

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, SEPTEMBER 29, 1988.

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

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88-43 The invocation was given by Pastor David Perez, Iglesia Bethel.

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88-43 The members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

88-43 RETIREMENT OF FIRE CHIEF I. O. MARTINEZ

Mayor Cisneros took note of the pending retirement of Fire Chief I.O. Martinez and presented Chief Martinez with a Public Service Award of Merit.

Fire Chief Martinez introduced the members of his family present in the audience and spoke of his fulfilling career as Fire Chief of San Antonio.

Each City Councilmember and City Manager Louis J. Fox expressed their appreciation to Chief Martinez for his unselfish service of 36 years to the City of San Antonio.

88-43 PURCHASING DIRECTOR JOHN BROOKS

Mayor Cisneros spoke of Mr. Brooks' impact on the sanctity of the purchasing procedures of the City of San Antonio then read and presented a Public Service Award of Merit to Mr. John Brooks.

Mr. Brooks thanked the Council for the honors, and he spoke briefly of the members of the City Council and City Managers that he had served over the years.

City Manager Louis J. Fox and Councilmembers all spoke of Mr. Brooks' excellent record of service.

88-43

BILL TILNEY

Mayor Cisneros spoke of the great assistance provided by Special Assistant Mr. Bill Tilney who was part of the Pierson Program under the State Department. He asked Mr. Tilney and his wife to come forward and spoke of Mr. Tilney's excellent work in international relations and thanked him on behalf of the City of San Antonio.

Mr. Tilney thanked the Mayor and Council for the honor and for the experience in working in municipal government.

88-43

JAPAN WEEK

Mayor Cisneros read a proclamation designating October 8 - 16, 1988 as "Japan Week" in San Antonio and he asked Mr. Bill Tilney to assist him in making this special presentation.

Dr. Margit Nagy spoke of and invited City Council members to the various activities in conjunction with "Japan Week" in San Antonio and she presented Mayor Cisneros with a special Japanese certificate.

88-43

FERNANDO RAMIREZ

Mayor Cisneros introduced Mr. Fernando Ramirez, present in the audience, and spoke of his service to the community as San Antonio Area Manager, Office of Personnel Management, United States Air Force. He noted that Mr. Ramirez has been promoted to Area Manager for the Los Angeles, California OPM. Mayor Cisneros then spoke of the loss of Mr. Ramirez and his wife, Marta Tijerina Ramirez, who have given their great talents to San Antonio for a number of years. He then read and presented a Citation to Mr. Ramirez on behalf of the City Council.

Mayor Cisneros and members of the City Council jointly presented the Citation to Mr. Ramirez.

Ms. Berriozabal offered her personal thanks to Mr. Ramirez for his civic and professional work in San Antonio.

Mr. Ramirez spoke briefly about his work in San Antonio and thanked the Mayor and Councilmembers for the honor.

88-43KARATE KIDS

Mayor Cisneros introduced Vickie and Jason Tapia, seven and eight years old respectively, brother and sister winners of the Drug Prevention Poster contest sponsored by the Karate Kids of San Antonio "Just Say No to Drugs" program. He then presented special San Antonio All America City t-shirts to the two winners for their winning poster contest on behalf of drug prevention.

Mr. Richard Duffy, representing the Presa Community Center, thanked the two winners as well as the Mayor and Council for funding anti-drug youth programs in San Antonio and he presented special caps to the Mayor, Ms. Berriozabal and Mrs. Dutmer, representatives of the community area including the Presa Community Center.

Mrs. Dutmer spoke of the youth programs underway at the Presa Community Center.

88-43UNITED WAY/NORTHEAST YMCA

Mayor Cisneros introduced representatives of the United Way/Northeast YMCA "Just Say No" soccer clinic, those being Mr. Robert Reid, Mr. Richard Strapp, both representing Youth Soccer Clinics of America, and the Fitness First Sports Association.

Mayor Cisneros noted that a check for \$27,000 will be presented to the Northeast YMCA, United Way Agency, which are proceeds raised by the Youth Soccer Clinics of America and a "Just Say No" Soccer Clinic program held at Lady Bird Johnson Park hosted by professional basket ball star Robert Reid.

Mayor Cisneros then addressed the importance of the anti-drug youth work in San Antonio and elsewhere.

Mr. Joe Bueno, representing the Northeast YMCA, accepted the check on behalf of his agency and thanked the YMCA for its contributions to local efforts.

The visiting group then presented special t-shirts and soccer balls to the Mayor and all City Councilmembers.

88-43 The minutes of the City Council meeting of September 8, 1988 were approved as presented.

88-43 The Clerk read the following Ordinance:

AN ORDINANCE 67,968

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS, RELATING TO THE ISSUANCE AND SALE OF \$21,935,000 "CITY OF SAN ANTONIO, TEXAS GENERAL IMPROVEMENT BONDS, SERIES 1988-A", \$11,200,000 "CITY OF SAN ANTONIO, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 1988-B", \$3,850,000 "CITY OF SAN ANTONIO, TEXAS TAXABLE COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 1988-C", AND \$3,500,000 "CITY OF SAN ANTONIO, TEXAS TAXABLE COMBINATION TAX AND MUNICIPAL HOTEL OCCUPANCY TAX REVENUE CERTIFICATES OF OBLIGATION, SERIES 1988", INCLUDING THE APPROVAL AND DISTRIBUTION OF A NOTICE OF SALE AND OFFICIAL STATEMENT IN CONNECTION WITH THE ISSUANCE AND SALE OF THE BONDS AND CERTIFICATES; AUTHORIZATION TO PROCEED WITH THE GIVING OF NOTICE OF INTENTION TO ISSUE THE CERTIFICATES; AUTHORIZING THE PUBLIC ADVERTISEMENT FOR THE SALE OF THE BONDS AND CERTIFICATES; AND DECLARING AN EMERGENCY.

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

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

88-43

MAYOR'S FALL REPORT

Mayor Cisneros then read the following statement:

"Two weeks ago, I announced I would not seek re-election to the Office of the Mayor in 1989. Since then we have been busy finishing out our work on the budget and working on other major decisions. Last week's Council agenda alone included six important areas of decision - the small business report, the conclusion of the committee on VIA's street funding obligations, the Council vote on the CPS privatization study, the setting of the stadium election date, the report on the inadequacy of the Applewhite petition, and the close-out ordinances on the budget.

"As a result of these time-pressed items, I have not had the opportunity to share some thinking with you about the months ahead. There has been some discussion among political observers about the "lame duck" pattern that is likely to set in for me. I assure you, from my part, there will be no let up of energy, diligence, or devotion to San Antonio until midnight of the day before the next mayor takes office. As for how people, including you on the City Council relate to me, I expect some gravitation to the new set of political realities. But I will be frank with you, there is a work program we are here to see through and which I believe is in San Antonio's interest. Today, I wish to seek your cooperation to stay with our program.

"I think that the eight months that remain in our term - roughly October 1 to May 31, 1989 - can be divided into three major periods. The first is from the present until January 21st, which is the date of the stadium election. Until then, there is a political momentum and political energy that will go into that election. We will do our work here in City Hall, of course, and meet on many other subjects every Thursday, but the principal focus of public interest will likely be on the stadium election, especially in December and January.

"The second period will be roughly from February 1st to May 6th, the date of the city election. During that period, the political focus will be on the Mayoral and Council elections as it should be.

"The third period will be from the date of the city elections, including any run-off on May 27 election, to the actual end of the term on May 31st. The last period of 30 days or so will be given over to transition briefings and working with the next Mayor and any new Councilmembers on preparing for the start of the new term.

"Thus, these three periods will fill out the last eight months of our work together as a Council. It is not an inconsequential amount of time; in fact, 8 months is fully one-third of our 24-month term yet to go.

"How to use those eight months to keep the business of government in San Antonio moving ahead - that is the question I want to take up with you today. I have concluded that I can do that best by being very direct with you about what I would like to see us do in this period. I have set out a list in rough priority order of how I expect to be allocating my time, in part to seek additions to my list from your priorities and in part to solicit your concurrence with this as a desirable work agenda.

"Leaving aside the stadium as a priority with me because I know the Council is divided over it and because it will be decided by the voters anyway and there is little more we can do about it sitting as a Council, I would share with you the following priorities:

ACTION ON THE WATER PLAN: The separate elements of the water plan require separate actions. For example, the allocation plan is very complex and requires adoption into law by the Texas Legislature. That means the period between now and January will be devoted to drafting a bill, briefing our legislative delegation, briefing statewide water officials, and trying to forge a regional compromise on the details. To do this, the Joint Water Committee will start meeting again next Thursday morning. This whole task may be greatly complicated if groups in Medina and Uvalde counties succeed in calling elections to withdraw from the Edwards District; a good deal of time will have to be devoted to the situation.

The conservation portions of the plan need to be started in earnest to meet the mid-November update the Council requested. The Council should also set a briefing from Frank Kiolbassa on the status of the re-use program. As to Applewhite, the City Water Board is moving ahead with design and engineering, but Becky Cedillo and the staff of the new Water Department she heads should provide Council a periodic briefing on the amendments to the Applewhite ordinance which included efforts to eliminate all sewage treatment discharges into the Medina and to create a critical land use zone. The Council will also be asked on December 1st to vote on bonds and a City Water Board rate adjustment in part related to proceeding on the surface water program.

RAISING MONEY FOR THE EDUCATION ACCORDS SCHOLARSHIPS: My task is to raise a sum of money sufficient to offset the loan portion of the college financial package with grants and scholarships. The goal is to create a sufficiently large endowment that the interest funds generated can be used to assure that the college financial package is as much a full scholarship as possible.

As you know, a partnership has been created to advance education in the poorest performing school districts in San Antonio. The San Antonio Chamber of Commerce, the IAF organizations, 6 school districts and 8 colleges and universities have combined to make a promise to graduating seniors, beginning with the class of 1989 that if they attend school 95% of the time and achieve a "B" grade ratio, they are assured of a 4-year financial package to college or preferential access to a career-ladder job. The high schools involved are Sam Houston, Southside, Southwest, Harlandale, Lanier, Memorial, Edison, and South San.

This is not a municipal issue per se; however, because there is no more critical determinant of San Antonio's future than education, I have allocated a high priority in expenditure of my personal time to raise these scholarship funds and would enlist your support in the effort.

FIVE YEAR CAPITAL PROGRAM: The Public Works Director has been working on a five-year capital improvements program. The importance of that plan is that it will provide the basis for a future series of

bond issues. You will recall that one of the commitments we made in 1987 as part of our drive for the November, 1987 \$140 million dollar streets and drainage bond election was that we would set forth a five year program.

Whether or not the Council is in position to schedule a May bond election or wishes to wait until later, it is important to bring the five-year plan to conclusion. I propose we continue to work with Joe Aceves and schedule the necessary Council work sessions.

PRESSING OUR ANTI-CRIME INITIATIVES: There are a number of actions we must take to continue strengthening our municipal law enforcement agencies to combat crime. Among the most important is Council action to resolve the pending four-year police contract. That would be a contract of unprecedented duration and scope, and would create the stability in police labor-management relations that would allow other elements of our program to have maximum effect. We must monitor progress on both the construction and the instructional programming of the Police Training Center as well as assure that the 100 additional police officers we authorized budgetarily, are properly trained and integrated into the force. I would also like to see us schedule a work session with Chief Gibson to hear of progress on his five-year working plan for enhancing the Department.

The Anti-Crime Coordinating Committee which Judge Vickers and I chair will be offering a 1989 legislative program for our region, including support for a maximum security prison in Karnes County and a minimum security facility in Atascosa County. Resolutions of support for those facilities will be introduced to the Council next week.

ESTABLISHING THE HOUSING TRUST FUND: Several weeks ago we acted to establish a Housing Trust Fund and started a renewed drive for downtown and central city housing. Our first actions must be to carefully select the Trustees of the fund and the members of the advisory groups intended to stimulate housing ideas and projects. A time should be scheduled to deliberate on those selections.

We also need to begin thinking about sources of funds that will constitute the endowment of the Trust. I have proposed that we apply a portion of the anticipated Rogers Cable monies (i.e., 1/3 to Housing Trust Fund, 1/3 to streets, 1/3 to the Library); proceeds from the sale of the Hyatt land; and proceeds from the sale of other City lands. We also should consider a future revenue stream that can be dedicated to reliably expanding the Trust Fund.

ACTING ON THE SMALL BUSINESS STRATEGY: Last week we concluded a very productive process of focusing attention on small and minority business development. It is now essential that we act to put in place the advisory committee that will play such a key role in setting goals and putting the recommendations in place.

PROCEEDING WITH THE MAJESTIC PROJECT: The remaining public action on the Majestic Project will be recommended to the Council today. It changes the configuration of the financing and requires adding to the certificates of obligation dedicated to this project. After months of deadlines, negotiations, and near-misses with financing, this is the only arrangement that will allow the project to close in time to meet the sellers final date. Assuming the Council action today is positive, the project can be under construction in several weeks and ready for completion in the same general time-frame as the Tri-Party improvements on Houston Street.

COMPLETING THE PARK IMPROVEMENTS IN HEMISFAIR: We finally have a complete vision for the Hemisfair area. The City is receiving many compliments from citizens and visitors alike on the central water park area. I think on the whole, it will end up being one of the nation's best re-uses of a world's fair site.

There are only two portions that remain unfinished - one is the southwest area at Durango and Alamo and the other is the acreage deeded to UTSA. I would like to schedule an architectural and construction update for the City Council on the southwest area plan. Next week, Mr. Leathers, the architect who will work with school children to build the children's park, will be in the city. I hope you can meet him. To make the plan come together on schedule, we need to monitor David Garcia's progress in locating a substitute site for the USO with the money we budgeted for that purpose.

The other area that needs to be pushed along is the UTSA tract. I recently met with Dr. Wagener to conclude the landscape and building plan for those six acres. They should also be presented to the Council. We are now focusing on the possibility of financing of some of the plan by the University of Texas System and have scheduled a meeting with Dr. Hans Mark to that end.

REACHING A RESOLUTION ON THE UTSA GRADUATE PROGRAM: This is another subject that is not explicitly a municipal issue, but it is so important to the community that our leadership be supporters that I feel the Council should be apprised of progress. The issue is the timetable on which various masters and Ph.D programs are added at UTSA. The programs are masters degrees in engineering and biotechnology as well as Ph.D's in educational administration, biology, computer science, and engineering. Dr. Hans Mark, Chancellor of the UT System, will be in San Antonio next week for a meeting with educational leaders to hammer out a schedule for these critical curriculum additions.

DECIDING ON THE RELOCATION OF THE MAIN PUBLIC LIBRARY: As you know, there has been much speculation and even confusion on the process of deciding and on the merits of moving the Main Library. We need to sit down in a special work session with Joan Mellard and the Library Board to formally receive their site recommendation and to review the various possibilities for financing it. The use of a portion of the

Rogers Cable monies as I described earlier and the possibility of a "quality of life" bond issue in 1989 are the likeliest sources of funding for such a major capital item as a new main library. A solid review of all the possible financial approaches should be completed by our staff before the work session.

EARLY WORK ON A POSSIBLE QUALITY OF LIFE BOND ISSUE: Some consideration ought to be given to this subject either in November or December. I suspect the likelihood of undertaking such a bond issue depends in some measure on the outcome of the stadium election. It also depends on how Councilmembers view the political climate surrounding the Mayoral and Council races. But waiting for the stadium election to even look at the subject would put it off until past January 21st and begin to push against the legal deadline for calling the May election on March 2nd. Therefore, at least some consideration subject should be given the matter this Fall. Among the possible subjects for a "quality of life" bond package are the Library Capital Plan, Texas Research Park Infrastructure, Literacy Centers, Housing Trust Fund, One Stop Business Center, and Improvements to the Northern section of the Riverwalk.

ACTING ON THE 1988 ANNEXATION: The Annexation Committee will report today on the proposed annexation areas for 1988. As you know, there are a series of hearings and Council votes which must occur before an annexation can be made effective. We will also want to review the service plans and capital improvement needs of the proposed areas.

MONITORING THE PROGRESS OF TRI-PARTY: The issue here is not so much physical changes in the Tri-Party plan as it is working to minimize the damage to area businesses. I would like the Council to be more involved in determining exactly what we can do to reduce the worst effects for downtown merchants.

In a related effort, it would be helpful to create a more cohesive representation of the downtown businesses themselves by bringing together the Downtown Owners Association, the new Downtown Council, and the Retail Management Group. I will devote time to that task.

INCREASING THE NUMBER OF LITERACY CENTERS: Councilwoman Vera has made a very persuasive case that a network of literacy centers can be linked to our branch libraries and to neighborhood schools in order to address adult illiteracy and job-related training. Beyond the funds in the City budget for this purpose is the possibility of attracting corporate support for such efforts by leveraging the capital funds that might be generated from the "quality of life" bond issue. The idea of such literacy centers is a good one and deserves our time and attention.

OTHER PRIORITIES FOR THE TERM: Other projects which warrant our attention include the following:

- * Supporting the build-up of the Texas Research Park in order to

- * assure the most rapid creation of jobs there;
- * Stabilizing the Austin-San Antonio Corridor through the transition of mayors, first in Austin, then in San Antonio;
- * Acting on the specific ordinances and city regulations recommended by the Day Care Committee;
- * Working with the Open Space Committee on their recommendations concerning aquifer flood plain and watershed protections, as well as opportunities for use of other area water features for parks, jogging paths, lakes, and nature trails;
- * Receive Tom Brereton's report from the committee on regionalization of appropriate city services; and,
- * Finally resolve the status of the Sheraton Project at the end of the pending 60-day period.

"We have come a long way together; there remains some distance yet to go. Some of the projects I have described are on a schedule to be completed during this term; in other cases, we simply do our duty on our watch to keep the City's momentum going into the next term. I firmly believe that a major dimension of San Antonio's relative political consensus has been the willingness to act, to decide, to commit, to involve, to include, and to invest in the future.

"Jose Marti, the Cuban hero, once observed;

"Los hombres del mundo van en dos bandos; Los que odien y destruen y los que aman y fundan."

"Roughly translated: "People fall into basically two categories; those who hate and destroy or dismantle and those who love and build or create."

"You have proven you care deeply about San Antonio. Now let us continue...we will continue to build, to create, to do our duty and to share the bountiful harvest with all the people of San Antonio."

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Mayor Cisneros stated that he hoped the City Council does not lose its forward momentum during the remainder of his final term as Mayor.

Mr. Labatt stated that he will continue to work for the common good of the City and he spoke of a need to look at the financial considerations involved. He also stated that the City needs to consider possible Charter revision as well.

Mayor Cisneros stated that the Council probably will need to consider Charter revision and fluoridation some time after January.

Mr. Wolff stated that he would be working with the Council on major issues despite the Mayoral race.

Ms. Berriozabal thanked the Mayor for his hard work for the City over the years and spoke to the importance of the downtown work, Hemisfair Park, the Library and the Housing Trust Fund, in particular. She then asked for citizen resumes for Housing Trust Fund board membership.

Mrs. Dutmer spoke of four areas of concern that she has in the Mayor's report.

Mayor Cisneros asked the City Council for its future support for the Austin/San Antonio Corridor and he then handed out a recent news magazine (U.S. News and World Report) story concerning the Austin/San Antonio Corridor (a copy of which is on file with the papers of this meeting).

88-43

PRISONS

Mayor Cisneros distributed copies of a proposed resolution that he asked be placed on the "A" session next week to deal with the matter of prisons to be located, hopefully in two South Texas counties. A copy of the request and resolution is made a part of the papers of this meeting.

Ms. Berriozabal made a motion to place this item on the "A" session for the October 6th meeting. Mr. Hasslocher seconded the motion.

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

88-43 CONSENT AGENDA

Mr. Thompson made a motion to approve Agenda Items #8 - 47, constituting the Consent Agenda, with the exception of Items #21, 32, 46, & 47, which were pulled for individual consideration. Mrs. Berriozabal seconded the motion.

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

AN ORDINANCE 67,969

ACCEPTING THE LOW BID OF MAX GRIGSBY COMPANY, INC.

TO FURNISH THE CITY OF SAN ANTONIO ENVIRONMENTAL
MANAGEMENT DEPARTMENT WITH LABORATORY EQUIPMENT FOR
A TOTAL OF \$11,107.00.

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AN ORDINANCE 67,970 .

ACCEPTING THE LOW BID OF GILLESPIE MOTOR COMPANY
TO FURNISH THE CITY OF SAN ANTONIO HUMAN
RESOURCES DEPARTMENT WITH A ONE TON TRUCK FOR A
TOTAL OF \$12,090.00.

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AN ORDINANCE 67,971 .

RATIFYING THE ACTION OF THE CITY MANAGER AND
ACCEPTING THE PROPOSAL OF HOWELL CRANE AND
RIGGING COMPANY, INC. TO FURNISH THE CITY OF SAN
ANTONIO WITH EQUIPMENT AND MANPOWER DURING THE
TORNADO CRISIS FOR A TOTAL OF \$3,529.50.

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AN ORDINANCE 67,972 .

CANCELLING THE CONTRACT OF ROBERT SANTOS
CONSTRUCTION COMPANY FOR ROOFING AT THE OAKWELL
BRANCH LIBRARY AND AWARDING IT TO HINES & MASSEY
ROOFING, INC. FOR A TOTAL OF \$9,923.00.

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AN ORDINANCE 67,973 .

ACCEPTING THE LOW BIDS OF HERTZ CORPORATION AND
SOUTHWEST TEX LEASING COMPANY, INC. TO FURNISH
THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH
TASK FORCE VEHICLES FOR AN ESTIMATED TOTAL OF
\$160,000.00.

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AN ORDINANCE 67,974 .

ACCEPTING ANNUAL CONTRACTS TO FURNISH THE CITY OF
SAN ANTONIO WITH VARIOUS MATERIALS AND SERVICES
FOR THE 1988-89 FISCAL YEAR.

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AN ORDINANCE 67,975

ACCEPTING THE BID OF PAUL SWORD CONSTRUCTION, INC., IN THE AMOUNT OF \$484,420.00 FOR THE RE-MODELING OF THE LAKE PAVILION AT HEMISFAIR PARK.

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AN ORDINANCE 67,976

ACCEPTING AN AIRPORT IMPROVEMENT PROGRAM GRANT FROM THE FEDERAL AVIATION ADMINISTRATION; APPROPRIATING LOCAL MATCHING FUND; AND APPROVING BUDGETS FOR THE TAXIWAY R CONSTRUCTION PROJECT AND THE AIRPORT RESCUE AND FIREFIGHTING VEHICLE ACQUISITION PROJECT.

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AN ORDINANCE 67,977

APPROVING FIELD ALTERATION NO. 1, IN THE AMOUNT OF \$49,32.00, TO THE CONTRACT WITH CARLOS GUAJARDO & COMPANY, INC. FOR THE TERMINAL IMPROVEMENTS - PACKAGE 1, AT SAN ANTONIO INTERNATIONAL AIRPORT; APPROVING A REVISED BUDGET FOR THE PROJECT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 67,978

AUTHORIZING AN ADDITIONAL \$5,508.11 FOR ENGINEERING FEES PAYABLE TO GARCIA & WRIGHT CONSULTING ENGINEERS, INC., RELATED TO THE BABCOCK ROAD FROM HUEBNER TO DE ZAVALA PROJECT.

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AN ORDINANCE 67,979

AUTHORIZING FIELD ALTERATION NO. 32 IN THE AMOUNT OF \$4,075.00 PAYABLE TO H.B. ZACHRY COMPANY, IN CONNECTION WITH THE ASHBY STREET DRAINAGE PROJECT NO. 30 & 31.

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AN ORDINANCE 67,980

AUTHORIZING CITY WATER BOARD FIELD ALTERATION NO.

3 IN THE AMOUNT OF \$17,542.10 PAYABLE TO V.K. KNOWLTON PAVING CONTRACTOR, INC., IN CONNECTION WITH THE WEST AVENUE FROM BITTERS ROAD TO LOCKHILL-SELMA PROJECT.

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AN ORDINANCE 67,981 .

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$288,052.50 WITH CHESNEY-MORALES & ASSOCIATES, INC. FOR DESIGN SERVICES RELATED TO THE REPAIR AND RENOVATION OF THE LILA COCKRELL THEATRE, BEETHOVEN HALL AND THE HEMISFAIR ARENA; AND APPROVING \$10,500.00 FOR DESIGN CONTINGENCIES AND BID ADVERTISING EXPENSES.

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AN ORDINANCE 67,982 .

AUTHORIZING FIELD ALTERATION NO. 2 IN THE AMOUNT OF \$55,598.34 PAYABLE TO JOHN YANTIS COMPANY, IN CONNECTION WITH THE WEST COMMERCE STREET DRAINAGE PROJECT NO. 58E.

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AN ORDINANCE 67,983 .

AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$92,200.00 TO WAGNER CONSTRUCTION CO., INC., AND AUTHORIZING \$9,220.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES ASSOCIATED WITH THE REPAIR OF THE BRIDGE ON SOUTH ROLAND STREET AT MARKET.

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AN ORDINANCE 67,984 .

AWARDING CONSTRUCTION CONTRACT TO THE LOW BIDDER, T & F CONSTRUCTION COMPANY, FOR THE CONSTRUCTION OF THE NELSON GARDENS LANDFILL WEIGH STATION PROJECT IN THE AMOUNT OF \$35,939.00 WITH AN ADDITIONAL \$3,593.90 FOR A CONSTRUCTION CONTINGENCY.

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AN ORDINANCE 67,985 .

APPROPRIATING ADDITIONAL PROFESSIONAL SERVICES

FUNDS PAYABLE TO RABA-KISTNER CONSULTANTS, INC.
FOR THE PEARSALL ROAD LANDFILL LEACHATE ABATEMENT
PROJECT.

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AN ORDINANCE 67,986

AWARDING A CONSTRUCTION CONTRACT TO DU-MOR
ENTERPRISES FOR THE PEARSALL ROAD LANDFILL
GROUNDWATER RECOVER SUBDRAIN PROJECT, IN THE
AMOUNT OF \$97,278.00; AND AUTHORIZING \$2,555.04
FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY
EXPENSES.

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AN ORDINANCE 67,987

AUTHORIZING THE EXPENDITURE OF THE SUM OF
\$11,485.00 OUT OF VARIOUS FUNDS FOR THE PURPOSE
OF ACQUIRING TITLE AND OR EASEMENTS TO CERTAIN
LANDS; ALL IN CONNECTION WITH CERTAIN
RIGHT-OF-WAY PROJECTS. (PACIFIC DRAINAGE PROJECT
#66A; BARBARA DRIVE DRAINAGE PROJECT #73A & B;
LEE HALL, ETC. STREET PROJECT;

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AN ORDINANCE 67,988

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH
GARRY BALES AND ASSOCIATES TO PERFORM
RIGHT-OF-WAY ACQUISITION APPRAISAL SERVICES FOR
THE OJEDA PARK EXPANSION PROJECT AND AUTHORIZING
PAYMENT.

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AN ORDINANCE 67,989

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH
GEORGE SCOTT BINFORD TO PERFORM RIGHT-OF-WAY
ACQUISITION APPRAISAL SERVICES FOR THE LOCKHILL
SELMA ROAD/LORENE LANE REALIGNMENT PROJECT AND
AUTHORIZING PAYMENT.

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AN ORDINANCE 67,990

APPROVING A LICENSE AGREEMENT BETWEEN THE CITY OF

SAN ANTONIO AND HAYDEN TRANS-TOOL COMPANY TO ENCROACH ON CITY RIGHT-OF-WAY TO INSTALL OVERHEAD TELEPHONE WIRING BETWEEN LOT 2, NEW CITY BLOCK 1495 AND LOT 11, NEW CITY BLOCK 1494 AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE SAID LICENSE AGREEMENT FOR A TOTAL CONSIDERATION OF \$500.00.

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AN ORDINANCE 67,991 .

AUTHORIZING A LEASE WITH HOSPITALITY CONCEPTS, INC., D/B/A GUIDO KELLYS, FOR USE OF CITY-OWNED LAND FOR OUTDOOR DINING SPACE.

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AN ORDINANCE 67,992 .

ACCEPTING A CONTRIBUTION OF \$80,000.00 FROM THE UNITED SERVICES AUTOMOBILE ASSOCIATION FOR PURCHASE OF COMPUTER EQUIPMENT FOR THE INITIAL PILOT LEARNING AND LEADERSHIP DEVELOPMENT CENTER (LLDC) AT OUR LADY OF THE LAKE UNIVERSITY IN THE SAN ANTONIO LITERACY PROGRAM; ESTABLISHING A FUND FOR THE PROGRAM; AND APPROPRIATING FUNDS.

* * * *

AN ORDINANCE 67,993 .

APPROVING AND AUTHORIZING THE EXECUTION OF A CONTRACT WITH LAMB & LERCH, ATTORNEYS AT LAW IN THE AMOUNT OF APPROXIMATELY \$10,000.00 FOR A TWELVE MONTH PERIOD FOR FOREIGN-TRADE ZONE (FTZ) COUNSEL.

* * * *

AN ORDINANCE 67,994 .

CONTINUING THE DEPARTMENT OF DEFENSE COOPERATIVE AGREEMENT FOR THE PROCUREMENT OUTREACH PROGRAM DATED SEPTEMBER 1987 BY EXTENDING THE PERIOD OF PERFORMANCE FOR A ONE MONTH PERIOD.

* * * *

AN ORDINANCE 67,995 .

CONCURRING THE ALAMO PRIVATE INDUSTRY COUNCIL'S

RECOMMENDATIONS AND AUTHORIZING THE CITY MANAGER TO AMEND THE JOB TRAINING PARTNERSHIP ACT (JTPA) TITLE IIB PLAN AS APPROVED IN ORDINANCE NO. 66759 DATED MARCH 10, 1988.

* * * *

AN ORDINANCE 67,996

AUTHORIZING PAYMENT OF \$7,280.00 TO THE AIRPORT OPERATORS COUNCIL INTERNATIONAL FOR 1988-89 MEMBERSHIP DUES.

* * * *

AN ORDINANCE 67,997

AUTHORIZING THE CITY MANAGER TO ACCEPT A GRANT FOR \$35,826.00 FROM THE NATIONAL INSTITUTE OF JUSTICE TO SUPPORT A "DRUG USE FORECASTING" PROGRAM IN SAN ANTONIO.

* * * *

AN ORDINANCE 67,998

AUTHORIZING PAYMENT OF \$10,125.00 TO CATERING BY ROSEMARY FOR SERVICES RENDERED IN CONNECTION WITH THE CITY'S HOSTING OF THE KUMAMOTO WINGS OF FRIENDSHIP DELEGATION.

* * * *

AN ORDINANCE 67,999

AUTHORIZING PAYMENT OF \$5,000.00 FOR HOSTING EXPENSES RELATED TO THE JAPAN-TEXAS ASSOCIATION CONFERENCE.

* * * *

AN ORDINANCE 68,000

AUTHORIZING PAYMENT OF HOTEL EXPENSES FROM THE VISIT BY KUMAMOTO MAYOR YASUMOTO TAJIRI'S DELEGATION TO SAN ANTONIO.

* * * *

AN ORDINANCE 68,001

AUTHORIZING THE CITY OF SAN ANTONIO TO RENEW THE

ANNUAL UNEMPLOYMENT COMPENSATION MANAGEMENT AGREEMENT WITH AUTOMATIC DATA PROCESSING (ADP OF SAN ANTONIO) AT AN ESTIMATED ANNUAL COST OF \$13,140.84.

* * * *

AN ORDINANCE 68,002 .

AUTHORIZING THE PURCHASE OF A ONE-YEAR POLICY TO RENEW THE BOILER & MACHINERY EQUIPMENT POLICY FOR PHYSICAL DAMAGE TO OBJECTS SCHEDULED IN POLICY NO. CRJ-626211.

* * * *

AN ORDINANCE 68,003 .

AUTHORIZING THE RENEWAL OF THE COMPREHENSIVE 3-D BOND AND THE PUBLIC EMPLOYEES BLANKET BOND INSURANCE POLICIES.

* * * *

AN ORDINANCE 68,004 .

AUTHORIZING THE RENEWAL OF A PUBLIC OFFICIALS BOND FOR THE CITY'S FINANCE DIRECTOR, CARL L. WHITE.

* * * *

88-43 The Clerk read the following Ordinance:

AN ORDINANCE 68,005 .

AUTHORIZING FIELD ALTERATION NO. 1 IN THE AMOUNT OF \$1,284,948.00 PAYABLE TO SPAW-GLASS CONSTRUCTION SERVICES, INC. IN CONNECTION WITH THE POLICE TRAINING AND CAREER DEVELOPMENT CENTER.

* * * *

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

In response to a question by Mr. Labatt, Mr. Joe Aceves, Director of Public Works, discussed the reasons for the large field alterations in the Police Training Center project.

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

88-43 Agenda Item #32, being a proposed ordinance approving a lease agreement with First Church of Christ Scientist-San Antonio for space at HemisFair Parking Garage, was pulled earlier from consideration by the City Manager.

88-43 The Clerk read the following Ordinance:

AN ORDINANCE 68,006

EXTENDING BY ADDENDUM FOR A PERIOD OF ONE YEAR
THE TEXAS MUNICIPAL LEAGUE (TML) WORKERS'
COMPENSATION SELF-INSURANCE FUND THREE-YEAR
CONTRACT AS PASSED IN ORDINANCE NO. 63903 ON
OCTOBER 30, 1986.

* * * *

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

In response to a question by Mr. Labatt, Mr. Carl White, Finance Director, discussed details of the large escrow account from which the City pays its claims each year. Mr. White then noted that the account does draw a certain amount of interest.

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

88-43 The Clerk read the following Ordinance:

AN ORDINANCE 68,007

SETTING DATES, TIMES AND LOCATIONS FOR PUBLIC
HEARINGS ON PROPOSED ANNEXATIONS AND DIRECTING
THE PREPARATION OF SERVICE PLANS.

* * * *

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

Mr. Webb noted that certain estimates show a net gain of about one-half million dollars a year because of these proposed annexations and he stated that he fears further dilution of fire and police services should the City continue to annex additional property. He asked the Annexation Committee to halt any further annexations and he stated further that annexation adversely impacts the inner city. He stated that he would oppose these annexations.

Ms. Berriozabal recalled asking for a full staff report well ahead of these proposed annexation matters concerning financial considerations and the impact on present city services. She stated that she feels more annexation would dilute fire and police forces available to other city areas and she noted that the Police Officers' Association also has concerns with staffing these new areas. Ms. Berriozabal stated that she would be voting against more annexations.

Mr. Roland Lozano, Director of Planning, spoke to the location of a new city fire station which was located and sited to serve the Great Northwest area when it was annexed. He noted that the City will be adding more police officers, 33 of which are needed to service these new areas being annexed. He then addressed plans to repair streets in proposed newly annexed areas and he noted that the new revenues generated by these new annexations will pay for needed city services.

Ms. Berriozabal noted that inner city areas already have less than adequate city services.

In response to a question by Mr. Wolff, Mr. Lozano spoke of the acquisition of a private water system in one of the annexed areas.

Mr. Wolff stated that he wants a water commitment in place before the City Council moves to annex these particular areas and he spoke in general support of the annexation if all necessary services are present and documented.

Mrs. Dutmer noted that public hearings will let people speak out about the proposed annexations before the Council and she addressed support of annexation of the two new city golf course areas.

Mr. Lozano spoke to the timetable for the public hearings and for final annexation actions.

Ms. Vera spoke in support of the public hearings but voiced her concern with the ability to serve all areas of the city.

Mr. Hasslocher stated that he feels his Annexation Committee has been sensitive to the impact of fire and police services of these annexations in their recommendations.

Mr. Labatt asked the City Manager for certain data at the first public hearing date concerning where the money will be coming from to service these areas to pay for the services being provided by the city.

Mr. Charles J. Fey, 5510 Timberback, representing the Great Northwest Community Improvement Association, stated that his group's survey in a proposed newly-annexed areas indicate 63% of the residents surveyed are in opposition to annexation. He asked for a delay in the annexation in order to dilute the impact on higher taxes. He stated further that annexation will dilute city services from other areas of the city.

Mr. David G. Flores, Vice-President, Northwest Community Improvement Association, stated that his group feels that purchase of the private water company involved with save his homeowners on their costs and he feels such purchase is necessary.

Mr. Brian J. Erickson, Community Manager for the Northwest Community Improvement Association, stated that a majority of the residents in his area are against annexation at this time and he addressed the reasons for that opposition.

Dr. Martin Meltz, Northwest Community Improvement Association, spoke of the succession of tax and fee increases facing residents in his area and stated further that annexation will bring hostility from homeowners. He asked the Council reject this call for public hearings and await at least three years before considering annexation for these areas.

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

- - -
 88-43 Agenda Item 48, being a proposed ordinance accepting the high bids(s) received in connection with City funds available for deposit in interest-bearing certificates of deposit, was pulled earlier from consideration by the City Manager.

- - -
 88-43 The Clerk read the following Ordinance:

AN ORDINANCE 68,008

AUTHORIZING PAYMENT OF REFUNDS TO PERSONS MAKING OVERPAYMENTS OR DOUBLEPAYMENTS ON 6 TAX ACCOUNTS.

* * * *

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

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

- - -
88-43 Agenda Item 50, being a proposed ordinance related to the Majestic-Brady Project, was temporarily bypassed for consideration later in the meeting.

- - -
88-43 The Clerk read the following Ordinance:

AN ORDINANCE 68,009

AMENDING THE ADMINISTRATIVE CONTRACT FOR THE DOWNTOWN IMPROVEMENT SPECIAL ASSESSMENT DISTRICT BETWEEN THE CITY AND DID, INC., APPROVED BY ORDINANCE NO. 66462 ON JANUARY 18, 1988, TO INCREASE THE FIRST YEAR AMOUNT BY \$18,287.48 TO BE REIMBURSED FOR STARTUP COSTS, APPROPRIATING FUNDS AND AUTHORIZING PAYMENT; AND APPROPRIATING \$36,000.00 AND AUTHORIZING PAYMENT TO DID, INC. FOR THE SECOND YEAR OF THE FIVE YEAR MANAGEMENT AGREEMENT BETWEEN DID, INC. AND THE CITY.

* * * *

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

- - -
88-43 The Clerk read the following Ordinance:

AN ORDINANCE 68,010

CLOSING EL PASO FROM 19TH STREET TO MINTER ON SATURDAY, OCTOBER 15, 1988 AT 12:00 NOON UNTIL SUNDAY, OCTOBER 16, 1988 AT MIDNIGHT AS

REQUESTED BY SAN JUAN DE LOS LAGOS CATHOLIC CHURCH.

* * * *

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

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

88-43 The Clerk read the following Ordinance:

AN ORDINANCE 68,011

CLOSING MAIN AVENUE FROM CRAIG TO MISTLETOE ON SUNDAY, OCTOBER 30, 1988 FROM 11:30 A.M. TO 7:00 P.M. AS REQUESTED BY THE MONTE VISTA HISTORICAL ASSOCIATION.

* * * *

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

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

88-43 The Clerk read the following Ordinance:

AN ORDINANCE 68,012

CLOSING MAIN STREET FROM COMMERCE TO DOLOROSA AND TREVINO ALLEY FROM 6:00 P.M., FRIDAY, OCTOBER 7, 1988 UNTIL 12:00 MIDNIGHT, SUNDAY, OCTOBER 9, 1988, AND ONE LANE ON THE EASTSIDE OF MAIN STREET BETWEEN COMMERCE AND DOLOROSA ON FRIDAY, OCTOBER 7, 1988 FROM 9:00 A.M. TO 6:00 P.M. AS REQUESTED BY THE SAN FERNANDO CATHEDRAL FESTIVAL COMMITTEE.

* * * *

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

00926

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

88-43 The Clerk read the following Ordinance:

AN ORDINANCE 68,013

PROVIDING \$15,000 FROM DISTRICT 7 DISCRETIONARY FUNDS FOR THE HOLY ROSARY NUTRITION SITE AS A PART OF THE 1988/89 COMPREHENSIVE NUTRITION PROGRAM.

* * * *

In response to a question by Mr. Labatt, Mr. Kevin Moriarity, Director of Human Resources and Services, noted that the city operates this site and that these funds will help defray the costs involved.

Ms. Vera explained the need for funding of this nutrition site.

Mrs. Dutmer spoke to an erroneous news article about this matter earlier this week.

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

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

88-43 Agenda Item #56, being a proposed ordinance rescinding a previous ordinance in relation to grandfathering of existing insurance companies which are presently having premiums collected from city employees by voluntary payroll deduction, was temporarily bypassed for consideration later in the meeting.

88-43 Agenda Item #57, being a proposed ordinance considering the request for co-sponsorship from Los Compadres de San Antonio Mission National Historic Park for Feria de las Americas to be held October 14 - 16, 1988, was taken up at this time.

Ms. Karen Kliever, Assistant to the City Manager, explained City staff reasons for recommending against the co-sponsorship request.

Mrs. Dutmer explained the fundraising efforts of the sponsoring organization.

Mrs. Sherwood Inkley, 605 Elizabeth Road, spoke to the reason why the City should co-sponsor this event.

In response to a question by Mr. Labatt, Ms. Kliever spoke to the \$11,000 projected cost to the City.

Ms. Berriozabal spoke to reasons for City Council rejection of this request.

Mr. Hasslocher made a motion to deny the requested co-sponsorship. Mrs. Dutmer seconded the motion.

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

Agenda Item 57 was denied.

- - -
88-43 TRAVEL AUTHORIZATION - Approved.

Councilman Robert S. Thompson to travel to Guadalajara, Mexico from September 30, 1988 to October 2, 1988 to participate in a Sister City trip.

- - -
88-43 Agenda Item #59, being a travel authorization to Councilman James C. Hasslocher to travel to New York City, was pulled earlier from consideration by the City Manager.

- - -
88-43 The Clerk read the following Resolution:

A RESOLUTION 88-43-52

BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS, ASSIGNING ITS AUTHORITY TO ISSUE SINGLE FAMILY HOUSING BONDS TO BEXAR COUNTY, TEXAS; AND RESOLVING OTHER MATTERS IN CONNECTION THEREWITH.

* * * *

Ms. Berriozabal made a motion to approve the proposed Resolution.

Ms. Vera seconded the motion.

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

ZONING HEARINGS

62. CASE Z88057 - to rezone a 0.592 acre tract of land out of Lot 2, NCB 17909 from Temporary "R-1" One Family Residence District to "B-1" Business District; a 0.295 acre tract of land out of Lot 2, NCB 17909 from Temporary "R-1" One Family Residence District to "B-2" Business District; and a 1.538 acre tract of land out of Lot 2, NCB 17909, from Temporary "R-1" One Family Residence District to "B-3" Business District, located on the northside of Guilbeau Road, being 240' east of the intersection of Old Tezel Road and Guilbeau Road, having 334.83' on Guilbeau Road and 25' on Donegal Road with a maximum depth of 277.85'.

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

Mr. Hasslocher made a motion that the recommendation of the Zoning Commission be approved provided that a six-foot solid screen fence is erected and maintained along the east and north property lines, and that a one-foot non-access easement is imposed along Donegal. Mr. Labatt 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, Vera, Wolff, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: Martinez, Thompson.

AN ORDINANCE 68,014

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 0.592 ACRE TRACT OF LAND OUT OF LOT 2, NCB 17909, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-1" BUSINESS DISTRICT; A 0.295 ACRE TRACT OF LAND OUT OF LOT 2, NCB 17909, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT AND A 1.538 ACRE TRACT OF LAND OUT OF LOT 2, NCB 17909, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT A SIX-FOOT SOLID SCREEN FENCE IS ERECTED AND

MAINTAINED ALONG THE EAST AND NORTH PROPERTY LINES, AND THAT A ONE-FOOT NON-ACCESS EASEMENT IS IMPOSED ALONG DONEGAL.

* * * *

64. CASE Z88147 - to rezone Lots 77 and 78, NCB 11888, from "A" Single Family Residence District to "R-3" Multiple Family Residence District, 1615 W. Terra Alta Road, located on the northside of W. Terra Alta Road, being 145.2' east of the intersection of W. Terra Alta Road and Everest Road, having 145.2' on W. Terra Alta Road with a depth of 321.6'.

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

Mr. Labatt spoke to a compromise which has been reached in this matter to restrict the area of the duplex involved.

Mr. Andy Guerrero, Planner III, stated that City staff would determine the exact area for the duplex to be written into the Ordinance.

Mr. Labatt made a motion to approve the requested rezoning be approved. Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 68,015

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 SOUTH 175' OF LOT 78, NCB 11888, 1615 WEST TERRA ALTA ROAD, FROM "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT.

* * * *

65. CASE Z88153 - to rezone Lots 1 and 2, Block 70, NCB 7991, from "B" Residence District to "B-2NA" Non-Alcoholic Sales Business District, 1424 W. Southcross Blvd., located southeast of the intersection of W. Southcross Blvd. and Don Street, having 50' on W.

Southcross Blvd. and 125' on Don Street.

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

Mr. Wing stated that he wants to rezone only the store structure area in order to protect the neighborhood and to provide parking spaces.

Mr. Andy Guerrero, Planner III, stated that City staff would accomplish the necessary survey to determine the exact area to be rezoned.

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

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

AN ORDINANCE 68,016

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 100' OF LOTS 1 AND 2, BLOCK 70, NCB 7991, FROM "B" RESIDENCE DISTRICT TO "B-2NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES, 1424 WEST SOUTHCROSS BLVD.

* * * *

66. CASE Z88152 - to rezone Tract F and G, Block 1, NCB 14863, in the 10700 Block of Huebner Road, from Temporary "R-1" One Family Residence District to "B-3" Business District, located northeast of the intersection of Huebner Road and Fredericksburg Road, having 305.89' on Fredericksburg Road, 712.20' on Huebner Road and 193' on I.H. 10.

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 proposed Ordinance provided that 25-feet of dedication is given along Huebner Road. Mrs. Dutmer seconded the motion.

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

AN ORDINANCE 68,017

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 TRACTS F AND G, BLOCK 1, NCB 14863, IN THE 10700 BLOCK F HUEBNER ROAD, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT 25-FEET OF DEDICATION IS GIVEN ALONG HUEBNER ROAD.

* * * *

67. CASE Z88142 - to rezone Lots 1, 2, 3, and 4, Block 14, NCB 12920, from "A" Single Family Residence District and "B-3R" Restrictive Business District to "I-1" Light Industry District, 4350 S.E. Loop 410, located southeast of the intersection of S.E. Loop 410 and Finis Drive, having 240' on S.E. Loop 410 and 140' on Finis Drive.

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

Mr. Hasslocher made a motion to approve the recommendation of the Zoning Commission provided that a six-foot solid screen fence is erected and maintained along the east property line. Mrs. Dutmer seconded the motion.

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

AN ORDINANCE 68,018

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 1, 2, 3 AND 4, BLOCK 14, NCB 12920, FROM "A" SINGLE-FAMILY RESIDENCE DISTRICT AND "B-3R" RESTRICTIVE BUSINESS DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, 4350 SOUTHEAST LOOP 410, PROVIDED THAT A SIX-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE EAST

* * * *

68. CASE 288150 - to rezone the north 207' of Lot 1, Block D, NCB 11028, from "B" Residence District to "B-2NA" Non-Alcoholic Sales Business District and the north 207' of Lot 2, Block D, NCB 11028, from "B" Residence District to "R-3" Multiple Family Residence District, 802 Monticello Street, located southeast of the intersection of S. Gevers Street and Monticello Street, having 155.39' on Monticello Street and 215' on S. Gevers Street.

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

Mrs. Dutmer asked for, and received, from the proponent assurances on a maximum number of residences to be located on the property involved.

Mrs. Gladys Koval, the proponent, stated that she would be willing not to build any institution on this property as well.

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

AN ORDINANCE 68,019

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 207' OF LOT 1, BLOCK D, NCB 11028, FROM "B" RESIDENCE DISTRICT TO "B-2NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES; AND THE NORTH 207' OF LOT 2, BLOCK D, NCB 11028, FROM "B" RESIDENCE DISTRICT TO "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT, 802 MONTICELLO STREET, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

* * * *

88-43 TRAVEL AUTHORIZATION - Approved.

Councilman Walter Martinez to travel to Guadalajara, Mexico, from September 29, 1988 to October 2, 1988 for a Sister City trip.

88-43 The Clerk read the following Ordinance:

AN ORDINANCE 68,020

CLOSING SAN JACINTO STREET FROM LAREDO TO JEAN STREET, SATURDAY, OCTOBER 1, 1988 FROM 10:00 A.M. - 3:00 P.M. IN CONNECTION WITH THE GRAND OPENING OF SOUTH LAREDO CAFE.

* * * *

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

88-43 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE - CLOSING EL PASO STREET

Mayor Cisneros declared the Public Hearing to be open.

No citizen appeared to speak.

Mayor Cisneros declared the Public Hearing to be closed.

The Clerk read the following Ordinance:

AN ORDINANCE 68,021

CLOSING, ABANDONING AND QUITCLAIMING A PORTION OF EL PASO STREET, BORDERED BY SOUTH MEDINA STREET ON THE EAST END AND SOUTH SALADO STREET ON THE WEST END, BETWEEN NEW CITY BLOCKS 238 AND 239, SAN ANTONIO, BEXAR COUNTY, TEXAS AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE A QUITCLAIM DEED TO GLI, INC. FOR A TOTAL CONSIDERATION OF \$7,850.00.

* * * *

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

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

88-43 The Clerk read the following Ordinance:

AN ORDINANCE 68,022

APPROVING AMENDMENTS TO THE PURCHASE CONTRACT, INCLUDING AN AMENDMENT TO THE CONTRACT TO PROVIDE FOR THE PURCHASE BY THE CITY AND REFURBISHMENT BY THE DEVELOPER OF THE MAJESTIC THEATER STRUCTURE AND EMPIRE THEATER STRUCTURE, AS WELL AS, THE MODIFICATION OF OTHER DOCUMENTS AND EXECUTION OF ANY ADDITIONAL NEW DOCUMENTS, IN CONNECTION WITH THE MAJESTIC-BRADY PROJECT, AS ORIGINALLY APPROVED BY ORDINANCE NO. 65825; SUBJECT TO A CONFIRMATION BY THE FINANCIAL ADVISORY TEAM ("FAT TEAM") TO THE CITY COUNCIL THAT THE NEW CONTRACTUAL DOCUMENTS REFLECT THE AGREEMENT BETWEEN THE CITY AND THE DEVELOPER, WITH SUCH DOCUMENTS BEING IN SUBSTANTIALLY THE SAME FORM AS THOSE ATTACHED HERETO AS EXHIBITS; AUTHORIZING EXECUTION OF SAID DOCUMENTS BY THE CITY MANAGER OR AN ASSISTANT CITY MANAGER, SUBJECT TO PRIOR REVIEW AND APPROVAL BY THE CITY ATTORNEY; DIRECTING CITY STAFF TO TAKE THE NECESSARY STEPS TO PROCEED TO SELL \$3,850,000.00 IN TAXABLE CERTIFICATES OF OBLIGATION TO FUND THE PURCHASE AND REFURBISHMENT OF THE MAJESTIC THEATER AND EMPIRE THEATER STRUCTURES; AUTHORIZING AND APPROPRIATING THE EXPENDITURE OF \$6,860,000.00 FROM FUND NO. 43-80333001 - 1988 TAXABLE CERTIFICATES OF OBLIGATION-PERFORMING ARTS CENTER LAND PURCHASE, PAYABLE TO STEWARD TITLE GUARANTY COMPANY FOR THE PURCHASE OF LAND IN CONNECTION WITH THE MAJESTIC-BRADY PROJECT.

* * * *

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

Mayor Cisneros stated that he feels this is the only way this project can be successfully accomplished.

Mr. Russell Kyse stated he feels the ordinance is consistent with

previous Council actions and also represents net savings to the City. He then provided brief details of the matter.

Ms. Nancy Scott Jones read a letter from Joci Straus in support of this ordinance and spoke of the positive impact on plans for a cultural center on this site.

Mr. Ben Brewer, Executive Director, Downtown Owners' Association, spoke in support of the ordinance.

Mayor Cisneros then read the names of those in the audience ready to speak in support of the project.

Mr. Wolff stated that he feels that the project is the linch-pin for downtown development and he outlined the project.

Mr. David Garcia, Special Projects Officer for the City, noted that the financial advisory team does not have all of its documents ready at this moment.

Mr. Frank Perry, Director of Downtown Initiatives, briefly spoke to the progress being made by the financial advisory team.

Mr. Wolff stated that he wants assurances that the final documents from the team will contain the City Council's expressed desires in this project.

Ms. Vera voiced her concern that key financial is not yet available to the Council and she spoke in support of the project but stated also that she needs the financial impact statement.

Mr. Perry noted that the final costs are predicated upon interest rates on the bonds when they are sold.

Ms. Berriozabal briefly reviewed current financial plans to purchase the properties in lieu of leasing them and she spoke to the advantages to the City, to the symphony, to various arch-agencies and all involved.

Mr. Perry stated that he feels that significant savings can be achieved by purchasing the properties rather than leasing them.

In response to a question by Mr. Labatt, Mr. Bev Francis, member of the financial advisory team, stated that the team has not yet seen the final closing documents and he spoke to actions being taken thus far by the team.

In response to a question by Mr. Labatt, Mr. Kyse traced the history of the proposed project and the development of a list of questions concerning aspects of the program. He noted that this restructuring will save money for the citizens of San Antonio.

Mr. Labatt offered a substitute motion to approve the Ordinance subject to a confirmation by the financial team that the new contractual documents reflect the agreement between the City and the developer. Mr. Wolff seconded the motion.

In response to a question by Mrs. Dutmer, Mr. Louis J. Fox, City Manager, noted that the necessary certificates of obligation financing is covered without the need for any additional taxation.

A discussion then took place regarding the property values in the area and the reasons why the financial papers are not yet ready for review by the team.

In response to a question by Mr. Thompson, Mr. Lloyd Garza, City Attorney, spoke to reasons why a decision is required today. He noted that tomorrow is the so-called "drop dead" date for closing of the financial documents and he stated that it would cost the City some \$1,700.00 a day if that date is missed.

A brief discussion of the status of the project paperwork then took place.

Mr. Thompson stated that he feels the City Council should have more data before acting on this matter today and he favors postponing the matter for two weeks until all information is available.

Mr. Wing stated that he feels the Council does not have enough information on which to act as yet.

In response to a question by Mr. Wolff, Mr. Fox noted that appraisals of the property concerned showed property is valued at more than \$7,000,000 and that the Bexar Appraisal District appraises the property at approximately \$4,000,000.

Ms. Vera stated that she would like to support this matter but noted that the financial advisory team still has not yet reviewed the necessary paperwork.

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

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

After some discussion, a motion was made by Mrs. Dutmer to reconsider the main motion, as substituted. Mr. Wing seconded the motion.

The motion to reconsider prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Vera, Wolff,

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

Mr. Thompson made a substitute motion to postpone consideration of this ordinance for two weeks. Mr. Hasslocher seconded the motion.

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

Mr. Labatt then made a motion to approve the Ordinance. Mr. Wolff seconded the motion.

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

- - -
 88-43 The regular session of the City Council meeting recessed at 4:55 P.M. and reconvened at 5:05 P.M.

- - -
88-43 The Clerk read the following Ordinance:

AN ORDINANCE 68,023

RESCINDING ORDINANCE NO. 67517 PASSED ON JULY 14, 1988, TO GRANDFATHER ALL EXISTING INSURANCE COMPANIES WHICH ARE PRESENTLY HAVING PREMIUMS COLLECTED FROM CITY EMPLOYEES BY VOLUNTARY PAYROLL DEDUCTION AND RE-ENACTING STANDARDS FOR NEW INSURANCE COMPANIES.

* * * *

Mr. Hasslocher addressed the reasons why he is asking to bring this matter back to City Council. He stated that he is against removing insurance companies from doing business with the City, especially one who has done so successfully for nine years by a Council vote instead of letting the marketplace decide the issue. He stated that he feels the company concerned is needed by some City employees.

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

Mr. Bob Irwin, representing National Family Care Life Insurance Company (NFCLIC), stated that his firm has done business with the City for almost ten years and he noted that the ordinance as it stands, which removes his firm from payroll deduction, has

economically damaged his company. He stated that he has been hurt very badly because of the ordinance and has been damaged by their inability to continue with the payroll deduction from employees' paychecks for subscription to his insurance service and in all likelihood will lose all of their business as a result. He stated that his firm has liability for claimants who have not been able to get insurance from other companies and he urged the City Council to repeal Ordinance 67517.

Mr. Hector DeLeon, along with Anthony Nicholas, Roy Barrera, Jr. and Charles Gonzalez, all representing the applicant insurance company spoke regarding this ordinance which has been approved by the City Council and the concerns expressed by the staff they feel have not been properly addressed by the ordinance. Mr. DeLeon spoke in particular with the requirements for financial stability. He suggested to the Council that those currently doing business with City employees on a successful basis be allowed to continue in payroll deduction.

Mr. Anthony Nicholas, representing National Family Care, also addressed the City Council on the merits of his client's concerns. He urged the Council to approve passage of the ordinance before them today, stating that his company has a legally binding contract with the City and the contract has been honored by both parties. He stated that the ordinance excludes their company for no valid reason, in his opinion, and stated that grandfathering this company would not hamper the intent or the motive of the ordinance.

Mr. John Anderson, representing San Antonio Professional Firefighters Union, Local #624, stated that the study upon which the initial actions were taken concerning payroll deduction was instituted by the City and by the Union and was prompted by complaints from certain City employees. He stated that the ordinance in effect right now is a good ordinance and he further stated that if the ordinance is grandfathered then the good companies will be excluded.

Mr. Harold Flammia, San Antonio Police Officers' Association President, also spoke on behalf of the ordinance currently in effect and he also addressed the history of the formation of the insurance task force and their recommendations to management of the City in this regard. He stated that the task force worked on this project for some two years before formulating their final recommendations.

Mr. Rosa Rosales, National Association of Government Employees, representing non-uniformed employees, reiterated comments made by the previous speaker. She stated that all union groups work together with City staff to come up with the recommendations for the protection of City employees and she spoke against the proposed ordinance.

Mr. J. Phillip Ferrer, American Family Life Insurance Company,

stated that a set of standards was set to safeguard the employees' well-being and interest.

Mr. Harold Bellamy, San Antonio Police Department, spoke about the insurance committee and the recommendations made by that group. He spoke about his own unfortunate experiences with an insurance company and spoke about other complaints by other police officers. He urged the Council not to approve the proposed ordinance.

Mr. Robert Robinson, SAFD, expressed his own experiences concerning a claims matter with a particular insurance company following treatment for a heart attack.

Mr. Labatt stated that he favors the recommendations of the insurance committee but will vote to grandfather National Family Life Insurance Company. He spoke in support of the staff removing an insurance company if it is not benefitting City employees.

Mrs. Dutmer stated that she feels City rules favor some companies and she spoke against removing an insurance company by changing the rules in mid-stream. She stated that she feels NFCLIF has been damaged by removal from payroll deduction by the City.

Ms. Berriozabal stated that she feels a change in City policy has adversely affected one firm.

In response to a question by Ms. Berriozabal, Mr. Lloyd Garza, City Attorney, spoke of how complaints are handled against insurance companies.

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

ZONING HEARINGS (CONTINUED)

63. CASE 288139 (P.P.) - to rezone Lots 13 and 15, Block 15, NCB 408, from "I" Business District to Historic Significant "(HS) B-4" Central Business District, 426 N. St. Mary's, located southeast of the intersection of E. Pecan Street and N. St. Mary's Street, having 113.6' on E. Pecan Street and 151.5' on N. St. Mary's Street.

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

Mr. Gene Camargo, Director of Building Inspections, explained both aspects of this case, pro and con, on designating this property "historically significant."

Ms. Pat Osborne, Historic Preservation Officer for the City, provided a brief chronology of this case and procedures for demolition.

Ms. Berriozabal stated that demolition is not the issue today; the actual case before the Council concerns only the designation of the property as historically significant.

In response to a question by Mr. Labatt, Ms. Osborne stated that if the ordinance is defeated, the bank then can apply for a demolition permit as early as in the morning.

Mr. Lloyd Jary, President, Historic Review Board, spoke to the recommendations of his board that the hotel be designated as historically significant.

Mr. Andrew Perez, Chairman of the Task Force which redrafted the Historic Preservation Ordinance, addressed the historic ordinance and how it applies to the Bluebonnet Hotel. He stated further that he feels the building is unique.

Mr. Hap Veltman, 411 Bonham, spoke in favor of designating the hotel as historically significant to San Antonio.

Mr. Lowell Denton, attorney representing San Antonio Conservation Society, stated that his group would be asking the City Council to approve today's ordinance and he briefly distributed a list of criteria for designating the hotel as historically significant. He noted that the question, "yes" or "no" on the demolition of the hotel can be determined later after a proper hearing.

Mr. Richard Mycue, architect, stated that in his opinion the building is historical and should be saved.

Mr. Joe Stubblefield, member of the Historic Review Board, stated that he feels the hotel could not be duplicated again if it is allowed to be demolished. He stated that he feels the loss of the hotel would be a loss to San Antonio.

Mr. William Kaufman, attorney representing the bank which owns the hotel, stated that MBank is master planning the entire block and he spoke to the chronology of this issue. He noted that engineer, Paul Silver, whose father designed the original hotel now feels it would cost some \$7 to \$10 million dollars to renovate it. Mr. Kaufman then distributed photographs of the building and its interior to the City Council and noted that the fire department feels the building is dangerous in its present state. He stated that the bank and its architects feels a park and plaza would be the best use for this property until it can be properly masterplanned. He further noted that the Zoning Commission voted against designating his hotel as historically significant.

(Mayor Cisneros was obliged to leave the meeting. Mr. Thompson presided.)

Mr. Paul Silver stated that he feels the hotel building has no viable future use as a hotel, office or home for the elderly. He state further that he feels it is not a historic building and spoke to the structural deficiencies of the building which are only 47 feet deep in places.

Mr. Chris Carson, of the firm Ford, Powell and Carson, spoke to the structural deficiencies of the building which was built to be a modest hotel. Mr. Carson then displayed a rendering of the proposed park to be constructed on the site.

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

Mr. Bob Davis, Chairman of Chief Executive Officer of MBank Alamo, spoke to the \$15,000,000 projected cost to renovate MBank's properties in downtown San Antonio and stated that he feels the Bluebonnet is not viable as a hotel any longer. He then stated that experts feel the Bluebonnet's architecture is not unique and, in fact, the building is now dangerous.

Mr. Denton then briefly summarized the case in favor of the ordinance designating the Bluebonnet Hotel as historically significant.

Ms. Berriozabal spoke of the 34 downtown buildings that are on the current list maintained by the San Antonio Development Agency for renovation and she spoke to the need to support the ordinance on historical structures. She urged the Council to do justice to the ordinance process as recommended by the Historic Review Board and noted that debate should be on the issue of its historical significance not the issue of demolition.

Ms. Berriozabal made a motion to send this case back to the Zoning Commission with instructions that it be voted on strictly on the basis of the historicity of the building. Mr. Hasslocher seconded the motion.

In response to a question by Mr. Labatt, Ms. Osborne noted that some 1,350 sites in San Antonio have been identified as historical and some 60 are now being appealed by their owners from this designation.

Mr. Labatt noted that based upon this testimony by Ms. Osborne, he feels that only a small fraction of historic sites may be overturned leaving the vast majority as historic structures.

In response to a question by Mr. Wolff, Mr. Lloyd Garza, City Attorney, noted that there is no conflict of interest by Mr. Wolff

even though he still maintains his long-standing relationship with the bank but feels that it is appropriate for him to abstain from this issue in the voting.

Mr. Wing offered a substitute motion to approve the ordinance declaring the building historically significant. Mr. Webb seconded the motion.

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

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

Ms. Berriozabal stated that she is concerned that the City Council has set a very dangerous precedent.

Therefore, the building was not declared historically significant.

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88-43 The Clerk read the following Letter:

September 22, 1988

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

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

September 14, 1988

Petition submitted by Mr. and Mrs. J. A. Mergele, et al, 1032 Holmgreen Road, San Antonio, Texas 78207, on behalf of the residents on Holmgreen Road, requesting the improvement of Holmgreen Road.

* * * *

September 15, 1988

Petition submitted by Mr. and Mrs. Madrigal, 3315 Bob Billa, San Antonio, Texas 78223, on behalf of the residents in the area requesting that the City close off the drainage ditch

located adjacent to 3315 Bib Billa.

* * * *

/s/Norma S. Rodriguez
City Clerk

The City Council meeting was recessed at 7:25 P.M. to convene a "B" Session, reconvening for Citizens To Be Heard. There being no citizens to speak, the meeting was adjourned at 9:00 P.M.

A P P R O V E D

Henry Cisneros

M A Y O R

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

MISCELLANEOUS AGENDA ITEM .

MEMO FROM FERNANDO A. GUERRA, M.D., DIRECTOR OF HEALTH; RE: ANTI-RABIES VACCINATION CLINICS.

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MISCELLANEOUS AGENDA ITEM .

MEMO FROM STUART D. SUMMERS, DIRECTOR OF ECONOMIC AND EMPLOYMENT DEVELOPMENT; RE: JTPA EFFECTIVENESS STUDY (Job Training Partnership Act). INFORMATION ON PRIVATE INDUSTRY COUNCIL (PIC) VOTING TO ASK THE COUNCIL AND THE COUNTY TO ENDORSE AND SUPPORT LOCAL PARTICIPATION IN A U.S. DEPARTMENT OF LABOR (DOL) STUDY TO EVALUATE THE EFFECTIVENESS OF THE FEDERAL JOB TRAINING PARTNERSHIP ACT.

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"B" SESSION ITEM .

MEMO FROM FRANK PERRY, DIRECTOR, DEPARTMENT OF DOWNTOWN INITIATIVES; RE: AZTEC CENTER "B" SESSION ITEM. OUTLINE OF THE AZTEC CENTER PROJECT.

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