

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO, HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, JULY 6, 1989.

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

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89-29 The invocation was given by Reverend Martin Elsner, Our Lady of Guadalupe Church.

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89-29 The City Council and the audience joined in the pledge of allegiance to the flag of the United States.

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89-29 The minutes of the City Council meeting of June 22, 1989 were approved.

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89-29 "NATIONAL ICE CREAM MONTH"

Mayor Cockrell introduced Mr. Jim Reed, Chairman of Target '90, and Mrs. Tracy Wolff, Co-Chair, who were present in the audience. She then read and presented them with a proclamation designating the month of July as "National Ice Cream Month".

Mr. Reed thanked the City Council for the proclamation and spoke to an upcoming fundraising event on July 16th sponsored by Target '90.

Mrs. Wolff invited all the Council to attend this event and to participate as celebrity ice cream scoopers.

Mr. Reed then introduced other persons in the audience who were participating in this event with Target '90.

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89-29 AMBASSADORS OF GOODWILL

Mayor Cockrell read a proclamation designating 32 area high

school students as Ambassadors of Goodwill. She noted that these students will be touring the Soviet Union as part of the American-Soviet Youth Exchange program.

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89-29 LEADERSHIP DEVELOPMENT SUMMER PROGRAM STUDENTS

Mayor Cockrell acknowledged the presence in the audience of students from the Leadership Development Summer Program which is sponsored by the Hispanic Association of Colleges and Universities. She asked the students to stand in place to be recognized.

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89-29 CONSENT AGENDA

Mrs. Dutmer made a motion to approve Agenda Items 5 - 36, constituting the Consent Agenda, with Items 21, 22, 27, 30, 32, and 36 to be pulled for individual consideration and Item 26 pulled earlier from consideration by the City Manager. Agenda Item 23, which was originally approved with the other Consent Agenda Items, was later reconsidered as an individual item (see pages 8 & 9 for details). Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 67,757 .

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ACCEPTING THE PROPOSAL OF HARPER AND ROW, PUBLISHERS, INC. TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH READ ALONG RECORDINGS FOR A TOTAL OF \$9,729.56.

\* \* \* \*

AN ORDINANCE 69,758 .

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AWARDING A CONTRACT TO L & V JANITORIAL COMPANY FOR JANITORIAL SERVICE AT THE BRANCH LIBRARIES AND CANCELLING THE CONTRACT OF FIRST ADVANCED SERVICES ENTERPRISE FOR A TOTAL OF APPROXIMATELY \$6,300.

\* \* \* \*

AN ORDINANCE 69,759 .

ACCEPTING THE LOW BID OF CHEM GUARD, INC. TO FURNISH THE CITY OF SAN ANTONIO AVIATION DEPARTMENT WITH FIREFIGHTING FOAM FOR A TOTAL OF \$7,163.

\* \* \* \*

AN ORDINANCE 69,760 .

ACCEPTING THE LOW BID OF STEARNS AIRPORT EQUIPMENT TO FURNISH THE CITY OF SAN ANTONIO AVIATION DEPARTMENT WITH BAGGAGE CONVEYOR PARTS FOR A TOTAL OF \$3,245.

\* \* \* \*

AN ORDINANCE 69,761 .

ACCEPTING THE BID OF EMTEK, INCORPORATED TO FURNISH THE CITY OF SAN ANTONIO AVIATION DEPARTMENT WITH FUEL RECOVERY PUMPS FOR A TOTAL OF \$5,730.

\* \* \* \*

AN ORDINANCE 69,762 .

ACCEPTING THE LOW BID OF PIERCE MANUFACTURING, INC. TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH A 100' AERIAL LADDER TRUCK FOR A TOTAL OF \$319,999.

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AN ORDINANCE 69,763 .

ACCEPTING THE LOW BID OF TECHNISKILLS, INC. TO FURNISH THE CITY OF SAN ANTONIO ENVIRONMENTAL MANAGEMENT DEPARTMENT WITH INDUSTRIAL WIRE PARTITIONS AND SHELVING FOR A TOTAL OF \$6,165.52.

\* \* \* \*

AN ORDINANCE 69,764 .

ACCEPTING THE LOW QUALIFIED BIDS OF COPY PRODUCTS ON ITEM 1 FOR A TOTAL OF APPROXIMATELY \$271.20 MONTHLY AND PITNEY BOWES ON ITEM 2 FOR A TOTAL OF APPROXIMATELY \$291 MONTHLY TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY AND ENVIRONMENTAL

MANAGEMENT DEPARTMENT WITH COPIERS.

\* \* \* \*

AN ORDINANCE 69,765 .

ACCEPTING THE LOW QUALIFIED BID OF TEXAS COPY SAN ANTONIO TO FURNISH THE CITY OF SAN ANTONIO WITH FACSIMILE MACHINES FOR A TOTAL OF \$7,011.

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AN ORDINANCE 69,766 .

ACCEPTING THE PROPOSAL OF GILLETTE AIR CONDITIONING COMPANY, INC. TO FURNISH THE CITY OF SAN ANTONIO HUMAN RESOURCES DEPARTMENT WITH EMERGENCY REPAIRS OF THE AIR CONDITIONING SYSTEM AT CARVER COMMUNITY CENTER FOR A TOTAL OF \$9,286.22.

\* \* \* \*

AN ORDINANCE 69,767 .

ACCEPTING THE LOW BID OF TEHCO, INC. FOR THE MODERNIZATION OF AN AUTOMOTIVE FUELING FACILITY FOR THE CITY OF SAN ANTONIO AUTOMOTIVE OPERATIONS DIVISION FOR A TOTAL OF \$188,360.

\* \* \* \*

AN ORDINANCE 69,768 .

AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER NO. 3 IN THE NET DEDUCTIVE AMOUNT OF \$23,273.83 TO THE CONTRACT WITH CASH CONSTRUCTION COMPANY OF TEXAS, INC. FOR THE SAN ANTONIO WASTEWATER FACILITIES IMPROVEMENTS PROGRAM, CATEGORY 4, PACKAGE E-2.

\* \* \* \*

AN ORDINANCE 69,769 .

AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT CHANGE ORDER NO. 2, IN THE AMOUNT OF \$63,324.37 PAYABLE TO S&S CONTRACTORS, INC., FOR THE SAN ANTONIO WASTEWATER FACILITIES IMPROVEMENTS PROGRAM, CATEGORY 4, PACKAGE E-5 PROJECT.

\* \* \* \*

AN ORDINANCE 69,770

AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER NO. 7, IN THE AMOUNT OF \$53,941.80, PAYABLE TO UTILITIES CONSOLIDATED, INC., FOR THE SAN ANTONIO WASTEWATER FACILITIES CATEGORY 4, PACKAGE J PROJECT.

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AN ORDINANCE 69,771

APPROVING FIELD ALTERATION NO. 6, IN THE AMOUNT OF \$16,160.00, TO THE CONTRACT WITH H. B. ZACHRY CO. FOR THE TERMINAL 2 APRON RECONSTRUCTION PROJECT AT SAN ANTONIO INTERNATIONAL AIRPORT; REVISING THE BUDGET; AND PROVIDING FOR PAYMENT.

\* \* \* \*

AN ORDINANCE 69,772

AWARDING A \$60,800.00 CONSTRUCTION CONTRACT TO MATRIX BUILDERS, INC., AND AUTHORIZING \$15,200.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES ASSOCIATED WITH THE REMODELING OF THE TRAFFIC CONTROL OPERATIONS EQUIPMENT BUILDING LOCATED AT 525 MARKET STREET.

\* \* \* \*

AN ORDINANCE 69,773

APPROPRIATING \$4,567.00 IN PAYMENT FOR TITLE CHARGES AND APPRAISAL FEES INCURRED IN ACQUISITION OF CERTAIN RIGHT-OF-WAY PROJECTS. (PACIFIC DRAINAGE PROJECT #66A; HARRY WURZBACH DRAINAGE PROJECT #75; HI-LIONS DRAINAGE PROJECT #80; GEMBLER ROAD - COLISEUM ROAD TO NORTH W. W. WHITE ROAD; NORTH FORK OF MARTINEZ CREEK; PALO ALTO ROAD - I. H. 35 TO ARAGON; PALO ALTO ROAD - I. H. 35 TO ARAGON; HI-LIONS DRAINAGE PROJECT #80; NACOGDOCHES ROAD FROM I.H. 410 TO NEW BRAUNFELS; EMERGENCY OPERATIONS CENTER RENOVATIONS)

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AN ORDINANCE 69,774

AUTHORIZING A ONE YEAR LICENSE AGREEMENT WITH TOBIN

HILL NEIGHBORHOOD ASSOCIATION PERMITTING SAID ASSOCIATION TO ENTER UPON AND TO PROVIDE LANDSCAPE MAINTENANCE ON A TRIANGULAR-SHAPED TRACT OF CITY-OWNED LAND AT THE INTERSECTION OF NORTH ST. MARY'S STREET, JOSEPHINE STREET AND DEWEY PLACE.

\* \* \* \*

AN ORDINANCE 69,775

APPROVING THE LEASE OF A BUILDING LOCATED AT 1933 FREDERICKSEURG ROAD FOR A POLICE STOREFRONT OPERATION AT A TOTAL RENT OF \$405.28 PER MONTH, INCLUDING AN AIR CONDITIONING AND PLUMBING ESCROW OF \$20.00 AND A \$26.88 CHARGE FOR COMMON AREA MAINTENANCE; AUTHORIZING THE CITY MANAGER OR ANY ASSISTANT CITY MANAGER TO EXECUTE A LEASE IN CONNECTION THEREWITH; AND AUTHORIZING AND APPROPRIATING THE SUM OF \$46,500.00 FROM THE PROJECTED FUND BALANCE TO VARIOUS INDEX CODES TO PAY FOR THE SALARIES AND ASSOCIATED EQUIPMENT TO STAFF SAID OPERATION.

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AN ORDINANCE 69,776

ACCEPTING ADDITIONAL FUNDS AND AUTHORIZING CHANGES MADE BY THE TEXAS STATE LIBRARY TO CONTRACT 373.6, PROJECT 018058, 26/04-01-15.

\* \* \* \*

AN ORDINANCE 69,777

AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES CONTRACT AMENDMENT WITH RAPA-KISTNER CONSULTANTS, INC., FOR GEOTECHNICAL AND ENVIRONMENTAL ENGINEERING SERVICES IN CONNECTION WITH THE TERMINAL EXPANSION PROJECT AT INTERNATIONAL AIRPORT; APPROPRIATING FUNDS IN THE AMOUNT OF \$15,000.00; AND PROVIDING FOR PAYMENT.

\* \* \* \*

A RESOLUTION NO. 89-29-60

GIVING NOTICE THAT BIDS WILL BE RECEIVED FOR SELECTION OF A DEPOSITORY FOR FUNDS OF THE CITY OF SAN ANTONIO AND FOR LOANING MONEY TO THE CITY, FOR

THE FISCAL YEARS 1989-90 AND 1990-91.

\* \* \* \*

AN ORDINANCE 69,778

AUTHORIZING AN APPLICATION TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR A \$30,000.00 GRANT TO SUPPORT THE CITY'S FAIR HOUSING PROGRAM; APPROVING A BUDGET AND PERSONNEL COMPLEMENT; AUTHORIZING THE TRANSFER OF GRANT FUNDS FOR THE FORECLOSURE AND EVICTION PREVENTION LOAN PROGRAM; AUTHORIZING AN AGREEMENT WITH HOUSING OPPORTUNITIES, INC.; AND AUTHORIZING COMMUNITY ACTION HOUSING PROGRAM TO COLLECT FEES FOR CREDIT AND DEBT COUNSELING SERVICES.

\* \* \* \*

AN ORDINANCE 69,779

AUTHORIZING THE SUBMISSION AND ACCEPTANCE OF A GRANT FOR A HOMELESS EMPLOYMENT AND TRAINING DEMONSTRATION PROGRAM; APPROVING A BUDGET OF \$180,000.00 AND IN-KIND MATCH OF \$63,000.00; APPROVING PERSONNEL POSITIONS; AND APPROVING TRANSFER OF FUNDS.

\* \* \* \*

89-29 The Clerk read the following Ordinance:

AN ORDINANCE 69,780

AWARDING A \$48,833.00 CONSTRUCTION CONTRACT TO SEILER CONSTRUCTION, INC., AND AUTHORIZING \$4,833.30 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES ASSOCIATED WITH INSTALLATION OF NEW BOX SEATS AT THE HEMISFAIR ARENA.

\* \* \* \*

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

In response to a question by Mrs. Dutmer, Mr. Joe Madison, Director of the Convention Facilities, stated that the monies being approved today are to cover the costs involved with the construction of the boxes for the box seats at the arena and does not cover the costs of

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the seat themselves.

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

89-29 The Clerk read the following Ordinance:

AN ORDINANCE 69,781

AWARDING A \$2,521,421.36 STREET OVERLAY CONSTRUCTION CONTRACT TO V.F. KNOWLTON PAVING CONTRACTOR, INC., AND AUTHORIZING \$630,355.00 FOR MISCELLANEOUS CONSTRUCTION; AND AUTHORIZING FIELD ALTERATION #1 IN THE AMOUNT OF \$71,386.50 FOR STREETS RELATED TO THE 1989 GRAND PRIX.

\* \* \* \*

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

In response to questions by Mr. Webb, Mr. Joe Aceves, Director of the Public Works Department, stated that the City needs to maintain the streets in the vicinity of the Grand Prix in order that the event can be held and Mr. Ron Darner, Director of the Parks and Recreation Department, stated that the City should be dollar-wise in a break-even situation this year with the staging of the Grand Prix event.

Mr. Aceves, responding to Ms. Vera, explained the approved uses of the 1987 bond fund.

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, Cockrell; NAYS: None; ABSTAIN: Hasslocher; ABSENT: Berriozabal, Labatt.

89-29 Agenda Item 23 had originally been considered during the Consent Agenda; however, at the request of Mayor Cockrell, in order to accommodate an individual that was present in the audience to speak, this item was moved for reconsideration.

Mr. Webb made a motion to reconsider Agenda Item #23. Mr. Hasslocher seconded the motion.

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

The Clerk read the following Ordinance:

AN ORDINANCE 69,782

AWARDING A CONSTRUCTION CONTRACT TO RAMZELL-WADDELL, INC. FOR ASBESTOS ABATEMENT IN THE HEMISFAIR ARENA IN THE AMOUNT OF \$983,500.00.

\* \* \* \*

Mr. Patrick Murphy, B & M Construction Company, Houston, Texas, stated that his company had bid on this item and their bid was \$90,000 below the Ramzell-Waddell bid but had been disqualified because they had no-bid the alternate.

Mr. Joe Aceves, Director of the Public Works Department, explained the issues involved. He added that firms that did not offer an alternate as requested in the bid package were considered unresponsive.

Mr. Aceves, responding to Mrs. Dutmer, stated that the word "shall" was specifically stated in the instructions referring to the alternate in the bid.

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

89-29 The Clerk read the following Ordinance:

AN ORDINANCE 69,783

AUTHORIZING THE ALAMO GRAND PRIX ASSOCIATION TO LEASE THE HEMISFAIR GARAGE, MARINA GARAGE, AND THE FEDERAL PARKING LOTS FOR USE DURING THE GRAND PRIX.

\* \* \* \*

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

In response to questions by several Council members, Mr. Ron Darner, Director of the Parks & Recreation Department, stated that the parking facilities mentioned in the proposed Ordinance are all inside the Grand Prix track itself and are not accessible to the public.

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

- - -  
89-29 The Clerk read the following Ordinance:

AN ORDINANCE 69,784 .

.  
AMENDING CHAPTER 22, ARTICLE VII, SECTIONS 22-136 AND 22-137 OF THE CITY CODE AS RELATED TO TENNIS COURT FEES BY REDUCING CERTAIN COURT USE FEES AND BY ADDING MONTHLY AND ANNUAL PERMIT CARD FEES TO ENCOURAGE AND PROMOTE MORE FREQUENT USE OF TENNIS CENTER FACILITIES.

\* \* \* \*

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

In response to a question by Ms. Vera, Mr. Ron Darner, Director of the Parks & Recreation Department, explained that there has been a decrease in the number of tennis players using the facilities and the reduced fees are an incentive to encourage more frequent use.

Mr. Darner then explained the monthly and annual permit card fees.

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

- - -  
89-29 Agenda item 32, being a proposed ordinance amending City Code Chapter 11 entitled "Fire Prevention" so as to revise certain fees and establish new fees for various inspections by the Fire Department and repealing certain fees from the San Antonio Plumbing Code, was taken up for consideration at this time.

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

Wing seconded the motion.

Mr. Hasslocher spoke to his concern that requirements for sprinkler systems can impose such costly restrictions on property owners that it makes development of these buildings for business purposes prohibitive.

Steve Worley, Fire Marshal, stated that sprinkler systems requirements are not addressed in this ordinance.

Chief Worley, in response to Mrs. Dutmer, explained that portion of the ordinance that deals with repealing certain fees from the plumbing code, explained the reinspection fee, and the fireworks permit fee.

In response to a question by Mr. Thompson, Chief Worley stated that the schedule of the proposed fee increases had not been published.

Mr. Thompson expressed his opinion that fee increases should be published prior to Council consideration to allow citizens time to provide their input.

Mr. Thompson then made a substitute motion to delay consideration of this Ordinance for two weeks. Mr. Webb seconded the motion.

Mr. Thompson stated that he would like staff to provide the Council with a report containing more indepth research on the fee increases and a comparison of local fees versus those charged by other cities.

Chief Worley noted that the fee increases in the proposed ordinance were based on recommendations contained in the Arthur Young study.

Several Council members spoke against postponing consideration of this proposed ordinance.

Mr. Wing stated that there is an appeal process in place that can be utilized by the public if they do not agree with a Fire Code ruling.

The motion to postpone consideration of this proposed ordinance for two weeks failed to carry by the following vote: AYES: Webb, Thompson, Wolff, Hasslocher, Cockrell; NAYS: Dutmer, Wing, Vera; ABSENT: Berriozabal, Martinez; Labatt.

The main motion failed to carry by the following vote: AYES: Webb, Dutmer, Wing, Vera, Cockrell; NAYS: Thompson, Wolff, Hasslocher; ABSENT: Berriozabal, Martinez, Labatt.

Mayor Cockrell, referring to approval of Consent Agenda Items 34 and 35, which authorize an application for a \$30,000.00 grant for the City's Fair Housing Program and authorize submission and acceptance of a grant for a Homeless Employment and Training Program, respectively, stated that Councilwoman Berriozabal had left a letter regarding these items which would be referred to the staff.

In response to Mayor Cockrell's request for clarification on the Dwyer building site issue, Kevin Moriarty, Director of the Human Resources Department, stated that approval of Agenda Item 35 would not lock the Council into using any particular site. He added that if the Dwyer site is not available for this program, then the Salvation Army or the SAMP site can be used.

Mayor Cockrell noted that a group of citizens have expressed an interest in holding further meetings on the use of the Dwyer site to state their objections.

Mr. Moriarty stated that the City has received the building from the federal government and the City is now the owner.

A brief discussion followed on the type of site needed to accommodate the homeless and offer the services they need.

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89-29 The Clerk read the following Ordinance:

AN ORDINANCE 69,785

CLOSING THE NORTH SIDE OF NUEVA STREET BETWEEN SOUTH ALAMO AND PRISA STREETS FROM 6:00 A.M., SUNDAY, JULY 23, 1989, UNTIL 2:00 A.M., MONDAY, JULY 24, 1989, IN CONNECTION WITH THE HISPANIC STATE FAIR.

\* \* \* \*

Mrs. Dutmer questioned the feasibility of removing the median on Nueva Street, making it into a two-way street, and permanently screening the north side of the street and using it for loading and unloading commercial vehicles for various La Villita functions.

Mr. Ron Darner, Director of the Parks & Recreation Department, stated that his office has received a memorandum requesting this action and his office will prepare a response in the near future.

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

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

- - -  
89-29 The Clerk read the following Ordinance:

AN ORDINANCE 69,786

AUTHORIZING PAYMENT OF REFUNDS TO PERSONS MAKING OVERPAYMENTS OR DOUBLEPAYMENTS ON 21 TAX ACCOUNTS.

\* \* \* \*

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

- - -  
89-29 The Clerk read the following Ordinance:

AN ORDINANCE 69,787

AUTHORIZING THE EXECUTION OF THE SAN ANTONIO FOREIGN TRADE ZONE (SAFTZ) AGREEMENTS AND TARIFF FEE SCHEDULES; AUTHORIZING THE FILING OF A BOUNDARY MODIFICATION/REORGANIZATION APPLICATION; AND RENEWING THE FOREIGN TRADE ZONE COUNSEL CONTRACT WITH LAMB AND LERCH IN THE AMOUNT OF \$15,000.00.

\* \* \* \*

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

89-29 The Clerk read the following Ordinance:

AN ORDINANCE 69,788

AUTHORIZING PROCEDURES TO IMPLEMENT THE CITY OF SAN ANTONIO'S LITERACY PROGRAM.

\* \* \* \*

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

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

89-29 The Clerk read the following Ordinance:

AN ORDINANCE 69,789

APPROVING THE USE OF HEMISFAIR PARK BY THE ALAMO GRAND PRIX ASSOCIATION AND THE MILLER BREWING COMPANY FOR THE "BIGGEST PARTY IN HISTORY" IN CONJUNCTION WITH THE GRAND PRIX.

\* \* \* \*

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

In response to questions by Mayor Cockrell, Mr. John Mosty, Executive Vice President and C.E.O., Nissan Grand Prix of San Antonio, stated that the Miller party was being billed as an event for the entire family and measures would be taken to assure that alcoholic beverages would not be served to minors. He also spoke to admission policies for visitors to the Tower of the Americas or other area businesses.

A brief discussion followed on the use of the Hemisfair grounds by other organizations.

Mayor Cockrell voiced her concern that the City deal fairly with all organizations in the City on the use of the grounds.

Mr. Wing stated that he was under the impression that the Council last year had given direction on the type of events that were to be allowed in this area and that they had expressed their desire to keep the

area open to all citizens regardless of the circumstances. He expressed concern with the proposed use of this area.

Mrs. Dutmer stated that the Grand Prix contract was entered into prior to the improvements at Hemisfair Plaza. She voiced her support of the proposed ordinance.

Ms. Vera also voiced her support of the proposed ordinance and stated her opinion that she does not see a conflict in its approval as this contract was entered into before the Children's Playground was built.

Mr. Wolff stated that he would support this ordinance and noted that he agreed with Mayor Cockrell that all groups or organizations need to be dealt with equitably.

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

- - -  
89-29 The Clerk read the following Ordinance:

AN ORDINANCE 69,790 .

.  
ALLOCATING \$169.67 FROM THE DISTRICT 2 DISCRETIONARY FUND TO PAY FOR A LUNCHEON HELD FOR THE CONSUL GENERAL OF FINLAND.

\* \* \* \*

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

- - -  
89-29 The Clerk read the following Ordinance:

AN ORDINANCE 69,791 .

.  
APPROPRIATING THE BALANCE OF THE DISTRICT 2 DISCRETIONARY FUND (\$2,558.68) TO THE EASTSIDE NEIGHBORHOOD HOUSING SERVICES ORGANIZATION TO BE USED FOR THE PURCHASE OF AN OFFICE FACILITY FOR THE

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ORGANIZATION.

\* \* \* \*

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

89-29 The Clerk read the following Resolution:

A RESOLUTION NO. 89-29-61

PROVIDING FOR THE IMPLEMENTATION OF THE RECOMMENDATIONS OF A REPORT ENTITLED "OPEN SPACE POLICY: FINAL REPORT AND RECOMMENDATIONS OF THE OPEN SPACE DEVELOPMENT POLICY WORK GROUP."

\* \* \* \*

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

Ms. June Kachtik, member of the Open Space Development Work Group, stated that she was pleased to see action being taken towards implementation of the recommendations of her committee.

Dr. Catherine H. Powell, AICP, Chairman, Open Space Committee, read from a letter in which the San Antonio Section of the American Planning Association addressed the Open Space Report and offered three recommendations: that the Council adopt the policy recommendations in the Open Space Report; that the Council proceed to appoint the permanent advisory successor group recommended by the report; and that the Council instruct the City Manager to designate an interdepartmental group to be involved in coordinating the specific activities which constitute implementation of the plan's policies (a copy of her letter is filed with the papers of this meeting).

In response to a question by Dr. Powell, Mayor Cockrell noted that a "B" session on board appointments would be held soon and that those individuals selected to serve on the City's various boards and commissions would be notified by the City Clerk's office.

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

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

- - -  
89-29 The Clerk read the following Ordinance:

AN ORDINANCE 69,792 .

.  
APPOINTING SELECTED CITY COUNCIL MEMBERS AND LIBRARY MEMBERS TO SERVE ON THE LIBRARY ADVISORY COMMITTEE. (COUNCIL MEMBERS: HELEN DUTMER, MARIA ANTONIETTA BERRIOZAPAL, YOLANDA VEPA, NELSON WOLFF; LIBRARY BOARD MEMBERS: RACHEL REYNOSA, MARIE SWARTZ, MARY MCAFFEE, JOAN MELLARD.)

\* \* \* \*

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

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

- - -  
89-29 The Clerk read the following Ordinance:

AN ORDINANCE 69,793 .

.  
APPOINTING REV. JAMES AUSBIE TO SERVE ON THE MUNICIPAL CIVIL SERVICE COMMISSION FOR A TERM TO EXPIRE ON JUNE 6, 1991.

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

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

- - -  
89-29 The Clerk read the following Ordinance:

AN ORDINANCE 69,794

APPOINTING MEMBERS TO THE ZONING COMMISSION.  
(APPOINTED: ROBERT ESTRADA AND ROGER PEREZ;  
REAPPOINTED: GEORGE SMITH, O'NEIL GRANT, FRANK  
BURNEY)

\* \* \* \*

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

In response to a question by Mr. Wolff, Mrs. Yolanda Ledesma, Administrative Assistant II, stated that the appointments to the Zoning Commission will take effect immediately; however, if a new member has not been appointed, the present member will continue to serve until reappointed or replaced.

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

89-29 The Clerk read the following Ordinance:

AN ORDINANCE 69,795

APPOINTING INDIVIDUALS TO SERVE ON THE ORGANIZATION COMMITTEE FOR 1991 - 300TH ANNIVERSARY OF SAN ANTONIO AND 1992 CHRISTOPHER COLUMBUS QUINCENTENARY JUBILEE CELEBRATION FOR TERMS OF OFFICE TO LAST FOR THE DURATION OF THE PROJECT.

\* \* \* \*

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

Mrs. Dutmer spoke to the purpose of this committee and to the efforts to include everyone who wants to participate in the planning of this event.

Mr. Wing requested that the Christopher Columbus organization be asked to participate.

Ms. Karen Davis, Assistant to the City Manager, spoke to the work staff had done thus far with various community organizations.

Mayor Cockrell urged that those Council members who can commit time to this committee work with Mrs. Dutmer or with staff in the planning of this event.

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

ZONING HEARINGS

45. CASE Z89112 - to rezone a 7.6 acre tract of land out of NCB 17180 from "B-2" Business District to "B-3" Business District and a 10.47 acre tract of land out of NCB 17180, from "R-3" Multiple Family Residence District to "B-2" Business District, 4400 Block of N.W. Military Highway, located on the northeast side of N.W. Military Highway, 1772.54' southeast of the intersection of George Road and N.W. Military Highway, having a total of 809.73' on Military Highway and a maximum depth of 1132.93'.

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

AN ORDINANCE 69,796

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 7.6 ACRE TRACT OF LAND OUT OF NCE 17180, FROM "B-2" BUSINESS DISTRICT TO "B-3" BUSINESS DISTRICT AND A 10.47 ACRE TRACT OF LAND OUT OF NCE 17180, FROM "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT, IN THE 4400 BLOCK OF N.W. MILITARY HIGHWAY. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

\* \* \* \*

The City Council recessed at 2:52 P.M. to convene a "B" Session on the Budget (New Revenues), reconvening at 5:16 P.M. for continuation of the regular meeting.

89-29

DISCUSSION ON RECREATIONAL VEHICLES ORDINANCE

In response to questions by Mr. Wing, Lloyd Garza, City Attorney, stated that the recently approved ordinance regulating the parking of recreational vehicles does not contain a grandfather clause but stated that an appeal process is in place for recreational vehicle owners who are found in non-conformance. He stated that they can appeal their individual cases to the Board of Adjustment. Mr. Garza added that a formal opinion on this issue is being prepared by Assistant City Attorney Tom Finlay and should be available next week.

Mr. Wing voiced his concern that an appeal process for recreational vehicles owners should be in place and that citizens should know of its existence.

In response to questions by Mr. Wing, Mrs. Rebecca Quintanilla Cedillo, Director of Planning, stated that there is a one year time limit to apply for non-conforming rights in the Building Inspections Department for those items, i.e. boats, trailers, etc., that were not in the original recreational vehicle code. She added that recreational vehicle organizations have been notified of this proposed ordinance. She further added that if a hardship case exists, for a \$250.00 fee, a citizen can appeal to the Board of Adjustment.

Mr. Thompson stated that in addition to filing an appeal before the Board of Adjustment, a citizen can also appeal his case to the District Court.

A brief discussion following on the issue of non-conforming rights.

In response to a question by Mrs. Dutmer, Mrs. Cedillo stated that this item is now under the Zoning Code because of side and rear yard restrictions. She added that being included in the Zoning Code allows for a citizen to go further in the appeal process.

89-29

CITIZENS TO BE HEARD

GERALD ROLF

Mr. Gerald Rolf, Geologist and member of the South Texas Geological Society, stated that he had surveyed the Applewhite area and

found it to be a risky site. He spoke to the danger that exists if the Applewhite water is contaminated and it infiltrates into the Carrizo-Wilcox Aquifer damaging the water source of several small cities.

In response to questions by Mayor Cockrell, Mr. Rolf stated that he would like to see the Edwards recharged and also spoke favorably of the Cibolo Creek. He also spoke to a study on the water issue that his organization is undertaking.

In response to a question by Mr. Wolff, Mr. Rolf spoke to the size of the Carrizo-Wilcox Aquifer and to the difficulty in recharging such a large area.

Mr. Wolff asked that Mr. Rolf's organization prepare a report that is very specific in their arguments against construction of the Applewhite Reservoir.

\* \* \* \*

PHILLIP ROSS

Mr. Phillip Ross, Aquifer Protection Association, stated that the Applewhite project presents a danger to the water supply of area cities if the reservoir should become polluted.

\* \* \* \*

BILL ALEXANDER

Mr. Bill Alexander, representing the East Park Village Subdivision, stated that residents in his subdivision have requested they be brought into the City Water Board. He stated that the Lackland City Water District recently instituted a rate increase.

Mr. Roger Ibarra, Public Utilities Supervisor, stated that the Council has granted the rate increase pending recommendations by the staff. He added that the City Council will only deal with the rate increase and that the City Water Board will evaluate the purchase of the water district.

Mayor Cockrell asked that Mr. Ibarra notify the City Water Board of Mr. Alexander's request.

\* \* \* \*

89-29 The Clerk read the following Letter:

June 28, 1989

Honorable Mayor and Members of the City Council of the City of San Antonio  
The following petitions were received in my office and forwarded to the City Manager for investigation and report to the City Council.

June 7, 1989

Petition submitted by Mrs. Lupe V. Gonzales, et al, 1706 Pinn Road, San Antonio, Texas 78227, requesting that a bookmobile make a stop near the Cable Elementary School campus.

\* \* \* \*

June 14, 1989

Petition submitted by Mr. Jeffrey Murrell, et al, 215 Larchmont, San Antonio, Texas 78209, taking exception to the claims expressed in the petition submitted by certain residents of Farmington Commons Condominiums.

\* \* \* \*

June 23, 1989

Petition submitted by Mr. H. J. Delaney, et al, 5019 Village Court, San Antonio, Texas 78218, requesting that Fratt Road be completely rebuilt by the City of San Antonio.

\* \* \* \*

/s/Norma S. Rodriguez  
City Clerk

July 6, 1989  
mlr

At 5:40 P.M. the regular session of the meeting was recessed to convene a "B" Session on Board Appointments.

There being no further business to come before the Council, the meeting was adjourned at 6:04 P.M.

A P P R O V E D

*Lila Cockell*

M A Y O R

ATTEST: *Anna S. Rodriguez*  
City Clerk

July 6, 1989  
mlr

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