

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO, HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, AUGUST 19, 1993.

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93-35 The City Council convened in an informal session at 10:00 A.M., City Hall, "B" Room, to consider the following item(s):

Presentation of the Planning Commission's Proposed Master Plan.

The following City Council members were present: Perez, McClendon, Avila, Solis, Ross, Thornton, Peak, Larson, Wolff; ABSENT: Billa Burke.

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93-35 The regular meeting was called to order by the Presiding Officer, Mayor Nelson W. Wolff, with the following members present: PEREZ, McCLENDON, AVILA, SOLIS, AYALA, ROSS, THORNTON, PEAK, LARSON, WOLFF. Absent: BILLA BURKE.

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93-35 Invocation - Father David Garcia, Vocation Director, Archdiocese of San Antonio.

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93-35 Pledge of Allegiance to the flag of the United States.

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93-35 Minutes of the July 15, 1993 Regular City Council Meeting were approved with one correction. In reference to Zoning case Z93022-A, on page 16 of the minutes Councilman Howard Peak referred to the landscape ordinance instead of the scenic corridor ordinance.

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93-35 NEIGHBORS FOR THE 90'S AWARD PRESENTATION

Mayor Wolff spoke of the recent conference the City of San Antonio co-sponsored with the Community Associations Institute and the San Antonio Coalition of Neighborhood Associations on June 12, 1993. As

part of the conference, cash awards were given to winning neighborhood associations submitting projects in the following categories: newsletters, projects to curb crime, intergovernmental cooperation, and beautification.

Mayor Wolff invited the Council Members in whose district the neighborhood association recipients were located to assist him in the presentation of these cash awards. He congratulated these award winners and encouraged them to continue with their various projects.

The various neighborhood association members thanked the Council members who spoke at the conference and introduced other members of their associations present in the audience.

Several Councilmembers encouraged the neighborhoods to organize associations. They feel that strong neighborhood associations are a good influence in curbing crime as well as assisting in the decision making policy issues concerning citizens.

Mayor Wolff then read a list of the Corporate sponsors of this conference and recognized the individuals representing these corporations.

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93-35

SWEARING IN OF MAYOR PRO-TEM

Richard Porter, Assistant City Clerk, swore in Councilman Bob Ross as Mayor Pro Tem. Councilman Ross introduced members of his family present in the audience.

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93-35

CONSENT AGENDA

Mr. Larson made a motion to approve Agenda Items 7 through 33e, constituting the Consent Agenda, with Item 14 having been pulled earlier by the City Manager and Item 24 was removed for individual consideration. Mr. Avila seconded the motion.

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

AN ORDINANCE 78,479 .

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ACCEPTING THE LOW BID OF SNOBER INDUSTRIAL SERVICES  
FOR EXTERIOR PAINTING OF SEVERAL BUILDINGS AT LA  
VILLITA FOR A TOTAL OF \$7,590.00.

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AN ORDINANCE 78,480

RATIFYING AND CONFIRMING ALL ACTION TAKEN BY THE CITY STAFF FOR EMERGENCY ROOF REPAIRS AT THE HEMISFAIR PARK RICHTER HOUSE AND PROVIDING PAYMENT TO YELLOWROC CONSTRUCTION COMPANY FOR A TOTAL OF \$5,961.00.

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AN ORDINANCE 78,481

ACCEPTING THE LOW QUALIFIED BIDS OF HAWILL'S LTD., AND KNEUPPER FIRE & RESCUE EQUIPMENT TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH WATER SAFETY AND RESCUE EQUIPMENT FOR A TOTAL OF \$18,721.40.

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AN ORDINANCE 78,482

ACCEPTING THE LOW BID OF PITNEY BOWES CORPORATION TO FURNISH THE CITY OF SAN ANTONIO CONVENTION & VISITORS BUREAU WITH AN AUTOMATED MAILING SYSTEM FOR A TOTAL OF \$20,610.00.

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AN ORDINANCE 78,483

ACCEPTING THE LOW QUALIFIED BIDS OF SOUTHWEST PUBLIC SAFETY AND FEDERAL SIGNAL CORPORATION TO FURNISH THE CITY OF SAN ANTONIO AVIATION DEPARTMENT WITH VEHICLE WARNING LIGHTS AND ACCESSORIES FOR A TOTAL OF \$4,797.70.

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AN ORDINANCE 78,484

ACCEPTING THE PROPOSAL OF JOHNSON CONTROLS, INC. FOR THE UPGRADE OF THE FIRE ALARM SYSTEMS FOR THE CITY OF SAN ANTONIO AVIATION DEPARTMENT FOR A TOTAL OF \$32,559.00.

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## AN ORDINANCE 78,485 .

ACCEPTING THE PROPOSAL OF WARD SYSTEMS FOR  
COMPUTERIZATION OF A CLIMATE CONTROL SYSTEM AT THE  
SAN ANTONIO POLICE HEADQUARTERS BUILDING FOR A TOTAL  
OF \$16,597.00.

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## AN ORDINANCE 78,486 .

ACCEPTING THE BIDS OF VARIOUS COMPANIES TO FURNISH  
THE CITY OF SAN ANTONIO WITH VARIOUS MATERIALS AND  
SERVICES ON AN ANNUAL CONTRACT BASIS FOR THE 1993-94  
FISCAL YEAR FOR A TOTAL OF APPROXIMATELY  
\$2,575,000.00.

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## AN ORDINANCE 78,487 .

AUTHORIZING THE EXECUTION OF FIELD ALTERATION NO.  
1, IN THE AMOUNT OF \$18,246.00, TO THE CONTRACT WITH  
R. L. WADE CONSTRUCTION COMPANY FOR THE SOUND  
INSULATION MODIFICATIONS TO WALZEM ELEMENTARY, EAST  
TERRELL HILLS ELEMENTARY AND KRUEGER MIDDLE SCHOOLS;  
REVISING THE BUDGET FOR THE PROJECT; AND PROVIDING  
FOR PAYMENT.

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## AN ORDINANCE 78,488 .

ACCEPTING THE LOW QUALIFIED BID OF MICA CORPORATION,  
IN THE AMOUNT OF \$46,101.00, TO INSTALL THE TRAFFIC  
SIGNAL AT THE INTERSECTION OF PAUL WILKINS AND  
JONES-MALTSBERGER ROADS AT SAN ANTONIO INTERNATIONAL  
AIRPORT AND AUTHORIZING EXECUTION OF A CONTRACT;  
AUTHORIZING AN ADDITIONAL \$4,610.00; AUTHORIZING  
ADDITIONAL ENGINEERING FEES, IN THE AMOUNT OF  
\$1,000.00, PAYABLE TO W. F. CASTELLA & ASSOCIATES,  
INC; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 78,489

ACCEPTING A PROPOSAL FROM MIRAMONTES ENGINEERING TO PERFORM A POWER SYSTEM ANALYSIS FOR TERMINAL 1 AT SAN ANTONIO INTERNATIONAL AIRPORT FOR A FEE NOT TO EXCEED \$20,000.00; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 78,490

AUTHORIZING THE EXECUTION OF AN "AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR CONSTRUCTION, MAINTENANCE AND OPERATION OF TRAFFIC SIGNALS WITHIN THE MUNICIPALITY"; AND AUTHORIZING A FORCE ACCOUNT FUND IN THE AMOUNT OF \$32,530.00 FOR REMOVAL AND INSTALLATION OF A TRAFFIC SIGNAL CONTROLLER AND ASSOCIATED EQUIPMENT, AND FURNISHING CERTAIN SPECIAL SIGNS IN CONNECTION WITH TRAFFIC SIGNALS ON ZARZAMORA STREET AT THE INTERSECTIONS OF CHIHUAHUA, VERA CRUZ, GUADALUPE, DURANGO, AND SAN FERNANDO.

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AN ORDINANCE 78,491

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH BROWN ENGINEERING COMPANY IN THE AMOUNT OF \$11,000.00 FOR ENGINEERING SERVICES IN CONNECTION WITH THE HARRY WURZBACH DRAINAGE PROJECT NO. 75, PHASE II; AND AUTHORIZING \$1,000.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES.

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AN ORDINANCE 78,492

AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$210,480.00 WITH CLARK CONSTRUCTION COMPANY IN CONNECTION WITH THE RIVER ROAD AREA 1993 SEAL COAT PROJECT; AUTHORIZING \$20,032.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$1,016.00 FOR ADVERTISING EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 78,493

AUTHORIZING THE ASSIGNMENT OF A LEASE AGREEMENT FOR 103,875 SQUARE FEET OF GROUND SPACE AT STINSON MUNICIPAL AIRPORT FROM SWEARINGEN AIRCRAFT, INC. TO EDWARD J. SWEARINGEN.

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AN ORDINANCE 78,494

AUTHORIZING THE EXECUTION OF AN AGREEMENT CONSENTING TO THE COLLATERAL ASSIGNMENT OF A LEASE FOR GROUND SPACE AT SAN ANTONIO INTERNATIONAL AIRPORT BY COMTRAN INTERNATIONAL, INC. TO INTERNATIONAL BANK OF COMMERCE.

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AN ORDINANCE 78,495

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$5,879.37 OUT OF VARIOUS FUNDS; ACQUIRING TITLE TO A TOTAL OF THREE PARCELS IN CONNECTION WITH THE 34TH STREET RECONSTRUCTION PROJECT - CULEBRA ROAD TO WEST COMMERCE; CASTROVILLE ROAD RECONSTRUCTION PROJECT - GENERAL MCMULLEN TO ACME ROAD; AND BUSTILLO DRIVE PROJECT - KELLY TO ROOSEVELT; ACQUIRING FOUR TEMPORARY EASEMENTS IN CONNECTION WITH THE LORD ROAD DRAINAGE PROJECT #114C, PHASE I; ACCEPTING THE DEDICATION OF TITLE TO ONE PARCEL IN CONNECTION WITH THE ELMENDORF DRAINAGE PROJECT #38, PHASE II; AND ACQUIRING A PERMANENT EASEMENT AND A TEMPORARY EASEMENT IN CONNECTION WITH THE ELMER STREET PROJECT - ARVIL TO MARCUM.

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AN ORDINANCE 78,496

AUTHORIZING THE ACCEPTANCE OF A DEDICATION OF A 392 SQUARE FOOT TRACT OF LAND, BEING THE REMAINING PORTION OF LOT 7, BLOCK 1691, SAN ANTONIO, BEXAR COUNTY, TEXAS FROM LYDIA WHITE FOR STREET IMPROVEMENT PURPOSES.

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AN ORDINANCE 78,497

APPROVING A THREE-YEAR LEASE AGREEMENT (RETAIL) WITH OLETA DAVENPORT, OPERATING A BUSINESS KNOWN AS GALLERIA II, FOR 743 SQUARE FEET OF SPACE IN BUILDING NO. 20 AT 218 SOUTH PRESA STREET IN LA VILLITA FOR A TOTAL RENTAL FEE OF \$14,892.60, PLUS ADJUSTMENT, IF ANY, FOR THE THIRD YEAR RENT, BASED ON THE CONSUMER PRICE INDEX.

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AN ORDINANCE 78,498

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH PARENT/CHILD INCORPORATED (PCI) ALLOWING THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT TO PROVIDE PHYSICAL AND DENTAL EXAMINATIONS, REIMBURSABLE ON A FEE-FOR-SERVICE BASIS FOR AN AMOUNT NOT TO EXCEED \$42,500.00, TO PCI'S ENROLLEES; ESTABLISHING A FUND; ADOPTING A BUDGET; AND AUTHORIZING A PERSONNEL COMPLEMENT.

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AN ORDINANCE 78,499

AUTHORIZING THE ACCEPTANCE OF \$78,000.00 IN IN-KIND ASSISTANCE FROM THE TEXAS DEPARTMENT OF HEALTH (TDH) TO CONTINUE FUNDING OF PUBLIC HEALTH LABORATORY ACTIVITIES IN THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT (SAMHD), AUTHORIZING THE EXECUTION OF CONTRACT CHANGE NOTICE NO. 7, COMPRISED OF ATTACHMENT 18 TO CONTRACT C4000011 WITH THE TDH; REVISING THE BUDGET FOR THE PUBLIC HEALTH STATE SUPPORT PROJECT 1993/94 ESTABLISHED IN ORDINANCE 77194 PASSED JANUARY 14, 1993; APPROPRIATING FUNDS.

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AN ORDINANCE 78,500

AUTHORIZING THE NINETEENTH (19TH) YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM; ACCEPTING AND APPROPRIATING 19TH YEAR CDBG ENTITLEMENT GRANT FUNDS IN THE AMOUNT OF \$19,587,000.00; ACCEPTING AND APPROPRIATING REPROGRAMMING AND PROGRAM INCOME FUNDS IN THE AMOUNT OF \$1,152,072.19; DESIGNATING THE 19TH YEAR CDBG PROGRAM FUND; ALLOCATING PROGRAM FUNDS TO PROJECTS; ESTABLISHING ACCOUNTS;

DELINEATING PROGRAM RESPONSIBILITIES; AUTHORIZING EXECUTION OF CONTRACTS AND OTHER DOCUMENTS AS NECESSARY IN CONNECTION WITH SAID 19TH YEAR CDBG PROGRAM.

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AN ORDINANCE 78,501

CHANGING THE NAME OF THE STREET NOW KNOWN AS BAKER-WENDER (CROWNRISE SUBDIVISION) TO SUMMER OAKS.

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AN ORDINANCE 78,502

CLOSING NORTH CAMINO SANTA MARIA BETWEEN FORDHAM AVE. AND WESTMINSTER AVE. INCLUDING ITS INTERSECTION WITH WAKE FORREST AVE., CINCINNATI AVE., AND COLGATE AVE., AND CLOSING CINCINNATI AVE. BETWEEN NORTH CAMINO SANTA MARIA AND COLGATE AVE. ON WEDNESDAY, SEPTEMBER 8, 1993, FROM 10:00 A.M. UNTIL 1:30 P.M. FOR THE PURPOSE OF HOLDING THE 100TH ANNIVERSARY CELEBRATION FOR ST. LOUIS HALL SPONSORED BY ST. MARY'S UNIVERSITY.

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AN ORDINANCE 78,503

APPOINTING MARIO HERNANDEZ AND PHILIP M. BARSHOP TO THE EDWARDS AQUIFER AUTHORITY BOARD OF DIRECTORS.

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AN ORDINANCE 78,504

APPOINTING EVERETT F. FLY TO THE SOUTH CENTRAL TEXAS WATER ADVISORY COMMITTEE.

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AN ORDINANCE 78,505

APPOINTING CATHY LITTLE (DISTRICT 2) TO THE CABLE TELEVISION ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 31, 1994.

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AN ORDINANCE 78,506

APPOINTING JAMES BODE (DISTRICT 3) TO THE ZONING COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON JUNE 30, 1995.

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AN ORDINANCE 78,507

APPOINTING COUNCILWOMAN LYNDA BILLA BURKE TO THE FIESTA COMMITTEE FOR A TERM OF OFFICE TO RUN CONCURRENT WITH HER CITY COUNCIL TERM.

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93-35 The Clerk read the following Ordinance:

AN ORDINANCE 78,508

AUTHORIZING PAYMENT IN THE AMOUNT OF \$3,185.00 FOR TITLE SERVICES ON THE BABCOCK ROAD PROJECT - HUEBNER TO HAMILTON WOLFE AND THE WETMORE ROAD RECONSTRUCTION PROJECT - THOUSAND OAKS TO CITY LIMITS; AND VARIOUS OTHER SERVICES ON THE FEST STREET PROJECT; AND APPROPRIATING FUNDS.

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

In answer to a question by Councilman Thornton, John German, Director of Public Works Department explained that these projects were a part of the 1987 bond issue. The time schedule for completion of such road reconstruction projects depends on the acquisition of property. He stated that all but one parcel of the right-of-way property has now been acquired. He hopes to have this acquisition completed and be able to contract the work on Huebner by January of 1994 and on Babcock by April of 1994.

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

93-35 The Clerk read the following Ordinance:

AN ORDINANCE 78,509

APPROVING A ONE-YEAR OPTION TO PURCHASE 22.721 ACRES OF LAND, MORE OR LESS, ADJACENT TO COMMANCHE LOOKOUT AT THE INTERSECTION OF NACOGDOCHES AND JUDSON ROADS IN NORTHEAST SAN ANTONIO FROM THE FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC) FOR PUBLIC RECREATIONAL AND OTHER PURPOSES, TO BE DETERMINED BASED ON A USE PLAN, FOR AN OPTION FEE OF \$7,000.00, TO BE PAID BY THE SAN ANTONIO PARKS FOUNDATION.

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

Ron Darner, Director of Parks and Recreation Department, explained the procedure that will be used in the purchase of this property if the city so desires. He noted that the option fee will be paid by the San Antonio Parks Foundation. Funding for the purchase of this property after one year could be from a possible May 1994 bond issue to finance improvements for parks, streets and drainage facilities. He spoke of the need of more parks in the northeast side of the city and to the fact that this property is at the base of Comanche Hill, a Comanche Indian lookout point.

The following persons appeared to speak:

Tom Staubitz, a member of the Fox Run Neighborhood Association, stated that the Comanche Hill area is in a state of deterioration. He urged the City to purchase this land so that some controls can be established. He recommended that signs be posted informing the public of such controls.

Ann Maestas, a member of the High Country Neighborhood Association, stated she supports purchase of this land. She further noted that historic areas such as this need to be protected. She suggested that the City should set aside some free spaces.

Celia Prehn, volunteer coordinator of Save Comanche Lookout Park Campaign, stated that she has gathered signatures of residents who want the area preserved. She suggested that this site would preserve the lookout trail as well as provide a natural setting for a wilderness area with walking trails.

Councilman Larson thanked this organization for their work in trying to protect this area and spoke to the possibility of a recreational facility here also. He spoke of a need for more parks in the northeast San Antonio area.

Several of the Council commended Ms. Prehn and her volunteers for their tenacity. They feel that we need to seize every opportunity available for adding more parks and recreation center. There is a need also to upgrade the parks in the inner city area.

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

93-35 The Clerk read the following Ordinance:

AN ORDINANCE 78,510

AUTHORIZING PAYMENTS OF REFUNDS TOTALING \$78,484.68, TO PERSONS MAKING A DOUBLE PAYMENT, OVERPAYMENT, OR AS A RESULT OF A VALUE CHANGE ON 25 TAX ACCOUNTS.

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

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

93-35 The Clerk read the following Ordinance:

AN ORDINANCE 78,511

APPROVING THE FOLLOWING REQUESTED NUMBER OF CHARTER VEHICLE OPERATING PERMITS: CHATEAU VAN COMPANY (1); CROWN EXECUTIVE COACH (3); FIESTA TRANSIT (2); GALLOWAY'S CHARTER SERVICE (1); LOCAL ARRANGEMENTS (1); SAN ANTONIO CITY TOURS (1); KIDS-ON-THE-GO (2); AND VICKERS TOURS (2).

\* \* \* \*

Captain Tom Polonis, Ground Transportation Unit of the San Antonio Police Department, recommended that these requests for charter vehicle operating permits be granted.

In answer to a question by Councilman Ross, Capt. Polonis explained that all permits will expire on December 31, 1993.

Councilman Thornton urged his fellow Councilmembers to support Councilman Perez in his efforts to complete the Ground Transportation Ordinance.

In answer to a question by Councilman Solis, Captain Polonis stated that existing permit holders could get preferential treatment for new permits after December 31, 1993. There are no limitations to the number of permits issued at this time. Captain Polonis further stated that the Mundy study recommends that the Council limit the number of permits issued. The Mundy study also advises that permits should be issued on a first-come, first-served basis.

Councilman Perez reported that the Committee has been focusing on taxi cab permits, but will move on to charter and limo services soon. He will be giving a brief update to Council in the near future.

Mr. Ross made a motion to amend the proposed Ordinance so present permit holders have no vested rights to new permits after December 31, 1993. Ms. McClendon seconded the motion.

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

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

93-35 The Clerk read the following Ordinance:

AN ORDINANCE 78,512

APPROVING THE REQUEST MADE BY LOCAL ARRANGEMENTS FOR ONE (1) TOUR VEHICLE OPERATING PERMIT.

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

Mr. Ross made an amendment to the motion to provide that present-permit holders have no vested rights to new permits after December 31, 1993. Ms. Ayala seconded the motion.

After consideration, the amendment to provide that present-permit holders have no vested rights to new permits after December 31, 1993, prevailed by the following vote: AYES: Perez, McClendon, Avila, Solis, Ayala, Ross, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: Billa Burke.



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

93-35 The Clerk read the following Ordinance:

AN ORDINANCE 78,513

AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIM OF BILLIE JOE CAMPBELL, CLAIM NO. 73700000-306, ARISING FROM A VEHICULAR ACCIDENT INVOLVING A CITY TRUCK IN THE TOTAL AMOUNT OF \$6,300.00.

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

Lloyd Garza, City Attorney, explained that this settlement is for property damage only. The extent of his personal injury is not yet known.

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

93-35 The Clerk read the following Ordinance:

AN ORDINANCE 78,514

AUTHORIZING PAYMENT TO SCIENCE-SAFETY PRODUCTS, INC. IN AN AMOUNT NOT TO EXCEED \$12,545.22 FOR INVESTIGATION AND ANALYSIS OF TRAFFIC COLLISIONS INVOLVING LITIGATION.

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

Lloyd Garza, City Attorney, gave a brief history to the type of service C.J. Halley, a retired physics professor now an accident reconstructionist, can provide from photographs and other evidence gathered. Mr. Garza asked that he be retained to investigate and analyze other accidents. Mr. Garza feels that Mr. Halley has saved the city a considerable amount of money.

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

93-35 The Clerk read the following Ordinance:

AN ORDINANCE 78,515

RATIFYING FIELD ALTERATION NO. 47 IN THE AMOUNT OF \$19,843.00 FOR THE CONSTRUCTION CONTRACT WITH JWP BRANDT ENGINEERING COMPANY, INC. FOR WORK ON THE ALAMODOME: PACKAGE 8C - HVAC SYSTEMS, FUNDED BY PROCEEDS FROM THE ALAMODOME COMMUNICATIONS LICENSE AGREEMENT WITH PARAGON BUSINESS SYSTEMS.

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

Gabriel Perez, Office of Dome Development, stated that this provides for the installation of a stand-alone air conditioning system dedicated to the main telephone room.

Councilman Thornton asked that a report be given to the Council, comparing estimated revenues with the actual revenues.

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

93-35 The Clerk read the following Ordinance:

AN ORDINANCE 78,516

RATIFYING FIELD ALTERATION NO. 48 IN THE AMOUNT OF \$21,977.00 FOR THE CONSTRUCTION CONTRACT WITH JWP BRANDT ENGINEERING COMPANY, INC. FOR WORK ON THE ALAMODOME: PACKAGE 8C - HVAC SYSTEMS, FUNDED BY THE 1/2 PERCENT SALES TAX.

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

Gabriel Perez, Office of the Dome Development, stated that this Field Alteration provides for modifications to the grease duct systems serving the concession stand areas. He further explained that this is an added safety feature since there is deep-frying.

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

93-35 The Clerk read the following Ordinance:

AN ORDINANCE 78,517

RATIFYING FIELD ALTERATION NO. 23 IN THE AMOUNT OF \$29,189.59 FOR THE CONSTRUCTION CONTRACT WITH INTERKAL, INC. FOR WORK ON THE ALAMODOME: PACKAGE 9B - ARMCHAIR/MOVEABLE PLATFORMS; AND AMENDING THE CONSTRUCTION CONTINGENCY BY \$28,604.25, FUNDED BY THE 1/2 PERCENT SALES TAX.

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

Gabriel Perez, Office of the Dome Development, explained that additional work by the contractor for the core drilling of the precast concrete sections will allow for the installation of the stationary seating in the upper levels beyond the retractable seating components.

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

93-35 The City Manager requested that Items #43, 44, 45, & 46 be discussed after the Executive Session, and be temporarily bypassed at this time.

93-35 The Clerk read the following Ordinance:

AN ORDINANCE 78,518

RATIFYING AND APPROVING THE SELECTION OF THE FIRM OF LLOYD, GOSSELINK, FOWLER, BLEVINS, AND MATHEWS IN REPRESENTATION OF THE CITY OF SAN ANTONIO IN SEEKING THE EXTENSION OF THE NELSON GARDENS LANDFILL PERMIT; APPROPRIATING FUNDS IN THE AMOUNT OF \$400,000.00; APPROVING PAYMENT NOT TO EXCEED \$250,000.00 FOR THE FEES FOR LEGAL SERVICES, EMPLOYMENT OF EXPERT WITNESSES, AND RELATED EXPENSES INCURRED TO DATE; AND RATIFYING ALL WORK UNDERTAKEN TO DATE BY THE CITY STAFF AND THE FIRM.

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

Lloyd Garza, City Attorney, explained the need for selecting this law firm to represent the City in the co-ordination and extension of the existing life of the Nelson Gardens landfill. This law firm has several years of expertise in the preparation and presentation of cases to be presented before the Texas Water Commission on landfill operations. Mr. Garza further explained the role this law firm has played and will play in the future.

At this time a copy of an internal document written by Texas Water Commission staffer Robert Schultz, Jr. to Ron Bond was distributed to the Council. Mayor Wolff stated that he was very disturbed that this document was released to the press and felt that his recent meeting with the water commission was all for naught. He stated that in this meeting he asked the question "Are private operators opposing the city's effort to further expand the landfill?" He was assured that there would be no influence from the private sector. (A copy of the document is made a part of the papers of this meeting.)

Councilman Thornton voiced his concern about spending more money to keep this landfill open. If our permit is not granted, he felt it would be beneficial to the city to close it before October 8, since there will be more federal regulations put in effect at that time.

In answer to a question by Mayor Wolff, John German, Director of the Public Works Department, announced the first hearing will be on September 15, 1993. It will be a jurisdictional hearing. The fee we now pay to BFI is \$10.50 per ton and will expire in April.

Mayor Wolff asked Mr. German to supply the Council with a cost differential between keeping Nelson Gardens open and building a new one. Mr. German also explained that the original application asked for an additional 200 feet. That amount was denied. We are now requesting an additional 80 feet. This would give the city an additional 3 years to find another landfill site. Mr. German noted that his staff has been working to redesign the project and address the problems identified in the April meeting.

Councilman Larson questioned the stance of the Texas Water Commission staff. He encouraged Mayor Wolff to request a meeting with Chairman John Hall to determine if the City should pursue keeping Nelson Gardens open.

Mr. German noted that there are many issues that the City still has to address concerning the economics involved with the landfill. His staff has already been diligently addressing the issues that are mentioned in the memorandum written by the Texas Water Commission staffer. Mr. German will brief the Council in Executive Session next week.

In answer to a question by Councilman Larson, Mr. Garza explained that the law firm is already owed some fees for past work.

Mr. Larson made a substitute motion to pay the balance owed to the company to date Mr. Peak seconded the motion.

Councilman Peak noted that the City's efforts are flawed and that maybe we are working against a "stacked deck". He felt we should look at other options.

In answer to a question by Councilman Ross, Mr. German stated that the "kick-in" date for the new federal regulations is October 9, 1993. There are no exceptions to these regulations. Councilman Ross requested that staff be directed to submit a memo to seek to get a postponement on the E.P.A. regulations for 6 months past the October 9th date. He requested that staff not incur any more expenses than necessary.

In answer to a question by Mayor Wolff, Mr. Garza stated that this law firm has been working without a contract. This ordinance can be rewritten and divided into two parts; one to pay balance due and the other giving them the authority to use funds as necessary.

In answer to a question by Councilman Avila, Mr. German explained that the request of 200 additional feet was first presented to the Texas Health Department in 1991. The Health Department then combined with the Texas Water Commission and would not grant that request. The City then requested an additional 80 feet in April.

In answer to a question by Councilman Thornton, Mr. German stated that utility lines would have to be moved if we increased the landfill 80 feet. He explained that a landfill can be closed and a closure plan must be submitted to the Texas Water Commission. All requirements set by the Water Commission have to be met. The City Attorney's office will advise the Council if these plans have to be met if closure is before October 8, 1993.

Mayor Wolff asked Mr. German to submit proposals for different options the City could pursue to settle this matter. The choices are not good and we need to use the most economical method possible for the City of San Antonio.

Councilman Larson withdrew his amended motion.

Mr. Ross made an amendment to approve payment of fees owed to firm, to date; postpone remainder of ordinance; staff not to incur further expenses on landfill permit until further notice, unless those expenses are required. Mr. Larson seconded the motion.

After consideration, the amendment to approve payment of fees owed to firm, to date; postpone remainder of ordinance; staff not to incur further expenses on landfill permit until further notice, unless those expenses are required, prevailed by the following vote: AYES: Perez, McClendon, Avila, Ross, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: Billa Burke, Solis, Ayala.

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

93-35 The Clerk read the following Ordinance:

AN ORDINANCE 78,519

APPROVING THE SELECTION OF LLOYD, GOSSELINK, FOWLER, BLEVINS AND MATHEWS TO PROVIDE LEGAL SERVICES IN A JOINT VENTURE WITH THE LOCAL MINORITY FIRM OF VILLAREAL, RUIZ, AND MORENO, IN CONNECTION WITH THE REGIONAL ENVIRONMENTAL ENTERPRISE ZONE (REEZ); ESTABLISHING A BUDGET AND AUTHORIZING THE CITY MANAGER TO DIRECT THE CITY ATTORNEY TO PROCEED WITH THE PROJECT.

\* \* \* \*

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

Lloyd Garza, City Attorney, explained that these two law firms will provide special expertise needed in this area of the law. These law firms specialize in dealing with agencies such as the Texas Water Commission and provide support services which include advice on environmental law, and considerations of siting a regional landfill.

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

93-35 PRESENTATION OF PROPOSED FY 93-94 BUDGET

Alex Briseno, City Manager, presented to City Council his proposed City budget for the 1993-94 fiscal year. He noted the color of the cover and called this budget the "Window of Opportunity". He reminded the Council of the budget process that is followed.

(At this time Mayor Wolff left the meeting. Councilman Larson presided)

Mr. Briseno explained the operating budget spending plan and the capital improvements. He explained the various revenue sources.

(At this time Mayor Wolff returned to the meeting and presided.)

Mr. Briseno thanked department heads and their staff for the joint effort involved in the budget process. He introduced the budget staff headed by Mr. Skip Noe. He explained the Team Leader concept used for meeting with all department heads.

Mayor Wolff thanked Mr. Briseno and his staff for the presentation and spoke to the good strong physical management present in our city. He said this is reflective in our bond ratings. Mayor Wolff announced that over the next month the Council will review this proposal department by department and suggest amendments. The Council will not be making recommendations today.

Each Councilperson responded to the proposed budget as follows:

Councilman Ross commented on the diligence of the staff and the conservative revenue picture. He was very pleased with no tax increase. He requested that the excess City Public Service revenues be put in a trust fund for lot clean-up.

Councilman Perez commended the staff on the outstanding job of prioritizing the council's requests to be put in effect with this year's budget.

Councilman Thornton commented that he was impressed with the staff in restoring some of the services as well as some of the programs. He requested that the Alamodome expenses and income be monitored closely, since it is projected to be operating in the black in three years.

(At this time Mayor Nelson Wolff left the meeting. Councilman Larson presided)

Councilwoman McClendon commended the staff especially the City Manager. She will be requesting that the Council increase the number of Code Compliance Inspectors.

Councilman Solis stated that this proposed budget is responding to the community's requests. He was very pleased that the City is one of few cities living within its means.

(Mayor Wolff returned to the meeting to preside)

Councilmembers Avila, Ayala, and Larson complimented the staff on their excellent job and presentation of this proposed budget.

93-35 The Clerk read the following Resolution:

A RESOLUTION 93-35-59

SETTING A PUBLIC HEARING ON THE FISCAL YEAR 1993-94 GENERAL OPERATING AND CAPIAL BUDGETS FOR WEDNESDAY, SEPTEMBER 1, 1993 AT 7:00 P.M., IN THE MISSION ROOM OF THE HENRY B. GONZALEZ CONVENTION CENTER.

\* \* \* \*

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

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

93-35 The Clerk read the following Ordinance:

AN ORDINANCE 78,520

AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$7,500,000.00 "CITY OF SAN ANTONIO, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 1993"; PROVIDING FOR THE PAYMENT OF THE CERTIFICATES BY THE LEVY OF AN AD VALOREM TAX UPON ALL TAXABLE PROPERTY WITHIN THE CITY AND FURTHER SECURING THE CERTIFICATES BY A LIEN ON AND PLEDGE OF THE PLEDGED REVENUES; PROVIDING THE TERMS AND CONDITIONS OF THE CERTIFICATES AND RESOLVING OTHER MATTERS INCIDENT AND RELATING TO THE ISSUANCE, PAYMENT, SECURITY, SALE, AND DELIVERY OF THE CERTIFICATES, INCLUDING THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT; AND DECLARING AN EMERGENCY.

\* \* \* \*

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

Nora Chavez, Director of the Finance Department, announced the results of the sale of Certificates of Obligation. Sealed bids were accepted on August 19, 1993. Ms. Chavez was pleased to announce that our interest rate was less than 5% and that this is the lowest interest rate the City has received in several years. She introduced other members of her staff who assisted her in this sale.

Jorge Rodriguez, legal counsel with Masterson Moreland Sauer Whisman, Inc. noted that "hitting" the market when at an all-time low was a large factor in getting the low interest rate. Mr. Rodriguez feels that the City has been accepted as a national credit.

The Mayor and Councilmembers complimented Ms. Chavez and the Finance Department for their excellent job in preparing and presenting the information for the bond sale.

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

93-35 The Clerk read the following Ordinance:

AN ORDINANCE 78,521

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS AUTHORIZING THE ISSUANCE OF \$93,680,000.00 "CITY OF SAN ANTONIO, TEXAS GENERAL IMPROVEMENT AND REFUNDING BONDS, SERIES 1993"; LEVYING A CONTINUING DIRECT ANNUAL AD VALOREM TAX FOR THE PAYMENT OF THE BONDS; PRESCRIBING THE FORM, TERMS, CONDITIONS, AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, AND DELIVERY OF THE BONDS, INCLUDING THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING THERETO; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT AND AN ESCROW AND TRUST AGREEMENT; AND DECLARING AN EMERGENCY.

\* \* \* \*

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

Nora Chavez, Director of the Finance Department, noted that this is the first time that her department has prepared the financial statement for the Bond sale.

Marna Eastman, 5219 Village Crest, Park Village Neighborhood Association, spoke to the need of more communication with the citizenry in the form of information on what the sale of bonds is used for. She made several suggestions for use of these monies. She asked Council for some improvements to be made to Pratt Road.

Councilwoman McClendon noted that the Public Works Department is in the process of procuring the needed property for the roadway easement.

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

DISCUSSION ON CONTAMINATED SOIL AT THE ALAMODOME SITE

Councilwoman McClendon apprised the council of a meeting held at Ray's Mexican Restaurant on Wednesday evening. She invited these citizens to come to speak before the Council to voice their concerns over the contaminated soil at the Alamodome site.

Roland Lozano, Director of Dome Development, noted that approximately 184,000 cubic yards of contaminated soil has been removed from the Alamodome site. He discussed the levels of contamination within the soil.

Mr. Robert Nicol, P.E. Malcolm Pirnie, Inc., discussed the amount of contamination in the soils.

Mr. Lozano discussed the proposal made to remove soil from the Alamodome site after the formal bids had been opened. He spoke to the reasons why the proposal was rejected.

Mr. Robert Nicol addressed removal of contaminated soil as the safest way to protect area residents.

Several questions were asked in reference to surveying the neighborhood as to their preference in the handling of this soil, as well as receiving an emergency permit for the landfill. The citizens who appeared to speak on this matter begin on page 24 of these minutes.

\* \* \* \*

MS. FRAN MENDEZ

Ms. Fran Mendez, San Antonio HIV/AIDS Consortium Political Action Committee, introduced a new agenda for the HIV/AIDS as a consortium. She spoke to the progress that has been made in controlling the AIDS virus and said that this Action Committee will be requesting funds and presenting proposals for funds from the Mayor and Council as well as the citizens of San Antonio.

Mayor Wolff spoke of the work Ms. Mendez has done on behalf of the HIV/AIDS Committee.

\* \* \* \*

MR. EDWARD GAITAN

Mr. Edward Gaitan, 2170 W. Kings Highway, asked for the Council's support for the Summer Swimming Program. He spoke to the success of this program and asked the Council to create a committee to seek funds from the private sector so this program can be continued.

\* \* \* \*

MS. CAROL O. FRYE

Ms. Carol O. Frye, CCSA-Child Care Services Association, gave an update on the statues of low-income child care in San Antonio. She requested that Council give consideration to special relief to child care centers that have predominantly CCMS children. She requested that the Council give a specific dollar amount or specify the number of children to be assisted.

\* \* \* \*

MR. NORMAN POSEY

Mr. Norman Posey, taxi-cab operator, spoke to the alleged on going issue against taxi drivers at the airport. He was issued two citations that he felt were issued in error. He submitted photographs to the City Council.

Mr. Travis Bishop was asked to check to see if these citations were wrongfully issued.

\* \* \* \*

MS. BASIL FRANKS

Ms. Basil Franks, Belmont St. Community Coalition, quoted laws about the contaminated soil at the Alamodome. She noted that the citizens were not asked to participate in the discussions on this soil.

\* \* \* \*

MS. ROSA ROSALES

Ms. Rosa Rosales, League of United Latin American Citizens, voiced full support of the citizens in the Alamodome area. She asked that Council plead for more funds from the private sector. She then spoke in favor of higher raises for non-uniformed employees.

\* \* \* \*

MR. CRUZ CHAVIRA

Mr. Cruz Chavira, Bexar County Taxi Drivers Association, spoke in favor of keeping taxi stations open at the airport. He requested that Council give a meter rate increase and appoint a driver review board to increase driver safety.

\* \* \* \*

MR. DON WILKINS CASTILLO

Mr. Don Wilkins Castillo, 1010 N. Frio St., spoke about the need for removal of the toxic soil around the Alamodome.

\* \* \* \*

MS. MARIA MONTGOMERY

Ms. Maria Montgomery, 202 Douglass Way, stated she wanted the toxic soil removed from the Alamodome area, not covered and left there. She spoke of her concern for the health and welfare of her family since they have been exposed to the toxic soil, and addressed the after-effects on her family's health in later years.

\* \* \* \*

MR. PETER SANTILLANO

Mr. Peter Santillano, 1414 E. Durango, spoke of the parking problems around the Alamodome. He addressed the Parking Decal Program used in the area.

\* \* \* \*

MR. RICHARD GARCIA

Mr. Richard Garcia, 1107 S. Hackberry, spoke of the dust that is blowing off the contaminated soil. He asked for immediate removal of the soil.

\* \* \* \*

MR. JOE S. GARCIA

Mr. Joe S. Garcia, 818 Royal, owner of Garcia's Antique Furniture, gave a brief history of the different businesses he has owned in the downtown area. He stated his current business has failed due to the contaminated soil as well as the parking in the Alamodome area.

\* \* \* \*

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MS. MARIA ELENA MARTINEZ

Ms. Maria Elena Martinez, 208 Virginia, spoke of the traffic problems due to street closures during events at the Alamodome. She stated that she has to drive several blocks out of the way to get to her home. She was not issued enough parking decals for her family to park at her home. She feels the issue of parking has not been addressed properly by the Council.

Councilwoman McClendon stated that she and Jelynn Burley of the Alamodome staff will meet with Ms. Martinez to try to resolve this problem.

\* \* \* \*

MR. RAY MARTINEZ

Mr. Ray Martinez, 823 Hofgen, owner of Ray's Mexican Restaurant, requested immediate attention and immediate action on the toxic soil at the Alamodome.

\* \* \* \*

MR. HAROLD MILLER

Mr. Harold Miller, 118 Hardeman St., requested that the soil be hauled away from the dome site. He noted that the residents were promised a presentage of the catering business for the dome as well as a presentage of jobs, and neither of these two have occurred.

\* \* \* \*

MS. RITA BEHRENDT

Ms. Rita Behrendt, 4211 Glencrest, sympathized with the homeowners in the Alamodome area. She spoke about her own home in Oak Hills being contaminated and the problems she has encountered getting the contamination removed from her home and property.

\* \* \* \*

MR. DAVID AREVALO

Mr. David Arevalo, 627 Delaware, stated that a lot of voters living in the Alamodome area that voted for the Alamodome to be put in their area are not being considered on any of the issues concerning their neighborhood. He made a request to Council to remove the contaminated soil.

\* \* \* \*



MR. JOHNNIE HUBERT

Mr. Johnnie Hubert, 3302 Vista Lake, spoke to the zoning around the Alamodome. He requested that Council consider changes in the zoning. He noted that the neighborhood plan adopted by the Council was not addressed properly to benefit the residents.

\* \* \* \*

- - -  
93-35 Mayor Wolff announced at 7:15 P.M. that the Council would take a 30 minute break.

The council reconvened at 7:44 P.M.

Mayor Wolff announced that the Council will recess to Executive Session to discuss the following:

A) Staff Briefing on the legal implication of the soil remediation at the Alamodome Site.

B) Staff Briefing on Peach Grove litigation of Leandro Y. Aguilar, et al vs. City of San Antonio, Cause No. 90-CI-03285.

C) Staff Briefing on Settlement of Vinod Bhakta vs. City of San Antonio, Cause No. 92-CI-13060.

- - -  
93-35 The Council reconvened in regular session at 8:40 P.M.

Mayor Wolff stated that the City Council reviewed the issue of the soil contamination in Executive session. He explained the earlier decision made, based on technical advice from experts.

Bob Nicol, P.E. Malcolm Pirnie, Inc., explained the process and plan for burying the soil in a cell at the Alamodome and the recommendations of the Texas Water Commission and consideration of its rules and regulations.

In answer to a question by Mayor Wolff, Mr. Nicol stated that the contaminated soil is over 70% buried. He said the date for completion of this is to be August 31, 1993.

Dr. Fernando Guerra, Director of the San Antonio Metropolitan Health District, stated that there has been sample lead testing of children in all parts of the city since 1989. He said that over 3200 children residing in the east and west side of the city have been tested since this was started. The number of children with the greatest level

of lead in their blood stream was higher on the west side. He attributed the presence of lead in the bloodstream of these children to lead paint flaking from houses in old neighborhoods.

Councilwoman McClendon spoke once again of the concerns of the citizens in this area and asked Dr. Guerra to supply these residents with some proof that their families will not receive any physical or mental damage from this soil. Dr. Guerra again assured the residents that burying the soil on the Alamodome property is the most efficient, most effective way to deal with it. The risk is greater in trying to remove the soil due to the stirred up dust.

Roland Lozano, Director of the Dome Development, stated he will be willing to mail a letter to all residents in this area assuring them that the soil will be safe once buried.

Councilwoman McClendon asked to go on record again as stating that the soil should be removed.

In answer to a question by Mayor Wolff, Mr. Nicol, a consultant with Malcolm Pirnie engineers stated that this is not conceived to be hazardous materials.

In answer to a question by Councilman Avila, Dr. Guerra explained that educating parents about the sources of lead is the best way to reduce the lead in children.

Councilman Ross felt that the City needed to look from this point forward and to finish this work as quickly as possible.

Councilwoman McClendon made a motion to instruct Dr. Fernando Guerra, Metropolitan Health District, to provide a letter to Alamodome area residents, certifying that the effects of burying the contaminated soil on the Alamodome site will not cause physical or mental harm to the residents living in this area. Councilman Ross seconded the motion.

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

Mayor Wolff again recognized Ms. Basil Franks. Ms. Franks spoke of the need for residents to be 100% sure that this process will stop the poison. She spoke of the disappointment that the residents felt because of not having been included or allowed to voice an opinion on the contaminated soil in this area.

93-35 The Clerk read the following Ordinance:

AN ORDINANCE 78,522

RATIFYING FIELD ALTERATION NO. 41 IN THE AMOUNT OF \$164,294.00 FOR THE CONSTRUCTION CONTRACT WITH LYDA, INC. FOR WORK ON THE ALAMODOME: PACKAGE 13A - SITE IMPROVEMENTS; AND AMENDING THE CONSTRUCTION CONTINGENCY BY \$360,000.00, FUNDED BY THE 1/2 PERCENT SALES TAX.

\* \* \* \*

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

Gabriel Perez, Office of the Dome Development, explained that, due to a change in the elevation of the Alamodome parking lot after the original bid was let, an increase in the cost is necessary.

In answer to a question by Councilman Avila, City Attorney Lloyd Garza stated that even though we are in litigation with Lyda, we are still liable for this amount.

Councilman Larson stated that the City needs a criteria for allowing contracts to be let that involve firms who are suing the city.

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

93-35 The Clerk read the following Ordinance:

AN ORDINANCE 78,523

RATIFYING FIELD ALTERATION NO. 43 IN THE AMOUNT OF \$27,000.00 FOR THE CONSTRUCTION CONTRACT WITH LYDA, INC. FOR WORK ON THE ALAMODOME: PACKAGE 13A - SITE IMPROVEMENTS, FUNDED BY THE 1/2 PERCENT SALES TAX.

\* \* \* \*

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

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

93-35 The Clerk read the following Ordinance:

AN ORDINANCE 78,524

RATIFYING FIELD ALTERATION NO. 44 IN THE AMOUNT OF \$109,270.25 FOR THE CONSTRUCTION CONTRACT WITH LYDA, INC. FOR WORK ON THE ALAMODOME; PACKAGE 13A - SITE IMPROVEMENTS, FUNDED BY THE 1/2 PERCENT SALES TAX.

\* \* \* \*

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

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

93-35 The Clerk read the following Ordinance:

AN ORDINANCE 78,525

RATIFYING FIELD ALTERATION NO. 45 IN THE AMOUNT OF \$15,868.00 FOR THE CONSTRUCTION CONTRACT WITH LYDA, INC. FOR WORK ON THE ALAMODOME; PACKAGE 13A - SITE IMPROVEMENTS, FUNDED BY THE 1/2 PERCENT SALES TAX.

\* \* \* \*

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

Gabriel Perez, Office of the Dome Development, explained that this alteration provides for payment for the installation of a gas line from the boiler building to feed the lift station on Montana street.

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

93-35 There being no further business to come before the Council, the meeting was adjourned at 9:30 P.M.

A P P R O V E D

*Richard W. Wolf*  
M A Y O R

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

6/19/93