

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO, HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, DECEMBER 21, 1989.

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

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89-54

GEORGE RODRIGUEZ

Mayor Cockrell took note of the presence in the audience today of Mr. George Rodriguez, Burbank High School graduate and now Special Assistant to the U.S. Representative Jack Kemp of New York, who has been in San Antonio on congressional business. She welcomed Mr. Rodriguez to City Hall.

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89-54

CHRISTMAS INTERNATIONAL DAY

Mayor Cockrell read a Proclamation designating "Christmas International Day" in San Antonio, and noted that 24 international students from 12 foreign countries were present in Council chambers today to receive the Proclamation. She also introduced Ms. Trudie Mallory and Ms. Tracy Hall, co-chairpersons of "Christmas International Day", and asked Mr. Hasslocher to join her in making the presentation of the Proclamation. Each student received a City pen as a memento of their visit to the City.

The group then sang "Silent Night" in four languages for the City Council and audience.

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89-54

ROSE IRENE GARZA

Mayor Cockrell spoke of the Council's policy of acknowledging special honors paid to its citizens from time to time, and introduced Ms. Rosa Irene Garza, selected as "1989 Texas Search for Excellence Nurse" by the Texas Nurses Association. Mayor Cockrell then read and presented a special Citation commending her for this honor.

Mr. Martinez, noting that Ms. Garza is a nurse at Lutheran General Hospital and spoke to that institution's involvement in the community and lauded Ms. Garza as a good example of its employees.

Mr. Garza spoke of her duties at the hospital, including work in treatment of diabetes, and thanked the Mayor and City Council for the honor.

89-54

GIFT OF VENTILATION FANS FOR FIRE DEPARTMENT

Mayor Cockrell spoke of the presence of representatives from Handy Andy Supermarkets, Labatt Food Service, and H.E. Butt Food Company, who together will be making a \$45,000 donation to the City of San Antonio for purchase of positive-pressure ventilation fans for use in Fire Department pumper and ladder trucks. Present for the occasion and presentation were: Mr. David Salazar, Handy Andy Supermarkets; Mssrs. Blair Labatt and Blair Labatt, Jr., Labatt Food Service; and Mr. Ralph Mehringer, Vice-President of Facility Design and Construction, H.E. Butt Food Company.

It was the informal concensus of City Council members present to consider agenda item 43 at this time, in conjunction with this presentation.

The Clerk read the following Ordinance:

AN ORDINANCE 70,789

AUTHORIZING THE ACCEPTANCE OF A \$35,000 GIFT FROM HANDY ANDY SUPERMARKETS, A \$5,000 GIFT FROM LABATT FOOD SERVICE, AND A \$5,000 GIFT FROM H. E. BUTT FOODS TO BE USED FOR THE PURCHASE OF POSITIVE PRESSURE VENTILATION FANS FOR USE IN FIRE-PUMPER AND LADDER TRUCKS; AND AMENDING SECTION 11-40 OF THE CITY CODE BY MODIFYING TABLE NO. 81.105, FOOTNOTE 9 OF THE 1985 UNIFORM FIRE CODE TO DELETE THE REQUIREMENT OF MECHANICAL SMOKE REMOVAL SYSTEM FOR HIGH-PILED STOCK WAREHOUSES.

\* \* \* \*

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

Mr. Labatt noted that, while he has no interest in Labatt Food Service, he nevertheless will abstain from the vote because of his family relationship to the Labatts.

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

Fire Chief Raul Losoya spoke to the need for the ventilation fans to be carried on Fire Department vehicles, and he lauded the community's response to the need for the fans.

Mayor Cockrell, on behalf of the City Council, expressed thanks to the three firms for the gift.

Several Council members spoke to the uses for the ventilation fans and expressed their individual appreciation to the three firms, who, in turn, jointly presented their checks to Chief Losoya in the following amounts: Handy Andy \$35,000; Labatt Food Service \$5,000; H.E. Butt \$5,000.

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89-54 The Clerk read the following Ordinance:

AN ORDINANCE 70,790 .

.  
ORDERING A SPECIAL ROLLBACK ELECTION TO BE HELD ON  
FEBRUARY 3, 1990, ON THE QUESTION OF REDUCING THE  
TAX RATE IN THE CITY OF SAN ANTONIO FROM \$0.49415 TO  
\$0.47701.

\* \* \* \*

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

In response to a question by Mr. Thompson, City Clerk Norma S. Rodriguez noted that the Tax Rollback Election will cost the City of San Antonio about \$260,000 to conduct.

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

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89-54 CONSENT AGENDA

Mayor Cockrell noted that Consent Agenda Items 21, 22 and 23 had

earlier been removed from consideration by the City Manager, and that Agenda Item 43 has just been acted upon, out of sequence, because of the special occasion.

Mr. Hasslocher then made a motion to approve Agenda Items 8 thru 49, constituting the Consent Agenda with items 13, 15, 17, 28, 29, 30, 36, 39, 40, 42, and 46 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, Martinez, Thompson, Vera, Wolff, Labatt, Hasslocher, Cockrell; NAYS: None; ABSENT: Wing.

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AN ORDINANCE 70,791 .

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ACCEPTING THE LOW BID OF PROMED, INC., TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH A DUAL CYLINDER RESUSCITATOR FOR A TOTAL OF \$3,595.44.

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AN ORDINANCE 70,792 .

.  
ACCEPTING THE LOW BID OF CRUMRINE, INC., FOR PRINTING OF ELECTION SUPPLIES FOR THE CITY OF SAN ANTONIO CITY CLERK'S OFFICE FOR A TOTAL OF \$4,737.00.

\* \* \* \*

AN ORDINANCE 70,793 .

.  
ACCEPTING THE LOW BID OF CENTRAL MOVING & STORAGE FOR TRANSPORTING OF VOTING MACHINES FOR THE CITY OF SAN ANTONIO CITY CLERK'S OFFICE FOR A TOTAL OF \$19,345.00.

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AN ORDINANCE 70,794 .

.  
AUTHORIZING PAYMENT TO THE TRANE COMPANY FOR EMERGENCY REPAIRS OF A LIQUID CHILLER AIR CONDITIONING SYSTEM FOR A TOTAL OF \$14,660.00.

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AN ORDINANCE 70,795

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

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AN ORDINANCE 70,796

AWARDING A CONSTRUCTION CONTRACT TO V.K. KNOWLTON PAVING CONTRACTOR, INC., IN THE AMOUNT OF \$437,547.24 FOR WORK INVOLVING THE RECONSTRUCTION OF GLENN, MOON, SUN AND TRAUX STREETS IN CONNECTION WITH THE ENGLEWOOD AREA STREETS PROJECT, PHASE I; AUTHORIZING AN ADDITIONAL \$43,754.72 FOR THE CONSTRUCTION CONTINGENCY, \$4,098.00 FOR ADDITIONAL ENGINEERING EXPENSES, AND \$15,591.56 FOR PROJECT OVERSIGHT COSTS; AND AUTHORIZING PAYMENT.

\* \* \* \*

AN ORDINANCE 70,797

AUTHORIZING THE EXECUTION OF FIELD ALTERATION NO. 6 TO V.K. KNOWLTON PAVING CONTRACTOR, INC., IN THE AMOUNT OF \$50,638.00 TO PROVIDE FOR A CHANGE IN SEAL COAT DUE TO SEASONAL CHANGES IN WEATHER CONDITIONS IN CONNECTION WITH THE STREET OVERLAY-1989 PROJECT.

\* \* \* \*

AN ORDINANCE 70,798

APPROPRIATING \$8,296.16 FROM THE CERTIFICATES OF OBLIGATION FUND BALANCE AND AUTHORIZING PAYMENT OF SAID SUM TO VALERO TRANSMISSION, LP, FOR WORK TO MOVE THE GAS PIPELINE AT MISSION DEL LAGO MUNICIPAL GOLF COURSE.

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AN ORDINANCE 70,799

APPROPRIATING \$4,575.00 FROM THE CERTIFICATES OF OBLIGATION FUND BALANCE TO THE CEDAR CREEK GOLF COURSE PROJECT FOR ADDITIONAL SEWER TESTING AND PRINTING COSTS.

\* \* \* \*

AN ORDINANCE 70,800 .

AUTHORIZING PAYMENT TO SAN ANTONIO AIR CONDITIONING COMPANY IN THE AMOUNT OF \$12,455.70 INVOLVING EMERGENCY WORK TO RESTORE POWER, PROVIDE SAFETY CHECKS AND REPAIRS AT THE SAN ANTONIO FIRE DEPARTMENT VEHICLE AND MAINTENANCE FACILITY AND THE TRAINING ACADEMY, AND AUTHORIZING REIMBURSEMENT FROM GALLAGHER BASSETT FOR SAID COSTS MINUS THE DEDUCTIBLE OF \$5,000.00.

\* \* \* \*

AN ORDINANCE 70,801 .

AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 2 TO THE CONTRACT WITH MARTIN K. EBY CONSTRUCTION COMPANY, INC., IN THE AMOUNT OF \$115,416.65 FOR VARIOUS MODIFICATIONS TO THE LEON CREEK WASTEWATER TREATMENT PLANT FLOW EQUALIZATION PROJECT, AND TRANSFERRING FUNDS.

\* \* \* \*

AN ORDINANCE 70,802 .

AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 2 TO THE CONTRACT WITH MARTIN K. EBY CONSTRUCTION, INC., IN THE AMOUNT OF \$187,698.32 FOR VARIOUS MODIFICATIONS TO THE SALADO CREEK WASTEWATER TREATMENT PLANT FLOW EQUALIZATION FACILITIES PROJECT, AND TRANSFERRING FUNDS.

\* \* \* \*

AN ORDINANCE 70,803 .

AWARDING A CONSTRUCTION CONTRACT TO KISER ENVIRONMENTAL IN THE AMOUNT OF \$9,980.00 FOR THE ASBESTOS ABATEMENT PLAN FOR THE RILLING ROAD TREATMENT PLANT UTILITIES DEMOLITION, GRADING AND HEADWORKS RELOCATION PROJECT, AND AUTHORIZING AN ADDITIONAL \$1,000.00 FOR THE CONSTRUCTION CONTINGENCY.

\* \* \* \*

AN ORDINANCE 70,804

AUTHORIZING THE EXPENDITURE OF AN ADDITIONAL \$69,428.56 TO HEERY PROGRAM MANAGEMENT, INC., TO PROVIDE CONTINUED PROJECT MANAGEMENT SERVICES FOR THE DOS RIOS ENHANCEMENT PROJECTS.

\* \* \* \*

AN ORDINANCE 70,805

AUTHORIZING THE EXECUTION OF CERTAIN CONSENT TO EASEMENT AGREEMENTS TO REPLACE EXISTING AGREEMENTS, IN CONNECTION WITH THE THE CORAL REEF OUTFALL SEWER PROJECT, AND AUTHORIZING NEW LICENSE AND CONSENT TO EASEMENT AGREEMENT, IN CONNECTION WITH THE SOUTHWEST INDEPENDENT SCHOOL DISTRICT MIDDLE SCHOOL FORCE MAIN SANITARY SEWER PROJECT, ALL WITH THE UNITED STATES DEPARTMENT OF THE AIR FORCE CONCERNING RAILROAD SPUR TRACK CROSSINGS AND RIGHTS-OF-WAY AT LACKLAND AIR FORCE BASE.

\* \* \* \*

AN ORDINANCE 70,806

AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT WITH MISSOURI PACIFIC RAILROAD COMPANY FOR THE RIGHT TO CONSTRUCT, MAINTAIN AND OPERATE A SANITARY SEWER PIPELINE ENCROACHMENT AND FOUR CROSSING LOCATED AT MILE POST 257.50 TO 257.77, AUSTIN SUBDIVISION, SAN ANTONIO, BEXAR COUNTY, TEXAS, PARCEL E-2836A, FOR AN ANNUAL CONSIDERATION OF \$610.00 IN CONNECTION WITH THE RIPLEY AREA SEWER PROJECT; AND APPROPRIATING FUNDS.

\* \* \* \*

AN ORDINANCE 70,807

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$6,340.00 OUT OF GENERAL OBLIGATION BONDS TO ACQUIRE TITLE TO A PARCEL AND PAYING FOR TITLE CHARGES IN CONNECTION WITH THE HI-LIONS DRAINAGE PROJECT #80; ACQUIRING TITLE TO THREE PARCELS IN CONNECTION WITH THE DRIFTWOOD DRAINAGE PROJECT #39 B-F SOUTH; ACQUIRING TITLE TO A PARCEL AND PAYING FOR TITLE CHARGES IN CONNECTION WITH THE PALO ALTO PROJECT - I.H. 35 TO ARAGON; AND ACCEPTING A DEED FROM BROADWAY NATIONAL BANK FOR TITLE TO A DRAINAGE EASEMENT IN ENCINO

BLUFF, UNIT 1 SUBDIVISION.

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AN ORDINANCE 70,808

AUTHORIZING PAYMENT IN THE AMOUNT OF \$3,809.24 FOR TITLE CHARGES INVOLVING THE HARRY WURZBACH DRAINAGE PROJECT NO. 75; DRIFTWOOD DRAINAGE PROJECT #39 B-F SOUTH; AND MARTIN STREET/BOWIE STREET CONNECTION, AND APPRIASAL FEES INVOLVING LANARK DRAINAGE PROJECT, #92A; AND APPROPRIATING FUNDS.

\* \* \* \*

AN ORDINANCE 70,809

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF FEE SIMPLE TITLE OVER AND ACROSS A PORTION OF LOT 10, BLOCK 12, NEW CITY BLOCK 10792 IN SAN ANTONIO, BEXAR COUNTY, TEXAS FOR A PUBLIC PURPOSE, TO WIT: THE LOCATION, CONSTRUCTION, OPERATION, RECONSTRUCTION, IMPROVEMENT, REPAIR AND AMINTENANCE OF THE HI-LIONS DRAINAGE PROJECT.

\* \* \* \*

AN ORDINANCE 70,810

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH W.E. SIMPSON COMPANY, INC., IN AN AMOUNT NOT TO EXCEED \$5,600.00 TO PROVIDE RECOMMENDATIONS OF BUILDING TYPE, SCHEMATIC BUILDING DESIGN, AND COST ESTIMATES FOR BUDGETING PURPOSES IN CONNECTION WITH THE LEON CREEK WASTEWATER HYDROGEN CHLORIDE FACILITY.

\* \* \* \*

AN ORDINANCE 70,811

AUTHORIZING THE CITY MANAGER TO EXECUTE A SEWER SERVICE CONTRACT BETWEEN THE CITY AND GOLDEN ALUMINUM COMPANY TO PROVIDE SEWER SERVICE TO AN APPROXIMATE 38 ACRE TRACT LOCATED AT THE INTERSECTION OF CORPUS CHRISTI HIGHWAY AND STREICH ROAD.

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AN ORDINANCE 70,812 .

AUTHORIZING A ONE-YEAR CONTRAT WITH THE COMMUNITY GUIDANCE CENTER OF BEXAR COUNTY, TEXAS TO PROVIDE PSYCHOLOGICAL SERVICES TO CLIENTS OF THE ADOLESCENT SEX OFFENDER PROGRAM IN THE DEPARTMENT OF HUMAN RESOURCES AND SERVICES AT A COST OF \$7,973.00.

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AN ORDINANCE 70,813 .

APPROVING THE SUBMISSION OF A PROPOSAL AND ACCEPTANCE OF GRANT OF \$144,000 FROM THE EMERGENCY FOOD AND SHELTER BOARD TO PROVIDE FUNDING FOR THE FOLLOWING PROGRAMS: FIRST MONTH'S RENT PROGRAM - \$49,000; MORTGAGE ASSISTANCE PROGRAM - \$45,000; AND SUMMER UTILITY ASSISTANCE PROGRAM - \$50,000; AND AUTHORIZING PERSONNEL POSITIONS.

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AN ORDINANCE 70,814 .

AUTHORIZING PAYMENT TO CATERING BY ROSEMARY IN THE AMOUNT OF \$3,300.00 FOR HOSTING EXPENSES INCURRED DURING THE MONTERREY MAYOR'S DELEGATION TO SAN ANTONIO.

\* \* \* \*

AN ORDINANCE 70,815 .

AMENDING, REVISING AND ESTABLISHING CITY VOTING PRECINCTS EFFECTIVE JANUARY 1, 1990 CONFORMING WITH PRECINCT CHANGES PURSUANT TO SECTION 4 OF THE CITY CHARTER.

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AN ORDINANCE 70,816 .

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH BEXAR COUNTY FOR LEASE OF APPROXIMATELY 750 VOTING MACHINES FOR THE FEBRUARY 3, 1990, ELECTION AT A CHARGE OF \$55.00 PER MACHINE.

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AN ORDINANCE 70,817

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH BEXAR COUNTY TO PROVIDE CERTAIN SERVICES IN CONNECTION WITH THE CONDUCT OF ABSENTEE VOTING IN PERSON AND BY MAIL FOR THE FEBRUARY 3, 1990, ELECTION.

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89-54 Agenda Item 13, being a proposed ordinance accepting a proposal by Browning Ferris Industries and Garbage Gobbler to provide solid waste services for certain areas, was taken up for consideration at this time.

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

Mr. Wolff explained the reasons for the Ordinance, coupled with a pilot waste pickup program and recycling program to be carried out in four newly-annexed areas. He stated that he feels that this project is not taking jobs from City solid waste pickup employees, but rather would keep on the payroll a number of solid waste employees of the two refuse pickup firms participating in the program under this Ordinance.

Mr. Jim Baker, representing Browning Ferris Industries, thanked the Council for this opportunity to work out a recycling program.

Mayor Cockrell noted that the City Council members had received letters from the American Federation of State, County and Municipal Employees (AFSCME), protesting this action.

Ms. Rosa Rosales, representing the National Association of Government Employees (NAGE), spoke of her organization's concern with this private waste pickup-recycling project and the lack of information concerning it. She stated her contention that the City has sufficient manpower to handle waste pickup in the newly-annexed areas, and also could perform the recycling chores, thus saving the City money. She stated her belief that this 90-day contract is only the beginning of contracting-out solid waste pickup services for the City, and asked the Council to delay action on this matter until more information is developed from pickup workers in the field.

Mrs. Dutmer spoke in support of the recycling program, and spoke of other unique recycling programs around the nation. She also cautioned that this must not be a "foot in the door" leading up to privatization of the City's solid waste pickup services, which she feels will cost the City more money.

In response to a question by Mr. Labatt, Mr. Frank Kiolbassa,

Director of Environmental Management, stated that he feels that existing city solid waste pickup forces can handle the newly-annexed areas, since additional personnel have been hired already in anticipation of the additional area to be served. He noted that the Council later today will take up the matter of a solid waste disposal policy in "B" Session.

Mr. Labatt spoke against doing away with solid waste pickup by City forces, but supports the recycling program.

Mr. Thompson spoke of the need to look closely at both sides of this issue, in order to obtain a firm side-by-side comparison.

Mr. Kiolbassa spoke to the local recycling programs already underway and City plans for a study of recycling. He noted that this Ordinance today will allow Garbage Gobbler and BFI to pick up solid waste in the newly-annexed areas for a period of 90 days, and also to begin a recycling program in those areas. However, he also feels that it will take the City four to six months to purchase necessary new equipment in order to pick up solid waste in the newly-annexed areas.

Ms. Vera spoke in favor of the recycling program, but voiced her concern with the City sending out Requests for Proposals to have private firms develop such a program for the City of San Antonio. She addressed the need for a comparison of the advantages and disadvantages of both side of this issue.

Mr. Wolff stated his belief that developing RFPs for the privatization of solid waste pickup and recycling would be the less-costly way to compare both sides of this issue, and spoke against a complete privatization of solid waste pickup in San Antonio, to save City budget funds. He noted that this is only a cost-effective pilot program.

Ms. Berriozabal stated her belief that this is the result of annexing more and more areas into the City, and voiced her concern that this is developing into a case of "privitization versus non-privitization" of solid waste pickup.

A discussion then took place concerning the pros and cons of the proposed Ordinance, and of plans for the specifications outlined in the RFPs.

Ms. Berriozabal spoke in favor of a Request for Proposal that results in development of the appropriate recycling data, which then will be turned over to the City. She stated further that she feels that recycling is the wave of the future for San Antonio, but also voiced her concern with privatization of solid waste pickup services.

After discussion, it was decided that further consideration of this agenda item would be temporarily postponed until later in this meeting, so that the City Council might take up timely consideration of

two time-certain Public Hearings. Postponement until later in this meeting was approved by informal concensus of the Council members present.

(See Page 17 for continuation of this agenda item.)

89-54 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE CLOSING AND ABANDONING PORTIONS OF MARYLAND AND NEVADA STREETS AND FERGUSON AVENUE WITHIN THE BOUNDARIES OF WYOMING STREET, MARTIN LUTHER KING DRIVE, MITTMAN AND WALTERS STREETS.

Mayor Cockrell declared the Public Hearing to be open.

No citizen appeared to speak on this matter.

Mayor Cockrell declared the Public Hearing to be closed.

The Clerk read the following Ordinance:

AN ORDINANCE 70,818

ABANDONING AND CLOSING PORTIONS OF MARYLAND AND NEVADA STREETS AND FERGUSON AVENUE WITHIN THE BOUNDARIES OF WYOMING STREET, MARTIN LUTHER KING DRIVE, MITTMAN AND WALTERS STREETS; SAN ANTONIO, BEXAR COUNTY, TEXAS; AUTHORIZING THE CITY MANAGER OR ANY ASSISTANT CITY MANAGER TO EXECUTE QUITCLAIMS TO THE ALAMO COMMUNITY COLLEGE DISTRICT FOR A COMBINED CONSIDERATION OF \$26,150.00; AND ACCEPTING A DEED FROM THE ALAMO COMMUNITY COLLEGE DISTRICT TO TWO TRACTS OF LAND IN NEW CITY BLOCKS 1516 AND 1517 RESPECTIVELY, FOR USE AS A TURNAROUND ON FERGUSON AVENUE.

\* \* \* \*

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

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

89-54 The minutes of the City Council meetings of November 16, 1989 and November 21, 1989 were approved.

89-54      PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE AMENDING CHAPTER  
33 ON VEHICLES FOR HIRE.

Mayor Cockrell declared the Public Hearing to be open.

Mr. Webb noted that many persons have expressed concerns about the proposed ground transportation ordinance, and asked for Council approval of only a portion of the ordinance today.

Mr. Scott Ball, representing Greyhound Travel Services, spoke to the need for a ground transportation ordinance for San Antonio, but asked that Greyhound be exempted. He cited several reasons for this request, including the matter of driver training, when his drivers are based around the nation; and the high cost to register each and every Greyhound bus in the complete system. He estimated it would cost Greyhound some \$500 million to do so, and noted that his buses already are regulated by state and federal transportation agencies.

Mr. Mario Zamora, representing Fiesta City Tours, spoke of the need to differentiate between large-capacity and small-capacity vehicles, and he also spoke against age restrictions on vehicles.

Mr. Edward Torres, representing San Antonio City Tours, also spoke in opposition to age restrictions on vehicles and urged Council to take a closer look at the proposed Ordinance.

Mr. Rodrigo Ceniseros, a driver for Taxi Express, spoke against the proposed restriction that would only allow taxi permits to be issued to applicants with 15 or more vehicles.

Ms. Anne Wolff, representing Yellow Rose Carriage, objected to several proposed requirements on carriage services, including temperature restrictions which she feels should be measured in the downtown area where the carriages operate, not at International Airport. She also objected to proposed hours of operation for carriage services. A copy of her remarks are made a part of the papers of this meeting.

Mr. Robert Gonzalez, National Cab Company, spokesman for the San Antonio Cab Drivers Association, spoke to his group's objections and recommendations relative to vehicle age requirements, the minimum number of taxicabs on new applications, and the new schooling requirements.

Mr. James M. Dietzman, chairman, VIA Metropolitan Transit, stated his opinion that the proposed new ground transportation regulations run legally counter to VIA's vested right to operate, and he cited several examples that conflict with VIA's statutory authority.

Ms. Suzanne Detwiler, representing VIA, noted that since VIA is a

registered transportation provider, it is subject to state and federal regulations and asks that VIA be exempted from these new proposed City regulations. She addressed reasons for her request, including the high costs to register all buses in the system, since all are subject to periodic usage in charter work. She stated that such local regulation would force VIA to curtail part of its charter services.

Mr. Jim Fisher, Checker and Yellow Cab Companies, objected to allowing shuttles to operate "on demand" in the new regulations, as opposed to their current "pre-scheduled" service.

Mr. Don Rullo, representing SuperVan Shuttle, spoke to several objections and recommendations to the proposed regulations under the ground transportation ordinance. A copy of his remarks are made a part of the papers of this meeting.

Mr. Jacinto Senazaiz, representing Hays Cab Company, addressed his objections to age limits on taxicab vehicles.

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

Mayor Cockrell stated that, in the opinion of the City Attorney, the Council should hold a brief executive session before taking any action on this proposed Ordinance, because of pending litigation.

The City Council then recessed its regular meeting at 3:25 P.M. to convene an Executive Session, reconvening in regular session at 3:59 P.M., at which time Mayor Cockrell made a brief statement concerning the executive session proceedings.

Mr. Stanford Sigler, representing River City Limo, spoke to the unique nature of his limousine service, and spoke in opposition to many of the provisions of the new regulations. A copy of his remarks is made a part of the papers of this meeting.

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

Mr. Thompson spoke to the complex nature of a single ground transportation ordinance, as drafted, and addressed the rationale for the City staff recommendations on the matter.

In response to a question by Mr. Webb, Ms. Veronica Madrid, Assistant City Attorney, noted that, under the proposed regulations, both VIA and Greyhound would be exempt if they have an assigned Interstate Commerce Commission (ICC) number.

Mr. Webb stated that vintage vehicles, other than taxicabs, should be exempted from the eight-year-old age restrictions of vehicles under the Ordinance.

Mr. Robert Siller, Public Utilities Department, noted that vehicles with a capacity of more than 15 passengers are exempted from the Ordinance provisions on age.

Mr. Webb offered an amendment to exclude from the proposed Ordinance the "on-demand" section for Shuttles, and direct the City Attorney to prepare an Ordinance for consideration in two weeks that would allow "on-demand" service in lieu of "pre-arrangement" for Shuttles. Mr. Hasslocher seconded the motion.

Mr. Martinez stated that he feels that such an Ordinance would give shuttles an unfair advantage over other carriers such as taxicabs, and stated that he wants equal opportunity for both modes of transportation in their respective operations at International Airport.

In response to a question by Mr. Labatt, Mr. Rullo discussed routes taken by his shuttle service to and from International Airport.

Ms. Vera asked that a differentiation between taxicabs and shuttles be spelled out in the proposed Ordinance to be brought back to City Council in two weeks.

The amendment prevailed by the following vote: AYES: Webb, Dutmer, Thompson, Vera, Labatt, Cockrell; NAYS: Martinez; ABSENT: Berriozabal, Wing, Wolff, Hasslocher.

Mr. Webb then offered a second amendment to exclude VIA Metropolitan Transit from the Ordinance by adding to Section (e) of Page 3: "Services provided by VIA Metropolitan Transit, since VIA is subject to state and federal regulations"; and by adding to definition of 'person' on Page 4: "Except a governmental entity or a political subdivision of the State of Texas." Mr. Labatt seconded the motion.

Mr. Thompson stated his opinion that regulations should be applied uniformly, and he spoke against excluding VIA from the ordinance.

City Attorney Lloyd Garza spoke to the manner in which possible changes could be made to the proposed Ordinance to accomplish the wishes expressed in the motion by Mr. Webb and Mr. Labatt.

In response to a question by Mr. Labatt, Mr. Wayne Cook, General Manager, VIA Metropolitan Transit, explained why VIA does not charter its services directly anymore. He asked that all VIA operations be exempted from the Ordinance, stating his opinion that ICC regulations provide for this desired result, anyway.

Ms. Anna Deosdade, Public Utilities Department, noted that other Texas cities charge Greyhound and Kerrville Bus Companies for use of their City streets.

A discussion then took place concerning the impact of eliminating fees for both Greyhound and Kerrville Bus Companies, yet retaining the fees for smaller tour vehicles. The possibility of a lawsuit also was discussed.

Ms. Vera stated her opinion that the Grey Line Tours, a function of Greyhound Bus Company, would have an unfair advantage if the City eliminated the \$500-per-vehicle registration for them, yet retained it for other, smaller tour operators.

In response to a question by Ms. Vera, Mrs. June Bratcher, owner of Daisy Tours and two other such services, stated her opinion that such an action would not allow smaller tour operators to operate in San Antonio.

Mr. Martinez and Mrs. Dutmer both spoke against the second amendment.

Mr. Labatt stated his opinion that the \$500-per-vehicle registration cost is too high.

Mr. Hasslocher stated his opinion that the Ordinance is too complicated in seeking to regulate all modes of ground transportation.

Mr. Hasslocher offered a substitute motion to table consideration of this matter for 60 days. Mrs. Dutmer seconded the motion.

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

In response to a question by Ms. Vera, Mr. Cook noted that VIA makes about \$1.3 million per year from its charter operations.

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

In response to a question by Ms. Berriozabal, Ms. Deosdade addressed enforcement of the proposed Ordinance by certain City personnel such as transportation inspectors, Airport Police, San Antonio Police Department, etc.

The main motion, as amended, carrying with it the passage of the following vote, prevailed by the following vote: Berriozabal, Webb, Dutmemr, Martinez, Thompson, Vera, Wolff, Labatt, Cockrell; NAYS: None;

ABSENT: Wing, Hasslocher.

The City Clerk then read the following Ordinance:

AN ORDINANCE 70,819

AMENDING CHAPTER 33 ("VEHICLES FOR HIRE") OF THE CITY CODE OF THE CITY OF SAN ANTONIO SO AS TO PROVIDE COMPREHENSIVE REGULATION OF ALL GROUND TRANSPORTATION SERVICES OPERATING FROM WITHIN THE CITY INCLUDING, BUT NOT LIMITED TO, TAXICABS, SHUTTLES, HORSE-DRAWN CARRIAGES, LIMOUSINES, LIVERY VEHICLES, TOUR VEHICLES, AND CHARTER VEHICLES.

\* \* \* \*

89-54 At this time, it was the consensus of the City Council members present to undertake consideration of agenda item 13, previously postponed.

89-54 CONTINUATION OF DISCUSSION OF AGENDA ITEM 13

Mrs. Dutmer stated that she supports the proposed Ordinance, although she will not support privatization of the City's solid waste operations.

After discussion, on motion of Ms. Vera, seconded by Mr. Hasslocher, it was the consensus of the City Council members present to direct the City Manager to produce the necessary data on the cost to perform the same services by City forces as requested in the Request for Proposal to outside firms, at the same time as the RFP figures are presented to Council.

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

AN ORDINANCE 70,820

ACCEPTING A PROPOSAL BY BROWNING FERRIS INDUSTRIES AND GARBAGE GOBBLER TO PROVIDE SOLID WASTE SERVICES FOR THE FOLLOWING ANNEXED AREAS FOR A 90-DAY PERIOD: GREAT NORTHWEST, MISTY OAKS, TIMBER CREEK AND TWIN CREEK; AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE A CONTRACT FOR EXTENDED WASTE COLLECTION INCLUDING A

PILOT RECYCLING PROGRAM.

\* \* \* \*

89-54 The Clerk read the following Ordinance:

AN ORDINANCE 70,821

AUTHORIZING FIELD ALTERATION NO. 8 TO MARTIN K. EBY CONSTRUCTION CO., INC., IN THE AMOUNT OF \$56,445.00 TO PROVIDE FOR ADDITIONAL CONCRETE DRIVEWAYS IN CONNECTION WITH THE DRIFTWOOD DRAINAGE PROJECT.

\* \* \* \*

Mr. Hasslocher 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, explained the Ordinance provisions calling for new approaches to be built for affected driveways.

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

89-54 The Clerk read the following Ordinance:

AN ORDINANCE 70,822

AWARDING A CONTRACT TO CENTRAL ELECTRIC ENTERPRISES & CO., INC., IN THE AMOUNT OF \$91,327.00 FOR WORK INVOLVING THE INSTALLATION OF SECURITY LIGHTING TO A PARKING LOT, ENTRY BUILDING, AND CONSERVATORY ENTRANCE AND THE INSTALLATION OF NEW SECONDARY POWER TO THE ENTRANCE BUILDING AT THE BOTANICAL CENTER; AUTHORIZING AN ADDITIONAL \$4,566.00 FOR THE CONSTRUCTION CONTINGENCY; APPROPRIATING FUNDS; AND AUTHORIZING PAYMENT.

\* \* \* \*

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

In response to a question by Mrs. Dutmer, Mr. Ron Darner, Director of Parks and Recreation, spoke to the Special Revenue Reserve Fund in the Public Works budget.

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

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

89-54 The Clerk read the following Ordinance:

AN ORDINANCE 70,823

AUTHORIZING THE EXECUTION OF A CONTRACT WITH HOSPITALITY CONCEPTS, INC., TO PROVIDE FOOD AND BEVERAGE CONCESSIONS FOR MUNICIPAL AUDITORIUM, FOR A PERIOD OF THREE YEARS BEGINNING JANUARY 1, 1990.

\* \* \* \*

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

In response to a question by Mrs. Dutmer, Mr. Joe Madison, Director of Convention Facilities, noted that City policy still forbids patrons taking food or drink into Municipal Auditorium.

In response to a question by Ms. Berriozabal, Mr. Madison addressed the matter of advertising and notification to interested bidders on this concession, noting that five interested firms picked up proposal paperwork, and two responded with full proposals.

Ms. Berriozabal voiced her concern that a number of agenda items, including this one, had no backup papers available for Council members to study prior to today's meeting.

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: Cockrell.

89-54 The Clerk read the following Ordinance:

AN ORDINANCE 70,824

AUTHORIZING THE ACCEPTANCE OF A PROPOSAL OF C. THOMAS KOCH, INC., IN THE AMOUNT OF \$115,000.00 FOR THE PROVISION OF TECHNICAL ASSISTANCE SERVICES LEADING TO THE DEVELOPMENT OF SHORT AND LONG RANGE WATER MANAGEMENT STRATEGY FOR BEXAR COUNTY.

\* \* \* \*

Mr. Hasslocher 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, noted that this action is needed to comply with grants and other requirements.

Ms. Berriozabal noted that her previous questions along this line still have not been answered by City staff, and she asked to be informed concerning the relationships of the Alamo Conservation and Re-Use District, City Water Board, City staff, and consultants, and how all tie together. Mr. S. Marcus Jahns, Assistant City Manager, spoke to research being done at this time, in order to fully answer Ms. Berriozabal's earlier questions. He explained the need for water management strategy and the various entities who are involved in a joint effort in this regard.

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

Ms. Rebecca Q. Cedillo, Director of Planning, explained the coordination involved between all concerned parties.

A discussion then took place concerning the different interests between ACRD and CWB, and the working relationship between CWB and the City's water committee. A discussion also took place concerning the relation between this plan and the former regional water plan.

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

89-54 The Clerk read the following Ordinance:

AN ORDINANCE 70,825

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH LOCKWOOD, ANDREWS & NEWNAM, INC., TO PROVIDE AN ENGINEERING STUDY ON THE FAR WEST WASTEWATER TRANSFER LINE, APPROPRIATING FUNDS; AND AUTHORIZING PAYMENT.

\* \* \* \*

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

Mrs. Dutmer expressed her opinion that this may be premature, in view of the uncertain status of Applewhite Reservoir.

Mr. Frank Kiolbassa, Director of Environmental Management, explained the transfer of wastewater flows to serve growing uses in this area, and the need to study how best to do this, to serve customer with wastewater treatment facilities. He noted that it may require a new wastewater treatment plan be constructed in this area, in the future.

Mrs. Dutmer spoke to the widespread opposition to the Applewhite Reservoir.

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

89-54 The Clerk read the following Ordinance:

AN ORDINANCE 70,826

AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE FOR THE EAGER HOUSE AT HEMISFAIR PLAZA WITH THE ALAMO AREA COUNCIL OF GOVERNMENTS FOR EDUCATIONAL AND TRAINING PURPOSES.

\* \* \* \*

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

In response to a question by Ms. Berriozabal, Mr. Louis J. Fox, City Manager, explained plans to offer use of certain buildings in

Hemisfair Park if the lessee will agree to rehabilitate the interiors. He addressed plans of the Alamo Area Council of Governments to use the Eager House for educational and training programs, and spoke to the formation of a non-profit group to do this work.

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

89-54 The Clerk read the following Ordinance:

AN ORDINANCE 70,827

AUTHORIZING THE EXECUTION OF A ONE-YEAR CONTRACT EXTENSION TO THE CONTRACT WITH MR. SEIICHI SHIRANE AND MRS. NAKKO SHIRANE, PROFESSIONAL JAPANESE ADVISORS, IN AN AMOUNT NOT TO EXCEED \$10,000.00, INCLUDING EXPENSE REIMBURSEMENT, FOR PROFESSIONAL CONSULTING SERVICES.

\* \* \* \*

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

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

89-54 The Clerk read the following Ordinance:

AN ORDINANCE 70,828

APPROVING AND AUTHORIZING A THIRD AMENDMENT TO THEATRE SUBLEASE AGREEMENT EMPIRE AND MAJESTIC THEATRES (CITY BOOKINS LEASE), PREVIOUSLY APPROVED BY ORDINANCE NO. 68022 ON SEPTEMBER 29, 1988, AS AMENDED BY ORDINANCE NO. 68699 ON JANUARY 26, 1989 AND ORDINANCE NO. 69627 ON JUNE 8, 1989 TO PROVIDE FOR A MODIFICATION OF "EXPENSE CREDIT" PROVISIONS CONCERNING THE ALLOCATION AND USE OF CERTAIN SPECIAL REVENUES ANTICIPATED TO BE RECEIVED BY FOUNDATION FOR CULTURAL ARTS IN SAN ANTONIO D/B/A LAS CASAS; AND APPROVING AND AUTHORIZING AMENDMENT(S) TO THE

CONSTRUCTION ESCROW AGREEMENT IN CONNECTION  
THEREWITH.

\* \* \* \*

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

Mrs. Dutmer noted that no City funds are involved.

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

- - -  
89-54 The Clerk read the following Ordinance:

AN ORDINANCE 70,829

AMENDING CHAPTER 19 (TRAFFIC REGULATIONS) OF THE CITY CODE SETTING FORTH LOCATIONS AT WHICH ELECTRONIC TRAFFIC CONTROL SIGNALS ARE IN FULL OPERATION; DESIGNATING STOP SIGN LOCATIONS; YIELD-RIGHT-OF-WAY LOCATIONS; PROHIBITING PARKING AT ALL TIMES ON CERTAIN STREETS; PROHIBITING CERTAIN TURNS; ESTABLISHING CERTAIN SCHOOL ZONES; AND PROVIDING THAT VIOLATIONS HEREOF BE PUNISHABLE BY A FINE OF NOT LESS THAN \$1.00 NOR MORE THAN \$200.00.

\* \* \* \*

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

Mrs. Dutmer questioned the removal of Yield Right-of-Way signs along Pamela Drive, in view of the heavy traffic in that area.

Mr. Joe Aceves, Director of Public Works, noted that the Yield signs are being replaced with full Stop signs.

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

89-54 The Clerk read the following Ordinance:

AN ORDINANCE 70,830

DESIGNATING THE DATE UPON WHICH THE CITY OF SAN ANTONIO SHALL ASSUME THE POWERS, DUTIES, ASSETS, AND OBLIGATIONS OF THE TIMBER CREEK UTILITY DISTRICT.

\* \* \* \*

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

Mr. Lloyd Garza, City Attorney, noted that this item is incidentally connected to agenda item 13, involving annexation of certain new areas.

Mr. Hasslocher, Chairman of the Council's Annexation Committee, explained the package involved.

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

89-54 Due to the possibility of bad weather coming into the San Antonio area this evening, Mayor Cockrell asked for and received informal consensus to consider first those agenda items for which citizens were registered to speak, so as to allow them to leave at the earliest possible time.

89-54 The Clerk read the following Resolution:

A RESOLUTION NO. 89-54-102

A RESOLUTION PERTAINING TO THE FILING OF AN APPLICATION FOR RESERVATION WITH THE TEXAS DEPARTMENT OF COMMERCE IN CONNECTION WITH AN ADDITIONAL DOMED STADIUM FINANCING; AND OTHER MATTERS IN CONNECTION THEREWITH.

\* \* \* \*

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

Dr. Henry Cisneros, Chairman of the Dome Development Advisory

Committee, explained the financial reconsideration involved in this matter, which includes Private Activity Bonds. He then explained what amenities could be financed by these bonds, which will be paid off by private funds. He explained the state's lottery system for dispersing the \$25 million in available Private Activity Bonds.

In response to a question by Mrs. Dutmer, Ms. Nora Chavez, Director of Finance, and Mr. Roland Lozano, Director of the Office of Dome Development, outlined the detailed process of awarding these bonds by the state, noting that they would provide the City some flexibility in building the domed stadium.

Mrs. Dutmer stated that she would be voting against the Resolution.

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

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89-54 A proposed resolution, to continue to tax Freeport property in 1990, was taken up for discussion at this time.

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

Mr. Ed Borix, plant manager for Bausch & Lomb, explained the reasons for not taxing Freeport property as an incentive to attract more businesses to San Antonio and provide more jobs for local citizens. He then unveiled plans for additional new construction on his San Antonio plant, which will produce some 200 more local jobs.

Mr. Stuart Summers, Director of the Department of Economic and Employment Development, explained the advantages of property-tax-free inventories of certain local firms, especially those in the Freeport. He noted that the City of Austin recently lost some \$3 million in its tax base by allowing the property tax to remain on Freeport properties.

Mr. Wolff addressed the tax incentives available to San Antonio businesses.

Mr. Mario Hernandez, Vice-President, San Antonio Economic Development Foundation, spoke in support of the motion to deny the taxes.

Ms. Berriozabal noted that the property tax rollback election set for February 3, 1990 is counter to the spirit of the action being taken today in order to assist the local business community. She asked for that community's support in the rollback election process.

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

Agenda item 56 was denied.

89-54 A proposed resolution, to continue to tax Freeport property in 1991 and thereafter, was taken up for disussion at this time.

Mr. Thompson made a motion to approve staff recommendation for denial of this resolution. Mr. Webb seconded the motion.

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

Agenda item 57 was denied.

89-54 The Clerk read the following Ordinance:

AN ORDINANCE 70,831

AMENDING CERTAIN SECTIONS OF ORDINANCE NO. 70257 PASSED AND APPROVED BY CITY COUNCIL ON SEPTEMBER 14, 1989 GOVERNING THE ACTIVITIES OF COMMERCIAL/ INDUSTRIAL SOLID WASTE HAULERS.

\* \* \* \*

Mr. Frank Kiolbassa, Director of Environmental Management, stated that it should take about 30 days to complete the document involved.

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

ZONING HEARINGS

72. CASE Z89191 - to rezone Lot 9, Block 3, NCB 7039, 3119 Nogalitos Street from "F" Local Retail District to "B-3NA" Non-Alcoholic Sales Business District, located northwest of the intersection of Nogalitos Street and Hoover Avenue having 110.0 feet on Nogalitos Street and 68.0 feet on Hoover Avenue.

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

Mr. Martinez made a motion for "B-3NA" with solid screen fence on the north property line. 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, Martinez, Thompson, Wolff, Labatt, Hasslocher, Cockrell; NAYS: None; ABSENT: Vera.

AN ORDINANCE 70,832

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 9, BLOCK 3, NCB 7039, 3119 NOGALITOS STREET, FROM "F" LOCAL RETAIL DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

\* \* \* \*

73. CASE Z89190 to rezone the southwest 200' of Parcel 16, NCB 14992 from "R-A" Residence Agriculture District to "B-2" Business District, and Parcel 16, save and except the southwest 200', NCB 14993. Property is located northeast of the intersection of S. W. Loop 410 Expressway and Quintana Road, having 971.5 feet on S. W. Loop 410 Expressway and 306.2 feet on Quintana Road with a depth of 2,467.3 feet.

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

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

Mr. Thompson noted that the applicant in this case has agreed to a six-week delay in consideration of this proposed rezoning case by City Council.

Ms. Gloria Ann Riggs, Southwest community Associatiok, 5911 SouthLoft Circle, stated that her organization, the Southwest Community Association, never was notified that this case was to be heard today, nor was the school district involved. She noted that her organization is opposed to the proposed rezoning.

Mr. Andy Guerrero, Planner III, noted that the Cityn tax rolls determine who receives the mailed notice, depending upon property owned within 200 feet of the affected property, but that he would notify her organization when the matter again comes before City Council.

Agenda item 73 was postponed for six weeks at the request of the proponent.

- - -  
76. CASE 289175 - to rezone Lot 10, NCB 10914 from "B-3" Business District to "B-3NA" Non-Alcoholic Sales District, located northwest of the intersection of S. E. Loop 410 Expressway and South Presa, having 68.5 feet on S. E. Loop 410 Expressway 48.61 feet on South Presa with a depth of 370.16 feet, 9506 South Presa.

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

Mr. Andy Guerrero, Planner III, noted that it would take nine affirmative votes of the City Council to approve any rezoning not agreed to by the property owner, and he stated that the City was the proponent of the rezoning, in this case, at request of City Council.

Mr. Raymond Macias, 9506 South Presa Street, stated his opposition to the rezoning, noting that he wants the property to remain B-3. He stated that he had operated his business on this property since before its annexation into the City of San Antonio.

Mr. Guerrero noted that neighbors had complained to the City about the noise coming from the business located on this property, and the Council had directed its down-zoning.

Mrs. Dutmer spoke to the complaints received about too much noise from the business, and noted that rezoning will not adversely affect Mr. Macias because he continues to enjoy non-conforming rights to the property, and will retain them until the current usage is stopped for one year.

Mrs. Dutmer made a motion to approve the recommendation of the

Zoning Commission, as "B-3R". Mr. Hasslocher seconded the motion.

Ms. Berriozabal stated that this is a good way to send a strong message to business owners who do not respect the rights of their neighbors.

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

AN ORDINANCE 70,833

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 10, NCB 10914, FROM "B-3" BUSINESS DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

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

77. CASE Z89177 - to rezone Lot 21, NCB 10914, 9454 South Presa, located on the northeast side of South Presa, being 250.03 feet northwest of the intersection of S. E. Loop 410 Expressway and South Presa, having 100.0 feet on South Presa with a depth of 300.0 feet.

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

Ms. Inez Trevino, 9454 South Presa Street, stated her opinion that there was not too much noise coming from the business being operated on her property, and she explained the noise was caused by the operations conducted by her nephew.

Mrs. Dutmer noted that, like in the preceding case, the rezoning will not adversely affect Mrs. Trevino's business since she enjoys non-conforming rights.

Mr. Wing made a motion to approve the proposed ordinance as "B-3R". Mr. Webb seconded the motion.

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

AN ORDINANCE 70,834

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 21, NCB 10914, FROM "B-3" BUSINESS DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, 9454 SOUTH PRESA STREET. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

(At this point, Mayor Pro Tem Dutmer relinquished the chair to Mr. Hasslocher, as she was obliged to leave the meeting.)

74. CASE Z89192 - to rezone Lots 5 and 6, Block 8, NCB 13959, 2126 Callaghan Road, from "R-A" Residence-Agriculture District to "B-2" Business District, located southeast of the intersection of South Callaghan Road and Congo Lane, having 83.4 feet on South Callaghan Road and 125 feet on Congo Lane.

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

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

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

AN ORDINANCE 70,835

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 5 AND 6, BLOCK 8, NCB

13959, FROM "R-A" RESIDENCE-AGRICULTURE DISTRICT TO "B-2" BUSINESS DISTRICT, 2126 CALLAGHAN ROAD. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

75. CASE Z89189 to rezone Tract 5-F and 5-G, NCB 10914, 9442 South Presa, from "B" Residence District to "B-3" Business District, located on the northeast side of South Presa, being 550.03 feet northwest of the intersection of S. E. Loop 410 Expressway and South Presa, having 201.5 feet on South Presa with a depth of 220.0 feet.

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

Mrs. Dutmer made a motion to approve the recommendation of the Zoning Commission as "B-3NA". Mr. Thompson 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, Thompson, Wolff, Labatt, Hasslocher; NAYS: None; ABSENT: Cockrell, Vera.

AN ORDINANCE 70,836

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 TRACT 5-F AND 5-G, NCB 10914, FROM "B" RESIDENCE DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT, 9442 SOUTH PRESA STREET. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

78. CASE Z89030-A - to rezone the north 60' of Lot 1, Block 1, NCB 18321 from Temporary "R-1" Single Family Residence District to "B-3NA" Non-Alcoholic Sales District, and Lot 1, save and except the north 60', Block 1, NCB 18321, and Parcel 44-B, NCB 10615, from Temporary "R-1" Single Family Residence District to "I-2" Heavy Industry District, located on the southside of East Houston, being 1,703.24 feet east of the intersection of S. E. Loop 410 Expressway and East Houston, having 652.8 feet on East Houston and a depth of 620 feet, 5610 East Houston Street.

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

Mrs. Dutmer expressed her concern that the heat from the proposed foundry might affect the nearby propane gas firm.

Mr. Andy Guerrero, Planner III, noted that any uses of the property must first meet Fire Department regulations and requirements, and he briefly discussed access to the property in the rear.

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

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

AN ORDINANCE 70,837

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 THE NORTH 60 FEET OF LOT 1, BLOCK 1, NCB 18321, FROM TEMPORARY R-1 ONE-FAMILY RESIDENCE DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT AND LOT 1, SAVE AND EXCEPT THE NORTH 60 FEET, BLOCK 1, NCB 18321; AND PARCEL 44-B, NCB 10615, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "I-2" HEAVY INDUSTRY DISTRICT, 5610 EAST HOUSTON STREET. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

79. CASE 289030-B - to rezone Parcels 31 and 31-A, NCB 10615, S. E. Loop 410 Expressway, from Temporary "R-1" Single Family Residence District to "I-1" Light Industry District, located 200 feet east of the R.O.W. of S. E. Loop 410 Expressway, being south of the intersection of S. E. Loop 410 Expressway and East Houston, having a width of 1,794.48 feet and a depth of 1,703.24 feet.

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

Mrs. Dutmer made a motion to approve the recommendation of the

Zoning Commission. Mr. Webb seconded the motion.

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

AN ORDINANCE 70,838

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 PARCELS 31 AND 31-A, NCB 10615, SOUTHEAST LOOP 410 EXPRESSWAY, FROM TEMPORARY "R-1" SINGLE-FAMILY RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

80. CASE Z89030-C - to rezone Parcels 1-A, 2, 2-F, 5-C, 5-D and 10, save and except the north 200 feet of Parcel 5-C and the north 200 feet of the east 300 feet of Parcel 2-F, NCB 10881, from Temporary "R-1" Single Family Residence District to "R-A" Residence-Agriculture District, and the north 200 feet of Parcel 5-C and on the north 200 feet of the east 300 feet of Parcel 2-F, NCB 10881, from Temporary "R-1" Single Family Residence District to "R-4" Manufactured Home Residence District, located on the southeast side of S. E. Loop 410 Expressway, being 1250.0 feet southwest of the intersection of I.H. 37 Expressway and S. E. Loop 410 Expressway, having 2,240 feet on S. E. Loop 410 Expressway and a maximum depth of 3,600 feet, 9295 S. W. W. White Road.

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

Ms. Christine Alexander, attorney for the property owner, briefly explained the rezoning request.

Mrs. Dutmer stated that she opposes the rezoning because of the sheer size of the property concerned.

Mr. Andy Guerrero, Planner III, explained that the R-4 Manufactured Home Residence District applies only to a very small portion of the total property, while the large percentage of that property will be "R-A" Residence-Agriculture District.

Mrs. Dutmer made a motion to approve the recommendation of the

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

AN ORDINANCE 70,839

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 PARCELS 1-A, 2, 2-F, 5-C, 5-D AND 10, SAVE AND EXCEPT THE NORTH 200 FEET OF PARCEL 5-C AND THE NORTH 200 FEET OF THE EAST 300 FEET OF PARCEL 2-F, NCB 10881, FROM TEMPORARY "R-1" SINGLE-FAMILY RESIDENCE DISTRICT TO "R-A", RESIDENCE-AGRICULTURE DISTRICT, AND THE NORTH 200 FEET OF PARCEL 5-C, AND THE NORTH 200 FEET OF THE EAST 300 FEET OF PARCEL 2-F, NCB 10881, AND THE NORTH 2100 FEET OF PARCEL 5-C, AND THE NORTH 200 FEET OF THE EAST 300 FEET OF PARCEL 2-F, NCB 10881, 9295 SOUTH W. W. WHITE ROAD, FROM TEMPORARY "R-1" SINGLE-FAMILY RESIDENCE DISTRICT TO "R-4" MANUFACTURED HOME RESIDENCE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

89-54 The Clerk read the following Ordinance:

AN ORDINANCE 70,840

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

\* \* \* \*

Mr. Thompson made a motion to approve the proposed Ordinance. Mr. Martinez 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, Wolff, Hasslocher; NAYS: None;

ABSENT: Vera, Cockrell. DISQUALIFIED: Labatt.

\* \* \* \*

89-54 The Clerk read the following Ordinance:

AN ORDINANCE 70,841

AUTHORIZING THE CITY ATTORNEY TO EXECUTE AND ENTER AN AGREED JUDGMENT IN PENDING LITIGATION IN CAUSE NO. 87-CI-18113 ENVIRO-GRC VS. CITY OF SAN ANTONIO AND APPROPRIATING FUNDS AUTHORIZED TO BE PAID BY THE DIRECTOR OF FINANCE TO FUND THE AGREED JUDGMENT.

\* \* \* \*

Mrs. Dutmer expressed her concern with setting of a precedent in this case.

Mr. Frank Kiolbassa, Director of Environmental Management, noted that the City is paying only for the work actually performed.

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

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

89-54 The Clerk read the following Ordinance:

AN ORDINANCE 70,842

APPOINTING CODE COMPLIANCE DIRECTOR AND INVESTIGATORS AS "HEALTH OFFICIAL" TO ENFORCE HEALTH LAWS; APPOINTING RUDY DAVILA, PEACE OFFICER LICENSE # 460-21-8938, AND HORACE NEAVES, PEACE OFFICER LICENSE # 466-54-2066, AS CITY OF SAN ANTONIO PEACE OFFICERS ASSIGNED TO CODE COMPLIANCE DEPARTMENT AS NOISE ABATEMENT OFFICERS; AMENDING THE CITY CODE TO TRANSFER RESPONSIBILITY FOR NOISE ABATEMENT TO THE CODE COMPLIANCE DIRECTOR; AMENDING CITY CODE SECTION 21-56, ENTITLED "ENFORCEMENT" TO IDENTIFY THE NOISE NUISANCE VIOLATOR; AUTHORIZING TEMPORARY SEIZURE OF NOISE NUISANCE CREATING DEVICES; AUTHORIZING

IMPOUNDMENT OF REPEAT NUISANCE ANIMALS; DELETING  
NEED FOR PERMIT FOR CASES OF URGENT NECESSITY OR  
PUBLIC CONVENIENCE; LIMITING THE ENFORCEMENT  
EXCEPTION GRANTED TO VEHICLES TO ONLY MOTOR NOISE ON  
PUBLIC RIGHTS-OF-WAY, WATERWAYS, AIRPORT RUNWAYS,  
AND RAILWAYS.

\* \* \* \*

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

In response to a question by Ms. Berriozabal, Mr. Martin Rodriguez, Code Compliance Manager, stated that the report would be forthcoming in about one week.

In response to a question by Mr. Labatt, Mr. Rodriguez explained the noise levels in relation to the zoning classifications.

Mr. David Yoakum, representing a business firm along North St. Mary's Street, expressed his concerns about what he termed the unenforceability of the present noise ordinance.

Mr. Rodriguez stated that this new noise ordinance will make enforcement possible.

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

In response to a question by Mr. Wing, Mr. Martinez discussed the status of cases of illegal dumping and code enforcement officers to monitor this Ordinance. He noted that the staff's plan will come before City Council in about 30 days.

- - -  
89-54 The Clerk read the following Ordinance:

AN ORDINANCE 70,843 .

.  
WAIVING ORDINANCE NO. 58880 (STREET CLOSURE  
NOTIFICATION PROCEDURE) IN CONNECTION WITH THE  
MULTI-PURPOSE DOME PROJECT SITE.

\* \* \* \*

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

In response to a question by Ms. Berriozabal, Mr. Roland Lozano, Director of the Office of Dome Development, explained the request for the Ordinance, and he spoke to the matter of public notification in the area to be cleared for the dome construction. He noted that the City will not close any street until every occupant of that street has moved.

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

- - -  
89-54 The Clerk read the following Ordinance:

AN ORDINANCE 70,844 .

: CLOSING CERTAIN STREETS TO ALLOW THE SAN ANTONIO  
PARKS FOUNDATION TO STAGE THE NEW YEAR'S EVE  
CELEBRATION AND FIREWORKS DISPLAY, WAIVING STREET  
CLOSURE FEES, AND AUTHORIZING THE CITY OF SAN  
ANTONIO TO PROVIDE ADMINISTRATIVE AND OTHER SUPPORT  
AS NECESSARY TO STAGE THE EVENT.

\* \* \* \*

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

Mayor Cockrell noted that the goal for funds from private contributions has almost been reached.

In response to a question by Ms. Berriozabal, Mr. Ron Darner, Director of Parks and Recreation, explained what is involved in "administrative and other support" in the Ordinance.

Mrs. Dutmer noted that no City funds are involved in the New Year's Eve festivities, and spoke to certain letters of complaint that have been received.

Mayor Cockrell thanked the business firms that have contributed to fund this effort.

A discussion then took place concerning the City's plans to care for the homeless during bad weather in San Antonio.

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

ABSENT: Martinez, Vera.

89-54 The Clerk read the following Resolution:

A RESOLUTION NO. 89-54-103

AUTHORIZING SUBMISSION OF AN APPLICATION TO HOST THE 1996 NATIONAL LEAGUE OF CITIES ANNUAL CONGRESS OF CITIES TO BE HELD ON DECEMBER 7, THROUGH DECEMBER 11, 1996.

\* \* \* \*

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

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

89-54 The Clerk read the following Ordinance:

AN ORDINANCE 70,845

AUTHORIZING THE CITY MANAGER OR ANY ASSISTANT CITY MANAGER TO EXECUTE A FIRST ADDENDUM TO THAT CERTAIN LEASE AGREEMENT WITH PALACIO DEL RIO, INC., FOR THE CONSTRUCTION AND LEASE OF CERTAIN ADDITIONAL PARKING SPACES IN THE RIVER BEND PARKING GARAGE.

\* \* \* \*

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

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

89-54 The Clerk read the following Resolution:

A RESOLUTION NO. 89-54-104 .

SUPPORTING MAYOR LILA COCKRELL'S NOMINATION TO THE  
NATIONAL LEAGUE OF CITIES TRANSPORTATION AND  
COMMUNICATIONS STEERING COMMITTEE.

\* \* \* \*

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

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

89-54 The Clerk read the following Resolution:

A RESOLUTION NO. 89-54-105 .

SUPPORTING CITY COUNCILMEMBER MARIA ANTONIETTA  
BERRIOZABAL'S REAPPOINTMENT TO THE NATIONAL LEAGUE  
OF CITIES COMMUNITY AND ECONOMIC DEVELOPMENT POLITY  
COMMITTEE.

\* \* \* \*

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

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

89-54 The Clerk read the following Resolution:

A RESOLUTION NO. 89-54-106 .

SUPPORTING CITY COUNCILMEMBER JOE WEBB'S  
REAPPOINTMENT TO THE NATIONAL LEAGUE OF CITIES  
FINANCE, ADMINISTRATION AND INTERGOVERNMENTAL

RELATIONS STEERING COMMITTEE.

\* \* \* \*

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

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

89-54 The Clerk read the following Resolution:

A RESOLUTION NO. 89-54-107 .

SUPPORTING CITY COUNCILMEMBER HELEN DUTMER'S  
REAPPOINTMENT TO THE NATIONAL LEAGUE OF CITIES  
ENERGY, ENVIRONMENT AND NATURAL RESOURCES POLICY  
COMMITTEE.

\* \* \* \*

Mr. Hasslocher made a motion to approve the proposed Resolution.  
Mr. Wolff seconded the motion.

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

89-54 The Clerk read the following Resolution:

A RESOLUTION NO. 89-54-108 .

SUPPORTING CITY COUNCILMEMBER WALTER MARTINEZ'S  
REAPPOINTMENT TO THE NATIONAL LEAGUE OF CITIES  
COMMUNITY AND ECONOMIC DEVELOPMENT STEERING  
COMMITTEE.

\* \* \* \*

Mr. Hasslocher made a motion to approve the proposed Resolution.  
Mr. Labatt seconded the motion.

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

- - -  
89-54 The Clerk read the following Resolution:

A RESOLUTION NO. 89-54-109 .

.  
SUPPORTING COUNCILMAN ROBERT THOMPSON'S  
REAPPOINTMENT TO THE NATIONAL LEAGUE OF CITIES  
TRANSPORTATION AND COMMUNICATIONS STEERING  
COMMITTEE.

\* \* \* \*

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

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

- - -  
89-54 The Clerk read the following Resolution:

A RESOLUTION NO. 89-54-110 .

.  
SUPPORTING CITY COUNCILMEMBER YOLANDA VERA'S  
REAPPOINTMENT TO THE NATIONAL LEAGUE OF CITIES HUMAN  
DEVELOPMENT STEERING COMMITTEE.

\* \* \* \*

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

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

89-54 The Clerk read the following Resolution:

A RESOLUTION NO. 89-54-111 .

SUPPORTING CITY COUNCILMEMBER NELSON W. WOLFF'S  
NOMINATION TO THE NATIONAL LEAGUE OF CITIES  
COMMUNITY AND ECONOMIC DEVELOPMENT POLICY COMMITTEE.

\* \* \* \*

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

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

89-54 The Clerk read the following Resolution:

A RESOLUTION NO. 89-54-112 .

SUPPORTING CITY COUNCILMEMBER WEIR LABATT'S  
APPOINTMENT TO THE NATIONAL LEAGUE OF CITIES ENERGY,  
ENVIRONMENT AND NATURAL RESOURCES STEERING  
COMMITTEE.

\* \* \* \*

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

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

89-54 The Clerk read the following Resolution:

A RESOLUTION NO. 89-54-113 .

SUPPORTING CITY COUNCILMEMBER JAMES C. HASSLOCHER'S  
REAPPOINTMENT TO THE NATIONAL LEAGUE OF CITIES  
FINANCE, ADMINISTRATION AND INTERGOVERNMENTAL

RELATIONS POLICY COMMITTEE.

\* \* \* \*

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

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

- - -  
89-54 The Clerk read the following Ordinance:

AN ORDINANCE 70,846

APPOINTING SISTER JANE SHAFER TO SERVE ON THE COMMISSION FOR CHILDREN AND FAMILIES FOR A TERM TO EXPIRE ON JUNE 27, 1990.

\* \* \* \*

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

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

- - -  
89-54 The Clerk read the following Ordinance:

AN ORDINANCE 70,847

AUTHORIZING THE FILING OF A SUIT FOR INJUNCTIVE RELIEF AGAINST THE OWNERS OF CERTAIN PROPERTY IN COUNTY BLOCK 4189 (PARCELS P-1, P-1A AND P-1B, ABSTRACT 171) IN SOUTHWEST BEXAR COUNTY AND DETERMINING THE NECESSITY FOR AND AUTHORIZING THE ACQUISITION OF SUCH PROPERTY BY PURCHASE OR CONDEMNATION FOR CONSTRUCTION OF THE APPLEWHITE WATER SUPPLY PROJECT, AND DECLARING AN EMERGENCY.

\* \* \* \*

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

Mr. Labatt seconded the motion.

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

89-54

CITIZENS TO BE HEARD

ANTHONY Z. BROWN

Mr. Anthony Z. Brown, SUAVE A Productions, spoke to the City Council regarding their plans to have a New Year's Eve dance. He spoke of their plan to contribute the monies from this dance to charitable organizations. He asked the City Council to waive the fee at the South Banquet Hall at the Convention Center for this event.

Councilman Webb stated that the City Council doesn't meet again until January 4, 1990, and explained that there is no time to act on Mr. Brown's request. He then asked Mr. Brown to plan for this event next year with more time.

\* \* \* \*

PHILIP ROSS

Mr. Philip Ross, President of the Aquifer Protection Association, spoke about the Council's action at today's meeting, namely Item #83 on the Agenda. He stated that his primary concern and opposition to the Applewhite Project is due to his concern to the protection of natural resources. He spoke about the costs of this project and warned the Council about escalating costs. He spoke to the various lawsuits filed against the Applewhite Project and, in response to Mayor Cockrell, Mr. Ross stated that the Upper Cibolo Creek Project will hold much more water than the Applewhite Project.

A discussion took place regarding the Upper Cibolo Creek Project versus the Applewhite Project and the granting of rights to Canyon Water by SBRA.

Mrs. Dutmer took exception to the action taken by the City to enforce the powers of eminent domain and feels that it's harassment against property owners.

\* \* \* \*

- - -  
There being no further business to come before the Council, the  
meeting was adjourned at 8:55 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

