

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, SEPTEMBER 13, 1990.

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The meeting was called to order by the Presiding Officer, Mayor Lila Cockrell, with the following members present: BERRIOZABAL, WEBB, DUTMER, WING, MARTINEZ, THOMPSON, VERA, WOLFF, LABATT, HASSLOCHER, COCKRELL. Absent: NONE.

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90-40 The invocation was given by Reverend Fred Norris, Harlandale Presbyterian Church.

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90-40 The members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

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90-40 The minutes of the City Council meeting held August 9, 1990 were approved.

90-40 JOSE POSADA AN EL QUINTO SOL

Mayor Cockrell recognized the presence in the audience today of Mr. Joe Posada and his band, El Quinto Sol, which will tour the South Pacific during September and October to be entertain military and civilian personnel, at the request of the U.S. Air Force. She presented each band member with an Alamo pin, and read a Proclamation designating them Ambassadors of Goodwill for the City of San Antonio.

Mr. Martinez spoke to the accomplishments of the group and joined the Mayor in presenting the Proclamation.

Mr. Joe Posada spoke of the importance of Tejano music.

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90-40 INTERNATIONAL VISITORS

Mayor Cockrell took note of the presence in the audience today of a group of international visitors who are participants in the multi-regional project: "The U.S. Political System: Congressional

Elections - 1990". She noted that the group is under the auspices of the International Visitor Program of the U.S. Information Agency, and asked members of the group to come forward and introduce themselves.

U.S. Escort Officer Eileen Maloy then introduced each member of the group to the Mayor and Council.

Mayor Cockrell and Mr. Wolff jointed presented each with an Alamo pin as a memento of their visit to San Antonio, and welcomed them to the city.

In response to a question by Mr. Thompson, Ms. Maloy explained the rationale for the makeup of the group and for its invitation to visit the United States, in order to study our electoral process.

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90-40

EL MERCADO ASSOCIATION PRESENTATION

Mayor Cockrell stated that members of the El Mercado Merchants Association were present in the audience today to present the City with two cashiers checks, one each for the families of slain kidnap victims Heidi Seeman and Erica Botello.

Mr. Nick Pena, spokesman for the group, noted that the funds were collected at the Association's 14th anniversary and annual Labor Day celebration at Market Square, and asked the City to see that the two families received the appropriate funds to help defray some of their expenses.

Mayor Cockrell thanked the Association for its thoughtfulness in providing each family with \$600 for expenses. She and Mr. Thompson formally received the checks to be forwarded to the two families.

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90-40

PLACARD

Mayor Cockrell asked that a placard being held up in the audience be removed from the Council chambers, as such is against City Council policy.

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90-40

CONSENT AGENDA

Mr. Thompson made a motion to approve items 9 through 35 constituting the Consent Agenda with the items 28, 29 and 30 to be pulled for individual consideration. Ms. Vera seconded the motion.

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

AN ORDINANCE 72,229

ACCEPTING THE LOW BID OF CAPITAL BEARING SERVICE TO FURNISH THE CITY OF SAN ANTONIO AVIATION DEPARTMENT WITH BAGGAGE CONVEYOR PARTS FOR A TOTAL OF \$8,010.00.

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AN ORDINANCE 72,230

ACCEPTING THE BID OF AHR AVIONICS, INC., TO FURNISH THE CITY OF SAN ANTONIO AVIATION DEPARTMENT WITH AN AVIATION TRANSCEIVER RADIO FOR A TOTAL OF \$3,138.00.

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AN ORDINANCE 72,231

ACCEPTING THE LOW BID OF TEXAS SCENIC COMPANY, INC., TO FURNISH THE CITY OF SAN ANTONIO CONVENTION FACILITIES WITH STAGE CURTAINS FOR THE LILA COCKRELL THEATER FOR A TOTAL OF \$5,689.00.

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AN ORDINANCE 72,232

ACCEPTING THE LOW BID OF TEXAS EQUIPMENT COMPANY TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH HIGH PRESSURE HOT WATER EQUIPMENT CLEANER FOR A TOTAL OF \$7,483.56.

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AN ORDINANCE 72,233

ACCEPTING THE LOW BID OF KD CONSTRUCTION COMPANY FOR CONCRETE INSTALLATION FOR THE CITY OF SAN ANTONIO POLICE DEPARTMENT FOR A TOTAL OF \$4,893.00.

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AN ORDINANCE 72,234

ACCEPTING THE LOW BID OF HOLMAN BOILER WORKS, INC., FOR REPAIR OF AN ENVIREX BOILER FOR THE CITY OF SAN ANTONIO ENVIRONMENTAL MANAGEMENT DEPARTMENT FOR A TOTAL OF \$3,945.00.

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AN ORDINANCE 72,235

ACCEPTING THE LOW BID OF GUNN CHEVROLET, INC., TO FURNISH THE CITY OF SAN ANTONIO WITH TRUCK CAB AND CHASSIS UNITS FOR A TOTAL OF \$39,222.30.

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AN ORDINANCE 72,236

ACCEPTING THE LOW BID OF TEXAS TRUCK CENTER TO FURNISH THE CITY OF SAN ANTONIO WITH AN AERIAL LIFT/UTILITY BODY FOR A TOTAL OF \$11,764.65.

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AN ORDINANCE 72,237

ACCEPTING THE LOW BID OF CASE POWER & EQUIPMENT TO FURNISH THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH A LOADER BACKHOE FOR A TOTAL OF \$27,307.00.

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AN ORDINANCE 72,238

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

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AN ORDINANCE 72,239

APPROVING FIELD ALTERATION NO. 5 IN THE AMOUNT OF \$19,920.75 TO THE CONTRACT WITH MARTIN K. EBY CONSTRUCTION CO. TO PROVIDE FOR ADJUSTMENTS IN CONNECTION WITH THE SALTILLO-ZARZAMORA TO CUPPLES

ROAD PROJECT; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 72,240

ACCEPTING THE LOW, QUALIFIED BID OF V.K. KNOWLTON PAVING CONTRACTOR, INC. IN THE AMOUNT OF \$366,984.40 IN CONNECTION WITH THE PENTAGON STREETS (PHASE B) PROJECT; AUTHORIZING \$36,698.44 FOR CONSTRUCTION CONTINGENCIES; AUTHORIZING \$15,413.35 FOR PROJECT OVERSIGHT COSTS; AUTHORIZING A CONTRACT; PROVIDING FOR PAYMENT; AND REVISING THE PROJECT BUDGET.

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AN ORDINANCE 72,241

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$21,250.00 WITH URBAN DESIGN GROUP / ARANDA SURVEYORS FOR THE PROVISION OF CERTAIN ENGINEERING SERVICES IN CONNECTION WITH THE VILLARREAL STREET (CLARK TO MOZART) PROJECT; AUTHORIZING \$4,250.00 FOR ENGINEERING CONTINGENCIES; AUTHORIZING \$200.00 FOR BID ADVERTISING; PROVIDING FOR PAYMENT; AND REVISING THE PROJECT BUDGET.

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AN ORDINANCE 72,242

AUTHORIZING PAYMENT OF AN ADDITIONAL \$32,321.69 TO THE CONTRACT WITH HOWARD W. GADDIS, CONSULTING ENGINEER, INC., FOR ENGINEERING SERVICES IN CONNECTION WITH THE FINAL DESIGN PHASE OF THE WOODLAWN AREA SANITARY SEWERS PROJECT, PHASE III; AUTHORIZING \$2,792.17 FOR MISCELLANEOUS ENGINEERING EXPENSES; AUTHORIZING \$250.00 FOR BID ADVERTISING; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 72,243

CONSENTING TO AN ASSIGNMENT OF LEASE FROM ANTHONY GONZALES AND LORRAINE PETERSON, ASSOCIATED WITH A GROUP DOING BUSINESS AS LITTLE STUDIO GALLERY, CONCERNING LEASE OF BUILDING 23 IN LA VILLITA.

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AN ORDINANCE 72,244

AUTHORIZING PAYMENT IN THE AMOUNT OF \$5,754.30 FOR TITLE CHARGES INVOLVING STONEWALL STREET - BUFFALO TO PANAM, BABCOCK ROAD - FREDERICKSBURG ROAD TO ST. CLOUD, WEST AVENUE - FREDERICKSBURG ROAD TO I.H. 10; APPRAISAL FEES INVOLVING THE DOLLARHIDE OUTFALL DRAINAGE PROJECT #81, ISOM ROAD - SAN PEDRO TO RAMSEY AND BABCOCK ROAD - FREDERICKSBURG ROAD TO ST. CLOUD; AND APPROPRIATING FUNDS.

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AN ORDINANCE 72,245

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$10,420.40 OUT OF GENERAL OBLIGATION BONDS FOR ACQUIRING TITLE TO A PARCEL IN CONNECTION WITH THE HI-LIONS DRAINAGE PROJECT #80; ACQUIRING TITLE, PAYING TITLE CHARGES AND ACCEPTING THE DEDICATION OF A TEMPORARY EASEMENT IN CONNECTION WITH THE ISOM ROAD - SAN PEDRO TO RAMSEY PROJECT; ACQUIRING A TEMPORARY EASEMENT IN CONNECTION WITH THE GOLIAD ROAD IMPROVEMENT PROJECT - S.E. MILITARY TO I.H. 410; AND ACQUIRING TITLE TO A PARCEL IN CONNECTION WITH THE STOCKYARD/PRODUCE MARKET AREA STREET AND DRAINAGE IMPROVEMENTS PROJECT.

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AN ORDINANCE 72,246

PROVIDING FOR THE EXCHANGE OF THE FEE INTERESTS IN STRIPS OF LAND IN NEW CITY BLOCK 8645 IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, BETWEEN THE CITY OF SAN ANTONIO AND THE DEE HOWARD COMPANY.

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AN ORDINANCE 72,247

APPROVING THE AFDC/JTPA PLAN AND AUTHORIZING THE ACCEPTANCE OF \$42,168 IN JTPA TITLE IIA 6% FUNDS FROM THE TEXAS DEPARTMENT OF COMMERCE TO PROVIDE ENHANCED SERVICES TO AFDC RECIPIENTS AND TO INITIATE THE JOB OPPORTUNITIES AND BASIC SKILLS (JOBS) PROGRAM IN THE ALAMO SERVICE DELIVERY AREA, AS APPROVED BY THE ALAMO PRIVATE INDUSTRY COUNCIL.

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AN ORDINANCE 72,248

APPROVING THE PRICE, TERMS AND CONDITIONS OF SALE BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF A CERTAIN SINGLE-FAMILY RESIDENTIAL LOT LOCATED WITHIN THE COLONIA SAN ALFONSO SELECT HOUSING TARGET AREA (SHTA) COMMUNITY DEVELOPMENT PROJECT.

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AN ORDINANCE 72,249

CLOSING ST. ANN STREET BETWEEN ASHBY AND FRENCH STREETS ON SATURDAY, OCTOBER 27, 1990, FROM 8:00 A.M. UNTIL 11:00 P.M. SO THAT ST. ANN'S SCHOOL MAY HOLD ITS HALLOWEEN SCHOOL FESTIVAL.

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AN ORDINANCE 72,250

AUTHORIZING THE CLOSURES OF THE SOUTHSIDE CURB LANE, OF TREVINO ALLEY FROM FLORES TO MAIN AND TWO EASTSIDE CURB LANES OF MAIN STREET FROM COMMERCE TO DOLOROSA FROM 12:00 MIDNIGHT, THURSDAY, OCTOBER 11, 1990 TO 6:00 P.M., FRIDAY, OCTOBER 12, 1990; AND ALSO AUTHORIZING THE TOTAL CLOSURES OF MAIN STREET FROM COMMERCE TO DOLOROSA AND TREVINO ALLEY FROM FLORES TO MAIN FROM 6:00 P.M., FRIDAY, OCTOBER 12, 1990 TO 10:00 P.M. ON SUNDAY, OCTOBER 14, 1990, TO ENABLE THE SAN FERNANDO CATHEDRAL TO HOLD THEIR ANNUAL STREET FERIA.

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AN ORDINANCE 72,251

CLOSING W. HUISACHE BETWEEN GRANT ST. AND MICHIGAN ST. ON SUNDAY, OCTOBER 21, 1990, FROM 11:00 A.M. UNTIL 9:00 P.M., SO THAT THE EL SENDERO DE LA CRUZ CHURCH MAY HOLD ITS MISSIONS FESTIVAL.

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AN ORDINANCE 72,252

CLOSING CERTAIN STREETS FROM 6:00 A.M. ON SATURDAY,

SEPTEMBER 22, 1990, UNTIL 6:00 A.M. ON MONDAY,
SEPTEMBER 24, 1990, IN CONNECTION WITH THE
JAZZ'S ALIVE FESTIVAL TO BE HELD BY THE PARKS
DEPARTMENT IN TRAVIS PARK.

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90-40 The Clerk read the following Ordinance:

AN ORDINANCE 72,253

DECLARING AN EMERGENCY AND AWARDING A CONSTRUCTION
CONTRACT TO THE APPARENT LOW BIDDER FOR THE
CONSTRUCTION OF THE CUPPLES ROAD EMERGENCY SEWER
REPLACEMENT IN THE AMOUNT TO BE DETERMINED AT A
PUBLIC BID OPENING ON MONDAY, SEPTEMBER 10, 1990, AT
THE CITY SEWER ENGINEER'S OFFICE; AND APPROPRIATING
10% OF THE BID PRICE FOR A CONSTRUCTION CONTINGENCY.
(DU-MOR ENTERPRISES)

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

Mr. Joe Aceves, Director of Public Works, explained the Ordinance
to replace a portion of the deteriorated sewer line that had collapsed.

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

(It was the concensus of the City Council to temporarily bypass
agenda items 37 and 38).

90-40 The Clerk read the following Ordinance:

AN ORDINANCE 72,254

ESTABLISHING A CHARTER REVIEW COMMITTEE, SETTING ITS

DUTIES AND COMPOSITION, AND APPOINTING MEMBERS
THERETO.

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

Mr. Martinez explained his proposal to have a 23-member Charter Review Committee appointed to review the City Charter, and he spoke to his recommendations as to the committee's makeup and official charge, stating his contention that it is important that all citizens of San Antonio have input into any charter review process.

Mayor Cockrell recalled at least five charter review committees that have been appointed by the City Council since the City Charter was adopted in 1951, and noted that only two Charter revisions have resulted. She spoke to the substance of the two amendments made to the Charter over the years and concurred with this request for another review.

Mr. Labatt spoke to his support of the request as a long-term solution to Charter problems, but stated that limitation of Council terms, as proposed in a pending petition, is not good government, even though citizen sentiment appears to support that limitation. He spoke in support of a second option to that matter.

Mr. Wing spoke against the proposed Ordinance, stating his belief that there is no sentiment in District 4 for any changes to the City Charter. He also stated his belief that limitation to Council terms in office will adversely affect the districts. He stated his opinion that there appears to be some movement afoot by certain interests to limit Council terms.

Dr. Martin Meltz, representing Great Northwest Homeowners Association, spoke to his group's role in civic affairs and stated his desire to have citizen groups appoint members to the charter review committee, without City Council control. He asked the Council to adopt his plan of make up for the committee, as outlined.

Mrs. Dutmer spoke to her objections to Dr. Meltz's plan.

Mr. Wolff spoke in support for the pending motion, stating his opinion that his study is not an attack on the Council-Manager form of government. He spoke in support for the charter review process but supported Mr. Wing's view that it confuses the public by offering a second option to the pending citizen petition to limit Council terms and which probably will be up for a vote in January 1991.

Mr. Hasslocher stated his opinion that chaos will result from any limitation of Council terms, noting that it takes time for Council members

to learn their jobs. He further stated that he cannot support the naming of a charter review committee at this time.

Mr. Webb spoke against allowing voters from another Council district to remove him from office by limiting Council terms.

Mr. Thompson spoke in support for a charter review, though not necessarily a revision of the City Charter.

Ms. Vera spoke to her feelings on possible charter changes, and spoke against offering a second option on the ballot in January dealing with limitation of terms for City Council members. She stated that she would support the naming of a review committee, though she may not support their recommendations.

Mr. Martinez refined his position on review of the City Charter, stating that he feels that his proposal gives citizens input into the review process.

Ms. Berriozabal spoke in support of the proposal for a comprehensive review of the City Charter, and expressed her opinion that any limitation on Council terms would damage City government. She spoke in favor of equal representation on the review committee.

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

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90-40 ZONING HEARINGS

It was the concensus of the City Council to take up agenda item 4-G at this time.

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4G. CASE Z90094 - TO REZONE A 0.884 ACRE TRACT OF LAND OUT OF TRACT 1, BLOCK 1, NCB 13485 AND LOT 1, BLOCK 3, NCB 13606, FROM "C" APARTMENT DISTRICT AND "D" APARTMENT DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, LOCATED NORTHEAST OF THE INTERSECTION OF PECAN VALLEY DRIVE AND EAST SOUTHCROSS BLVD., HAVING 180.0 FEET ON PECAN VALLEY DRIVE AND 210.0 FEET ON EAST SOUTHCROSS BLVD.

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

Mrs. Dutmer made a motion to approve the recommendation of the Zoning Commission. Mr. Labatt seconded the motion.

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

AN ORDINANCE 72,255

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 A 0.884 ACRE TRACT OF LAND OUT OF TRACT 1, BLOCK 1, NCB 13485 AND LOT 1, BLOCK 3, NCB 13606, FROM "C" APARTMENT DISTRICT AND "D" APARTMENT DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4A. CASE Z90079 - TO REZONE TRACTS B, SAVE AND EXCEPT THE SOUTHWEST 50 FEET AND SOUTHEAST 50 FEET, NCB 12104, 2810, 2818, 2824 AND 2832 NACOGDOCHES ROAD, FROM "R-1" CC ONE FAMILY RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT, LOCATED ON THE SOUTHSIDE OF NACOGDOCHES ROAD, BEING 180 FEET NORTHEAST OF THE INTERSECTION OF WOODBURY DRIVE, AND NACOGDOCHES ROAD, HAVING 115.6 FEET ON NACOGDOCHES ROAD AND A DEPTH OF 220.0 FEET.

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

Mr. Andy Guerrero, Land Development Services, stated that nine affirmative votes of Council members would be necessary to approve the requested rezoning because of the opposition to that rezoning.

Mr. Harry Jewett, representing the proponent, explained the previously-granted zoning on the property, and spoke of the need to change the zoning on one parcel of the property to R-2CC in order to send the case before the Zoning Board of Adjustment for a variance, needed in order to use the property for a parking lot.

Mrs. Helene Meinkoth, 8823 Sagebrush, spoke against the rezoning request because of the residential character of the neighborhood. She stated that she opposes any intrusion of commercial zoning activities into the neighborhood.

Ms. Norma Jean Schriever, 8819 Sagebrush, spoke of her opposition to the rezoning and its impact upon the neighborhood.

Mr. Maxwell Young, representing the MacArthur Park Lutheran Church at 2841 Nacogdoches Road, noted that his church opposes the rezoning.

Mr. Hasslocher stated that he would like to have the same building setback line as that imposed on the adjacent three lots during the recent rezoning of this property, and an agreement that no lights would be aimed toward nearby residences. He noted that he has in hand a written agreement from the proponent, agreeing to use the subject property only for his professional practice. A copy of the signed agreement is made a part of the papers of this meeting.

Dr. Charles Sergeant, the proponent, spoke to the agreements made relative to the use for the properties involved.

Mr. Hasslocher made a motion to approve R-2CC rezoning, provided that a 75-foot setback is imposed; provided that no lighting is directed toward nearby residences and provided that a six-foot solid screen fence that complements the aesthetics of the neighborhood is erected and maintained adjacent to residences. Mrs. Dutmer seconded the motion.

Several Council members expressed their opinions on the proposed rezoning.

After consideration, the motion to approve the requested zoning change failed to carry by the following vote: AYES: Webb, Dutmer, Vera, Labatt, Hasslocher, Cockrell; NAYS: Berriozabal, Wing, Thompson, Wolff; ABSENT: Martinez.

Zoning Case Z90079 was denied.

4B. CASE Z90104 - TO REZONE LOT 9, NCB 12171, 1518 AUSTIN HIGHWAY, FROM "H" LOCAL RETAIL DISTRICT TO "B-3" BUSINESS DISTRICT, LOCATED ON THE NORTHEAST SIDE OF HARRY WURZBACH HIGHWAY, BEING 400.0 FEET NORTHWEST OF THE INTERSECTION OF HARRY WURZBACH HIGHWAY AND NORTHEAST PARKWAY, HAVING 414.83 FEET ON HARRY WURZBACH HIGHWAY AND A DEPTH OF 312.17 FEET.

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

Mr. Hasslocher made a motion to approve the recommendation of the Zoning Commission. Mr. Thompson seconded the motion.

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

AN ORDINANCE 72,256

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 9, NCB 12171, 1518 AUSTIN HIGHWAY, FROM "H" LOCAL RETAIL DISTRICT TO "B-3" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4C. CASE Z90105 - TO REZONE THE NORTHWEST 118.65' OF LOT 34, BLOCK 7, NCB 17363, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-1" BUSINESS DISTRICT; AND THE SOUTHEAST 120' OF LOT 34, BLOCK 7, NCB 17363, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT, LOCATED ON THE SOUTHEAST SIDE OF JONES MALTSBERGER ROAD, BEING 153.45 FEET SOUTHWEST OF THE INTERSECTION OF JONES MALTSBERGER ROAD AND MORNING TRAIL, HAVING 235.0 FEET ON JONES MALTSBERGER ROAD AND A DEPTH OF 240.0 FEET.

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

Mr. John R. Webb, 15102 Jones Maltsberger Road, the proponent, explained the history of uses for the subject property and its zoning, and spoke to the misunderstanding of "temporary help" uses.

Mr. Andy Guerrero, Land Development Services, stated that Mr. Webb needs a B-2 zoning for the uses he proposes, and the Zoning Commission did not discuss this particular zoning classification. He noted that the City Council needs to refer this case back to the Zoning Commission for re-consideration.

Mr. Hasslocher made a motion to refer the zoning case back to the Zoning Commission. Mr. Webb seconded the motion.

A discussion then took place concerning rezoning requests and the responsibility for this misunderstanding of rezoning needs.

Mr. Thompson stated that City Council may need to study a possible change in the zoning classification involved.

After consideration, the motion to refer the zoning case back to the Zoning Commission, prevailed by the following vote: AYES: Webb, Dutmer, Thompson, Vera, Wolff, Labatt, Hasslocher, Cockrell; NAYS: None;

ABSENT: Berriozabal, Wing, Martinez.

Zoning Case 290105 was referred back to the Zoning Commission.

4D. CASE 290100 - TO REZONE LOT 18, NCB 11887, 119 AND 125 WEST SUNSET ROAD FROM "A" SINGLE FAMILY RESIDENCE DISTRICT AND "O-1" OFFICE DISTRICT TO "B-2" BUSINESS DISTRICT, LOCATED ON THE NORTHSIDE OF WEST SUNSET ROAD, BEING 164.4 FEET WEST OF THE INTERSECTION OF WEST SUNSET ROAD AND BROADWAY, HAVING 145.20 FEET ON WEST SUNSET ROAD AND A DEPTH OF 300.0 FEET.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council, with five feet of dedication be given along Sunset Road for additional right-of-way in accordance with Section 35-3257 of the Unified Development Code.

Mr. Labatt made a motion to approve the recommendation of the Zoning Commission. Mr. Wolff 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, Thompson, Vera, Wolff, Labatt, Hasslocher, Cockrell; NAYS: None; ABSENT: Berriozabal, Martinez.

AN ORDINANCE 72,257

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 18, NCB 11887, 119 AND 125 WEST SUNSET ROAD FROM "A" SINGLE FAMILY RESIDENCE DISTRICT AND "O-1" OFFICE DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT FIVE FEET OF ADDITIONAL RIGHT-OF-WAY IS GIVEN ALONG SUNSET ROAD. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4E. CASE 290096 - TO REZONE A 14.54 ACRE PARCEL OF LAND OUT OF NCB 15052, 6011 N. W. LOOP 410, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT, LOCATED 510.46 FEET NORTHWEST OF N. W. LOOP 410, BEING 1538.24 FEET SOUTHWEST OF THE INTERSECTION OF N.W. LOOP 410 AND EXCHANGE PARKWAY, HAVING A MAXIMUM WIDTH OF 2864.89 FEET AND A MAXIMUM LENGTH OF 270.04 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, Thompson, Vera, Wolff, Labatt, Cockrell; NAYS: None; ABSENT: Berriozabal, Martinez, Hasslocher.

AN ORDINANCE 72,258

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 A 14.54 ACRE PARCEL OF LAND OUT OF NCB 15052, 6011 N. W. LOOP 410, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4F. CASE 290101 - TO REZONE A 13.996 ACRE TRACT OF LAND OUT OF THE REMAINING PORTION OF TRACT 2, NCB 13663, FROM TEMPORARY "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT, LOCATED SOUTHWEST OF THE INTERSECTION OF FLOYD CURL DRIVE AND WURZBACH ROAD, LOCATED SOUTHWEST OF THE INTERSECTION OF FLOYD CURL DRIVE AND WURZBACH ROAD, HAVING 577.54 FEET ON FLOYD CURL DRIVE AND 868.00 FEET ON WURZBACH ROAD.

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. Mrs. Dutmer 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, Thompson, Vera, Wolff, Labatt, Cockrell; NAYS: None; ABSENT: Berriozabal, Martinez, Hasslocher.

AN ORDINANCE 72,259

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 A 13.996 ACRE TRACT OF LAND OUT OF THE REMAINING PORTION OF TRACT 2, NCB 13663, FROM TEMPORARY "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4H. CASE Z90103 - TO REZONE TRACTS 5-C, 5-D AND THE SOUTH 47.54 FEET OF TRACT 4, NCB 10949, IN THE REAR OF 4200 BLOCK OF CLARK AVENUE, FROM "B" RESIDENCE DISTRICT TO "B-3NA" NON ALCOHOLIC SALES BUSINESS DISTRICT, LOCATED 178.0 FEET WEST OF CLARK AVENUE, BEING 547.5 FEET SOUTH OF THE INTERSECTION OF CLARK AVENUE AND OFFER STREET, HAVING A WIDTH OF 142.6 FEET AND A LENGTH OF 233.0 FEET.

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

Mrs. Dutmer 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, Thompson, Vera, Wolff, Labatt, Cockrell; NAYS: None; ABSENT: Berriozabal, Martinez, Hasslocher.

AN ORDINANCE 72,260

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 TRACTS 5-C, 5-D AND THE SOUTH 47.54 FEET OF TRACT 4, NCB 10949, IN THE REAR OF 4200 BLOCK OF CLARK AVENUE, FROM "B" RESIDENCE DISTRICT TO "B-3NA" NON ALCOHOLIC SALES BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4I. CASE Z90108 (CC) - TO REZONE LOT A5, BLOCK 22, NCB 385, FROM "D" APARTMENT DISTRICT AND "E" OFFICE DISTRICT TO "B-2" BUSINESS DISTRICT, LOCATED ON THE NORTHEAST INTERSECTION OF EAST LAUREL AND OGDEN STREET,

HAVING 112.85 FEET ON EAST LAUREL AND 260.0 FEET ON OGDEN STREET; A 2.210 ACRE TRACT OF LAND OUT OF NCB 390 AND NCB 826, FROM "F" LOCAL RETAIL DISTRICT TO "B-2" BUSINESS DISTRICT, LOCATED ON THE SOUTH SIDE OF EAST CYPRESS BETWEEN BROOKLYN AND MCCULLOUGH AVENUE, HAVING 132.29 FEET ON EAST CYPRESS, 331.82 FEET ON BROOKLYN AND 407.58 FEET ON MCCULLOUGH AVENUE, AND LOTS A-5, A-6, AND B-6, BLOCK 3, NCB 841, FROM "F" LOCAL RETAIL DISTRICTS TO "B-2" BUSINESS DISTRICT, LOCATED NORTH OF THE INTERSECTION OF EAST EUCLID AVENUE AND BROOKLYN AVENUE, HAVING 95 FEET ON EAST EUCLID AVENUE AND 136 FEET ON BROOKLYN AVENUE; LOT A-11, BLOCK 3, NCB 841, FROM "E" OFFICE DISTRICT TO "B-2" BUSINESS DISTRICT, LOCATED WEST OF THE INTERSECTION OF EAST EUCLID AVENUE AND ERIE STREET, HAVING 83.35 FEET ON EAST EUCLID AVENUE AND 136 FEET ON ERIE STREET; ALL OF NCB's 394 AND 842, LOTS A-1, A-2, A-3, A-13, A-14 AND A-15, BLOCK 3, NCB 841, FROM "F" LOCAL RETAIL DISTRICT AND "E" OFFICE DISTRICT TO "B-2" CC BUSINESS DISTRICT WITH CITY COUNCIL APPROVAL FOR A HOSPITAL, LOCATED ON THE SOUTHSIDE OF EAST LAUREL STREET BETWEEN MCCULLOUGH, CYPRESS, BROOKLYN ON THE WEST AND ERIE STREET ON THE EAST, HAVING 339 FEET ON EAST LAUREL, 485.3 FEET ON ERIE STREET AND A TOTAL OF 699 FEET ALONG MCCULLOUGH, CYPRESS AND BROOKLYN STREET; 2.256 ACRE TRACT OF LAND OUT OF NCB 398, FROM "D" APARTMENT DISTRICT, "E" OFFICE DISTRICT, AND "F" LOCAL RETAIL DISTRICT, TO "B-2" CC BUSINESS DISTRICT WITH CITY COUNCIL APPROVAL FOR A HOSPITAL, BOUNDED BY EAST EVERGREEN STREET ON THE NORTH, OGDEN STREET ON THE WEST, EAST LAUREL ON THE SOUTH AND MCCULLOUGH AVENUE ON THE EAST, HAVING 335.4 FEET ON OGDEN STREET, 159.7 FEET ON EAST EVERGREEN STREET, 280 FEET ON MCCULLOUGH AVENUE AND 319.40 FEET ON EAST LAUREL STREET; ALL OF BLOCK 20, NCB 393 SAVE AND EXCEPT LOTS 3 AND 6, FROM "D" APARTMENT DISTRICT, "E" OFFICE DISTRICT, AND "F" LOCAL RETAIL DISTRICTS TO "B-2" CC BUSINESS DISTRICT WITH CITY COUNCIL APPROVAL FOR A HOSPITAL, BOUNDED BY EAST EVERGREEN STREET ON THE NORTH, PASCHAL STREET ON THE EAST, EAST LAUREL ON THE SOUTH, AND MCCULLOUGH AVENUE ON THE WEST, HAVING 224.24 FEET ON EAST EVERGREEN, 335.4 FEET ON MCCULLOUGH, 336.36 FEET ON EAST LAUREL, AND 224.6 FEET ON PASCHAL STREET; ALL OF BLOCK 14, NCB 389, FROM "H" LOCAL RETAIL DISTRICT TO "B-2" CC BUSINESS DISTRICT WITH CITY COUNCIL APPROVAL FOR A HOSPITAL, BOUNDED BY EAST LAUREL ON THE NORTH, MCCULLOUGH AVENUE ON THE EAST, OGDEN STREET ON THE WEST, AND EAST CYPRESS STREET ON THE SOUTH, HAVING 319.4 FEET ON BOTH EAST CYPRESS AND EAST LAUREL AND 335.3 FEET ON BOTH OGDEN STREET AND MCCULLOUGH.

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

Ms. Berriozabal spoke of the neighborhood support for this rezoning request.

Ms. Berriozabal 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: Berriozabal, Webb, Dutmer, Wing, Thompson, Vera, Wolff, Labatt, Cockrell;

NAYS: None; ABSENT: Martinez, Hasslocher.

AN ORDINANCE 72,261

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 A5, BLOCK 22, NCB 385, FROM "D" APARTMENT DISTRICT AND "E" OFFICE DISTRICT TO "B-2" BUSINESS DISTRICT, LOCATED ON THE NORTHEAST INTERSECTION OF EAST LAUREL AND OGDEN STREET, HAVING 112.85 FEET ON EAST LAUREL AND 260.0 FEET ON OGDEN STREET; A 2.210 ACRE TRACT OF LAND OUT OF NCB 390 AND NCB 826, FROM "F" LOCAL RETAIL DISTRICT TO "B-2" BUSINESS DISTRICT, LOCATED ON THE SOUTH SIDE OF EAST CYPRESS BETWEEN BROOKLYN AND MCCULLOUGH AVENUE, HAVING 132.29 FEET ON EAST CYPRESS, 331.82 FEET ON BROOKLYN AND 407.58 FEET ON MCCULLOUGH AVENUE, AND LOTS A-5, A-6, AND B-6, BLOCK 3, NCB 841, FROM "F" LOCAL RETAIL DISTRICTS TO "B-2" BUSINESS DISTRICT, LOCATED NORTH OF THE INTERSECTION OF EAST EUCLID AVENUE AND BROOKLYN AVENUE, HAVING 95 FEET ON EAST EUCLID AVENUE AND 136 FEET ON BROOKLYN AVENUE; LOT A-11, BLOCK 3, NCB 841, FROM "E" OFFICE DISTRICT TO "B-2" BUSINESS DISTRICT, LOCATED WEST OF THE INTERSECTION OF EAST EUCLID AVENUE AND ERIE STREET, HAVING 83.35 FEET ON EAST EUCLID AVENUE AND 136 FEET ON ERIE STREET; ALL OF NCB's 394 AND 842, LOTS A-1, A-2, A-3, A-13, A-14 AND A-15, BLOCK 3, NCB 841, FROM "F" LOCAL RETAIL DISTRICT AND "E" OFFICE DISTRICT TO "B-2" CC BUSINESS DISTRICT WITH CITY COUNCIL APPROVAL FOR A HOSPITAL, LOCATED ON THE SOUTHSIDE OF EAST LAUREL STREET BETWEEN MCCULLOUGH, CYPRESS, BROOKLYN ON THE WEST AND ERIE STREET ON THE EAST, HAVING 339 FEET ON EAST LAUREL, 485.3 FEET ON ERIE STREET AND A TOTAL OF 699 FEET ALONG MCCULLOUGH, CYPRESS AND BROOKLYN STREET; 2.256 ACRE TRACT OF LAND OUT OF NCB 398, FROM "D" APARTMENT DISTRICT, "E" OFFICE DISTRICT, AND "F" LOCAL RETAIL DISTRICT, TO "B-2" CC BUSINESS DISTRICT WITH CITY COUNCIL APPROVAL FOR A HOSPITAL, BOUNDED BY EAST EVERGREEN STREET ON THE NORTH, OGDEN STREET ON THE WEST, EAST LAUREL ON THE SOUTH AND MCCULLOUGH AVENUE ON THE EAST, HAVING 335.4 FEET ON OGDEN STREET, 159.7 FEET ON EAST EVERGREEN STREET, 280 FEET ON MCCULLOUGH AVENUE AND 319.40 FEET ON EAST LAUREL STREET; ALL OF BLOCK 20, NCB 393 SAVE AND EXCEPT LOTS 3 AND 6, FROM "D" APARTMENT DISTRICT, "E" OFFICE DISTRICT, AND "F" LOCAL RETAIL DISTRICTS TO

"B-2" CC BUSINESS DISTRICT WITH CITY COUNCIL APPROVAL FOR A HOSPITAL, BOUNDED BY EAST EVERGREEN STREET ON THE NORTH, PASCHAL STREET ON THE EAST, EAST LAUREL ON THE SOUTH, AND MCCULLOUGH AVENUE ON THE WEST, HAVING 224.24 FEET ON EAST EVERGREEN, 335.4 FEET ON MCCULLOUGH, 336.36 FEET ON EAST LAUREL, AND 224.6 FEET ON PASCHAL STREET; ALL OF BLOCK 14, NCB 389, FROM "H" LOCAL RETAIL DISTRICT TO "B-2" CC BUSINESS DISTRICT WITH CITY COUNCIL APPROVAL FOR A HOSPITAL, BOUNDED BY EAST LAUREL ON THE NORTH, MCCULLOUGH AVENUE ON THE EAST, OGDEN STREET ON THE WEST, AND EAST CYPRESS STREET ON THE SOUTH, HAVING 319.4 FEET ON BOTH EAST CYPRESS AND EAST LAUREL AND 335.3 FEET ON BOTH OGDEN STREET AND MCCULLOUGH. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

90-40 PUBLIC HEARING ON DISANNEXING VACANT LOTS.

Mayor Cockrell declared the Public Hearing to be open.

The Clerk read the following Ordinance:

AN ORDINANCE 72,262

DISANNEXING VACANT LOTS 1 - 18, BLOCK 97, NCB 18797, AND VACANT LOTS 30 -36, BLOCK 51, NCB 18751, WITHIN THE GREAT NORTHWEST ANNEXATION AREA.

* * * *

No Citizen appeared to speak on this matter.

Mayor Cockrell declared the Public Hearing to be closed.

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

Mr. Frank Perry, Assistant Director of Planning, explained the undeveloped nature of the area.

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

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

6. PUBLIC HEARING ON SUPPLEMENTAL ASSESSMENT

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

Mr. Karl Wurz, citizen, spoke to a number of downtown problems, the lack of retail businesses in downtown San Antonio, and the adverse impact of Tri-Party construction street work on the downtown area. He also stated his belief that Tri-Party has not stayed within its budget.

There being no further citizens to be heard on this matter, MAYOR Pro Tem Vera declared the Public hearing to be closed.

No formal action was required of the City Council relative to this matter.

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

7A. PUBLIC HEARING AND CONSIDERATION OF ORDINANCE
ADOPTING 1990-91 BUDGET

Mayor Cockrell declared the Public Hearing on the Budget to be open.

Mr. Karl Wurz, citizen, stated his belief that the City's EMS system should be abolished because of its costs and the loss of firefighter skills to EMS duties.

Mr. Balous Miller, representing Bill Miller Bar-B-Q and other members of his immediate family present, stated that his firm is making a \$300,000 contribution to the City of San Antonio, to fund the unfunded portion of the School Crossing Guard Program for the entire school year, now underway.

Members of the City Council joined the audience in a round of applause for the gift by Bill Miller Bar-B-Q.

Mayor Cockrell stated that she is gratified by the special gift,

which will relieve a critical problem for School Crossing Guard Program for this school year. She thanked Bill Miller Bar-B-Q on behalf of the citizens of San Antonio, and formally accepted the check from representatives of the firm.

Mr. Jim Reed, Chairman of the Board, Greater San Antonio Chamber of Commerce, stated that his organization supports the City's proposed budget for fiscal year 1990-91, and spoke of other possible savings areas in budgetary areas. A copy of his remarks are made a part of the papers of this meeting. He complimented the City staff for preserving the basic city services for the citizens.

Ms. Rosa Rosales, National Association of Government Employees, spoke on behalf of pay raises for non-uniformed City employees who have actually lost benefits, some 18 in all, and some 500 jobs, over the past several years. She contrasted that to the contracts won by the uniformed employees and spoke in support of the proposed 2.5 per cent one-time bonus to be paid to non-uniformed City employees this next fiscal year, noting at the same time that this is not enough to offset the employees' losses to inflation and higher taxes. She stated that the City must have parity for all its employees.

There being no further citizens to speak on this issue, the Mayor declared the Public Hearing on the budget closed.

The City Clerk read the following Ordinance:

AN ORDINANCE 72,263

ADOPTING THE ANNUAL CAPITAL AND OPERATING BUDGETS FOR THE CITY OF SAN ANTONIO FOR THE FISCAL YEAR 1990-91, BEGINNING OCTOBER 1, 1990 AND ENDING SEPTEMBER 30, 1991, APPROPRIATING FUNDS IN ACCORDANCE WITH SAID BUDGET, FIXING THE AUTHORIZED NUMBER OF EMPLOYEES IN EACH FUND, APPROVING AND AUTHORIZING CONTRACTS WITH OUTSIDE AGENCIES, SETTING THE 1990-91 HOLIDAY SCHEDULE FOR CITY EMPLOYEES, AND APPROVING THE 1990/91 - 1995/96 CAPITAL IMPROVEMENTS PROGRAM FOR THE CITY OF SAN ANTONIO.

* * * *

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

Mr. Martinez stated his opinion that the City cannot depend upon voluntary donations from each senior citizen nutrition site to balance their budget.

Mr. Martinez made a motion to amend the Ordinance to add \$195,265 to the budgeted figure for support of the senior citizen nutrition sites, said funds to be taken from the Building Maintenance and Improvements Repair Fund. Mr. Hasslocher seconded the motion.

Mr. Alex Briseno, City Attorney spoke to the capital improvements repair needs within the City buildings, some \$3.5 million already identified, but noted that this is perhaps the only place where cuts can be made for other funding items.

Mayor Cockrell stated that she would be supporting the City Manager's budget as presented, since no funds are available to restore all the cuts made earlier in the budget process.

Ms. Vera spoke in favor of adding back into the budget the funds cut from the Code Compliance budget.

Mrs. Dutmer stated her opinion that many of the senior citizens who frequent the nutrition sites do so for companionship, mainly, not for food, and stated that she would be voting against the amendment.

In response to a question by Mr. Thompson, Ms. Nancy Bohman, Human Resources and Services Department, stated that loss of the \$195,000 for the nutrition sites equates to some 50,000 meals, over a year's time.

A discussion then took place concerning how to make the nutrition program work, given all the aspects involved, including the possibility of making budgetary corrections at mid-year.

Mr. Hasslocher discussed his hopes for reinstatement of cuts in the police helicopter operations, which is scheduled to be cut to the point where helicopters are to be cut from three to one, at an annual savings of \$115,000.

Mr. Webb spoke to the funding needs for the City's cemeteries, Code Compliance, nutrition sites, and day care operations.

Mr. Labatt stated that he would be supporting the City Manager's Budget proposal.

Mr. Wing stated that the Council needs to make an up-front commitment to the senior citizen nutrition site budgets now, in order to fully fund the number of meals the City is contracted to provide to the sites.

A discussion then took place concerning "scalping" of voluntary-donation program income from the nutrition sites, above a certain level, in order to reimburse the Building Maintenance Fund. The discussion also took into consideration the ever-increasing number of requests for meals at the sites.

Mrs. Dutmer addressed various other needs, but stated she will be supporting the City Manager's budget.

Mayor Cockrell commented upon the proposal to take funds from Building Maintenance in order to restore cuts at the nutrition sites.

In response to a question by Ms. Vera, Mr. Sergio Soto, Acting Director, Human Resources and Services, addressed state funding considerations for senior citizens.

Ms. Vera stated that she would support the amended motion, but expressed regret that Code Compliance inspectors are being cut. She also spoke of the good fortune of the City in having received the \$300,000 donation from the Bill Miller Bar-B-0 firm for school crossing guards.

Ms. Briseno addressed the manner in which the scalping would take place, and of the use of funds from the \$195,000 "set-aside" when voluntary donations fail short.

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

Mr. Hasslocher then made a second amended motion to restore \$115,000 cut from police helicopter operations budget. Mr. Thompson seconded the motion.

Mr. Thompson stated that to mothball two helicopters will cost us this amount of money, anyway, in insurance and maintenance costs, and the City still will not have the benefit provided by the two helicopters concerned.

Ms. Berriozabal spoke to the many areas where cuts have been made during the budget process, and stated that she cannot support any further amendments. She spoke in favor of the City manager's budget as one of the best she has seen.

Mrs. Dutmer stated that the Council can find additional monies to help children, if it can find funds for the elderly nutrition sites.

Mr. Martinez spoke to his own budget priorities.

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

After consideration, the main motion, as amended, and carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Wing, Martinez, Thompson, Vera, Wolff, Labatt,

Cockrell; NAYS: Dutmer; ABSENT: Hasslocher.

90-40

EMPLOYEE'S PAY

Mr. Martinez noted that the City Manager has made an effort to reward City employees, even in this tight budget year, through a one-time 2.5 per cent bonus proposal. He stated his opinion that City employees continue to do more and more work for less pay, without having received any cost-of-living raise in the past five years.

Mr. Thompson spoke against granting any across-the-board pay raises because of the disparity it creates, with higher-salaried employees getting more than lower-paid employees. He spoke in favor of a "constant dollar" method.

90-40

PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE
LEVYING AD VALOREM TAX-CITY GOVERNMENT.

Mayor Cockrell opened the Public Hearing.

No citizens were registered to speak on the matter.

Mayor Cockrell declared the Public Hearing closed.

The City Clerk read the following Ordinance:

AN ORDINANCE 72,264

LEVYING AN AD VALOREM TAX FOR THE SUPPORT OF THE CITY GOVERNMENT OF THE CITY OF SAN ANTONIO, FIXING THE RATE OF \$.32580 PER \$100.00 OF VALUATION, SAID TAXES BEING LEVIED FOR THE TAX YEAR BEGINNING JANUARY 1, 1990 AND ENDING DECEMBER 31, 1990.

* * * *

Mr. Webb made a motion to approve the proposed Ordinance. Mr. Thompson 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, Martinez, Thompson, Vera, Wolff, Labatt, Cockrell; NAYS: None; ABSENT: Hasslocher.

9-13-90
jd/alh

90-40

PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE
LEVYING AD VALOREM TAX-INDEBTEDNESS.

Mayor Cockrell opened the Public Hearing.

No citizens were registered to speak on the matter.

Mayor Cockrell declared the Public Hearing closed.

The City Clerk read the following Ordinance:

AN ORDINANCE 72,265

LEVYING AN AD VALOREM TAX TO PAY THE PRINCIPAL AND INTEREST ON THE FUNDED DEBT OF THE CITY AND TO CREATE A SINKING FUND THEREFOR; FIXING THE RATE OF \$.20255 PER \$100.00 OF VALUATION; SAID TAXES BEING LEVIED FOR THE TAX YEAR BEGINNING JANUARY 1, 1990 AND ENDING DECEMBER 31, 1990.

* * * *

Mr. Webb made a motion to approve the proposed Ordinance. Mr. Labatt 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, Martinez, Thompson, Vera, Wolff, Labatt, Cockrell; NAYS: None; ABSENT: Hasslocher.

90-40

PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE
REVISING THE GARAGE SALE OPERATOR'S FEE.

Mayor Cockrell opened the Public Hearing.

No citizens were registered to speak on the matter.

Mayor Cockrell declared the Public Hearing closed.

The City Clerk read the following Ordinance:

AN ORDINANCE 72,266

AMENDING THE CITY CODE CHAPTER 16-304 TO REVISE THE GARAGE SALE OPERATOR'S FEE ADMINISTERED BY THE BUILDING INSPECTIONS DEPARTMENT.

* * * *

Mr. Webb made a motion to approve the proposed 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, Martinez, Thompson, Vera, Wolff, Labatt, Hasslocher, Cockrell; NAYS: Dutmer; ABSENT: Hasslocher.

90-40 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE
ESTABLISHING AN APPLICATION/PERMIT FEE FOR FACILITIES
THAT USE HAZARDOUS MATERIALS.

Mayor Cockrell opened the Public Hearing.

No citizens were registered to speak on the matter.

Mayor Cockrell declared the Public Hearing closed.

The City Clerk read the following Ordinance:

AN ORDINANCE 72,267

ESTABLISHING AN APPLICATION/PERMIT FEE FOR FACILITIES THAT USE HAZARDOUS MATERIALS AND A RESPONSE FEE BASED ON MATERIALS AND MAN-HOURS REQUIRED AT THE SCENE OF AN ACCIDENT.

* * * *

Mrs. Dutmer made a motion to approve the proposed 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, Martinez, Thompson, Vera, Wolff, Labatt, Cockrell; NAYS: None; ABSENT: Hasslocher.

90-40 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE
REGARDING SPRINKLER SYSTEM REMODELING.

Mayor Cockrell opened the Public Hearing.

No citizens were registered to speak on the matter.

Mayor Cockrell declared the Public Hearing closed.

The City Clerk read the following Ordinance:

AN ORDINANCE 72,268

AMENDING CITY CODE CHAPTER 11 ENTITLED "FIRE PREVENTION: SO AS TO REVISE SECTION 11-17 (12), SPRINKLER SYSTEM, TO ADD A SECTION FOR SPRINKLER SYSTEM REMODELING.

* * * *

90-40

PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE REGARDING HEALTH DEPARTMENT FEES.

Mayor Cockrell opened the Public Hearing.

No citizens were registered to speak on the matter.

Mayor Cockrell declared the Public Hearing closed.

The City Clerk read the following Ordinance:

AN ORDINANCE 72,269

AMENDING CHAPTER 13 OF THE CITY CODE TO PROVIDE FOR ALL FOOD RELATED LICENSES AND PERMITS ISSUED BY THE HEALTH DEPARTMENT TO EXPIRE ONE (1) YEAR FROM THE DATE OF ISSUANCE AND ALLOWING THE DIRECTOR OF HEALTH TO PHASE IN LICENSE RENEWALS IN ORDER TO STAGGER EXPIRATION DATES OF ALL 1991/92 LICENSES AND PERMITS; AND AMENDING CHAPTER 15 OF THE CITY CODE TO INCREASE THE FOREIGN TRAVEL VACCINATION CERTIFICATION FEES FROM \$15.00 TO \$25.00 PER CERTIFICATION AND \$5.00 PER VACCINATION WITH AN AMOUNT NOT TO EXCEED \$10.00 FOR VACCINATION.

* * * *

Mr. Webb made a motion to approve the proposed Ordinance. Mr. Labatt 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, Martinez, Thompson, Vera, Wolff, Labatt, Cockrell; NAYS:

None; ABSENT: Hasslocher.

90-40 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE
TO PROVIDE FOR AN INCREASE IN THE EMERGENCY MEDICAL SERVICES
STAND-BY FEE FOR OUTSIDE AGENCIES.

Mayor Cockrell opened the Public Hearing.

No citizens were registered to speak on the matter.

Mayor Cockrell declared the Public Hearing closed.

The City Clerk read the following Ordinance:

AN ORDINANCE 72,270

AMENDING ORDINANCE NO. 56055 TO PROVIDE FOR AN
INCREASE IN THE EMERGENCY MEDICAL SERVICES STAND-BY
FEE FOR OUTSIDE AGENCIES FROM \$30.00 TO \$200.00 PER
HOUR SO AS TO COVER THE COST OF A STAND-BY EMS
MODULANCE AND NECESSARY STAFF.

* * * *

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

In response to a question by Mr. Labatt, Mr. George K. Noe,
Director of Management Services, stated that City staff is studying
prioritization of EMS collections at this time, and he briefly discussed
EMS uses.

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

90-40 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE
AMENDING THE CITY CODE BY INCREASING EVENT PARKING RATES.

Mayor Cockrell opened the Public Hearing.

No citizens were registered to speak on the matter.

Mayor Cockrell declared the Public Hearing closed.

The City Clerk read the following Ordinance:

AN ORDINANCE 72,271

AMENDING THE CITY CODE BY INCREASING EVENT PARKING RATES CHARGED AT CITY-OWNED PARKING FACILITIES. (AMENDS CITY CODE, SECTION 19-199)

* * * *

Mr. Wing 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, Martinez, Thompson, Vera, Wolff, Labatt, Cockrell; NAYS: None; ABSENT: Hasslocher.

* * * *

90-40

PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE
REVISING CERTAIN SOLID WASTE DISPOSAL SERVICE CHARGES
AND ESTABLISHING CERTAIN NEW FEES.

Mayor Cockrell opened the Public Hearing.

No citizens were registered to speak on the matter.

Mayor Cockrell declared the Public Hearing closed.

The City Clerk read the following Ordinance:

AN ORDINANCE 72,272

REVISING CERTAIN SOLID WASTE DISPOSAL SERVICE CHARGES AND ESTABLISHING CERTAIN NEW FEES AND ESTABLISHING DEFINITIONS FOR THE APPLICATION OF THE CHARGES; AMENDING CITY CODE SECTIONS TO ACCOMPLISH SAME AND TO ESTABLISH PENALTIES FOR VIOLATIONS OF THE CITY CODE AS AMENDED HEREIN. (AMENDS CITY CODE, SECTION 14-16 (d))

* * * *

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

Mr. Alex Briseno, City Manager, noted that the City will not collect the \$1.00 brush-dumping fee from City residents taking that brush directly to City landfills.

A discussion then took place concerning fees, both public and private, for the dumping of residential brush at landfills, as well as a staff plan for an overall look at the City's landfill operations.

Mrs. Dutmer spoke of the need to increase landfill costs to private commercial haulers because of diminishing landfill space.

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

90-40

ALAMO PLAZA PAVERS

On a Point of Personal Privilege, Mr. Labatt voiced his concerns with a City Commission's plans to install pavers in Alamo Plaza shaped like the State of Texas, in place of the Dryden stone that is deteriorating. He spoke against the use of such Texas-look pavers as inappropriate for Alamo Plaza.

90-40

CITIZENS TO BE HEARD

ELOISE H. GUERRERO

Ms. Guerrero, 443 Linares, thanked Bill Miller Bar-B-Q for its \$300,000 donation to allow full year's funding for the School Crossing Guard Program throughout San Antonio, and she also thanked City staff for its many kindnesses during discussions of this issue.

LUPE IBARRA

Ms. Ibarra, 1415 Potosi, spoke of the rising incidence of crime in her community on the City's west side, including public housing projects.

Ms. Berriozabal stated that she would be attending a meeting on crime in her area tomorrow evening, hopefully with Mr. Martinez also in attendance, and spoke in support of appointment of a task force involving the City, San Antonio Housing Authority and representatives from public housing projects to address crime in the neighborhoods, including those having housing projects in them.

Mr. Martinez stated that the Police Department currently is working on a plan to address this problem, and spoke of a planned Monday

evening meeting in District 5 with representatives from the public housing projects present.

(City Council recessed for dinner at 6:22 P.M., reconvening in Regular Session at 7:05 P.M.)

90-40 Mayor Cockrell announced that the City Council would shortly recess into Executive Session for discussion relative to the negotiations between the City and the Spurs on contracts, to be considered as Agenda Items 37 and 38 later. The Council then recessed into Executive Session at 7:06 P.M., reconvening in Regular Session at 8:07 P.M.

37. The Clerk read a proposed ordinance approving (i) a Multipurpose Dome Facility Sublease Agreement between the City of San Antonio and Spurs Professional Basketball Club, LTD for a ten (10) year primary term, for the use by the Spurs Basketball Team of the Multipurpose Dome Facility and (ii) the First Amendment to the Amended and Restated Arena Lease Agreement adopted pursuant to Ordinance No. 69539 on May 25, 1989; and authorizing the City Manager to execute said agreements.

Dr. Martin L. Meltz stated that his group would shortly be preparing a report to City Council on the matter of tobacco and alcohol advertising for the Domed Stadium, and noted that the proposed contract with the Spurs organization turns such advertising over to that group. He asked that both proposed contracts with the Spurs, for use of the Domed Stadium and granting concession rights for the Domed Stadium, be held up for 60 days, unless a full hearing is held by the Council on this issue.

Mr. Roland Lozano, Director of Dome Development, briefly explained the proposed Spurs contract to use the Domed Stadium and the proposed amendment to the Spurs' current lease at the Arena. A copy of his staff memorandum on this issue is made a part of the papers of this meeting. He spoke to the pro-forma summary, including the Spurs' proposal and several City staff proposals. He then addressed the minority business criteria in the concessions contract and the sub-lease agreement, including: premises; facility improvements; scheduling; club seats; outdoor marquee; 10-year lease term; rental costs; liquidated damages; parking; and broadcast rights. A copy of these criteria are made a part of the papers of this meeting.

Mr. Lozano then discussed the concessions contract with the Spurs'-owned San Antonio Concessions, Inc., including: the scoreboard operations; concessions operation; license fee; performance guarantee; termination clause; scoreboard system removal; and aspects of small and

minority business involvement, a copy of which is made a part of the papers of this meeting.

Mr. Lozano then spoke to the amendment being proposed concerning concessions in the Arena and the first amendment to the Domed Stadium concessions license agreement, copies of which are made a part of the papers of this meeting.

Mayor Cockrell spoke to the negotiations designed to balance between the Spurs' requests and the City's obligations to its taxpayers. She stated that she cannot support the agreements under currently-negotiated terms unless certain concessions are made by the Spurs organization concerning severability, should the team leave town. She noted that, under the negotiated proposal, there is no guarantee that the Spurs will remain in San Antonio. She stated that she would support an amendment that allows the City to cancel the concessions contract, should the Spurs leave town.

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

Mr. Labatt then made an amendment to the motion, to insert at the end of Article 14.01 of negotiated contract the following wording: "The Concessions Agreement, however, will continue for the time specified in writing by City at the license fee rate of 35% of gross sales until the time specified by City for termination. Said termination date may be at any time after notice and up to one year at City's option."

Mr. Red McCombs, owner of the Spurs basketball team, spoke to his \$90 million commitment to the Spurs and to San Antonio with his purchase of the team and its player contracts. He stated his belief that the negotiated contract is competitive and is not subsidizing the Spurs. He then enumerated what the Spurs have meant to San Antonio, over the years, and spoke to expected financial shortfalls for the years 1991 and 1992 and the need for this contract in order to guarantee that that shortfall is plugged.

Mayor Cockrell stated her opinion that it is only fair that the concessions contract with the Spurs can be cancelled, should the team decide to leave town.

In response to a question by Mr. Wolff, Mr. Lozano discussed terms of the two proposed contract agreements, which were linked together as one contract until last year. He then spoke to the effects of the so-called "poison pill" amendment now being proposed.

Mr. Wolff spoke in support for the negotiated contracts without the "poisen pill" amendment.

Mr. Martinez stated his belief that a partnership is involved

between the City and the Spurs, and noted that, without this amendment, the City is in the position of helping support the Spurs, even if they are re-located elsewhere. He urged further negotiations on the proposed contracts.

Mr. McCombs stated that the negotiated contract, as-is, gives the Spurs a chance to make it, economically.

Ms. Berriozabal noted that if the domed stadium cannot make it, economically, the City will have to pay for the difference, and she spoke in support for the amendment.

In response to a question by Mr. Thompson, Mr. McCombs stated his opinion that there is not much left to negotiate in order to reach a solution to this impasse. He then discussed the exposure of the new domed stadium via national television, showcasing this new facility.

Mr. Thompson stated his belief that further negotiations might be fruitful, in order to weave a solution involving the severability clause.

Ms. Vera spoke in support for a negotiated solution.

Mr. Wing stated his opinion that it makes no difference who has the concessions in the new domed stadium.

Mr. Hasslocher spoke of the current 'no-win' situation facing the Council in this matter, because someone will criticize the Council for its actions, no matter which way the decision goes.

Mrs. Dutmer voiced her concern that the City will have no bargaining points, should the Spurs leave town.

Mr. Webb stated his opinion that the proposed amendment will be approved.

Mr. Thompson agreed with Mr. Wing's premise on concessions in the domed stadium, and stated that Mr. McCombs' investment in San Antonio is substantial as a partner with the City. He stated he would support the negotiated contract now on the table.

A discussion then took place concerning possible agreement on the mandatory 'sell-back' of concession rights to the City, at fair market value, should the Spurs leave and the City request those rights be returned.

(City Council recessed its regular meeting at 10:19 P.M. to convene in Executive Session relative to the proposed Spurs contracts, reconvening in regular session at 10:30 P.M.)

After discussion, Mr. Hasslocher moved to postpone consideration

of Agenda Item 37 until a later time. Mr. Webb seconded the motion.

After consideration, the motion to postpone prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Vera, Wolff, Labatt, Hasslocher, Cockrell; NAYS: None; ABSENT: None. (See page 36.)

90-40 The Clerk read the following Ordinance:

AN ORDINANCE 72,273

AMENDING ORDINANCE NO. 72034, PASSED ON AUGUST 2, 1990, BY ALLOCATING \$99,976 IN JOB TRAINING PARTNERSHIP ACT (JTPA) TITLE IIA 123 FUNDS TO THE BEXAR COUNTY DETENTION CENTER TO PROVIDE ADULT BASIC EDUCATION, ESL AND GED CLASSES TO INMATES, AS APPROVED BY THE ALAMO PRIVATE INDUSTRY COUNCIL; AND AUTHORIZING THE EXECUTION OF A CONTRACT THEREFOR.

* * * *

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

In response to a question by Mr. Labatt, Mr. Kevin Moriarty, Acting Director, Department of Economic and Employment Development, described the program as requested by Bexar County Commissioners Court.

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

90-40 The Clerk read the following Ordinance:

AN ORDINANCE 72,274

AUTHORIZING THE ACCEPTANCE OF \$330,003 IN JTPA TITLE IIA 123 FUNDS TO OPERATE THE READING TO REDUCE RECIDIVISM (3-R) PROGRAM FOR THE PERIOD OF JULY 1, 1990 TO JUNE 30, 1991, AND ALLOCATING SAID FUNDS TO THE BEXAR COUNTY OPPORTUNITIES INDUSTRIALIZATION CENTER, INC., (BCOIC) AND SAN ANTONIO JOBS FOR PROGRESS, INC. (PROJECT SER).

* * * *

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

In response to a question by Mr. Thompson, Moriarty, Acting Director for Department of Economic and Employment Development, noted that these are the governor's discretionary funds specifically for the purpose of aiding parolees to increase their educational level. He then spoke to a correlation between illiteracy and crime.

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

90-40 The Clerk read the following Ordinance:

AN ORDINANCE 72,275

AUTHORIZING AN AGREEMENT WITH ROUND BALL RUCKUS FOR THE FOURTH ANNUAL CHARITY BASKETBALL TOURNAMENT TO BE HELD ON SATURDAY, SEPTEMBER 22, 1990, AND SUNDAY, SEPTEMBER 23, 1990, ON THE TWO FEDERAL PARKING LOTS LOCATED ON THE SOUTH SIDE OF DURANGO STREET.

* * * *

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

In response to a question by Mr. Thompson, Mr. Joe Aceves, Director of Public Works, spoke to the need for lease of the City-owned parking lots next to the Federal Building in order to hold the Roundball Ruckus Event.

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

90-40 The Clerk read the following Ordinance:

AN ORDINANCE 72,276

APPOINTING JASMINE AZIMA TO SERVE ON THE HOUSING TRUST FUND - BOARD OF TRUSTEES FOR A TERM OF OFFICE

TO EXPIRE ON MAY 30, 1992.

* * * *

Mr. Wing 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, Martinez, Thompson, Vera, Wolff, Labatt, Hasslocher, Cockrell; NAYS: None; ABSENT: None.

- - -
90-40 The Clerk read the following Ordinance:

AN ORDINANCE 72,277

CLOSING CAMINO COAHUILTECA BETWEEN VILLAMAIN AND ESPADA ROAD ON SUNDAY, SEPTEMBER 16, 1990 FROM 1:00 P.M. UNTIL 12:00 MIDNIGHT TO ALLOW THE ESPADA MISSION TO HOLD ITS ANNUAL CHURCH FESTIVAL.

* * * *

Mr. Webb made a motion to approve the proposed Ordinance. Mr. Hasslocher 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, Martinez, Thompson, Vera, Wolff, Labatt, Hasslocher, Cockrell; NAYS: None; ABSENT: None.

- - -
90-40 City Council recessed the regular meeting at 10:40 P.M. to convene another Executive Session to discuss the Spurs contracts, reconvening in regular session at 11:15 P.M.)

- - -
90-40 Mr. Hasslocher made a motion to remove Agenda Item 37 from the table. Mrs. Dutmer seconded the motion.

After consideration, the motion to remove Agenda Item 37 from the table, prevailed by the following vote: AYES: Webb, Dutmer, Wing, Martinez, Thompson, Vera, Wolff, Labatt, Hasslocher, Cockrell; NAYS: None; ABSENT: Berriozabal.

Agenda Item 37 was removed from the table.

Mr. Lloyd Garza, City Attorney, and Mr. Bev Francis, outside counsel, addressed the most recent aspects of the Spurs' negotiations and explained it in detail, noting that, among other things, should the Spurs leave town and terminate their lease, the City has the option to purchase the concession rights or to assign it to a third party.

Mr. Wolff stated his belief that this will not work, and spoke to his suggestion for a negotiated settlement.

In response to a question by Mr. Hasslocher, Mr. McCombs agreed to do away with the 90-day clause involved, and stated that he does not want a last-minute hangup to the approval of the contract.

Mr. Garza discussed a possible third option, to allow the City to purchase the concession rights at fair market value, including the matter of \$1 million in liquidated damages; 37 per cent of the concession rights; and buy-back of those rights by the City.

Mr. Wing stated his belief that the City will not get another National Basketball Association team if it loses the Spurs.

At this point, Mr. Martinez offered a substitute motion to lay Item 37 on the table until 3:00 P.M. Saturday, September 15, 1990. Mr. Thompson seconded the motion.

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

90-40 There being no further business to come before Council, the meeting was adjourned at 11:34 P.M.

A P P R O V E D

Lila Cockrell

M A Y O R

ATTEST

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