

00638

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, DECEMBER 23, 1986.

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The meeting was called to order at 1:00 P.M. by the presiding officer, Mayor Henry Cisneros, with the following members present: BERRIOZABAL, WEBB, DUTMER, WING, MARTINEZ, VERA, HARRINGTON, LABATT, HASSLOCHER, CISNEROS. Absent: THOMPSON.

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86-60

ZION STAR BAPTIST CHURCH SINGERS

Mr. Webb introduced members of the singing group from Zion Star Baptist Church where he serves as a minister and the group then sang a special hymn for the City Council.

The invocation then was given by Reverend Ben Flores, El Templo Christiano.

Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

The church group then sang another hymn joined by Mr. Webb.

Mayor Cisneros spoke of recent tributes paid to Mr. Webb by his colleagues in the National League of Cities and a special testimonial which was given by Joe Webb, Jr., a member of the Zion Star Baptist Church singing group present in the audience today.

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MRS. SAN ANTONIO

Mayor Cisneros introduced Mrs. Mac Bowman, and spoke of her selection as Mrs. San Antonio for 1986-87, he also introduced Mr. Edward J. Parnell, Executive Vice President of the Non-Commissioned Officers Association also present in the audience accompanying Mrs. Bowman.

City Councilmembers joined Mayor Cisneros in welcoming Mrs. San Antonio to City Hall.

Mayor Cisneros presented her with a special San Antonio book and with a scarf.

Mrs. Bowman introduced her husband, Mr. Turner Bowman present in the audience. She further stated that she is the first Mrs. San Antonio

and will represent the city in the state pageant in Houston. She then briefly described her life and her ambitions.

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86-60

TEXAS-GERMANY 1986 SESQUICENTENNIAL COMMITTEE

Mayor Cisneros introduced Mrs. Ingrid Kokinda present in the audience to present to the City Council facsimiles of two bible pages, one from the book of First John, the other from the Book of Revelation.

Mrs. Kokinda then presented to the City Council special facsimile pages from the latin Gutenberg bible of a 1452 print and she briefly described the Texas-Germany 1986 Sesquicentennial Committee events to take place. She then spoke of the history of the Gutenberg bible and her own personal background in Germany.

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CHRISTMAS GIFTS

Mayor Cisneros presented San Antonio Junior Forum "Celebrate San Antonio" cookbooks to each member of the City Council as his Christmas present to them.

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86-60 The minutes of the Regular City Council Meeting of December 11, 1986, were approved.

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SHERATON HOTEL UPDATE

Mrs. Berriozabal asked the City Manager to some time during this meeting provide her with an update on the current status on construction plans for the Sheraton Hotel in downtown San Antonio.

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CONSENT AGENDA

Mrs. Dutmer made a motion to approve Agenda Items #4 - 34, constituting the Consent Agenda, with the exception of Items #18, 22, 23, 26, 32, 33 & 34 which were pulled for individual consideration. Mr. Webb seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinances, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Vera, Harrington, Labatt,

THE CITY OF SAN ANTONIO HEALTH DEPARTMENT WITH END
TAB FILE FOLDERS FOR A TOTAL OF \$4,740.50.

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AN ORDINANCE 64,241 .

AUTHORIZING THE PURCHASE OF CRISS CROSS DIRECTORIES
FOR VARIOUS CITY DEPARTMENTS FROM COLE PUBLICATIONS
FOR A TOTAL OF \$7,045.65.

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AN ORDINANCE 64,242 .

RENEWING THE SUBSCRIPTIONS WITH FACTS ON FILE, INC.
FOR REFERENCE MATERIALS FOR THE CITY OF SAN ANTONIO
PUBLIC LIBRARY FOR A TOTAL OF \$5,925.00.

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AN ORDINANCE 64,243 .

ACCEPTING THE BID OF SOUTHWEST DATACOM SYSTEMS TO
FURNISH THE CITY OF SAN ANTONIO HEALTH DEPARTMENT
WITH AN ELECTRIC DATA RECORDER AND EMBOSSER FOR A
TOTAL OF \$20,026.30.

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AN ORDINANCE 64,244 .

ACCEPTING THE BID OF DU-MOR ENTERPRISES, IN THE
AMOUNT OF \$24,103.25 FOR THE CONSTRUCTION OF THE
STONE OAK SANITARY SEWER RELOCATION PROJECT;
PROVIDING AN ADDITIONAL \$2,410.75 FOR A CONSTRUCTION
CONTINGENCY; APPROVING A CONTRACT; AND PROVIDING FOR
PAYMENT.

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AN ORDINANCE 64,245 .

AUTHORIZING THE CITY MANAGER TO EXECUTE A
PROFESSIONAL SERVICES CONTRACT WITH VICKREY
AND ASSOCIATES, INC., IN THE AMOUNT OF \$7,320.00, TO
PROVIDE PLANS AND SPECIFICATIONS FOR THE SPRINGFIELD
SANITARY SEWER OUTFALL PROJECT; AUTHORIZING AN
ADDITIONAL \$732.00 FOR THE ENGINEERING CONTINGENCY;
AND \$125.00 FOR BID ADVERTISING.

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AN ORDINANCE 64,246

AUTHORIZING A CONTRACT WITH FERNANDEZ, FRAZER, WHITE & ASSOCIATES, INC., IN THE AMOUNT OF \$45,500.00, TO PROVIDE ENGINEERING DESIGN SERVICES ON THE QUINTANA ROAD DRAINAGE #64B (KING STREET) PROJECT.

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AN ORDINANCE 64,247

APPROPRIATING \$40,000.00 FROM THE SPECIAL RESERVE FUND; TRANSFERRING FUNDS TO SPECIAL PROJECT FUND #40; AND AUTHORIZING THE CITY UNDER A FORCE ACCOUNT TO CHARGE AGAINST THESE FUNDS FOR MATERIALS FOR THE EXPANSION OF THE GROWDEN ROAD CAR POUND ADMINISTERED BY THE POLICE DEPARTMENT.

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AN ORDINANCE 64,248

AUTHORIZING AN ADDITIONAL \$6,000.00 FOR ENGINEERING FEES PAYABLE TO STEPHEN J. CANTY & ASSOCIATES IN CONNECTION WITH THE DESIGN OF THE WETMORE ROAD BRIDGE AT SALADO CREEK PROJECT.

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AN ORDINANCE 64,249

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$169,850.00 OUT OF GENERAL OBLIGATION BONDS FOR THE PURPOSE OF ACQUIRING TITLE AND/OR EASEMENTS TO CERTAIN LANDS; ACCEPTING THE DEDICATION OF TITLE TO CERTAIN LANDS; ALL IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS.

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AN ORDINANCE 64,250

AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH ALEXANDER & ALEXANDER CONSULTING SERVICES, INC., TO PROVIDE RISK MANAGEMENT CONSULTING SERVICES FOR AN AMOUNT NOT TO EXCEED \$18,000.00.

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AN ORDINANCE 64,251

AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT AMENDMENT WITH GIC INSURANCE COMPANY TO PROVIDE CLAIMS ADMINISTRATION SERVICES FOR A THREE-YEAR PERIOD, JANUARY 1, 1987 - DECEMBER 31, 1989.

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AN ORDINANCE 64,252

ACCEPTING THE PROPOSAL OF MERCER-MEIDINGER, INC., TO PROVIDE CONSULTING SERVICES RELATING TO THE CITY'S FLEXIBLE BENEFITS PLAN AND HEALTH PLANS FOR POLICE, FIRE AND RETIRED EMPLOYEES.

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AN ORDINANCE 64,253

ACCEPTING THE PROPOSAL OF RESPITE, INC., TO PROVIDE IN-HOME CARE SERVICES FOR ILL CHILDREN OF PARTICIPATING CITY EMPLOYEES FOR THE PERIOD OF JANUARY 1, 1987 - DECEMBER 31, 1987.

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AN ORDINANCE 64,254

AUTHORIZING THE CITY MANAGER TO UPDATE THE SERVICE CREDITS OF ACTIVE EMPLOYEES AND PROVIDE RETIREES WITH AN ANNUITY INCREASE EQUAL TO 70% OF THE CONSUMER PRICE INDEX.

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AN ORDINANCE 64,255

ACCEPTING THE PROPOSAL OF PHARMACEUTICAL CARD SYSTEM, INC., TO PROVIDE A PRESCRIPTION DRUG PLAN FOR PAYING CLAIMS AND FURNISHING RELATED PHARMACEUTICAL SERVICES TO PARTICIPATING CITY EMPLOYEES FOR THE PERIOD OF JANUARY 1, 1987 - DECEMBER 31, 1987.

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AN ORDINANCE 64,256

MAKING AND MANIFESTING AN AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND A.H. CADWALLADER, III, AND AUTHORIZING CONSTRUCTION OF FACILITIES OVER AND UPON A PORTION OF THE DRAINAGE EASEMENT ON LOT 40, NCB 8679.

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AN ORDINANCE 64,257

AUTHORIZING THE CITY MANAGER OR HIS DESIGNATED REPRESENTATIVE TO EXECUTE A CONTRACT BETWEEN THE CITY AND AD VALOREM TAX CONSULTANTS, TO PROVIDE CERTAIN TAX INFORMATION TO AD VALOREM TAX CONSULTANTS, THROUGH COMPUTER FACILITIES FOR A TWO-YEAR PERIOD WITH A NINETY DAY CANCELLATION PROVISION.

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AN ORDINANCE 64,258

EXTENDING THE HOURS FOR CLOSING BONHAM STREET FROM HOUSTON STREET TO COMMERCE STREET; AND AUTHORIZING CLOSURE OF ADDITIONAL STREETS AS NECESSARY DURING THE FIREWORKS DISPLAY.

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86-60 The Clerk read the following Ordinance:

AN ORDINANCE 64,259

AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE A RELEASE OF EASEMENT, RELEASING A PORTION OF AN OLMOS FLOOD INUNDATION EASEMENT, IN NEW CITY BLOCK 11883, TO QUINCY LEE COMMERCIAL DEVELOPMENT; AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE A LICENSE AGREEMENT BY AND BETWEEN MISSOURI PACIFIC RAILROAD COMPANY, A DELAWARE CORPORATION, QUINCY LEE COMMERCIAL, A TEXAS CORPORATION, AND THE CITY OF SAN ANTONIO.

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

Mrs. Berriozabal spoke to the Ripley Street project and the MCA Streets project, both of which have been halted because the railroad involved has not agreed to construction of certain parts of the project as yet. She noted that these commitments need to be met and that the railroad needs to act in a timely manner on critical needs in areas especially where flooding is eminent such as that shown by these projects.

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

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86-60 The Clerk read the following Ordinance:

AN ORDINANCE 64,260

AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT APPLICATION WITH HEALTHAMERICA CORPORATION OF TEXAS, INC., TO PROVIDE GROUP HEALTH CARE SERVICES FOR PARTICIPATING CITY EMPLOYEES FOR THE PERIOD JANUARY 1, 1987 - DECEMBER 31, 1987.

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

Mr. Labatt spoke to the large disparity in coverages involved in the health care services concerned depending on the number of dependents to be covered.

Mr. Carl White, Director of Finance, spoke to the estimate of the rates provided by each health maintenance organization and noted that the city cost is the same no matter which plan is selected. He noted that some 50% of the city employees now are covered by health maintenance organizations.

A discussion then took place concerning the city's contributions to health insurance costs and the work done by actuaries in setting the city's contribution to the insurance cost each year. Mr. White further noted that the city offers separate life insurance packages to its employees.

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

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

86-60 The Clerk read the following Ordinance:

AN ORDINANCE 64,261

ACCEPTING THE PROPOSAL OF PRUCARE OF SAN ANTONIO TO PROVIDE GROUP HEALTH CARE SERVICES TO PARTICIPATING CITY EMPLOYEES FOR THE PERIOD JANUARY 1, 1987 - DECEMBER 31, 1987.

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

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

86-60 The Clerk read the following Ordinance:

AN ORDINANCE 64,262

ACCEPTING THE PROPOSAL OF WHITTAKER HEALTH SERVICES OF TEXAS, INC., TO PROVIDE GROUP HEALTH CARE SERVICES TO PARTICIPATING CITY EMPLOYEES FOR THE PERIOD OF JANUARY 1, 1987 - DECEMBER 31, 1987.

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

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

86-60 The Clerk read the following Ordinance:

AN ORDINANCE 64,263

AUTHORIZING THE CITY MANAGER, TOGETHER WITH THE VIA GENERAL MANAGER, TO SIGN A PROFESSIONAL SERVICES DESIGN CONTRACT FOR THE TRI-PARTY DOWNTOWN TRANSPORTATION IMPROVEMENTS DESIGN PACKAGE II COMMERCE/MARKET STREETS AREA PROJECT.

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

Mrs. Berriozabal pointed out that this ordinance and the following two ordinances are the first three contracts entered into for tri-party work in the downtown area of San Antonio. She spoke to certain problems that have been experienced because of the Rivas street project and she hopes that the same individuals who were involved with the Rivas street project are not working on the Commerce/Market street area project as provided in this ordinance.

In response to a question by Mr. Martinez, Mr. Frank Perry, Director of Downtown Initiatives briefly explained the project work and noted that the project management consultants are responsible to see that all projects come together well.

A discussion then took place concerning the approval authority for the projects involved. He also spoke to the matter of time tables for approval and the beginning of construction.

Mr. Martinez stated that he feels the downtown citizen community should have input into these projected improvements and stated that he is uneasy about the process involved.

Mr. Perry spoke to the review process for the projects and notification of neighborhood groups and other downtown groups called "focus groups" for input into early stages of downtown projects under the tri-party system.

Mrs. Berriozabal stated that she feels that the newer City Councilmembers need to be briefed on the downtown tri-party projects and she stated that the Tri-Party Publication Information Officer would be responsible for meeting with and informing neighborhood groups on project work. She further stated that the person that occupies this position needs to be bilingual and she wants a Houston street location selected for an office for the Public Information Officer involved for high visibility.

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

86-60 The Clerk read the following Ordinance:

AN ORDINANCE 64,264

AUTHORIZING THE CITY MANAGER, TOGETHER WITH THE VIA GENERAL MANAGER, TO SIGN A PROFESSIONAL SERVICES DESIGN CONTRACT FOR THE TRI-PARTY DOWNTOWN TRANSPORTATION IMPROVEMENTS DESIGN PACKAGE III, ALAMO PLAZA AREA PROJECT.

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

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

86-60 The Clerk read the following Ordinance:

AN ORDINANCE 64,265

AUTHORIZING THE CITY MANAGER, TOGETHER WITH THE VIA GENERAL MANAGER, TO SIGN A PROFESSIONAL SERVICES DESIGN CONTRACT FOR THE TRI-PARTY DOWNTOWN TRANSPORTATION IMPROVEMENTS DESIGN PACKAGE I, HOUSTON STREET AREA PROJECT.

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Mr. Webb 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, Vera, Harrington, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: Thompson.

86-60 ZONING HEARINGS

35. CASE Z86354 - to rezone the southeast 150' of Lot 31, Block 1, NCB 14572, from "B-2" Business District to "B-3R" Restrictive Business District, located on the northwest side of Nacogdoches Road, having a depth of 150' and 180' on Nacogdoches Road.

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 provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. Mrs. Dutmer seconded the motion.

In response to a question to a question by Mr. Hasslocher, Mr. Andy Guerrero, Planner III, noted that the proponent plans to put up a portable building on the property.

Mr. Hasslocher voiced his concern with plans for a portable building on the property and noted that some 73 persons signed a petition against the original zoning request for "B-3" zoning.

Mr. Eddie Eng, Jr., the proponent briefly explained his request and stated that it would not allow the construction of a tavern on the property.

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

AN ORDINANCE 64,266

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 SOUTHEAST 150-FEET OF LOT 31, BLOCK 1, NCB 14572 FROM "B-2" BUSINESS DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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36. CASE 286360 - to rezone Lots 17 through 23, Block 7, NCB 10379, for the removal of a one foot non-access easement and a six foot solid screen fence requirement imposed by Ordinance 60631 dated May 2, 1985, property located northeast of the intersection of Scales Street and W. El Monte Blvd., having 512.20' on El Monte Blvd., 60' on Scales Street and a maximum depth of 125'.

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

Mr. Russell Kyse, representing the San Antonio Baptist Association, the petitioner, briefly explained plans for the use of the property. He further stated that he would be amenable to a height restriction to apply to the first 25 feet of the property measured back from the middle of the alley. Mr. Kyse stated that he feels that he has received approval from fourteen of the 25 neighbors he has contacted in this regard. He then distributed photographs of the property and the present alley adjacent. He stated that the proponent would agree to pave and maintain this alley and to construct a privacy fence adjacent to the neighbor's property if the zoning is approved. He stated that his proponent needs the ability for a multi-story building on the property for future development.

Mr. Labatt made a motion to approve the rezoning request provided that a 25-foot building setback is imposed from the center-line of the alley, and a one-story building height limitation is imposed within that 25-foot area.. 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, Vera, Harrington, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: Thompson.

AN ORDINANCE 64,267

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 17 THRU 23, BLOCK 7, NCB 10379, FOR REMOVAL OF A ONE-FOOT NON-ACCESS EASEMENT AND A SIX-FOOT SOLID SCREEN FENCE REQUIREMENT IMPOSED BY ORDINANCE 60631 DATED MAY 2, 1985, PROVIDED THAT A 25-FOOT BUILDING SETBACK IS IMPOSED FROM THE CENTER-LINE OF THE ALLEY, AND A ONE-STORY BUILDING HEIGHT LIMITATION IS IMPOSED WITHIN THAT 25-FOOT AREA. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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37. CASE Z86345 - to rezone the east 33' of Lot 23, and all of 24, Block 5, NCB 2048, In the 200 Block of Princeton, from "B" Residence District to "O-1" S.U.P. Office District Special Use Permit for an auto repair shop, located on the southwest corner of Princeton Avenue and N. Colorado Street, having 155.6' on N. Colorado Street and 88.6' on Princeton 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 Mrs. Berriozabal, Mr. Pedro Uridales, the proponent, stated that neighbors were concerned that the property be kept clean and neat which is something that he has promised to do.

Mrs. Berriozabal made a motion to approve the recommendation of the Zoning Commission provided that 2.2 feet of dedication is given along Colorado Street, and that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. Mr. Wing seconded the motion.

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

AN ORDINANCE 64,268

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 33-FEET OF LOT 23 AND ALL OF LOT 24, BLOCK 5, NCB 2048, IN THE 200 BLOCK OF PRINCETON, FROM "B" RESIDENCE DISTRICT TO "O-1" S.U.P. OFFICE DISTRICT WITH A SPECIAL USE PERMIT FOR AN AUTO REPAIR SHOP, PROVIDED THAT 2.2 FEET OF DEDICATION IS GIVEN ALONG COLORADO STREET, AND THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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38. CASE 286335 - to rezone a 1.086 acre tract of land out of CB 5083, from Temporary "R-1" One Family Residence District to "B-3" Business district; a 2.315 acre tract of land out of CB 5083, from Temporary "R-1" One Family Residence District to "I-1" Light Industry District, located 100' east and south of the intersection of U.S. Hwy 90 East and Graytown Road, having 543' on U.S. Hwy 90 East and 379.98' on Graytown Road, with a maximum depth of 742.50'.

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

Mr. Webb made a motion to approve the recommendation of the Zoning Commission, provided that IH 10 frontage access is secured from the State Department of Highways and Public Transportation, and that off-street parking and access from Graytown Road are provided and submitted for approval by the Traffic Engineering Division. Mr. Wing seconded the motion.

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

AN ORDINANCE 64,269

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 1.086 ACRE TRACT OF LAND OUT OF CB 5083 FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT, AND A 2.315 ACRE TRACT OF LAND OUT OF CB 5083 FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT IH-10 FRONTAGE ACCESS IS SECURED FROM THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION, AND THAT OFF-STREET PARKING AND ACCESS FROM GRAYTOWN ROAD ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00"

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39. CASE 286337 - to rezone a 6.400 acre tract of land out of NCB 13663, from "O-1" Office District to "B-1" C.C. Business District with City Council approval for a hospital, located southwest 459.03' and southeast 250' from the northwest end of the southwest cut off of

Hamilton-Wolfe Road and Fredericksburg Road, having a width of 749.95' and maximum depth of 592.28'.

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, the architect on the project, spoke to how the proponent plans to maintain the drainage easement through the property.

Mr. Harrington made a motion to approve the recommendation of the Zoning Commission provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. 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, Vera, Harrington, Labatt, Hasslocher; NAYS: None; ABSENT: Thompson, Cisneros.

AN ORDINANCE 64,270

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 6.400 ACRE TRACT OF LAND OUT OF NCB 13663 FROM "O-1" OFFICE DISTRICT TO "B-1" C.C. BUSINESS DISTRICT WITH CITY COUNCIL APPROVAL FOR A HOSPITAL, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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40. CASE 286351 - to rezone a 2.611 acre tract of land out of NCB 17862, from Temporary "R-1" One Family Residence District to "O-1" Office District, located on the northwest side of Blanco Road, being approximately 230' northeast of Cadillac Drive, having 220' on Blanco Road, with a maximum depth of 547.76'.

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

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Mr. Harrington made a motion to approve the recommendation of the Zoning Commission provided that a six-foot solid screen fence is erected and maintained along the northwest and southwest property lines; that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division; and that right-of-way is secured from the State Department of Highways and Public Transportation. 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, Vera, Harrington, Labatt, Hasslocher; NAYS: None; ABSENT: Thompson, Cisneros.

AN ORDINANCE 64,271

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 2.611 ACRE TRACT OF LAND OUT OF NCB 17862 FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT, PROVIDED THAT A SIX-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTHWEST AND SOUTHWEST PROPERTY LINES; THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION; AND THAT RIGHT-OF-WAY IS SECURED FROM THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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41. CASE 286353 - to rezone a 2.00 acre tract out of CB 5001, 1500 Block of N. Loop Road, from "A" Single Family Residence District to "I-1" Light Industry District, located on the west side of North Loop Road, having 41.01' on North Loop Road, with a width of 753.75' and a maximum depth off 126.5'.

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. Harrington, Mr. Rosenberg Risa, 1878 Grandstand explained the plans for use of the property for the expansion and addition to an existing building to store aircraft parts.

Mr. Harrington made a motion to approve the recommendation of the Zoning Commission provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. 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, Vera, Harrington, Labatt, Hasslocher; NAYS: None; ABSENT: Thompson, Cisneros.

AN ORDINANCE 64,272

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 2.00 ACRE TRACT OF LAND OUT OF CB 5001, IN THE 11500 BLOCK OF NORTH LOOP ROAD, FROM "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

86-60 The Clerk read the following Ordinance:

AN ORDINANCE 64,273

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. Mr. Harrington seconded the motion.

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

86-60 The Clerk read the following Ordinance:

AN ORDINANCE 64,274

CLOSING AND ABANDONING AN UNIMPROVED PORTION OF MART AVENUE, BETWEEN NEW CITY BLOCKS 8787 AND 8788, AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE TWO (2) QUITCLAIMS, TO TAYLOR D. CALLAHAN, ET AL, FOR A CONSIDERATION OF \$1.00.

* * * *

Mr. Webb 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, Vera, Harrington, Labatt, Hasslocher; NAYS: None; ABSENT: Thompson, Cisneros.

86-60 The Clerk read the following Ordinance:

AN ORDINANCE 64,275

ACCEPTING THE PROPOSAL OF MOTOROLA, INC., TO FURNISH THE CITY OF SAN ANTONIO WITH A PUBLIC SAFETY RADIO COMMUNICATIONS SYSTEM FOR A TOTAL OF \$9,996,178 AND AUTHORIZING THE CITY MANAGER TO EXECUTE SUBJECT CONTRACT.

* * * *

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

In response to a question by Mrs. Dutmer, Mr. John Brooks, Director of Purchasing and General Services, stated that the communications system in question will be some 4 to 6 months in completion following the beginning of its installation. He further stated that overall the project is a 12 month project from completion to full implementation. He stated that the city has been working on the plans for the project for the past 6 years and he compared the present voice communication system with the printed system and the integration of both into this new combined installation. He further noted that both Motorola and General Electric are deemed large enough to handle this project but only Motorola bid on the project. He stated that General Electric did not bid at their own choice.

A discussion then took place on whether or not the officer who recommended the system was or was not a Motorola employee.

Mr. William Gibson, the Chief of Police, and Mr. John Brooks, both stated that to their knowledge the officer involved was not a former Motorola employee.

Mr. Brooks stated that the present system is now operating at capacity and the city needs this new system, a system which has certain security controls on who can receive the signals.

(Mayor Cisneros at this point returned to the meeting to preside).

In response to a question by Mr. Martinez, Mr. Brooks noted that only one bid had been received on this project.

Mr. Hasslocher explained how the system is used and spoke in favor of the bid.

Mr. Brooks stated that other entities wish to join this system and as such will pay a pro-rata portion for its usage. He noted that this will also cut some \$300 - 400,000 from the annual costs of this communication system.

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

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86-60 The Clerk read the following Ordinance:

AN ORDINANCE 64,276

TRANSFERRING FUNDS FROM CONTRIBUTIONS TO DELEGATE AGENCIES ACCOUNT AND APPROPRIATING THEM TO THE MARTIN LUTHER KING CELEBRATION PROJECT TRUST FUND.

* * * *

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

86-60 The Clerk read the following Resolution:

A RESOLUTION 86-60-69

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

* * * *

Mr. Labatt 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, Wing, Martinez, Vera, Harrington, Labatt, Cisneros; NAYS: None; ABSENT: Thompson, Hasslocher; ABSTAIN: Dutmer.

86-60 The Clerk read the following Resolution:

A RESOLUTION 86-60-70

SUPPORTING CITY COUNCILMEMBER BOB THOMPSON'S
NOMINATION TO THE NATIONAL LEAGUE OF CITIES
TRANSPORTATION AND COMMUNICATIONS POLICY COMMITTEE.

* * * *

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

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

86-60 The Clerk read the following Resolution:

A RESOLUTION 86-60-71

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

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* * * *

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

86-60 The Clerk read the following Resolution:

A RESOLUTION 86-60-72

SUPPORTING CITY COUNCILMEMBER JOE WEBB'S NOMINATION TO THE NATIONAL LEAGUE OF CITIES COMMUNITY AND ECONOMIC DEVELOPMENT POLICY COMMITTEE.

* * * *

Mrs. Berriozabal 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, Vera, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: Thompson, Harrington.

86-60 The Clerk read the following Resolution:

A RESOLUTION 86-60-73

SUPPORTING CITY COUNCILMEMBER WALTER MARTINEZ'S NOMINATION TO THE NATIONAL LEAGUE OF CITIES FINANCE, ADMINISTRATION AND INTERGOVERNMENTAL RELATIONS POLICY COMMITTEE.

* * * *

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

86-60 The Clerk read the following Ordinance:

AN ORDINANCE 64,277

AUTHORIZING EXTENSION OF THE CRIME LAB CONTRACT WITH BEXAR COUNTY.

* * * *

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

86-60 The Clerk read the following Ordinance:

AN ORDINANCE 64,278

AUTHORIZING A CONTRACT WITH BEXAR COUNTY FOR INTEGRATED BOOKING PROCEDURES AT COUNTY JAIL.

* * * *

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

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

86-60 The Clerk read the following Resolution:

A RESOLUTION 86-60-74

APPROVING ISSUES FOR THE 1987 STATE LEGISLATION SESSION.

* * * *

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

Mrs. Karen Kliever, Director of Intergovernmental Relations, and Mayor Cisneros both spoke to endorsement of the Dallas crime package and to its specifics, some of them controversial in nature.

Mr. Martinez stated that he has concerns over some of the issues in the Dallas crime package but stated that he has not had enough time to study it thoroughly.

Mr. Gerald Henckel, the lobbyist for the city of San Antonio, urged the support of the Resolution and of the Dallas crime package subject to later revision by the Council if necessary in order that the Bexar County Legislative Delegation will know of the City Council's support of the package in general. He stated the need for a consensus of the City Council on this matter that it might be projected to the full legislature and noted that the legislature opens January 15th.

Mrs. Dutmer made an amendment that the project package be approved with a stipulation that any item may later be removed from this Council's support endorsement by an individual City Councilmember if desired. Mr. Webb seconded the motion.

Mr. Wing urged strong support for the legislation stating that he would like to see stronger laws on inhalant abuse.

A discussion then took place concerning the City Council planned meeting with the Bexar County Legislative Delegation before the convening of the state legislature.

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

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

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86-60 The Clerk read the following Ordinance:

AN ORDINANCE 64,279

AUTHORIZING AND APPROVING THE PURCHASE BY THE CITY OF SAN ANTONIO, TEXAS OF THE MAIN PLAZA BUILDING, THE PLAZA DE ARMAS BUILDING AND THE PLAZA CONTINENTAL BUILDING AND AUTHORIZING THE CITY MANAGER TO

EXECUTE THE NECESSARY DOCUMENTS IN CONNECTION
THEREWITH.

* * * *

Mr. Louis J. Fox, City Manager, explained that the city has a number of leases of private buildings for office space and he also spoke of his plans to bring as many city offices as possible into the immediate City Hall area. He noted that city staff had calculated the amount being spent annually for leases and had decided that it was cheaper to purchase the three buildings concerned rather than lease those buildings. He noted that an independent appraiser had appraised the buildings and the purchase price is within 10% of that figure. He noted further that there are tax advantages to the sellers of the building if the sale is consummated by the first of the year.

Mr. David Garcia, Special Projects Manager for the city, stated that the City Council recently approved certain Certificates of Obligation to be sold for the purchase of these three buildings. He explained the city now is making public the full details of the proposed sale as discussed in Executive Session some weeks ago. He then explained the discussions that had been held in the negotiating stance for the purchase of the three buildings and noted the city will assume the existing leases outstanding in the Main Plaza building. He then spoke to the cost of some \$56 million to continue leasing city space in the three buildings versus the \$38 million to purchase the buildings and with a net positive savings of some \$14 million to be realized by the purchase of the buildings. He further stated that certain newspaper articles written about the subject had apparently misquoted lease figures.

Discussions then took place concerning the acquisition of land for a new golf course which was included in the package of \$26 million Certificates of Obligation approved by the City Council several weeks ago and the loss of certain taxes to the city by the city's purchase of the buildings involved.

Mrs. Dutmer voiced her concern the city apparently is not getting the best deal possible in the building purchases and she spoke of the loss of taxes on those buildings. She also voiced her concern that the State Attorney General had apparently approved the bond sale when certain questions legally remained concerning those purchases. She stated further that she feels the sellers are profiting greatly from the sale of the buildings to the city and she feels further that the city is buying older buildings and will have to pay large amounts of money in order to renovate them in years to come. She stated further that she is personally protesting the purchase prices involved as being exorbitant and she feels the city already has outgrown the buildings involved.

Mrs. Berriozabal stated that she would vote against the building purchases stating that she is concerned with paying \$21 million for

buildings which have been appraised by the Bexar Appraisal District at only \$9 million and somewhat more than the appraiser hired by the city that appraised the buildings as to worth.

Mr. Garcia then spoke to the methods used to appraise the buildings and to arrive at the purchase price and he explained the extra value of having city offices so near to City Hall and how that was factored into the sale price involved. He further stated that the owners of three buildings did not originally want to sell their buildings to the city of San Antonio.

Mrs. Berriozabal stated that the City Council did not receive all pertinent facts of the proposed sale before today. She also voiced her concern with flooding of the Plaza de Armas building several times in the past several years, and she voiced her concern with the age and the condition of the three buildings involved.

A discussion then took place concerning yesterday's filing of an injunction against the sale of the Main Plaza Building by an attorney with offices in leased space in the Main Plaza Building.

Mrs. Berriozabal stated that she is concerned the Attorney General had approved sale of the Certificates of Obligation to fund the purchase price for the buildings and thus had declared, in his opinion, there was no pending legal litigation in this matter.

Mr. Harrington spoke to trends in the local real estate market and he supported the purchase of the three buildings.

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

Mr. Labatt stated that this is all a very complex issue but he supports the purchases of the three historic buildings and spoke of the fact that the city regardless must honor the lease of Luby's Cafeteria in the Main Plaza Building.

A discussion then took place concerning previous opportunities for the city to purchase the buildings involved.

Ms. Vera spoke in support of the purchase of the buildings, stating that she feels the buildings have higher appraised value because of the city's long term leases of space in each of the buildings.

Mrs. Dutmer stated her wish that the citizens of San Antonio be given an opportunity to vote on this matter in the April elections.

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

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

Mr. Louis J. Fox, City Manager, noted that the city will need 8 affirmative votes to approve the sale package immediately. A discussion on the Lebowitz lease in the Main Plaza Building then took place.

Mr. Hasslocher noted that many citizens including himself feel that the city did not bargain hard enough for the purchase price of the three buildings in order to get the best price involved and he stated his own personal opinion, that he feels this is not the exact correct time to buy these buildings but he understands the city's need for them at this time. He also stated that he feels that Council will be criticized for the purchase but he spoke in support.

Mayor Cisneros stated that he wants the city to integrate the three historic buildings and City Hall into a historic municipal complex in the future including a series of Plazas perhaps linking the buildings. He further stated that City Hall itself needs outside renovation and restoration.

Mr. David Garcia stated that this package also involves certain rebuilding of the outside facade of City Hall as well.

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

- - -
86-60 The Clerk read the following Ordinance:

AN ORDINANCE 64,280

APPROVING A SETTLEMENT WITH THREE DEFENDANTS IN THE LITIGATION STYLED CITY OF SAN ANTONIO V. CLOW CORPORATION, ET AL, CAUSE NO. 82-CI-05377.

* * * *

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

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

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

86-60

BRIEFING ON SHERATON HOTEL

Mr. David Garcia, Director of Special Projects, spoke to the original agreement with the Encore Development Corporation that allowed development of Hemisfair Plaza including the site of the new Sheraton Hotel. He spoke to the history of the hotel project and noted that Encore has a \$98 million loan from CitiCorp to finance the hotel and the Sheraton Hotel's Corporation has agreed and contracted to run the hotel. He further stated that the only problem that has evolved has been the requirement that Encore secure an equity partner in the hotel project. He then spoke to actions that had been taken to secure that equity partner for Encore and noted that talks had developed with four separate groups. Mr. Garcia noted that a formal partnership agreement now has been reached with one of the groups and ground breaking has been set for on or about January 1, 1987.

Mrs. Berriozabal stated that the downtown hotel owners have voiced their concern to Councilmembers about the possible effects of a new 950 room hotel on the heels of the opening of a 1,000 room hotel in the River Center area. She noted that the downtown hotel owners, especially those with smaller hotels fear that their occupancy rates will suffer as a result of the new Sheraton Hotel.

In response to questions from several City Councilmembers, Mr. Garcia identified the new equitors invest equity investors group as "CSC/U.S.A., Inc." of Atlanta. He further stated that this is subsidiary company owned by the People's Republic of China.

Mr. Webb and Mrs. Dutmer stated that they were personally against Communist Chinese involvement in financing of a local project.

Mr. Garcia noted that Encore Development Company had been mandated by City Council to develop the new hotel at Hemisfair Plaza and this is what they are doing with a new equity partner.

In response to a question by Mr. Martinez, Mr. Garcia discussed the City Council's options for possibly terminating its agreement with Encore Development Corporation and he spoke to whether or not Encore has met all provisions of that agreement with the city.

(Mayor Cisneros returned to the meeting to preside).

Mayor Cisneros briefly reviewed the City Council's agreement with Encore Development Corporation for redevelopment of Hemisfair Plaza

including the Hotel site. The Mayor then explained that the developers sought out the equity funding group from the international market. He noted that this happens to be the Chinese State Construction & Engineering Company, the largest in the People's Republic of China. He stated further that he believes that it is an error not to do business with the company because of its philosophies and he stated that American farmers regularly sell grain to the Soviet Union. He then spoke of the relationships formed at a national level.

Mrs. Berriozabal stated that she felt it was important to bring the issue to the City Council for discussion because of the many letters of concern she has received from interested parties in their fear of the closing of already existing hotels, should the 950 room Sheraton Hotel open. She stated that on the issue of the investors equity group she is concerned about that issue as well. She further stated that the area does not need another hotel. Mrs. Berriozabal stated that she favors reconsidering the city's decision in this matter in order to secure more market studies on the market environment to determine if the hotel in Hemisfair Plaza is now a good business decision.

A discussion then took place concerning the possibility of the City Council severing its relationship with Encore Development Corporation for allegedly not living up to the letter of its agreement with the city by not officially breaking ground for the hotel project by December 31, 1986.

Mr. Louis J. Fox, City Manager, stated that the city is currently building a 400 car parking garage in the nearby area in anticipation from business from the new hotel and stated that he feels the city would have problems if it proceeded with cancelling the contract.

Mrs. Berriozabal made a motion to direct the city staff to initiate the necessary legal steps to withdraw from the agreement with Encore Development Corporation to build a hotel on the Convention Center site. Mr. Webb seconded the motion.

Mrs. Berriozabal stated that she feels the economic impact of a new 950 room hotel would be harmful to other downtown hotels at this time.

Mr. Webb voiced his opinion that he is personally against Red China owning property in San Antonio.

Mrs. Dutmer stated that she is against accepting investment funds from Red China.

Mr. Wing stated that he feels another hotel would not harm San Antonio's economy.

Mr. Harrington stated that he is not opposed to foreign investment in San Antonio.

Mr. Labatt stated that San Antonio, in his opinion, has made a commitment in this case and must keep this commitment or the resulting litigation will cost the city considerable money.

Mr. Martinez stated that he feels the economic impact of a new hotel is a legitimate question at this time. He would like to have the city staff look at the legal alternatives issue to possibly reconsider its stance in the matter.

A discussion then took place concerning the economic benefits to be derived by the city from the projected new Sheraton Hotel.

Mr. Fox stated that the city needs the revenues from this new hotel to pay for city commitments in the area including the parking garage, the planned water feature for the vicinity and some \$1.5 million in utility billing it is expecting to receive annually from that hotel.

Following further discussion it was decided that the word "legal" would be inserted in the pending motion. It was acceptable to both the maker and the seconder of the motion.

Mrs. Berriozabal stated that she feels the City Council should have certain leeway to change its mind in agreements such as this in question.

Mrs. Vera stated that she feels that San Antonio has a bright economic future and needs the new hotel downtown.

Mrs. Dutmer stated again she is against funding economic returns for Red China.

Mayor Cisneros stated the project may not materialize after all.

Mr. Garcia stated that he expects ground breaking on the hotel site to occur in the first four to six weeks of 1987.

Mrs. Berriozabal stated again she is against a hotel on this site.

Mayor Cisneros stated that he wants the city staff to bring this to the Council for review after January 1, 1987.

The vote on the motion to direct city staff to initiate the necessary legal steps to withdraw from the agreement to build a hotel on the Convention Center site, failed, by the following vote: AYES: Berriozabal, Webb, Dutmer, Martinez; NAYS: Wing, Vera, Harrington, Labatt, Haslocher, Cisneros; Absent: Thompson.

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86-60 At this point, the City Council formally recessed its Regular Meeting at 6:15 P.M. in order to convene a Special Meeting.

86-60 The City Council reconvened its Regular Meeting at 6:43 P.M. for Citizens to be Heard.

86-60

CITIZENS TO BE HEARD

MR. NORMAN K. SHANKLIN

Mr. Shanklin distributed copies of a series of papers to members of the City Council concerning the police shooting of Mr. Willis Sterling. He voiced his concern with the shooting death of Mr. Sterling and with the shooting of minorities in general by city police. He noted that Congressman Henry B. Gonzales has asked for a federal grand jury investigation into this matter. He then quoted from city police reports of the incident involved and spoke to a diagram of the shooting scene and certain sequential events, culminating in the shooting of Officer Pitman and of Mr. Sterling. He further noted that the officers had fired five times and he spoke to the impact points where the bullets struck Mr. Sterling.

Mr. Tom Finlay, Acting City Attorney, noted that this case is now in the hands of the District Attorney and an investigation is being made by that office. He further stated that no official decision has yet been reached by the District Attorney's Office and he advised the City Council to await the District Attorney's decision before taking any action in the matter. He stated further that he feels that Mr. Shanklin should take whatever information he has and turn it over to the District Attorney for investigation.

Mayor Cisneros thanked Mr. Shanklin for appearing before the Council and stated that there may be some question of facts in this case and he urged that Mr. Shanklin take the City Attorney's advice and turn his information over to the District Attorney for investigation.

Mr. Shanklin spoke to specifics concerning prescription pills found on the body of Mr. Sterling and he also noted that the officer involved in the shooting has not been suspended as is current city Police Department policy.

Mr. Fox noted that Officer Pitman was wounded in the exchange of gunfire and is currently recovering from his wounds. He stated that the other officer involved in the shooting has been assigned to administrative duties and he stated further that he will give the City Council a full report.

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Mr. Webb thanked Mr. Shanklin for his excellent investigative work on the case and he stated that details of the investigation will be brought to light soon since some people feel that possible police brutality is involved.

* * * *

MS. CARRIE YOUNG

Ms. Young spoke to the construction of West Woodlawn in front of her home for the past year and she stated that her car which was parked around the corner from her home because of the construction was recently stolen. She stated that she is concerned with vandalism and slow work on the project and noted that as a result of the theft of her car she has no transportation.

Mr. David Steitle, Acting Director of Public Works, spoke to the enormity of the project and of the particulars of that project.

Mr. Louis J. Fox, City Manager, stated that he will assume that the claim as filed by Mrs. Young will be expedited by the city.

Mrs. Berriozabal stated that this particular project is one shared by District's 1 and 7 and the project in her estimation is a mess. She asked that the problem be addressed by the city immediately and she stated that there are other persons in the neighborhood who are likewise being very much inconvenienced as is Mrs. Young. Mrs. Berriozabal then spoke to a number of street projects which are having difficulties.

Mrs. Vera also stated that businesses in the area have been hurt by the construction and she again asked that the project be expedited.

* * * *

86-60 There being no further business to come before the City Council, adjourned the Regular Meeting at 7:16 P.M.

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

A P P R O V E D
Henry Cisneros
M A Y O R