

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

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

- - -  
89-15 The invocation was given by Councilman Robert S. Thompson.

- - -  
89-15 The members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

- - -  
89-15 JUNIOR LEAGUE MONTH

Mayor Cisneros read a special proclamation designating the month of April, 1989 to be "Junior League Month" in honor of the 65th anniversary of the Junior League. He then introduced and presented the proclamation to Ms. Jan Hill, President of the Junior League. Mayor Cisneros stated that the Junior League would present approximately \$5,000 towards completion of the Children's Playground at Hemisfair Park and spoke of the League's long years of civic involvement in working with the community.

Ms. Hill thanked the Mayor and the Council for recognizing the group's 65th year of community work and spoke about various aspects of that work. She also introduced other members who were present in the audience.

- - -  
89-15 INMATE ART SHOW

Mayor Cisneros introduced Ms. Carol Smith, the Art Curator for Cappy's Restaurant, who was present in the audience to invite the City Council to view the Inmate Art Show to be on exhibit on April 9, 1989 at the restaurant located at San Pedro and Loop 410.

Ms. Smith then briefly spoke to details of the Inmate Art Show and issued a special invitation to members of the City Council to attend.

89-15

THAILAND YOUTH SOCCER TEAM

Mayor Cisneros introduced the 21 members of the Thailand Youth Soccer Team, present in the audience, along with their coaches. Mayor Cisneros noted that the group is visiting San Antonio from April 2-8 and is being hosted by two San Antonio Youth Soccer Teams, the Panthers and the Rowdies.

Mayor Cisneros then asked members of the teams to stand and identify themselves and their schools. He presented mementos of their visit to City Hall to the Thailand team members and their coach.

The Panthers Coach, of the Northeast Youth Soccer Organization (NYSO), spoke to the accomplishments of the Panthers team and the international competition which resulted in their hosting the Thai team in San Antonio. He presented the Mayor with a team cap.

At this point, the coach of the Thailand team invited the Mayor and Council to visit Thailand and he presented the Mayor with a special banner and a book about their team.

89-15

KANDU CLASSIC

Ms. Harriet Marmon, organizer of the Youth Literacy effort in San Antonio, spoke to details of the "Kandu Classic" which was designed to benefit the youth literacy effort in San Antonio. She noted that Sea World, the Olmos Kiwanis Club, and Southwestern Bell Telephone are all corporate sponsors of this April 29th Kandu Classic Run designed to raise funds for the youth literacy effort, and she addressed plans for a Sea World visit by students from six local high schools.

Mayor Cisneros thanked Ms. Marmon for her great efforts on behalf of youth literacy in San Antonio.

Mr. Bob McCullough, representing Sea World of Texas, spoke to the firm's corporate sponsorship of the "Kandu Classic."

89-15

JEFFERSON ELEMENTARY SCHOOL CLASS

Mayor Cisneros recognized the presence in the audience of a group of school children from Jefferson Elementary School, accompanied by their

teacher, and he welcomed them to City Hall.

- - -  
89-15 The minutes of the City Council meeting of March 16, 1989 were approved as corrected.

- - -  
89-15 CONSENT AGENDA

Mrs. Dutmer made a motion to approve Agenda Items 6 through 20, constituting the Consent Agenda, with Items 7, 15, 16 and 17 to be pulled for individual consideration. Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 69,204 .

.  
ACCEPTING THE PROPOSAL OF CORONET/MTI FILM & VIDEO TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH ART AND MUSIC FILMS FOR A TOTAL OF \$4,469.25.

\* \* \* \*

AN ORDINANCE 69,205 .

.  
ACCEPTING THE LOW BID OF SAN ANTONIO FLOOR FINISHERS, INC. FOR FLOOR TILE REPLACEMENT AT HARLANDALE GYMNASIUM FOR A TOTAL OF \$5,630.

\* \* \* \*

AN ORDINANCE 69,206 .

.  
ACCEPTING THE LOW QUALIFIED BIDS OF CHAIR KING FURNITURE COMPANY AND HOME & PATIO TO FURNISH THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH PATIO FURNITURE FOR A TOTAL OF \$5,409.54.

\* \* \* \*

AN ORDINANCE 69,207 .

.  
ACCEPTING THE LOW QUALIFIED BIDS OF BUSINESS EQUIPMENT AND SYSTEMS, J. R., INC., AND JOYCE OFFICE PRODUCTS TO FURNISH THE CITY OF SAN ANTONIO PARKS &

RECREATION DEPARTMENT WITH OFFICE FURNITURE FOR A  
TOTAL OF \$10,443.75.

\* \* \* \*

AN ORDINANCE 69,208

ACCEPTING THE PROPOSAL OF A T & T TO FURNISH THE  
CITY OF SAN ANTONIO POLICE DEPARTMENT WITH A  
TELECOMMUNICATIONS SYSTEM FOR THE NEW POLICE ACADEMY  
FOR A TOTAL OF \$41,147.41.

\* \* \* \*

AN ORDINANCE 69,209

AUTHORIZING AN ADDITIONAL \$10,465.33 FOR ENGINEERING  
FEES, PAYABLE TO GARCIA & WRIGHT CONSULTING  
ENGINEERS, INC., IN CONNECTION WITH THE ENGLEWOOD  
AREA STREET, PHASE I PROJECT.

\* \* \* \*

AN ORDINANCE 69,210

AUTHORIZING AND APPROVING THE RENEWAL OF A LEASE  
AGREEMENT WITH MEXICANA AIRLINES FOR ITS OCCUPANCY  
OF OFFICE SPACE AT THE RIVERBEND PARKING GARAGE AND  
DIRECTING THE CITY MANAGER OR ANY ASSISTANT CITY  
MANAGER TO EXECUTE A NEW LEASE AGREEMENT IN  
CONNECTION THEREWITH.

\* \* \* \*

AN ORDINANCE 69,211

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$61,409.00  
OUT OF GENERAL OBLIGATION BONDS FOR THE PURPOSE OF  
ACQUIRING TITLE AND ACCEPTING THE DEDICATION OF  
TITLE TO CERTAIN LANDS; ALL IN CONNECTION WITH  
CERTAIN RIGHT-OF-WAY PROJECTS.

\* \* \* \*

AN ORDINANCE 69,212

AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT  
AMENDMENT FOR PROFESSIONAL SERVICES BETWEEN THE CITY  
AND THE ASSOCIATION OF PAPE-DAWSON AND BENDER FOR  
THE DEVELOPMENT OF A LAND USE ASSUMPTION PLAN IN

ACCORDANCE WITH S.B. 336.

\* \* \* \*

AN ORDINANCE 69,213

AMENDING THE APPROPRIATION AUTHORIZED BY CITY ORDINANCE NO. 68475, AND AUTHORIZING AN ADDITIONAL APPROPRIATION OF \$92,660.00 FOR THE RENOVATION WORK OF SADA OFFICES LOCATED AT ST. PAUL SQUARE.

\* \* \* \*

AN ORDINANCE 69,214

AUTHORIZING THE CLOSURE OF OCTAVIA FROM S. FLORES TO GREENWOOD FROM 12:00 NOON TO 9:00 P.M. ON SATURDAY, APRIL 8, 1989 IN CONNECTION WITH THE ST. LEO'S SCHOOL'S SPRING KING FESTIVAL; AND DECLARING AN EMERGENCY.

\* \* \* \*

89-15

The Clerk read the following Ordinance:

AN ORDINANCE 69,215

ACCEPTING THE LOW BIDS OF AMA ENTERPRISES, INC., TEXAS EQUIPMENT COMPANY, COMMERCIAL BODY CORPORATION AND ACE TRAILERS TO FURNISH THE CITY OF SAN ANTONIO WITH TRUCK BODIES FOR A TOTAL OF \$197,373.71.

\* \* \* \*

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

Mr. Wing took note of the fact that three San Antonio minority own firms are involved in this bid and he lauded the City for its track record in small and minority business work.

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

89-15 The Clerk read the following Ordinance:

AN ORDINANCE 69,216

AMENDING CHAPTER 15 OF THE CITY CODE OF THE CITY OF SAN ANTONIO, TEXAS, BY THE ADDITION OF ARTICLES IX, REGULATION OF CHILD CARE FACILITIES; PROVIDING FOR PERMIT REQUIREMENTS, PERMIT AND REINSPECTION FEES; PROVIDING FOR PROCEDURES FOR APPLICATION, RENEWAL, TRANSFER, SUSPENSION AND REVOCATION OF PERMITS; PROVIDING FOR VIOLATIONS AND PROCEDURES FOR CORRECTION OF VIOLATIONS; ADOPTING GENERAL REQUIREMENTS FOR CHILD CARE FACILITY OPERATIONS; PROVIDING FOR CARE OF CHILDREN WITH SPECIAL NEEDS; PROVIDING FOR DUE PROCESS SAFEGUARDS; PROVIDING FOR PENALTIES; AND CREATION OF AN ADVISORY COMMITTEE, INTERPRETATION GUIDE AND TRAINING COMPONENT.

\* \* \* \*

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

Dr. Fernando Guerra, Director of the Metropolitan Health District, briefly explained details of the proposed ordinance setting regulations on Child Care Facilities in San Antonio, and spoke of plans for further ordinance action in the near future.

Mayor Cisneros addressed the importance of going forward with this child care initiatives for San Antonio.

Mrs. Cheryl Fikes, 5838 Pinecountry, introduced various individuals who were among the major supporters for this new ordinance and who were present in the audience.

In response to a question by Mr. Labatt, Dr. Guerra addressed the impact of the new regulatory rules on child care providers in San Antonio.

A discussion then took place concerning the staffing needs of the Metropolitan Health District, at present and as projected based upon the impact of this ordinance.

A discussion also took place concerning the enforcement provisions in support of the ordinance.

In response to a question by Mr. Thompson, Ms. Blanche Russ, a San Antonio child care provider representing Parent/Child Incorporated, stated that she envisioned some possible problems in child care training in order to meet the requirements of the Ordinance. She stated that she feels that her firm, Parent/Child Incorporated, already provides

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sufficient training for child care workers.

Dr. Guerra then briefly addressed the child care training issues involved in the ordinance.

In response to a question by Mrs. Berriozabal, Dr. Guerra addressed the staff's responses which are being prepared to reply to a letter received from the YMCA, relative to the child care issues. Dr. Guerra also spoke to specific questions and issues raised by the YMCA in its letter, including the matter of playground injury problems. He stated further that he feels the Department and the City can work out any problems with independent school districts and others in this particular regard involving playground injury problems. Dr. Guerra then mentioned certain programs which were impacted by these new ordinances, such as the Prime Time After School Program.

Mrs. Berriozabal thanked City Manager Louis J. Fox and Mr. Kevin Moriarty, Director of the Department of Human Resources, for their hard work on this issue.

Mrs. Alicia Trevino, a child care provider in San Antonio, questioned the matter of the hot water provision in the ordinance. She stated that she feels that established child care providers who do not have hot water in their child care centers in response to state law requirements, should be grandfathered on this particular section as well as any other issues that relate to it. She noted that the State currently forbids child care and day care facilities from having hot water in those facilities for safety purposes.

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

- - -  
89-15 The Clerk read the following Resolution:

A RESOLUTION NO. 89-15-23

ENDORSING THE CONCEPTS RECOMMENDED IN THE REPORT  
SUBMITTED BY THE COMMITTEE ON CHILD CARE  
INITIATIVES.

\* \* \* \*

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

Mr. Labatt stated he feels that he cannot support the funding mandates involved in this report by the Committee on Child Care

Initiatives since those mandates require an increase in funding of at least 7.5 per cent in the next budget. He stated that he has difficulties with this since the City's current budget process is just getting under way.

Mayor Cisneros stated he feels the City Council can support the concept of the report and then work toward the goals stated in the report over a period time.

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

- - -  
89-15 The Clerk read the following Ordinance:

AN ORDINANCE 69,217 .

.  
AUTHORIZING THE CITY MANAGER OR HIS DELEGATE TO EXECUTE A FOUR YEAR AGREEMENT WITH THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER FOR THE CONTINUATION OF MEDICAL ASSISTANCE AND TRAINING TO THE SAN ANTONIO FIRE DEPARTMENT'S EMERGENCY MEDICAL SERVICES DIVISION AND APPROVING FIRST YEAR COSTS OF \$623,818.00.

\* \* \* \*

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

In response to a question by Mrs. Dutmer, Fire Chief Raul Losoya stated that the payment schedule for the EMS training given by University of Texas Health Science Center personnel has been revised.

In response to a question by Mr. Labatt, Chief Losoya addressed the \$81,000 increase which represents an increase of about 15 per cent. Mr. Labatt stated that if the City is going to agree to a 15 per cent increase in pay to this governmental agency, then other governmental agencies who make payments to the City of San Antonio should perhaps consider like provisions in their contracts for services with the City of San Antonio and pay the City an additional 15 per cent this coming year.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Berriozabal,

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

89-15 The Clerk read the following Ordinance:

AN ORDINANCE 69,218

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

\* \* \* \*

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

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

89-15 The Clerk read the following Ordinance:

AN ORDINANCE 69,219

REQUIRING THAT PERSONS AND/OR UTILITY COMPANIES THAT DAMAGE OR DISTURB PUBLIC TRIPARTY DOWNTOWN TRANSPORTATION IMPROVEMENTS COMPENSATE THE CITY OF SAN ANTONIO FOR ACTUAL COSTS ASSOCIATED WITH CITY PUBLIC WORKS DEPARTMENT RESTORATION, RECONSTRUCTION AND/OR REPAIR OF SAME IN GENERAL ACCORDANCE WITH TRIPARTY DESIGN PLANS AND SPECIFICATIONS, AND ESTABLISHING A FINE FOR VIOLATION OF THIS ORDINANCE.

\* \* \* \*

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

Mr. Louis J. Fox, City Manager, briefly explained plans for the reimbursement by various utility companies of costs involved in making street cuts where the City will now be making repairs in some cases, especially in the TriParty construction area. He stated that he feels this is a start of a new procedure in this area.

Mr. Thompson voiced his concern that this will become an extra

burden for City street repair crews.

Mr. Hasslocher spoke to recent incidents in his own district concerning newly completed streets and the adverse impact on those new streets due to a lack of coordination in this effort by the different governmental entities, and he wants this particular ordinance directive extended to other areas of the City outside the TriParty area. He asked that an ordinance be drafted to this effect when it becomes possible.

Mrs. Vera offered an amendment stating that any collection of fines will go directly to the Street and Drainage Maintenance Fund. Mr. Hasslocher seconded the motion.

In response to a question by Mr. Labatt, Mr. Fox stated that he feels this can be enforced city wide.

Mr. Joe Aceves, Director of Public Works, noted that there are several options concerning this idea now being investigated for possible City wide application.

Mr. Hasslocher offered an amendment asking that the City Manager return to the City Council in three weeks with a report concerning closer coordination by all concerned including utilities making street cuts. Mr. Labatt seconded the motion.

Mr. Aceves then briefly explained the current coordination process for utility street cuts.

The amendment, directing the City Manager to return to City Council in three weeks with a report concerning coordination, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Vera, Wolff, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: None.

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

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

- - -  
89-15 The Clerk read the following Ordinance:

AN ORDINANCE 69,220 .

.  
AUTHORIZING \$385.00 FROM DISTRICT ONE DISCRETIONARY .

FUNDS TO PRINT 400 COPIES OF THE RIVER CORRIDOR  
WORKSHOP.

\* \* \* \*

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

- - -  
89-15 Agenda Item No. 24, being a discussion authorizing the new  
Library Director to lead an evaluation in process aimed at studying the  
Library services provided by the Library Department, was temporarily  
bypassed for later consideration in this meeting.

- - -  
89-15 The Clerk read the following Ordinance:

AN ORDINANCE 69,221 .  
.  
AMENDING THE FIESTA ORDINANCE NO. 69144 TO MODIFY .  
THE LOCATION OF CARNIVAL SITE OF 1989.

\* \* \* \*

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

In response to a question by Mr. Hasslocher, Ms. Karen Davis  
Assistant to the City Manager, spoke to the matter of emergency access to  
City Hall as a result of the changes in the carnival site.

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,  
Cisneros; NAYS: None; ABSENT: None.

- - -  
89-15 The Clerk read the following Ordinance:

AN ORDINANCE 69,222 .  
.  
AUTHORIZING CO-SPONSORSHIP FOR THE MUSICAL SPOOF AND

EXTRAVAGANZA SPONSORED BY THE PRO BONO LAW PROJECT  
TO BE HELD BY MAY 5, 1989.

\* \* \* \*

Mr. Hasslocher made a motion to approve the City staff's recommendation to deny the requested co-sponsorship. Mr. Wing seconded the motion.

Following a brief discussion, Mrs. Berriozabal offered a substitute motion that the co-sponsorship be approved with the requested funding to be split equally between the discretionary funds of District 1 and District 5. Mrs. Dutmer seconded the motion.

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

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

- - -  
89-15 The Clerk read the following Ordinance:

AN ORDINANCE 69,223

AMENDING ORDINANCE NO. 68953 RELATING TO PLACEMENT  
OF CONCESSION BOOTHS ALONG THE PARADE ROUTE.

\* \* \* \*

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

- - -  
89-15 The Clerk read the following Resolution:

A RESOLUTION NO. 89-15-24

OPPOSING HB 1767, THE "STATE UTILITIES RIGHT ACT",  
WHICH WOULD PRECLUDE ALL OF THE CITY OF SAN ANTONIO

MUNICIPAL UTILITIES FROM IMPOSING ANY CHARGE THAT INCLUDES ANY AMOUNT TO BE TRANSFERRED TO THE GENERAL FUND OF THE CITY AND IMPOSING ANY FEE FOR THE IMPROVEMENT OR EXTENSION OF CAPITAL FACILITIES AS A CONDITION OF SERVICE TO ANY STATE AGENCY.

\* \* \* \*

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

- - -  
89-15 The Clerk read the following Resolution:

A RESOLUTION NO. 89-15-25

IN OPPOSITION OF H. B. 971. (RELATES TO THE IMPOSITION OF FEES ON CONVICTIONS OF MISDEMEANORS OR FELONIES FOR THE PURPOSE OF ESTABLISHING COUNTY JAIL FUNDS)

\* \* \* \*

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

- - -  
89-15 The Clerk read the following Resolution:

A RESOLUTION NO. 89-15-26

OPPOSING HB 1584 WHICH WOULD EXTEND THE ABSENTEE VOTING PERIOD THROUGH THE SECOND DAY BEFORE ELECTION DAY.

\* \* \* \*

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

89-15 The Clerk read the following Resolution:

A RESOLUTION NO. 89-15-27

OPPOSING HB 2214 PENDING BEFORE THE STATE  
LEGISLATURE WHICH WOULD INCREASE THE STATE  
GOVERNMENT'S SHARE OF METROPOLITAN TRANSIT  
AUTHORITIES SALES TAX RECEIPTS FROM TWO (2) PERCENT  
TO TEN (10) PERCENT.

\* \* \* \*

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

89-15 The Clerk read the following Ordinance:

AN ORDINANCE 69,224

APPOINTING MARY JANE CLARK TO SERVE ON THE  
HANDICAPPED ACCESS ADVISORY BOARD FOR A TERM TO  
EXPIRE ON JUNE 30, 1989.

\* \* \* \*

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

- - -  
89-15 The Clerk read the following Ordinance:

AN ORDINANCE 69,225

APPOINTING PATSY RIVES TO SERVE ON THE MAYOR'S COMMISSION ON THE STATUS OF WOMEN FOR A TERM TO EXPIRE ON DECEMBER 15, 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, Martinez, Thompson, Vera, Wolff, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: None.

- - -  
89-15 The Clerk read the following Ordinance:

AN ORDINANCE 69,226

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

\* \* \* \*

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

- - -  
89-15 The Clerk read the following Ordinance:

AN ORDINANCE 69,227

APPOINTING BLAIR F. WARREN TO SERVE ON THE 201 AREA

WASTEWATER ADVISORY COMMITTEE FOR A TERM OF OFFICE  
TO EXPIRE ON MARCH 6, 1991.

\* \* \* \*

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

- - -  
89-15 The Clerk read the following Ordinance:

AN ORDINANCE 69,228 .

.  
APPOINTING R. TOM RODDY TO SERVE ON THE PLANNING  
COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON JULY  
31, 1989.

\* \* \* \*

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

- - -  
89-15 The Clerk read the following Ordinance:

AN ORDINANCE 69,229 .

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

\* \* \* \*

Mrs. Dutmer made a motion to approve the proposed Ordinance. Mrs. 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, Cisneros; NAYS: None; ABSENT: None.

ZONING HEARINGS

30. CASE Z89063 - to rezone Lot 1, Block 3, NCB 17873, 9055 Marbach Road, from Temporary "R-1" One Family Residence District to "B-3" Business District, located northeast of the intersection of Marbach Road and Hunt Lane, having 300 feet on Marbach Road and 276.92 feet on Hunt Lane.

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

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

Mrs. Vera noted that the proponent in this zoning case has agreed that, should the current plans for the development of this property fall through, the case will be reconsidered for rezoning.

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

AN ORDINANCE 69,230

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 1, BLOCK 3, NCB 17873, 9055 MARBACH ROAD FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

31. CASE Z89070 - to rezone a 0.072 acre tract of land out of Lot 6, Block 1, NCB 16481, being further described by field notes filed in the Planning Department from "B-3" ERZD Business Edwards Recharge Zone District to "B-3" ERZD C.C. Business Edwards Recharge Zone District with

City Council approval for a dry cleaning store, located approximately 335 feet on the north side of Thousand Oaks and 790 feet east on U.S. Hwy 281 North, being a tract of land, having a width of 52.08 feet and a depth of 60.29 feet.

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

A brief discussion took place concerning the problems involved with possibly returning this case to the Zoning Commission with a request be zoned to B-3R Restricted Business Zoning.

A representative of the proponent then briefly explained how his firm plans to remove toxic waste from this site, if rezoning is granted.

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

Mr. Labatt briefly discussed the matter of the lack of policing of traffic routes used for the removal of toxic waste over the Edwards Aquifer.

Mayor Cisneros asked that the maker and seconder of the motion accept an addition to be part of that official motion which would require a non-binding letter be drafted to the proponent from the City expressing the City Council concern that toxic waste materials be directed over only certain routes into and out of this area. He stated he would like to have a City staff briefing in the future on the entire matter of specific routes for toxic waste carriers to follow over the Edwards Aquifer Recharge Zone.

Mrs. Rebecca Q. Cedillo, Director of the Department of Water Resources Management, noted that the Alamo Area Council of Government has a hazardous materials team working on this particular issue at this time, and he also noted that three bills pending before State Legislator also deal with this item.

The City Council asked to have a City staff briefing on this matter in about four weeks.

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

AN ORDINANCE 69,231

AMENDING CHAPTER 35 OF THE CITY CODE THAT  
CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF  
THE CITY OF SAN ANTONIO BY CHANGING THE

CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 0.072 ACRE TRACT OF LAND OUT OF LOT 6, BLOCK 1, NCB 16481, THOUSAND OAKS DRIVE, FROM "B-3" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT TO "B-3" ERZD C.C. BUSINESS EDWARDS RECHARGE ZONE DISTRICT WITH CITY COUNCIL APPROVAL FOR A DRY CLEANING SHOP. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

89-15

LIBRARY EVALUATION PROCESS

Mayor Cisneros spoke to the need for a systematic way to address Library matters, such as co-locations of literacy centers, new main library sites, etc. He stated that he feels this new systematic matter will greatly clarify certain questionable issues relating to the library.

Mrs. Vera spoke in support of this evaluation process and outlined the main points of her own written proposal, a copy of which is made a part of the papers of this meeting.

Mayor Cisneros asked that the City's newly appointed Library Director be at City Council meeting next week if possible to address this evaluation. He also wants an omnibus resolution prepared for next week, covering all aspects and recommendations of various groups concerning this library evaluation process.

Mrs. Vera made a motion to direct City staff to prepare a resolution concerning the library evaluation process for consideration by City Council at next week's meeting. Mr. Wolff seconded the motion.

Mr. Hasslocher spoke to the Chamber of Commerce's five point letter dealing with this subject, including a ten year plan for development of the library, a copy of this letter is made a part of the papers of this meeting.

Mr. Hasslocher offered an amendment to the motion to incorporate the five major recommendations of the Greater San Antonio Chamber of Commerce in the resolution to be presented to City Council for possible action next week. Mr. Wolff seconded the motion.

Mr. Wing stated he feels support of the current library bond issue should not be contingent upon any conditions.

Mrs. Berriozabal spoke in support of the proposed resolution.

Mr. Wolff stated that he feels all of the recommendations can be

incorporated successfully into the proposed resolution.

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

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

The Resolution will be prepared for formal action at Council's next meeting.

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ZONING HEARINGS (CONTINUED)

32. CASE Z88203 - to rezone a 0.949 acre tract of land out of NCB 11625 and NCB 11627, from "R-3" Multiple Family Residence District to "B-3" Business District and a 7.188 acre tract of land; save and except a 0.949 acre tract of land out of NCB 11625 and NCB 11627, from "R-3" Multiple Family Residence District to "B-2" Business District, Callaghan Road and Horizon Hill Blvd., located on the southwest side of Horizon Hill Blvd., between Mockingbird Lane and Callaghan Road, having 389.41' on Callaghan Road, 916.05' on Horizon Hill Blvd., and 398.68' on Mockingbird Lane.

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

Mr. Wolff spoke of his desire to delay action on this ordinance until April 15th.

A brief discussion took place concerning the lengthy negotiations that have taken place between the rezoning proponents and those who opposed the rezoning request.

Mr. Wolff then offered a motion to table consideration this item for one week. Mr. Wing seconded the motion to table.

The motion to table this item for one week prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Vera, Wolff, Labatt, Cisneros; NAYS: None; ABSENT: Hasslocher.

Agenda Item No. 32, that being Zoning Case 88203, was tabled for one week.

(The City Council then recessed at 4:00 P.M. to make a brief visit to the new children's playground under construction in Hemisfair Park, reconvening the regular session at 4:50 P.M.).

89-15

SINGLE FAMILY HOUSING

Mr. Martinez noted that local developer Gordon Hartman is now proposing to develop 84 single family residences in a subdivision within the Edgewood Independent School District to be located at Cupples Road and Weir Avenue. He noted that this project has been in the planning stages for ten months and would use a \$400,000 two year interim loan in order to lower cost to homeowners Mr. Martinez noted that developer Hartman has a 30 to 45 day "window" in which to close all details on this project. He noted that he had been working with the San Antonio Development Agency on this area and Mr. Drew Cameron, Coordinator of the Community Development Block Grant Program, has recently returned from Washington stating that he feels funds may be available.

Mr. Louis J. Fox, City Manager, stated he feels this can be done.

Mayor Cisneros asked that City staff recommendations be brought to the Council next week for possible action.

Mr. Martinez stated that it may be possible to finance this effort from a temporary loan, taking funds from the interest being paid by the Housing Trust Fund.

Mr. Wing asked that the proposal first be looked at by Communities Organized for Public Service (COPS) for their possible input.

A discussion then took place concerning the matter of pledging funds against future interest from the Housing Trust Fund, whose interest will not be actually paid for one year.

Mrs. Vera made a motion to place this matter on the City Council Agenda for next week. Mrs. Dutmer seconded the motion.

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

89-15

AIRPORT CONCESSION CONTRACT

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

Mr. Martinez noted that several members of the business community had questioned the City's recent contract approving the five year concession contract extension with Aeroplex Stores, Inc. at International Airport. Martinez noted that he had sent the City Manager a two-page memorandum on April 4th, outlining his concern over the contract. He stated that he had several legal questions that he would like to have answered concerning this matter. He stated that he feels the City Council needs a thorough staff study and a response to his memorandum. He asked that a City policy be established concerning these concerns and matters of procedures which would be used in arriving at this contract. (A copy of Mr. Martinez's memorandum to the City Manager concerning the Airport concession contract is made a part of the papers of this meeting).

Mr. Wing stated he feels City staff followed the Council's current policy on this matter and, if City Council wants to change this policy, it can be discussed. Mr. Wing then voiced his concern with the matter of setting quotas in certain areas, and cautioned against getting into a situation such as the City of Richmond did which resulted in a recent decision of the Supreme Court.

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89-15

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CITIZENS TO BE HEARD

ERICKA ALMARAZ

Ms. Ericka Almaraz, 513 S. Colorado, spoke to the City Council about an incident which occurred at Tafolla Middle School where she stated that she was falsely accused of possession of marijuana. She stated that her purse had been stolen that very day.

Mr. Thompson stated that this issue deals with the school and the school board's policies. He also stated that it is a State law which the City police were enforcing, and this matter is really not a City issue.

Mr. Martinez stated that he will talk to Ms. Almaraz after this meeting.

\* \* \* \*

CHERYL HOLMES

Mrs. Cheryl Holmes referred to a form of self-defense which she feels would be most effective in the current attacks on police officers. She stated that the City Council and Police Chief should investigate this method of self defense and perhaps incorporate it in its present cadet training.

\* \* \* \*

DONALD H. HOPPE

Donald H. Hoppe, Galaxy Billiards, stated that he is again having a pool tournament and would like to have the City Council grant a waiver similar to the waiver they passed in 1987. They want this waiver on April 21, 22, and 23rd.

Mr. Wolff made a motion to direct the City Manager to place an item on the agenda of next week granting the waiver as requested by Mr. Hoppe. Mrs. Dutmer seconded the motion.

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

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89-15 The Clerk read the following Letter:

March 29, 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.

March 23, 1989

Petition submitted by Mr. Jose Santos Villarreal, 2033 Frio City Road, San Antonio, Texas 78245, requesting permission to operate a limousine/bus/tour service within the City of San Antonio.

\* \* \* \*

/s/Norma S. Rodriguez  
City Clerk

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At 5:35 P.M., the City Council convened an Executive Session to discuss possible litigation regarding collection of co-sponsorship expenses, reconvening at 6:40 P.M.

April 6, 1989  
jd

There being no further business to come before the City Council,  
the meeting was adjourned at 6:41 P.M.

A P P R O V E D

*Henry Cisneros*

M A Y O R

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