

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, JANUARY 4, 1990.

* * * *

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

- - -
90-01 The invocation was given by Reverend James Pohlhammer, Grace Presbyterian Church.

- - -
90-01 The members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

- - -
90-01 MARTIN LUTHER KING, JR. CELEBRATION

Mayor Cockrell read the formal Proclamation designating the Martin Luther King, Jr. celebration in San Antonio, and asked Mr. Webb, Councilman from District 2, to join her in making the presentation.

Mayor Cockrell and Mr. Webb jointly presented the official Proclamation to Ms. Dorothy Pickett, chairperson of the Martin Luther King City/County Commission.

Ms. Pickett then spoke to the series of events to be held in conjunction with the celebration and thanked members of the City staff for their support to the Commission.

Mr. Webb thanked Ms. Pickett for her leadership in this effort, and urged the citizens of San Antonio to take part in the festivities.

- - -
90-01 The minutes of the City Council Meeting of December 7, 1989 were approved.

90-01

MAYOR PRO TEM

City Clerk Norma S. Rodriguez administered the Oath of Office to Mr. Labatt as the incoming Mayor Pro Tem, and congratulated him. Members of the City Council and the audience joined in applause and congratulations to Mr. Labatt.

90-01

KEEP AMERICA BEAUTIFUL, INC.

Mayor Cockrell noted that Keep America Beautiful, Inc. has awarded Keep San Antonio Beautiful the first place award for the best overall program for communities with populations in excess of one million persons. She then introduced Mr. Stan Weik, President of the Keep San Antonio Beautiful Committee, and Ms. Bonita Turner, Executive Director, Keep San Antonio Beautiful.

Mr. Stan Weik introduced other members of his organization's board and executive committee present in the audience, and noted that the organization is now 10 years old. He addressed the significance of San Antonio's latest first place award and thanked City staff, in particular the Solid Waste Division of the Environmental Management Department, who constitute the brush pickup forces of the City. He then addressed some of the details of cleanup efforts that helped win the first place award for San Antonio, and presented a special plaque to Mayor Cockrell, who received it on behalf of the citizens of San Antonio.

Mayor Cockrell lauded San Antonio's citizens for their cooperation in this effort.

Mr. Martinez spoke of the need for citizens to cooperate to keep San Antonio clean and beautiful, and congratulated Ms. Turner for her efforts.

Ms. Berriozabal contrasted the cleanliness of San Antonio with that of other cities.

Ms. Turner spoke of the need for more volunteers for her organization.

Mrs. Dutmer thanked Ms. Turner and City staff for its determination, and spoke of the dedication of the late Mr. O. P. Schnabel to cleanup efforts in San Antonio.

90-01

SOUTH SAN ANTONIO HIGH SCHOOL GOVERNMENT CLASS

Mayor Cockrell took notice of the presence in the audience today

of members of a government class from South San Antonio High School, accompanied by their instructor, Ms. Alaniz. She welcomed the group to City Hall.

90-01

WHEELCHAIR ART

Mayor Cockrell drew attention to the painting hanging on the wall of the Council chambers, which represents the award-winning efforts of Ms. Mary O'Brien, and she spoke of the Wheelchair Art Workshop held in San Antonio, which was recognized at the 11:00 A.M. ceremonial agenda reception.

(At this point, Mayor Cockrell was obliged to leave the meeting. Mr. Labatt presided.)

90-01

CONSENT AGENDA

Mrs. Dutmer made a motion to approve Agenda Items 1 - 33, constituting the Consent Agenda, with Items 11, 19, 21, 25, 27, 28, 30, 31 and 32 to be pulled for individual consideration and Agenda Item 29, pulled earlier from consideration by the City Manager. Mr. Martinez seconded the motion.

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

AN ORDINANCE 70,848

ACCEPTING THE PROPOSAL OF FACTS ON FILE, INC., FOR A SUBSCRIPTION RENEWAL TO FACTS ON FILE FOR THE CITY OF SAN ANTONIO PUBLIC LIBRARY FOR A TOTAL OF \$8,370.00.

* * * *

AN ORDINANCE 70,849

ACCEPTING THE PROPOSAL OF AMERICAN GENEALOGICAL LENDING LIBRARY TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH REFERENCE MICROFILM MATERIALS FOR A TOTAL OF \$12,495.00.

* * * *

AN ORDINANCE 70,850 .

ACCEPTING THE LOW BID OF SOUTHERN SAFETY SALES TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH AN EMS TRACHEAL INTUBATION INDICATING DEVICE FOR A TOTAL OF \$8,000.00.

* * * *

AN ORDINANCE 70,851 .

ACCEPTING THE LOW BID OF CASCO INDUSTRIES, INC., TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH FIRE POWER PARTS FOR A TOTAL OF \$10,510.80.

* * * *

AN ORDINANCE 70,852 .

ACCEPTING THE BID OF HARRIS/LANIER TO FURNISH THE CITY OF SAN ANTONIO BUILDING INSPECTIONS DEPARTMENT WITH A FOUR CHANNEL AUDIO RECORDER FOR A TOTAL OF \$4,395.00.

* * * *

AN ORDINANCE 70,853 .

ACCEPTING THE LOW BID OF EMSI, INC., TO FURNISH THE CITY OF SAN ANTONIO ENVIRONMENTAL MANAGEMENT DEPARTMENT WITH AN ISCO SAMPLER FOR A TOTAL OF \$5,555.75.

* * * *

AN ORDINANCE 70,854 .

ACCEPTING THE LOW BID OF MINE SAFETY APPLIANCE COMPANY TO FURNISH THE CITY OF SAN ANTONIO ENVIRONMENTAL MANAGEMENT DEPARTMENT WITH REPAIR PARTS FOR A MSA TRI-DETECTOR FOR A TOTAL OF \$5,024.10.

* * * *

AN ORDINANCE 70,855 .

ACCEPTING THE PROPOSAL OF WESTINGHOUSE ELECTRIC CORPORATION TO FURNISH THE CITY OF SAN ANTONIO ENVIRONMENTAL MANAGEMENT DEPARTMENT WITH A

MAINTENANCE AGREEMENT FOR A WESTINGHOUSE DISTRIBUTED CONTROL SYSTEM FOR A TOTAL OF \$22,080.00.

* * * *

AN ORDINANCE 70,856 .

ACCEPTING THE LOW BID OF GENERAL TIRE SERVICE TO FURNISH THE CITY OF SAN ANTONIO AVIATION DEPARTMENT WITH CRASH VEHICLE TIRES FOR A TOTAL OF \$4,153.38.

* * * *

AN ORDINANCE 70,857 .

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH RSA ASSOCIATED, INC., IN THE AMOUNT OF \$23,800.00 FOR ARCHITECTURAL SERVICES IN CONNECTION WITH PROJECT FREE INVOLVING THE RENOVATION OF THE BUILDING LOCATED AT 215 N. HACKBERRY FOR USE AS A MEAL PREPARATION AND ELDERLY NUTRITION SITE.

* * * *

AN ORDINANCE 70,858 .

AUTHORIZING AN ADDITIONAL \$55,870.18 PAYABLE TO LOCKWOOD, ANDREWS & NEWNAM, INC., FOR ENGINEERING FEES INVOLVING A DRAINAGE OUTFALL ON MYRTLE STREET IN CONNECTION WITH THE NORTH FLORES STREET PROJECT #35, PHASE I, 35Y.

* * * *

AN ORDINANCE 70,859 .

AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$89,058.00 TO PHOENIX PAVERS, INC., FOR WORK IN CONNECTION WITH THE S. SAN IGNACIO FROM EL PASO TO JEWETT PROJECT CONSISTING OF STREET RECONSTRUCTION WITH CURBS, SIDEWALKS, DRIVEWAYS AND NECESSARY DRAINAGE; AUTHORIZING AN ADDITIONAL \$8,905.80 FOR THE CONSTRUCTION CONTINGENCY AND \$2,859.70 FOR PROJECT OVERSIGHT COSTS; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 70,860 .

AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 2 IN

THE AMOUNT OF \$21,691.13 TO THE CONTRACT WITH LEM CONSTRUCTION COMPANY, INC., TO PROVIDE FOR AN UNDERSLAB DRAINAGE SYSTEM TO REMOVE FLOW PUMP STATION IN CONNECTION WITH THE DOS RIOS WASTEWATER TREATMENT PLANT FLOW EQUALIZATION - PHASE I PROJECT; REVISING THE PROJECT BUDGET; TRANSFERRING FUNDS; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 70,861 .

AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 4 IN THE AMOUNT OF \$18,351.19 TO THE CONTRACT WITH RDM CONSTRUCTION, INC., TO PERFORM VARIOUS IMPROVEMENTS TO THE LEON AND SALADO CREEK WASTEWATER TREATMENT PLANTS IMPROVEMENT GROUNDS UPGRADE PROJECT; REVISING THE PROJECT BUDGET; TRANSFERRING FUNDS; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 70,862 .

AUTHORIZING THE ACCEPTANCE OF \$56,615.00 IN FEDERALLY MATCHED FUNDS FROM THE FEDERAL EMERGENCY MANAGEMENT ASSISTANCE PROGRAM THROUGH THE DIVISION OF EMERGENCY MANAGEMENT OF THE TEXAS DEPARTMENT OF PUBLIC SAFETY TO REIMBURSE THE CITY'S EMERGENCY MANAGEMENT OFFICE OF THE FIRE DEPARTMENT.

* * * *

90-01 The Clerk read the following Ordinance:

AN ORDINANCE 70,863 .

ACCEPTING THE LOW QUALIFIED BID OF SOUTH DISTRIBUTORS, INC., TO FURNISH THE CITY OF SAN ANTONIO CITY MANAGER'S OFFICE WITH AN INFRARED SOUND SYSTEM FOR A TOTAL OF \$6,798.00.

* * * *

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

In response to a question by Mr. Labatt, Mr. Archie Titzman,

Director of Purchasing and General Services, noted that the city's Handicapped Access Office is the requested agency for this work, not the City Manager's Office. He explained the work will be done in the Council chambers to help the hearing-impaired to better hear City Council meetings in progress.

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

90-01 The Clerk read the following Ordinance:

AN ORDINANCE 70,864

AUTHORIZING THE EXPENDITURE OF \$10,000.00 FROM COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS TO PROVIDE SAFETY ENHANCEMENT FEATURES TO THE PEDESTRIAN BRIDGE ACROSS ALAZAN CREEK AT MENCHACA STREET INVOLVING THE INSTALLATION OF FENCING ALONG THE INSIDE RAILINGS ON EACH SIDE OF THE BRIDGE.

* * * *

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

In response to a question by Mrs. Dutmer, Mr. Joe Aceves, Director of Public Works, addressed concerns for clarification of CDBG funding, including the payment of legal fees and certain matters involving the San Antonio Development Agency board of directors and the City's CDBG staff.

Mr. Labatt asked that the City Manager develop a meeting between the City's CDBG staff and the SADA staff and board in order to solve some of the problem areas involved.

Mr. Andrew Cameron, Community Development Officer, noted that his staff has been awaiting a letter from the Department of Housing and Urban Development so that certain legal fees can be paid, and that the expected letter in fact now has arrived. He briefly addressed the matter of a lack of a contract with SADA.

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

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

90-01 The Clerk read the following Ordinance:

AN ORDINANCE 70,865

AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$81,878.00 TO CRUSADER LAWN MANAGEMENT FOR WORK AT THE CARVER CULTURAL CENTER GARDEN INVOLVING THE DEVELOPMENT OF A 10,000 SQUARE FOOT AREA TO INCLUDE VEGETABLE PLOTS, AN IRRIGATION SYSTEM, SIDEWALKS, SITE LIGHTING AND FURNITURE; AUTHORIZING AN ADDITIONAL \$8,187.80 FOR THE CONSTRUCTION CONTINGENCY; AND PROVIDING FOR PAYMENT.

* * * *

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

In response to a question by Mr. Webb, Mr. Kevin Moriarty, Director of Human Resources and Service, spoke to the numerous funding items within this ordinance, noting that this represents the beginning of the "Eastside Botanical Center" for the City, at the Carver Center, and addressed details of the major beautification project in the area.

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

90-01 The Clerk read the following Ordinance:

AN ORDINANCE 70,866

AUTHORIZING THE EXECUTION OF CHANGE ORDERS NO. 10 AND 11 IN THE AMOUNTS OF \$43,715.80 AND \$423,082.11 RESPECTIVELY; CITY WATER BOARD JOINT BID CHANGE ORDER NO. 2 IN THE AMOUNT OF \$1,672.02; AND ROGERS CABLE TV CHANGE ORDER NO. 4 IN THE AMOUNT OF \$10,260.00 TO THE CONSTRUCTION CONTRACT WITH CLEARWATER CONSTRUCTORS, INC., FOR VARIOUS IMPROVEMENTS TO THE DOWNTOWN TRIPARTY IMPROVEMENTS PROGRAM; ACCEPTING PAYMENT FROM CITY PUBLIC SERVICE IN THE AMOUNT OF \$6,547.68 FOR WORK PERFORMED UNDER

THE CLEARWATER CONTRACT; AND APPROPRIATING AND TRANSFERRING FUNDS.

* * * *

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

In response to a question by Mrs. Dutmer, Mr. Frank Perry, Assistant Director of Planning and the City's representative to the TriParty Downtown development, explained the change-orders involved and the reasons for so many of them at one time, caused by street reconstruction and the resultant problems uncovered, once work got underway on downtown streets.

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

- - -
90-01 The Clerk read the following Ordinance:

AN ORDINANCE 70,867

ACCEPTING A PROPOSAL FROM W. M. DORBANDT, INC., IN THE AMOUNT OF \$7,500.00 FOR ELECTRICAL ENGINEERING SERVICES INVOLVING THE DESIGN AND PREPARATION OF CONSTRUCTION PLANS AND SPECIFICATIONS TO DEVELOP RECREATIONAL LEVEL LIGHTING AT THE LANIER HIGH SCHOOL FOOTBALL FIELD AND TRACK; AUTHORIZING AN ADDITIONAL \$1,000.00 FOR THE ENGINEERING CONTINGENCY; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

* * * *

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

In response to a question by Mrs. Dutmer, Mr. Ron Darner, Director of Parks & Recreation, explained the responsibilities of each party in the lighting and maintenance at the Lanier High School track.

Mr. Martinez stated that this represents an innovative approach and cooperation between the City, the San Antonio Independent School District and the general public to maximize usage of a recreational facility. He spoke of the heavy public usage of the track after school hours, which will be enhanced and protected by the addition of the new

lighting on the track. He congratulated the City's CDBG, Parks & Recreation, and Legal Department staffs for their work in securing approval of the Department of Housing and Urban Development for such a project and spoke of the remaining problems with City Public Service power lines running overhead.

Mr. Andrew Cameron, Community Development Officer, noted that the City still is awaiting the official HUD letter of approval for this project.

In response to a question by Mrs. Dutmer, Mr. Cameron spoke to how the costs for use of the new lights will be paid.

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

- - -
90-01 The Clerk read the following Ordinance:

AN ORDINANCE 70,868 .

ACCEPTING THE HIGHEST AND BEST BIDS TALLING \$59,486.47 IN SALES PROCEEDS ON TWENTY-FIVE (25) PARCELS OF REAL ESTATE LOCATED IN THE KENWOOD NORTH PROJECT FOR WHICH THE CITY ADVERTISED FOR SALE; AUTHORIZING THE CITY MANAGER TO RELEASE PERFORMANCE BID GUARANTEES FROM UNSUCCESSFUL BIDDERS; AUTHORIZING THE CITY MANAGER OR ANY ASSISTANT CITY MANAGER TO EXECUTE QUITCLAIMS TO THE SUCCESSFUL BIDDERS; AUTHORIZING PAYMENT OF FEES IN THE AMOUNT OF \$200.00 FROM PROPERTY SALES PROCEEDS FOR SURVEYS AND OTHER COSTS; AND AUTHORIZING STAFF TO RE-ADVERTISE FOR SALE THOSE FOUR (4) SURPLUS PROPERTIES IN SAID PROJECT WHICH WERE NOT SOLD.

* * * *

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

In response to a question by Mr. Martinez, Mr. Bill Toudouze, Real Estate Division, Public Works Department, explained the competitive bidding process involved, and noted that each parcel of property was sold separately. He spoke to the successful bidders involved and explained that it is up to the new property owner to develop the properties as they wish, within regulations.

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

- - -
90-01 Agenda Item 29, being a proposed ordinance appropriating/authorizing procurement of easements, license agreements for sanitary sewer projects and expenditure of \$4,545.00, had been pulled earlier from consideration by the City Manager.

- - -
90-01 The Clerk read the following Ordinance:

AN ORDINANCE 70,869

AUTHORIZING THE EXPENDITURE OF \$8,050.00 OUT OF SEWER FUNDS FOR THE ACQUISITION OF EASEMENTS AND WARRANTY DEED ON CERTAIN LANDS; AND ACCEPTING THE DEDICATION OF EASEMENTS ON CERTAIN LANDS; ALL IN CONNECTION WITH WASTEWATER PROJECTS; AND APPROPRIATING FUNDS.

* * * *

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

In response to a question by Ms. Berriozabal, Mr. Frank Kiolbassa, Director of Environmental Management, explained that this represents additional work, including Ripley Street, and stated that he would meet with her later to go over the project on a map.

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

- - -
90-01 The Clerk read the following Ordinance:

AN ORDINANCE 70,870

ESTABLISHING THE AMOUNT OF TRUST FUNDS THAT MAY BE AVAILABLE FOR DISBURSEMENT BY THE CITY OF SAN ANTONIO HOUSING TRUST AS AWARDS OF TRUST ASSISTANCE

TO ELIGIBLE PROJECTS.

* * * *

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

In response to a question by Mr. Martinez, Mr. Robert Jodon, San Antonio Housing Trust, explained the ordinance and the process involved for housing trust funds. He then briefly spoke to details of the Request for Proposals process used in this case.

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

- - -
90-01 The Clerk read the following Ordinance:

AN ORDINANCE 70,871

AUTHORIZING APPLICATION TO THE TEXAS COMMISSION ON THE ARTS FOR GRANTS TOTALLING \$45,000.00 TO ASSIST THREE SEPARATE ARTS AND CULTURAL PROGRAMS.

* * * *

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

In response to a question by Mrs. Dutmer, Mr. Eduardo Diaz, Director of Arts and Cultural Affairs, explained the matching funds required and the 'hard dollars' required.

Mrs. Dutmer stated her opinion that this matter should be postponed, calling it an example of what the current property tax rollback proponents are concerned with.

Mr. Diaz noted that no City tax funds are being spent on this.

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

90-01 Agenda Item 34, being a proposed ordinance related to bank bids, was pulled earlier from consideration by the City Manager.

90-01 The Clerk read the following Ordinance:

AN ORDINANCE 70,872

CREATING A SMALL BUSINESS INITIATIVE ACTIVITY ACCOUNT TO SUPPORT AND PROVIDE A FUNDING SOURCE FOR SPECIAL ECONOMIC DEVELOPMENT PROJECTS AND OTHER ACTIVITIES RELATED TO SMALL AND MINORITY BUSINESS DEVELOPMENT; AND TRANSFERRING \$339,000.00 FROM THE ROGERS CATV SALE INTO SAID ACCOUNT.

* * * *

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

Mrs. Dutmer voiced her concern for spending cable television monies for yet another study.

Mr. Louis J. Fox, City Manager, noted that the City needs benchmarks on which to base its small/minority business enterprise efforts, and this study will develop some answers about matching supply and demand for local SMBE efforts. He noted that, at any rate, this would not be enough money to fund the full one-stop license/permit facility for the City.

Mr. Stuart Summers, Director of the Department of Economic and Employment Development, explained how the funds will be used, and noted that it merely reserves some budgetary funds for SMBE initiatives, when needed.

Mr. Thompson spoke of the need to enhance SMBE efforts, but that data needs to be developed first by this study in order for the City to see where best to direct its efforts in this regard.

(At this point, Mayor Cockrell announced that Agenda Item 39, for which some citizens had registered to speak, has been pulled from the agenda by the City Manager and will not be considered today.)

Mr. Daniel Gomez, 722 Cantrell, distributed and read from a prepared statement (a copy of which is made a part of the papers of this meeting). He spoke of having a petition signed by some 20 neighbors, asking the City Council to keep this alley open. He noted that many people use the alley and do not want it closed.

Mr. Clemente Gallegos, 726 Aaron, stated that he wants the alley closed, and presented copies of police reports of area crime to support his request for closure of the alley for safety reasons.

Ms. Yvonne Wood, 718 Aaron, noted that the alley is impassable to vehicular traffic in many areas and, if the Council wished to close part of the alley, they should close it all.

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

The Clerk then read the following Ordinance:

AN ORDINANCE 70,873

ABANDONING AND CLOSING A PORTION OF AN UNIMPROVED ALLEY BETWEEN AARON AND CANTRELL STREETS AND SPECIFICALLY, BETWEEN LOTS 1 THROUGH 5, AND LOT 24, BLOCK 112, NEW CITY BLOCK 9382, SAN ANTONIO, BEXAR COUNTY, TEXAS; AND AUTHORIZING THE CITY MANAGER OR ANY ASSISTANT CITY MANAGER TO EXECUTE QUITCLAIMS TO RODOLFO SANCHEZ AND CLEMENTE G. GALLEGOS FOR A MINIMUM CONSIDERATION OF ONE DOLLAR.

* * * *

Mr. Wing spoke to the history of this particular alley and stated his belief that it is fair to close that portion of the alley abutting those property owners who agree to its closure. He further stated his opinion that this portion of the alley was not designed for vehicular traffic and should be closed.

Mr. Wing made a motion to approve the closure of the alley. Mr. Webb seconded the motion.

Mrs. Dutmer spoke to a similar case in District 3.

Mr. Joe Aceves, Director of Public Works, discussed City policy in each of the cited cases.

Mayor Cockrell asked City staff to review Mrs. Dutmer's complaint and to report back to the full City Council on the results.

Ms. Berriozabal stated her opinion that a public safety factor is involved in such closures and spoke in favor of it. She also spoke in support of a consistent City policy on such closures and cited certain cases where the staff required total approval of all abutting property owners first, before it would agree to the closure. She spoke of the need to be consistent in the City's policy.

Mr. Aceves stated that he would review City policies with the Legal Department and report back to the City Council.

Mr. Webb spoke of his concern for the removal of agenda item number 4 from Council consideration by the City Manager, which he feels also involves a closure for public safety.

A discussion then took place concerning definitions of "alley" versus "unimproved easement".

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

- - -
90-01 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE: ESTABLISHING A
G.A. REAL ESTATE REINVESTMENT ZONE

Mr. Stuart Summers, Director of the Department of Economic and Employment Development, noted that this request is in consonance with City Council's tax abatement policies, but represents the first time that such policies have been utilized by a local business firm wishing to stay in San Antonio in lieu of moving to another location outside San Antonio to obtain lower property taxes. He addressed the long-term advantages to the City of San Antonio by abating taxes to this firm, and noted that this is a 75 per cent tax abatement, with a length of some 10 years.

Mayor Cockrell then declared the Public Hearing to be open.

Mr. Robert Grimm, president, Solo Serve and G. A. Real Estate Company, explained the firm's expansion plans and its request for tax abatement on these expanded facilities.

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

The Clerk then read the proposed Ordinance:

AN ORDINANCE 70,874

DESIGNATING THE G. A. REAL ESTATE COMPANY OF TEXAS,

INC. REINVESTMENT ZONE ON 17.529 ACRES OF LAND IN THE CORNERSTONE BUSINESS & INDUSTRIAL PARK, SAID TRACT BEING LEGALLY DESCRIBED AS 17.529 ACRES OF LAND BEING OUT OF A 183.772 ACRE TRACT AS RECORDED IN VOLUME 3317, PAGE 1289 OF THE DEED RECORDS OF BEXAR COUNTY, TEXAS OUT OF THE JULIAN DIAZ SURVEY NO. 133-1/2, ABSTRACT NO. 190, COUNTY BLOCK 5097, NCB 10597, SAN ANTONIO, BEXAR COUNTY, TEXAS.

* * * *

In response to a question by Mr. Martinez, Ms. Debra Lauer, Department of Economic and Employment Development, noted that the 75 per cent tax abatement applies to the \$4 million improvements only; the land still is being taxed by the City.

Mr. Webb spoke in favor of more economic development for District 2, and in support of this Ordinance.

In response to a question by Ms. Berriozabal, Mr. Summers addressed the urgency of the matter, noting that the firm has agreed to add 25-50 new employees under terms of the agreement. He briefly discussed the property taxes involved.

Ms. Berriozabal voiced her concern that there is no relief being made available on taxes to other local downtown businesses which have been adversely affected by the TriParty construction program and other factors. She stated that she cannot support this, in view of her questions and concerns about City policy.

In response to a question by Mayor Cockrell, Mr. Summers explained the provisions of the tax abatement law, noting that the City cannot by law abate any taxes on property already on the tax rolls, and the companies concerned must expand in order to receive the tax abatement, not simply move from one place to another.

Mr. Thompson spoke to his concern for abating taxes in times of fiscal constraint on other taxes, but noted that this does not necessarily apply in this case. He noted that, if the City did not offer tax abatement incentives to Solo Serve in this case, the firm could move to another location outside of San Antonio. He stated that other cities can easily use this attractive tool of economic development, if the City of San Antonio does not, and spoke in support of the Ordinance.

Mr. Labatt stated his opinion that the City is fortunate in having this firm in the position of being able to expand, considering the present economy. He suggested, however, that it might be to the best interests and advantage of the Council, and to the public's benefit, to re-publicize the tax abatement document. He also spoke about the

guidelines which must be followed to achieve the tax abatement in this case.

Mr. Summers stated that the staff will send the document to the Council with proposed amendments necessitated by state law.

Mr. Wing spoke to the myriad programs which the City must address and fit into certain situations. He stated his belief that the City will definitely be better off by approving this type of action.

Mr. Webb stated that the City is fortunate to have this firm in San Antonio, and spoke in support of the Ordinance.

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

- - -
90-01 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE: "G. A" REAL ESTATE" TAX ABATEMENT AGREEMENT

Mayor Cockrell declared the Public Hearing to be open.

No citizens appeared to speak on this matter.

Mayor Cockrell declared the Public Hearing to be closed.

The Clerk read the following Ordinance:

AN ORDINANCE 70,875 .

.
APPROVING A TAX ABATEMENT AGREEMENT AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT WITH G. A. REAL ESTATE COMPANY OF TEXAS, INC. WHICH WILL EXEMPT 75% OF THE AD VALOREM TAXES ON A PROJECTED \$4 MILLION REAL ESTATE PROPERTY IMPROVEMENT.

* * * *

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, Martinez, Thompson, Labatt, Cockrell; NAYS: Berriozabal; ABSENT:

Vera, Wolff, Hasslocher.

90-01 Agenda Item 36, being a proposed ordinance authorizing a contribution in the amount of \$204,200.00 from the City's Special Revenue Fund to the San Antonio Local Development Company (SALDC) to enable the SALDC to repay itself for two loans found to be outside the National Business Revitalization Designated area, was taken up for consideration at this time.

Mr. Stuart Summers, Director of the Department for Economic and Employment Development, explained the need to postpone consideration of this agenda item at this time.

Mrs. Dutmer made a motion to postpone consideration of this proposed ordinance. Mr. Webb seconded the motion.

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

90-01 The Clerk read the following Ordinance:

AN ORDINANCE 70,876

AUTHORIZING THE ALLOCATION OF \$10,000.00 FROM THE ELMENDORF DRAINAGE BOND FUND TO DISTRICT 7 DISCRETIONARY AND IMPROVEMENTS FUND FOR REIMBURSEMENT OF THE PAST PAYMENT OF CONSULTANT SERVICES TO FRANK REED FOR THE PREPARATION OF A PUBLIC WORKS GRANT PRE-APPLICATION AUTHORIZED IN ORDINANCE NO. 70717 AND THE ALLOCATION OF \$10,000 FROM THE ELMENDORF DRAINAGE BOND FUND TO PAY FRANK REED FOR CONSULTANT SERVICES FOR THE PREPARATION OF THE FORMAL PUBLIC WORKS GRANT APPLICATION TO THE U. S. DEPARTMENT OF COMMERCE, ECONOMIC DEVELOPMENT ADMINISTRATION FOR PUBLIC INFRASTRUCTURE IMPROVEMENTS.

* * * *

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

In response to a question by Mr. Labatt, Mr. Joe Aceves, Director of Public Works, spoke to other instances where money is paid to a consultant to prepare a request for grant funds.

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

90-01 The Clerk read the following Ordinance:

AN ORDINANCE 70,877

AUTHORIZING THE USE OF THE WATER GARDENS AT HEMISFAIR PARK BY THE SAN ANTONIO FESTIVAL ON FRIDAY, JUNE 1, 1990, FOR THEIR OPENING PERFORMANCE OF HANDEL'S "MUSICK FOR THE ROYAL FIREWORKS" TO BE PERFORMED BY NEW YORK'S EARLY MUSIC ENSEMBLE.

* * * *

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

90-01 Agenda Item 39, being a proposed ordinance authorizing the filing of suit for injunctive relief against the owners of certain property containing 3.5 acres, more or less, situated in the northern portion of County Block 4811, Abstract 168, in the southwest Bexar County and determine the necessity for and authorizing the acquisition of such property by purchase or condemnation for construction of the Applewhite Water Supply Project, was pulled earlier from consideration by the City Manager.

90-01 The Clerk read the following Ordinance:

AN ORDINANCE 70,878

APPOINTING A. M. WHORDEN TO SERVE ON THE AIRPORT ADVISORY COMMITTEE FOR A TERM TO EXPIRE ON DECEMBER 15, 1990.

* * * *

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

ZONING HEARINGS

41. CASE Z89196 - to rezone Lots 5 and 6, Block 19, NCB 8700, from "F" Local Retail District to "B-3" Business District; the east 38.45 feet of Lot 19, Block 19, NCB 8700, from "B" Residence District to "B-3NA" Non-Alcoholic Sales Business District; and the west 38.45 feet of Lot 19, BLOCK 19, NCB 8700, from "B" Residence District to "R-2" Two-Family Residence District, located northwest of the intersection of Nogalitos Street and Ames Avenue, having 129.4 feet on Nogalitos Street and 206.2 feet on Ames Avenue.

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

In response to a question by Mr. Martinez, Mr. Andy Guerrero, Planner III, spoke to the current property usage for auto sales and of the operator's plans to expand onto an adjacent lot. He noted that the operator cannot repair vehicles there unless it is inside of a building.

Mr. Martinez spoke in favor of granting B-3NA zoning on all except the R-2 property, in order to keep an existing lounge from expanding its operations.

Mr. Martinez then made a motion to approve R-2 zoning on the west portion of Lot 19; B-3NA on the eastern portion of Lot 19 and Lot 6; and B-3R on Lot 5. 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, Martinez, Labatt, Cockrell; NAYS: None; ABSENT: Berriozabal, Thompson, Vera, Wolff, Hasslocher.

AN ORDINANCE 70,879

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 5, BLOCK 19, NCB 8700 FROM "F" LOCAL RETAIL DISTRICT TO "B-3R" RESTRICTIVE

BUSINESS DISTRICT; LOT 6 AND THE EAST 38.45 FEET OF LOT 19, BLOCK 19, NCB 8700, FROM "F" LOCAL RETAIL DISTRICT AND "B" RESIDENCE DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT AND THE WEST 38.45 FEET OF LOT 19, BLOCK 19, NCB 8700, FROM "B" RESIDENCE DISTRICT TO "R-2" TWO-FAMILY RESIDENCE DISTRICT, 3727 NOGALITOS STREET. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

* * * *

90-01

STATE TREASURER ANN RICHARDS

Mayor Cockrell welcomed State Treasurer Ann Richards to City Hall.

Ms. Richards thanked the Mayor and Council for the welcome, and spoke of her appreciation for the hard work performed by City Councils. She urged Council members to remind their state legislators that they should provide funding for the legislation they introduce, rather than passing the costs onto the local governments.

Mayor Cockrell presented Ms. Richards with a special San Antonio scarf.

ZONING HEARING (CONTINUED)

42. CASE Z89199 - to rezone Lot 4, Block 1, NCB 18285, from Temporary "R-1" One Family Residence District to "B-2" Business District, located northwest of the intersection of Stedwick Road and Potranco Road (F.M. 1957) having 168.08 feet on Stedwick Road and 147.79 feet on Potranco Road (F.M. 1957).

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

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

AN ORDINANCE 70,880

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 4, BLOCK 1, NCB 18285 FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT, 1902 STEDWICK ROAD. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

* * * *

90-01 The Clerk read the following Ordinance:

AN ORDINANCE 70,881

APPROPRIATING FUNDS IN THE AMOUNT OF \$15,000.00 TO THE MARTIN LUTHER KING CELEBRATION TRUST FUND FOR THE MARTIN LUTHER KING CELEBRATION IN SAN ANTONIO FROM JANUARY 6, 1990 THROUGH JANUARY 16, 1990; AUTHORIZING EXPENDITURES OF \$15,000.00 AND, ADDITIONALLY, \$40,012.74 REMAINING FROM THE 1989 CELEBRATION.

* * * *

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

90-01 The Clerk read the following Resolution:

A RESOLUTION NO. 90-01-01

BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS, ASSIGNING ITS AUTHORITY TO ISSUE SINGLE FAMILY HOUSING BONDS TO BEXAR COUNTY, TEXAS; RESOLVING OTHER MATTERS IN CONNECTION THEREWITH; AND DECLARING AN EMERGENCY.

* * * *

Mr. Martinez made a motion to approve the proposed Resolution. Mr. Webb seconded the motion.

In response to a question by Mrs. Dutmer, City Attorney Lloyd Garza stated that the City is not abrogating its responsibility by the actions of this Resolution. He spoke in favor of having a single governmental entity doing this.

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

- - -

90-01

CITY MANAGER SEARCH REPORT

Mr. Bob Murray, Ralph Andersen & Associates, stated that his firm's representatives already have met with some members of City Council concerning what they desire to look for in a new City Manager, and that other members of the Council would be contacted by telephone in the next few days. He discussed the qualifications sought from City Manager candidates, and noted that all Council members who have been contacted thus far have mentioned the need for someone who can cope with the financial and budgetary constraints facing San Antonio, and spoke of how candidates should be skilled at addressing this area of concern. He then discussed other desirable characteristics including those that San Antonio will require of its City Manager in the future. He stated his opinion the City Manager must be sensitive and experienced in a multi-cultural city administration, and he feels that the Council wants a "results-oriented" City Manager. Mr. Murray stated that, overall, the most importance was placed on someone with experience in a large, complex organization with multi-faceted problems. He stated that his firm will make a nationwide search for candidates with the primary focus first in Texas and the western portion of the nation. He projected the cutoff date for resumes would be March 6, 1990 and his firm's report back to City Council with recommendations on candidates will be made in Executive Session March 29, 1990. He stated that the top candidates will be brought into San Antonio for interview, with selection targeted for mid- to late-April, with an eye toward having a new City Manager on Board during May, to provide some period of overlap with the outgoing City Manager, who leaves June 1, 1990. He stated that current San Antonio City employees who apply will receive full attention as candidates.

Various members of the City Council spoke to their meetings held with representatives of the search firm concerning their desires for a new City Manager.



Mayor Cockrell spoke of the common threads that already have surfaced during the firm's talks with individual Council members, indicating a unity of purpose.

90-01

CITIZENS TO BE HEARD

REVEREND R. A. CALLIES

Reverend R. A. Callies presented a written statement to the Council, a copy of which is on file with the papers of this meeting. Reverend Callies' statement outlines some basic needs which he feels need to be addressed by the City Council.

Mayor Cockrell stated that the presentation is very detailed and will be given due consideration.

Mrs. Dutmer expressed concern about the condition of Goodell Street and suggested methods in which this problem could be remedied.

Mayor Cockrell asked the City Manager to refer Reverend Callies to a staff member on these requests.

Mr. Fox suggested that Reverend Callies meet with Mr. Joe Aceves, Director of Public Works, and also Mr. Drew Cameron, Community Development Officer.

In response to Mr. Webb, Reverend Callies stated that he did mean to petition the City Council to widen Martin Luther King Drive 150 feet on each side.

Mr. Webb stated that the cost to accomplish this would amount to millions of dollars.

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

* * * *

PHILIP M. ROSS

Mr. Philip M. Ross, Rt. 5, Box 419, San Antonio, Texas, representing himself as Urban Wilderness, S.A., spoke regarding an ordinance approved by the City (Ordinance 70847). He spoke to Item 39 on the agenda which was pulled from today's Council consideration. He expressed concern about the legal implications which authorized the condemnation of his property. He then asked the City Council not to approve ordinances such as the one posted as Agenda Item Number 39. He then spoke about his counter claims against the City. He urged City

Council to seek legal advice on this matter and spoke to violations of his rights and the rights of his clients. He urged the Council to reconsider their position on the Applewhite Project and to seek other alternatives.

Mr. Ross presented the Council with comments he had made to the Technical Advisory Panel on January 4, 1990 (a copy of his comments are on file with the papers of this meeting).

* * * *

GERALD KEITH EPPS

Mr. Gerald Keith Epps, 3607 Willowood, new President of the United Home Owners Improvement Association, spoke to the Council regarding the City's policy on stray cats. He stated that stray dogs are handled at no cost to the citizens, contrary to the policy on cats. He is of the opinion that there should not be a fee associated with picking up stray cats.

Mr. Epps also spoke about the noise problem in his neighborhood and the concerns which the neighbors have in this regard.

Mr. Webb stated that he has a good relationship with Mr. Epps' organization for many years and thanked Mr. Epps for bringing these concerns to the Council's attention. He agreed that the policy on stray cats should be exactly like the policy on dogs.

A discussion then took place regarding the noise problem on the construction site and the decibel readings.

Mr. Labatt explained that the noise ordinance is new and response so far has been very positive.

Mr. Labatt asked that the staff review the issue on the stray animals and report back to Council.

* * * *

PAUL A. WALKER

Mr. Paul A. Walker spoke to the Council regarding his preaching on the streets here in San Antonio. He stated that he was harrassed by police officers in different cities. However, he stated that he intends to keep on preaching against abortion.

* * * *

-

-

-



90-01 The Clerk read the following Letter:

December 19, 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.

December 7, 1989

Petition submitted by Dr. David R. Willhoite, P. A. and Dr. Rex E. Wilcox, Northeast Medical Plaza, requesting the removal of the "NO PARKING" signs recently erected on Village Drive, adjacent to Northeast Baptist Hospital.

* * * *

December 11, 1989

Petition submitted by Ms. Mary Anderson, President of Woodstone Townhouse Homeowners Association, on behalf of the residents, requesting that the City Council provide increased police protection in their area.

* * * *

/s/Norma S. Rodriguez
City Clerk

There being no further business to come before the City Council,
the meeting was adjourned at 5:25 P.M.

A P P R O V E D

Lila Cockrell

M A Y O R

ATTEST:

Armando J. Rodriguez

C i t y C l e r k

