

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO, HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, FEBRUARY 16, 1989.

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The meeting was called to order by the presiding officer, Mayor Pro Tem Weir Labatt, in the absence of the Mayor, with the following members present: BERRIOZABAL, WEBB, DUTMER, WING, MARTINEZ, THOMPSON, VERA, WOLFF, LABATT, HASSLOCHER. Absent: CISNEROS.

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89-07 The invocation was given by Rev. Larry Howard, Northern Hills United Methodist.

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89-07 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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89-07 JOSE ANTONIO NAVARRO

Mayor Pro Tem Labatt spoke to the proclamation of February 22, 1989 as "Jose Antonio Navarro Day" in San Antonio, and noted that Ms. Liz Davies and Ms. Jane Foster of the San Antonio Conservation Society are present in the audience to receive the proclamation. He then read the proclamation and presented it to Ms. Davies.

Ms. Liz Davies, President, San Antonio Conservation Society, invited City Council members to the birthday celebrations event and thanked the Council for the proclamation.

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89-07 THE FUTURE IS OUR BUSINESS WEEK

Mayor Pro Tem Labatt spoke to the proclamation of the week of February 20 - 25, 1989 as "The Future is Our Business Week" in San Antonio, and introduced Sister Elizabeth Ann Sueltenfuss, President of Our Lady of the Lake University, and other university representatives, present in the audience to receive the official proclamation.

A representative of the university's School of Business and Public Affairs briefly spoke to the planned events of the week and of the school's 'Decision Theater' on campus.

Mayor Pro Tem Labatt then read the proclamation and presented it to members of the delegation.

Several City Council members spoke of the university's involvement in the community as an educational tool of San Antonio.

Sister Sueltenfuss then spoke of the progress being made on the university's new Wellness Center on campus, and briefly spoke of its capabilities.

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89-07                      EDGEWOOD HIGH SCHOOL LITERACY PROGRAM STUDENTS

Mayor Pro Tem Labatt introduced a group of students from Edgewood High School, present in the audience, and their instructor. He welcomed the group as well as Ms. Linda Billa-Burke, representing the Literacy Program.

Ms. Linda Billa-Burke thanked the Mayor Pro Tem and Council members for the recognition.

Ms. Vera spoke of Edgewood Independent School District's inroads into literacy programs.

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89-07                      TEXAS HOMECOMING CELEBRATION

Mayor Pro Tem Labatt spoke to the upcoming Texas Homecoming Celebration in Austin and introduced Mr. Hugh Hornsby, Event Manager for the event, present in the audience.

Mr. Hugh Hornsby briefly explained the plans and purposes of the Texas Homecoming Association and of the Austin events planned. He invited members of the Council to take part, speaking on behalf of Austin Mayor Cooke, and introduced several other event officials also present in the audience. He then displayed a special crest designed for the event, which he hopes will develop into an annual event in Texas. He then asked the City Council to declare the City of San Antonio to be one of the sponsors of this event and delivered a letter from Austin Mayor Cooke to San Antonio Mayor Henry Cisneros.

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89-07                      MAYOR PRO TEM WEBB

City Clerk Norma S. Rodriguez administered the Oath of Office to incoming Mayor Pro Tem Webb, who then introduced his wife and other

friends, present in the audience today.

Mayor Pro Tem Webb then official presided over the Council meeting, accepting the gavel from outgoing Mayor Pro Tem Labatt.

Mrs. Dutmer thanked Mr. Labatt for his great service as Mayor Pro Tem.

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89-07 The minutes of the City Council meeting of January 26, 1989 were approved.

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89-07      CONSENT AGENDA

Mr. Hasslocher made a motion to approve Agenda Items 6 - 55 constituting the Consent Agenda with Items 14, 20, 25, 26, 41, 42, 43, 44, and 53 to be pulled for individual consideration. Mrs. Dutmer seconded the motion.

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

AN ORDINANCE 68,804

.  
ACCEPTING THE PROPOSAL OF MANUFACTURER'S NEWS, INC. TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH BUSINESS AND SCIENCE BOOKS FOR A TOTAL OF \$5,297.20.

\* \* \* \*

AN ORDINANCE 68,805

.  
ACCEPTING THE PROPOSAL OF BUSINESS AND LEGAL REPORT TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH BUSINESS AND LEGAL REPORTS FOR A TOTAL OF \$4,608.03.

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AN ORDINANCE 68,806

.  
ACCEPTING THE PROPOSAL OF FACET'S MULTIMEDIA, INC. TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY

WITH MUSIC, ART, AND LANGUAGE VIDEO CASSETTES FOR A  
TOTAL OF \$3,369.19.

\* \* \* \*

AN ORDINANCE 68,807 .

ACCEPTING THE PROPOSAL OF HOTHO AND CO. TO FURNISH  
THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH SPORTS,  
INSTRUCTIONAL, AND ART BOOKS FOR A TOTAL OF  
\$7,936.69.

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AN ORDINANCE 68,808 .

ACCEPTING THE PROPOSAL OF R.R. BOWKER TO FURNISH THE  
CITY OF SAN ANTONIO PUBLIC LIBRARY WITH A SUBJECT  
GUIDE TO BOOKS IN PRINT FOR A TOTAL OF \$11,169.70.

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AN ORDINANCE 68,809 .

ACCEPTING THE PROPOSAL OF FIESTA PUBLISHING  
CORPORATION TO FURNISH THE CITY OF SAN ANTONIO  
PUBLIC LIBRARY WITH SPANISH BOOKS FOR A TOTAL OF  
\$3,530.79.

\* \* \* \*

AN ORDINANCE 68,810 .

ACCEPTING THE PROPOSAL OF FACTS ON FILE, INC. TO  
FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH  
FACTS ON FILE REFERENCE MATERIAL FOR A TOTAL OF  
\$7,565.

\* \* \* \*

AN ORDINANCE 68,811 .

ACCEPTING THE PROPOSAL OF CAMBRIDGE THE ADULT  
EDUCATION COMPANY TO FURNISH THE CITY OF SAN ANTONIO  
PUBLIC LIBRARY WITH ADULT EDUCATION BOOKS FOR A  
TOTAL OF \$3,346.21.

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AN ORDINANCE 68,812

ACCEPTING THE LOW QUALIFIED BIDS OF TIDE PRODUCTS, INC. AND ESTES CHEMICALS, INC. TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH HERBICIDES FOR A TOTAL OF \$89,968.50.

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AN ORDINANCE 68,813

ACCEPTING THE LOW BID OF ALLIED ADVERTISING AGENCY, INC. TO FURNISH THE CITY OF SAN ANTONIO ENVIRONMENTAL MANAGEMENT DEPARTMENT WITH REFLECTIVE DECALS FOR A TOTAL OF \$6,144.

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AN ORDINANCE 68,814

ACCEPTING THE LOW BID OF COPIER DESIGN, INC. TO FURNISH THE CITY OF SAN ANTONIO ENVIRONMENTAL MANAGEMENT DEPARTMENT WITH RENTAL OF COPIERS FOR AN ESTIMATED TOTAL OF \$676 MONTHLY.

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AN ORDINANCE 68,815

ACCEPTING THE LOW QUALIFIED BID OF AUDIO INTELLIGENCE DEVICES TO FURNISH THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH SURVEILLANCE TRANSMITTERS FOR A TOTAL OF \$5,170.

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AN ORDINANCE 68,816

CANCELLING THE CONTRACT OF ORTIZ CONSTRUCTION & DESIGN FOR STEEL PIPE POSTS AND AWARING IT TO DE LA GARZA FENCE & SUPPLY IN THE AMOUNT OF \$4,164.60.

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AN ORDINANCE 68,817

AUTHORIZING FIELD ALTERATION NO. 6 IN THE AMOUNT OF \$35,175.60 PAYABLE TO JOHN YANTIS COMPANY, IN

CONNECTION WITH W. COMMERCE STREET DRAINAGE PROJECT  
NO. 58E.

\* \* \* \*

AN ORDINANCE 68,818

AUTHORIZING FIELD ALTERATION NO. 2 IN THE AMOUNT OF  
\$5,680.24 PAYABLE TO WAGNER CONSTRUCTION COMPANY,  
INC., IN CONNECTION WITH THE ROLAND STREET BRIDGE AT  
MKT RAILROAD PROJECT.

\* \* \* \*

AN ORDINANCE 68,819

AUTHORIZING FIELD ALTERATION NO. 12 IN THE AMOUNT OF  
\$37,453.50 PAYABLE TO MEADER CONSTRUCTION CO., INC.,  
IN CONNECTION WITH THE N. PINE FROM HOUSTON TO  
SOUTHERN PACIFIC RAILROAD PROJECT.

\* \* \* \*

AN ORDINANCE 68,820

AWARDING A \$23,383.00 CONSTRUCTION CONTRACT FOR THE  
DEMOLITION OF UNSAFE STRUCTURE PACKAGE 3 TO  
LITTLE-TEX INSULATION CO., INC., AND AUTHORIZING  
\$2,338.30 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY  
EXPENSES.

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AN ORDINANCE 68,821

ACCEPTING THE LOW QUALIFIED BID AND AWARDING A  
CONTRACT TO UNIVERSAL CITY CONSTRUCTION COMPANY,  
INC., IN THE AMOUNT OF \$25,000.00 FOR RESTORATION OF  
THE MOCKERT HOUSE; ESTABLISHING A \$6,250.00  
CONSTRUCTION CONTINGENCY, APPROPRIATING FUNDS,  
AUTHORIZING PAYMENTS TO THE CONTRACTOR FOR  
CONSTRUCTION AND CONTINGENCIES, AND TRANSFERRING  
FUNDS.

\* \* \* \*

AN ORDINANCE 68,822

ACCEPTING THE LOW QUALIFIED BID AND AWARDING A  
CONTRACT TO H. KARP COMPANY IN THE AMOUNT OF

\$48,884.00 TO PAINT SIX SWIMMING POOLS; ESTABLISHING A \$3,000.00 CONSTRUCTION CONTINGENCY AND AUTHORIZING PAYMENTS TO THE CONTRACTOR FOR CONSTRUCTION AND CONTINGENCIES.

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AN ORDINANCE 68,823

AWARDING A CONSTRUCTION CONTRACT TO RDM CONSTRUCTION, INC. FOR LEON CREEK AND SALADO CREEK WASTEWATER TREATMENT PLANT IMPROVEMENT GROUNDS UPGRADE PROJECT, IN THE AMOUNT OF \$1,930,532.08 WITH AN ADDITIONAL \$193,053.00 FOR A CONSTRUCTION CONTINGENCY; AUTHORIZING AN AGREEMENT FOR CONSTRUCTION AND POST CONSTRUCTION PHASE PROFESSIONAL ENGINEERING SERVICES WITH THE FIRM OF PAPE-DAWSON CONSULTING ENGINEERS, INC., AND VICKREY & ASSOCIATES, INC., IN THE AMOUNT OF \$174,000.00 FOR A PROFESSIONAL SERVICES CONTINGENCY.

\* \* \* \*

AN ORDINANCE 68,824

AUTHORIZING AN ADDITIONAL \$22,300.00 FOR ENGINEERING FEES PAYABLE TO AMNER INC. IN CONNECTION WITH THE BELMEADE SEWER REHABILITATION PROJECT.

\* \* \* \*

AN ORDINANCE 68,825

AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT CHANGE ORDER NO. 9 IN THE AMOUNT OF \$85,635.38, PAYABLE TO FRU-CON CONSTRUCTION CORPORATION FOR THE DOS RIOS WASTEWATER FACILITY, CONTRACT NO. 4A.

\* \* \* \*

AN ORDINANCE 68,826

AWARDING A CONTRACT TO RALPH ALCOSER TRUCKING SR. COMPANY TO HAUL SOIL COVER MATERIAL FOR A TOTAL COST OF \$19,000 TO MITCHELL LAKE BURN SITE, 12950 PLEASANTON ROAD.

\* \* \* \*

AN ORDINANCE 68,827

AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER NO. 2 IN THE AMOUNT OF \$41,396.65 TO THE CONTRACT WITH CASH CONSTRUCTION COMPANY OF TEXAS, INC., TO PERFORM THE SAN ANTONIO WASTEWATER FACILITIES IMPROVEMENTS PROGRAM-CATEGORY IV, PACKAGE E-2 PROJECT.

\* \* \* \*

AN ORDINANCE 68,828

APPROPRIATING ADDITIONAL FUNDS AND AUTHORIZING THE CITY MANAGER TO EXECUTE FIELD ALTERATION NO. 2 IN THE AMOUNT OF \$8,571.36 PAYABLE TO SACC, INC., FOR THE CORAL REEF OUTFALL PROJECT.

\* \* \* \*

AN ORDINANCE 68,829

APPROPRIATING ADDITIONAL ENGINEERING FUNDS IN THE AMOUNT OF \$10,000.00 AND AUTHORIZING SAID FUNDS PAYABLE TO PI ENGINEERING, INC., RELATING TO THE GUADALUPE/CASTROVILLE ROAD RECONSTRUCTION PROJECT.

\* \* \* \*

AN ORDINANCE 68,830

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$143,363.00 OUT OF VARIOUS FUNDS FOR THE PURPOSE OF ACQUIRING TITLE AND/OR EASEMENTS TO CERTAIN LANDS; ACCEPTING THE DEDICATION OF EASEMENTS TO CERTAIN LANDS; ALL IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS.

\* \* \* \*

AN ORDINANCE 68,831

DECLARING CERTAIN REAL PROPERTY OWNED BY THE CITY OF SAN ANTONIO SURPLUS AND AUTHORIZING CITY STAFF TO ADVERTISE FOR BIDS TO SELL SAID REAL ESTATE WITH A MINIMUM BID OF \$104,950.00.

\* \* \* \*

A RESOLUTION NO. 89-07-10

REQUESTING THE STATE HIGHWAY AND PUBLIC TRANSPORTATION COMMISSION TO DECLARE AN EXISTING DRAINAGE (CHANNEL) EASEMENT APPURTENANT TO STATE LOOP 13 (S.W. MILITARY DRIVE) IN BEXAR COUNTY, TEXAS SURPLUS TO THE NEEDS OF THE STATE AND TO EFFECT THE RELEASE OF SAID CHANNEL EASEMENT TO THE OWNER OF THE FEE IN THE LAND.

\* \* \* \*

AN ORDINANCE 68,832

APPROPRIATING AND AUTHORIZING THE EXPENDITURE OF \$31,950.00 OUT OF SEWER FUNDS FOR THE ACQUISITION OF EASEMENTS ON CERTAIN LANDS; AUTHORIZED LICENSE AGREEMENTS AND ACCEPTS THE DEDICATION OF EASEMENTS ON CERTAIN LANDS; ALL IN CONNECTION WITH WASTEWATER PROJECTS. (OAKLAND ESTATES OUTFALL, PHASE II D, UNSEWERED AREA #66; SAN ANTONIO WASTEWATER FACILITIES IMPROVEMENTS PROGRAM, CATEGORY 4, PACKAGE "E"; FRENCH CREEK SANITARY SEWER OUTFALL, PHASE I; CORAL REEF OUTFALL SEWER PROJECT; ROYAL VALLEY SEWER REHABILITATION PROJECT; SAN ANTONIO WASTEWATER FACILITIES IMPROVEMENT PROGRAM, CATEGORY 4, PACKAGE "J").

\* \* \* \*

AN ORDINANCE 68,833

AUTHORIZING A LICENSE AGREEMENT PERMITTING BELIEVERS FELLOWSHIP TO USE THE SUNKEN GARDEN THEATER FOR EASTER SUNRISE SERVICES FROM 5 A.M. TO 7 A.M. ON EASTER SUNDAY MORNING DURING 1989, 1990 AND 1991.

\* \* \* \*

AN ORDINANCE 68,834

RATIFYING THE AGREEMENT BETWEEN SAN ANTONIO AND KUMAMOTO REGARDING THE MEMORIAL PARK PROJECT; AUTHORIZING THE SAN ANTONIO-KUMAMOTO SISTER-CITY AFFILIATION MEMORIAL PARK PROJECT; AUTHORIZING SAID PROJECT TO BE CONSTRUCTED ON THE GROUNDS OF THE SAN ANTONIO BOTANICAL CENTER, ACKNOWLEDGING AND ACCEPTING CONTRIBUTIONS TO SAID PROJECT; ACCEPTING PROPOSALS FOR PROFESSIONAL SERVICES RELATED TO SAID PROJECT; AND APPROPRIATING FUNDS AND AUTHORIZING

PAYMENT FOR SAID PROFESSIONAL SERVICES.

\* \* \* \*

AN ORDINANCE 68,835

AUTHORIZING PAYMENT OF \$3,845.50 TO LA MANSION DEL RIO FOR HOSTING EXPENSES RELATING TO THE VISIT BY KUMAMOTO PREFECTURAL GOVERNOR MORIHIRO HOSOKAWA'S DELEGATION TO SAN ANTONIO.

\* \* \* \*

AN ORDINANCE 68,836

AUTHORIZING THE EXECUTION OF ATTACHMENT 15 TO THE CONTRACT WITH THE TEXAS DEPARTMENT OF HEALTH THAT PROVIDES STATE AID TO THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT; AUTHORIZING THE CREATION OF THE WIC BREASTFEEDING EDUCATION PROJECT; ADOPTING A \$36,071 BUDGET FOR THIS PROJECT; AUTHORIZING PERSONNEL POSITIONS AND AUTHORIZING BUDGET MODIFICATIONS IN THE PUBLIC HEALTH STATE SUPPORT PROJECT 1988/89 ESTABLISHED IN ORDINANCE NO. 67900 PASSED SEPTEMBER 15, 1988; AND AUTHORIZING AN AGREEMENT WITH THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER SCHOOL OF MEDICINE TO UNDERTAKE THE RESEARCH AND EVALUATION PORTION OF THIS PROJECT.

\* \* \* \*

AN ORDINANCE 68,837

AUTHORIZING THE RENEWAL OF THE CITY OF SAN ANTONIO'S MAJOR MEDICAL BENEFITS PLAN ANNUAL AGGREGATE STOP LOSS WITH THE LIFE INSURANCE COMPANY OF NORTH AMERICA (LINA), FOR THE PERIOD JANUARY 1, 1989 TO DECEMBER 31, 1989 AT AN ANNUAL PREMIUM OF \$9,800.

\* \* \* \*

AN ORDINANCE 68,838

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH DR. ROBERT A. MILNE TO DEVELOP A JOB TRAINING PARTNERSHIP ACT (JTPA) MONITORING MANUAL FOR AN AMOUNT NOT TO EXCEED \$3,500.00.

\* \* \* \*

AN ORDINANCE 68,839

AUTHORIZING THE CITY MANAGER TO EXECUTE A CUSTOMIZED TRAINING AGREEMENT WITH BAUSCH & LOMB UNDER THE JOB TRAINING PARTNERSHIP ACT TITLE IIA (JTPA) IN THE AMOUNT OF \$215,000 FOR PROGRAM YEAR 1988-89.

\* \* \* \*

A RESOLUTION NO. 89-07-11

APPROVING THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT'S DRAFT WASTEWATER REUSE FACILITIES PLAN.

\* \* \* \*

AN ORDINANCE 68,840

AUTHORIZING CITY CO-SPONSORSHIP FOR "REMEMBERING THE ALAMO" AND "DAWN AT THE ALAMO" CEREMONIES AND ENCAMPMENT SPONSORED BY THE SAN ANTONIO LIVING HISTORY ASSOCIATION TO BE HELD MARCH 4-6, 1989 AND CLOSING CERTAIN STREETS.

\* \* \* \*

AN ORDINANCE 68,841

AMENDING, REVISING AND ESTABLISHING CITY VOTING PRECINCTS EFFECTIVE JANUARY 1, 1989 CONFORMING WITH PRECINCT CHANGES PURSUANT TO SECTION 4 OF THE CITY CHARTER.

\* \* \* \*

AN ORDINANCE 68,842

CLOSING THE MEDIAN AND NORTH SIDE OF NUEVA STREET BETWEEN ALAMO AND PRESA STREETS ON FRIDAY, MARCH 31, 1989 FROM 6:00 P.M. UNTIL 7:00 P.M. ON SUNDAY, APRIL 2, 1989 AS REQUESTED BY THE LITTLE CHURCH OF LA VILLITA.

\* \* \* \*

89-07 The Clerk read the following Ordinance:

AN ORDINANCE 68,843

ACCEPTING THE LOW BID OF TEXAS EQUIPMENT COMPANY, TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH ROTATING BOOM CRANE FOR A TOTAL OF \$9,758.37.

\* \* \* \*

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

In response to a question by Mrs. Dutmer, Mr. Archie Titzman, Director of Purchasing, discussed the designation as a woman-owned business enterprise, noting that the firm was formed a year ago with a woman as its owner.

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; NAYS: None; ABSENT: Martinez, Cisneros.

89-07 The Clerk read the following Ordinance:

AN ORDINANCE 68,844

ACCEPTING THE LOW QUALIFIED BID OF CINCOM SYSTEMS, INC. TO FURNISH THE CITY OF SAN ANTONIO INFORMATION RESOURCES DEPARTMENT WITH HOSE NETWORK MANAGEMENT SOFTWARE FOR A TOTAL OF \$86,000.

\* \* \* \*

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

Mr. Labatt voiced his concern that bid specifications involved may well have disqualified three of the four bidders on this project.

Mr. Jim Paxson, Information Resources Department, explained why the three lowest bids did not meet City specifications, and detailed the importance of the new software package.

Mr. Thompson stated that he would prefer to see more than one qualified bidder.

A discussion then took place concerning the specifications used in the matter.

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; NAYS: None; ABSENT: Martinez, Cisneros.

89-07 The Clerk read the following Ordinance:

AN ORDINANCE 68,845

AUTHORIZING AN ADDITIONAL \$510,000.00 FOR ENGINEERING FEES PAYABLE TO PAPE-DAWSON CONSULTING ENGINEERS, INC., RELATED TO THE SCHERTZ-WEIDNER/NORTHSIDE EAST-WEST PARKWAY PROJECT.

\* \* \* \*

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

In response to a question by Mr. Wolff, Mr. Joe Aceves, Director of Public Works, addressed the various aspects of the PASS Program of the State Department of Highways and Public Transportation and spoke to how the project dovetails with the City bond project involved, including the need for rapid action in order to bring PASS state funds to San Antonio as quickly as possible.

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; NAYS: None; ABSENT: Martinez, Cisneros.

89-07 The Clerk read the following Ordinance:

AN ORDINANCE 68,846

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACTUAL AGREEMENT WITH THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION FOR THE PROCUREMENT OF RIGHT-OF-WAY FOR THE NORTHSIDE EAST-WEST PARKWAY PROJECT, FROM LOCKHILL-SELMA ROAD TO INTERSTATE HIGHWAY 35.

\* \* \* \*

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

Mr. Wolff spoke to the staging of this project.

Mr. Joe Aceves, Director of Public Works, noted that the project design will be complete and construction underway in about one year. He then addressed the need for future funds for right-of-way acquisition.

A discussion then took place concerning the limited access to the new north side East-West Parkway.

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; NAYS: None; ABSENT: Martinez, Cisneros.

89-07 The Clerk read the following Ordinance:

AN ORDINANCE 68,847

AUTHORIZING A LEASE WITH STAACKE 1894 FOR OFFICE SPACE IN THE STAACKE-STEVENSON BUILDING, 315 EAST COMMERCE.

\* \* \* \*

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

Mr. Lloyd Garza, City Attorney, stated that it is his request that his office be allowed to draft a new contract containing the same provisions and costs, but which will more closely parallel the format of a governmental contract.

Mrs. Dutmer then offered an amendment that called for the agreement to be authorized subject to negotiation of provisions, save and except the space to be leased and the amount of the lease payment. All other amendments shall be based on the need for conformance to the needs of a government entity. Mr. Thompson seconded the motion.

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

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The main motion, as amended, then prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Vera, Wolff, Labatt, Hasslocher; NAYS: None; ABSENT: Cisneros.

89-07 The Clerk read the following Ordinance:

AN ORDINANCE 68,848

UPGRADING ONE POLICE OFFICER CADET POSITION TO LIEUTENANT AND REVISING THE BUDGET OF THE POLICE DEPARTMENT.

\* \* \* \*

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

In response to a question by Mr. Webb, Police Chief William Gibson noted that the proposed ordinance does not alter the status of the current list of police officers on the "lieutenant's list" for promotion to that grade, and noted that current policy is to bring aboard all new police officer positions at the entry Police Officer level, then change to new designations as they are needed. He further noted that this action today will serve to provide promotion action for Sgt. Pitman, a black police officer, to the rank of lieutenant.

In response to a question by Mrs. Dutmer, Chief Gibson spoke to the continuing investigation into all facets of the recent collapse of concrete supports at the construction site for the new Police Academy.

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; NAYS: None; ABSENT: Cisneros.

89-07 The Clerk read the following Ordinance:

AN ORDINANCE 68,849

AMENDING CHAPTER 4, ALCOHOLIC BEVERAGES, OF THE CITY CODE TO CONFORM TO STATE LAW PROVIDING FOR MEASUREMENT OF THE DISTANCE BETWEEN THE ESTABLISHMENT AND A SCHOOL, CHURCH AND HOSPITAL; DEFINING SCHOOL AND HOSPITAL; ADDING "ON PREMISES"

REGULATIONS; ESTABLISHING PROCEDURES; AND PROVIDING  
PENALTY FOR VIOLATIONS; AND PROVIDING FOR EFFECTIVE  
DATE.

\* \* \* \*

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

In response to a question by Mr. Labatt, Mr. Fred Starke, Assistant City Attorney, noted that no fee increase is involved in this ordinance, and that the action today only involves a fee set by state law.

Mr. David Cadena, Assistant Director of Building Inspections, stated that the proposed ordinance brings City law into consonance with state law, and he briefly outlined the differing requirements on certain businesses.

In response to a question by Mr. Hasslocher, Mr. Lloyd Garza, City Attorney, noted that the City currently has no provision for making refunds to persons who were charged this fee earlier.

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; NAYS: Hasslocher; ABSENT: Cisneros.

89-07 The Clerk read the following Ordinance:

AN ORDINANCE 68,850

AUTHORIZING A TICKET PRICE INCREASE FOR THE  
BRACKENRIDGE PARK SKYRIDE.

\* \* \* \*

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

In response to a question by Ms. Berriozabal, Mr. Ron Darner, Director of the Parks and Recreation Department, explained the scale of prices involved.

In response to a question by Mr. Hasslocher, Mr. Darner explained the rationale for increased prices to match those charged by the Brackenridge Eagle miniature train concession as well as to fund recent improvements to the Skyride system, including new safety factors.

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; NAYS: None; ABSENT: Martinez, Cisneros.

- - -  
89-07 A proposed ordinance, authorizing City co-sponsorship for a softball marathon sponsored by the March of Dimes Birth Defects Foundation to be held March 4, 1989, was taken up for discussion as this time.

Mrs. Dutmer made a motion to approve staff recommendation for denial of this ordinance. Mr. Wing seconded the motion.

In response to a question by Mr. Thompson, Ms. Karen Kliewer, Assistant to the City Manager, spoke to the costs involved for the City if the ordinance is approved. She spoke against setting of a precedent for waiving fees on a popular public location.

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

- - -  
89-07 The Clerk read the following Ordinance:

AN ORDINANCE 68,851 .

.  
ACCEPTING THE HIGH BIDS RECEIVED IN CONNECTION WITH  
CITY FUNDS AVAILABLE FOR DEPOSIT IN INTEREST-BEARING  
CERTIFICATES OF DEPOSIT.

\* \* \* \*

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

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

- - -  
89-07 The Clerk read the following Ordinance:

AN ORDINANCE 68,852 .

.  
AUTHORIZING PAYMENT OF REFUNDS TO PERSONS MAKING

OVERPAYMENTS OR DOUBLEPAYMENTS ON 170 TAX ACCOUNTS.

\* \* \* \*

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

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

- - -  
89-07 The Clerk read the following Ordinance:

AN ORDINANCE 68,853

ORDERING THE REGULAR MUNICIPAL ELECTION TO BE HELD ON THE 6TH DAY OF MAY, 1989, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, FOR THE PURPOSE OF ELECTING THE MEMBERS OF THE COUNCIL OF THE CITY OF SAN ANTONIO.

\* \* \* \*

A discussion took place concerning the ramifications involved should the Council not call the regular election, and of the election date-change from April to May by staff legislation.

City Clerk Norma S. Rodriguez explained the change in the state law involved and the rationale for the change in election dates.

Mr. Wing spoke to the adverse impact of the election-date change upon independent school districts and other entities who normally plan significant activities to coincide with Cinco de Mayo.

Mr. Labatt and Mr. Thompson commended the City Clerk's office for the equal distribution of the 18 absentee voting sites around the city.

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; NAYS: None; ABSENT: Cisneros.

- - -  
February 16, 1989  
mlr

89-07 The Clerk read the following Ordinance:

AN ORDINANCE 68,854

AUTHORIZING THE SETTLEMENT OF 85-CI-04435, TOMAS CASTILLO VS. CITY OF SAN ANTONIO, IN THE AMOUNT OF \$9,500.00.

\* \* \* \*

Mr. Hasslocher 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, Labatt, Hasslocher; NAYS: None; ABSENT: Berriozabal, Cisneros.

89-07 The Clerk read the following Ordinance:

AN ORDINANCE 68,855

AUTHORIZING THE SETTLEMENT OF CAUSE NO. 87-CI-16417, STYLED ROSE GONZALEZ VS. CITY OF SAN ANTONIO, IN THE 224TH JUDICIAL DISTRICT COURT, BEXAR COUNTY, TEXAS, IN THE AMOUNT OF \$11,500.00.

\* \* \* \*

Mr. Labatt 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, Labatt, Hasslocher; NAYS: None; ABSENT: Berriozabal, Cisneros.

89-07 The Clerk read the following Ordinance:

AN ORDINANCE 68,856

APPROVING A COMPROMISE AND SETTLEMENT AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND H. FRANK DOMINGUEZ, D/B/A VANIR RESEARCH CO., IMMFR VISTA

VERDE, INC., AND OMNI/VANIR VISTA VERDE SOUTH JOINT  
VENTURE.

\* \* \* \*

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

In response to a question by Mr. Thompson, Mr. Louis J. Fox, City Manager, noted that this action proposed today essentially disengages the City from any connection with developer Frank Dominguez.

Mr. Bill Jeffers, attorney representing the City in bankruptcy proceedings involving Mr. Dominguez, briefed the Council on conditions of the settlement agreement. He noted that the agreement still provides for minimal City contact with Mr. Dominguez.

In response to a question by Mr. Martinez, Mr. Lloyd Garza, City Attorney, spoke to the settlement details which are in the form of a Memorandum of Understanding and a matter of public record, since they were earlier made public in bankruptcy court.

Mr. Martinez stated that the City needs to move forward now with the Vista Verde South project and at the same time cut its ties with Mr. Dominguez to the extent possible. He then spoke to the losses sustained by numerous small businesses in the area because of the failure of Fiesta Plaza mall.

Mr. Labatt asked that the City move forward in this matter.

Mr. Jeffers noted that some \$1.5 million in delinquent ad valorem taxes remain outstanding on Vista Verde South projects.

Mrs. Dutmer spoke of the taking of residences in the area by eminent domain right of the City, yet the new project has failed to succeed.

In response to a question by Mr. Thompson, Mr. Jeffers discussed the question of Mr. Dominguez's requirement to complete activation of the motel in Vista Verde South within six months, or lose it.

Mr. Oscar Perez, Special Projects Officer of the City, discussed City plans to continue with the Vista Verde South project.

Mr. Thompson asked that the Council receive a "B" Session briefing on the matter.

Mr. Wing spoke to the upgrading of Vista Verde South area and the insertion of new residential housing in the area to replace the older homes taken, as a result of the project.

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; NAYS: None; ABSENT: Cisneros.

89-07 A proposed ordinance, authorizing an additional payment not to exceed \$35,000.00 to PDA/3D/M, Joint Venture, to provide an evaluation of the existing library site as part of the new main library project, was taken up for discussion at this time.

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

Mr. Rolando Bono, Assistant City Manager, briefly explained the proposed Ordinance.

Mr. Labatt spoke to his personal priorities in relation to the proposed new main library, noting that provision of additional library space is only third-highest on his priority list. He noted that the City presently has no funds with which to pay for a new main library building or even sufficient funds to renovate the current main library. He stated his belief that it will take a tax increase to do so, which he opposes, and he addressed the proposed \$50,000 cost to evaluate the six possible new library sites, while at the same time not spending the needed \$35,000 to evaluate the present site. He stated his belief that this is a conflict of interest, of sorts.

Mr. Bono addressed the rationale of the evaluations.

Mrs. Dutmer stated her contention that this matter of evaluation of the current site should have been studied first before seeking proposals for a possible new site, if necessary.

Ms. Vera stated that she shares the concerns voiced by Mr. Labatt and Mrs. Dutmer, and noted that the City Council needs to decide whether or not to fund a new library first, then proceed with evaluations of sites and proposals. She urged that the process be slowed down and the order of events changed. She asked that the ordinance be delayed for consideration, pending any new decisions.

Mr. Webb spoke against the ordinance.

Mr. Thompson urged 'rank-ordering' of the library proposals received, then proceed with the evaluation process. He stated that he would be voting against the proposed ordinance, and spoke in favor of using half of the funds derived from the cable television settlement for a new library.

Ms. Berriozabal discussed the differences between City Council and Library Board of Trustees' understanding of which way to proceed in this matter. She noted that the Council must call for a bond election to fund a new library by March 2 in order for it to be on the May election ballot. She then stated that she could not support the proposed ordinance.

Mr. Martinez stated his contention that the present main library site is not suitable.

Mr. Wolff urged the Council not to approve the proposed ordinance today, but to continue its original plans to evaluate the new site proposals first, then decide on the need for a bond issue.

Mrs. Dutmer then offered a substitute motion to postpone consideration of this proposed ordinance until March 15. Ms. Vera seconded the motion.

The substitute motion to postpone consideration until March 15 prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Vera, Wolff; NAYS: Labatt, Hasslocher; ABSENT: Cisneros.

The main motion, as substituted, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Vera, Wolff; NAYS: Labatt, Hasslocher; ABSENT: Cisneros.

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89-07 PUBLIC HEARING AND CONSIDERATION OF A RESOLUTION - TAX ABATEMENT

Mayor Pro Tem Webb declared the Public Hearing to be opened.

Dr. Ivory Nelson, Chancellor of the Alamo Community College District, noted that his board of trustees is concerned with the loss of funds that would occur through the proposed tax abatement, especially in view of the declining aid to ACCD by the state. He noted that his board feels that ACCD should have a voice in this decision.

Mr. Charles Kaplan, Executive Director, National Association of Office Parks, spoke in support of tax abatement plans.

Mr. Quincy Lee, National Association of Office Parks, spoke to the usefulness of tax abatement as a means of in-filling inside the city limits. He also noted that San Antonio needs incentives such as this for new business.

Mr. Robert Peche, Economic Development Foundation, spoke to the advantages to San Antonio of tax abatement in attracting new business.

There being no further citizens to speak, Mayor Pro Tem Webb declared the public hearing to be closed.

The Clerk read the following Resolution:

A RESOLUTION NO. 89-07-12

EXPRESSING THE CITY COUNCIL'S ELECTION TO BECOME ELIGIBLE TO PARTICIPATE IN TAX ABATEMENT AND ESTABLISHING GUIDELINES AND CRITERIA GOVERNING TAX ABATEMENT AGREEMENTS, IN ACCORDANCE WITH THE TEXAS PROPERTY REDEVELOPMENT AND TAX ABATEMENT ACT.

\* \* \* \*

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

In response to a question by Mr. Martinez, Mr. Stuart Summers, Director of the Department of Economic and Employment Development, noted that the recommended guidelines are good for only two years, in order to gauge their effect. He stated that City staff is seeking to balance the pluses and minuses involved in tax abatement, offering a small tax abatement up-front with better tax abatement, the longer the investment. He also noted that the guidelines can be amended by a three-fourths vote of City Council, if desired.

Mr. Thompson stated that he is concerned that: (1) each case be considered on its own merits; (2) discretion should be used in determining those merits; and (3) that this not be a total tax abatement, but merely a postponement of taxes. He stated his hope that this gain will have a solid incentive.

In response to a question by Mrs. Dutmer, Mr. Summers stated that if a property is on the tax rolls already, its current taxes are not being abated; rather, tax abatement is applied to only new buildings erected or other improvements made.

Mrs. Dutmer stated her contention that this will encourage persons to locate within boundaries of Alamo Community College District and preclude them from moving or relocating to sites outside the city's extra-territorial district.

In response to a question by Ms. Berriozabal, Mr. Summers stated that the applicable law does not give any entity the authority to exclude any taxing jurisdiction. He noted that special units of government with overlapping boundaries are automatically included if a taxing entity, such as the City, enacts the tax abatement plan. He further stated that there must be some public benefit to be gained by abating taxes.

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

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89-07 The Clerk read the following Ordinance:

AN ORDINANCE 68,857

ACCEPTING A DEDICATION DEED FROM UNITED SERVICES AUTOMOBILE ASSOCIATION ("USAA") CONVEYING TO THE CITY OF SAN ANTONIO 4.096 ACRES OF LAND LOCATED ON PRUE ROAD FOR THE PURPOSE OF ESTABLISHING A POLICE SUBSTATION; AUTHORIZING APPROPRIATION AND EXPENDITURE OF A TOTAL OF \$7,092.81 FOR THE PURCHASE OF A TITLE INSURANCE POLICY ON SAID PROPERTY.

\* \* \* \*

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

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89-07 Agenda Item No. 64, being a proposed ordinance authorizing the implementation of revised standard City Construction Documents for Highway/Heavy construction, was pulled earlier from consideration.

- - -

89-07 The Clerk read the following Ordinance:

AN ORDINANCE 68,858

APPROVING THE LOCATION OF A NEW ELEVATOR AT THE LILA COCKRELL THEATRE, THE LOCATION OF ADDITIONAL ELEVATED STORAGE SPACE TO THE HEMISFAIR ARENA, AND APPROVING THE COLORS AND MASTER PLAN FOR INTERIOR MODIFICATIONS OF THE LILA COCKRELL THEATER.

\* \* \* \*

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

Mr. Joe Madison, Director of the Convention Center, addressed the master plan to coordinate colors throughout the area.

Mr. Perry W. Langerstein, theater consultant, spoke of the new colors for the Lila Cockrell Theater and other plans for colors and use of lighting. He then displayed three options for color schemes and displayed their effects under differing degrees and tones of lighting.

A discussion of the possible options then took place.

Mr. Thompson offered an amendment to approve color scheme Option C (brighter red tones). Mrs. Dutmer seconded the motion.

Ms. Vera then offered a second amendment to approve color scheme Option B (red tones). Ms. Berriozabal seconded the motion.

Following a Council discussion of the two options offered for approval, the maker and seconder of Amendment #2, by common consent, withdrew their offered amendment.

The first amendment, approving Option C, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Thompson, Vera, Wolff, Labatt, Hasslocher; NAYS: None; ABSENT: Wing, Martinez, Cisneros.

The main motion, as amended, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Martinez, Thompson, Vera, Wolff, Labatt; NAYS: None; ABSENT: Wing, Hasslocher, Cisneros.

- - -  
89-07 The Clerk read the following Ordinance:

AN ORDINANCE 68,859

APPROPRIATING AND AUTHORIZING PAYMENT OF \$5,000 IN DISTRICT 9 DISCRETIONARY AND IMPROVEMENT FUND MONIES TO THE EDUCATIONAL SCHOLARSHIP FUND CREATED BY THE BRAINPOWER 10K RUN ON MARCH 4, 1989 TO BENEFIT THE NATIONAL HISPANIC SCHOLARSHIP FUND AND THE SAN ANTONIO EDUCATIONAL PARTNERSHIP.

\* \* \* \*

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

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

- - -  
89-07 The Clerk read the following Ordinance:

AN ORDINANCE 68,860

APPOINTING INDIVIDUALS TO SERVE ON THE AFFIRMATIVE ACTION ADVISORY COMMITTEE.

\* \* \* \*

Mrs. Dutmer 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, Vera, Wolff, Labatt; NAYS: None; ABSENT: Thompson, Hasslocher, Cisneros.

- - -  
89-07 The Clerk read the following Ordinance:

AN ORDINANCE 68,861

APPOINTING INDIVIDUALS TO SERVE ON THE ANIMAL CONTROL ADVISORY BOARD FOR TERMS TO EXPIRE ON APRIL 3, 1991.

\* \* \* \*

Ms. Vera 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, Thompson, Vera, Wolff; NAYS: None; ABSENT: Wing, Martinez, Labatt, Hasslocher, Cisneros.

89-07 The Clerk read the following Ordinance:

AN ORDINANCE 68,862

APPOINTING INDIVIDUALS TO SERVE ON THE BOARD OF  
ADJUSTMENT FOR A TERM TO EXPIRE ON FEBRUARY 22,  
1991.

\* \* \* \*

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

89-07 The Clerk read the following Ordinance:

AN ORDINANCE 68,863

APPOINTING CALVIN DUDLEY TO SERVE ON THE BOARD OF  
APPEALS FOR A TERM TO EXPIRE ON JULY 31, 1991.

\* \* \* \*

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

89-07 The Clerk read the following Ordinance:

AN ORDINANCE 68,864

APPOINTING INDIVIDUALS TO SERVE ON THE CARVER  
COMMUNITY CULTURAL CENTER ADVISORY BOARD FOR A TERM  
TO EXPIRE ON MAY 8, 1991.

\* \* \* \*

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

89-07 The Clerk read the following Ordinance:

AN ORDINANCE 68,865

APPOINTING COL. DEWITT COOK TO SERVE ON THE FIREMEN'S AND POLICEMEN'S CIVIL SERVICE COMMISSION FOR A TERM TO EXPIRE ON MAY 14, 1992.

\* \* \* \*

Ms. Berriozabal 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, Thompson, Vera, Wolff; NAYS: None; ABSENT: Martinez, Labatt, Hasslocher, Cisneros.

89-07 The Clerk read the following Ordinance:

AN ORDINANCE 68,866

APPOINTING JOYCE JENKS TO SERVE ON THE HANDICAPPED ACCESS ADVISORY COMMITTEE FOR A TERM TO EXPIRE ON JUNE 30, 1990.

\* \* \* \*

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

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

89-07 The Clerk read the following Ordinance:

AN ORDINANCE 68,867

APPOINTING CHRIS KIRTON TO SERVE ON THE HOUSING TRUST FUND-DOWNTOWN ADVISORY COMMITTEE FOR A TERM TO EXPIRE ON MAY 30, 1989.

\* \* \* \*

Ms. Berriozabal 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, Thompson, Vera, Wolff; NAYS: None; ABSENT: Martinez, Labatt, Hasslocher, Cisneros.

89-07 The Clerk read the following Ordinance:

AN ORDINANCE 68,868

APPOINTING BEVERLY TANNER TO SERVE ON THE SAN ANTONIO COMMISSION ON LITERACY FOR A TERM TO EXPIRE ON SEPTEMBER 15, 1990.

\* \* \* \*

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

89-07 The Clerk read the following Ordinance:

AN ORDINANCE 68,869

AUTHORIZING RUBEN MUNGUIA AND DORA SALINAS TO SERVE ON THE METROPOLITAN TRANSIT AUTHORITY FOR TERMS TO EXPIRE ON JANUARY 31, 1993.

\* \* \* \*

February 16, 1989  
mlr

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

- - -  
89-07 The Clerk read the following Ordinance:

AN ORDINANCE 68,870

APPOINTING GLORIA PARRA TO SERVE ON THE MUNICIPAL CIVIL SERVICE COMMISSION FOR A TERM TO EXPIRE ON JUNE 6, 1991.

\* \* \* \*

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

- - -  
89-07 The Clerk read the following Ordinance:

AN ORDINANCE 68,871

APPOINTING INDIVIDUALS TO SERVE ON THE PLUMBING APPEALS AND ADVISORY BOARD.

\* \* \* \*

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

89-07 The Clerk read the following Ordinance:

AN ORDINANCE 68,872

APPOINTING INDIVIDUALS TO SERVE ON THE  
TRANSPORTATION ADVISORY BOARD FOR TERMS TO EXPIRE ON  
JANUARY 26, 1991.

\* \* \* \*

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

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

89-07 The Clerk read the following Ordinance:

AN ORDINANCE 68,873

APPOINTING INDIVIDUALS TO SERVE ON THE INDUSTRIAL  
WASTEWATER REVIEW BOARD.

\* \* \* \*

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

89-07 The Clerk read the following Ordinance:

AN ORDINANCE 68,874

APPOINTING INDIVIDUALS TO SERVE ON THE 201 AREA  
WASTEWATER ADVISORY COMMITTEE FOR TERMS TO EXPIRE ON  
MARCH 6, 1991.

\* \* \* \*

Ms. Vera 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, Thompson, Vera, Wolff, Hasslocher; NAYS: None; ABSENT: Martinez, Labatt, Cisneros.

- - -  
89-07 The Clerk read the following Ordinance:

AN ORDINANCE 68,875

NOMINATING DR. ANA Y. PEREZ TO SERVE ON THE ADVISORY BOARD OF HEALTH OF THE SAN ANTONIO METROPOLITAN DISTRICT FOR A TERM TO EXPIRE ON DECEMBER 31, 1989.

\* \* \* \*

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

- - -  
89-07 The Clerk read the following Ordinance:

AN ORDINANCE 68,876

APPOINTING BARBARA FORD YOUNG TO SERVE ON THE PRIVATE INDUSTRY COUNCIL FOR A TERM TO EXPIRE ON JUNE 30, 1990.

\* \* \* \*

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

ZONING HEARINGS

68. CASE Z89022 - to rezone Lots 10, 29, and 30, NCB 6075, 3524 S. New Braunfels Avenue, from "F" Local Retail District to "B-3" Business District, located on the east side of S. New Braunfels Avenue between Fair Avenue and Ada Street, being 150' south of the intersection of S. New Braunfels Avenue and Fair Avenue, having 724.74' on S. New Braunfels Avenue, 227.36' on Fair Avenue and 323.75' on Ada Street.

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. Hasslocher 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, Hasslocher; NAYS: None; ABSENT: Martinez, Labatt, Cisneros.

AN ORDINANCE 68,877

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 LOTS 10, 29 AND 30, NCB 6075, FROM "F" LOCAL RETAIL DISTRICT TO "B-3" BUSINESS DISTRICT, 3524 SOUTH NEW BRAUNFELS AVENUE. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00"

\* \* \* \*

69. CASE Z89025 - to rezone Lot 21, Block 4, NCB 13342, 9904 and 9906 Sahara Drive, from "A" Single Family Residence District to "R-1" S.U.P. One Family Residence District Special Use Permit for a two family dwelling, located on the southeast side of Sahara Drive, being 443' southwest of the intersection of W. Ramsey Road and Sahara Drive, having 65.02' on Sahara Drive with a depth of 118.37'.

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

Mr. Fidel Martinez, 118 Hope, representing Mr. Roberto A. Elizondo, the proponent, explained they are requesting the change of zoning to conform with existing two family dwelling. He stated that when the applicant purchased the subject property it was being used as a

duplex. He noted that in December 11, 1979 a permit was issued for remodeling to the owner and in that permit the zoning indicated on the permit was "B" with the use being a residence. He stated that the owner wanted the change of zoning because he had been cited for having a duplex on a property zoned residential.

Mrs. Barbara Whitaker, 302 Northvalley, stated her opposition to the proposed change in zoning because she does not want any more duplexes in their neighborhood. She also noted that the property has been zoned "A" Single Family Residence and that the permit Mr. Martinez mentioned was only issued for interior remodeling.

Mrs. Gladys Edwards, 9916 Sahara, spoke of her opposition to the change of zoning. She noted the deterioration of the subject property.

Mr. Rudy M. Hettler, Zoning Consultant, noted that the building has two electrical and two gas meters and Dr. Elizondo has been paying taxes for a duplex for ten years. He added that CPS would not have approved and installed the meters if the zoning had not allowed a duplex on this property.

In response to a question by Mr. Wolff, Mr. Martin Rodriguez, Code Compliance Supervisor, stated that the permit issued in 1979 had been for remodeling only.

Mr. Wolff stated his opinion that the area should continue to be residential. However, he added that Dr. Elizondo has the property presently rented to two tenants and spoke to the possibility of allowing a special use permit to allow time for one of the families to make other living arrangements yet approve staff recommendation for a screen fence.

Mr. Wing expressed concern with the rights of the two families living there.

In response to a question by Ms. Berriozabal, Andy Guerrero, Planner III, stated that the Zoning Commission had voted to give Mr. Elizondo approval of the requested rezoning based on the permit issued in 1979.

A brief discussion was held on CPS' action which permitted a second meter to be installed on the property.

Mr. Thompson spoke to the need for zoning laws to be followed and noted his concern with granting the requested zoning.

Mrs. Dutmer noted her concurrence with Mr. Thompson's comments and stated that she could not vote for the requested zoning.

Mr. Wolff made a motion to grant a nine month special use permit for subject property. Ms. Berriozabal seconded the motion.

Ms. Julia Billa, 311 Callaghan, commented on the duplex's present tenants.

Mr. Wing commented on Council's zoning authority.

Mrs. Vera indicated she would support staff recommendation on this requested rezoning.

Mrs. Dutmer reiterated her earlier comments that citizens need to abide to zoning laws.

Mr. Wing spoke against the motion.

The motion to issue a special use permit for a period of nine months was denied by the following vote: AYES: Webb, Wolff; NAYS: Berriozabal, Dutmer, Wing, Martinez, Thompson, Vera, Labatt, Hasslocher; ABSENT: Cisneros.

Case Z89025 was denied and "A" Single Family Residence zoning prevailed.

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89-07 Mayor Pro Tem Webb stated that Mayor Cisneros was not present at today's meeting because he had travelled to Nashville, Tennessee to appear on a nationwide television program highlighting San Antonio.

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89-07

CITIZENS TO BE HEARD

R. F. PARKER

Mr. R. F. Parker, 3523 Woodville Drive, spoke in favor of allowing recreational vehicles to park in paved driveways.

Mrs. Dutmer noted that she had spoken to Mr. Parker on this issue and that it would be addressed when the Unified Development Code was brought up for consideration in the near future.

\* \* \* \*

ANIMAL CRUELTY INVESTIGATOR

Mr. John Hollrah, Voice for Animals, spoke to the Council regarding the abuse of animals which is occurring in San Antonio. He spoke to the different forms of abuse including neglect. He then stated that there is only one animal cruelty investigator in the city. She gets

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paid by the County and will no longer be making investigations within the City limits. He also stated that all such reports will be turned over to the City's Animal Control Facility and reports to the Police Department. However, historically the Police Officers do not rate cruelty to animals on a high priority. He suggested funding by the City for two animal cruelty investigators be approved.

Mrs. Dutmer spoke to a particular incident in her District. She stated that there isn't enough money to protect children from abuse and is concerned about funding for animals when there isn't enough money for prevention of child abuse. She stated that the Council will investigate this issue.

Mr. Sam Sanchez of the San Antonio Metropolitan Health District, stated that a new process will be instituted and Animal Control will be making investigations into cruelty to animals. It is an unfunded priority at this time. The staff will be glad to give the Council a status report on the results of the new process.

\* \* \* \*

CARLOS MARTINEZ

Mr. Carlos Martinez, 1126 S. Brazos, spoke to the Council about his request to meet with the new Dome Advisory Committee in order to make a presentation to them about the design of the dome.

Ms. Vera asked Mr. Martinez to call her office to find out the schedule of the meetings. She also asked Mr. Martinez to submit his proposal in writing to the Committee.

\* \* \* \*

PAMELA SOUTHWELL

Ms. Pamela Southwell, 7302 Glen Arbor, also reiterated the statements made by Mr. John Hollrah. She stated that there is a great number of volunteers who are doing "rescue" calls in connection with cruelty to animals.

Ms. Berriozabal spoke to the budget process and the monitoring which should be done by the interested groups.

\* \* \* \*

89-07 The City Clerk read the following Letter:

February 8, 1989

Honorable Mayor and Members of the City Council of the City of San Antonio

The following petition was received in my office and forwarded to the City Manager for investigation and report to the City Council.

January 27, 1989

Petition submitted by Mr. Norman E. Billings, petitioning the City of San Antonio to consider improving the curbs and sidewalks at the following streets: Joe Lee, Rene, Jacques, Suddith, Roundtree, and Overlook, plus the Overlook extension.

\* \* \* \*

/s/Norma S. Rodriguez  
City Clerk

The City Council recessed its Regular Meeting at 6:40 P.M., to convene a "B" Session. The Regular Session was then reconvened at 8:20 P.M. to hold an Executive Session for the purpose of meeting with the City Attorney to discuss personnel matters relating to the Firefighter's contract and the impact of City of Richmond v. J.A. Croson Company on small and minority business programs and then, there being no further business to come before the Council, the meeting was ajourned at 9:45 P.M.

A P P R O V E D

*Henry Cisneros*

M A Y O R

ATTEST:

*Norma S. Rodriguez*  
City Clerk

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