

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, AUGUST 25, 1988.

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

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88-37 The invocation was given by Mr. Fletcher Pool, Alamo Heights United Methodist Church.

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88-37 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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88-37 SAN ANTONIO POLICE OFFICERS ASSOCIATION PRESENTATION

Mayor Cisneros spoke of the role of the San Antonio Police Officers Association and the brotherhood relationship they share.

Police Chief Bill Gibson and President of the San Antonio Police Officers Association, Sgt. Harold Flammia, then presented a check in the amount of \$26,000 to Mrs. Linda Gorrell, wife of slain downtown foot patrol officer Eddie Gorrell.

Mayor Cisneros acknowledged the presence in the audience of several police officers who were present in the chambers to pay their respects and provide support to Mrs. Gorrell.

Mayor Cisneros spoke of the loss of Officer Gorrell and the city's role in trying to meet the needs of the family. He spoke of Mrs. Gorrell and of her bravery.

Mrs. Gorrell thanked the San Antonio Police Officers Association, the City Council and the citizens of San Antonio who have provided support and comfort to her and her children.

88-37SAN ANTONIO HISPANIC CHAMBER OF COMMERCE

Mayor Cisneros congratulated the San Antonio Hispanic Chamber of Commerce for being selected as the 1988 Texas Chamber of Commerce of the Year by the Texas Association of Mexican-American Chambers of Commerce. He spoke of the importance of the Chamber and its emergence from a social organization to a very forceful voice which personifies the new San Antonio. He acknowledged the presence in the audience of Mr. Ben Rodriguez, Chairman of the Board; Mr. Al Aleman, Chairman-Elect for 1989; Dr. Damaso Oliva, Board Member; and Mr. Raymond Carvajal, Board Member.

Mayor Cisneros read the citation and presented it to Mr. Ben Rodriguez, Chairman of the Board.

Mr. Rodriguez thanked the City Council for the award. He then recognized the efforts of everyone at the Chamber.

Mr. Aleman also thanked the City Council for the recognition and for their support to the Chamber. He commended the work and contributions of Mr. Ramiro Cavazos, President of the Chamber.

Mr. Martinez congratulated the Chamber and spoke of the distinction and honor they have brought to the city by being named as the 1988 Texas Chamber of Commerce of the Year. He spoke of the minority initiatives needed in San Antonio. He congratulated the Chamber for their role in aiding the small and minority businessman.

Mrs. Berriozabal also congratulated the Chamber and thanked them for their efforts.

Mr. Wolff spoke of the efforts of the Chamber to inspire small businesses to grow and prosper.

Mr. Hasslocher thanked the entire Chamber for their guidance and leadership to the community.

88-37AMERICAN RED CROSS

Mayor Cisneros recognized the presence in the audience of Mr. Jim Von Schounmacher, Director of Public Relations, American Red Cross, San Antonio Headquarters; Mr. Jack Pitluck, Chairman of the Board of Directors, American Red Cross; Captain Michael R. Forche; and Ms. Mattie Faw. Mayor Cisneros noted that Captain Forche on June 1, 1987, trained in a Red Cross Health services course, performed the obstructed-airway procedure on Mrs. Gloria Forche, and Ms. Faw, who on May 12, 1987, trained in Red Cross Cardiopulmonary Resuscitation (CPR), performed mouth-to-mouth resuscitation on 3-month-old Mark Renna, a respiratory arrest victim,

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while she was acting as his day care provider. He noted that, as a result, they have been named to receive the American Red Cross Certificate of Merit, the highest award given by the American Red Cross to a person who saves or sustains a life by using skills and knowledge learned in a Red Cross Health and Safety course.

Mayor Cisneros then presented the awards to Captain Force and Ms. Faw and commended them for their bravery and their concern for a fellow human being.

Members of the City Council then individually congratulated Captain Forche and Ms. Faw.

Mr. Pitluck stated that the Red Cross regularly schedules classes in CPR techniques and invited the City Council and any other interested citizen to participate in these classes.

Mayor Cisneros acknowledged the family members present in the audience and also of Mrs. Gloria Forche, whose life was saved by Captain Forche.

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88-37 LLOYD BENTSEN, JR.

Mayor Cisneros recognized the presence in the audience of Mr. Lloyd Bentsen, Jr. He welcomed him to City Hall and to San Antonio.

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88-37 FIESTA DEL MERCADO PRESENTATION

Mayor Cisneros recognized Mr. David Cortez, representing the Market Square Association; and Mr. Jake Flores, representing El Mercado Merchants Association, who were present in the audience.

Mr. Cortez spoke of the check to be presented to the city today resulting from the proceeds from the 1988 Fiesta Del Mercado in April.

Mr. Flores then presented the check in the amount of \$101,460.00 to Mayor Cisneros.

Mayor Cisneros thanked Mr. Cortez and Mr. Flores for their participation.

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88-37 PAINT-A-THON

Mayor Cisneros introduced Ms. Anna Thomas, Coordinator of the

1988 Coors/Neighborhood Housing Services Paint-A-Thon, present in the audience.

Ms. Thomas spoke of the Paint-A-Thon, as a unique volunteer effort to be held on Saturday, August 27, 1988. The beneficiaries of the event are low-income senior citizens whose homes need exterior painting. Adolph Coors Company is the primary sponsor of the Paint-A-thon, co-sponsors of the event will include Mission City Beverages, San Antonio Light, KWEX-TV, Univision, Crumrine Printing, Negley's Paint, Acme Lumber and Supply and the San Antonio Spurs.

Ms. Thomas invited the City Councilmembers and any other interested citizen to participate in the Paint-A-Thon.

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PRESENTATION BY COUNCILMEMBER

City Councilwoman Helen Dutmer noted that she had been given a gift of Nieman Marcus garbage bags which she would like to share with her Co-Councilmembers.

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88-37 The approval of the Regular City Council Meetings of April 4, 1988 and April 11, 1988, were approved.

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88-37 CONSENT AGENDA

Mr. Hasslocher made a motion to approve Agenda Items # 5 - 36, constituting the Consent Agenda, with the exception of Items #9, 14, 15, 20, 28, 29, 30, & 32, which were pulled for individual consideration. Ms. Vera seconded the motion.

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

AN ORDINANCE 67,779

ACCEPTING THE LOW BID OF BORDER FENCE COMPANY TO FURNISH THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH FENCING AT O.P. SCHNABEL PARK FOR A TOTAL OF \$20,660.54.

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AN ORDINANCE 67,780

ACCEPTING THE LOW BID OF CONSTRUCTALL, INC. TO FURNISH THE CITY OF SAN ANTONIO PARKS AND RECREATION DEPARTMENT WITH FENCING AT THE BOTANICAL CENTER FOR A TOTAL OF \$19,979.00.

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AN ORDINANCE 67,781

ACCEPTING THE LOW QUALIFIED BID OF OLMOS ROOF CONTRACTORS TO FURNISH THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH FENCING AT THE BOTANICAL CENTER FOR A TOTAL OF \$19,979.00.

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AN ORDINANCE 67,782

ACCEPTING THE LOW QUALIFIED BID OF VILLA ROOFING COMPANY TO FURNISH THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH ROOF REPAIRS AT SAN FERNANDO GYMNASIUM FOR A TOTAL OF \$20,125.00.

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AN ORDINANCE 67,783

ACCEPTING THE LOW QUALIFIED BID OF SILVA PAINTING TO FURNISH THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH THE PAINTING OF THE BRIDGE AT BRACKENRIDGE PARK FOR A TOTAL OF \$11,800.00.

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AN ORDINANCE 67,784

ACCEPTING THE LOW BID OF ADAMS PLASTICS TO FURNISH THE CITY OF SAN ANTONIO ENVIRONMENTAL MANAGEMENT DEPARTMENT WITH TRASH BAGS FOR RESALE FOR A TOTAL OF \$37,400.00.

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AN ORDINANCE 67,785

ACCEPTING THE LOW BID OF INFOLAB, INC., TO FURNISH THE CITY OF SAN ANTONIO HEALTH DEPARTMENT WITH A

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CHEMISTRY ANALYZER FOR A TOTAL OF \$27,000.00.

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AN ORDINANCE 67,786

ACCEPTING THE BID OF ACE WELDING AND TRAILER COMPANY TO FURNISH THE CITY OF SAN ANTONIO AUTOMOTIVE OPERATIONS DIVISION WITH POTHOLE PATCH EQUIPMENT MODIFICATIONS FOR A TOTAL OF \$5,085.00.

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AN ORDINANCE 67,787

ACCEPTING THE LOW BIDS OF BERRY COMPUTER, INC., AND PHOENIX LEASING TO ENHANCE THE CITY OF SAN ANTONIO INFORMATION RESOURCES DEPARTMENT'S HOST PROCESSOR ON A LEASE BASIS FOR A TOTAL OF \$330,546; AND ACCEPTING THE BID OF AMDAHL CORPORATION FOR MAINTENANCE OF THIS EQUIPMENT FOR A TOTAL OF \$192,000.

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AN ORDINANCE 67,788

APPROPRIATING A TOTAL OF \$31,300.00 TO PURCHASE TWO TRACTORS WITH MOWING UNITS FOR THE SOUTHSIDE MUNICIPAL GOLF COURSE.

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AN ORDINANCE 67,789

APPROPRIATING A TOTAL OF \$31,300.00 TO PURCHASE TWO TRACTORS WITH MOWING UNITS FOR THE NORTHWEST MUNICIPAL GOLF COURSE.

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AN ORDINANCE 67,790

AUTHORIZING FIELD ALTERATION NO. 2 IN THE AMOUNT OF \$21,348.8 PAYABLE TO BALLOU CONSTRUCTION COMPANY, INC. IN CONNECTION WITH MICRO-SURFACING - 1988 PROJECT.

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AN ORDINANCE 67,791

ACCEPTING A PROPOSAL FROM RABA-KISTNER CONSULTANTS, INC. IN THE AMOUNT NOT TO EXCEED \$15,700.00 RELATED TO IDENTIFICATION AND REMOVAL OF ASBESTOS CONTAINING MATERIALS AS PART OF THE POLICE HEADQUARTERS BUILDING RENOVATION PROJECT.

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AN ORDINANCE 67,792

AWARDING A \$40,060.00 CONSTRUCTION CONTRACT TO MCNEIL ROOFING AND SHEET METAL, INC. AND AUTHORIZING \$10,015.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES ASSOCIATED WITH THE ROOF REPAIRS TO FIRE STATIONS NO. 24, FIRE STATION NO. 28 AND FIRE STATION NO. 35.

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AN ORDINANCE 67,793

AUTHORIZING FIELD ALTERATION NO. 16 IN THE AMOUNT OF \$44,055.00 AND AUTHORIZING PAYMENT TO SOUTH TEXAS CONSTRUCTION CO. IN CONNECTION WITH THE SPRIGGS DALE, ETC. STREET RECONSTRUCTION PROJECT.

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AN ORDINANCE 67,794

AWARDING A \$117,900.00 CONSTRUCTION CONTRACT TO KUNZ CONSTRUCTION COMPANY, INC. AND AUTHORIZING \$29,475.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES IN CONJUNCTION WITH THE RELOCATION OF E.M.S. DISPATCH CENTER TO THE POLICE HEADQUARTERS BUILDING.

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AN ORDINANCE 67,795

AUTHORIZING AN ADDITIONAL \$2,273.75 FOR THE CONSTRUCTION CONTINGENCY ACCOUNT IN CONNECTION WITH THE E. COMMERCE DRAINAGE PROJECT NO. 13A & 13B.

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AN ORDINANCE 67,796 .

AUTHORIZING \$27,500.00 FROM DISTRICT 9 IMPROVEMENT AND DISCRETIONARY FUND IN CONNECTION WITH THE BARBARA DRIVE DRAINAGE CHANNEL, SOUTH OF BARBARA DRIVE AND EAST OF MCCULLOUGH.

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AN ORDINANCE 67,797 .

AUTHORIZING AN ADDITIONAL \$3,342.50 FOR ENGINEERING FEES PAYABLE TO SLAY ENGINEERING CO., INC., IN RELATION TO THE MARTINEZ CREEK SMALL CULVERT PROJECT.

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AN ORDINANCE 67,798 .

APPROPRIATING ADDITIONAL ENGINEERING FUNDS, PAYABLE TO GARCIA & WRIGHT CONSULTING ENGINEERS, INC., FOR THE ORTS SANITARY SEWER REHABILITATION PROJECT TO COMPLETE THE DESIGN PHASE IN THE AMOUNT OF \$11,962.50.

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AN ORDINANCE 67,799 .

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$22,660.00 OUT OF GENERAL OBLIGATION BONDS FOR THE PURPOSE OF ACQUIRING TITLE AND/OR EASEMENTS TO CERTAIN LANDS IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS.

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AN ORDINANCE 67,800 .

AUTHORIZING THE CITY MANAGER TO EXECUTE A SEWER SERVICE CONTRACT FOR THE 774.1 ACRE WISEMAN TRACT.

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AN ORDINANCE 67,801 .

APPROVING THE CITY WATER BOARD'S REQUEST FOR OVERSIZING A TWELVE (12) AND SIXTEEN (16) INCH BORDER AND APPROACH MAIN TO SIXTEEN (16) AND

TWENTY-FOUR (24) INCHES RESPECTIVELY ON A TWENTY (20) ACRE TRACT OUT OF THE 158.661 ACRE SAN ANTONIO INTERSTATE 10 LIMITED PARTNERSHIP SITE.

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AN ORDINANCE 67,802

AUTHORIZING A LICENSE AGREEMENT WITH THE MEXICAN-AMERICAN BUSINESS AND PROFESSIONAL WOMEN'S CLUB OF SAN ANTONIO, INC. FOR THAT ORGANIZATION'S USE OF CERTAIN FACILITIES IN LA VILLITA FOR THEIR ANNUAL "LA FERIA DEL RIO" FUND RAISING EVENT IN 1988, 1989, AND 1990.

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88-37 The Clerk read the following Ordinance:

AN ORDINANCE 67,803

ACCEPTING THE LOW BID OF MCNEIL ROOFING AND SHEET METAL TO FURNISH THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH ROOF REPAIR AT THE PALM HEIGHTS GYMNASIUM FOR A TOTAL OF \$8,075.00.

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

Mr. Martinez stated that this roof repair had been in dire need for some time.

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

88-37 The Clerk read the following Ordinance:

AN ORDINANCE 67,804

ACCEPTING THE LOW BID OF APPLE COMPUTER TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH

MICROCOMPUTERS FOR A TOTAL OF \$3,623.55.

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

In response to a question by Mrs. Dutmer, Mr. Mike Sexton, Library Director, explained that educational software packages are more readily available for the Apple computers as compared to the one already in use.

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

88-37 The Clerk read the following Ordinance:

AN ORDINANCE 67,805

AUTHORIZING FIELD ALTERATION NO. 23 AND 30 IN THE AMOUNT OF \$39,122.00 AND \$15,627.50 RESPECTIVELY, PAYABLE TO H.B. ZACHRY COMPANY, AND AUTHORIZING AN ADDITIONAL \$25,800.00 FOR ENGINEERING FEES IN CONNECTION WITH THE ASHBY STREET DRAINAGE PROJECT NO. 30, 31 AND 32 PHASE II.

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

In response to a question by Mrs. Berriozabal, Mr. Joe Aceves, Director of Public Works, stated that alterations were needed due to changes in the engineering design.

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

88-37 The Clerk read the following Ordinance:

AN ORDINANCE 67,806

AUTHORIZING AN ADDITIONAL \$47,542.00 FOR ENGINEERING

FEEs PAYABLE TO ROSIN GROUP, INC. IN CONNECTION
WITH THE PALO ALTO ROAD FROM IH35 TO ARAGON PROJECT.

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

In response to a question Mrs. Dutmer, Mr. Joe Aceves, Director
of Public Works, noted that the bond issue only approved preliminary
engineering design and these additional monies would be used for the
continuation of the contract.

Mrs. Dutmer stated her concern with the amounts of money that are
being used for additional engineering fees.

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

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88-37 The Clerk read the following Ordinance:

AN ORDINANCE 67,807

ACCEPTING A PROPOSAL FROM RABA-KISTNER CONSULTANTS,
INC. TO PROVIDE ASBESTOS ABATEMENT SERVICES ON THE
REPAIRS TO THE TOWER OF THE AMERICAS PROJECT IN AN
AMOUNT NOT TO EXCEED \$11,275.00.

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

In response to a question by Mr. Thompson, Mr. Joe Aceves,
Director of Public Works, noted that this was not included in the original
contract.

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

88-37 The Clerk read the following Ordinance:

AN ORDINANCE 67,808

AWARDING A CONSTRUCTION CONTRACT TO STODDARD CONSTRUCTION COMPANY, FOR THE MONITORING & TESTING FACILITY PROJECT IN THE AMOUNT OF \$911,000.0 WITH AN ADDITIONAL \$91,100.00 FOR A CONSTRUCTION CONTINGENCY FUND AND \$6,000.00 FOR FURNITURE AND FIXTURES.

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

Mr. Hasslocher spoke in opposition to approval of the ordinance. He stated that, in his opinion, space and equipment are not being properly utilized.

In response to a question by Mr. Labatt, Mr. Frank Kiolbassa, Director of Environmental Management, explained the need for the passage of the ordinance today. He stated that space is very limited, and as a result temporary buildings are being used. He stated that the new facility will house testing and screening labs. He spoke of transportation problems from the Rilling Road facility.

Mr. Labatt made a substitute motion to postpone this issue for two weeks pending review of the co-location. Mr. Hasslocher seconded the motion.

Mrs. Dutmer spoke against the motion, stating that the space is over-utilized. She spoke of the need to keep the two functions separate and apart. She stated her concern of the possibility of samples being misplaced causing the city greater potential costs.

In response to a question by Mr. Wing, Mr. Kiolbassa stated that he would come back to City Council with a report on the use or nonuse of equipment as expressed by Mr. Hasslocher.

Mr. Hasslocher stated that he reported to the Council his findings at the time he personally toured the facility. He suggested that other Councilmembers also tour the facility.

Mr. Labatt restated his substitute motion.

Mr. Wolff stated that the whole idea of this ordinance is to bring these facilities closer to the inner city.

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

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

88-37 The Clerk read the following Ordinance:

AN ORDINANCE 67,809

AUTHORIZING THE CITY MANAGER TO ENTER INTO A TWO YEAR CONTRACT WITH A TWO YEAR RENEWAL OPTION WITH ATKINS & ASSOCIATES ADVERTISING AGENCY TO SERVE AS OFFICIAL ADVERTISING, MARKETING AND PUBLIC RELATIONS AGENCY FOR THE CONVENTION AND VISITORS BUREAU.

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Mr. Martinez spoke of his concern of the lack of clear policy or direction by the City Council of the participation of small and minority firms.

In response to a question by Mr. Martinez, Mr. Louis J. Fox, City Manager, noted that this contract is renewable at the City Manager's option and is not an automatic extension.

Mr. Martinez stated that he would like to amend the ordinance to allow the City Council to evaluate the contract at the end of the term.

Mrs. Berriozabal made a motion to approve a 2 year contract with the option to renew after 2 years based on future Council approval. Mr. Martinez seconded the motion.

Mrs. Berriozabal stated her concern with the lack of information provided to Councilmembers on companies that seek contracts from the city of San Antonio.

Mr. Martin Weiss, San Antonio Convention & Visitors Advisory Commission Advertising Committee, stated that they had personally visited each agency who had submitted proposals. He stated that the Commission recommended Atkins Agency because they felt they were the best group for the contract.

Mayor Cisneros spoke of the contributions of the Convention & Visitors Bureau and their impact to the economic well-being of the city. He stated that the City of San Antonio is the number one tourist destination of International visitors to Texas.

Mr. Hasslocher thanked Martin Weiss for his efforts on behalf of the Convention & Visitor's Bureau.

Mr. Wing spoke in opposition to the substitute motion.

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

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

88-37 The Clerk read the following Resolution:

A RESOLUTION 88-37-46

SETTING THE PUBLIC HEARING ON THE FISCAL YEAR 1988-89 GENERAL OPERATING AND CAPITAL BUDGETS FOR TUESDAY, SEPTEMBER 6, 1988 AT 6:00 P.M. IN THE MISSION ROOM OF THE HENRY B. GONZALEZ CONVENTION CENTER.

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

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

88-37 The Clerk read the following Ordinance:

AN ORDINANCE 67,810

DIRECTING THE CITY MANAGER TO PLACE AN ITEM ON THE SEPTEMBER 15, 1988 CITY COUNCIL MEETING AGENDA WHICH

WOULD INCREASE THE TAX RATE, AND CALLING A PUBLIC HEARING ON SUCH PROPOSAL.

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

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88-37 The Clerk read the following Ordinance:

AN ORDINANCE 67,811

ACCEPTING THE HIGH BID(S) RECEIVED IN CONNECTION WITH CITY FUNDS AVAILABLE FOR DEPOSIT IN INTEREST-BEARING CERTIFICATES OF DEPOSIT.

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

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

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88-37 The Clerk read the following Ordinance:

AN ORDINANCE 67,812

AUTHORIZING PAYMENTS OF REFUNDS TO PERSONS MAKING A DOUBLE PAYMENT, OVERPAYMENT OR AS A RESULT OF A VALUE CHANGE ON 40 TAX ACCOUNTS.

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

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

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

88-37 The Clerk read the following Ordinance:

AN ORDINANCE 67,813

AUTHORIZING THE CITY MANAGER TO DRAW THE \$100,000 HUD 108 LOAN GUARANTEE RESERVE IN ORDER TO MEET THE ANNUAL INSTALLMENT PAYMENT TO HUD DUE ON SEPTEMBER 1, 1988. (DEFAULT OF THE ALTA VISTA RETAIL CENTER JOINT VENTURE AND THE ACOMEX GENERAL PARTNERSHIPS)

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

88-37 The Clerk read the following Ordinance:

AN ORDINANCE 67,814

AUTHORIZING THE TRANSFER OF \$600.00 FROM THE DISTRICT 7 DISCRETIONARY AND IMPROVEMENT FUNDS TO THE JEFFERSON NEIGHBORHOOD ASSOCIATION FOR A RECOGNITION BANQUET HONORING THE JEFFERSON/MONTICELLO NEIGHBORHOOD PLANNING TEAM.

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

OF LOT 1, NCB 15689, 12435 NACOGDOCHES ROAD,
(CLUBROOM), FROM "P-1(R-3) PUD MULTIPLE FAMILY
RESIDENTIAL DISTRICT TO "O-1" OFFICE DISTRICT. "THE
PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED
\$1,000.00."

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48. CASE Z88127 - to rezone Lot 6, NCB 12167, 8222 Vicar Drive, from "A" Single Family Residence District to "B-3" Business District, located on the southeast side of Vicar Drive, being 405.4' northeast of the intersection of Vicar Drive and Perrin Beitel Road, having 92.84' on Vicar Drive with a depth of 150'.

Mr. Hasslocher made a motion to approve the recommendations of the Zoning Commission provided that five feet of dedication is required along Vicar Drive and that off-street parking and driveways are subject to approval by the Traffic Engineering Division of the Public Works Department. Mr. Thompson seconded the motion.

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

AN ORDINANCE 67,816

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 6, NCB 12167, 8222 VICAR DRIVE, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT FIVE FEET OF DEDICATION IS GIVEN ALONG VICAR DRIVE AND THAT OFF-STREET PARKING ARE SUBJECT TO APPROVAL BY THE TRAFFIC DIVISION OF THE PUBLIC WORKS DEPARTMENT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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49. CASE Z88131 - to rezone a 0.220 acre tract of land out of NCB 10615, from Temporary "A" Single Family Residence District to "R-3" Multiple Family Residence District; a 1.30 acre tract of land out of NCB

10615, from Temporary "A" Single Family Residence District to "B-1" Business District; a 2.01 acre tract of land out of NCB 10615, from Temporary "A" Single Family Residence District to "B-2" Business District; In the 900 Block of S.W.W. White Road, located on the eastside of South W. W. White Road, having 437.2' on South W. W. White Road with a depth of 418'.

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 provided that driveways and off-street parking plans be approved by the Traffic Division of the Public Works Department. Mr. Thompson seconded the motion.

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

AN ORDINANCE 67,817

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 0.220 ACRE TRACT OF LAND OUT OF NCB 10615, FROM TEMPORARY "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT; A 1.30 ACRE TRACT OF LAND OUT OF NCB 10615, FROM TEMPORARY "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-1" BUSINESS DISTRICT; A 2.01 ACRE TRACT OF LAND OUT OF NCB 10615, FROM TEMPORARY "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING PLANS BE APPROVED BY THE TRAFFIC DIVISION OF THE PUBLIC WORKS DEPARTMENT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

46. CASE Z88118 - to rezone Lots 20 and 21, Block 8, NCB 1703, 127 E. Magnolia Avenue, from Historic "D" Apartment District to Historic "O-1" Office District, located on the northside of E. Magnolia Avenue, being 250' west of the intersection of N. McCullough Avenue and E. Magnolia Avenue, having 100' on E. Magnolia Avenue with a depth of 125'.

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

Ms. Tirsha Emerson, Past President of the Monte Vista Neighborhood Association, and area resident for 26 years, noted that this is the first case to be brought before the City Council since the Monte Vista Neighborhood Association presented their master plan to the City Council. She spoke in opposition to the requested rezoning stating that the neighborhood needs to remain residential in nature.

Ms. Irene Kissling, spoke in opposition. (A written statement of Ms. Kissling's remarks are made a part of the papers of this meeting.)

Ms. Sarah L. Talcot, resident of the area, stated that she would like to see the area remain residential.

Mr. David Yoakum stated the character of the neighborhood would be ruined if this rezoning is granted.

Mr. Roy D. Quillian, applicant, stated that he is seeking the zoning change to house a law office. He stated that he is seeking to enhance the quality of life for the neighborhood in light of the fact that this property has been vacant for some time and does not feel he will hurt the neighborhood by changing the zoning to office use. He noted that he had met with the the neighbors on both immediate sides to the area in question and they were both in concurrence with his case.

Mr. Labatt stated that he is concerned because this area is right in the middle of a residential neighborhood and could set a precedent for zoning requests if approved today.

Mr. Labatt made a motion to deny the zoning request. Mr. Wolff seconded the motion.

Mrs. Berriozabal stated that she supports Mr. Labatt's motion.

In response to a question by Mr. Thompson, Andy Guerrero, Planner II, noted that area has twelve available parking spaces.

Mr. Wing noted that the area is already zoned for apartment use and the area residents are opposed to requested change.

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

Mr. Wing then made a motion to approve the zoning case. Mr. Thompson seconded the motion. Mr. Thompson seconded the motion.

(At this time, the Mayor was obliged to return to the meeting.)

After consideration, the motion to approve, failed to carry by the following vote: AYES: Wing, Thompson; NAYS: Berriozabal, Dutmer, Martinez, Vera, Wolff, Labatt, Hasslocher, Cisneros; ABSENT: Webb.

Zoning Case Z88118 was denied.

- - -
88-37 The City Council recessed its Regular Session at 4:00 P.M. to convene the "B" Session, Budget Work Session on the departments of Fire, Police, Municipal Courts and Aviation, reconvening into Regular Session at 6:55 P.M. for Citizens to be Heard.

- - -
88-37 CITIZENS TO BE HEARD

MR. DON WILKINS CASTILLO

Mr. Castillo stated that he has suffered through many injustices. He especially took issue with the many citations he has received. He asked the City Council to investigate its own city staff.

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88-37 The City Council recessed its Regular Session at 7:15 P.M., reconvening at 8:20 P.M.

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88-37 The Clerk read the following Ordinance:

AN ORDINANCE 67,818

AUTHORIZING THE CITY MANAGER TO EXECUTE AN ADDITIONAL EXTENSION AGREEMENT WITH ENCORE DEVELOPMENT CORPORATION CONCERNING THE EXISTING HEMISFAIR HOTEL GROUND LEASE.

* * * *

Mr. Jim Knighton, President of Encore Development, stated that they are asking City Council for an extension of their contract to complete the construction project of the Sheraton Hotel. He stated that they have obtained a construction loan ready to be funded. He stated that they have already spent \$4 million on the project and are committed to

finishing this project. He stated that they have contacted several banks and are now waiting approval from an out-of-state bank. He stated that they have not been able to finish this project because from the previous extension they used that time period assuming they had a deal with the Chinese, they went forward in that manner and only lately did they pull out of the deal. They very quickly found Mr. Owens and DKM. He stated that never in this projects history has there been a substantial firm of the character and nature of DKM involved.

In reponse to a question by Mayor Cisneros, Mr. Knighton, stated that the differing factor now is their association with Dyson, Kissner, & Moran, (DKM), an investment corporation. He stated that DKM has the resources and knowledge necessary to obtain a financial lender, and they can now approach many different lenders who would not talk to them previously. He stated that DKM has only been involved in the project for a couple of months and has not had the time to explore all of the potential that DKM offers. He stated that alot of time, effort and money has been invested in this project and the project can only move forward.

Mr. Richard Owens, representing Dyson, Kissner, & Moran, stated they are convinced that this is a very good project and are presently working with many banks to obtain funding. He stated that they have obtained a commitment letter for the construction financing. He stated that at times it may take up to 18 months to put financing like this together. He stated that DKM is committed to completing this project and asked the Council's concurrence for a 90 day extension.

Mayor Cisneros spoke of the hard times experienced by many Texas cities and of the lack of monies to fund construction projects.

In response to a question by Mayor Cisneros, Mr. Knighton stated that they have obtained construction financing from two major banks and would accept a 60-day extension but would prefer at least a 90 day extension.

Mr. Bill Scullion, Executive Vice President, Sheraton Corporation, stated that the Sheraton Hotel has been involved in this project for five years and their committment to the project has intensified because they are certain this project will be a success and will bring national recognition to the City of San Antonio. He stated that this hotel will complement the Sheraton's network of 11 convention hotels in the United States. He stated that the hotel will bring about 400 to 450 construction jobs within the next several months. Once the project is completed, it will create about 800 permanent full-time jobs to the area. He stated that Sheraton Hotel will also bring in new business to the city from its existing convention customer base. He urged the City Council to give them the extension they need.

Mr. Rick Danielson, representing the Marketing Division, Sheraton Corporation, stated that he has worked in the International Division on a

worldwide basis operating in 60 countries. He stated that Sheraton can add to the success that the city of San Antonio has had in the area of conventions and tourism in the way of their marketing abilities, their own personal experiences in dealing with cities that are adding hotels and also their commitment to the city's project. He stated that the Sheraton Hotel was voted the number one hotel company for business travelers and corporate meeting planners in Italy on an international basis. He stated that the Sheraton Hotels are committed personally to make this a financially successful project. He stated that the Sheraton Hotels are looking forward to working with San Antonio and to further its economic growth.

Mayor Cisneros noted that the Sheraton Hotel had been previously located in San Antonio at a time when it was a motor-inn type hotel and has never had the opportunity until now to move to the more vital tourist attracting area of downtown.

Mr. Boone Powell, Ford Powell & Carson, stated that the Sheraton Hotel is the element that links together the Convention Center, the new garage along with the future museum of Science and Technology, and the Institute of Texan Cultures. He stated that Encore Corporation has dedicated themselves to completing the project that they committed to the Council in 1982 and he urged the Council's approval of the extension.

Mr. Rick Rhodes, Brandt Engineering, stated that they have been involved in many major construction projects in San Antonio and need new financially sound projects like the Sheraton Hotel. He noted his support of the project and urged the Council to grant the extension.

Mr. Darrell Kolecka, Alterman Electric, stated that they employ about 200 electricians in San Antonio are involved with major projects in San Antonio. He stated that the Sheraton Hotel is very important to the citizens of San Antonio. He stated that the Sheraton represents jobs and additional convention business for San Antonio. He also urged the Council's concurrence of the extension.

Mr. Bob Salvatore, San Antonio Building Trades Council, stated that there is a shortage of jobs in San Antonio. He urged the Council's favorable consideration of the extension.

Mr. Gilbert Kissling, Pipe Traders Union, also reiterated the need for jobs in San Antonio.

Mr. Tom Huckleby, Electricians Union, spoke of the needs for jobs for electricians in San Antonio.

Mr. Thompson stated that the city is concerned with the overall success of the project.

Mr. Thompson made a motion to approve a 90 extension based upon a

\$25,000 Performance Bond. Ms. Vera seconded the motion.

In response to a question by Mr. Wolff, Mr. Garcia stated that the agreement the City has with the Sheraton Hotel calls for payments during the construction period of \$3,000 a month, as soon as the hotel opens for operation, for a five year period the City will receive 10% of the net proceeds or a minimum payment which escalates up to \$250,000 a year. After the fifth year the city receives a net percentage of gross income that starts at 1% and escalates at 1% a year. Gross on a hotel of this size could be over \$1 million.

Mr. Garcia explained the payment process by Sheraton Hotels to the City of San Antonio.

In response to a question by Mrs. Dutmer, Mr. Richard Owen, DKM, stated that they are awaiting an answer from a North Carolina Bank and also a Savings and Loan. He stated that this is a complicated loan but it can be done but will take some time.

During discussion of projected occupancy rates and room rents, Mrs. Dutmer voiced her concerns that Sheraton Hotels not price themselves out of the local market.

Mr. Knighton stated that the rates they are projecting are conservative considering San Antonio's economy.

Mrs. Dutmer noted that the only objection she had to the project before was the source of the financing.

Mr. Martinez stated that he was concerned with the occupancy rate.

Mr. Garcia stated that the estimated time of completion is 1990-91. He spoke of the importance of continuing this process of growth for the economy of San Antonio. He then explained the extension of the contract if approved by City Council.

Mr. Martinez stated his concerns that minority owned firms and subcontractors are to be employed during construction. He stated that he will be looking at how Sheraton employs minority owned firms.

In response to a question by Mr. Martinez, Mr. Garcia stated that in the contract there is a general agreement to follow the EEO plans as set by the city in the hiring process.

Mrs. Berriozabal spoke of the need to include in the contract, verbage requiring Sheraton to hire minority owned firms.

In response to a question by Mrs. Berriozabal, Mr. Garcia explained the payment schedule by Sheraton to the city.

In response to another question by Mrs. Berriozabal, Mr. Garcia stated that the total land was about 1.7 acres and worth approximately 44 million.

Mrs. Berriozabal stated her concern that this land will be worth more in the future. She stated that this is very valuable land. She spoke of her concern of the rent monies that have been acquired at \$750.00 a month for land worth \$4 million. She spoke of other extensions that have been granted to Encore Development in the past for this same lease agreement. She also spoke of problems that the hotel industry is having at this time.

In response to a question by Mr. Martinez, Mr. Knighton stated that they have employed a substantial number of minority firms in the projects they have been involved with in San Antonio and will continue to do so.

Mayor Cisneros stated that there are hotels in the downtown area that are having difficulties and that this vote cannot be held to blame for the failure of these hotels.

Mrs. Berriozabal spoke of her concern for the older businesses in the downtown area.

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

88-37

August 16, 1988

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

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

August 11, 1988

Petition submitted by Mrs. Elmer Ill, 3500 Pleasanton, #117, San Antonio, TX 78221, and other residents of the Lila Cockrell Apartments, requesting that a street light be installed on Amber

August 25, 1988
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00801

Avenue at the east boundary of the complex.

* * * *

/s/Norma S. Rodriguez
City Clerk

88-37 There being no further business to come before the City Council,
the meeting was adjourned at 10:00 P.M.

A P P R O V E D

Henry Cisneros

M A Y O R

ATTEST:

Norma S. Rodriguez
C i t y C l e r k

00802

August 25, 1988
sr

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