30, NCB 18080, 8025 CULEBRA ROAD, FROM TEMPORARY "R-1" SINGLE-FAMILY RESIDENCE DISTRICT TO "B-3NA" SUP NON-ALCOHOLIC SALES BUSINESS DISTRICT WITH SPECIAL USE PERMIT FOR A MINI-WAREHOUSE FACILITY EXCEEDING 2.5 ACRES. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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91-04 The Clerk read the following Ordinance:

AN ORDINANCE 72,965

NAMING THE COMMUNITY CENTER AT VILLA CORONADO PARK
THE "FATHER MANUEL RAMON COMMUNITY CENTER".

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

Mrs. Dutmer briefly explained the background for this request.

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

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91-04 The City Clerk read the following Ordinance:

AN ORDINANCE 72,966

AUTHORIZING TWO FIFTEEN MINUTE FIREWORKS DISPLAYS ON
FEBRUARY 6, 1991, AND FEBRUARY 16, 1991, AS PART OF
THE TWELVE-DAY STOCKSHOW EXPOSITION AND WESTERN
CELEBRATION.

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

Assistant Fire Chief James D. Miller explained the request,
noting that his department recommends approval.

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

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91-04 The Clerk read the following Ordinance:

AN ORDINANCE 72,967

APPROPRIATING \$2,500.00 FROM THE MAYOR'S
DISCRETIONARY FUND, \$500.00 FROM THE DISTRICT 3
DISCRETIONARY FUND, AND \$1,000.00 FROM THE DISTRICT
4 DISCRETIONARY FUND FOR USE BY THE HISPANIC POLICE
OFFICER'S ASSOCIATION, THE SAN ANTONIO POLICE
OFFICER'S ASSOCIATION, AND THE BLACK POLICE

OFFICER'S ASSOCIATION IN CO-SPONSORING A NATIONAL SYMPOSIUM ON DRUGS AND GANG VIOLENCE.

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

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

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91-04 The Clerk read the following Ordinance:

AN ORDINANCE 72,968 .

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APPROPRIATING \$2,500.00 FROM THE MAYOR'S DISCRETIONARY FUND, \$2,500.00 FROM THE DISTRICT 2 DISCRETIONARY FUND AND \$500.00 FROM THE DISTRICT 3 DISCRETIONARY FUND TO HELP SUPPORT THE 1991 MARTIN LUTHER KING PROJECT.

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

Mayor Cockrell congratulated the group which organized this event.

Mrs. Nancy Bohman, Human Resources and Services Department, stated that the Martin Luther King march Committee had raised some \$33,400 to date, with a budget of \$40,000. She stated that she would inform the Council of the final tally of receipts.

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

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91-04 The Clerk read the following Ordinance:

AN ORDINANCE 72,969 .

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AUTHORIZING THE COMPROMISE AND SETTLEMENT OF QUIRINA VASQUEZ, INDIVIDUALLY AND AS NEXT FRIEND OF ROGELIO VASQUEZ A MINOR V. HENRY LEE REED AND THE CITY OF SAN ANTONIO, CAUSE NO. 88-CI-11135 IN THE 150TH JUDICIAL DISTRICT COURT IN THE TOTAL AMOUNT OF \$149,000.00.

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

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

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91-04 The Clerk read the following Ordinance:

AN ORDINANCE 72,970

APPROPRIATING THE SUM OF \$15,000.00 TOGETHER WITH INTEREST THEREON AND AUTHORIZING DISBURSEMENT OF SUCH AMOUNT IN PAYMENT AND SATISFACTION OF JUDGMENT IN CAUSE NO. 190830 IN COUNTY COURT AT LAW NO. 5, STYLED BURTON KAHN DBA GILLET CONSTRUCTION CO. VS. CITY OF SAN ANTONIO.

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

In response to a question by Mr. Labatt, Mr. Tom Finlay, Assistant City Attorney, discussed details of service on the lawsuit involved.

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

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By concensus of the City council, Agenda Item 36 was brought up for discussion and consideration at this time.

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91-040 The Clerk read the following Ordinance:

AN ORDINANCE 72,971

APPOINTING MEMBERS TO SERVE ON THE CABLE TELEVISION ADVISORY COMMITTEE FOR TERMS OF OFFICE TO EXPIRE ON DECEMBER 31, 1992.

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Mrs. Dutmer made a motion to approve the proposed ordinance. Mr. Hasslocher seconded the motion.

Ms. Marie Schwartz, Chairperson, Library Board of Trustees, briefly reviewed the process used by the Library trustees to arrive at today's recommendations, including the minimum criteria used to develop Requests for Proposal; selection of a short list of four possible sites for the new Main Library; and the Public Hearing and final board decision last week to recommend the so-called Sears Site for the new Main Library.

City Clerk Norma S. Rodriguez then distributed a letter from the San Antonio Conservation Society relative to this matter, a copy of which is made a part of the papers of this meeting.

Mr. Milton Babbitt, architect/planner representing 3D/M, the consulting firm, spoke to the advantages of the Sears site and plans for use of the present site of the Main Library.

In response to a question by Mr. Hasslocher, Mr. Tom Finlay, Assistant City Attorney, and Mr. Alex Briseno, City Manager, stated that, should Council act on this matter today, it would concur on selection of the Sears site and direct staff to proceed with negotiations on purchase of that site. They noted that, under the City Charter, Library trustees are empowered to manage the library system, but cannot acquire property, which is the province of the City Council.

Mr. Wolff stated that he is happy that the process was followed, and spoke in favor of the Sears site. He also spoke to the unanimity of the trustees' vote on selection of the Sears site, and addressed the merger of public and private funds in this matter. He then reported that Humana Corporation will donate \$100,000 in honor of General Robert S. McDermott, who headed up the drive for the library bonds which will pay for the new Main Library.

Mayor Cockrell thanked Mr. Wolff for his work as chairman of the Council's library site committee.

Mr. Hasslocher spoke in favor of the Sears site, and addressed reasons for that stance.

Mr. Martinez stated that he felt inadequate to make a determination on the site today because he had just received a copy of the report from the library trustees. He stressed that he is not questioning the site selected by the trustees, but is not satisfied with the process used. He noted that he would prefer to have the opportunity to tour all four proposed sites.

Ms. Schwartz stated that every effort was made to contact and brief each Council member, individually.

Mr. Martinez stated his opinion that the request to meet with library board members was not timely, and he would have preferred to have an opportunity to thoroughly review the sites. He also stated that no one had contacted him, yet a recommendation had been arrived at.

In response to Mr. Martinez' concerns, Ms. Schwartz noted that the library board vote for selection of the Sears site was unanimous.

Mr. Martinez stated that, if Council is to make a decision on this matter today, he will ask for a fullblown presentation.

In response to Mayor Cockrell's questions concerning a possible one-week delay in consideration of this matter, Mr. Briseno stated that there would be no problem in such a delay.

A discussion then ensued concerning whether or not to hear the presentations on the four sites.

Mr. Thompson stated that he would have preferred to have heard a prioritization of the four sites, instead of just being given a single recommendation. He spoke in favor of a one-week delay.

Mayor Cockrell stated that she had been briefly diligently by her board representative and was ready to vote on this matter today; however, she would respect the wishes of the majority of Council members if they prefer to wait for one week.

Mrs. Dutmer, a member of the Council's library site committee, addressed a brief comparison of the four finalist sites, addressing the positives and negatives of each site, then spoke in support for the Sears site.

Ms. Berriozabal stated that she would favor a one-week delay, or else have a full presentation on all four sites. She then spoke in support for the library board recommendation on the Sears site.

Ms. Berriozabal made a Substitute Motion to postpone Item 33 for one week. Ms. Vera seconded the motion.

After consideration, the Substitute Motion, to postpone this item for one week, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Martinez, Thompson, Vera, Wolff, Cockrell; NAYS: Labatt, Hasslocher; ABSENT: Wing.

After consideration, the Main Motion, as substituted, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Martinez, Thompson, Vera, Wolff, Cockrell; NAYS: Labatt, Hasslocher; ABSENT: Wing.

Mr. Briseno then stated his understanding that this item will be on the Council agenda next Thursday, with no full presentation required.

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91-04 The Clerk read the following Ordinance:

AN ORDINANCE 72,972

ACCEPTING THE LOW QUALIFIED BID OF MAC/SATURN

CORPORATION TO FURNISH THE CITY OF SAN ANTONIO
PUBLIC WORKS DEPARTMENT WITH A WOOD/BRUSH SHREDDER
FOR A TOTAL OF \$198,880.00.

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

In response to a question by Mr. Thompson, Mr. Archie Titzman, Director of Purchasing and General Services, and Mr. Joe Aceves, Director of Public Works, discussed the uses for the new shredder and the effect it will have on citizens' ability to dump their brush at City landfill sites, as usual. They spoke to uses planned for chipped wood material coming from the shredder, as well as materials produced by the tire-shredder currently in use at the Nelson Gardens landfill.

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, Labatt, Hasslocher, Cockrell; NAYS: None; ABSENT: Dutmer.

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91-04

COUNCILMAN FROM SAN ANGELO

Mayor Cockrell welcomed Mr. John Castro, a native San Antonian who now is a City Council member in San Angelo. She noted that Mr. Castro's father was with the San Antonio Fire Department.

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

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91-04 The Clerk read the following Ordinance:

AN ORDINANCE 72,973

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT, IN THE AMOUNT OF \$440,000.00, WITH FUGRO-MCCLELLAND (SOUTHWEST), INC. TO PROVIDE ENVIRONMENTAL SERVICES IN CONNECTION WITH AN ENVIRONMENTAL SITE ASSESSMENT AND REMEDIATION OF A HAZARDOUS WASTE SITE AT SAN ANTONIO INTERNATIONAL AIRPORT; AUTHORIZING \$44,000.00 FOR A CONTINGENCY ACCOUNT; AUTHORIZING \$1,000.00 FOR ADMINISTRATIVE EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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

In response to a question by Mr. Martinez, Mr. Mike Kutchins, Director of Aviation, explained the planned closure of the 16-acre firefighter training site at International Airport.

Mr. Carl Baber, Director of Engineering, Department of Aviation, explained the possible contaminants that might be found on-site, noting that a local firm is to do the work cleaning up the site. He further noted that some 23 per cent of the work will be performed by minority contractors, which is near the airport's goal.

Mr. Thompson noted the large amount of money involved and asked if any federal financial assistance might be available. He voiced his concern with the open-ended nature of the remediation work, and the possibility for higher future costs.

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

Mr. Baber spoke of the involvement of the Texas Water Commission in this matter.

Mr. Thompson asked that the Council receive an interim report every two weeks during the term of the project.

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, Labatt, Cockrell; NAYS: None; ABSENT: Dutmer, Hasslocher.

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91-04 The Clerk read the following Ordinance:

AN ORDINANCE 72,974

ACCEPTING THE LOW QUALIFIED BID OF AMERICAN ROOFING & METAL COMPANY, INC., IN THE AMOUNT OF \$1,282,860.00 TO CONSTRUCT THE TERMINAL IMPROVEMENTS - 1990, PACKAGE III - REROOFING TERMINAL 2, AT SAN ANTONIO INTERNATIONAL AIRPORT; AUTHORIZING \$128,286.00 FOR A CONTINGENCY ACCOUNT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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

In response to a question by Mr. Martinez, Mr. Mike Kutchins, Director of Aviation, explained the project and spoke to the fact that some five per cent of the project will be done by minority contractors. He then explained the airport's track record in minority contracting and of the dividing of projects into smaller, separate packages and phases in order to encourage minority contractors to participate. He noted that,

overall, minority contracting at the airport exceeds listed goals.

A discussion then took place concerning the "good faith plan" at the airport.

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

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91-04 RECONSIDERATION OF CDBG REPROGRAMMING ORDINANCE

Mayor Cockrell noted that a small error had been made in staff material prepared for the CDBG reprogramming Ordinance, acted upon earlier in this meeting, and she spoke to the need for the Council to reconsider the Ordinance in order to correct this error.

Mrs. Dutmmer made a motion to reconsider the Ordinance. Mr. Webb seconded the motion.

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

Mayor Cockrell opened the Public Hearing.

Mr. Webb briefly explained the need for insertion of Hayward Street in lieu of Brahan Boulevard in the District 2 reallocations.

There being no citizens to speak on this matter, Mayor Cockrell declared the Public Hearing closed.

The City Clerk read the following Ordinance:

AN ORDINANCE 72,975

AUTHORIZING THE REPROGRAMMING OF \$3,338,245.16 FROM CANCELLED AND COMPLETED COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECTS SO AS TO CREATE AND MODIFY NEW AND EXISTING PROJECTS; AUTHORIZING THE EXECUTION OF CONTRACTS AND OTHER DOCUMENTS AS NECESSARY IN CONNECTION WITH SAID ACTION; AND APPROVING AMENDMENTS TO THE SCOPES-OF-WORK FOR THE EXISTING CDBG SOUTH SAN MANUEL STREET PROJECT AND ALAMO (EASTSIDE) YMCA PROJECT.

* * * *

Mr. Webb 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: Webb, Dutmmer, Martinez, Thompson, Vera, Wolff, Labatt, Cockrell; NAYS: None; ABSENT:

91-04 The Clerk read the following Ordinance:

AN ORDINANCE 72,976

ACCEPTING A PROPOSAL FROM GUNN, LEE & MILLER, P.C., ATTORNEYS AT LAW, IN AN AMOUNT NOT TO EXCEED \$5,800.00 FOR OBTAINING PATENT PROTECTION FOR TWO NEW VARIETIES OF PLANTS DEVELOPED AT THE SAN ANTONIO BOTANICAL CENTER.

* * * *

Mr. Ron Darner, Director of Parks & Recreation, explained the ordinance details and the need for the City to patent the new varieties of papaya developed at the Botanical Center because of intense nationwide interest in these strains developed here.

In response to a question by Mr. Thompson, Mr. Darner explained the responsibilities of the City under this ordinance, which would be the first of its kind for San Antonio. He noted that the new papaya varieties may be financially-beneficial to the City of San Antonio.

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

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, Cockrell; NAYS: None; ABSENT: Martinez, Hasslocher.

91-04

CITY MANAGER'S REPORT

APPLEWHITE PETITIONS

Mr. Alex Briseno, City Manager, spoke briefly to the recently-completed count of petitions seeking to place the matter of the Applewhite Reservoir on the May 4, 1991 election ballot, and noted that some 68 persons had been involved in the petition-checking process in the Office of the City Clerk.

A copy of City Clerk Norma S. Rodriguez' report to the Mayor and City Council regarding Applewhite Petition was distributed to members of the Council. A copy of the report is made a part of the papers of this meeting.

City Clerk Norma S. Rodriguez stated that a copy of this report has been given to Ms. Kay Turner, representative of the petitioners, and spoke to the petition count which reveals that the Applewhite petitions are 5,815 signatures short of the required number for inclusion of this matter on the May 4, 1991 election ballot. She then spoke to some of the reasons for invalidating certain petition signatures and noted that the

petitioners, by City Charter provision, have a 20-day period in which to collect additional petition signatures on this matter, starting today.

Ms. Rodriguez further noted that her office currently is checking another petition submitted, seeking to place onto the May 4, 1991 election ballot the matter of restricting the number of terms that a person may serve on the City Council. She noted that her report on the sufficiency of those petitions would be made at next Thursday's City Council meeting.

Mr. Labatt noted that, according to his calculation, February 13, 1991 will be the deadline for the new petitions on the Applewhite matter to be submitted to the City Clerk for verification.

In response to a question by Mrs. Dutmmer, Ms. Rodriguez noted that the petitioners can secure certain names from submitted Applewhite petitions, in order to seek to go back and secure their new signatures and other data, in compliance with the City Charter and state law provisions.

Ms. Rodriguez then asked that the group of petition-checkers, present in the audience, stand and be recognized, and spoke to the number involved in this work, as members of the City Council and the audience applauded them.

Mayor Cockrell noted that City Clerk Rodriguez and her staff and workers are impartial in petition-checking and reporting, and she spoke in appreciation for their efforts and their impartiality.

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91-04 COUNCIL MEMBER FROM CORPUS CHRISTI

Mayor Cockrell recognized the presence in the audience today of Ms. Mary Rhodes, member of the Corpus Christi City Council, and welcomed her to City Hall.

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91-04 (Council recessed at 4:34 P.M. into Executive Session, reconvening in regular session at 6:22 P.M.)

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91-04 CITIZENS TO BE HEARD

MR. JOHN COURAGE

Mr. John Courage, 12859 Tarryton, asked the City Council to request that the City Water Board defer further actions on construction of the Applewhite Reservoir, and presented a five-point plan that he feels will solve the city's water problems, including: (1) working with the Edwards Underground Water District to develop enhanced recharge of the Edwards Aquifer; (2) continue to expand water conservation efforts; (3) ask City Water Board to enhance its leak-detection plan; (4) have the City enter into an agreement to purchase additional surface water to enhance the Edwards Aquifer; and (5) develop a water augmentation program

that will protect springflows at San Marcos and New Braunfels. He then addressed each recommendation in detail.

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91-04 There being no further business to come before the Council, the meeting was adjourned at 7:27 P.M.

A P P R O V E D

Lila Cockrell

M A Y O R

Attested:

Norma S. Rodriguez
city clerk

