

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO, HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, JULY 26, 1990.

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

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90-33 The invocation was given by Reverend Elbert Smart, Valley Hi Assembly of God.

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90-33 The members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

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90-33 AWARD WINNERS-34TH ANNUAL AMERICAN MUSIC ASSOCIATION COMPETITION

Mayor Pro Tem Webb introduced a group of piano students from the Marsha Perkins Bufler Piano Studio who won awards at the 34th Annual American Music Scholarship Association World Piano Competition.

Mr. Webb was joined by other Council members in presenting Certificates of Commendation and Alamo pins to each student.

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90-33 MR. JOE MADISON

Mayor Pro Tem Webb introduced Mr. Joe Madison, retiring Director of the Convention Facilities, and read the following Resolution:

A RESOLUTION NO. 90-33-38A .

.  
WHEREAS, JOE E. MADISON, DIRECTOR OF CONVENTION .

FACILITIES, IS RETIRING ON JULY 31, 1990  
AFTER MORE THAN 29 YEARS OF  
DISTINGUISHED SERVICE TO THE CITY OF SAN  
ANTONIO; AND

WHEREAS, OVER THREE DECADES OF SERVICE TO THE  
CITY, MR. MADISON HAS, IN EACH  
SUCCEEDING DUTY POSITION, EXCELLED IN  
PERFORMANCE OF DUTIES TO SUCH AN EXTENT  
THAT HE HAS ENJOYED RAPID AND MULTIPLE  
PROMOTION TO GREATER RESPONSIBILITIES;  
AND

WHEREAS, FROM HIS CAREER BEGINNING AS A DRAFTSMAN  
IN THE PUBLIC WORKS DEPARTMENT, HE HAS  
ACHIEVED INCREASINGLY-RESPONSIBLE  
POSITIONS TO INCLUDE THE PUBLIC WORKS  
DEPARTMENT, OFFICE OF THE CITY MANAGER,  
AND THE CONVENTION FACILITIES  
DEPARTMENT; AND

WHEREAS, SINCE HIS APPOINTMENT AS DIRECTOR OF  
CONVENTION FACILITIES IN 1979, HE HAS  
DIRECTED AND SUPERVISED THE COMPLETE  
RENOVATION OF HISTORIC MUNICIPAL  
AUDITORIUM, EXPANSION OF THE ARENA, AND  
EXPANSION OF THE CONVENTION CENTER  
COMPLEX IN 1986 TO ITS PRESENT 242,000  
SQUARE FEET OF EXHIBIT SPACE; AND

WHEREAS, HIS EXPERIENCE AND EXPERTISE IN  
CONVENTION FACILITIES PLANNING AND  
DESIGN LED TO HIS APPOINTMENT TO THE  
STAFF DESIGN TEAM FOR THE MULTIPURPOSE  
DOMED STADIUM; AND

WHEREAS, AMONG HIS PROFESSIONAL AFFILIATIONS HE  
COUNTS THE INTERNATIONAL ASSOCIATION OF  
AUDITORIUM MANAGERS, NATIONAL  
ASSOCIATION OF EXPOSITION MANAGERS,  
- AMERICAN SOCIETY OF ASSOCIATION  
EXECUTIVES, AND THE TEXAS SOCIETY OF  
ASSOCIATION EXECUTIVES; NOW THEREFORE:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF  
SAN ANTONIO:

THAT JOE E. MADISON BE COMMENDED FOR HIS  
LEADERSHIP AND SIGNIFICANT CONTRIBUTIONS

TO HIS COMMUNITY, AND THE CITY COUNCIL  
EXPRESSES ITS APPRECIATION FOR A JOB  
WELL-DONE AND WISHES HIM MUCH SUCCESS  
AND HAPPINESS IN ALL FUTURE ENDEAVORS.

\* \* \* \*

Mr. Webb then presented the Resolution and a framed mission picture to Mr. Madison as other Council members joined the Mayor Pro Tem in congratulating Mr. Madison on his many years of service to the City of San Antonio.

Mr. Madison thanked the Mayor Pro tem and Council members for the honor and for their support over the years, and thanked other City staff, as well.

Several Council members and City Manager Alex Briseno spoke in appreciation for Mr. Madison's work.

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90-33

MS. GEBE MARTINEZ

Mayor Pro Tem Webb introduced Ms. Gebe Martinez, Reporter for the San Antonio Light, present in the audience, and read the following Citation:

IN RECOGNITION OF HER OUTSTANDING SERVICE TO THE  
COMMUNITY AS CITY HALL REPORTER BY OBSERVING  
MUNICIPAL GOVERNMENT IN ACTION AND REPORTING SAME IN  
A FAIR AND IMPERSONAL MANNER.

THE CITY COUNCIL COMMENDS MS. MARTINEZ FOR HER  
JOURNALISTIC EFFORTS AND EXTENDS BEST WISHES FOR  
CONTINUED SUCCESS IN HER NEW ASSIGNMENT WITH THE LOS  
ANGELES TIMES.

\* \* \* \*

Mr. Webb was joined by other Council members in making the Citation presentation and gift of a desk clock to Ms. Martinez.

Ms. Martinez spoke of her new position with a newspaper in Los Angeles and thanked the Mayor Pro Tem, Council members and members of City staff for this recognition.

ARMY MEDICAL DEPARTMENT REGIMENT DAY

Mayor Pro Tem Webb introduced Major General Spurgeon H. Neel, Jr., U.S. Army (retired); Command Sergeant Major Howard R. Harrell, U.S. Army (retired); Colonel Samuel A. Brown, Jr.; Sergeant Major Terry L. Nigh; and Staff Sergeant Barbara Beers, representing the Army Medical Department Regiment. He then presented them with a Proclamation designating "Army Medical Department Regiment Day" in San Antonio.

General Neel thanked the Mayor and Council for the honor, and in turn, presented the City of San Antonio with a replica of the statue of the Combat Medic Memorial, which was accepted by Mayor Pro Tem Webb on behalf of the people of San Antonio.

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BOY SCOUT TROOP 445

Mayor Pro Tem Webb recognized a group of Boy Scouts from Troop 445, working to earn their Citizenship in Community Merit Badge.

- - -  
FOX TECH GOVERNMENT CLASS

Mayor Pro Tem Webb recognized the presence in the audience today of a group of students from government classes at Fox Tech High School, and welcomed them to City Hall.

- - -  
90-33 CONSENT AGENDA

Mr. Hasslocher made a motion to approve Agenda Items 8 through 34, constituting the Consent Agenda, with Item 17 to be pulled for individual consideration and Item 21 pulled for consideration by the City Manager. Mrs. Dutmer seconded the motion.

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

AN ORDINANCE 71,959

ACCEPTING THE LOW QUALIFIED BID OF TEMPEST/CONTROLLED AIRSTREAMS TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH POSITIVE PRESSURE VENTILATING FANS FOR A TOTAL OF \$37,765.00.

\* \* \* \*

AN ORDINANCE 71,960

ACCEPTING THE LOW BID OF CASCO INDUSTRIES, INC., TO FURNISH THE CITY OF SAN ANTONIO ENVIRONMENTAL MANAGEMENT DEPARTMENT WITH GAS MONITORS FOR A TOTAL OF \$5,842.00.

\* \* \* \*

AN ORDINANCE 71,961

ACCEPTING THE LOW BID OF VULCAN ALUMINUM TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH ALUMINUM SIGN BLANKS FOR A TOTAL OF \$20,801.50.

\* \* \* \*

AN ORDINANCE 71,962

ACCEPTING THE LOW BID OF FRIEDRICH AIR CONDITIONING COMPANY TO FURNISH THE CITY OF SAN ANTONIO ENVIRONMENTAL MANAGEMENT DEPARTMENT WITH WINDOW AIR CONDITIONING UNITS FOR A TOTAL OF \$8,280.00.

\* \* \* \*

AN ORDINANCE 71,963

ACCEPTING THE LOW BID OF INDUSTRIAL LUBRICANTS TO FURNISH THE CITY OF SAN ANTONIO AUTOMOTIVE OPERATIONS WITH AUTOMOTIVE TYPE ANTI-FREEZE FOR A TOTAL OF \$6,807.00.

\* \* \* \*

AN ORDINANCE 71,964

ACCEPTING THE LOW QUALIFIED BID OF PURCHASE PARTS & EQUIPMENT TO FURNISH THE CITY OF SAN ANTONIO AUTOMOTIVE OPERATIONS DIVISION WITH AIR IMPACT WRENCHES FOR A TOTAL OF \$5,937.90.

\* \* \* \*

AN ORDINANCE 71,965

ACCEPTING THE LOW QUALIFIED BID OF SAN ANTONIO TRUCK SALES TO FURNISH THE CITY OF SAN ANTONIO ENVIRONMENTAL MANAGEMENT DEPARTMENT WITH A TRUCK CAB AND CHASSIS FOR A TOTAL OF \$17,583.00.

\* \* \* \*

AN ORDINANCE 71,966

ACCEPTING THE LOW QUALIFIED BIDS OF ACE WELDING & TRAILER COMPANY, TEXAS EQUIPMENT COMPANY, AMA ENTERPRISES, INC., AND COMMERCIAL BODY CORPORATION TO FURNISH THE CITY OF SAN ANTONIO WITH TRUCK BODIES FOR A TOTAL OF \$129,704.70.

\* \* \* \*

AN ORDINANCE 71,967

ACCEPTING THE LOW BID OF DUPS, INC., FOR REMOVAL OF UNDERGROUND FUEL STORAGE TANKS FOR THE CITY OF SAN ANTONIO FOR A TOTAL OF APPROXIMATELY \$2,650.20.

\* \* \* \*

AN ORDINANCE 71,968

ACCEPTING THE LOW QUALIFIED BID OF F AND W ELECTRICAL CONTRACTORS, IN THE AMOUNT OF \$185,591.18, FOR THE INSTALLATION OF LIGHTING ON RUNWAY 9-27 AND TAXIWAYS A, C, G, AND H AT STINSON MUNICIPAL AIRPORT AND APPROVING A CONTRACT; AUTHORIZING AN ADDITIONAL \$18,559.00 FOR CONSTRUCTION CONTINGENCIES; AUTHORIZING ADDITIONAL ENGINEERING FEES PAYABLE TO MEDELLIN ENGINEERING IN THE AMOUNT OF \$28,800.00 FOR CONSTRUCTION INSPECTION AND \$5,125.80 FOR ADDITIONAL ENGINEERING SERVICES, REVISING THE BUDGET FOR THE PROJECT; AND PROVIDING FOR PAYMENT.

\* \* \* \*

AN ORDINANCE 71,969

RATIFYING PAYMENT IN THE AMOUNT OF \$2,453.22 TO, THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION FOR CONSTRUCTION SERVICES IN

CONNECTION WITH THE HILDEBRAND AVENUE FROM STADIUM DRIVE TO U.S. 281 PROJECT.

\* \* \* \*

AN ORDINANCE 71,970

AUTHORIZING PAYMENT IN THE AMOUNT OF \$4,912.80 TO THE CONTRACT WITH VICKREY AND ASSOCIATES FOR SERVICES IN CONNECTION WITH THE NACOGDOCHES RD. AND BRIDGE CONSTRUCTION PROJECT; AND REVISING THE PROJECT BUDGET.

\* \* \* \*

AN ORDINANCE 71,971

AUTHORIZING PAYMENT IN THE AMOUNT OF \$8,800.94 TO THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION FOR CONSTRUCTION SERVICES IN CONNECTION WITH THE HUEBNER ROAD FROM FREDERICKSBURG ROAD TO VANCE JACKSON ROAD PROJECT.

\* \* \* \*

AN ORDINANCE 71,972

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT, IN THE AMOUNT OF \$38,500.00 WITH GBW DESIGN GROUP, INC., TO PROVIDE ARCHITECTURAL DESIGN SERVICES IN CONNECTION WITH THE HANGAR RENOVATIONS PROJECT AT STINSON MUNICIPAL AIRPORT; AUTHORIZING \$3,850.00 FOR THE ARCHITECTURAL CONTINGENCY ACCOUNT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

\* \* \* \*

AN ORDINANCE 71,973

AUTHORIZING THE EXECUTION OF AMENDMENT NO. 1 TO A GRANT AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION FOR THE INSTALLATION OF RUNWAY AND TAXIWAY LIGHTING AT STINSON MUNICIPAL AIRPORT.

\* \* \* \*

AN ORDINANCE 71,974

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT, IN THE AMOUNT OF \$225,000.00, WITH

McCLELLAND CONSULTANTS (SOUTHWEST), INC., TO PROVIDE ENVIRONMENTAL SERVICES IN CONNECTION WITH AN ENVIRONMENTAL SITE ASSESSMENT AND REMEDIATION OF A HAZARDOUS WASTE SITE AT STINSON MUNICIPAL AIRPORT; AUTHORIZING \$22,500.00 FOR THE ENGINEERING CONTINGENCY ACCOUNT; AUTHORIZING \$2,000.00 FOR THE ADMINISTRATIVE EXPENSES ACCOUNT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

\* \* \* \*

AN ORDINANCE 71,975

APPROVING A PROFESSIONAL SERVICES CONTRACT, IN THE AMOUNT OF \$24,375.00 WITH MIRAMONTES ENGINEERING COMPANY TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH UPGRADING TERMINAL 1 APRON FLOODLIGHTING AT SAN ANTONIO INTERNATIONAL AIRPORT; AUTHORIZING \$42,435.00 FOR THE ENGINEERING CONTINGENCY ACCOUNT; AUTHORIZING \$1,000.00 FOR THE ADMINISTRATIVE EXPENSES ACCOUNT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

\* \* \* \*

AN ORDINANCE 71,976

APPROVING THE PRICE, TERMS AND CONDITIONS OF SALE BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF CERTAIN SINGLE-FAMILY RESIDENTIAL LOTS LOCATED WITHIN THE COLONIA SAN ALFONSO COMMUNITY DEVELOPMENT PROJECT.

\* \* \* \*

AN ORDINANCE 71,977

AUTHORIZING THE EXECUTION OF A FIVE YEAR LEASE AGREEMENT WITH CAMPBELL'S DELIVERY, INC. FOR LEASE OF 8,640 SQUARE FEET OF SPACE IN THE AIR CARGO BUILDING AT THE SAN ANTONIO INTERNATIONAL AIRPORT FOR A TOTAL ANNUAL RENTAL OF \$55,544.40 AND THE CANCELLATION OF A PREEXISTING LEASE WITH SAID COMPANY FOR 3,840 SQUARE FEET OF SPACE IN THE AIR CARGO BUILDING.

\* \* \* \*

AN ORDINANCE 71,978

AUTHORIZING THE EXECUTION OF A WATER PURVEYOR AGREEMENT BETWEEN THE CITY AND THE FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC) TO PROVIDE A MECHANISM FOR THE COLLECTION BY THE WASTEWATER MANAGEMENT DEPARTMENT OF THE MONTHLY SEWER CHARGES APPLICABLE TO A 25-ACRE TRACT BEING SERVICED BY THE CITY OF SAN ANTONIO PURSUANT TO ORDINANCES NOS. 67450 AND 60857 AND SITUATED IN THE UPPER LEON WATERSHED OUTSIDE THE CITY'S REGIONAL AGENT BOUNDARY.

\* \* \* \*

AN ORDINANCE 71,979

APPROVING A 25 YEAR LICENSE AGREEMENT FOR A FEE OF \$500.00 BETWEEN THE CITY OF SAN ANTONIO AND STAR ENTERPRISES TO ENCROACH UPON A TRAFFIC ISLAND ON CITY RIGHT-OF-WAY, SPECIFICALLY HARRY WURZBACH HIGHWAY, ADJACENT TO LOT 27, BLOCK 15, COUNTY BLOCK 5848A, ON WHICH LOT IS LOCATED A TEXACO GASOLINE FUEL MARKETING FACILITY AND CONVENIENCE STORE, WITHIN TERRELL HILLS CITY LIMITS FOR THE PURPOSE OF INSTALLING A LIGHTED ADVERTISING SIGN.

\* \* \* \*

AN ORDINANCE 71,980

AUTHORIZING THE EXECUTION OF A CONTRACT AGREEMENT BETWEEN THE TEXAS STATE LIBRARY AND ARCHIVES COMMISSION AND THE CITY OF SAN ANTONIO - SAN ANTONIO PUBLIC LIBRARY, TO PROVIDE PUBLIC LIBRARY SERVICES AND MATERIALS AS STIPULATED IN THE MAJOR URBAN RESOURCE LIBRARIES (MURL) GRANT PROGRAM APPLICATION; AND APPROVING A BUDGET.

\* \* \* \*

AN ORDINANCE 71,981

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 THE VIOLATIONS HEREOF BE PUNISHABLE BY A FINE OF NOT LESS THAN \$1.00 NOR MORE THAN \$200.00.

\* \* \* \*

AN ORDINANCE 71,982

AUTHORIZING PAYMENT IN THE AMOUNT OF \$28,684.00 TO THE TEXAS MUNICIPAL LEAGUE (TML) FOR THE CITY OF SAN ANTONIO'S ANNUAL MEMBERSHIP DUES.

\* \* \* \*

AN ORDINANCE 71,983

CLOSING SAN SABA STREET BETWEEN COMMERCE AND DOLOROSA ON AUGUST 5, 1990, FROM 12:00 P.M. TO 12:00 A.M., FOR THE SUMMER TROUBADOR FESTIVAL.

\* \* \* \*

90-33 The Clerk read the following Ordinance:

AN ORDINANCE 71,984

ACCEPTING THE LOW BID OF DAVIS TRUCK & EQUIPMENT COMPANY, INC., TO FURNISH THE CITY OF SAN ANTONIO AUTOMOTIVE OPERATIONS DIVISION WITH REFUSE COLLECTION BODIES FOR A TOTAL OF \$336,672.00.

\* \* \* \*

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

In response to a question by Mr. Labatt, Mr. Archie Titzman, Director of Purchasing and General Services, addressed the use of enterprise funds for this purchase and explained the accounting procedures and the reasons why this was not purchased from the vehicle replacement fund.

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, Hasslocher; NAYS: None; ABSENT: Wing, Martinez, Cockrell.

The Clerk read the following Ordinance:

AN ORDINANCE 71,985

TERMINATING THE WATER USE REDUCTION MEASURES FOR STAGE II, AQUIFER WATCH, OF THE EMERGENCY ACTION PLAN; AUTHORIZING THE CITY MANAGER TO DECLARE THAT THE TRIGGER CONDITIONS FOR STAGE I, AQUIFER AWARENESS, OF THE EMERGENCY ACTION PLAN HAVE BEEN REACHED; AND THAT THE WATER USE REDUCTION MEASURES FOR STAGE I, AQUIFER AWARENESS OF THE EMERGENCY ACTION PLAN TO BE IN EFFECT.

\* \* \* \*

Mr. Alex Briseno, City Manager, spoke to the reasons for moving from Stage II back to Stage I of the Emergency Action Plan, and addressed several stringent water regulations that remain in effect in Stage I.

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

Mr. Hasslocher thanked City staff for its hard work in water reduction efforts and spoke to the need for water conservation.

In response to a question by Mr. Wolff, Ms. Rebecca Cedillo, Director of Planning, addressed enforcement measures for requirements for conservation and against water-wasting.

In response to a question by Mrs. Dutmer, Mr. Briseno noted that the plan is only in effect until the end of this year, and discussed restrictions requiring watering at night, when gardeners feel that watering produces fungus.

Mrs. Dutmer spoke in favor of keeping some phase of water conservation in effect at all times.

Mr. Labatt spoke to the need to create the water-conservation ethic and addressed a long-term water conservation plan. He spoke to the need for a supplementary water supply for San Antonio in order to protect the Edwards Aquifer, and stated that he would discuss this further at a planned August 20th meeting at the International Conference Center.

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

ZONING HEARINGS

35. CASE Z90068 - to rezone a 0.05 acre tract of Lot 6, NCB 9724, 2026 Basse Road, from "B-2" Business District to "B-3" Business District, located 93 feet south of Basse Road, 230 feet east of the intersection of Basse Road and the railroad right of way, being a tract, having a width of 35 feet and a depth of 58 feet.

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

Mr. Rudy M. Hettler, representing the proponent, spoke to the need for the rezoning in order to rebuild the lounge that was damaged by fire.

Mr. Labatt made a motion to deny the recommendation of the Zoning Commission and deny the rezoning. Mr. Thompson seconded the motion.

After consideration, the motion to deny the requested zoning change prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Thompson, Vera, Wolff, Labatt, Hasslocher; NAYS: None; ABSENT: Martinez, Cockrell.

Zoning Case No. Z90068 was denied.

37. CASE Z90085 - to rezone Lot 41, save and except the northwest 25 feet and the southeast 128 feet, Block 61, NCB 16764 from "B-2" Business District to "B-3" Business District located on the southwest side of Thousand Oaks Drive, being 370.0 feet from the cut-back at Thousand Oaks Drive and Jones-Maltsberger Road, having 247.31 feet on Thousand Oaks Drive and a depth of 529.89 feet.

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

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

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

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AN ORDINANCE 71,986

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 41, SAVE AND EXCEPT THE NORTHWEST 25 FEET AND THE SOUTHEAST 128 FEET, BLOCK 61, NCB 16764, FROM "B-2" BUSINESS DISTRICT TO "B-3" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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38. CASE Z90077 - to rezone Tract 1, save and except the south 76 feet and the east 48 feet, Block 2, NCB 12807 from "F" Local Retail to "B-3" Business District and to rezone the south 76 feet and the east 48 feet of Tract 1, Block 2, NCB 12807 from "F" Local Retail to "B-NA" Non-Alcoholic Sales Business District, located on the eastside of S. New Braunfels between Lasses Blvd. and Woodruff Avenue, having 174.8 feet on S. New Braunfels Avenue and 175.83 feet on both Lasses Blvd. and Woodruff Avenue.

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

In response to a question by Mr. Hasslocher, Mr. Andy Guerrero, Land Development Services, discussed other uses on the property concerned.

Mr. Jesse Williams, the proponent, explained his rezoning request.

Mrs. Dutmer made a motion to approve "B-3" zoning on the footprint of the convenience store only, with the remainder of the property to be zoned "B-3NA". 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, Vera, Wolff, Labatt, Hasslocher; NAYS: None; ABSENT: Cockrell.

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AN ORDINANCE 71,987

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 1, SAVE AND EXCEPT THE SOUTH 76 FEET AND THE EAST 48 FEET, BLOCK 2, NCB 12807, FROM "F" LOCAL RETAIL DISTRICT TO "B-3" BUSINESS DISTRICT, AND THE SOUTH 76 FEET AND THE EAST 48 FEET OF TRACT 1, BLOCK 2, NCB 12807, 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."

\* \* \* \*

36. CASE Z90059 - to rezone the north 149.67 feet on Tract 15, NCB 11142, 2420 Chavaneaux Road, from "B" Residence District to "B-3" Business District, being located on the northside of S. W. Loop 410, being 1633.5 feet east of the intersection of S. W. Loop 410 and State Highway 16 having 192.10 feet on S. W. Loop 410 and a maximum depth of 149.67 feet, and to rezone the south 470.0 feet of Tract 15, NCB 18087, from "R-1" Single Family Residence District to "I-1" Light Industry District, 2432 S. W. Loop 410, located on the southside of S. W. Loop 410, being 1759.81 feet east of the intersection of S. Loop 410 and State Highway 16, having 192.10 feet on S. W. Loop 410 and a maximum depth of 470.0 feet.

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

Mr. Andy Guerrero, Land Development Services, noted that the Alamo Community College District is opposed to this rezoning, thus requiring nine affirmative votes of the City Council to approve rezoning the northmost portion of the property concerned, although only a majority vote is necessary to rezone the southern portion.

Mr. Allan Polunsky, Attorney representing the proponent, asked that the rezoning request be amended to "B-3NA" zoning on the first 100 feet of the property, with "I-1" on the remainder.

Ms. Cecilia Gonzales, Vice-President, Student Services, Palo Alto College, spoke to reasons for ACCD's opposition to the rezoning of these properties to a business zoning/industrial zoning.

Mr. Gene Rutherford, 112 East Pecan, representing the firm involved in planning for future expansion of Palo Alto College, provided the Council members with a handout showing varying stages of proposed expansion of the Palo Alto campus, and spoke to the proposed rezoning request as not being the highest and best use for the property.

Mr. Polunsky stated his opinion that the requested rezoning is a proper land use, and spoke to the proponent's plans to rezone only that

segment of the property actually needed for his purposes. He asked Council to consider the matter equitably.

Mr. Wing advised Mrs. Gonzales that the City Council cannot legally defer zoning on a property in order to restrict its land usage in deference to some other organization.

Ms. Linda O'Nave, ACCD, gave a status report on the condemnation lawsuit that has been filed.

A discussion then took place concerning any effect of the rezoning on the condemnation proceedings.

At this time, it was the informal concensus of the City Council members present to temporarily postpone consideration of this zoning case until later in this meeting.

(See page 16 for continuation of this zoning case.)

39. CASE Z90081 - to rezone Lot 23, Block 10, NCB 2021, 311 Cincinnati Avenue, from "B" Residence District to "R-3" Multiple Family Residence District, being located on the northside of Cincinnati Avenue, being 271.02 feet west of the intersection of Cincinnati Avenue and Fredericksburg Road, having 50.0 feet on Cincinnati Avenue and a depth of 144.85 feet.

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

A discussion took place concerning possible postponement of this zoning case until a meeting of the proponents and neighborhood groups could take place.

Ms. Berriozabal made a motion to postpone the zoning case until August 26, 1990. Mr. Hasslocher seconded the motion.

After consideration, the motion to postpone the zoning case until August 26, 1990, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Vera, Wolff, Labatt, Hasslocher; NAYS: None; ABSENT: Cockrell.

Zoning Case No. Z90081 was postponed until the August 26, 1990 meeting.

(At this time, the City Council untabled Agenda Item 36, being Zoning Case Z90059), for continued consideration.)

Zoning Case #Z90059 (continued)

Ms. Katherine Cahill, Assistant City Attorney, stated that rezoning of this property will have no impact upon the condemnation proceedings involved.

In response to a question by Mr. Wing, Mr. Polunsky agreed to erect a six-foot solid-screen fence between the I-1 and B-3NA zonings.

Mr. Wing made a motion to approve the zoning case, provided that a six foot solid screen fence is erected and maintained.

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

AN ORDINANCE 71,988

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 149.67 FEET OF TRACT 15, NCB 11142, FROM "B" RESIDENCE DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT, THE NORTH 100 FEET OF THE SOUTH 470.0 FEET OF TRACT 15, NCB 18087, FROM TEMPORARY "R-1" SINGLE-FAMILY RESIDENCE DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT, AND THE SOUTH 370.0 FEET OF TRACT 15, NCB 18087, 2432 S. W. LOOP 410, FROM TEMPORARY "R-1" SINGLE-FAMILY RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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40. CASE 290084 - to rezone the east 72.5 feet of the south 217 feet of Lot 67, NCB 11884, 359 and 361 West Sunset Road, from "B-2" Business District to "B-3NA" Non-Alcoholic Sales District, located on the northside of West Sunset Road, being approximately 217.0 feet east of the intersection of Teak Land and West Sunset Road, having 72.5 feet on West Sunset Road and a depth of 300.0 feet.

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

Mr. Labatt made a motion to approve the recommendation of the

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

AN ORDINANCE 71,989

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 EAST 72.5 FEET OF THE SOUTH 217 FEET OF LOT 67, NCB 11884, 359 AND 361 WEST SUNSET ROAD, FROM "B-2" BUSINESS DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

41. CASE Z90086(CC) - to rezone Lots 1, 2, 3, 4, 5, 28, 29, 30, 31 and 32, NCB 6717, 300 Odis Street, from "C" Apartment District to "R-1" CC One Family Residence District with special City Council approval for a daycare center, located southwest of the intersection of Odis Street and Grandjean Street having 125.0 feet on Odis Street and 254.5 feet on Grandjean Street.

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

Mr. Wing made a motion to approve the recommendation of the Zoning Commission. Ms. Vera 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, Vera, Wolff, Labatt, Hasslocher; NAYS: None; ABSENT: Cockrell.

AN ORDINANCE 71,990

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 1, 2, 3, 4, 5, 28, 29, 30, 31 AND 32, NCB 6717, 300 OTIS STREET, FROM "C" APARTMENT DISTRICT TO "R-1" C. C. SINGLE-FAMILY

RESIDENCE DISTRICT WITH CITY COUNCIL APPROVAL FOR A  
DAY-CARE CENTER.

\* \* \* \*

42. CASE Z90060 - to rezone NCB 18014, Lot 43, Block 3; NCB 18019, Lots 12 thru 59, Block 8; NCB 18020, All of NCB, Block 9; NCB 18021, All of NCB, Block 10; NCB 18022, All of NCB, Block 11; NCB 18023, All of NCB, Block 12, save and except Lot 39; NCB 18024, All of NCB, Block 13; NCB 18025, Lots 3 thru 8, Block 14; NCB 18026, Lots 1 thru 5, Block 15; NCB 18032, Lot 71, Block 21 FROM Temporary "R-1" ERZD One Family Residence Edwards Recharge Zone District TO "R-1" ERZD One Family Edwards Recharge Zone District; to rezone NCB 16995, Lots 2 thru 48, Block 1; NCB 16996, All of NCB, Block 2; NCB 16997, All of NCB, Block 3; NCB 16998, Lots 1 thru 8, Block 4; NCB 16999, Lots 1 thru 4, Block 5; NCB 17000, All of NCB, Block 6, save and except Parcel 6; NCB 17001, All of NCB, Block 7; NCB 17002, All of NCB, Block 8; NCB 17003, All of NCB, Block 9; NCB 17110, All of NCB, Block 10; NCB 17852, All of NCB, Block 11; NCB 17853, All of NCB, Block 12; NCB 18012, Lots 1 thru 20, Block 1; NCB 18013, All of NCB, Block 2; NCB 18014, Lots 1 thru 42, Block 3; NCB 18015, All of NCB, Block 4; NCB 18016, All of NCB, Block 5; NCB 18017, All of NCB, Block 6; NCB 18018, All of NCB, Block 7; NCB 18019, Lots 1 thru 11, Block 8; NCB 18025, Lots 1, 2, and Lots 9 thru 16, Block 14; NCB 18026, Lots 6 thru 47, Block 15; NCB 18027, All of NCB, Block 16; NCB 18028, All of NCB, Block 17; NCB 18029, All of NCB, Block 18; NCB 18030, All of NCB, Block 19; NCB 18031, All of NCB, Block 20; NCB 18032, Lots 1 thru 70, Block 21; NCB 18033, Parcel 5-C FROM Temporary "R-1" One Family Residence District TO "R-1" One Family Residence District; NCB 16995, Lots 49 thru 79, Block 1; NCB 16998, Lots 9 thru 40, Block 4; NCB 16999, Lots 5 thru 28, Block 5; NCB 17854, Lots 1 thru 128, Block 13 FROM Temporary "R-1" One Family Residence District TO "R-5" One Family Residence; NCB 17854, Lots 253 thru 312, Block 13; NCB 17855, All of NCB, Block 14 FROM Temporary "R-1" One Family Residence District TO "R-7" Small Lot Home District; NCB 18033, Parcel 5-D and Parcel 5-G FROM Temporary "R-1" One Family Residence District and "R-3" Multiple Family Residence District for a day care center with over twenty children TO "R-1" CC One Family Residence District with City Council approval for a day care center; and NCB 18033, the south irregular 190' of Lot 1 and Parcel 5-F, Block 13 FROM Temporary "R-1 One Family Residence District TO "B-3NA" SUP Non-Alcoholic Sales Business District with Special Use Permit for a contractor's company with outside storage with a three (3) year time limitation, per Attachment "A" for a construction company with outside storage with a three (3) year time limitation, being an area bounded on the northwest by Huebner Road, on the northeast by Wood Streams Drive, Voelcher Lane, on the southeast by Sage Trail Drive, Knight Wood Drive, Wilderness Drive and on the southwest by N. W. Military Highway.

Mr. Andy Guerrero, Land Development Services, explained that this involves the rezoning plan for the Oak Meadow subdivision.

Mr. Wolff made a motion to approve the recommendation of the Zoning Commission. Ms. Vera seconded the motion.

Mr. Wolff then made an amendment to postpone consideration of rezoning of Lot 1, Block 1 NCB 18995, until August 26, 1990. Ms. Vera seconded the motion.

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

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

AN ORDINANCE 71,991

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 TO REZONE NCB 18014, LOT 43, BLOCK 3; NCB 18019, LOTS 12 THRU 59, BLOCK 8; NCB 18020, ALL OF NCB, BLOCK 9; NCB 18021, ALL OF NCB, BLOCK 10; NCB 18022, ALL OF NCB, BLOCK 11; NCB 18023, ALL OF NCB, BLOCK 12, SAVE AND EXCEPT LOT 39; NCB 18024, ALL OF NCB, BLOCK 13; NCB 18025, LOTS 3 THRU 8, BLOCK 14; NCB 18026, LOTS 1 THRU 5, BLOCK 15; NCB 18032, LOT 71, BLOCK 21 FROM TEMPORARY "R-1" ERZD ONE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "R-1" ERZD ONE FAMILY EDWARDS RECHARGE ZONE DISTRICT; TO REZONE NCB 16995, LOTS 2 THRU 48, BLOCK 1; NCB 16996, ALL OF NCB, BLOCK 2; NCB 16997, ALL OF NCB, BLOCK 3; NCB 16998, LOTS 1 THRU 8, BLOCK 4; NCB 16999, LOTS 1 THRU 4, BLOCK 5; NCB 17000, ALL OF NCB, BLOCK 6, SAVE AND EXCEPT PARCEL 6; NCB 17001, ALL OF NCB, BLOCK 7; NCB 17002, ALL OF NCB, BLOCK 8; NCB 17003, ALL OF NCB, BLOCK 9; NCB 17110, ALL OF NCB, BLOCK 10; NCB 17852, ALL OF NCB, BLOCK 11; NCB 17853, ALL OF NCB, BLOCK 12; NCB 18012, LOTS 1 THRU 20, BLOCK 1; NCB 18013, ALL OF NCB, BLOCK 2; NCB 18014, LOTS 1 THRU 42, BLOCK 3; NCB 18015, ALL OF NCB, BLOCK 4; NCB 18016, ALL OF NCB, BLOCK 5; NCB 18017, ALL OF NCB, BLOCK 6; NCB 18018, ALL OF NCB, BLOCK 7; NCB 18019, LOTS 1 THRU 11, BLOCK 8; NCB 18025, LOTS 1, 2, AND LOTS 9 THRU 16, BLOCK 14; NCB 18026, LOTS 6 THRU 47, BLOCK 15; NCB 18027, ALL OF

NCB, BLOCK 16; NCB 18028, ALL OF NCB, BLOCK 17; NCB 18029, ALL OF NCB, BLOCK 18; NCB 18030, ALL OF NCB, BLOCK 19; NCB 18031, ALL OF NCB, BLOCK 20; NCB 18032, LOTS 1 THRU 70, BLOCK 21; NCB 18033, PARCEL 5-C FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "R-1" ONE FAMILY RESIDENCE DISTRICT; NCB 16995, LOTS 49 THRU 79, BLOCK 1; NCB 16998, LOTS 9 THRU 40, BLOCK 4; NCB 16999, LOTS 5 THRU 28, BLOCK 5; NCB 17854, LOTS 1 THRU 128, BLOCK 13 FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "R-5" ONE FAMILY RESIDENCE; NCB 17854, LOTS 253 THRU 312, BLOCK 13; NCB 17855, ALL OF NCB, BLOCK 14 FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "R-7" SMALL LOT HOME DISTRICT; NCB 18033, PARCEL 5-D AND PARCEL 5-G FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT AND "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT FOR A DAY CARE CENTER WITH OVER TWENTY CHILDREN TO "R-1" CC ONE FAMILY RESIDENCE DISTRICT WITH CITY COUNCIL APPROVAL FOR A DAY CARE CENTER; AND NCB 18033, THE SOUTH IRREGULAR 190' OF LOT 1 AND PARCEL 5-F, BLOCK 13 FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-3NA" SUP NON-ALCOHOLIC SALES BUSINESS DISTRICT WITH SPECIAL USE PERMIT FOR A CONTRACTORS COMPANY WITH OUTSIDE STORAGE WITH A THREE (3) YEAR TIME LIMITATION, PER ATTACHMENT "A" FOR A CONSTRUCTION COMPANY WITH OUTSIDE STORAGE WITH A THREE (3) YEAR TIME LIMITATION, BEING AN AREA BOUNDED ON THE NORTHWEST BY HUEBNER ROAD, ON THE NORTHEAST BY WOOD STREAMS DRIVE, VOELCHER LANE, ON THE SOUTHEAST BY SAGE TRAIL DRIVE, KNIGHT WOOD DRIVE, WILDERNESS DRIVE AND ON THE SOUTHWEST BY N. W. MILITARY HIGHWAY. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

90-33

The Clerk read the following Ordinance:

AN ORDINANCE 71,992

APPROPRIATING THE FUNDS NECESSARY TO PURCHASE COMMERCIAL GENERAL LIABILITY INSURANCE FOR THE MULTIPURPOSE DOME FACILITY PROJECT AS REQUIRED IN SECTION 6 OF THE CITY OF SAN ANTONIO - VIA STADIUM ELECTION AND CONTINGENT CONSTRUCTION AND OPERATION AGREEMENT, TO BE FUNDED BY THE VIA 1/2 CENT SALES TAX.

July 26, 1990  
jd/alh

\* \* \* \*

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

90-33 The clerk read the following Ordinance:

AN ORDINANCE 71,993

AUTHORIZING ACCEPTANCE OF A PROPOSAL BY THE SAN ANTONIO DEVELOPMENT AGENCY (SADA) IN THE AMOUNT OF \$268,000.00 TO PROVIDE DESIGN SERVICES FOR DEMOLITION-PHASE II FOR THE MULTIPURPOSE DOME FACILITY; AND APPROPRIATING \$836,000.00 FOR DEMOLITION AND ASBESTOS ABATEMENT COSTS, BOTH TO BE FUNDED BY THE VIA 1/2 CENT SALES TAX.

\* \* \* \*

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

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

90-33 The Clerk read the following Ordinance:

AN ORDINANCE 71,994

AUTHORIZING PAYMENT FROM JOB TRAINING PARTNERSHIP ACT (JTPA) FUNDS IN THE AMOUNT OF \$17,200 TO GARZA/GONZALEZ & ASSOCIATES-PRICE WATERHOUSE FOR SERVICES RENDERED IN CONNECTION WITH AN INDEPENDENT REVIEW OF CERTAIN ALAMO PRIVATE INDUSTRY COUNCIL (PIC) PROCEDURES AND OPERATIONS.

\* \* \* \*

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

In response to a question by Mr. Thompson, Mr. Robert Salinas, Director of the Office of Municipal Integrity, spoke to the conflict of interest allegations made against the Private Industry Council Board of Directors and their operations and procedures. He stated that the result of the investigation was the conclusion that a conflict of interest did occur, but did not constitute criminal fraud.

Mr. Alex Briseno, City Manager, explained the investigation and the charges that had been made, as a result. He spoke to progress of the blue-ribbon panel formation appointed to look into the matter with representatives of Bexar County and the rural judges in the 12-county PIC area.

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.

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90-33 The Clerk read the following Ordinance:

AN ORDINANCE 71,995 .

.  
: AUTHORIZING PAYMENTS OF REFUNDS TO PERSONS MAKING A .  
DOUBLE PAYMENT, OVERPAYMENT OR AS A RESULT OF A .  
VALUE CHANGE ON 25 TAX ACCOUNTS.

\* \* \* \*

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

- - -  
90-33 The Clerk read the following Ordinance:

AN ORDINANCE 71,996 .

.  
: AUTHORIZING THE APPLICATION AND ACCEPTANCE OF A .  
GRANT IN THE AMOUNT OF \$6,475,711.00 FROM THE TEXAS .  
DEPARTMENT OF HUMAN SERVICES TO OPERATE A CHILD CARE

MANAGEMENT SERVICES PROGRAM FROM NOVEMBER 1, 1990 TO AUGUST 31, 1991; AUTHORIZING THE EXECUTION OF A LETTER OF AGREEMENT WITH THE DEPENDENT CARE MANAGEMENT GROUP IN AN AMOUNT NOT TO EXCEED \$268,858.00 FOR THE PROVISION OF VENDOR MANAGEMENT SERVICES; AUTHORIZING THE EXECUTION OF A LETTER OF AGREEMENT WITH TEXAS A&M EXTENSION SERVICE IN AN AMOUNT NOT TO EXCEED \$112,500.00 FOR THE PROVISION OF EDUCATIONAL TRAINING OF CHILD CARE PROVIDERS AND USERS OF CHILD CARE SERVICES; AUTHORIZING THE EXECUTION OF A LETTER OF AGREEMENT WITH THE ALAMO AREA COUNCIL OF GOVERNMENTS IN AN AMOUNT NOT TO EXCEED \$98,165.00 FOR THE PROVISION OF CHILD CARE MANAGEMENT SERVICES IN THE RURAL COUNTIES ADOPTING A BUDGET; AUTHORIZING THE ADDITION OF PERSONNEL POSITIONS AND APPROVING A PERSONNEL SCHEDULE; AUTHORIZING TEMPORARY LOANS FROM THE GENERAL FUND PENDING RECEIPT OF GRANT FUNDS; AUTHORIZING THE EXECUTION OF STANDARD FORM VENDOR CONTRACTS WITH DESIGNATED DAY CARE AGENCIES; AUTHORIZING REIMBURSEMENT TO PARENTS QUALIFYING FOR SELF-ARRANGED CARE UNDER TEXAS DEPARTMENT OF HUMAN RESOURCES GUIDELINES FOR CHILD CARE ARRANGEMENTS; AND DECLARING AN EMERGENCY.

\* \* \* \*

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

Mr. Kevin Moriarty, Director of the Department of Human Resources and Services, explained the ordinance on child care services and legislation that puts San Antonio in charge of all of Bexar County and the Alamo Area Council of Governments area, constituting the rural areas around San Antonio and Bexar County.

Ms. Diane Quaglia, Human Resources Department, spoke to San Antonio's coordinator role as prime contractor, and outlined details of the proposal. She spoke to the proposal agreement with the Dependent Care Management Group to provide vendor management services, with the Texas A&M Extension Service as trainer of child care providers.

Mr. Moriarty addressed the pros and cons of the ordinance and spoke to his concerns with several facets of the Request for Proposal process, and the ramifications of the grant.

Ms. Carol Frye, head of Title XX Day Care Providers Association, spoke in support for the use of Dependent Care Management Group as Manager of vendor services.

Ms. Linda Tippon, Ella Austin Community Center, spoke in support of Dependent Care Management Group, noting that the Ordinance will increase day care funds for San Antonio.

Reverend Hector Grant, also representing the association, spoke in support for San Antonio becoming the prime contractor for day care services in San Antonio and Bexar County.

Mr. Jorge Garcia, Director, Wesley Community Center,; Mr. Joe Bueno, Executive Director, South Side YMCA; and Mr. Johnny Miller, Miller Child Development Center, all spoke in support of the Dependent Care Management Group appointment.

A discussion then took place concerning the proposed management and training services.

Ms. Berriozabal spoke to the legal reasons for the state to get out of the child care services, and voiced her concerns that initial funding only allows a small administrative staff in the Department of Human Resources and Services.

She spoke in support of creation of parents' advisory group and advisory council to the Child Care Management Services Program, and asked that City Council to make the appointments to the advisory council. She stated that she would like for the Council to approve the overall CCMS contract when it is negotiated by the end of August.

A discussion then took place concerning staff positions to be filled for the program.

Mr. Webb spoke to his concern with the proposed table of organization, and asked that vacant positions be filled from among qualified City employees.

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

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90-33

COMMUNITY DEVELOPMENT BLOCK GRANT BUDGET

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

Ms. Jo Ann Murillo, Westfort Alliance Neighborhood Association, outlined her neighborhood projects and parameters.

Mr. Bill Dubel, representing the same organization, distributed photographs of examples of neighborhood decay and asked for \$300,000 in

CDBG funding for reconstruction of streets and other amenities.

Reverend H. L. Bracy, Westside Alliance for Better Westside Housing Committee, asked for support of his organization and spoke to the need for \$500,000 for area re-development programs.

Ms. Barbara Ford Young, Regional Director, Department of Human Services, spoke to the Lincoln Heights program and asked for support to the Micklejohn project.

Ms. Marcia Welch, representing Metro Alliance and Communities Organized for Public Service, asked for Council support for the COPS/Metro Alliance CDBG package.

Ms. Mary Piccione, CSBG Chairperson, COPS, spoke to the need for the City to accept the COPS/Metro Alliance package.

Mr. Clyde Williams, Board President, ROBBED, asked for support for two projects in District 1, including the Micklejohn project and the Community Reinvestment Act program, and spoke of the public/private joint venture involved.

Mr. Abe Emerson, ROBBED, spoke in support for ROBBED's community reinvestment program.

Ms. Paula Y. Gray, Ella Austin Community Center employee and parent, asked for support for the requested playground equipment for the Center.

Mr. Johnny L. Cheatham, Ella Austin parent, complained of the lack of playground equipment at the Center for his childrens' use.

Mr. William Adames reiterated the concerns of previous speakers for the lack of playground equipment.

Ms. Lillie Wilson and Ms. Barbara J. Williams each spoke to the lack of playground equipment at Ella Austin Center.

Ms. Linda J. Tippins spoke of the increased use of the Center's outdoor equipment and the need for more equipment, and for renovation of the auditorium.

Ms. Barbara Harkins, Vice-President, Ella Austin Community Center, addressed the needs of the Center.

Ms. Tonie Marie, Teen Helpline, Inc., asked for funding for the program.

Ms. Mary J. Alvarado, Gateway to Hemisfair South Neighborhood Association, stated that her group represents a 25-block area south of

HemisFair Park, and addressed the need for good sidewalks and curbs, as well as overall development of the area.

Mr. Richard Caldera, President, Lavaca Neighborhood Association, stated that his area is being revitalized and asked for CDBG support.

Mr. Abel Reyna, Principal, Guerra Elementary School, Edgewood Independent School District, spoke of needed improvements at Van De Walle Park, area streets and creation of a new park in the neighborhood.

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

Mr. Roosevelt Adams, East Side Economic Development Council, asked for \$600,000 in CDBG funding for several development projects.

(At this point, Mayor Pro Tem Webb returned to preside over the City Council meeting.)

There being no further citizens to be heard, Mayor Pro Tem Webb declared the Public Hearing to be closed.

The Clerk read the following Ordinance:

AN ORDINANCE 71,997

ADOPTING THE SIXTEENTH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM BUDGET; AND AUTHORIZING THE CITY MANAGER TO SUBMIT SAID CDBG PROGRAM BUDGET, WITH CERTIFICATIONS, TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR FISCAL YEAR 1990/91 ENTITLEMENT FUNDS.

\* \* \* \*

Mr. Wing noted that CDBG is a model program in San Antonio and he thanked COPS and the Metro Alliance for their hard work in molding a recommended program package.

Members of the City Council then made district-by-district recommendations for CDBG funding and citywide expenditures.

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

90-33 The Clerk read the following Resolution:

A RESOLUTION NO. 90-33-38

SUPPORTING AN APPLICATION TO PARTICIPATE IN THE TEXAS URBAN MAIN STREET PROGRAM. (VALERO SOUTH URBAN MAIN STREET PROGRAM)

\* \* \* \*

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

Mr. Richard Caldera, Lavaca Neighborhood Association, stated that his group is joining forces with the King William Association in this endeavor.

Mr. Louis Fisher, representing King William Association, outlined the Urban Main Street Program for San Antonio, noting that the State Historical Commission will select three cities for project funding, and his joint venture already has raised since \$31,000 in private funding.

In response to a question by Ms. Berriozabal, City Manager Alex Briseno noted that the Department of Economic and Employment Development will continue to staff this effort.

Ms. Berriozabal provided a brief background history of this project.

Mrs. Dutmer spoke in endorsement of the program and spoke to the revitalization of South Presa Street.

Mr. Wolff spoke of the need to look at the commercial aspect of this development, as well.

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

90-33 The Clerk read the following Ordinance:

AN ORDINANCE 71,998

APPROPRIATING \$2,600.00 FROM THE DISTRICT 9 DISCRETIONARY FUND FOR THE PRODUCTION OF OVER 500,000 WATER CONSERVATION LEAFLETS FOR DISTRIBUTION TO ALL CITY PUBLIC SERVICE (CPS) CUSTOMERS IN THE NEXT BILLING CYCLE.

\* \* \* \*

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

In response to a question by Mrs. Dutmer, Ms. Rebecca Cedillo, Director of Planning, explained that this would be the second year for this project, and the theme this year is lawn-watering. She noted that the CPS bill insert contains good tips on lawn-watering.

Mr. Labatt noted that the Edwards Underground Water District funded these bill inserts last year, and he is funding the project from the District 9 discretionary funds this year.

Ms. Cedillo explained why City Water Board cannot also do this with their billing, noting that CWB bills on a card and thus does not use an envelope.

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

90-33 The Clerk read the following Ordinance:

AN ORDINANCE 71,999

APPROPRIATING AN AMOUNT NOT TO EXCEED \$500 FROM THE MAYOR'S AND DISTRICT 2 DISCRETIONARY FUNDS COMBINED TO CHARTER A BUS FOR TRANSPORTATION OF WITNESSES AND COMMUNITY REPRESENTATIVES TO A MEETING OF THE TEXAS ALCOHOLIC BEVERAGE COMMISSION IN AUSTIN ON THE MORNING OF AUGUST 2, 1990, REGARDING THE 402 ICE HOUSE.

\* \* \* \*

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

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

90-33 The Clerk read the following Ordinance:

AN ORDINANCE 72,000

ACCEPTING THE PROPOSAL OF H. B. ZACHRY CO., INC., IN AN AMOUNT NOT TO EXCEED \$100,000.00, INCLUDING CONSTRUCTION CONTINGENCY, TO CONSTRUCT REPAIRS TO THE SAN ANTONIO RIVER PILOT CHANNEL WALLS AND ADJACENT WALKWAYS IN DAMAGED AREAS BETWEEN TRAVIS AND PECAN STREETS; PROVIDING FOR PAYMENT; APPROPRIATING FUNDS; AND DECLARING AN EMERGENCY.

\* \* \* \*

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

90-33 The Clerk read the following Ordinance:

AN ORDINANCE 72,001

RESCINDING ORDINANCE NO. 71834 WHICH AWARDED HUNTER DEMOLITION AND WRECKING CORPORATION A CONTRACT FOR DEMOLITION SERVICES IN CONNECTION WITH THE SAN ANTONIO MULTIPURPOSE DOME FACILITY: DEMOLITION/PHASE I-PACKAGE I; AWARDED THIS DEMOLITION CONTRACT TO THE NEXT LOWEST QUALIFIED BIDDER, BRADLEY W. BOEGNER & ASSOCIATES IN THE AMOUNT OF \$353,109.00; AUTHORIZING THE EXECUTION OF A DEMOLITION CONTRACT; AUTHORIZING \$35,310.00 FOR THE DEMOLITION CONTINGENCY; AND PROVIDING FOR PAYMENT.

\* \* \* \*

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

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90-33      TRAVEL AUTHORIZATION - Granted:

Mayor Lila Cockrell to travel to Washington, D. C. from July 31, 1990 to August 1, 1990, to meet with Congressional Delegation on Fort Sam Houston and Kelly Air Force Base issues.

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90-33

CITY MANAGER'S REPORT

MISSING FUNDS

City Manager Alex Briseno noted that some \$20,000 has been found to be missing from the Treasury Division, and involves funds received from the Tower of the Americas, and that an investigation is underway. He also spoke to a detected funds shortage from San Antonio Police Department receipts received from sale of police reports, etc. He spoke to how both shortages were detected and noted that actions are underway to investigate each case. He spoke of the need to survey the City's cash-handling procedures to assure that all funds are handled effectively and efficiently.

Mr. Thompson asked that Council members be kept informed of such incidents before they learn of them in the news media.

PROPERTY TAX ROLLS

Mr. Alex Briseno, City Manager, noted that the City has received the certified property tax rolls today, and noted that it amounted to some \$25.5 billion dollars down some 1.6 per cent from last year. He also noted that this drop has been made up through increased revenues because of annexation. He stated that he would apprise the Council of the final figures shortly.

YOUTH BASEBALL TEAM FUNDING

Mr. Alex Briseno, City Manager, told the Council that the City cannot fund a request to send a youth baseball team to a particular tournament. Since no public purpose is being served for the use of tax funds. He provided Council members with a legal opinion to that effect from the City Attorney.

GOLF COURSE FUNDS

Mr. Don Maddox, Assistant Director, Parks & Recreation, stated tht City staff is working to solve the problems created by the slow payments made to the City by golf course managers recently, noting that a final solution should be available by next month.

90-33

CITIZENS TO BE HEARD

Bill Naves, Viet Nam War Institute, spoke to the Council about their proposed financial, accounting and audit procedures with regard to monies received in connection with the Viet Nam Museum. He stated that they are seeking support from the City Council and also the possibility of leasing a vacant city-owned building.

In response to a question by Ms. Berriozabal, Mr. Naves responded that they are awaiting the non-profit status determination.

Ms. Berriozabal suggested methods of obtaining low-rent facilities.

Mr. Wing advised Mr. Naves on who to contact regarding expediency of obtaining 501(c)(3) status.

MR. DREW HORN

Mr. Drew Horn related details on an incident which occurred in 1985. He started that his home was burglarized and a gun stolen from his home. The gun was ultimately recovered in a drug case. He was then told that his gun was not available and returned to the persons who had it. He related the details of filing a claim and receiving notification that he would not be able to recoup his gun or the value of the gun because of Gallagher Bassetts determination of governmental immunity. He asked the City Council to help him in this case.

Mr. Labatt stated that in this case it certainly seems like the fair market value of the gun which was stolen should be given to Mr. Horn.

Mr. Dale Jacobs, representing the Police Department, stated he will investigate and make a complete report to the Council on this issue.

Mr. Horn expressed concern about the method by which the stolen gun was returned to the unlawful owners.

Mr. Jacobs spoke of the policies in place with regard to confiscation of property.

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MRS. IDA KENNY

Mrs. Kenny expressed concern about the placement of apartments for the critically mentally ill in her neighborhood. She stated that the application was submitted without the location. She expressed concern that the rezoning had been obtained for the building of apartments, but is now concerned that the neighborhood will be affected with the influx of chemically mentally ill person, which may include child molesters, etc. She presented a map of where the facilities are to be built.

Mr. Labatt expressed concern that no one spoke to the Neighborhood Association, nor to himself as District 9 representative.

Mrs. Kinney stated that HUD does not require addresses nor location. She stated that the neighborhood is very upset about it.

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There being no further business to come before the Council, the meeting was adjourned at 6:15 P.M.

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A P P R O V E D

*Lila Cockrell*

M A Y O R

ATTEST *James J. Rodriguez*  
City Clerk

