

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO, HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, APRIL 18, 1991.

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

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91-16 Invocation - Reverend Fred Norris, Harlandale Presbyterian Church.

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91-16 Pledge of Allegiance to the flag of the United States.

91-16 FIESTA COMMISSION

Mayor Pro Tem Wing, presiding in the temporary absence of Mayor Cockrell, recognized the presence in the audience today of Ms. Barbara Wenger, President, and Ms. Marlene Pedroza, Executive Vice-President, Fiesta Commission, who are present to speak to the City Council about upcoming Fiesta Week events and to present the official Fiesta medals to members of the City Council.

Mr. Labatt, President of the Fiesta Commission in 1978, congratulated the Commission on its excellent list of events.

Mr. Hasslocher expressed congratulations on the Commission's 100th anniversary celebration this year.

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91-16 NIGHT IN OLD SAN ANTONIO

Mayor Pro Tem Wing recognized the presence in the audience today of Ms. Rollette Schreckenghost, Chairman of this year's Night In Old San Antonio celebration, as well as her six co-chairpersons.

Ms. Schreckenghost addressed events planned for NIOSA this

year and spoke of the special poster developed in honor of NIOSA's 44th year of existence.

NIOSA representatives then presented special momentos to Council members, including copies of the poster and special badges.

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91-16

EL REY FEO

Mayor Pro Tem Wing introduced El Rey Feo, Mr. Johnny Gabriel, who entered the chambers accompanied by mariachis and his official entourage, including his wife, Rosalie Gabriel, his Aide, Mr. Ted Martin, and other court members Ms. Stella Reyna and Margarita Collazo, and his Court Jester, Toni.

El Rey Feo the 42nd addressed the multi-cultural aspect of San Antonio and the participation of El Rey Feo on these events.

Members of the court of El Rey Feo then distributed Rey Feo medals to Council members.

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91-16

FIESTA PARADES

On a point of personal privilege, Mr. Webb, Chairman of the Council's Fiesta Committee, spoke to plans to have all City Council members ride together in a trolley during the Fiesta Flambeau Parade, and noted that some Council members have expressed a desire to ride in separate individual automobiles, as in past years. He further stated that, since an impasse apparently exists in this matter, City Council members may well decide not to appear in the Flambeau Parade this year.

Mr. Wing stated his opinion that Council members riding together in a trolley displays a unity, and he spoke in favor of that option. He also noted that the Flambeau Parade is sponsored by a private group.

Ms. Vera spoke in support for Mr. Webb's recommendation, stating her belief that these new plans are a departure from the norm.

Mr. Hasslocher also spoke in support for Mr. Webb's recommendation.

A discussion ensued, during which the point was made that no reason for the change in modes of transportation for Council members was given.

91-16

DEFENSE LANGUAGE SCHOOL STUDENTS

Mr. Wing welcomed students from the Defense Language School, Lackland Air Force Base.

Each student came forward to introduce themselves and identify their nation of origin.

91-16 Minutes of the Council meeting of February 21, 1991 were approved.

91-16

CPS REFUNDING BONDS

The Clerk read the following Ordinance:

AN ORDINANCE 73,493

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS AUTHORIZING THE ISSUANCE OF "CITY OF SAN ANTONIO, TEXAS ELECTRIC AND GAS SYSTEMS REVENUE REFUNDING BONDS, NEW SERIES 1991", FOR THE PURPOSE OF REFUNDING CERTAIN OF THE CITY'S OUTSTANDING ELECTRIC AND GAS SYSTEMS REVENUE BONDS, INCLUDING THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING THERETO; PROVIDING THE TERMS, CONDITIONS, AND SPECIFICATIONS FOR SUCH BONDS; MAKING PROVISIONS FOR THE PAYMENT AND SECURITY THEREOF ON A PARITY WITH CERTAIN CURRENTLY OUTSTANDING OBLIGATIONS; STIPULATING TERMS AND CONDITIONS FOR THE ISSUANCE OF ADDITIONAL REVENUE BONDS ON A PARITY THERewith; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT, A PURCHASE CONTRACT, AND AN ESCROW AND TRUST AGREEMENT; ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE; AND DECLARING AN EMERGENCY.

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

Mr. Howard Freeman, Assistant General Manager, City Public Service, spoke to details of the refunding bond sale, noting that only the 1987 refunding bonds had lower interest rates since refunding bonds were first approved in 1979. He stated that this refunding bond sale

will achieve a lower interest rate than the original bonds, thus saving some \$5 million for CPS customers.

Mr. Karl Wurz, 820 Florida, quoted from a 1983 newspaper article critical of the sale of refunding bonds and spoke in favor of a "pay as you go" method of financing CPS capital improvements.

Mr. Martinez stated his opinion that the Council would be negligent in not taking advantage of the lower and better interest rates.

Mr. Freeman noted that the three ordinances before Council today cover some \$356 million in refunding bonds.

A discussion then took place concerning the local and minority participation in the refunding actions.

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

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

91-16 The Clerk read the following Ordinance:

AN ORDINANCE 73,494

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS AUTHORIZING THE ISSUANCE OF "CITY OF SAN ANTONIO, TEXAS ELECTRIC AND GAS SYSTEMS REVENUE REFUNDING BONDS, NEW SERIES 1991-", FOR THE PURPOSE OF REFUNDING CERTAIN OF THE CITY'S OUTSTANDING ELECTRIC AND GAS SYSTEMS REVENUE BONDS, INCLUDING THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING THERETO; PROVIDING THE TERMS, CONDITIONS, AND SPECIFICATIONS FOR SUCH BONDS, MAKING PROVISIONS FOR THE PAYMENT AND SECURTIY THEREOF ON A PARITY WITH CERTAIN CURRENTLY OUTSTANDING OBLIGATIONS; STIPULATING TERMS AND CONDITIONS FOR THE ISSUANCE OF ADDITIONAL REVENUE BONDS ON A PARITY THEREWITH; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT, A PURCHASE CONTRACT, AND AN ESCROW AND TRUST AGREEMENT; ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE; AND DECLARING AN EMERGENCY.

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

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

91-16 The Clerk read the following Ordinance:

AN ORDINANCE 73,495

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS AUTHORIZING THE ISSUANCE OF "CITY OF SAN ANTONIO, TEXAS ELECTRIC AND GAS SYSTEMS REVENUE REFUNDING BONDS, NEW SERIES 1991-B", FOR THE PURPOSE OF REFUNDING CERTAIN PRINCIPAL AMOUNTS OF THE CITY'S OUTSTANDING ELECTRIC AND GAS SYSTEMS COMMERCIAL PAPER PROGRAM, INCLUDING THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING THERETO; PROVIDING THE TERMS, CONDITIONS, AND SPECIFICATIONS FOR SUCH BONDS; MAKING PROVISIONS FOR THE PAYMENT AND SECURITY THEREOF ON A PARITY WITH CERTAIN CURRENTLY OUTSTANDING OBLIGATIONS; STIPULATING TERMS AND CONDITIONS FOR THE ISSUANCE OF ADDITIONAL REVENUE BONDS ON A PARITY THEREWITH; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT, A PURCHASE CONTRACT, AND AN ESCROW AND TRUST AGREEMENT; ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE; AND DECLARING AN EMERGENCY.

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

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

91-16 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE  
ABANDONING IMPROVED ALLEY

Mayor Cockrell declared the Public Hearing to be open:

The Clerk read the following Ordinance:

AN ORDINANCE 73,496

CLOSING, VACATING AND ABANDONING AN EXISTING IMPROVED ALLEY BETWEEN MYRTLE STREET AND EAST PARK AVENUE, BETWEEN NEW CITY BLOCK 1753 AND NEW CITY BLOCK 1754, SAN ANTONIO, BEXAR COUNTY, TEXAS; AND AUTHORIZING THE CITY MANAGER OR ASSISTANT CITY MANAGER TO EXECUTE QUITCLAIMS TO DANIEL L. BENEDETTI AND WIFE, RUBY S. BENEDETTI; ERNIE L. GLENN AND WIFE, GRACIELA A. GLENN; ELEAZAR G. GUAJARDO AND WIFE, GLORIA GUAJARDO AND JOHN P. MELENDEZ, A WIDOWER, FOR A TOTAL CONSIDERATION OF \$1,150.00 DOLLARS.

\* \* \* \*

Mr. Bill Toudouze, Real Estate, Public Works Department briefly explained the proposed vacating of an improved alley.

Ms. Ruby Benedetti, 531 East Park Avenue, displayed photographs of the alley in question and the problems experienced by neighbors with crime linked to the nearness of the alley to their homes. She noted that the area is subject to gang conflicts and addressed details of those problems, urging sale of the alley to the neighbors, as proposed.

Mr. Eleazar Guajardo, 602 East Myrtle Street, addressed certain incidents of violence related to the alley.

Ms. Graciela Glenn, 617 East Park Avenue, spoke to the high incidence of burglaries in the neighborhood and related details of an arson-caused fire that destroyed an automobile and damaged a nearby garage next to her home. She noted that the Police Department supports closure of the alley in question.

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

There being no further citizens to speak to this issue, the Mayor Pro Tem declared the Public Hearing to be closed.

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

Ms. Berriozabal spoke to the need for the alley closure and asked the City Manager to have the Police Department address the gang problems in the area.

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

91-16      ZONING HEARINGS

6.    CASE Z91030 (PP) - to rezone Lot 14, Block 19, NCB 9098, 702 Cavalier Avenue, from "B" Two Family Residence District to "B-1" Business District, located southwest of the intersection of South Zarzamora Street and Cavalier Avenue, having 117.25 feet on South Zarzamora Street and 59.5 feet on Cavalier Avenue.

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

Mr. Andy Guerrero, Land Development Services, noted that 16 notices were returned in opposition to this request for rezoning, and the Communities Organized for Public Service organization also is in opposition.

Mr. Ruben M. Pena, 702 Cavalier, spoke to the request for rezoning and noted that a proposed planning meeting involving both sides of the rezoning issue did not take place in order to negotiate the issue.

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

Ms. Rosie Rosales, Chairperson of St. James Parish COPS, addressed reasons why the planned meeting did not take place and stated her opinion that it would not be appropriate to place a parking lot next to residential areas.

Ms. Angelita Ramirez, 714 Cavalier, strongly opposed plans for a party-house parking lot.

Ms. Mildred F. Rodgers, 706 Cavalier, spoke in opposition to the proposed rezoning, noting that her bedroom is only 13 feet from this property.

Ms. Genevieve Tejada, 722 Cavalier, spoke against business zoning on this property.

Mr. Pena addressed reasons for the requested rezoning and suggested the property might be rezoned O-1 for office uses.

In response to a question by Mr. Martinez, Mr. Guerrero noted that the proponent still could have parking with an O-1 zoning, and addressed the number of parked cars that would be allowed with office

usage on the property.

Mr. Martinez spoke to his concerns with parking on this property adjacent to a residential area and asked both sides to meet and work out a development plan on the property in question.

Mr. Martinez made a motion to deny the request of change of zone by the Zoning Commission. Mrs. Dutmer seconded the motion.

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

Zoning case Z91030PP was denied.

91-16      CONSENT AGENDA

Mr. Labatt made a motion to approve Agenda Items 8 through 28, constituting the Consent Agenda. Mrs. Dutmer seconded the motion.

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

AN ORDINANCE 73,497

ACCEPTING THE LOW QUALIFIED BID OF SOLIS MASONRY FOR PAINTING OF BUILDINGS IN LA VILLITA FOR A TOTAL OF \$6,420.00.

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AN ORDINANCE 73,498

ACCEPTING THE LOW BID OF CITY ARMORED SERVICE TO FURNISH THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH REVENUE PICKUP FOR CITY SWIMMING POOLS FOR A TOTAL OF APPROXIMATELY \$8,051.40.

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AN ORDINANCE 73,499

ACCEPTING THE LOW BID OF GRAYBAR ELECTRIC COMPANY TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH TRAFFIC CABLE SUSPENSION HARDWARE FOR A TOTAL OF \$16,421.97.

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AN ORDINANCE 73,500 .

ACCEPTING THE LOW BID OF LAERDAL MEDICAL CORPORATION TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH LAERDAL DEFIBRILLATOR ACCESSORIES ON AN ANNUAL CONTRACT BASIS FOR A TOTAL OF APPROXIMATELY \$3,000.00.

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AN ORDINANCE 73,501 .

ACCEPTING THE LOW QUALIFIED BID OF MCKENZIE EQUIPMENT COMPANY TO FURNISH THE CITY OF SAN ANTONIO AUTOMOTIVE OPERATIONS WITH TWO TRUCK MOUNTED AIR COMPRESSORS FOR A TOTAL OF \$3,370.00.

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AN ORDINANCE 73,502 .

ACCEPTING THE LOW BID OF AMERICAN HOMESTEAD, INC. TO FURNISH THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH SIDEWALK CLEANING SERVICE FOR A TOTAL OF \$9,300.00.

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AN ORDINANCE 73,503 .

AUTHORIZING THE CITY MANAGER OR ASSISTANT CITY MANAGER TO EXECUTE FIELD ALTERATION NO. 2 IN THE AMOUNT OF \$201,794.83 TO THE CONTRACT WITH CLARK CONSTRUCTION CO., INC. IN CONNECTION WITH THE STREET OVERLAY - 1990 PROJECT; RATIFYING ALL ACTIONS TAKEN BY CITY STAFF IN CONNECTION THEREWITH; AND PROVIDING FOR FUNDING IN CONNECTION THEREWITH.

\* \* \* \*

AN ORDINANCE 73,504 .

APPROVING FIELD ALTERATION NO. 6 IN THE AMOUNT OF \$51,969.94 TO THE CONTRACT WITH GOODEN CONSTRUCTORS CORP. TO PROVIDE ADJUSTMENTS IN CONNECTION WITH THE HEMISFAIR ARENA EXIT SAFETY IMPROVEMENTS/ADDITIONAL SEATING PROJECT; AUTHORIZING THE EXECUTION OF THE FIELD ALTERATION; AND PROVIDING FOR PAYMENT.

\* \* \* \*

AN ORDINANCE 73,505 .

ACCEPTING THE LOW BID OF UTILITIES CONSOLIDATED, INC. IN THE AMOUNT OF \$5,417,692.99 TO PROVIDE CONSTRUCTION SERVICES IN CONNECTION WITH THE TILLIE DRIVE DRAINAGE #114A (LATERALS) PROJECT; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$247,917.52 FOR THE CONSTRUCTION CONTINGENCY; AUTHORIZING \$200.00 FOR ADVERTISING EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 73,506

ACCEPTING THE LOW, QUALIFIED BID OF E-Z BEL CONSTRUCTION CO., INC. IN THE AMOUNT OF \$126,826.99 IN CONNECTION WITH THE LINCOLNSHIRE (ROBESON TO AURELIA) PROJECT; AUTHORIZING A CONTRACT; AUTHORIZING \$12,682.70 FOR CONSTRUCTION CONTINGENCIES, \$4,024.71 FOR PROJECT OVERSIGHT COSTS; AND PROVIDING FOR PAYMENT.

\* \* \* \*

AN ORDINANCE 73,507

APPROVING FIELD ALTERATION NO. 15 IN THE AMOUNT OF \$19,343.00 TO THE CONTRACT WITH V.K. KNOWLTON PAVING CONTRACTORS, INC., TO PROVIDE ADJUSTMENTS IN CONNECTION WITH THE FAIR AVENUE/S. PRESA STREET RECONSTRUCTION PROJECT; AUTHORIZING THE EXECUTION OF THE FIELD ALTERATION; AND PROVIDING FOR PAYMENT.

\* \* \* \*

AN ORDINANCE 73,508

ACCEPTING THE LOW, QUALIFIED BID OF CRAFTCO TEXAS, INC. IN THE AMOUNT OF \$78,988.00 IN CONNECTION WITH THE EMILIE AND ALBERT FRIEDRICH PARK HANDICAP ACCESS MODIFICATIONS (PHASE I) PROJECT; AUTHORIZING A CONTRACT; REVISING THE PROJECT BUDGET; AUTHORIZING \$7,898.80 FOR CONSTRUCTION CONTINGENCIES, \$3,317.50 FOR PROJECT OVERSIGHT COSTS, \$3,390.00 FOR ARCHITECTURAL EXPENSES AND \$205.84 FOR BID ADVERTISING FEES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 73,509

APPROVING FIELD ALTERATION NO. 1, IN THE AMOUNT OF \$64,571.00, TO THE CONTRACT WITH VALEMAS, INC. FOR

THE HANGAR RENOVATIONS PROJECT AT SITNSON MUNICIPAL AIRPORT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

\* \* \* \*

AN ORDINANCE 73,510

APPROVING FIELD ALTERATION NO. 1, IN THE AMOUNT OF \$23,355.50, TO THE CONTRACT R. L. JONES COMPANY, INC. FOR THE CONSTRUCTION OF STREET, DRAINAGE & SANITARY SEWER IMPROVEMENTS AT SAN ANTONIO INTERNATIONAL AIRPORT; REVISING THE BUDGET FOR THE PROJECT; AND PROVIDING FOR PAYMENT.

\* \* \* \*

AN ORDINANCE 73,511

AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$109,878.20 TO S.A.C.C., INC. FOR EMERGENCY CONSTRUCTION REPAIRS IN CONNECTION WITH THE BAYWATER EMERGENCY SANITARY SEWER PROJECT; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$10,987.80 FOR THE CONSTRUCTION CONTINGENCY; AND PROVIDING FOR PAYMENT.

\* \* \* \*

AN ORDINANCE 73,512

AUTHORIZING A TWENTY-FIVE YEAR LEASE AGREEMENT WITH THE TEXAS ENGINEERING EXTENSION SERVICE, A PART OF THE TEXAS A & M UNIVERSITY SYSTEM, FOR THAT INSTITUTION'S USE OF A 28,300 SQUARE FOOT FACILITY IN HEMISFAIR PARK FOR ADMINISTRATIVE AND TRAINING FUNCTIONS OF THE TEXAS ENGINEERING EXTENSION SERVICE FOR A CONSIDERATION OF \$3.00 PER YEAR.

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AN ORDINANCE 73,513

AUTHORIZING THE EXECUTION OF A QUITCLAIM COVERING A STRIP OF LAND 1.3 FEET WIDE AND 64.7 FEET LONG CONTAINING A TOTAL OF 84.11 SQUARE FEET OF THE RIGHT-OF-WAY OF INDIANA STREET ADJACENT TO LOT A-9, NEW CITY BLOCK 656 TO GLEN G. GIBSON AND WIFE, MELISSA A. GIBSON.

\* \* \* \*

AN ORDINANCE 73,514

AUTHORIZING THE EXECUTION OF AN AGREEMENT WHEREBY THE STATE WILL ASSUME THE TOTAL COST, OPERATION AND MAINTENANCE OF EXISTING TRAFFIC SIGNALS AT 21 LOCATIONS ON IH 10 BETWEEN DE ZAVALA AND ACKERMAN ROAD, 3 LOCATIONS ON IH 37 BETWEEN FAIR AND PECAN VALLEY DRIVE, 14 LOCATIONS ON IH 35 BETWEEN PALO ALTO ROAD AND O'CONNOR ROAD, AND ONE LOCATION ON SPUR 371 (GENERAL HUDNELL) AND CUPPLES ROAD FOR A TOTAL OF 39 LOCATIONS.

\* \* \* \*

AN ORDINANCE 73,515

APPROVING THE REQUEST OF THE LABOR-MANAGEMENT RELATIONS COMMITTEE TO USE THE PARKING LOT LOCATED AT THE DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT, 401 SOUTH FRIO STREET, DURING THE 1991 FIESTA ACTIVITIES FOR FUND RAISING ACTIVITIES BENEFITING THE EMPLOYEE ASSISTANCE PROGRAM.

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AN ORDINANCE 73,516

CLOSING WEST ASHBY BETWEEN FREDERICKSBURG ROAD AND ST. ANN STREET ON SATURDAY, APRIL 20, 1991, FROM 7:00 A.M. UNTIL MIDNIGHT TO ALLOW ST. ANN'S CHURCH TO HOLD A PARISH FESTIVAL.

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AN ORDINANCE 73,517

CLOSING SHOOK AVE. BETWEEN HILDEBRAND AND ROSEWOOD AVE., AND LULLWOOD AVE. WEST BETWEEN SHOOK AVE. AND GILLESPIE, ON FRIDAY, APRIL 19, 1991, FROM 7:00 A.M. UNTIL 4:00 P.M. TO ALLOW DESPERADO PRODUCTIONS TO FILM ON LOCATION IN THE AREA; AND DECLARING AN EMERGENCY.

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91-16 SECOND AND FINAL READING-ANNEXATION OF HYATT RESORT PROPERTY

The Clerk read the following Ordinance for the second and final time:

AN ORDINANCE 73,255

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 239.0 ACRES OF LAND KNOWN AS THE HYATT SAN ANTONIO RESORT AREA PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

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

91-16      SECOND AND FINAL READING-ANNEXATION OF CERVANTES PROPERTY

The Clerk read the following Ordinance for the second and final time:

AN ORDINANCE 73,256

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 3.1 ACRES OF LAND KNOWN AS THE ROBERT CERVANTES AREA PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

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

91-16      The Clerk read the following Resolution:

A RESOLUTION NO. 91-16-24

SETTING A DATE AND TIME FOR A PUBLIC HEARING ON PROPOSED CHANGE NUMBER 2 TO THE ST. PAUL SQUARE URBAN RENEWAL PLAN AND DIRECTING ADVERTISEMENT OF NOTICES FOR SAID HEARING.

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

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

91-16 The Clerk read the following Resolution:

A RESOLUTION NO. 91-16-25

NOMINATING ALAMO IRON WORKS, INC. TO THE TEXAS DEPARTMENT OF COMMERCE FOR DESIGNATION AS AN ENTERPRISE PROJECT IN THE EASTSIDE ENTERPRISE ZONE; AND DESIGNATING THE DIRECTOR OF THE DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT AS THE ALAMO IRON WORKS, INC. ENTERPRISE PROJECT LIAISON.

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

Mr. Kevin Moriarty, Acting Director, Department of Economic and Employment Development, explained the planned designation of the Alamo Iron Works as an enterprise project and spoke to its advantages.

Mr. Alex Briseno, City Manager, spoke of the advantage of helping local business development.

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

91-16 The Clerk read the following Ordinance:

AN ORDINANCE 73,518

APPROPRIATING \$1,620.00 FROM THE DISTRICT 10  
DISCRETIONARY FUND TO HELP DEFRAY THE COSTS OF THE  
PRO-PATRIOT PARADE HELD ON FEBRUARY 17, 1991.

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

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

91-16 The Clerk read the following Ordinance:

AN ORDINANCE 73,519

APPROPRIATING \$136.22 FROM THE DISTRICT 3  
DISCRETIONARY ACCOUNT TO COVER THE COST OF A BUS  
WHICH TRANSPORTED 50 EIGHTH-GRADE STUDENTS FROM  
RHODES MIDDLE SCHOOL TO SEA WORLD FOR AN EDUCATIONAL  
TRIP.

\* \* \* \*

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

Mayor Cockrell urged Council members to preserve approximately  
one-third of their own district's Discretionary fund for use by the  
incumbent in that district next Council term.

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

91-16 Item 35 being a discussion/regarding the establishment of a  
Neighborhood Advisory Board was removed earlier by the City Manager.  
Edwards Aquifer Edwards Aquifer Preservation was removed earlier by the  
City Manager.

Ms. Fay Sinkin, representing the Edwards Aquifer Preservation Trust, explained the purposes of her organization and distributed copies of printed matter, a copy of which is made a part of the papers of this meeting. She stated that she feels that its success should produce a greenbelt across the Edwards Aquifer recharge zone to enhance water recharge into the aquifer. She then distributed photographs showing trenching atop caves in the aquifer recharge zone.

Ms. June Kachtik, representing the Open Spaces Advisory Board, spoke in support for this effort and addressed details of acquisition of sensitive areas over the recharge zone, especially those currently in the hands of the Resolution Trust Corporation.

Ms. Danielle Milam, representing the League of Women Voters, stated her opinion that it is important to preserve the quality of water by urging maintenance of properties from development over the recharge zone. She spoke to the effects of contaminant leaks into water sources elsewhere and asked the City staff to identify such areas and encourage its preservation.

Ms. Martha Tarpley, representing the Trust, distributed a handout, a copy of which is made a part of the papers of this meeting. She then spoke to several areas of critical interest and the contamination from abandoned trenching projects.

Ms. Ruth Lofgren, also representing the Trust, stated her belief that conservation is a major part of any water usage plan.

Mayor Cockrell called this matter a welcome development from the private sector and asked City staff to investigate the plan and its ramifications.

Mrs. Dutmer spoke to advantages of this plan.

Ms. Berriozabal noted that conservation of water is of little use while major development continues over the recharge zone. She spoke in support for this idea presented today.

In response to a question by Mr. Wolff, Ms. Sinkin discussed the project designed to map sensitive recharge zones as a major source of identifying these recharge areas.

Mr. Wolff discussed the impact of the Camp Bullis military reservation on protection of recharge into the Edwards Aquifer through the recharge zone.

Mr. Labatt reminded the Council that the City of San Antonio controls only some eight per cent of the recharge zone, and he questioned figures used by several previous speakers relative to

recharge. He also spoke of his concerns for politicizing this issue during the current election campaign by one of the previous speakers.

Ms. Dutmer and Ms. Berriozabal both stated their opinions that citizens may appear before the City Council to speak on any topic they wish.

Mr. Berriozabal asked for Council concensus to refer this matter to the City staff for analysis of the avenues that might be open to the City in this effort. Mrs. Dutmer seconded the motion.

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

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91-16

SAN ANTONIO DEVELOPMENT AGENCY VOTE

On a point of personal privilege, Mrs. Dutmer spoke to a recent newspaper article which stated that she had voted in favor of the SADA position on sale of a certain Vista Verde property to Bexar County. She asked that the record reflect that she cannot cast a formal vote on the SADA board, as reported, because of her ex-officio position on that board.

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91-16

The Clerk read the following Ordinance:

AN ORDINANCE 73,520

AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO A/K/A SAN ANTONIO DEVELOPMENT AGENCY, BEXAR COUNTY, AND THE CITY OF SAN ANTONIO, APPROVING THE PRICE, TERMS, AND CONDITIONS OF A SALE TO BEXAR COUNTY FROM VISTA VERDE PLAZA JOINT VENTURE AND THE MEXICAN AMERICAN UNITY COUNCIL OF LOTS 15, 16, 17, AND 22 AND EASEMENT ACROSS PARTS OF LOT 19, NEW CITY BLOCK 286, VISTA VERDE PROJECT TEX. R-109, UNIT 7A, SAN ANTONIO; AUTHORIZING THE CITY ATTORNEY TO PURSUE LEGAL REMEDIES IN CONNECTION WITH ENFORCEMENT OF ITS HISTORIC PRESERVATION ORDINANCE, BEING DIVISION 10 OF ARTICLE III OF THE UNIFIED DEVELOPMENT CODE OF SAN ANTONIO; AND DECLARING AN EMERGENCY.

\* \* \* \*

Mr. Justin Arcchi, Chairman of the Historic Review Board, stated that his board had reviewed this case and has ruled upon it, basing its recommendation to City Council on the City's historic

preservation ordinance. He expressed concern with the impact upon that ordinance of the proposed agreement drawn up by attorneys for the City and San Antonio Development Agency. He stated his opinion that all interested parties should have been part of this agreement, including the City's Historic Preservation Office, and urged the Council to uphold the historic preservation ordinance.

Mr. Gary Vasquez, Executive Director, Cattlemen's Square Association, stated that the property owners within both the Vista Verde South and Vista Verde North have spent hundreds of thousands of dollars to comply with the various rules and regulations of those areas. He stated that it is of concern to them that some of the developers involved in this particular case are not having to adhere to these same rules and regulations, in his opinion. He urged that the Council force these individuals to pay the fines and adhere to the rules.

Mrs. Barbara Hunter, San Antonio Conservation Society, stated that the action being considered by the Council is extremely important to the city's historic future. She spoke to alleged disregard and violation of the ordinance in place, and urged the City to prosecute those responsible, and not to approve the sale of this property to Bexar County at this time. She stated her belief that the City needs to address the preservation issue.

Ms. Carolyn Zehner, King William Association, spoke her area's success in restoring historic properties, and stated that she feels that today's issue is being closely watched.

Mayor Cockrell then read the official statement, adjourning the Council meeting into Executive Session to discuss this matter.

(The City Council recessed into Executive Session at 3:52 P.M., reconvening into its regular session at 4:59 P.M.)

Mayor Cockrell briefly summarized the Executive Session proceedings in general terms.

Mr. Lloyd Garza, City Attorney, spoke to the City's two options in seeking remedy for matters of violation of the City's historic preservation ordinance, both criminal and civil in nature. He then addressed details of two cases already filed in Municipal Court and the three civil options available. He then addressed details of the proposed action to sell this property in question to Bexar County in order to preclude legal actions to take over Vista Verde Plaza building on Monday next. He stated that, even if the City proceeds to sell this property to Bexar County today, the other actions regarding alleged violation of the historic preservation ordinance still can proceed.

Mayor Cockrell stated that she is angry over the alleged violation of the City's historic preservation ordinance in this case and spoke to legal actions now taken place. She noted the City's quandry in facing foreclosure on the building concerned if civil remedies such as full restoration of the demolished Finck Cigar building are continued.

She then stated her belief that the City cannot win by proceeding with certain civil remedies and thus bringing about the foreclosure on the Vista Verde Plaza building.

Mr. Martinez spoke in agreement with the Mayor's assessment of the situation, as outlined previously by the City Attorney, and noted that the City must balance two objectives. He then addressed the vandalizing of the old Finck Cigar factory and the nearby Hood School, both on the same property as the Vista Verde Plaza building. He stated his belief that if the foreclosure action takes place Monday, restoration of the other two buildings will never occur. He expressed his feeling that some penalty must be assessed for the demolition of the Finck Cigar building, but also feels that the only option available for the City to pursue at this time is to pursue criminal penalties in court and allow San Antonio Development Agency to sell this property in question to Bexar County.

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

In response to a question by Mr. Wolff, Mr. Garza stated that the City has negotiated the \$200,000 figure to pay for restoration, while the firm in question is offering \$25,000. He then stated his opinion that the firm may seek bankruptcy protection, should a judgement be returned against them at a higher figure. He further noted that if the building were to go into bankruptcy, Bexar County might be able to purchase it from the Resolution Trust Corporation.

Mr. Wolff stated his opinion that taking action today on the pending motion is a mistake, and he will vote against the ordinance. He stated his belief that Bexar County can seek to purchase the building from RTC after foreclosure, if that occurs.

A discussion then took place concerning the estimated \$250,000 to \$296,000 cost to restore the building to pre-demolition status.

Mr. Thompson spoke in support for the proposed ordinance in order to prevent foreclosure on the Vista Verde Plaza building.

In response to a question by Mr. Thompson, Ms. Patricia Osborne, Historic Preservation Officer, stated her opinion that it would cost some \$450,000 to make the building usable again.

Mr. Hasslocher spoke in support for a fine being levied against those responsible for tearing down the Finck Cigar building, but stated his belief that it is best in the long run to sell Vista Verde Plaza building to Bexar County in order to foster economic development in this immediate area.

Mr. Labatt stated that he deplores the destruction of the Finck Cigar building, but noted that the City Council now is faced with a dilemma in which the City will realize nothing if the building is

foreclosed upon. He stated his opinion that the City must be pragmatic about the issue.

Ms. Vera stated that she understands the ramifications of the issue, but cannot support the pending motion.

Ms. Berriozabal spoke to her concern that, through passage of the pending ordinance, the old Hood School also will be lost, if it is not restored within a two-year period. She also stated her concern that the ordinance removes the Historic Review Board from this process, noting that this was not mentioned at all in the contract.

Mr. Garza noted that Bexar County has agreed to abide by all City ordinances and codes until the year 2002.

Ms. Berriozabal addressed her concern that the City is not fully enforcing its own historic preservation laws, and loses the Hood School, as well. She noted that the City would not be protecting our historicity.

Mr. Webb spoke in support for the pending motion.

In response to a question by Mr. Hasslocher, Mr. Gene Camargo, Director of Building Inspections, discussed the citations that have been filed for various violations at the Finck Cigar building in past years.

Mr. Martinez made a motion providing the five distinct points: (1) that the \$25,000 in damages paid be deposited in a historic preservation fund, (2) that back taxes scheduled to be paid to the General Fund of the City instead be deposited in the historic preservation fund; (3) that Bexar County be challenged to contribute their portion of the back taxes to this same fund; (4) that the Conservation Society be asked to match this funding and (5) the historic preservation fund proceeds be used to restore the Finck Cigar building or other historic site. Mr. Wing seconded the motion.

In response to a question by Mayor Cockrell, Mr. Garza reiterated the financial aspects of the contract.

A discussion then took place concerning the possibility of requiring some \$200,000, rather than \$25,000, before the contract of sale is signed, after which no formal action took place in this regard.

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

After consideration, the main motion, as amended, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Webb, Dutmer, Wing, Martinez, Thompson, Labatt, Hasslocher, Cockrell;

NAYS: Berriozabal, Vera, Wolff; ABSENT: None.

91-16 The Clerk read the following Ordinance:

AN ORDINANCE 73,521

APPOINTING LEE BRIGHT TO SERVE ON THE MECHANICAL BOARD OF APPEALS FOR A TERM OF OFFICE TO EXPIRE ON MARCH 20, 1993.

\* \* \* \*

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

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

91-16 The Clerk read the following Ordinance:

AN ORDINANCE 73,522

APPROVING THE PRICE, TERMS AND CONDITIONS OF SALE BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF CERTAIN PARCELS OF LAND LOCATED WITHIN THE VISTA VERDE SOUTH URBAN DEVELOPMENT ACTION GRANT (UDAG) PROJECT; DECLARING AN EMERGENCY.

\* \* \* \*

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

Mr. Martinez briefly explained the ordinance involving the sale of two tracts of land in Vista Verde South for development into single-family housing. He noted that some legal issues remain to be resolved with the Resolution Trust Corporation.

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

91-16 The Clerk read the following Resolution:

A RESOLUTION NO. 91-16-26

STATING THE SUPPORT OF THE CITY COUNCIL FOR A PROGRAM WHEREBY CITY EMPLOYEES MAY VOLUNTARILY DONATE ACCRUED ANNUAL LEAVE FOR THE BENEFIT OF FELLOW EMPLOYEES SERVING IN SUPPORT OF DESERT SHIELD/DESERT STORM.

\* \* \* \*

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

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

91-16

YOUTH CURFEW

On a point of personal privilege, Mr. Thompson spoke to certain problems associated with young people in a portion of District 6, and asked that the City staff explore the possibility of establishing a curfew for youths aged 17 and under in a specific area for a specific timetable. He asked that City staff so investigate and report back to the Council on its findings. It was the concensus of the City Council to so direct City staff, through the City Manager.

91-16

CITIZENS TO BE HEARD

Mr. Augustine Vaca, Jr. 601 Hammond, spoke to the City Council regarding the parking situation around the La vaca area during Fiesta. He stated that last year the City Council approved an ordinance prohibiting parking in vacant lots around this area. While they tried to comply, motorists ignored their pleas and marked signs and parked in these lots anyway. He asked that they be granted a special permit in order to allow them the leeway to park vehicles in their lots.

Mrs. Berriozabal spoke about what transpired last year in relation to the persons who wanted the parking and those who didn't. She spoke to the many problems which were resolved last year. She stated that the Police Dept. and the Code Compliance Depts. can work to keep the flow of traffic moving.

In response to Mrs. Berriozabal and Mr. Martin Rodriguez, Code Compliance explained the Ordinance and the matter of charging for parking versus allowing vehicles to park for free.

Mrs. Berriozabal asked that the Police Department work with these citizens to assure that persons will not ignore no parking signs.

Mr. Vaca stated that he will tow these cars away from his property.

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91-16 (The City Council recessed at 7:05 PM, reconvening in regular session at 7:50 P.M.)

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91-16 POLICE OFFICER WOUNDED

Mr. Alex Briseno, City Manager, spoke to the few details now available concerning a police officer who has been shot and a woman also killed, with the suspect now being sought.

Mayor Cockrell asked the audience to join with the City Council in a moment of silent prayer for the officer.

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91-16 The City Council recessed its regular meeting at 7:55 P.M. to undertake a "B" Session discussion of the Summer Youth Program and Convention Center Expansion, reconvening in regular session at 9:51 P.M.

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91-16 There being no further business to come before the Council, the meeting was adjourned at 9:52 P.M.

A P P R O V E D  
*Lula Cockrell*  
M A Y O R

Attest: *Thomas S. Rodriguez*  
C I T Y C L E R K