

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, APRIL 12, 1990.

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

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90-16 The invocation was given by Reverend Msgr. Balthasar Janacek, Christ the King Catholic Church.
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90-16 The members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.
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90-16 GOOD FRIDAY CEREMONY

Ms. Berriozabal spoke of the Easter season as very special days for both Christians and Jews alike, and introduced Father Virgil Elizondo of San Fernando Cathedral, who will be participating in the Good Friday procession.

Father Elizondo invited members of the City Council to join the faithful in the Good Friday procession, commemorating the Easter Season.
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90-16 COMMUNITY DEVELOPMENT WEEK

Mayor Cockrell introduced Mr. Donald Creech of the San Antonio office of the Housing and Urban Development Department and Mr. Andrew Cameron, Community Development Officer for the City of San Antonio, and read a proclamation designating "Community Development Week" in San Antonio. She presented the proclamation to Mr. Creech.

Mr. Creech, Deputy Manager of the San Antonio HUD office, thanked the Mayor and Council for the proclamation and spoke of the long partnership between San Antonio and HUD in the joint work of developing the San Antonio community.

Mr. Cameron noted that San Antonio has received some \$255 million in Community Development Block Grant funds over the years of that program, and addressed other federal funds received, as well.

Members of the Community Development Office then presented members of the City Council with framed posters of Community Development Week.

Ms. Berriozabal thanked both HUD and the local Community Development staff for their support of the San Antonio community over the years and addressed several of the concrete accomplishments of the CDBG program. She then addressed the importance of the current census count, on which federal grants are based.

Mr. Thompson spoke to the use of federal funds to make community improvements in San Antonio.

Mr. Webb spoke to certain CDBG improvements that have been targeted to the city's east side.

Mr. Wing spoke of the teamwork necessary to bring about CDBG improvements.

Mr. Labatt spoke of District 9 improvements that have been financed by CDBG funding in the area of Wilson Elementary School, and thanked Mr. Wing for his work each year in forming the city's CDBG package of funding.

Mrs. Dutmer spoke of the need to re-assign the funds that have been assigned for a hike and bike trail, and of the use of CDBG funds improving Villa Coronado Park.

Mr. Wolff spoke to equal benefits of CDBG funds to all the districts of San Antonio.

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90-16

DELLVIEW ELEMENTARY SCHOOL CLASS

Mayor Cockrell took note of the presence in the audience today of a class of fifth graders from Dellview Elementary School.

Mr. Labatt spoke of the creative programs being developed at Dellview Elementary School.
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90-16

SWEARING-IN OF BOARD AND COMMISSION MEMBERS

Mayor Cockrell spoke of the presence in the audience today of a group of citizens who represented either new appointees or re-appointees to the City's boards of commissions, and identified the boards and commissions involved.

City Clerk Norma S. Rodriguez then administered the Oath of Office to the group as a whole, and congratulated them.

Members of the Council then individually joined the Mayor in recognizing and presenting Certificates of Service to each board or commission member sworn into office today, and offered their congratulations.

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90-16

MISS SAN ANTONIO USA

Mayor Cockrell spoke of the presence in the audience today of Miss Debbie Kelley, Miss San Antonio USA, and invited her to come forward to address the Council.

Miss Kelley spoke of the upcoming events in which she will participate, leading up to the Miss Texas Pageant.

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90-16

CENSUS UPDATE

Mayor Cockrell noted that the City of Los Angeles now has filed a lawsuit in regard to the 1990 census count in that city, and spoke to the importance of a correct census count.

Ms. Berriozabal made a brief update report to the Council on the progress of the census count in San Antonio.

Mayor Cockrell then spoke of a multi-city lawsuit which was filed in 1988 in protest to the federal government's refusal to effect a re-evaluation following the 1990 census, and noted that the State of Texas is not officially monitoring the progress of this lawsuit, even though the City of Houston and the Mexican American Legal Defense Fund are a part of it. She addressed the problems with "geo-coding" as an impediment to effecting a proper head-count, and problems in other areas of concern that may adversely affect a correct census count in San Antonio.

Following discussion, it was the concensus of the Council, upon motion of Mr. Webb and second of Mr. Labatt, to direct the City Attorney to effect monitoring of the lawsuit in question and to determine San Antonio's possible involvement, as well as to monitor New York City's part

in the lawsuit.

Mr. Martinez addressed the importance of a correct census count.

Mrs. Dutmer noted that the local census administration is a problem, and cited an example.

90-16 CONSENT AGENDA

Mr. Hasslocher made a motion to approve Agenda Items 7 through 27, constituting the Consent Agenda, with item 14 to be pulled for individual consideration and Item 25 which was pulled earlier from consideration by the City Manager. Mrs. Dutmer seconded the motion.

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

AN ORDINANCE 71,354

ACCEPTING THE LOW QUALIFIED BID OF BENT MANUFACTURING COMPANY TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH PLASTIC BARRICADES FOR A TOTAL OF \$6,195.00.

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AN ORDINANCE 71,355

ACCEPTING THE LOW QUALIFIED BID OF SONITROL, A DIVISION OF RACAL CHUBB, TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH VIDEO CAMERAS, MONITORS AND RELATED MATERIALS FOR THE ENHANCEMENT OF THE RIVERBEND GARAGE CLOSED CIRCUIT TELEVISION SECURITY SYSTEM FOR A TOTAL OF \$36,835.00.

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AN ORDINANCE 71,356

ACCEPTING THE LOW BID OF THE ROHAN COMPANY TO FURNISH THE CITY OF SAN ANTONIO ENVIRONMENTAL MANAGEMENT DEPARTMENT WITH PVC PRESSURE PIPE WITH LOCK RESTRAINT JOINT FOR A TOTAL OF \$8,592.74.

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AN ORDINANCE 71,357

ACCEPTING THE LOW BID OF ASTRO PLUMBING COMPANY TO FURNISH THE CITY OF SAN ANTONIO PLANNING DEPARTMENT WITH A WATER CONSERVATION RETROFIT PROGRAM FOR THE CONVENTION CENTER FOR A TOTAL OF \$21,819.00.

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AN ORDINANCE 71,358

ACCEPTING THE BID OF LONG MECHANICAL, INC., TO FURNISH THE CITY OF SAN ANTONIO PLANNING DEPARTMENT WITH A WATER CONSERVATION RETROFIT PROGRAM FOR THE CITY LIBRARIES FOR A TOTAL OF \$20,517.54.

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AN ORDINANCE 71,359

ACCEPTING THE PROPOSAL OF PRECISION IMAGE CORPORATION TO RENEW FOR ONE YEAR AN EXISTING COMPUTER MAINTENANCE CONTRACT FOR THE MAINTENANCE OF COLOR GEO-PROCESSING COMPUTER GRAPHICS PLOTTERS FOR THE INFORMATION RESOURCES DEPARTMENT AT A COST OF \$6,480.00.

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AN ORDINANCE 71,360

ACCEPTING THE PROPOSAL OF COMPUTER ASSOCIATES TO RENEW FOR ONE YEAR AN EXISTING COMPUTER SOFTWARE MAINTENANCE AGREEMENT TO ALLOW CONTINUED USE OF TAPE MANAGEMENT, JOB SCHEDULING AND RESTART AND RECOVERY SOFTWARE AT THE INFORMATION RESOURCES DEPARTMENT AT A COST OF \$15,918.00.

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AN ORDINANCE 71,361

ACCEPTING THE LOB QUALIFIED BIDS OF J. R., JOYCE OFFICE PRODUCTS, SMITH OFFICE FURNITURE, WITTIGS OFFICE INTERIORS, NATIONAL BUSINESS PRODUCTS, BROADWAY STATIONERS, AND SOLOW INSTITUTIONAL RESIDENTIAL AND COMMERCIAL FURNITURE TO FURNISH THE

CITY OF SAN ANTONIO WITH AN ANNUAL CONTRACT FOR OFFICE FURNITURE FOR A TOTAL OF APPROXIMATELY \$75,783.39.

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AN ORDINANCE 71,362 .

ACCEPTING THE LOW BID OF TEHCO, INC., TO MODERNIZE THE FUELING FACILITY AT THE EASTSIDE POLICE SUBSTATION FOR THE CITY OF SAN ANTONIO AUTOMOTIVE OPERATIONS DIVISION FOR A TOTAL OF \$106,780.00.

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AN ORDINANCE 71,363 .

APPROVING AND AUTHORIZING THE EXECUTION OF FIELD ALTERATION NO. 3 IN THE AMOUNT OF \$24,583.00 TO THE CONSTRUCTION CONTRACT WITH PAUL SWORD CONSTRUCTION COMPANY, INC., TO ALLOW FOR THE REPAIR OF THE REAR PORCH FRAMING OF THE HALFF HOUSE AND FOR THE REROOFING OF THE PERIEDA HOUSE; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 71,364 .

ACCEPTING THE LOW BID OF YANTIS CORPORATION IN THE AMOUNT OF \$45,601.43 FOR THE CONSTRUCTION OF TH SOUTHWEST I.S.D. MIDDLE SCHOOL OFF-SITE SANITARY SEWER PROJECT; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; PROVIDING \$2,280.07 FOR THE CONSTRUCTION CONTINGENCY; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 71,365 .

AUTHORIZING REVISION OF THE NEW ACCESS STREET (MAGNOLIA TO WOODLAWN) PROJECT BUDGET SO AS TO PROVIDE FOR THE PAYMENT OF \$3,192.50 TO PI ENGINEERING FOR ADDITIONAL ENGINEERING FEES.

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AN ORDINANCE 71,366 .

APPROVING AND RATIFYING FIELD ALTERATION NO. 8 IN

THE AMOUNT OF \$14,044.00 TO THE CONTRACT WITH M.J. BOYLE GENERAL CONTRACTOR, INC., TO PROVIDE FOR CONNECTING CIRCUITS SERVED BY ELECTRIC PANELS TO THE NEW UNINTERRUPTIBLE POWER SYSTEM ROOM, AND TO PROVIDE FOR EMERGENCY REPAIRS TO AN UNDERGROUND FIRE SERVICE WATER LINE; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 71,367

AUTHORIZING THE INSTALLATION OF A TRAFFIC SIGNAL AT THE INTERSECTION OF GENERAL MCMULLEN DRIVE AND MENELEE STREET AND AUTHORIZING SAID WORK TO BE INCLUDED IN THE 1989-90 TRAFFIC SIGNAL WORK PROGRAM; AUTHORIZING THE EXPENDITURE OF 419,700.00 FOR THE INSTALLATION; AND TRANSFERRING FUNDS.

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AN ORDINANCE 71,368

AUTHORIZING THE EXECUTION OF A ONE-YEAR LANDSCAPING AND MAINTENANCE LICENSE AGREEMENT WITH TRINITY UNIVERSITY FOR THE PURPOSE OF LANDSCAPE DEVELOPMENT AND MAINTENANCE OF A PARCEL OF TRIANGULAR-SHAPED PROPERTY LOCATED IN LAUREL HEIGHTS SUBDIVISION AND BOUNDED BY KINGS COURT AND E. MULBERRY.

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AN ORDINANCE 71,369

AUTHORIZING THE EXECUTION O CONTRACT CHANGE NO. 1, COMPRISED OF ATTACHMENT 2 TO THE CONTRACT WITH THE TEXAS DEPARTMENT OF HEALTH THAT PROVIDES STATE AID TO THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT; AUTHORIZING BUDGET MODIFICATION IN THE PUBLIC HEALTH STATE SUPPORT PROJECT 1990/91 ESTABLISHED IN ORDINANCE 71302 PASSED MARCH 29, 1990; AUTHORIZING THE CONTINUATION OF THE AIDS PREVENTION AND SURVEILLANCE PROJECT; ADOPTING A \$216,698.00 BUDGET FOR THIS PROJECT; AUTHORIZING PERSONNEL POSITIONS; AND APPROPRIATING FUNDS.

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AN ORDINANCE 71,370

AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, BUREAU OF MATERNAL AND CHILD HEALTH, FOR A \$200,000.00 GRANT TO FUND A FAMILY AND CHILD HEALTH RESOURCE CENTER FOR THE PERIOD OF SEPTEMBER 30, 1990 THROUGH SEPTEMBER 29, 1991.

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AN ORDINANCE 71,371 .

CLOSING NUNES STREET FROM EL DORADO TO CLEO STREETS ON SUNDAY, APRIL 22, 1990, FROM 6:00 A.M. TO 10:00 P.M. TO ENABLE ST. JAMES CATHOLIC SCHOOL TO HOLD A FESTIVAL.

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AN ORDINANCE 71,372 .

CLOSING ALAMO PLAZA EAST FROM HOUSTON TO CROCKETT ST. ON FRIDAY, APRIL 27, 1990, FROM 2:00 A.M. TO 9:30 A.M. TO ENABLE ABC'S GOOD MORNING AMERICA SHOW TO BROADCAST FROM ALAMO PLAZA.

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90-16 The Clerk read the following Ordinance:

AN ORDINANCE 71,373 .

ACCEPTING THE PROPOSAL OF SOUTHWESTERN BELL TELEPHONE IN THE AMOUNT OF \$150,754.00 AND AT&T IN THE AMOUNT OF \$109,000.00 TO PROVIDE UPGRADES AND ENHANCEMENTS TO THE CITY'S TELEPHONE SYSTEM; PROVIDING FOR ADDITIONAL PURCHASES OF EQUIPMENT FROM AN EXISTING ANNUAL CONTRACT; AND PROVIDING FOR PAYMENT TO BE MADE THROUGH A TEMPORARY TRANSFER OF \$487,274.00 FROM THE EQUIPMENT RENEWAL AND REPLACEMENT FUND NO. 72 TO BE REIMBURSED FROM MONTHLY DEPARTMENTAL CHARGES.

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

In response to a question by Mr. Labatt, Mr. Archie Titzman, Director of Purchasing and General Services, discussed the fund involved.

In response to a question by Mr. Labatt, Mr. Jim Paxson, Assistant Director, Information Resources Department, addressed Mr. Labatt's concerns on completing this entire project this fiscal year, in view of the budgetary constraints, noting that it will cost more to piecemeal the project.

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

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90-16 The Clerk read the following Ordinance:

AN ORDINANCE 71,374 .

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AUTHORIZING STAFF TO PROCEED WITH AIRPORT SYSTEM
REVENUE BOND REFINANCING OF SERIES 1983 BONDS.

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Mr. Louis J. Fox, City Manager, spoke of last week's Council discussions relative to forward financing of airport revenue bonds.

Ms. Nora Chavez, Director of Finance, explained the City's refinancing proposal and displayed a table showing the advantages of any of several options. She stated that staff is not recommending that the Council move forward with action today, but rather selecting the correct market-time to do so. She then made five specific recommendations, including seeking proposals from interested firms to handle the transactions.

Mr. Fox stated that it is an advantage to the City to make forward refunding, in most cases, but that the City's financial advisor and Ms Chavez both recommend against going forward at this time and instead wait for better market conditions which could yield up greater savings over present rates. He spoke to available options on selecting a firm or team to effect the refunding.

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

Mr. Frank King, Managing Director, Merrill Lynch, stated that his firm, in concert with Apex Securities, put together the groundwork for the refunding, and asked the Council to name them the lead team on the project. He spoke to the experience of his team.

Ms. Erlinda Dimas, Apex Securities, spoke to the advantages of her team.

In response to a question by Mr. Martinez, Ms. Chavez spoke to City staff's recommendations, including using forward in lieu of the "bond-swap" approach.

Mr. Martinez spoke in favor of staff's recommendations, including asking for Request for Proposals seeking a lead refinancing firm. He noted that many firms had made unsolicited proposals for this work to the City, early in the process, and asked City staff to make a determination on the level of desired minority participation, and to then publish this goal in the RFP.

Mr. Fox recommended that the competing firms state their own desired level of minority participation, then the City will decide which it wants. He spoke to the differences between the various minority firms and stated that he wants City staff to have the flexibility in deciding this factor.

In response to a question by Mayor Cockrell, Ms. Chavez addressed the history of forward refunding and the bond-swap idea.

Mayor Cockrell stated her opinion that the City encouraged firms to do the groundwork on this, then decided to go out for RFPs. She noted that this work apparently cost several firms considerable time and money to do this groundwork, and voiced concern for the process followed.

Ms. Chavez noted that City staff receives proposals on like business virtually year-round, and stated her opinion that each firm did the work on their own, not in response to the City's request to do so.

Mr. Fox addressed changes in the Tax Code that allows cities to consider the airport bond refinancing.

In response to a question by Mr. Webb, Mr. Fox synthesized the history of this matter and repeated his own recommendations.

In response to a question by Mr. Webb, Ms. Chavez addressed the advantages and disadvantages of each option presented, and addressed City staff's recommendations.

A discussion then took place concerning the possibility of moving any monetary savings from an airport bond refinancing action to the City's general fund.

Mr. Webb spoke in favor of any innovative action to save money, and spoke in favor of minority participation.

Mr. Labatt spoke to the article on "forward refunding" that appeared in a recent edition of "City and State" magazine, and spoke in favor of having an open and fair process in this matter. He spoke in

support of the staff recommendation.

Ms. Vera also spoke in support of staff recommendations and of the need to be conservative in such matters. She then addressed the available options.

Mayor Cockrell discussed the work performed by several firms, and stated her opinion that City staff should have made known its feelings relative to the various options available, in order to save the firms their groundwork efforts.

Mr. Wolff agreed that the City should handle such matters in a different way, in the future.

Mr. Thompson spoke in support of minority participation in the entire process.

Ms. Berriozabal voiced her concern with the process followed, but spoke in support for the staff recommendations.

Ms. Chavez re-stated the five-point staff recommendation and discussed how the committee will work in the process of seeking RFPs and recommending a lead firm for forward-refunding of the airport bonds.

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, Cockrell; NAYS: None; ABSENT: None.

90-16

PUBLIC HEARING

Mayor Cockrell declared the Public Hearing to be open.

There being no one signed to speak on this matter, Mayor Cockrell then declared the Public Hearing to be closed.

The Clerk read the following Ordinance:

AN ORDINANCE 71,375

ABANDONING, CLOSING AND QUITCLAIMING AN EXISTING UNIMPROVED ALLEY LOCATED BETWEEN VOLLUM AVENUE TO THE WEST, SAN ANTONIO AVENUE TO THE EAST, WEST MAGNOLIA AVENUE TO THE NORTH AND WEST MISTLETOE AVENUE TO THE SOUTH. SPECIFICALLY, SAID ALLEY IS LOCATED IN BLOCK 9, NEW CITY BLOCK 1961, SAN ANTONIO, BEXAR COUNTY, TEXAS; AND AUTHORIZING THE CITY MANAGER OR ANY ASSISTANT CITY MANAGER TO

EXECUTE TWENTY-SIX (26) QUITCLAIMS TO THE
APPROPRIATE BUTTING OWNERS.

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

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

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90-16 The Clerk read the following Ordinance:

AN ORDINANCE 71,376 .

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APPOINTING ALEXANDER E. BRISENO AS CITY MANAGER
DESIGNEE OF THE CITY OF SAN ANTONIO, EFFECTIVE APRIL
12, 1990, AND ESTABLISHING AN EFFECTIVE DATE TO
ASSUME THE OFFICE OF CITY MANAGER; FURTHER APPROVING
A MANAGEMENT MEMORANDUM AGREEMENT OF EMPLOYMENT WITH
ALEXANDER E. BRISENO SETTING OUT HIS BENEFITS AND
DUTIES AS CITY MANAGER.

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

Mr. Thompson spoke of the City Council Personnel Committee's
recommendations and noted that the proposed agreement with Mr. Briseno is
not a large change from that agreement reached with outgoing City Manger
Louis J. Fox. He noted that Mr. Briseno had stated his willingness to be
paid less than Mr. Fox, considering the budget problems of the City, and
addressed other changes, including an 85-day maximum leave-time
accumulation; retirement plan match; and six-month severance clause. He
recommended that Mr. Briseno be sworn in as the new City Manager on April
26th, to become City Manager effective the next day, and that Mr. Fox be
retained until June 1st in a consultant's role. He noted that the
Personnel Committee recommends approval of the agreement.

Mr. Fox stated that he agrees to the timetable proposed.

Several Council members then spoke to points of the agreement and
thanked the Personnel Committee for its work and recommendation of Mr.
Briseno as City Manager.

Various Council members then offered comments of approval and congratulations.

Mrs. Dutmer thanked Mr. Fox for giving San Antonio a nationwide reputation as a well-managed city during his tenure as City Manager.

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, Cockrell; NAYS: None; ABSENT: None.

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90-16 The Clerk read the following Ordinance:

AN ORDINANCE 71,377

AUTHORIZING CO-SPONSORSHIP FOR EARTH DAY TO BE HELD SUNDAY, APRIL 22, 1990, AT SAN PEDRO PARK SPONSORED BY BEXAR AUDUBON SOCIETY AND AUTHORIZING CONTRIBUTIONS FROM CITY COUNCIL DISTRICTS 3, 8, AND 9.

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

Ms. Karen Davis, Assistant to the City Manager, stated that costs for police have been deleted from the request, since it will be handled by the Parks & Recreation Department forces. This will reduce the costs to the City to \$3,300, and addressed the reasons for staff recommendations to deny the Ordinance due to the costs and the fact that the event is scheduled during Fiesta Week.

Ms. Suzanne Detweiler, representing the proponent for Earth day, noted that the date for the event is set universally, not locally, and spoke of events to be held in San Pedro Park.

In response to a question by Mr. Wolff, Ms. Detweiler noted that a portion of the funds received from the event will be donated to the curbside recycling program, and stated that her group plans to make this an annual event.

Mr. Wolff spoke to the possibility of the Council taking a portion of the needed funding from their individual discretionary funds, with the remainder to be provided in matching funds by the proponent.

A discussion then took place concerning the division of the Council funding.

Mr. Wolff made a motion to approve the proposed amendment. Mrs. Dutmer seconded the motion to take \$1,000 each from discretionary funds of Councilmembers Wolff and Dutmer, and \$500 from the fund of Councilman Labatt.

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

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

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

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90-16 The Clerk read the following Resolution:

A RESOLUTION NO. 90-16-15 .

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VOICING THE CITY COUNCIL'S CONCERN FOR AND
COMMITMENT TO THE ENVIRONMENT AND SUPPORT OF EARTH
DAY 1990, TO BE OBSERVED SUNDAY, APRIL 22, 1990,
FROM 10:00 A.M. UNTIL 6:00 P.M.

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A brief discussion took place concerning the ramifications of passage of the proposed Resolution.

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

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

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90-16 The Clerk read a proposed ordinance authorizing City co-sponsorship for the Star Search Talent Show to be held at the Municipal Auditorium April 27, 1990, sponsored by the Beat AIDS Coalition.

Ms. Karen Davis, Assistant to the City Manager, noted that this event is to be held during Fiesta Week and is planned for Municipal Auditorium, a high-usage facility. She spoke to those reasons as the basis for staff denial recommendations.

A discussion then took place concerning the staff recommendation and the sponsoring organization's plans.

Mr. Webb spoke in favor of the aims of the event sponsors.

Mr. Webb moved to approve the request. The motion died for lack of a second.

Mr. Thompson moved to deny the request. Mr. Hasslocher seconded the motion.

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

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90-16 The Clerk read the following Ordinance:

AN ORDINANCE 71,378 .

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AUTHORIZING THE ISSUANCE OF A RUN PERMIT FOR THE SAN ANTONIO MARATHON AND MAYOR'S FIVE MILE FITNESS WALK/RUN TO BE HELD ON SUNDAY, NOVEMBER 11, 1990; AND AUTHORIZING THE CLOSURE OF CERTAIN STREETS IN CONNECTION WITH SAID EVENT AND USE OF MAVERICK PLAZA FOR THE MARATHON FESTIVAL ON NOVEMBER 10 AND 11, 1990.

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Ms. Karen Davis, Assistant to the City Manager, described the proposed event, and noted that the City has a policy of sponsoring one annual running event.

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

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

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

90-16

BRIEFING AND DISCUSSION OF IMPACT FEES

FOR WATER (S.B. 336); AMENDMENTS TO LAND USE ASSUMPTIONS; CWB CAPITAL IMPROVEMENTS PLAN; AMENDMENT TO REGULATIONS FOR WATER SERVICE

Mr. Mile Hogan, Chairman of Capital Improvements Advisory Committee, stated his opinion that San Antonio probably will be the first city in Texas to enact these proposed impact fees, pursuant to Senate Bill 336, and that the enabling ordinance is scheduled to come before City Council on June 14, 1990. He stated that his committee will come to City Council next month with its recommendations; today, City Water Board makes its recommendations to City Council.

Mr. Chris Powers, representing City Water Board, spoke of the requirements of law under S.B. 336 and spoke to various aspects of the City Water Board recommendations, a copy of which is made a part of the papers of this meeting. He noted that this paper presented today is not a formal recommendation of the City Water Board at this time, then spoke to City Water Board's "Capital Improvements Plan for Water Facilities 1988-1998", a copy of which is made a part of the papers of this meeting.

In response to a question by Mr. Thompson, Mr. Powers noted that the law requires the City Council be briefed on maximum impact fees that can be charged.

Mr. Thompson voiced his concern with the impact upon development inside the City when impact fees are levied. He spoke of his concerns that these fees might force developers outside City Water Board's service area.

Mr. Powers explained the possible options open to developers, noting that they may seek to create their own Municipal Utility Districts outside City limits.

Mr. Hogan noted that City Council is not required to charge the maximum impact fees allowed by law, and stated that the City Water Board cannot discriminate by class of customer.

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

A discussion then took place concerning details of certain definitions and how impact fees would be applied to developments.

Mr. Martinez spoke of his concern for how impact fees will affect efforts at affordable housing in the City, especially in the inner-City areas.

Mrs. Dutmer expressed her own concerns in the matter and stated that she would like further discussions with other particular individuals before she votes on this matter.

Ms. Berriozabal spoke to how inner-City housing may be affected through these impact fees.

A discussion then was held concerning the schedule of events on this matter, including the time, and the matter of a scheduled Public Hearing to take place on May 10, 1990.

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90-16 ZONING HEARINGS

45. CASE 290041 - to rezone the north 75 feet of Lot 5, NCB 10837 from "A" Single Family Residence District to "O-1" Office District, and Lot 5, save and except the north 75 feet, NCB 10837, from "A" Single Family Residence District to "B-2NA" Non-Alcoholic Sales Business District, 4411 East Southcross Blvd., located on the northside of East Southcross Blvd., approximately 793.69 feet west of the intersection with South W. W. White Road, having 186.4 feet on East Southcross Blvd. and a depth of 233.68 feet.

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. Dutmer, a representative of the proponent explained that the rezoning request is for parking.

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

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

AN ORDINANCE 71,379

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

CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE NORTH 75 FEET OF LOT 5, NCB 10837, FROM "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT, AND LOT 5, SAVE AND EXCEPT THE NORTH 75 FEET, NCB 10837, FROM "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "B-2NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT, 4411 EAST SOUTHCROSS BLVD. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

46. CASE Z90036 - to rezone Lot 2, Block 13, NCB 18033, 13622 N. W. Military Hwy. from Temporary "R-1" Single-Family Residence District to "B-3NA" Non-Alcoholic Sales Business District, located on the northeast side of N.W. Military Highway, approximately 810.0 feet southeast of the intersection of N. W. Military Highway and Hunters Green Drive, having 100.0 feet on N. W. Military Highway and a depth of 116.0 feet.

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. Wolff, Mr. Carroll D. Basham, the proponent, discussed the agreement made with the neighborhood association concerned.

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

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

AN ORDINANCE 71,380

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 2, BLOCK 13, NCB 18033, FROM TEMPORARY "R-1" SINGLE-FAMILY RESIDENCE DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT, 13622 N.W. MILITARY HIGHWAY. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

47. CASE Z90042 - to rezone Lots 6 and 14, Block 2, NCB 12910, 2414 Hollyhill Drive, 2415 S. E. Interstate Highway Loop 410, from "A" Single Family Residence District to "B-3" Business District, being located between Hollyhill Drive and S. E. IH-Loop 410 having 60.0 feet on Hollyhill Drive, 60.0 feet on S. E. IH-Loop 410, and a depth of 280.0 feet between Hollyhill Drive and S. E. IH-Loop 410.

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

Mr. A. W. Rohde III, applicant, stated that Bill Miller Bar-B-Q is missing a number of planned uses on this property including a restaurant, carwash and convenience store in an all-new development. He noted that the proponent also is seeking to add additional land adjacent to this property for use in the development.

Mrs. Dutmer voiced her concern that use of alcoholic beverages might be proposed for this site at a later time.

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

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

AN ORDINANCE 71,381

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 6 AND 14, BLOCK 2, NCB 12910, FROM "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT, 2414 HOLLYHILL DRIVE, 2415 S.E. INTERSTATE HIGHWAY LOOP 410. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

48. CASE Z90051(CC) - to rezone a 0.5067 acre tract of land out of Lot 18, NCB 13663, being further described by field notes filed in the Department of Planning, 4949 Von Scheele Drive from "B-2" Business District to "B-2" C. C. Business District with City Council approval for a telephone utility building, located on the southwest side of Von Scheele

Drive, being approximately 180.0 feet southeast of the intersection of Von Scheele Drive and John Smith Drive, having 130.0 feet on Von Scheele Drive and a maximum depth of 174.0 feet.

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

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

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

AN ORDINANCE 71,382

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 0.5067-ACRE TRACT OF LAND OUT OF LOT 18, NCB 13663, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 4949 VON SCHEELE DRIVE, FROM "B-2" BUSINESS DISTRICT TO "B-2" C.C. BUSINESS DISTRICT WITH CITY COUNCIL APPROVAL FOR A TELEPHONE UTILITY BUILDING. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

49. CASE Z90006 - to rezone NCB 15005, Parcels 136 and 136-A, and NCB 18849, Block 1, Lots 1 thru 47, FROM Temporary "R-1" Single-Family Residence District TO "P-1(R-1)" Planned Unit Development One Family Residence District; NCB 15094, Parcels 10, 10-B, 10-E and 11, FROM Temporary "R-1" Single Family Residence District TO "P-1(R-2)" Planned Unit Development Two Family Residence District; NCB 15004, Parcels 7-F, 7-J, 8-E, 65, 70, 72, 74, 82, 111, 132 and 142, NCB 15005, Parcels 7-C, 7-E, 66, 121, 140 and Parcel 7-B, save and except the northeast 300', NCB 15006, All of NCB, NCB 15007, All of NCB, save and except Parcels 3, 3-F, 8-F, 71-A, 71-B, and 71-C, NCB 18560, All of NCB, NCB 18591, Lot 1, FROM Temporary "R-1" Single Family Residence District TO "R-A" Residence-Agriculture District; NCB 15005, Parcels 15-E, 73 and 110, NCB 15091, Parcels 2-B, NCB 15092, All of NCB, NCB 15094, Parcels 10-A, 10-C and 10-D, NCB 15098, Parcels 1-C, 12-C, 14 and 15, NCB 18049, Parcel 21, NCB 18049, Parcels 24 and 138, being those portions on the southside of center line of Leon Creek, NCB 18083, Parcels 27, 27-C and 166, being that

portion annexed December 31, 1989, located on the westside of NCB's 18631, 18636 and 18637, save and except that portion of Parcel a66 between NCB 18631 on the south and NCB 18622 on the south, NCB 18623, Lots 3 thru 15, 18 thru 21 and 24 thru 69, NCB 18623, a 18.057 acre tract out of Parcel 205, NCB 18623 being further described by field notes filed in the Office of the Planning Department, NCB 18624, All of NCB, NCB 18625, All of NCB, NCB 18626, All of NCB, NCB 18627, All of NCB, NCB 18628, All of NCB, NCB 18629, All of NCB, NCB 18631, All of NCB, NCB 18632, All of NCB, NCB 18633, All of NCB, NCB 18634, All of NCB, NCB 18635, All of NCB, NCB 18636, All of NCB, NCB 18637, All of NCB, NCB 18638, All of NCB, NCB 18646, All of NCB, NCB 18647, All of NCB, NCB 18648m, All of NCB, NCB 18649, All of NCB, NCB 18650, All of NCB, NCB 18651, All of NCB, NCB 18652, All of NCB, NCB 18653, All of NCB, NCB 18654, All of NCB, NCB 18655, All of NCB, NCB 18656, All of NCB, NCB 18657, All of NCB, NCB 18658, All of NCB, NCB 18659, All of NCB, NCB 18660, All of NCB, NCB 18661, All of NCB, NCB 18662, All of NCB, NCB 18663, All of NCB, NCB 18664, All of NCB, NCB 18665, All of NCB, NCB 188672, All of NCB, NCB 18673, All of NCB, NCB 18674, Lots 9 thru 16, Block 4, NCB 18675, All of NCB, NCB 18676, Lots 7 thru 28 and Lot 40, Block 6, NCB 18677, All of NCB, NCB 18678, All of NCB, NCB 18679, All of NCB, NCB 18680, All of NCB, NCB 18681, All of NCB, NCB 18682, All of NCB, NCB 18683, All of NCB, NCB 18684, All of NCB, NCB 18685, All of NCB, NCB 18687, All of NCB, NCB 18689, All of NCB, NCB 18690, All of NCB, NCB 18693, All of NCB, NCB 18694, All of NCB, NCB 18695, All of NCB, NCB 18696, All of NCB, NCB 18697, All of NCB, NCB 18701, All of NCB, NCB 18702, All of NCB, NCB 18703, All of NCB, NCB 18704, All of NCB, NCB 18705, All of NCB, NCB 18706, All of NCB, NCB 18707, All of NCB, NCB 18708, All of NCB, NCB 18711, All of NCB, NCB 18712, All of NCB, NCB 18713, All of NCB, NCB 18714, All of NCB, NCB 18715, All of NCB, NCB 18716, All of NCB, NCB 18717, All of NCB, NCB 18718, All of NCB, NCB 18719, All of NCB, NCB 18720, All of NCB, NCB 18721, All of NCB, NCB 18724, All of NCB, NCB 18725, All of NCB, NCB 18726, All of NCB, NCB 18727, All of NCB, NCB 18728, All of NCB, NCB 18729, All of NCB, NCB 18730, All of NCB, NCB 18731, All of NCB, NCB 18732, All of NCB, NCB 18733, All of NCB, NCB 18734, All of NCB, NCB 18735, All of NCB, NCB 18736, All of NCB, NCB 18737, All of NCB, NCB 18738, All of NCB, NCB 18739, Lots 1 thru 90, 185 thru 189, NCB 18740, Lots 1 thru 91, NCB 18741, Lots 1 thru 23, NCB 18742, All of NCB, NCB 18743, All of NCB, NCB 18744, All of NCB, NCB 18745, Lots 1 thru 33, 99 thru 152, Block 45, NCB 18746, All of NCB, NCB 18747, All of NCB, NCB 18748, All of NCB, NCB 18749, All of NCB, NCB 18750, All of NCB, NCB 18751, All of NCB, NCB 18752, All of NCB, NCB 18753, All of NCB, NCB 18754, All of NCB, NCB 18755, All of NCB, NCB 18756, All of NCB, NCB 18757, All of NCB, NCB 18758, Lots 30 thru 72, Block 58, NCB 18761, All of NCB, NCB 18762, All of NCB, NCB 18763, All of NCB, NCB 18764, All of NCB, NCB 18765, All of NCB, NCB 18766, All of NCB, NCB 18767, All of NCB, NCB 18768, All of NCB, NCB 18769, All of NCB, NCB 18771, All of NCB, NCB 18772, All of NCB, NCB 18786, Lot 1 thru 35 and 199 thru 203, NCB 18788, All of NCB, NCB 18792, Lots 1 thru 10, Block 92, NCB 18795, All of NCB, NCB 18796, All of NCB, NCB 18797, All of NCB, NCB 18798, All of NCB, NCB 18799, Lots 1 thru 38 and 113, NCB 18800, All of NCB, NCB 18801, All of

NCB, NCB 18802, All of NCB, NCB 18803, All of NCB, NCB 18804, All of NCB, NCB 18805, All of NCB, NCB 18807, All of NCB, NCB 18808, All of NCB, NCB 18809, All of NCB, NCB 18810, All of NCB, NCB 18811, All of NCB, NCB 18813, All of NCB, NCB 18821, Lots 1 thru 52, NCB 18822, All of NCB, NCB 18823, All of NCB, NCB 18824, All of NCB, NCB 18825, All of NCB, NCB 18826, All of NCB, NCB 18827, All of NCB, NCB 18828, Lots 2 and 3, NCB 18831, All of NCB, NCB 18832, All of NCB, NCB 18833, All of NCB, NCB 18834, All of NCB, NCB 18835, Lots 1 thru 25, Block 5, NCB 18836, All of NCB, NCB 18847, All of NCB, NCB 18850, All of NCB, NCB 18853, Lots 25 thru 47, Block 3, FROM Temporary "R-1" Single-Family Residence District TO "R-1" Single-Family Residence District; NCB 18671, All of NCB, NCB 18674, Lots 1 thru 8, Block 4, NCB 18676, Lots 1 thru 6, Block 6, NCB 18773, Lots 1 thru 6, 8 thru 63 and Lot 402, Block 1, NCB 18774, All of NCB, NCB 18775, All of NCB, NCB 18787, Lots 6 thru 68, NCB 18793, All of NCB, NCB 18794, All of NCB, FROM Temporary "R-1" Single-Family Residence District to "R-2" Two-Family Residence District; NCB 18773, Lots 64 thru 82 FROM Temporary "R-1" Single-Family Residence District TO "R-2A" Three and Four Family Residence District; NCB 17636, Parcel 2, being on the north and the east side of the center line of Helotes Creek, Save and except the north irregular 480', NCB 18739, Lots 190 thru 221, NCB 18745, Lots 34 thru 98, Block 45, NCB 18758, Lots 1 thru 29, Block 58, NCB 18759, All of NCB, NCB 18760, All of NCB, NCB 18786, Lots 204 thru 256, NCB 18787, Lot 1 thru 5, Block 87, NCB 18791, All of NCB, NCB 18815, All of NCB, NCB 18838, All of NCB, NCB 18839, All of NCB, NCB 18840, All of NCB, NCB 18841, All of NCB, NCB 18842, All of NCB, NCB 18843, All of NCB, NCB 18844, All of NCB, NCB 18845, All of NCB, NCB 18846, All of NCB, FROM Temporary "R-1" Single-Family Residence District TO "R-5" Single Family Residence District; NCB 18739, Lots 134 thru 184, NCB 18740, Lots 105 thru 162, NCB 18781, All of NCB, NCB 18782, All of NCB, NCB 18783, All of NCB, NCB 18786, Lots 151 thru 198, NCB 18799, Lots 114 thru 205, NCB 18812, All of NCB, NCB 18814, All of NCB, NCB 18816, All of NCB, NCB 18851, All of NCB, NCB 18852, All of NCB, NCB 18853, Lots 48 thru 72, Block 3, NCB 18854, All of NCB, NCB 18855, All of NCB, NCB 18856, All of NCB, NCB 18857, All of NCB, NCB 18858, All of NCB, NCB 17636, Parcels 1, 6, 8-D and 8-C, NCB 17636, Parcel 4-B, that portion of land being on the east side of the center of Helotes Creek, NCB 17636, Parcels A-a and 5, those portions of land being on the east and southside of the center line of Helotes Creek, NCB 17636, the north irregular 480' being between Parcel 6 and on the east side of the center line of Helotes Creek, FROM Temporary "R-1" Single Family Residence District, to "R-7" Small Lot Home Residence District; NCB 15004, Parcel 134, save and except the north portion of land being on the northside of private road, NCB 15004, Parcels 162, 12-D and 12-E, save and except the south 600' of 12-E, NCB 15005, Parcel 12, save and except the southeast 400', NCB 15005, Parcels 12-B, 12-C, 15-G, 15-F and 214, NCB 15091, Parcel 139-C, NCB 15095, Parcel 155, NCB 18645, Lots 1 thru 4, Block 5, NCB 18792, Parcel 169, FROM Temporary "R-1" Single Family Residence District TO "O-1" Office District; NCB 15097, Parcels 12 and 26, NCB 18083, Parcels 166-A and 166-B, being those portions annexed December 31, 1989, NCB 18083, Parcel 166, being that portion of land annexed December 31, 1989, that is located between NCB 18631 on the north and NCB 18622 on the south,

save and except that portion of Parcel 166 located on the west side of NCB's 18631, 18636 and 18637, NCB 18620, Lot 1, Block 30, NCB 18622, Lots 1 and 2, Block 4, NCB 18644, Lots 2, 3, and 4, NCB 19739, Parcels 9 and 12-B, NCB 18790, Lots 1, 2 and 3, Block 90, NCB 18792, Parcel 2-E, NCB 18818, Lot 3, Block 1, NCB 18821, Parcel 10, NCB 18859, Lot 2, Block 1, NCB 18859, Lot 1, Block 1, save and except the 5.784 acre tract of land further described by field notes filed in the Office of the Planning Department, FROM Temporary "R-1" Temporary "R-1" Single Family Residence District TO "R-3" Multiple Family Residence District; NCB 18622, Lots 3 thru 16, Block 4 FROM Temporary "R-1" Single Family Residence District TO "R-6" Townhouse Residence District; NCB 15005, Parcels 7-A, 84 and 84-A; NCB 15094, All of NCB, save and except the east irregular 450' as shown on official zoning map; NCB 18623, A 10.751 acre tract of land out of Parcel 205 being further described by field notes filed in the Office of the Planning Department; NCB 18792, Lot 11, Block 92, FROM Temporary "R-1" Single Family Residence District TO "B-1" Business District; NCB 15095, Parcel 156-B, NCB 15096, Parcel 4, NCB 15097, Parcel 25, NCB 15097, Parcel 13, save and except the south 330', NCB 15097, the north 75' of the west 75' of the south 330' of Parcel 13, NCB 15098, Parcels 1-E and 8-A, NCB 17635, Parcels 18-A, 18-C, 18-D, the south 235' of the east 332.4' of Parcel 18, NCB 17635, Parcel 19, being that portion annexed December 31, 1989, NCB 17636, Parcel A-1, being that portion on the west and northside of the center line of Helotes Creek save and except the southwest 401.27', NCB 17636, Parcels 4-B and 5, being that portion on the west and northside of the center line of Helotes Creek, NCB 18620, Parcels 25-E, 158, 159, 159-A and 160, NCB 18621, Lots 2 thru 5, Block 1, NCB 18623, a 1.815 acre tract of land out of Parcel 205, being further described by field notes filed in the Office of the Planning Department, NCB 18642, Lots 1, 2 and 5, NCB 18643, Lot 1, NCB 18644, Lot 1, NCB 18670, the west 504.78' of Lot 2, NCB 18670, Parcels 13, 13-A, 171, 174 and 213, NCB 18698, Lot 3, Block 28, NCB 18787, Parcel 6, NCB 18792, the north 100' of Lot 13, Block 92, NCB 18817, Lot 49, Block 73, NCB 18818, Lots 1 and 4, Block 1, NCB 18819, Lot 4, Block 1, NCB 18820, Lot 2, Block 26, NCB 18830, Lot 1, Block 1, save and except the south 210', NCB 18848, Lot 16, Block 38, NCB 18849, Parcels 7-A and 7-C, NCB 18859, Parcel 11 and a 5.784 acre tract of land being further described by field notes filed in the Office of the Planning Department, NCB 18862, Lot 1, Block 1, NCB 18837, Lot 61, Block 17, NCB 18837, Parcels 19 and 20, NCB 18837, the north 75' of Lot 1, Block 17, FROM "R-1" Single Family Residence District TO "B-2" Business District; NCB 15098, Parcel 21, NCB 18818, Lots 2, 3 and the north 246.08' of Lot 1, Block 91 FROM Temporary "R-1" Single Family Residence District TO "B-2NA" Non-Alcoholic Sales District; NCB 18792, Lots 12, 15, 17, 18, 20, 21 and 22, Block 92, NCB 18792, Lot 13, Block 92, save and except the north 100', NCB 18818, Parcels 3-E and 4, NCB 18818, Lot 2, Block 1, NCB 18818, the southwest 60.63' of Lot 1, Block 91, NCB 18829, Lot 1, Block 1, FROM Temporary "R-1" Single Family Residence District TO "B-3" Business District; NCB 15004, Parcels 11, 11-A, 11-C thru 11-H, 11-J, 112-A, 112-B and 112-C, NCB 15004, the south 600' of Parcel 12-E, NCB 15005, the south 400' of Parcel 12, NCB 15093, the east irregular 450' of NCB and a distance of 1,900' on Tezel Road as shown on official zoning maps, NCB

15095, Parcels 156-A, 156-C and 217, NCB 15097, the south irregular 330' of Parcel 13, save and except the north 75' of the west 75', NCB 15098, Parcels 14-A and 14-B, NCB 17635, Parcel 18-B, NCB 17635, Parcel 18, save and except the south 235' of the east 332.40', NCB 18049, Parcel 138-C and the north 125' of the east 80' of Parcel 184, NCB 18621, Lot 1, Block 1, NCB 18623, a 10.936 acre tract of land out of Parcel 205 being further described by attached field notes, NCB 18670, the southeast 150' of Lot 1, NCB 18818, Parcels 139 and 161, NCB 18818, Lot 1, Block 91, save and except the north 246.08' and the southwest 60.63' of Lot 1, NCB 18820, Lot 1, Block 26, NCB 18830, the south 210' of Lot 1, Block 1, NCB 18837, Lot 58, NCB 18849, Parcel 7-B, NCB 18860, Lot 1, Block 1, NCB 18861, Lot 1, Block 1, NCB 18863, Lot 1, Block 1, NCB 18873, Lots 451 and 452, Block 1, FROM Temporary "R-1" Single Family Residence District TO "B-3R" Restrictive Business District; NCB 15004, the northeast 100' of the northwest 430' of Parcel 7-B, NCB 15095, Parcel 216, NCB 15098, Parcels 22 and 23, NCB 18792, Lot 19, Block 92, FROM Temporary "R-1" Single Family Residence District TO "B-3NA" Non-Alcoholic Sales District; NCB 15004, Parcels 8 and 141; NCB 15005, the northeast 300' of Parcel 7-B, save and except the northeast 100' of the northwest 430'; NCB 15007, Parcels 3, 3-F, 8-F, 71-A, 71-B and 71-C FROM Temporary "R-1" Single Family Residence District TO "B-3NA" S.U.P. Non-Alcoholic Sales District Special Use Permit for a contractor's Yard with outside storage; NCB 15004, Parcel 8-C and the north portion of Parcel 134, being on the northside of private road, FROM Temporary "R-1" Single Family Residence District TO "B-3NA" S.U.P. Non-Alcoholic Sales District Special Use Permit for crane rentals and outside storage; NCB 18670, Lot 2, save and except the northwest 504.78' FROM Temporary "R-1" Single Family Residence District TO "B-3NA" S.U.P. Non-Alcoholic Sales District Special Use Permit for a mini-warehouse complex exceeding 2-1/2 acres; NCB 18837, Lot 1, Block 17, save and except the north 75' FROM Temporary "R-1" Single Family Residence District to "B-3NA" S.U.P. Business District Special Use Permit for a contractor's yard with outside storage; NCB 18670, Parcels 13-B, 13-C, and Lot 1, save and except the southeast 150'; NCB 18049, Parcel 184, save and except the north 125' and the east 80'; FROM Temporary "R-1" Single Family Residence District TO "I-1" Light Industry District.

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

Mr. Andy Guerrero, Planner III, spoke to the results of staff mailouts to property owners within 200 feet of subject property.

Mr. Wolff read for the record the written statement of Mr. Brian Erickson, a director of the Great Northwest Homeowners Association, stating that his board of directors agrees with the rezoning request.

Mr. Eduardo Trevino spoke in favor of the rezoning, lauding City staff for its help in reaching the agreement.

Mr. Jim Keller, 7715 Grissom Road, noted that his firm has a

13-year-old plant facility on Grissom Road in this area, and spoke to reasons why he feels the area is industrial in nature. He also spoke in favor of an I-1 zoning for his property.

In response to a question by Mr. Wolff, Mr. Keller discussed the imposition of a B-3 zoning on the front 150 feet of the subject property, with I-1 on the remainder for manufacturing

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

Mr. Wolff then made an amendment to the motion to rezone the front 150 feet as "B-3" Business District and the remainder "I-1" Light Industry District. Mr. Wing seconded the motion.

Dr. John Johnson, DVM, 8843 Grissom Road, spoke in favor of "B-3" Business District, in lieu of "B-3R" Restrictive Business District, in case he wants to lease or sell to a restaurant use later. He noted that the Homeowners Association is not in opposition to his request.

After discussion, it was agreed to by the maker and seconder of the amendment motion, to make the Johnson tract "B-3" instead of "B-3R", as the City had requested in the initial mass rezoning, and to include that action in the amended motion.

Mr. David Hume, representing Hallmark Bradfield Homes, stated that his firm has 4.35 acres of land in the area, located at a busy intersection, and asked for "B-3R" zoning on that property instead of the "B-2" as planned by City staff in the mass rezoning request.

Mr. Guerrero noted that "B-3" zoning exists to the east, and if Council wishes to rezone this property to "B-3R", it must refer the case back to the Zoning Commission for further consideration.

After discussion, it was agreed to by the maker and seconder of the amendment motion, to refer this tract of land back to the Zoning Commission as requested, and to include that action in the amended motion.

At this point, Mr. Thompson offered an amendment to the proposed amendment, seconded by Mrs. Vera, to require a "B-3R" zoning be placed on the Johnson property in order to restrict sale of alcoholic beverages to on-premises consumption only.

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

The vote on the amendment to rezone the front 150 feet "B-3" and the remainder "I-1" prevailed by the following vote: AYES: Berriozabal,

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

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

AN ORDINANCE 71,383

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 NCB 15005, PARCELS 136 AND 136-A, AND NCB 18849, BLOCK 1, LOTS 1 THRU 47, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "P-1 (R-1)" PLANNED UNIT DEVELOPMENT ONE FAMILY RESIDENCE DISTRICT; NCB 15094, PARCELS 10, 10-B, 10-E AND 11, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "P-1 (R-2)" PLANNED UNIT DEVELOPMENT TWO FAMILY RESIDENCE DISTRICT; NCB 15004, PARCELS 7-F, 7-J, 8-E, 65, 70, 72, 74, 82, 11, 132 AND 142; NCB 15005, PARCELS 7-C, 7-E, 66, 121, 140 AND PARCEL 7-B, SAVE AND EXCEPT THE NORTHEAST 300'; NCB 15006, ALL OF NCB; NCB 15007, ALL OF NCB, SAVE AND EXCEPT PARCELS 3, 3-F, 8-F, 71-A, 71-B, AND 71-C; NCB 18560, ALL OF NCB; NCB 18591, LOT 1, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-A" RESIDENCE AGRICULTURE DISTRICT; NCB 15005, PARCELS 15-E, 73 AND 110; NCB 15091, PARCELS 2-B; NCB 15092, ALL OF NCB; NCB 15094, PARCELS 10-A, 10-C AND 10-D; NCB 15098, PARCELS 1-C, 12-C, 14 AND 15; NCB 18049, PARCEL 21; NCB 18049, PARCELS 24 AND 138, BEING THOSE PORTIONS ON THE SOUTHSIDE OF CENTER LINE OF LEON CREEK; NCB 18083, PARCELS 27, 27-C AND 166, BEING THAT PORTION ANNEXED DECEMBER 31, 1989, LOCATED ON THE WESTSIDE OF NCB'S 18631, 18636 AND 18637, SAVE AND EXCEPT THAT PORTION OF PARCEL 166 BETWEEN NCB 18631 ON THE SOUTH AND NCB 18622 ON THE SOUTH; NCB 18623, LOTS 3 THRU 15, 18 THRU 21 AND 24 THRU 69; NCB 18623, A 18.057 ACRE TRACT OUT OF PARCEL 205; NCB 18623 BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE PLANNING DEPARTMENT; NCB 18624, ALL OF NCB; NCB 18625, ALL OF NCB; NCB 18626, ALL OF NCB; NCB 18627, ALL OF NCB; NCB 18628, ALL OF NCB; NCB 18629, ALL OF NCB; NCB 18631, ALL OF NCB; NCB 18632, ALL OF NCB; NCB 18633, ALL OF NCB; NCB 18634, ALL OF NCB; NCB 18635, ALL OF NCB; NCB 18636, ALL OF NCB; NCB

18637, ALL OF NCB; NCB 18638, ALL OF NCB; NCB 18646,
ALL OF NCB; NCB 18647, ALL OF NCB; NCB 18648, ALL OF
NCB; NCB 18649, ALL OF NCB; NCB 18650, ALL OF NCB;
NCB 18651, ALL OF NCB; NCB 18652, ALL OF NCB; NCB
18653, ALL OF NCB; NCB 18654, ALL OF NCB; NCB 18655,
ALL OF NCB; NCB 18656, ALL OF NCB; NCB 18657, ALL OF
NCB; NCB 18658, ALL OF NCB; NCB 18659, ALL OF NCB;
NCB 18660, ALL OF NCB; NCB 18661, ALL OF NCB; NCB
18662, ALL OF NCB; NCB 18663, ALL OF NCB; NCB 18664,
ALL OF NCB; NCB 18665, ALL OF NCB; NCB 18672, ALL OF
NCB; NCB 18673, ALL OF NCB; NCB 18674, LOTS 9 THRU
16, BLOCK 4; NCB 18675, ALL OF NCB; NCB 18676, LOTS
7 THRU 28 AND LOT 40, BLOCK 6, NCB 18677, ALL OF
NCB; NCB 18678, ALL OF NCB; NCB 18679, ALL OF NCB;
NCB 18680, ALL OF NCB; NCB 18681, ALL OF NCB; NCB
18682, ALL OF NCB; NCB 18683, ALL OF NCB; NCB 18684,
ALL OF NCB; NCB 18685, ALL OF NCB; NCB 18687, ALL OF
NCB; NCB 18689, ALL OF NCB; NCB 18690, ALL OF NCB;
NCB 18693, ALL OF NCB; NCB 18694, ALL OF NCB; NCB
18695, ALL OF NCB; NCB 18696, ALL OF NCB; NCB 18697,
ALL OF NCB; NCB 18701, ALL OF NCB; NCB 18702, ALL OF
NCB; NCB 18703, ALL OF NCB; NCB 18704, ALL OF NCB;
NCB 18705, ALL OF NCB; NCB 18706, ALL OF NCB; NCB
18707, ALL OF NCB; NCB 18708, ALL OF NCB; NCB 18711,
ALL OF NCB; NCB 18712, ALL OF NCB; NCB 18713, ALL OF
NCB; NCB 18714, ALL OF NCB; NCB 18715, ALL OF NCB;
NCB 18716, ALL OF NCB; NCB 18717, ALL OF NCB; NCB
18718, ALL OF NCB; NCB 18719, ALL OF NCB; NCB 18720,
ALL OF NCB; NCB 18721, ALL OF NCB; NCB 18724, ALL OF
NCB; NCB 18725, ALL OF NCB; NCB 18726, ALL OF NCB;
NCB 18727, ALL OF NCB; NCB 18728, ALL OF NCB; NCB
18728, ALL OF NCB; NCB 18729, ALL OF NCB; NCB 18730,
ALL OF NCB; NCB 18731, ALL OF NCB; NCB 18732, ALL OF
NCB; NCB 18733, ALL OF NCB; NCB 18734, ALL OF NCB;
NCB 18735, NCB 18736, ALL OF NCB; NCB 18737, ALL OF
NCB; NCB 18738, ALL OF NCB; NCB 18739, LOTS 1 THRU
90, 185 THRU 189; NCB 18740, LOTS 1 THRU 91; NCB
18741, LOTS 1 THRU 23; NCB 18742, ALL OF NCB; NCB
18743, ALL OF NCB; NCB 18744, ALL OF NCB; NCB 18745,
LOTS 1 THRU 33, 99 THRU 152, BLOCK 45; NCB 18746,
ALL OF NCB; NCB 18747, ALL OF NCB; NCB 18748, ALL OF
NCB; NCB 18749, ALL OF NCB; NCB 18750, ALL OF NCB;
NCB 18751, ALL OF NCB; NCB 18752, ALL OF NCB; NCB
18753, ALL OF NCB; NCB 18754, ALL OF NCB; NCB 18755,
ALL OF NCB; NCB 18756, ALL OF NCB; NCB 18757, ALL OF
NCB; NCB 18758, LOTS 30 THRU 72, BLOCK 58; NCB
18761, ALL OF NCB; NCB 18762, ALL OF NCB; NCB 18763,
ALL OF NCB; NCB 18764, ALL OF NCB; NCB 18765, ALL OF
NCB; NCB 18766, ALL OF NCB; NCB 18767, ALL OF NCB;
NCB 18768, ALL OF NCB; NCB 18769, ALL OF NCB; NCB

18771, ALL OF NCB; NCB 18772, ALL OF NCB; NCB 18786, LOT 1 THRU 35 AND 199 THRU 203; NCB 18788, ALL OF NCB; NCB 18792, LOTS 1 THRU 10, BLOCK 92; NCB 18795, ALL OF NCB; NCB 18796, ALL OF NCB; NCB 18797, ALL OF NCB; NCB 18798, ALL OF NCB; NCB 18799, LOTS 1 THRU 38 AND 113; NCB 18800, ALL OF NCB; NCB 18801, ALL OF NCB; NCB 18802, ALL OF NCB; NCB 18803, ALL OF NCB; NCB 18804, ALL OF NCB; NCB 18805, ALL OF NCB; NCB 18807, ALL OF NCB; NCB 18808, ALL OF NCB; NCB 18809, ALL OF NCB; NCB 18810, ALL OF NCB; NCB 18811, ALL OF NCB; NCB 18813, ALL OF NCB; NCB 18821, LOTS 1 THRU 52; NCB 18822, ALL OF NCB; NCB 18823, ALL OF NCB; NCB 18824, ALL OF NCB; NCB 18825, ALL OF NCB; NCB 18826, ALL OF NCB; NCB 18827, ALL OF NCB; NCB 18828, LOTS 2 AND 3; NCB 18831, ALL OF NCB; NCB 18832, ALL OF NCB; NCB 18833, ALL OF NCB; NCB 18834, ALL OF NCB; NCB 18835, LOTS 1 THRU 25, BLOCK 5; NCB 18836, ALL OF NCB; NCB 18847, ALL OF NCB; NCB 18850, ALL OF NCB; NCB 18853, LOTS 25 THRU 47, BLOCK 3, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-1" SINGLE FAMILY RESIDENCE DISTRICT; NCB 18671, ALL OF NCB; NCB 18674, LOTS 1 THRU 8, BLOCK 4; NCB 18676, LOTS 1 THRU 6, 8 THRU 63 AND LOT 402, BLOCK 1; NCB 18774, ALL OF NCB; NCB 18775, ALL OF NCB; NCB 18787, LOTS 6 THRU 68; NCB 18793, ALL OF NCB; NCB 18794, ALL OF NCB, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-2" TWO FAMILY RESIDENCE DISTRICT; NCB 18773, LOTS 64 THRU 82, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-2A" THREE AND FOUR FAMILY RESIDENCE DISTRICT; NCB 18773, LOTS 64 THRU 82, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-2A" THREE AND FOUR FAMILY RESIDENCE DISTRICT; NCB 17636, PARCEL 2, BEING ON THE NORTH AND THE EAST SIDE OF THE CENTER LINE OF HELOTES CREEK, SAVE AND EXCEPT THE NORTH IRREGULAR 480'; NCB 18739, LOTS 190 THRU 221; NCB 18745, LOTS 34 THRU 98, BLOCK 45; NCB 18758, LOTS 1 THRU 29, BLOCK 58; NCB 18759, ALL OF NCB; NCB 18760, ALL OF NCB; NCB 18786, LOTS 204 THRU 256; NCB 18787, LOT 1 THRU 5, BLOCK 87; NCB 18791, ALL OF NCB; NCB 18815, ALL OF NCB; NCB 18838, ALL OF NCB; NCB 18839, ALL OF NCB; NCB 18840, ALL OF NCB; NCB 18841, ALL OF NCB; NCB 18842, ALL OF NCB; NCB 18843, ALL OF NCB; NCB 18844, ALL OF NCB; NCB 18845, ALL OF NCB; NCB 18846, ALL OF NCB, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-5" SINGLE FAMILY RESIDENCE DISTRICT; NCB 18739, LOTS 134 THRU 184; NCB 18740, LOTS 105 THRU 162; NCB 18781, ALL OF NCB; NCB 18782, ALL OF NCB; NCB 18783, ALL OF NCB; NCB 18786, LOTS 151 THRU 198; NCB 18799, LOTS 114 THRU

205; NCB 18812, ALL OF NCB; NCB 18814, ALL OF NCB; NCB 18816, ALL OF NCB; NCB 18851, ALL OF NCB; NCB 18852, NCB 18853, LOTS 48 THRU 72, BLOCK 3; NCB 18854, ALL OF NCB; NCB 18855, ALL OF NCB; NCB 18856, ALL OF NCB; NCB 18857, ALL OF NCB; NCB 18858, ALL OF NCB; NCB 17636, PARCELS 1, 6, 8-D AND 8-C; NCB 17636, PARCEL 4-B, THAT PORTION OF LAND BEING ON THE EAST SIDE OF THE CENTER OF HELOTES CREEK; NCB 17636, PARCELS A-1 AND 5, THOSE PORTIONS OF LAND BEING ON THE EAST AND SOUTHSIDE OF THE CENTER LINE OF HELOTES CREEK; NCB 17636, THE NORTH IRREGULAR 480' BEING BETWEEN PARCEL 6 AND ON THE EAST SIDE OF THE CENTER LINE OF HELOTES CREEK, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT, TO "R-7" SMALL LOT HOME RESIDENCE DISTRICT; NCB 15004, PARCEL 134, SAVE AND EXCEPT THE NORTH PORTION OF LAND BEING ON THE NORTHSIDE OF PRIVATE ROAD; NCB 15004, PARCELS 162, 12-D AND 12-E, SAVE AND EXCEPT THE SOUTH 600' OF 12-E; NCB 15005, PARCEL 12, SAVE AND EXCEPT THE SOUTHEAST 400'; NCB 15005, PARCELS 12-B, 12-C, 15-G, 15-F AND 214; NCB 15091, PARCEL 139-C; NCB 15095, PARCEL 155; NCB 18645, LOTS 1 THRU 4, BLOCK 5; NCB 18792, PARCEL 169, FROM TEMPORARY "R-1; SINGLE FAMILY RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT; NCB 15097, PARCELS 12 AND 26; NCB 18083, PARCELS 166-A AND 166-B, BEING THOSE PORTIONS ANNEXED DECEMBER 31, 1989; NCB 18083, PARCEL 166, BEING THAT PORTION OF LAND ANNEXED DECEMBER 31, 1989, THAT'S LOCATED BETWEEN NCB 18631 ON THE NORTH AND NCB 18622 ON THE SOUTH, SAVE AND EXCEPT THAT PORTION OF PARCEL 166 LOCATED ON THE WEST SIDE OF NCB'S 18631, 18636 AND 18637; NCB 18620, LOT 1, BLOCK 30; NCB 18622, LOTS 1 AND 2, BLOCK 4; NCB 18644, LOTS 2, 3, AND 4; NCB 19739, PARCELS 9 AND 12-B; NCB 18790, LOTS 1, 2 AND 3, BLOCK 90; NCB 18792, PARCEL 2-E; NCB 18818, LOT 3, BLOCK 1; NCB 18821, PARCEL 10; NCB 18859, LOT 2, BLOCK 1; NCB 18859, LOT 1, BLOCK 1, SAVE AND EXCEPT THE 5.784 ACRE TRACT OF LAND FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE PLANNING DEPARTMENT, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT; NCB 18622, LOTS 3 THRU 16, BLOCK 4, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-6" TOWNHOUSE RESIDENCE DISTRICT; NCB 15005, PARCELS 7-A, 84 AND 84-A; NCB 15094, ALL OF NCB, SAVE AND EXCEPT THE EAST IRREGULAR 450' AS SHOWN ON OFFICIAL ZONING MAP; NCB 18623, A 10.751 ACRE TRACT OF LAND OUT OF PARCEL 205 BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE PLANNING DEPARTMENT; NCB 18792, LOT 11, BLOCK 92,

FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-1" BUSINESS DISTRICT; NCB 15095, PARCEL 156-B; NCB 15096, PARCEL 4; NCB 15097, PARCEL 25; NCB 15097, PARCEL 13, SAVE AND EXCEPT THE SOUTH 330'; NCB 15097, THE NORTH 75' OF THE WEST 75' OF THE WEST 75' OF THE SOUTH 330' OF PARCEL 13; NCB 15098, PARCELS 1-E AND 8-A; NCB 17635, PARCELS 18-A, 18-C, 18-D, THE SOUTH 235' OF THE EAST 332.4' OF PARCEL 18; NCB 17635, PARCEL 19, BEING THAT PORTION ANNEXED DECEMBER 31, 1989; NCB 17636, PARCEL A-1, BEING THAT PORTION ON THE WEST AND THE NORTHSIDE OF THE CENTER LINE OF HELOTES CREEK SAVE AND EXCEPT THE SOUTHWEST 401.27'; NCB 17636, PARCELS 4-B AND 5, BEING THAT PORTION ON THE WEST AND NORTHSIDE OF THE CENTER LINE OF HELOTES CREEK; NCB 18620, PARCELS 25-E, 158, 159, 159-A AND 160; NCB 18621, LOTS 2 THRU 5, BLOCK 1; NCB 18623, A 1.815 ACRE TRACT OF LAND OUT OF PARCEL 205 BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE PLANNING DEPARTMENT; NCB 18642, LOTS 1, 2 AND 5; NCB 18643, LOT 1; NCB 18644, LOT 1; NCB 18670, THE WEST 504.78' OF LOT 2; NCB 18670, PARCELS 13, 13-A, 171, 174 AND 213; NCB 18698, LOT 3, BLOCK 28; NCB 18787, PARCEL 6; NCB 18792, THE NORTH 100' OF LOT 13, BLOCK 92; NCB 18817, LOT 49, BLOCK 73; NCB 18818, LOTS 1 AND 4, BLOCK 1; NCB 18819, LOT 4, BLOCK 1; NCB 18820, LOT 2, BLOCK 26; NCB 18830, LOT 1, BLOCK 1, SAVE AND EXCEPT THE SOUTH 210'; NCB 18848, LOT 16, BLOCK 38; NCB 18849, PARCELS 7-A AND 7-C; NCB 18859, PARCEL 11 AND A 5.784 ACRE TRACT OF LAND BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE PLANNING DEPARTMENT; NCB 18862, LOT 1, BLOCK 1; NCB 18837, LOT 61, BLOCK 17; NCB 18837, PARCELS 19 AND 20; NCB 18837, THE NORTH 75' OF LOT 1, BLOCK 17, FROM "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT; NCB 15098, PARCEL 21; NCB 18818, LOTS 2, 3 AND THE NORTH 246.08' OF LOT 1, BLOCK 91, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-2NA" NON-ALCOHOLIC SALES DISTRICT; NCB 18792, LOTS 12, 15, 17, 18, 20, 21 AND 22, BLOCK 92; NCB 18792, LOT 13, BLOCK 92, SAVE AND EXCEPT THE NORTH 100'; NCB 18818, PARCELS 3-E AND 4; NCB 18818, LOT 2, BLOCK 1; NCB 18818, THE SOUTHWEST 60.63' OF LOT 1, BLOCK 91; NCB 18829, LOT 1, BLOCK 1, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT; NCB 15004, PARCELS 11, 11-A, 11-C THRU 11-H, 11-J, 112-A, 112-B AND 112-C; NCB 15004, THE SOUTH 600' OF PARCEL 12-E; NCB 15005, THE SOUTH 400' OF PARCEL 12; NCB 15093, THE EAST IRREGULAR 450' OF NCB AND A DISTANCE OF 1,900' ON

TEZEL ROAD AS SHOWN ON OFFICIAL ZONING MAPS; NCB 15095, PARCELS 156-A, 156-C AND 217; NCB 15097, THE SOUTH IRREGULAR 330' OF PARCEL 13, SAVE AND EXCEPT THE NORTH 75' OF THE WEST 75'; NCB 15098, PARCELS 14-A AND 14-B; NCB 17635, PARCEL 18-B; NCB 17635, PARCEL 18, SAVE AND EXCEPT THE SOUTH 235' OF THE EAST 332.40'; NCB 18049, PARCEL 138-C AND THE NORTH 125' OF THE EAST 80' OF PARCEL 184; NCB 18621, LOT 1, BLOCK 1; NCB 18623, A 10.936 ACRE TRACT OF LAND OUT OF PARCEL 205 BEING FURTHER DESCRIBED BY ATTACHED FIELD NOTES; NCB 188670, THE SOUTHEAST 150' OF LOT 1; NCB 18818, PARCELS 139 AND 161; NCB 18818, LOT 1, BLOCK 91, SAVE AND EXCEPT THE NORTH 246.08' AND THE SOUTHWEST 60.63' OF LOT 1; NCB 18820, LOT 1, BLOCK 26; NCB 18830, THE SOUTH 210' OF LOT 1, BLOCK 1; NCB 18837, LOT 58; NCB 18849, PARCEL 7-B; NCB 18860, LOT 1, BLOCK 1; NCB 18861, LOT 1, BLOCK 1; NCB 18863, LOT 1, BLOCK 1; NCB 18873, LOTS 451 AND 452, BLOCK 1, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT; NCB 15004, THE NORTHEAST 100' OF THE NORTHWEST 430' OF PARCEL 7-B; NCB 15004, THE NORTHEAST 100' OF THE NORTHWEST 430' OF PARCEL 7-B; NCB 15094, PARCEL 216; NCB 15098, PARCELS 22 AND 23; NCB 18792, LOT 19, BLOCK 92, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES DISTRICT; NCB 15004, PARCELS 8 AND 141; NCB 15005, THE NORTHEAST 300' OF PARCEL 7-B, SAVE AND EXCEPT THE NORTHEAST 100' OF THE NORTHWEST 430'; NCB 15007, PARCELS 3, 3-F, 8-F, 71-A, 71-B AND 71-C, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3NA" S.U.P. NON-ALCOHOLIC SALES DISTRICT SPECIAL USE PERMIT FOR A CONTRACTOR'S YARD WITH OUTSIDE STORAGE; NCB 15004, PARCEL 8-C AND THE NORTH PORTION OF PARCEL 134, BEING ON THE NORTHSIDE OF PRIVATE ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3NA" S.U.P. NON-ALCOHOLIC SALES DISTRICT SPECIAL USE PERMIT FOR CRANE RENTALS AND OUTSIDE STORAGE; NCB 18670, LOT 2, SAVE AND EXCEPT THE NORTHWEST 504.78', FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3NA" S.U.P. NON-ALCOHOLIC SALES DISTRICT SPECIAL USE PERMIT FOR A MINI-WAREHOUSE COMPLEX EXCEEDING 2-1/2 ACRES; NCB 18837, LOT 1, BLOCK 17, SAVE AND EXCEPT THE NORTH 75', FROM TEMPORARY "R-1" TO "B-3NA" S.U.P. BUSINESS DISTRICT SPECIAL USE PERMIT FOR A CONTRACTOR'S YARD WITH OUTSIDE STORAGE; NCB 18670, PARCELS 13-B, 13-C, AND LOT 1, SAVE AND EXCEPT THE SOUTHEAST 150'; NCB 18049, PARCEL 184, SAVE AND EXCEPT THE NORTH 125'

AND THE EAST 80', FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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90-16

CITIZENS TO BE HEARD

MR. EDGAR ACKERMAN

Mr. Edgar Ackerman, representing Believers Armed and Dangerous (BAAD) explained that his organization is a Christian organization working with teenagers. He asked that the City Council approve the inclusion of their proposed activities as part of the official Fiesta activities. He then presented to the Council a copy of correspondence from the Fiesta Commission as well as from the City Parks and Recreation Department regarding their request.

In response to Mayor Cockrell, Mr. Ron Darner, Director of Parks and Recreation, explained that the staff had turned down Mr. Ackerman's organization for the reasons as outlined in the referenced letter, namely because of security and budget considerations.

Mr. Labatt explained that the Fiesta Commission has been designated as the agency to determine what activities will be officially designated as official Fiesta events.

Council members suggested that Mr. Ackerman hold his activity at another location other than downtown since the HemisFair area is not available.

Mayor Cockrell explained the procedure which is utilized by the Fiesta Commission to observe the activities in order to officially designate these as Fiesta events.

* * * *

MR. WAYNE CROOKS

Mr. Crooks, also representing BAAD, explained that they would like to be part of Fiesta from a Christian perspective. He also explained how they have attempted to fulfill the requirements as set out by the Fiesta Commission in order to become an official Fiesta event. He then spoke about the purpose of this organization and what their efforts in the community have meant to different segments of the city.

* * * *

MR. FRANK VASQUEZ

Mr. Frank Vasquez, 122 Jonathan, presented a drawing to the Council outlining his property in relationship to the Dome proposed stadium. He then spoke of the attempts by the City Public Service Board to buy his property in order to provide electrical power to the Dome. He was told by City Public Service that he would have to vacate his property by certain date. He asked for the Council's assistance in this matter.

Mr. Roland Lozano, Director of Dome Development, stated that he had met with Mr. Vasquez and with City Public Service representatives on this issue. He gave a brief summary of the background of this issue and the discussions he had with CPS. He stated that City Public Service will be working with Mr. Vasquez and will go through all the necessary and proper procedures to relocate Mr. Vasquez' business to another area.

Mr. Lozano also spoke to another speaker who had signed up to speak, Mr. Martinez, and the initial plans of CPS to obtain the area which Mr. Martinez utilizes as his parking lot for the restaurant he owns. He stated that CPS is now looking toward not using this certain property.

Mr. Vasquez expressed concern that preliminary plans did not include CPS and felt that this was not proper planning.

Mayor Cockrell explained that a procedure to obtain this property must be followed.

Mrs. Dutmer expressed her concern that citizens especially single family homeowners are being affected by the proposed dome development. She spoke to the fact that Bill Miller's Restaurant was not affected which is in the very same area.

* * * *

MR. RAY MARTINEZ

Mr. Ray Martinez, 823 Hoefgen Avenue, owner of Ray's Tortillas and Mexican Foods also spoke to the damages he will suffer if the property he uses as a parking lot is taken from him. He also spoke about the bypassing of Bill Miller's Restaurant which is in the same vicinity. He also stated that the Dome Advisory Committee had originally approved two acres for the location of the utilities to serve the dome and wondered where this property was at this point and what it wasn't utilized for the new CPS facility.

Mayor Cockrell asked that a report by CPS be prepared on this issue for the City Council.

Mr. Lozano spoke to the history of this case and explained that any damages suffered by Mr. Vasquez and Mr. Martinez would be considered by CPS. He again reiterated what he had been told that Mr. Martinez' property was not going to be affected.

In response to Mr. Thompson's questions, Mr. Martinez stated that he has not been apprised by CPS about the change in plans with regard to his property.

Mr. Thompson then explained the law with reference to eminent domain.

Mrs. Dutmer stated that she has been advised by people living in the area that they are being offered one price for their properties and there are no negotiations taking place.

Several Council members stated that a process must be followed with regard to taking any necessary property for this project.

(Mayor Cockrell was obliged to leave the meeting and Mayor Pro Tem Berriozabal presided.)

Mrs. Berriozabal suggested that Mr. Vasquez and Mr. Martinez keep coming back to the Council on the status of the process.

* * * *

MR. TOM CULBERTSON

Mr. Culbertson presented a written statement to the Council on the current value of water and a comparison of costs in acre feet. A copy of Mr. Culbertson's statement is on file with the papers of this meeting.

* * * *

MR. RON DODSON

Mr. Ron Dodson presented a prepared statement to the Council regarding Earth Day, 1990, a copy of his statement is on file with the papers of this meeting. Mr. Dodson stated that he had wanted to have had a proclamation commemorating Earth Day but instead it was mentioned as part of another proclamation.

(Mayor Cockrell returned to the meeting and presided.)

Mrs. Berriozabal stated that the City Council had approved a resolution at today's meeting with regard to EARTH DAY and the City Clerk was asked to prepare a copy of this resolution in a formal format for presentation to this group.

90-16 The Clerk read a proposed ordinance, amending ordinance No. 70280 passed and approved on 9/21/89 which adopted a preliminary FY 89-90 budget of the Alamo Conservation and Reuse District (ACRD); further approving the FY 89-90 amended budget of the ACRD; authorizing the transfer of Fund No. 54-001, Golf Course Revenue Operating Fund to the ACRD; approving rates for the sale of non-potable water and authorizing the ACRD to charge, bill and collect for the sale of non-potable water; and amending Ordinance No. 70945 to clarify the entitlement and diversion rights of the City Public Service Board and rights of future ACRD Revenue Bond holders.

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

Mr. G. E. "Ed" Harrington, Chairman of the Board, Alamo Conservation and Re-Use District, spoke of meetings held between his organization and representatives of City Public Service to sort out differences in order to clarify a number of matters, including entitlement and diversion rights, and the cost of water supplied to CPS cooling lakes by ACRD. He noted that they have not yet reached a final agreement with CPS on the sale of re-use groundwater, an ACRD proposal to charge CPS \$50.00 per acre-foot of water, a figure that will bring in about \$2 million per year for ACRD in total revenue requirements. He stated that CPS is asking for no escalation of that rate for a period of 14 years, and stated his belief that this will greatly reduce ACRD's purchasing power. He also stated his belief that CPS can agree to ACRD's proposal at no increase in customer bills for CPS, and estimated that the proposal would come out to about 15 cents per residential CPS customer per month in cost. He stated that ACRD has altered its five-year Master Plan to delete several projects because of the lowered revenue expectation from CPS, and that his board yesterday had voted to ask City Council to approve the sale of 40,000 acre-feet of re-use water to CPS at \$50 per acre-foot. He stated that this price will be in effect for one year, take or pay basis, beginning retroactive to February 1, 1990, and that for the ensuing years, ACRD will work with CPS on a long-term contract.

Mayor Cockrell spoke in support of the principle on which ACRD was formed, but disagreed with the ACRD board assessment of the current situation with CPS. She noted that the \$50 per acre-foot price for re-use water was only one part of a total package, and stated that CPS has so far been using the City's downstream wastewater for use in its cooling lakes at no cost, with the understanding that they would eventually begin to pay the City for it. She spoke to the recent negotiations between CPS and ACRD on the purchase price for this re-use water, and ACRD's need for a water-purchaser in order to fund its water-delivery system and thus attract other customers. She spoke to negotiations on water costs and details of the current stalemate, and noted that the City Council has only limited control over ACRD, including setting its water re-sale rates and approving its budget. She also noted that CPS has doubled its original

payment offer to ACRD in return for the moratorium on rate escalations.

In response to a question by Mr. Labatt, Mr. Marc Jahns, Assistant City Manager, explained details of the "urban waterway" and the revised ACRD "Facility Master Plan 1990-1995". He noted that the proposed cuts have reduced ACRD's total plan for the next five years from some \$24.3 million to about \$12.6 million.

Mr. Labatt, Chairman of the City Council's Water Resources Committee, addressed the negotiations underway between ACRD and CPS.

Mr. Labatt then made the following substitute motion which was seconded by Mr. Wolff:

1. City Council recommends that the ACRD Board accept the CPS money proposal as follows:

CPS will pay a grandfathered commodity rate of \$50 per acre-foot for 40,000 acre-feet on a "take or pay" basis; there will be no price escalator the first 10 years; beginning in the 11th year, a not-to-exceed 17% escalator will be added after each four years' increment through the 40-year life of the contract; the initial annual payment is \$2,000,000; ACRD Board and City Council to explore additional sources of revenue.

2. City Council approves ACRD 1989-90 Operational Budget.
3. ACRD will bring a Master Plan to City Council in 90 days.
4. No project except those items involving Lake Texana will be initiated until the Master Plan has been submitted to the City Council.
5. That the City Council will be prepared to approve a customer rate for re-use water upon being advised of a satisfactory solution of the pending CPS-ACRD contract and the determination of infrastructure costs and energy costs.

The following persons then appeared to speak:

Mr. Phillip M. Ross, Aquifer Protection Association, spoke to the large volume of water involved, some 80-100,000 acre-feet per year, and stated his opinion that the proposal is not logical. He further stated his opinion that a new City department could be set up to do this work in lieu of having ACRD, with the taxpayer paying only a minimal price for recycled water.

Ms. Ruth Lofgren, member of the 201 Area Wastewater Advisory Committee, stated her opinion that the City needs to pull in the

information on water re-use in order to develop a comprehensive Master Plan. She expressed concern that it appears to have been overlooked that re-use water is now a clean and high-quality product because of the high technical treatment plants now in operation.

Ms. Gay Phillips, Second Vice-President, League of Women Voters, advocated long-range planning in the process and asked that ACRD develop a Master Plan which should be presented to the City Council.

Mr. Don Durden, Greater San Antonio Chamber of Commerce, stated that the City must act now if it is to prevail in the litigation which he feels will be forthcoming, and that a comprehensive 30-year Master Plan for Water Resources must be developed. He further stated that the Chamber supports the re-use program to reduce the demand upon water from the aquifer.

Mr. Labatt noted that Master Plan development on water in Bexar County may be ready within 90 days, and will involve all entities.

Mr. Jahns briefly summarized the pending motion on the floor.

Mr. Tom Finlay, Assistant City Attorney, noted that the proposed Ordinance being presented today was rewritten to reflect the ACRD board decision, as recommended today by its Chairman, Mr. Harrington.

Ms. Berriozabal clarified the two pending motions, the main motion and the substitute motion, and stated her opinion that both go too far for her to vote in favor of either, today. She spoke to the need for a Master Plan to be developed first, and stated her opinion that there is no need for another governmental body such as ACRD when City staff can do the job. She addressed a number of questions raised by one citizen who attended yesterday's ACRD board meeting, and noted that she favors re-use for the water, but differs on who pays for it.

Mayor Cockrell spoke of the money to be saved by using re-use wastewater on City golf courses at \$50 per acre-foot, compared to City Water Board water from the aquifer costing more than \$200 per acre-foot.

Mr. Thompson spoke of the need to develop an overall Master Plan for water in San Antonio and Bexar County, and spoke in support of Mr. Wolff's written proposal for an ACRD Master Plan, to be described shortly. He urged the Council not to act on this matter at this time.

Mr. Labatt noted that any action on taking water from Lake Texana must come quickly or San Antonio stands the chance of losing that opportunity.

Mr. Harrington noted that ACRD now has an application before the Texas Water Commission for some 43,000 acre-feet of water from Lake Texana and asked for Council direction on whether or not to proceed with that

application. He spoke in support of a Master Plan for ACRD and a comprehensive water plan for this region.

Mrs. Dutmer spoke in support of Mr. Labatt's motion.

In response to a question by Mr. Martinez, Mr. Fox reviewed the rationale and reasons for the creation of ACRD.

Ms. Vera stated her opinion that ACRD needs to move forward aggressively to acquire the water from Lake Texana, and also plan for re-use of the City's wastewater. She spoke in support of the pending substitute motion.

In response to a question by Mr. Hasslocher, Mr. Roger Ibarra, Supervisor of Public Utilities, spoke to the CPS proposal for wastewater re-use purchase versus the ACRD proposal to use the full Cumulative Percentage Increase (CPI) escalator. He noted that, in 40 years, the CPS plan will yield some \$126 million for ACRD, while the other option would yield about \$259 million. He then addressed other projections he has made in this case. A copy of his statement and report is made a part of the papers of this meeting.

Mr. Hasslocher spoke against having a locked-in 10-year rate without any escalator clause.

Mayor Cockrell spoke to the rationale for the CPS proposal to provide ACRD with working capital in return for a fixed rate for a period of years.

Mr. Thompson stated that he feels that the City Council is not yet ready to decide these issues, and spoke in favor of postponing action for 75 days in order to allow time for ACRD and CPS to settle on a firm contract.

Mr. Jahns estimated it will cost ACRD about \$50,000 too proceed with securing water from Lake Texana and to pay other necessary costs over the next 75 days, and briefly explained some of those anticipated costs.

Mr. Thompson then made an amendment to the substitute motion to postpone action on this matter for a period of 77 days to allow time to develop an agreement between ACRD and CPS to provide funds to continue ACRD. Ms. Berriozabal seconded the motion.

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

Mrs. Dutmer stated her opinion that ACRD can sell bonds to finance its operations.

Ms. Berriozabal spoke of her concern that the citizens are having to pay three times for their water if the ACRD proposal is approved.

Mr. Hasslocher then proposed a second amended motion to the substitute motion to postpone action on this matter until 1:00 P.M. next Tuesday, April 17, 1990, and to provide interim funding for ACRD. Ms. Berriozabal seconded the motion.

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

Mrs. Dutmer stated that she would be willing to allocate an available \$50,000 in Community Development Block Grant funds for ACRD research and other uses, if necessary.

After discussion, the substitute motion to approve the ordinance per the 5-point proposal, prevailed by the following vote: AYES: Webb, Dutmer, Wing, Vera, Wolff, Labatt, Cockrell; NAYS: Berriozabal, Martinez, Thompson; ABSENT: Hasslocher.

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

AN ORDINANCE 71,384

AMENDING ORDINANCE NO. 70280 PASSED AND APPROVED ON 9/21/89 WHICH ADOPTED A PRELIMINARY FY 89-90 BUDGET OF THE ALAMO CONSERVATION AND REUSE DISTRICT (ACRD); FURTHER APPROVING THE FY 89-90 AMENDED BUDGET OF THE ACRD; AUTHORIZING THE TRANSFER OF FUND NO. 54-001, GOLF COURSE REVENUE OPERATING FUND TO THE ACRD; MAKING RECOMMENDATIONS TO ACRD CONCERNING THE ONGOING NEGOTIATIONS FOR SALE OF WASTEWATER TO CPSB, AND BRINGING FORTH A MASTER PLAN.

* * * *

90-16 The Clerk read the following Resolution:

A RESOLUTION NO. 90-16-16

APPROVING AND CONSENTING TO THE APPLICATION OF THE

ACRD TO THE TEXAS WATER COMMISSION FOR A PERMIT TO INSTALL DIVERSION FACILITIES FOR WASTE WATER ON THE MEDINA RIVER TO DIVERT, UTILIZE, TREAT AND SELL FOR REUSE GROUND WATER EFFLUENT DISCHARGED FROM THE CITY'S LEON CREEK TREATMENT PLANT, AND INSTRUCTING THE CITY ATTORNEY TO TAKE ALL ACTION NECESSARY TO SUPPORT AND OBTAIN THE APPROVAL AND ISSUANCE OF THE PERMIT.

* * * *

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

Mr. Philip M. Ross, Aquifer Protection Association, stated his opinion that diversion of waters from the Medina River will diminish the flow of water into the Applewhite Reservoir, and spoke to the need for a comprehensive water plan for this area. He also stated his opinion that large-scale wastewater re-use will be more cost-effective than the Applewhite Reservoir water.

In response to a question by Ms. Berriozabal, Mr. Marcus Jahns, Assistant City Manager, explained the ACRD application of a permit to divert Medina River wastewater flows from the present Leon Creek wastewater plant.

Mr. Leon Rochelle, ACRD attorney, explained the permit is needed to install a pump to divert the water.

In response to a question by Mr. Martinez, Mr. Tom Koch, consultant, addressed the agreement to maintain Mitchell Lake at a constant level.

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

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90-16 The Clerk read the following Ordinance:

AN ORDINANCE 71,385

ACCEPTING THE LOW BID OF R. L. JONES COMPANY IN THE AMOUNT OF \$1,452,085.00 FOR THE REHABILITATION OF A DETERIORATING SEWER SYSTEM IN CONNECTION WITH THE HIGHLAND PARK SANITARY SEWER SOUTH, PHASE I, PROJECT; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; PROVIDING \$145,208.59 FOR THE CONSTRUCTION

CONTINGENCY; AUTHORIZING PAYMENT OF AN ADDITIONAL \$15,421.07 TO GROVES AND ASSOCIATES, INC. FOR CONSTRUCTION PHASE SERVICES IN CONNECTION WITH SAID PROJECT; AND PROVIDING FOR PAYMENT.

* * * *

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

Mr. Joe Aceves, Director of Public Works, briefly explained the Ordinance.

A discussion then took place concerning street damage caused by construction projects.

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, Cockrell; NAYS: None; ABSENT: Hasslocher.

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90-16 The Clerk read the following Ordinance:

AN ORDINANCE 71,386

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APPROVING AND RATIFYING FIELD ALTERATION NO. 11 IN THE AMOUNT OF \$75,812.50 TO THE CONTRACT WITH R.D.M. CONSTRUCTION, INC., BY INCREASING THE SANITARY SEWER LATERAL QUANTITIES IN CONNECTION WITH THE PROJECT 69 RIP RAP, PHASE I; AND PROVIDING FOR PAYMENT.

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

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

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90-16 The Clerk read the following Ordinance:

AN ORDINANCE 71,387

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AUTHORIZING THE EXECUTION OF CONTRACT AMENDMENT NO.

1 TO THE CONTRACT WITH PAPE-DAWSON CONSULTING ENGINEERS, INC./VICKREY AND ASSOCIATES, INC., PASSED BY CITY COUNCIL BY ORDINANCE NO. 66786 ON MARCH 17, 1988, SO AS TO INCREASE THE CONTRACT AMOUNT BY \$22,500.00 AND TO AUTHORIZE AN ADDITIONAL 155 DAYS OF CONSTRUCTION PHASE MANAGEMENT SERVICES; APPROPRIATING \$22,500.00 AND AUTHORIZING PAYMENT TO PAPE-DAWSON CONSULTING ENGINEERS, INC./VICKREY AND ASSOCIATES, INC. FOR THE AFORESAID WORK, ALL IN CONNECTION WITH THE SANITARY SEWER RELIEF MAINS-SAWFIP CATEGORY 4, PACKAGE I PROJECT.

* * * *

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

Mr. Joe Aceves, Director of Public Works, noted that in this case, construction ran over by some 155 days, and this pays for construction management services.

In response to a question by Ms. Berriozabal, Mr. Aceves noted that this is standard operating procedure, that is, paying for work that has run longer than estimated, originally. He recommended that the City be allowed to continue doing this, to avoid having to come back to the Council several times on each contract, asking for additional funding.

A discussion then took place concerning the use of the word "ratifying" now being inserted in certain ordinances relating to wastewater plant work.

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, Cockrell; NAYS: None; ABSENT: None.

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90-16 The Clerk read the following Ordinance:

AN ORDINANCE 71,388 .

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AUTHORIZING THE EXECUTION OF CONTRACT AMENDMENT NO. 1 TO THE CONTRACT WITH BAIN MCCRARY BAIN FOR PROFESSIONAL SERVICES ON SANITARY SEWER RELIEF MAINS, SO AS TO INCREASE THE CONTRACT AMOUNT BY \$30,687.31 AND TO AUTHORIZE AN ADDITIONAL 176 DAYS OF CONSTRUCTION PHASE SERVICES; AMENDING THE CONTRACT WITH PAPE-DAWSON CONSULTING ENGINEERS, INC./VICKREY AND ASSOCIATES, INC., FOR PROFESSIONAL

SERVICES ON SUCH WORK, SO AS TO INCREASE THE CONTRACT AMOUNT BY \$7,000.00 AND TO AUTHORIZE AN ADDITIONAL 176 DAYS OF CONSTRUCTION PHASE MANAGEMENT SERVICES; APPROPRIATING \$37,687.31 AND AUTHORIZING PAYMENT, ALL IN CONNECTION WITH THE SAWFIP CATEGORY 4, PACKAGE E3 (SWIFT SIPHON REPLACEMENT) PROJECT.

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

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

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90-16 Item No. 41, being a proposed ordinance, approving and ratifying Contract Change Order No. 10 in the amount of \$13,183.95 and Contract Change Order No. 11 in the amount of \$13,781.95, to the contract with BRB Contractors for the provision of additional spare parts, programmable controller, and intercom system and the installation of an Automatic Alarm Dialer System in connection with the Category 4, Package H-Acequia Park Lift Station Project; authorizing an additional 120 days to be added to the contract time; and providing for payment, was taken up for discussion at this time.

Mr. Joe Aceves, Director of Public Works, explained why the proposed ordinance concerning Change Orders to the contract with BRB Contractors for Category 4, Package H-Acequia Park Lift Station Project, was removed from consideration by the City Manager at this time.

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90-16 The Clerk read the following Ordinance:

AN ORDINANCE 71,389 .

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APPROVING CONTRACT AMENDMENT NO. 1 TO A CONTRACT WITH PAPE-DAWSON CONSULTING ENGINEERS, INC./VICKREY AND ASSOCIATES, SO AS TO INCREASE THE CONTRACT AMOUNT BY \$17,400.00 AND TO AUTHORIZE AN ADDITIONAL 47 DAYS OF WORK; APPROPRIATING \$17,400.00 AND AUTHORIZING PAYMENT, ALL IN CONNECTION WITH THE LEON CREEK AND SALADO CREEK WASTEWATER TREATMENT PLANT IMPROVEMENTS GROUNDS UPGRADE PROJECT.

* * * *

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

Mr. Joe Aceves, Director of Public Works, explained the contract overrun and associated costs, and explained how such overruns are approved.

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, Cockrell; NAYS: None; ABSENT: None.

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90-16 The Clerk read the following Ordinance:

AN ORDINANCE 71,390 .

APPROVING AND RATIFYING CHANGE ORDER NO. 3 TO THE CONTRACT WITH MARTIN K. EBY CONTRACTORS FOR WORK ON EAST HART AVENUE TO ADDRESS STREET DRAINAGE AND TRAFFIC SAFETY CONCERNS AND ADDITIONAL SITE WORK IN THE MISSIONS NATIONAL HISTORIC PARK BY DECREASING THE CONTRACT AMOUNT BY \$15,472.34; AND PROVIDING FOR THE ADDITION OF 225 CALENDAR DAYS TO EXTEND THE CONTRACT COMPLETION DATE.

* * * *

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

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

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90-16 The Clerk read the following Ordinance:

AN ORDINANCE 71,391 .

APPROVING AND RATIFYING CHANGE ORDER NO. 3 TO THE CONTRACT WITH LEM CONSTRUCTION COMPANY, INC., TO INCREASE THE CONTRACT AMOUNT BY \$186,455.03 AND INCREASE THE CONTRACT TIME BY 36 CALENDAR DAYS IN CONNECTION WITH THE DOS RIOS WWTP FLOW EQUALIZATION PROJECT; AND PROVIDING FOR PAYMENT.



* * * *

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

In response to a question by Ms. Berriozabal, Mr. Joe Aceves, Director of Public Works, explained that the engineer on this project was Pape Dawson-Vickery & Associates, joint venture, and also explained why the ordinance was late in coming to the City Council for consideration. He noted that the costs were incurred by changes in design for the foundation.

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

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90-16 The Clerk read the following Ordinance:

AN ORDINANCE 71,392

AUTHORIZING THE ISSUANCE OF A PARADE PERMIT FOR THE SAN FRANCISCO DE LA ESPADA PARISH "GOOD FRIDAY PROCESSION"; AUTHORIZING THE CLOSURE OF CERTAIN STREETS FROM 1:00 P.M. TO 3:00 P.M. ON FRIDAY, APRIL 13, 1990, IN CONNECTION WITH SAID EVENT; AND DECLARING AN EMERGENCY.

* * * *

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

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

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90-16

CITY MANAGER'S REPORT:
FIESTA CARNIVAL

Mr. Louis J. Fox, City Manager, notified the Council that,

because of the Fiesta Carnival activities around City Hall, certain parking lots and streets will be closed and parking moved to the Rand Garage, for the duration of the carnival operations, beginning tomorrow.

* * * *

CITY MANAGER'S REPORT:
POLICY ON DOME LEASES

Mr. Louis J. Fox, City Manager, spoke regarding City Council's direction to establish policy regarding domed stadium leases. He stated that Mr. Roland Lozano, Director of Dome Development, will report on the recommendations for a set policy in this matter.

Mr. Roland Lozano, Director of Dome Development, explained that a policy was developed and a basic principle established by that policy, and briefly explained that principle.

Mr. Thompson suggested the City Council hold off signing any leases for use of the domed stadium by the World League of American Football (WLAF) until the situation is clarified on the announced plans by the National Football League to expand again, soon. He stated he does not favor binding the city to a minor league operation if there is the potential to get an NFL expansion franchise.

Mr. Lozano explained that it is not anticipated that the NFL will expand until perhaps 1994, and that the WLAF will be ready to play in certain selected American cities before that time. He then spoke to the importance of cities such as San Antonio establishing a track-record in supporting a professional football team.

Mr. Fox stated that the WLAF is a product of the NFL, and to make San Antonio a contender for a future NFL expansion team, the city must first position itself with a track-record of support for a WLAF franchise.

Mr. Martinez spoke in favor of the policy statement as outlined by Mr. Lozano.

In response to a question by Mr. Martinez, Mr. Lozano explained how the facilities revenue "blend" will mix with the goals for local small, minority and women-operated business enterprises participation.

Mr. Webb made a motion to approve the Policy as outlined. Mr. Martinez seconded the motion.

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

April 3, 1990

Honorable Mayor and Members of the City Council of the City of San Antonio
The following petition was received in my office and forwarded to the City
Manager for investigation and report to the City Council.

March 28, 1990 Petition submitted by Mr. Patricio L. Perez, Jr.
requesting the transfer of cab permits to Theresa L.
Perez.

* * * *

/s/ Norma S. Rodriguez
City Clerk

(The City Council recessed at 10:46 P.M. to convene executive
session concerning the Hyatt Regency Hotel, adjourning both executive
session and the regular meeting at 11:00 P.M.)

A P P R O V E D

Lila Cockrell

M A Y O R

Attested:

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