

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, DECEMBER 22, 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, VERA, WOLFF, LABATT, CISNEROS. Absent: THOMPSON, HASSLOCHER.

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88-55 The invocation was given by Reverend Effie May Young, Epworth Methodist Church.

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88-55 The members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

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88-55 MARK E. WATSON, JR.

Mayor Cisneros introduced Mr. Mark E. Watson, Jr. and recognized his leadership in organizing charity efforts on behalf of children in San Antonio, as well as on behalf of the arts and education. He then presented Mr. Watson with a Citation, which reads as follows:

IN RECOGNITION OF A DECADE OF LEADERSHIP IN ORGANIZING CHARITY EFFORTS ON BEHALF OF CHILDREN, EDUCATION AND THE ARTS. MARK WATSON HAS DEDICATED EIGHT YEARS AS CHAIR OF THE BLUEBONNET CHARITY TOURNAMENT FOR SAN ANTONIO CHILDREN'S CHARITIES, HE HAS PROVIDED LEADERSHIP IN AREA FUND RAISING FOR NOTRE DAME UNIVERSITY, AND HAS CHAIRED THE 18TH ANNUAL SAN ANTONIO MUSEUM GAME DINNER IN 1988. THIS UNSELFISH CONTRIBUTION OF TIME AND ENERGY TO IMPROVE THE QUALITY OF LIFE FOR OUR CITIZENS IS EXEMPLARY.

THE CITY COUNCIL COMMENDS MARK E. WATSON, JR. FOR HIS EFFORTS AND RECOGNIZES HIM AS A DISTINGUISHED CITIZEN AND FURTHER EXTENDS BEST WISHES IN ALL HIS FUTURE ENDEAVORS.

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Mr. Watson spoke in appreciation for the honor, and of his involvement for the benefit of children.

88-55

INTERNATIONAL VISITORS ALLIANCE

Mayor Cisneros noted the presence in the audience today of a group of persons representing the International Visitors Alliance, particularly a representative from the City of Brisbane, Australia, here to present the city with a plaque from the Lord Mayor of Brisbane, Sally Ann Atkinson.

A representative of the group then introduced other members of the Alliance present in the audience.

The representative of Brisbane noted that she and her husband had visited that city, her home, recently and delivered a book on San Antonio to the Lord Mayor on behalf of the City of San Antonio. She then presented the City with a special plaque of the City of Brisbane, in return.

Mayor Cisneros accepted the plaque, and presented members of the Alliance with San Antonio pens and special lapel pins in remembrance of the occasion, as well as a book on San Antonio for the representative of Brisbane.

88-55

PARKS & RECREATION CHRISTMAS CARD

Mayor Cisneros introduced Miss April Miertschin of Robert E. Lee High School, winner of the annual Parks & Recreation Christmas Card Design Contest.

Miss April Miertschin presented the Mayor with the framed original artwork for the 1988 Christmas card, which he accepted in turn on behalf of the City.

Mr. Ron Darner, Director of Parks and Recreation, addressed the background of the annual contest and the availability of prints of this special Christmas card to the general public.

Mayor Cisneros congratulated Miss Miertschin and other winners of the contest, and presented her with a book on San Antonio.

88-55

CHRISTMAS INTERNATIONAL HOUSE DAY

Mayor Cisneros recognized a group of persons present in the audience today to receive a proclamation to designate December 22, 1988 as "Christmas International House Day" in San Antonio, and read the proclamation before presenting it to a representative of the group. He then introduced a group of foreign students and their San Antonio hosts, present in the audience.

The foreign students then sang a Christmas song for the City Council.

All the students present then stood and introduced themselves and the nations from which they had come.

Mayor Cisneros wished the students a merry Christmas and presented them with San Antonio pens.

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COUNCIL, STAFF PRESENTS

Mayor Cisneros, on a point of personal privilege, presented each Council member and certain members of the City staff, with a book as a Christmas present.

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88-55 The minutes of the Regular Meeting of December 1, 1988, were approved.

88-55 CONSENT AGENDA

Mr. Martinez made a motion to approve Agenda Items #8 - 54, constituting the Consent Agenda, with the exception of Items #17, 24, 26, 33, 47, 51, and 52, which were pulled for individual consideration. Mr. Labatt seconded the motion.

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

AN ORDINANCE 68,495

ACCEPTING THE LOW BID OF C.T. CONSTRUCTION TO FURNISH THE CITY OF SAN ANTONIO PARKS & RECREATION

WITH KALWALL ROOF PANEL REPAIRS FOR A TOTAL OF \$19,785.00.

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AN ORDINANCE 68,496 .

ACCEPTING THE BID OF SOUTHERN ALUMINUM MFG., INC. TO FURNISH THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH ALUMINUM FOLDING TABLES FOR A TOTAL OF \$7,413.56.

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AN ORDINANCE 68,497 .

ACCEPTING THE LOW BID OF NEEL ASSOCIATES, INC. TO FURNISH THE CITY OF SAN ANTONIO AVIATION DEPARTMENT WITH AN AIRBAG LIFTING SYSTEM FOR A TOTAL OF \$7,417.00.

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AN ORDINANCE 68,498 .

ACCEPTING THE LOW BID OF HUNT OFFICE EQUIPMENT TO FURNISH THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH CHAIRS FOR A TOTAL OF \$5,896.00.

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AN ORDINANCE 68,499 .

ACCEPTING THE LOW BID OF HOLT COMPANY OF TEXAS TO FURNISH THE CITY OF SAN ANTONIO WITH A FOLDING GOOSENECK TRAILER FOR A TOTAL OF \$10,798.00.

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AN ORDINANCE 68,500 .

ACCEPTING THE LOW BID OF HIGH TECH TELEPHONE, TO FURNISH THE CITY OF SAN ANTONIO WITH TELECOMMUNICATIONS SYSTEMS FOR THE FIRE DEPARTMENT AND HUMAN RESOURCES DEPARTMENT FOR A TOTAL OF \$3,922.50.

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AN ORDINANCE 68,501

ACCEPTING THE LOW BIDS OF PRECISION IMAGE CORPORATION AND PRESENTATION GRAPHICS TO FURNISH THE CITY OF SAN ANTONIO INFORMATION RESOURCES DEPARTMENT WITH AN AUTOMATED PLOTTER AND IMAGE RECORDER FOR A TOTAL OF \$47,750.00.

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AN ORDINANCE 68,502

ACCEPTING THE LOW QUALIFIED BID OF ROSAS COMPUTER COMPANY, TO FURNISH THE CITY OF SAN ANTONIO DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT WITH MICROCOMPUTERS FOR A TOTAL OF \$16,620.00.

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AN ORDINANCE 68,503

APPROPRIATING ADDITIONAL ENGINEERING FUNDS, PAYABLE TO HALLENBERGER/TELFORD, INC. TO PROVIDE PLANS, SPECIFICATIONS AND BID DOCUMENTS FOR THE MUD CREEK SANITARY SEWER OUTFALL, PHASE III PROJECT IN THE AMOUNT OF \$79,373.00 AND FURTHER AUTHORIZING AN ADDITIONAL \$11,827.00 FOR THE ENGINEERING CONTINGENCY.

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AN ORDINANCE 68,504

APPROPRIATING FUNDS AND AUTHORIZING THE CITY MANAGER TO EXECUTE FIELD ALTERATION NO. 1 IN THE AMOUNT OF \$23,250.00 PAYABLE TO SACC, INC., FOR THE SUNSET ROAD SANITARY SEWER REHABILITATION PROJECT.

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AN ORDINANCE 68,505

AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT CHANGER ORDER NO. 8 IN THE AMOUNT OF \$290,505.00, PAYABLE TO FRU-CON CONSTRUCTION CORPORATION, FOR THE DOS RIOS FACILITY, CONTRACT NO. 4A.

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AN ORDINANCE 68,506

AUTHORIZING THE AWARD OF A CONSTRUCTION CONTRACT TO JOHN YANTIS COMPANY, FOR THE CONSTRUCTION OF THE FAR WEST AREA LUCAS CREEK SANITARY SEWER OUTFALL PROJECT, SEGMENTS 1 & 2, IN THE AMOUNT OF \$1,893,767.60 WITH AN ADDITIONAL \$189,376.76 FOR A CONSTRUCTION CONTINGENCY.

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AN ORDINANCE 68,507

AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT CHANGE ORDER NO. 6 IN THE AMOUNT OF \$29,595.62, PAYABLE TO BRB CONTRACTORS, INC., FOR THE COLLECTION SYSTEM IMPROVEMENTS, CATEGORY 4, PACKAGE "H" PROJECT.

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AN ORDINANCE 68,508

APPROVING FIELD ALTERATION NO. 3 IN THE AMOUNT OF \$25,329.00, TO THE CONTRACT WITH HALLMARK ELECTRICAL CONTRACTORS, INC., FOR THE REMOTE RECEIVER RELOCATION PROJECT AT SAN ANTONIO INTERNATIONAL AIRPORT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 68,509

ACCEPTING THE LOW QUALIFIED BID AND AWARDED A CONTRACT TO RENOVATE THE INTERIOR OF THE PUBLIC OBSERVATION LEVEL INCLUDING WALLS, FLOORING, CEILINGS, RESTROOMS, FIXED FURNITURE, GRAPHICS, LIGHTING, AND HANDICAP ACCESSIBILITY OF THE TOWER OF THE AMERICAS AND APPROPRIATING FUNDS AND AUTHORIZING PAYMENTS TO THE CONTRACTOR FOR CONSTRUCTION AND CONTINGENCIES; AUTHORIZING PAYMENT OF ADDITIONAL FEES FOR ARCHITECTURAL SERVICES TO FORD, POWELL, CARSON, INC., IN THE AMOUNT OF \$11,000.00; FOR ADDITIONAL ASBESTOS ABATEMENT CONSULTING SERVICES TO RABA-KISTNER CONSULTANTS, INC., IN THE AMOUNT OF \$2,400.00, AND FOR BID ADVERTISING EXPENSES IN THE AMOUNT OF \$236.64.

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AN ORDINANCE 68,510

AUTHORIZING \$28,129.85, PAYABLE TO SOUTHERN PACIFIC TRANSPORTATION COMPANY, IN CONNECTION WITH THE NORTHBOUND IH37 EXIT RAMP TO E. COMMERCE STREET PROJECT.

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AN ORDINANCE 68,511

AUTHORIZING THE CITY WATER BOARD FIELD ALTERATION NO. 1 IN THE AMOUNT OF \$17,913.75, PAYABLE TO J & J CONSTRUCTION COMPANY, IN CONNECTION WITH THE GROFF, HORTENCIA, CARLOTTA, ETC., STREET PAVING PROJECT.

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AN ORDINANCE 68,512

AUTHORIZING FIELD ALTERATION NO. 9 IN THE AMOUNT OF \$7,808.50 PAYABLE TO QUEST UTILITY CORPORATION, IN CONNECTION WITH THE KELLER, REHMAN, STARK & STRIBLING STREETS PROJECT.

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AN ORDINANCE 68,513

AUTHORIZING FIELD ALTERATION NO. 5 IN THE AMOUNT OF \$59,858.90 IN CONNECTION WITH THE INTERIOR MODIFICATION OF CITY HALL, BUDGET AND RESEARCH DEPARTMENT, FOURTH FLOOR PROJECT.

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AN ORDINANCE 68,514

AUTHORIZING AN ADDITIONAL \$3,142.05 FOR CONSULTANTS FEES PAYABLE TO CHESNEY, MORALES ARCHITECTS, IN CONNECTION WITH FIRE STATION NO. 22, STINSON FIELD PROJECT.

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AN ORDINANCE 68,515

ACCEPTING A PROPOSAL IN THE AMOUNT OF \$6,777.00 FROM

THE UNIVERSITY OF TEXAS AT SAN ANTONIO, CENTER FOR
ARCHAEOLOGICAL RESEARCH, FOR AN ARCHAEOLOGICAL
INVESTIGATION AT ALAMO PLAZA.

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AN ORDINANCE 68,516

AUTHORIZING PAYMENT TO BEXAR COUNTY OPPORTUNITIES
INDUSTRIALIZATION CENTER, INC. (BCOIC), IN THE
AMOUNT OF \$29,450.00 TO PAY CONTRACTORS FOR
MODIFICATION AND IMPROVEMENTS TO THEIR NEW
FACILITIES LOCATED AT 2103 E. HOUSTON STREET.

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AN ORDINANCE 68,517

APPROVING THE PRICE AND CONDITIONS OF SALE BY THE
URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF
PARCEL 1687-P/CP-1, CONTAINING APPROXIMATELY
7,142.85 SQUARE FEET AND LOCATED WITHIN THE FORT SAM
HOUSTON GATEWAY COMMERCIAL DISTRICT.

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AN ORDINANCE 68,518

APPROVING THE PRICE AND CONDITIONS OF SALE BY THE
URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF
PARCEL 1687-P/CP-2, CONTAINING APPROXIMATELY 4,856.8
SQUARE FEET AND LOCATED WITHIN THE FORT SAM HOUSTON
GATEWAY COMMERCIAL DISTRICT.

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AN ORDINANCE 68,519

AMENDING ORDINANCE NO. 64745 TO REVISE THE LEGAL
DESCRIPTION OF AN EASEMENT AND REDUCING THE SUM
APPROPRIATED AND AUTHORIZED TO BE EXPENDED IN
CONNECTION WITH THE ASHBY STREET DRAINAGE PROJECT
#30 AND 31.

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AN ORDINANCE 68,520

AUTHORIZING THE EXECUTION OF AN AGREEMENT AMENDING A
LEASE WITH CONQUEST AIRLINES CORPORATION FOR SPACE

IN TERMINAL 2 AT THE SAN ANTONIO INTERNATIONAL AIRPORT.

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AN ORDINANCE 68,521

AUTHORIZING THE EXECUTION OF AN AGREEMENT AMENDING A LEASE WITH UNITED SERVICES AUTOMOBILE ASSOCIATION FOR GROUND SPACE AT THE SAN ANTONIO INTERNATIONAL AIRPORT.

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AN ORDINANCE 68,522

AUTHORIZING THE EXECUTION OF AN AGREEMENT AMENDING A LEASE WITH SECURITY AIR PARK, INC. AT THE SAN ANTONIO INTERNATIONAL AIRPORT.

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AN ORDINANCE 68,523

APPROVING THE EXCHANGE OF 1,859 SQUARE FEET SURPLUS CITY PROPERTY WITHIN LOT 2, BLOCK 3, NEW CITY BLOCK 13813, AND PRESENTLY UNDER THE EXCLUSIVE MANAGEMENT AND CONTROL OF THE WATER BOARD OF TRUSTEES OF SAN ANTONIO FOR A 1,859 SQUARE FEET PARCEL, OWNED BY THE STATE OF TEXAS, OUT OF ORIGINAL SURVEY BLOCK "D", NEW CITY BLOCK 684, SAN ANTONIO BEXAR COUNTY, TEXAS, AND RATIFYING THE RELEASE OF PROPERTY UNDER TRUST RESOLUTION EXECUTED BY THE GENERAL MANAGER OF THE CITY WATER BOARD AND AUTHORIZING THE CITY MANAGER, OF THE CITY OF SAN ANTONIO, OR HIS ASSISTANT TO EXECUTE ANY AND ALL INSTRUMENTS NECESSARY TO EFFECT SAID EXCHANGE.

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AN ORDINANCE 68,524

APPROPRIATING \$16,631.00 IN PAYMENT FOR TITLE CHARGES AND APPRAISAL FEES INCURRED IN ACQUISITION OF CERTAIN RIGHT-OF-WAY PROJECTS.

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AN ORDINANCE 68,525

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH GEORGE SCOTT BINFORD, MAI, SRPA TO PERFORM RIGHT-OF-WAY ACQUISITION APPRAISAL SERVICES FOR THE FREDERICKSURG ROAD RECONSTRUCTION PROJECT - FIVE POINTS TO WOODLAWN AVENUE (SAN PEDRO CREEK CHANNEL IMPROVEMENT) AND AUTHORIZING PAYMENT.

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AN ORDINANCE 68,526

AMENDING AND MODIFYING ORDINANCE NO. 66696 PASSED AND APPROVED ON MARCH 3, 1988 BY (1) DELETING REFERENCES THEREIN TO A QUITCLAIM DEED AND A LICENSE AGREEMENT, (2) APPROVING A DEED WITHOUT WARRANTY INSTEAD OF A QUITCLAIM DEED TO THE OWNERS OF THE LEFT BANK CONDOMINIUMS, (3) RATIFYING THE EXECUTION OF A RIGHT OF ENTRY AGREEMENT AND CONSENT, AND (4) AUTHORIZING THE CITY MANAGER OR ANY ASSISTANT CITY MANAGER TO EXECUTE SAID DEED WITHOUT WARRANTY; FURTHER, ALSO ACCEPTING A SPECIAL WARRANTY DEED FROM LEFT BANK CONDOMINIUMS, INC., ALL IN CONNECTION WITH THE LEFT BANK CONDOMINIUMS/SAN ANTONIO RIVERWALK WALL RECONSTRUCTION PROJECT.

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AN ORDINANCE 68,527

RELEASING A LEASE HELD BY SOUTH TEXAS ASSOCIATED YOUTH INC., AS AUTHORIZED BY ORDINANCE NO. 67091, PASSED AND APPROVED BY CITY COUNCIL ON MAY 12, 1988, AND AUTHORIZING THE CITY MANAGER OR AN ASSISTANT CITY MANAGER TO EXECUTE A FIVE-YEAR LEASE AGREEMENT WITH UNITED WAY OF SAN ANTONIO AND BEXAR COUNTY.

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AN ORDINANCE 68,528

APPROVING THE LEASING OF THREE CITY OF SAN ANTONIO OWNED PROPERTIES; TWO TO PARENT-CHILD, INC. -- FOR HEADSTART PROGRAM ACTIVITIES AND ADMINISTRATIVE OFFICES; AND ONE TO ELLA AUSTIN COMMUNITY CENTER FOR SOCIAL SERVICE ACTIVITIES, EACH FOR \$1.00 PER YEAR, AND AUTHORIZING THE CITY MANAGER OR AN ASSISTANT CITY MANAGER TO EXECUTE THREE LEASE AGREEMENTS IN CONNECTION THEREWITH.

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AN ORDINANCE 68,529

APPROVING (1) AN EXCHANGE AGREEMENT WITH VARIOUS FAMILY TRUSTS AND INDIVIDUALS AS SET FORTH IN THE AGREEMENT; AND (2) A QUITCLAIM DEED TO SAID PARTIES OF CITY-OWNED LAND ON THE WEST SIDE OF THE NEW THIRD STREET RIGHT-OF-WAY IN NEW CITY BLOCK 552 IN ORDER TO IMPROVE THE STREET CONFIGURATION, ALLOW FOR A CURB CUT, AND PROVIDE AN ADDITIONAL CITY PARKING LOT; ACCEPTING A SPECIAL WARRANTY DEED FROM SAID PARTIES; AND AUTHORIZING THE CITY MANAGER OR ANY ASSISTANT CITY MANAGER TO EXECUTE SAID EXCHANGE AGREEMENT AND QUITCLAIM DEED IN CONNECTION THEREWITH.

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AN ORDINANCE 68,530

ACCEPTING A GRANT OF \$210,362.00 IN CASH AND \$553,085.00 IN-KIND FROM THE U.S. PUBLIC HEALTH SERVICE IN SUPPORT OF THE OPERATION OF THE 1989 CHILD IMMUNIZATION MAINTENANCE PROJECT BY THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT; AUTHORIZING A LOCAL CONTRIBUTION OF \$115,000.00 FROM THE GENERAL FUND; ADOPTING A BUDGET AND APPROVING PERSONNEL POSITIONS.

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AN ORDINANCE 68,531

AUTHORIZING THE CITY MANAGER TO SUBMIT MODIFICATIONS TO THE JOB TRAINING PARTNERSHIP ACT (JTPA) TITLE IIA PLAN FOR PROGRAM YEAR 1988, COMMENCING JULY 2, 1988 TO JUNE 30, 1989.

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AN ORDINANCE 68,532

AUTHORIZING THE ANNUAL NEW YEAR'S EVE CELEBRATION AND FIREWORKS DISPLAY AND CLOSING CERTAIN STREETS IN THE DOWNTOWN AREA IN CONNECTION THEREWITH.

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88-55 The Clerk read the following Ordinance:

AN ORDINANCE 68,533

APPROPRIATING FUNDS IN THE AMOUNT OF \$215,000.00 AND AUTHORIZING THE ESTABLISHMENT OF A REIMBURSEMENT ACCOUNT FOR THE PAYMENT OF ELIGIBLE COSTS INCURRED IN THE CONSTRUCTION OF THE OVERSIZED LA CANTERA OFF-SITE AND ON-SITE SANITARY SEWER MAIN TO THE P.C.T. LA CANTERA.

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In response to a question by Mrs. Dutmer, Mr. Frank Kiolbassa, Director of Environmental Management, explained that the ordinance is needed to approve jointly-agreed-to factors of the project.

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

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

88-55 The Clerk read the following Ordinance:

AN ORDINANCE 68,534

AUTHORIZING FIELD ALTERATION NO. 22 TO THE NORTHWEST GOLF COURSE CONSTRUCTION CONTRACT IN THE AMOUNT OF \$26,111.20 AND AUTHORIZING PAYMENT TO THE CONTRACTOR, R.D.M. CONSTRUCTION, INC., FOR THIS WORK.

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In response to a question by Mr. Wolff, Mr. Ron Darner, Director of Parks and Recreation, provided a brief status report on the construction progress on the Northwest Golf Course, including work on an access road.

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

88-55 The Clerk read the following Ordinance:

AN ORDINANCE 68,535

AUTHORIZING AN ADDITIONAL \$23,900.00 FOR ENGINEERING FEES, PAYABLE TO SOMERVILLE-GONZALES & ASSOCIATES, INC., IN CONNECTION WITH THE BAYLOR FROM PARK ROW TO DEAD-END PROJECT.

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In response to a question by Mrs. Berriozabal, Mr. Joe Aceves, Director of Public Works, spoke to the availability of CDBG funding for the project and explained the need for the additional work.

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

88-55 The Clerk read the following Ordinance:

AN ORDINANCE 68,536

APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH MR. AND MRS. SEIICHI SHIRANE, PROFESSIONAL JAPANESE ADVISORS, IN AN AMOUNT NOT TO EXCEED \$10,000.00 INCLUDING EXPENSE REIMBURSEMENT, FOR CALENDAR YEAR 1989 FOR PROFESSIONAL CONSULTING SERVICES.

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

In response to a question by Mr. Martinez, Mr. Stuart Summers, Director of Economic and Employment Development, stated that the City is

paying half the cost involved, with the Economic Development Foundation paying the other half. He then noted that the Shiranes will be representing both San Antonio and Austin in Japan.

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

88-55 The Clerk read the following Ordinance:

AN ORDINANCE 68,537

CONSENTING TO THE ASSIGNMENT OF THE TWO GROUND LEASE AGREEMENTS FROM THE CURRENT LESSEE TO MRI BUSINESS PROPERTIES FUND, LTD. II COVERING RIVERWALK PROPERTY (ORIGINAL MARRIOTT HOTEL SITE) AND AUTHORIZING THE CITY MANAGER OR AN ASSISTANT CITY MANAGER TO EXECUTE A CONSENT DOCUMENT IN CONNECTION THEREWITH.

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In response to a question by Mrs. Dutmer, Ms. Danielle Milam, Special Projects Office, addressed the need for a new ordinance because of a change in the limited partnership involved.

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

In response to a question by Mr. Labatt, Ms. Milam noted the amounts of monies that are due the City and noted that payments to the City now are current.

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

88-55 The Clerk read the following Ordinance:

AN ORDINANCE 68,538

AMENDING THE HORSE-DRAWN CARRIAGE ORDINANCE DESIGNATING SPECIFIC ROUTES FOR THE CARRIAGES IN THE DOWNTOWN AREA DUE TO STREET CONSTRUCTION AND CLOSURES CAUSED BY THE TRI-PARTY WORK.

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Ms. Anna Deosdade, Public Utilities, spoke to the reasons for wanting to relocate the horse-drawn carriage routes in the downtown area because of the extensive Tri-Party construction work on the downtown streets now underway, and she briefly described the proposed new routes.

Mr. Herge Carlsson, Alamo Carriage, spoke of having received a carriage construction order from Kumamoto, Japan. He then addressed his concerns for how the new restrictions on carriage routes will preclude carriage firms from picking up wedding parties for special rides at some downtown hotels, and stated that he feels that the new restrictions will kill the carriage business in San Antonio.

In response to a question by Mrs. Dutmer, Ms. Deosdade addressed the reasons for some route restrictions, and noted that waivers can be granted by the city on a case-by-case basis, upon proper request.

Mr. Carlsson spoke to the tardiness of certain answers supplied by the City to some request proposals by carriage firms, and the impact such tardiness has on the services of the firms.

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

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

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88-55 The Clerk read the following Ordinance:

AN ORDINANCE 68,539

AMENDING CHAPTER 22 OF THE CITY CODE OF THE CITY OF SAN ANTONIO AS IT RELATES TO FEES AND CHARGES FOR BRACKENRIDGE PARK POLO FIELD DRIVING RANGE AND RIVERSIDE GOLF COURSE AND ADDING SECTION 22-127 TO ESTABLISH FEES AND CHARGES FOR SERVICES AT SAN PEDRO DRIVING RANGE AND PAR 3 GOLF COURSE.

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

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

88-55 The Clerk read the following Ordinance:

AN ORDINANCE 68,540

ACCEPTING THE HIGH BIDS RECEIVED IN CONNECTION WITH CITY FUNDS AVAILABLE FOR DEPOSIT IN INTEREST-BEARING CERTIFICATES OF DEPOSIT.

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

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

88-55 The Clerk read the following Ordinance:

AN ORDINANCE 68,541

AUTHORIZING THE SETTLEMENT OF CAUSE NO. 87-CI-05138, STYLED RHONDA DUCHARME VS. CLYDE ALLEN FLINT & THE CITY OF SAN ANTONIO IN THE 166TH JUDICIAL DISTRICT COURT, BEXAR COUNTY, TEXAS.

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

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

88-55 The Clerk read the following Ordinance:

AN ORDINANCE 68,542 .

AUTHORIZING THE SETTLEMENT OF ALL CLAIMS IN THE CASE
STYLED MARGARITO CARDONA V. TIMOTHY PRIDGEN AND CITY
OF SAN ANTONIO NO. 85-CI-13788, FOR A TOTAL OF
\$90,000.00.

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

88-55 The Clerk read the following Ordinance:

AN ORDINANCE 68,543 .

AUTHORIZING THE SETTLEMENT OF ALL CLAIMS OF MARK D.
KEETER FOR A TOTAL OF \$7,730.00.

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

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

88-55 The Clerk read the following Ordinance:

AN ORDINANCE 68,544 .

AUTHORIZING SETTLEMENT OF ALL CLAIMS IN THE CASE
STYLED GRACE HERING V. CITY OF SAN ANTONIO, CAUSE
NO. 85-CI-13788, FOR A TOTAL OF \$17,500.00.

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

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

- - -
88-55 The Clerk read the following Ordinance:

AN ORDINANCE 68,545

AUTHORIZING SETTLEMENT OF ALL CLAIMS IN THE CASE STYLED DORA T. CAZARES V. CITY OF SAN ANTONIO, CAUSE NO. 87-CI-11019 FOR A TOTAL OF \$20,000.00.

* * * *

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

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

- - -
88-55 The Clerk read the following Ordinance:

AN ORDINANCE 68,546

AUTHORIZING THE PAYMENT OF THE JUDGMENT RENDERED AGAINST THE CITY OF SAN ANTONIO IN THE AMOUNT OF \$250,000.00 PLUS POST JUDGMENT INTEREST AND COURT COSTS IN THE CASE STYLED MORRIS E. DAVIS V. CITY OF SAN ANTONIO, CAUSE NO. 83-CI-0167.

* * * *

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

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

- - -
88-55 The Clerk read the following Ordinance:

AN ORDINANCE 68,547 .

.
AUTHORIZING THE PAYMENT OF \$8,721.25 IN ATTORNEY'S FEES AND COURT COSTS TO MAYO GALINDO AS PER THE TERMS OF THE JUDGMENT AND AN AGREEMENT REACHED IN DELAGARZA V. CITY OF SAN ANTONIO, 88-CI-02438.

* * * *

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

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

- - -
88-55 The Clerk read the following Ordinance:

AN ORDINANCE 68,548 .

.
APPROVING A REPORT DETAILING THE CITY'S CURRENT AND PROPOSED EFFORTS IN WATER CONSERVATION AND PROPOSING AN OVERALL WATER RESOURCES POLICY FOR LOCAL IMPLEMENTATION.

* * * *

In response to a question by Mrs. Berriozabal, Ms. Rebecca Q. Cedillo, Director of Water Resources, provided a written handout to the Council, a copy of which is made a part of the papers of this meeting. She noted that this action proposed today includes a five-year public information campaign and other water conservation measures. She then spoke specifically to plans for 1989, financed by several grants.

Mr. Wolff stated that he hopes the City will meet with City Water Board on the information campaign to explain the benefits to citizens of conserving water, and explaining the higher costs of using more water.

Ms. Cedillo and Mr. Wolff spoke to plans for a public service campaign and of newspaper assistance in explaining the new water rates.

In response to a question by Mrs. Dutmer, Ms. Cedillo addressed her concerns with the possible adverse impact of water conservation on

revenues of City Water Board.

In response to a question by Mrs. Berriozabal, Ms. Cedillo spoke to Council approval of the plan today, and addressed projected actions over the course of the five-year program.

Mayor Cisneros spoke to the difficulty of reaching agreement of all parties in the 15-county Edwards Underground Water District, in addressing use of water from the aquifer under the proposed water conservation plan.

Mr. Labatt thanked the Edwards Underground Water District for the grant.

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

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

- - -
88-55 The Clerk read the following Ordinance:

AN ORDINANCE 68,549

AUTHORIZING EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITIES OF SAN ANTONIO, NEW BRAUNFELS AND SAN MARCOS, THE CITY PUBLIC SERVICE BOARD, THE CITY OF SAN ANTONIO WATER WORKS BOARD OF TRUSTEES, HAYS COUNTY, THE GUADALUPE-BLANCO AND SAN ANTONIO RIVER AUTHORITIES, AND THE EDWARDS UNDERGROUND WATER DISTRICT TO UNDERTAKE A COOPERATIVE EFFORT TO DEVELOP A PROGRAM TO PROPERLY MANAGE THE WATERS OF THE EDWARDS AQUIFER; MAKING PROVISIONS FOR OTHER LOCAL GOVERNMENT AGENCIES TO PARTICIPATE; AND ALLOCATING \$50,000.00 AS THE CITY OF SAN ANTONIO'S SHARE OF EXPENSES IN CONNECTION THEREWITH.

* * * *

Mayor Cisneros spoke of preparations being made in anticipation of a legislative fight this next session of the State Legislature over aquifer water.

Mrs. Dutmer spoke of her concerns in hiring a new lobbyist for \$300,000 to fight the legislative battle over water.

Mayor Cisneros addressed the difficulty in achieving universal approval of all parties concerned on water usage, and stated that he feels that the lobbyist is necessary.

Mr. Labatt spoke of opposition that has surfaced to plans for water management, and the need for regional cooperation in seeking proper legislation.

Ms. Berriozabal stated that she feels that no concensus now prevails among the various parties concerned in water management, and stated that she opposes the ordinance.

Mr. Martinez spoke in support of the ordinance and addressed the need for state legislation.

Mr. Wolff noted that this is a very complicated issue and addressed the need for state legislation.

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

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

88-55 The Clerk read the following Ordinance:

AN ORDINANCE 68,550

AUTHORIZING PAYMENT TO CATERING BY ROSEMARY IN THE AMOUNT OF \$375.00 FOR A RECEPTION FOR DISTRICT ONE BOARD AND COMMISSION MEMBERS HELD ON NOVEMBER 21, 1988.

* * * *

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

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

88-55 Agenda Item #66 was temporarily bypassed by the City Council at this time.

88-55 The Clerk read the following Ordinance:

AN ORDINANCE 68,551

APPOINTING INDIVIDUALS TO SERVE ON THE PRIVATE INDUSTRY COUNCIL. (JOE EARL GINSON, LYNDIA BILLA BURKE, DORA SALINAS)

* * * *

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

88-55 The Clerk read the following Ordinance:

AN ORDINANCE 68,552

APPOINTING INDIVIDUALS TO SERVE AS TRUSTEES ON THE SAN ANTONIO LOCAL DEVELOPMENT COMPANY FOR A TERM TO EXPIRE ON MAY 5, 1990.

* * * *

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

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

88-55 ZONING HEARINGS

70. CASE Z88192 - to rezone Lot 10, Block 3, NCB 16246, 1117 to 1123 Patricia Drive, from "B-2" Business District to "B-3R" Restrictive Business District, located on the northeast side of Patricia Drive, being

337.79' southeast of the intersection of Patricia Drive and Parliament Drive, having 1500' on Patricia Drive with a depth of 144.56'.

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. Mrs. Dutmer seconded the motion.

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

AN ORDINANCE 68,553

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 10, BLOCK 3, NCB 16246, 1117 TO 1123 PATRICIA DRIVE, FROM "B-2" BUSINESS DISTRICT TO "B-3P" RESTRICTIVE BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

71. CASE 788194 - to rezone Lots P-3C and P-3F, NCB 12059 (1.676 acres), from Temporary "R-1" One Family Residence District to "B-3NA" Non-Alcoholic Business Sales District, located on the southeast side of West Avenue, being 1653.53' southwest of the intersection of West Avenue and Bitters Road, having 150.21' on West Avenue with a depth of 477.31'.

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 provided that 13-feet of dedication is given along West Avenue. Mrs. Dutmer seconded the motion.

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

AN ORDINANCE 68,554

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 P-3C AND P-3F, NCB 12059 (1.676 ACRES), 13430 WEST AVENUE, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-3NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES, PROVIDED THAT 13-FEET OF DEDICATION IS GIVEN ALONG WEST AVENUE. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

72. CASE Z88193 - to rezone Lots 11, 12, and 1, NCB 7876, 843 Brunswick Blvd., from "B" Residence District to "B-3NA" Non-Alcoholic Business Sales District, located northeast of the intersection of Brunswick Blvd., and Interstate Highway 35 South, having 109' on Brunswick Blvd., and 130' on Interstate Highway 35 South.

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

Mr. Wing made a motion to approve the zoning request provided that a six-foot solid screen fence is erected and maintained along the east property line, and that a one-foot non-access easement is imposed along Brunswick Blvd. Mrs. Dutmer seconded the motion.

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

AN ORDINANCE 68,555

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 11, 12, AND 13, BLOCK 13, NCB 7876, 843 BRUNSWICK BLVD. FROM "B" RESIDENCE DISTRICT TO "B-3NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES DISTRICT, PROVIDED THAT A SIX-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE

EAST PROPERTY LINE, AND THAT A ONE-FOOT NON-ACCESS EASEMENT IS IMPOSED ALONG BRUNSWICK BLVD. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

73. CASE Z88195 - to rezone Lot 5, NCB 1265, Caffery House, 724 E. Carson Street, from "D" Apartment District to Historic Significant (HS) "D" Apartment District, located southwest of the intersection of Carson Street and Pierce Street, having 62' on Carson Street and 187' on Pierce Street.

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

Mr. Webb made a motion to deny the zoning case. Mr. Wing seconded the motion.

Ms. Patricia Osborne, Historic Preservation Officer, explained the request for rezoning, and displayed photos of the property concerned.

Mr. Howard Peak, representing Bexar Savings Association, spoke to reasons why his firm wants to demolish the structure on the property.

Mr. Webb stated that he feels the property is not historic and should be demolished.

In response to a question by Mrs. Dutmer, Mr. Peak noted that a cleared lot is more attractive for resale.

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

Zoning Case Z88195 was denied.

74. CASE Z88161-J - to rezone Lots 9 through 16 and the north irregular 23.02' of Lot 8, Block 98, NCB 272, Brown Cookie Company, 525 Guadalupe Street, from "L" First Manufacturing District to Historic Significant (HS) "L" First Manufacturing District, located southeast of the intersection of El Paso Street and S. Medina Street, having 155' on El Paso Street and 270' on S. Medina Street.

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

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

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

AN ORDINANCE 68,556

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 A-6, A-7, A-8; LOTS 9, 10, 11, AND 16, SAVE AND EXCEPT THE NORTH 20' OF LOTS 11 AND 15, BLOCK 98, NCB 272, (BROWN COOKIE COMPANY), 525 GUADALUPE STREET, FROM "L" FIRST MANUFACTURING DISTRICT TO HISTORIC SIGNIFICANT (HS) "L" FIRST MANUFACTURING DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

88-55 The Clerk read the following Ordinance:

AN ORDINANCE 68,557

PROVIDING \$1,000.00 FROM THE DISTRICT 5 DISCRETIONARY FUND FOR SUPPORTING THE SAN ANTONIO LIVING SENIOR AGENCY "GIFTS FOR ELDERS" PROJECT.

* * * *

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

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

88-55 The Clerk read the following Ordinance:

AN ORDINANCE 68,558

EXTENDING THE CURRENT AGREEMENT AND AUTHORIZING PARTIAL PAYMENT TO THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER FOR MEDICAL ASSISTANCE AND TRAINING TO SAN ANTONIO FIRE DEPARTMENT'S EMERGENCY MEDICAL SERVICE DIVISION.

* * * *

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

88-55 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE CLOSING AND ABANDONING HEDGES STREET RIGHT-OF-WAY.

Mayor Cisneros declared the Public Hearing to be open.

No citizen appeared to speak on the matter.

Mayor Cisneros declared the Public Hearing to be closed.

The Clerk read the following Ordinance:

AN ORDINANCE 68,559

CLOSING AND ABANDONING A PORTION OF HEDGES STREET RIGHT-OF-WAY BOUNDED BY NEW CITY BLOCK 1484 ON THE NORTH, MITTMAN STREET RIGHT-OF-WAY ON THE EAST, NEW CITY BLOCK 1499 ON THE SOUTH AND MEERSCHIEDT RIGHT-OF-WAY ON THE WEST, SAN ANTONIO BEJAR COUNTY, TEXAS AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE A QUITCLAIM DEED TO ALAMO COMMUNITY COLLEGE, FOR A CONSIDERATION OF \$5,940.00.

* * * *

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

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

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

88-55 The Clerk read the following Ordinance:

AN ORDINANCE 88,568

APPROVING A LEASE AGREEMENT FOR FLOOR SPACE AT THE RIVERBEND PARKING FACILITY. (USO).

* * * *

Mr. Joe Aceves, Director of Public Works, explained that the USO and Das Ist Restaurant both are competing for vacant space in the Riverbend Garage. He also noted that Radio Shack, a current tenant, has decided to vacate their store in the Riverbend Garage, making additional space available for lease should someone else desire to take it over. He noted that the City has allocated \$15,000 in its current budget to transfer the USO to new headquarters from its old facility in HemisFair Park. He further noted that City staff is recommending that the USO be given the garage space in question and spoke to reasons for the staff recommendation.

Mr. Matthew Perdue, representing Das Ist Restaurant, spoke to his group's plans for a new restaurant and noted that their investors require this particular site in order to invest in the restaurant. He then addressed the advantages of locating his restaurant in the Riverbend Garage and stated that he also would like to lease the Radio Shack facilities to develop a retail sales area to the restaurant operation.

Mr. Al Mendez, United Way, asked the City to award the space to the USO, a delegate agency.

Mr. Wes Buck, USO, spoke to the time constraints involved in getting the USO moved out of HemisFair park ahead of planned construction there, and displayed plans for locating the USO facilities in Riverbend Garage. He then spoke of support he has received from RiverCenter in locating the USO in the garage. Ms. Martha Hicks, realtor, spoke to location studies that were made by her firm on behalf of the USO and the advantages of locating the facility in Riverbend Garage. She then spoke of the risky nature of the restaurant business.

Mayor Cisneros stated his contention that the City must proceed with plans to locate the USO in Riverbend Garage, as planned, and recited a brief history of its proposed move from HemisFair Park. He then asked the City staff to assist the restaurant in locating another site.

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

Mrs. Dutmer questioned where the USO would be located if Radio Shack had not decided to move out.

Mrs. Hicks noted that USO considered many possible lease sites, and briefly spoke to them.

Mr. Louis J. Fox, City Manager, explained the revenues to be generated from the site in question.

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

In response to a question by Mr. Wolff, Mr. Aceves explained that the proposed lease of the Riverbend Garage space to Das Ist Restaurant was never placed on the City Council agenda for its consideration and later removed from consideration after having been scheduled as an agenda item.

A discussion then took place on the City Council's past direction to staff to plan for locating the USO in the Riverbend Garage.

In response to a question by Mr. Labatt, Mr. Buck stated that there are no monies available to the USO for leasing of space, and that the City has always provided a facility for it.

Mr. Perdue stated that his restaurant operation will not be successful if located anywhere else, while on the other hand, the USO will be successful anywhere it is located. He then stated that his group already had signed a lease with the City for the Riverbend Garage space back in April. He noted that the USO will not pay the City one cent in rent.

Ms. Berriozabal mentioned the City's commitment to other entities in HemisFair Park area, and the commitment made to the USO, as well.

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

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

88-55 The Clerk read the following Ordinance:

AN ORDINANCE 68,380

MODIFYING THE FRANCHISE HELD BY ROGERS CABLESYSTEMS OF THE SOUTHWEST, INC., TO OPERATE A CABLE TELEVISION SYSTEM WITHIN THE CITY OF SAN ANTONIO.

* * * *

Mr. B.J. Lunsford, member of the Cable Television Advisory Committee, spoke to last week's recommendations of the committee to the City Council relative to the cable franchise questions.

Mr. Bob Crowley, past chairman of the advisory committee, voiced his concern that cable TV users will pay for the \$25 million payment being made to the City, and he enumerated several suggestions to the new cable company for additional services desired.

Ms. Terrelita Maverick, member of the advisory committee, stated that she feels that the City has failed to negotiate more concessions from the new cable firm, and asked that Council action be delayed until January 27, 1989.

Mr. Mario Salas noted that the new cable franchisee must be sensitive to the people of San Antonio and must retain present management personnel, in his opinion. He then spoke to any inordinate raises in cable rates by the new firm and urged that no new rate hikes or access changes be made. He noted that if this were done, a cable boycott might be forthcoming.

Mr. Walter Jones spoke to the importance of maintaining public access to the cable system.

Mr. Pleas McNeel, consultant, raised a number of questions concerning the new cable agreement, and spoke to the need for the City to hire a Cable TV Officer. He asked the Council to postpone any action on the third reading of changes to the franchise until the new proposed cable firm answers certain questions posed to them by the cable advisory committee.

Mr. William A. Pelton spoke in favor of the City taking over the cable TV system, and would like to have this question included on the January 21, 1989 referendum ballot already scheduled for voting on the domed stadium issue.

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

Dr. Howard Forsyth asked that improvements be made in public access facilities, and that they be funded by \$2 million from the settlement.

Mrs. Dutmer stated that she feels that the new cable franchise holder could easily price themselves out of the local market thru imposition of higher rates. She also stated her contention that a majority of San Antonio citizens should benefit from the settlement of negotiations over the cable franchise.

Mr. Lloyd Garza, City Attorney, addressed several questions raised by Mr. McNeel, including the matter of 'grandfathering' of public access until 1993, at which time the Cable TV Act takes over that area; the negotiated agreement that the franchiser will not legally challenge the validity of the franchise fee at this time, pending any change in cable laws.

In response to a question by Mr. Wolff, Mr. John Bickham, Vice-President, KBLCOM, stated that his firm has no problem with meeting with the local cable TV advisory committee concerning their questions about the franchise.

Mr. Webb asked the new cable franchise firm to begin a good working relationship with the local cable TV advisory committee, and spoke in favor of the City Council having the right to regulate cable TV rates again, notwithstanding the Cable TV Act provisions. He also noted that the City still retains the right to an annual franchise fee, which is now nearing \$4 million per year.

A discussion then took place concerning the leased channels on the cable TV system.

Mr. Labatt stated his belief that the \$25 million settlement fund should be kept in trust, and only the interest it might earn spent for certain things. He also voiced his hope that the new franchise owner will meet with the cable TV advisory committee and continue the public access facilities.

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

88-55 The Clerk read the following Ordinance:

AN ORDINANCE 68,381

RENEWING THE FRANCHISE HELD BY ROGERS CABLESYSTEMS OF THE SOUTHWEST, INC., FOR OPERATING AND MAINTAINING A CABLE TELEVISION SYSTEM WITHIN THE CITY FOR A PERIOD ENDING NOVEMBER 7, 2003.

* * * *

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

88-55 The Clerk read the following Ordinance:

AN ORDINANCE 68,561

CONSENTING TO THE TRANSFER OF CONTROL OVER THE CABLE TELEVISION FRANCHISE TO KBL CABLE, INC.

* * * *

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

88-55 The City Council recessed its regular meeting at 6:00 P.M. to convene a meeting of the Board of Directors of the City of San Antonio Industrial Development Authority (CSAIDA).

88-55

The Clerk read the following Resolution:

A RESOLUTION 88-55-73

APPROVING THE ACTION OF THE SAN ANTONIO INDUSTRIAL DEVELOPMENT AUTHORITY (SIDA) IN AUTHORIZING THE INCURMENT OF INDUSTRIAL REVENUE BONDS.

* * * *

Mr. Wing made a motion to approve the proposed resolution. Mr. Labatt seconded the motion.

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

Mr. Thompson stated that he would like to have minority participation in this entire issue.

88-55 The City Council recessed at 6:07 P.M. for "B" Session, reconvening at 6:30 P.M. for Citizens to be Heard.

88-55 (At this time Mayor Cisneros was obliged to leave the meeting, Mayor Pro Tem Labatt presided.)

88-55 POINT OF PERSONAL PRIVILEGE

Councilman Wing asked for the City Council's concurrence to direct staff to develop a plan for a short term lease on the public inebriate program as well as the twenty-four Traffic Warrant Program and the DWI Program.

After discussion, the Council gave its concurrence to Mr. Wing's request.

88-55 CITIZENS TO BE HEARD

MR. DENNIS D. QUICK

Mr. Quick, representing Conley Lott Nichols, spoke to the City

Council about a bid to be opened tomorrow on landfill equipment. He distributed a packet of information to each Councilmember, a copy of which is on file with the papers of this meeting.

He stated that specifications written for this equipment were detrimental to his company and actually excluded his company's equipment. He then described the equipment he proposed to have the City bid on. He then spoke to the meeting he had with a committee of staff persons on this issue. However, the staff had not been receptive to changing the bid specifications. He stated that their recommendations are unfair not only to his company but also to the taxpayers since the City is not going to get a fair and equitable bid.

Mr. Archie Titzman, Purchasing Director, gave an overview and background of this particular case. He stated that he had been meeting with Mr. Quick and that the case had been also presented to the city committee. He stated that the specifications being used are the same ones which have been used since 1985. He then spoke to the basic differences in the two pieces of equipment which are the subject of contention.

Mr. Wolff suggested that the Purchasing Department check into the costs of the bid being proposed and what Caterpillar sells its equipment for, in other locales.

Mr. Quick stated that the bids were written to require equipment which is really not necessary. He stated that his equipment can do the job adequately.

Mr. Wing stated that the City Council some years ago had approved the concept of the review by city staff committees and that the Council is assured that the City Staff Committee will recommend the best possible product for the least possible cost and spoke in support of the Committee's recommendations.

Mr. Labatt asked the staff to look at this equipment and perhaps re-evaluate in order to have more competitive bids in the future.

* * * *

MR. BILL McDONALD

Mr. McDonald, representing Arby's Restaurants, spoke to the City Council about his involvement in the construction of an awning on one of the Arby's restaurants which was denied by the Historic Review Board. He displayed photographs of the awning and what the Historic Review Board suggested that it would approve, that being a canvas awning instead of the vinyl awning which was erected.

Mr. Gene Camargo, Director of Building Inspections, gave a background history of this case and stated that the Historic Review Board

had denied permission to Arby's to construct the awning, nevertheless, Arby's had contracted Mr. McDonald to do the job. They also put up signage which had never been approved by the Historic Review Board. He also explained that there is an appeal procedure which had not been followed in this case.

Mr. McDonald stated that he was unaware that Arby's had not pursued the appeal procedures which is a viable option and he would avail himself of this process.

Several Council members asked Mr. McDonald to take his case back to the Historic Review Board and appeal to the City Council if necessary.

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88-55 There being no further business to come before the City Council, the meeting was adjourned at 6:55 P.M.

A P P R O V E D

Henry Cisneros

M A Y O R

Attest: *Tom S. Rodriguez*
C i t y C l e r k