

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO, HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, JULY 25, 1991.

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The meeting was called to order by the Presiding Officer, Mayor Nelson Wolff, with the following members present: PEREZ, PIERCE, DUTMER, WING, MARTINEZ, THOMPSON, VERA, THORNTON, LABATT, LARSON, WOLFF.

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91-32 Invocation - Reverend L. E. Bennett, Galilee Missionary Baptist Church.

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91-32 Pledge of Allegiance to the flag of the United States.

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91-32 Minutes of the May 30, 1991 Regular City Council meeting were approved.

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91-32 "SAN ANTONIO REMEMBERS WORLD WAR II"

Mayor Wolff recognized Lieutenant General Claude M. Kicklighter, Administrative Assistant to the Secretary of the Army, and Dr. Don W. Wilson, Archivist of the United States. He noted that both were in San Antonio to attend a meeting of the committee making plans for the "World War II 50th Anniversary National Archives Commemorative Exhibition", whose inaugural opening will be held in San Antonio on December 7, 1991 at the San Antonio Museum of Art, after which it will travel across the United States for the next four years.

Mayor Wolff then read the Proclamation, "San Antonio Remembers World War II", and presented it to LTG Kicklighter and Dr. Wilson. He then made each of them Alcaldes of La Villita, and briefly explained the significance of the honor.

Dr. Wilson stated that the City's official Proclamation will be made a part of the National Archives, and he spoke to the historical significance of the commemorative exhibition to open in San Antonio December 7, 1991.

LTG Kicklighter spoke to San Antonio's reputation for support of the U.S. military, and he briefly addressed details of the exhibition.

Mayor Wolff took this occasion to thank United Services Automobile Association and its leader, Gen. Robert McDermott, for their part in securing this opening of the exhibition for San Antonio. He then spoke briefly to the World War II memorabilia involved in the exhibition.

Mr. Martinez joined Mayor Wolff in presenting each of the men with the official San Antonio book.

Several City Council members spoke to the importance of the military to San Antonio and thanked USAA for helping to bring this exhibition to San Antonio, first.

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91-32 SAN ANTONIO MISSIONS BASEBALL TEAM

Mayor Wolff introduced Mr. John Shoemaker, head coach of the San Antonio Missions baseball team, and Mr. Archie Stewart, Vice President of the Missions Booster Club, present in the audience.

Mayor Wolff then read a Proclamation congratulating the Missions, noting that the team and its members have made many lasting contributions to San Antonio, over the years.

Mayor Wolff and Mr. Martinez jointly presented the Proclamation to Mr. Shoemaker and Mr. Stewart.

Mr. Stewart spoke to Mr. Shoemaker's extensive baseball background.

Mr. Shoemaker then presented autographed baseballs to each City Council member.

Mr. Martinez stated his appreciation for the Missions' work with the community.

Mr. Pat Frost, Senior Vice President, Frost National Bank, spoke of the advantages of having the Missions in San Antonio and of the need to move forward in support of the team.

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91-32 CANACINTRA TRADE MISSION

Mayor Wolff recognized the presence in the audience today of Mr. Humberto Villalvazo, Executive Director, and Mr. Armando Ruiz Galindo, President of International Affairs, CANACINTRA, and welcomed them to San Antonio and to City Hall.



Mr. Villalvazo thanked the Mayor and City Council members for the welcome and for the honors, and addressed the close trade relationships between San Antonio and Mexico. He then spoke briefly of the coming Free Trade Agreement.

Ms. Vera spoke to the importance of CANACINTRA in trade relations between the United States and Mexico.

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91-32

"SWISS DAY" IN SAN ANTONIO

Mayor Wolff introduced Mr. Josef E. Seiterle of San Antonio's Swiss community, and presented him with a Proclamation designating "Swiss Day" in San Antonio.

Mr. Seiterle spoke briefly to the events of "Swiss Day" in San Antonio, and presented each of the City Council members with woven Swiss badges and a Swiss watch to Mayor Wolff. He then spoke of the impact of the Swiss on the history of San Antonio.

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91-32

22ND WORLD SOARING CHAMPIONSHIP

Mayor Wolff recognized a delegation from Uvalde, Texas, bringing an invitation to the City Council and citizens of San Antonio to attend the 22nd World Soaring Championship in Uvalde.

Mayor Wolff noted that the World Soaring Championship is held every other year, and the contest comes to the United States only once each 20 years. He took note of the fact that there are some 120 soaring pilots present from 25 nations present for these "Olympics of soaring" for glider pilots, each competing for the title of World Champion.

Mr. Bill McWhorter, Mayor of Uvalde, made the formal invitation and spoke briefly of the soaring events to be held. He then introduced other members of his delegation, including Mr. Bill Dillard, Vice President, First State Bank of Uvalde; Ms. Lana Tolleson, Director of the Uvalde Convention and Visitors Bureau; Ms. Dedra Mitchell, Entertainment Chairman for TEAM UVALDE; and soaring representatives from Australia, Belgium, Czechoslovakia, France, Hungary and New Zealand.

Mayor Wolff and City Council members presented Alamo pins to each of the representatives present. In turn, several gifts were presented to San Antonio by the delegation.

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91-32

MR. TRIS CASTENEDA

On A Point of Personal Privilege, Mr. Martinez noted that his administrative assistant, Mr. Tris Casteneda, would shortly be leaving to join the Office of the State Attorney General in Austin. He then asked Mr. Casteneda to come forward, and presented him with a special Certificate of Appreciation.

91-32 CONSENT AGENDA

Mrs. Dutmer made a motion to approve Agenda Items 8 through 27, constituting the Consent Agenda. Mr. Pierce 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, Thompson, Vera, Wolff, Labatt, Hasslocher, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 73,984

ACCEPTING THE LOW BIDS OF ASCOM AUTOMATION, INC. AND PARKING PRODUCTS, INC. TO FURNISH THE CITY OF SAN ANTONIO AVIATION DEPARTMENT WITH AUTOMATED PARKING STATIONS (TICKET DISPENSERS) FOR A TOTAL OF \$67,735.00.

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AN ORDINANCE 73,985

ACCEPTING THE PROPOSAL OF MOTOROLA COMMUNICATIONS AND ELECTRONICS, INC. TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH MOBILE RADIOS FOR A TOTAL OF \$6,921.00.

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AN ORDINANCE 73,986

ACCEPTING THE LOW BID OF FIESTA DODGE SALES, INC. TO FURNISH THE CITY OF SAN ANTONIO WASTEWATER MANAGEMENT WITH VAN-TYPE TRUCKS FOR A TOTAL OF \$21,995.86.

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AN ORDINANCE 73,987

AUTHORIZING FIELD ALTERATION NO. 1 IN THE DECREASED AMOUNT OF \$21,765.32 TO THE CONSTRUCTION CONTRACT WITH SAN ANTONIO CONSTRUCTORS, INC. IN CONNECTION

WITH THE LEE HALL, ETC. STREET PROJECT, PHASE III;  
AND REVISING THE PROJECT BUDGET.

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AN ORDINANCE 73,988

AWARDING A CONSTRUCTION CONTRACT TO J.H.L.  
CORPORATION IN THE AMOUNT OF \$70,827.00;  
AUTHORIZING \$7,082.70 FOR A CONSTRUCTION CONTINGENCY  
IN CONNECTION WITH THE MUNICIPAL AUDITORIUM WATER  
INFILTRATION PROJECT; APPROPRIATING FUNDS; AND  
PROVIDING FOR PAYMENT.

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AN ORDINANCE 73,989

APPROVING FIELD ALTERATION NO. 5 IN THE DECREASED  
AMOUNT OF \$23,671.85 TO THE CONSTRUCTION CONTRACT  
WITH V.K. KNOWLTON PAVING CONTRACTORS, INC. IN  
CONNECTION WITH THE GROFF FROM HORTENCIA TO 36TH  
PROJECT.

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AN ORDINANCE 73,990

APPROPRIATING AN ADDITIONAL \$1,500.00 PAYABLE TO  
R.W. KNIESTEDT FOR AN EXTRA FIFTY (50) HOURS OF  
CONSTRUCTION CLAIMS INVESTIGATION RELATED TO THE  
ELDRIDGE DRAINAGE PROJECT NO. 61 L, M AND N.

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AN ORDINANCE 73,991

DECLARING BUILDING NO. 31 (TERMINAL ANNEX) AT SAN  
ANTONIO INTERNATIONAL AIRPORT SURPLUS TO THE NEEDS  
OF THE CITY AND AUTHORIZING THE DEMOLITION OF SAID  
BUILDING; ACCEPTING THE LOW QUALIFIED BID OF  
BRADLEY W. BOEGNER & ASSOCIATES, IN THE AMOUNT OF  
\$39,856.00, TO DEMOLISH SAID BUILDING; APPROVING A  
CONTRACT; APPROPRIATING FUNDS; AND PROVIDING FOR  
PAYMENT.

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AN ORDINANCE 73,992

ACCEPTING THE LOW QUALIFIED BID OF TONY C.  
QUINTANILLA, INC., IN THE AMOUNT OF \$86,500.00 TO  
CONSTRUCT THE ADDITIONS TO THE AIRPORT RESCUE & FIRE

FIGHTING BUILDING AT SAN ANTONIO INTERNATIONAL AIRPORT; APPROVING A CONTRACT; AUTHORIZING \$8,650.00 FOR A CONSTRUCTION CONTINGENCY ACCOUNT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 73,993

ACCEPTING THE LOW, QUALIFIED BID OF L & R ENTERPRISES IN THE AMOUNT OF \$39,000.00 FOR CONSTRUCTION OF A ONE-HALF MILE ASPHALT JOGGING TRAIL IN ARNOLD PARK; AUTHORIZING A CONTRACT; REVISING THE PROJECT BUDGET; AUTHORIZING \$5,850.00 FOR CONSTRUCTION CONTINGENCIES AND \$150.00 FOR BID ADVERTISING FEES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 73,994

APPROPRIATING AND AUTHORIZING THE EXPENDITURE OF \$5,950.00 OUT OF SEWER FUNDS FOR THE ACQUISITION OF SANITARY SEWER EASEMENTS ON CERTAIN LANDS IN NEW CITY BLOCKS 9443, 9445, 9446, AND 9447, ALL IN CONNECTION WITH THE MIDDLE SIX MILE CREEK DRAINAGE PROJECT.

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AN ORDINANCE 73,995

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$10,270.00 OUT OF GENERAL OBLIGATION BONDS; ACQUIRING A TEMPORARY EASEMENT AND TITLE TO ONE PARCEL IN CONNECTION WITH THE BABCOCK ROAD IMPROVEMENT PROJECT - HUEBNER TO HAMILTON WOLFE; AND ACQUIRING TITLE TO TWO PARCELS IN CONNECTION WITH THE ASHLEY ROAD RECONSTRUCTION PROJECT - BASCUM BLVD. TO S. FLORES.

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AN ORDINANCE 73,996

AUTHORIZING THE APPLICATION FOR A GRANT FOR CONTINUATION OF THE SUPPORTIVE SERVICES FOR THE ELDERLY PROJECT FOR FISCAL YEAR 1991-92 (OCTOBER 1, 1991 TO SEPTEMBER 30, 1992); APPROPRIATING FUNDS; AUTHORIZING THE CITY MANAGER TO ACCEPT THE GRANT; AND AUTHORIZING THE ALLOCATION OF CARRY-OVER SURPLUS FUNDS.

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AN ORDINANCE 73,997

AUTHORIZING THE CONTINUATION OF THE METRO SAN ANTONIO COMPREHENSIVE NUTRITION PROJECT FROM OCTOBER 1, 1991 THROUGH SEPTEMBER 30, 1992; APPROVING A BUDGET AND PERSONNEL COMPLEMENT FOR FISCAL YEAR 1991-92; APPROPRIATING FUNDS; AUTHORIZING THE CITY MANAGER TO ACCEPT THE GRANT; AUTHORIZING EXECUTION OF CONTRACTS WITH PRIVATE AGENCIES FOR OPERATION OF SERVICE SITES; AND AUTHORIZING THE ALLOCATION OF CARRY-OVER SURPLUS FUNDS.

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AN ORDINANCE 73,998

AMENDING ORDINANCE NO. 72274 PASSED SEPTEMBER 13, 1990 BY AUTHORIZING THE CITY MANAGER TO EXTEND THE JTPA PY90 READING TO REDUCE RECIDIVISM PROGRAM (3-R) FROM JUNE 30, 1991 TO AUGUST 31, 1991 AS APPROVED BY THE TEXAS DEPARTMENT OF COMMERCE; AUTHORIZING THE CITY MANAGER TO REALLOCATE FUNDS WITHIN THE GRANT TO PROVIDE FUNDING FOR THE BEXAR COUNTY OPPORTUNITIES INDUSTRIALIZATION CENTER, INC. (BCOIC) AND SAN ANTONIO JOBS FOR PROGRESS, INC. (PROJECT SER) TO CONTINUE OPERATION OF THE PROGRAM DURING ABOVE-MENTIONED PERIOD.

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AN ORDINANCE 73,999

AUTHORIZING THE ACCEPTANCE OF A GRANT OF \$269,826.00 FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES TO CONTINUE FUNDING OF THE IMMUNIZATION INTERVENTION DEMONSTRATION PROJECT; ESTABLISHING A FUND; ADOPTING A BUDGET; AND AUTHORIZING PERSONNEL POSITIONS.

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AN ORDINANCE 74,000

AMENDING ORDINANCE NO. 72069 PASSED AUGUST 9, 1990 BY AUTHORIZING THE CITY MANAGER TO EXTEND THE NATIONAL OASIS PROJECT FROM AUGUST 1, 1991 TO SEPTEMBER 30, 1991.

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AN ORDINANCE 74,001

AUTHORIZING THE CLOSURE OF CAMINO COHUITECA BETWEEN VILLAMAIN AND ESPADA ROAD ON SUNDAY, SEPTEMBER 8, 1991, FROM NOON UNTIL 11:00 P.M. IN ORDER FOR THE SAN FRANCISCO DE LA ESPADA PARISH TO HOLD THEIR ANNUAL PARISH FESTIVAL.

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AN ORDINANCE 74,002

AUTHORIZING THE CLOSURE OF URBAN LOOP BETWEEN ROSA AND DURANGO ON SUNDAY, AUGUST 11, 1991 FROM 8:00 A.M. UNTIL 10:00 P.M. IN ORDER FOR THE IMMACULATE HEART OF MARY CHURCH TO HOLD ITS ANNUAL PARISH FESTIVAL.

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AN ORDINANCE 74,003

APPOINTING GILBERT CASILLAS TO SERVE ON THE CABLE TELEVISION ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 31, 1993.

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91-32 ZONING HEARINGS

4A. CASE Z91097 (CC) - to rezone a 0.03 acre tract of land out of Lot 1, Block 9, NCB 18339 from "ED" ERZD Entertainment Edwards Recharge Zone District to "ED" ERZD Entertainment Edwards Recharge Zone District with City Council approval for a telephone communication utility infrastructure, 17330 IH 10 West.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council, subject to the recommendations of the Environmental Protection Officer.

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

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Perez, Pierce, Dutmer, Wing, Martinez, Thompson, Vera, Thornton, Labatt, Larson, Wolff. NAYS: None; ABSENT: None.

AN ORDINANCE 74,004

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF

THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 0.03 ACRE TRACT OF LAND OUT OF LOT 1, BLOCK 9, NCB 18339 FROM "ED" ERZD ENTERTAINMENT EDWARDS RECHARGE ZONE DISTRICT TO "ED" ERZD CC ENTERTAINMENT EDWARDS RECHARGE ZONE DISTRICT, 17330 IH 10 WEST PROVIDED THAT RECOMMENDATIONS OF THE ENVIRONMENTAL PROTECTION OFFICER, AS ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES, ARE ADHERED TO. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4B. CASE Z91058 - to rezone Lot 6, Block 2, NCB 9307 from "C" Apartment Residence District to "B-3NA" Non-Alcoholic Sales Business District located on the southside of S.W. Military Drive, 170 feet east of the intersection of S. W. Military Drive and Escalon Street, having 50 feet on S.W. Military Drive and a depth of 152.1 feet, 1622 S.W. Military Drive.

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

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

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Perez, Pierce, Dutmer, Wing, Martinez, Thompson, Vera, Thornton, Labatt, Larson, Wolff. NAYS: None; ABSENT: None.

AN ORDINANCE 74,005

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 6, BLOCK 2, NCB 9307 FROM "C" APARTMENT DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT, 1622 S.W. MILITARY DRIVE. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4C. CASE Z91085 - to rezone Lot 13, Block 6, NCB 1506 from "C" Apartment District t "B-2NA" Non-Alcoholic Sales Business District located on the west side of Gevers Street, 108.66 feet south of the intersection of Dakota Street and Gevers Street, having 173.98 feet on Gevers Street and a depth of 149.58 feet, 513 South Gevers.

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

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

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Perez, Pierce, Dutmer, Wing, Martinez, Thompson, Vera, Thornton, Labatt, Larson, Wolff. NAYS: None; ABSENT: None.

AN ORDINANCE 74,006

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 13, BLOCK 6, NCB 1506 FROM "C" APARTMENT DISTRICT TO "B-2NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT, 513 SOUTH GEVERS. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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

4D. CASE Z91086 (CC) - to rezone Lot 9, Block 1, NCB 17364 from "I-1" Light Industry District to "I-2" CC Heavy Industry District with City Council approval for an automobile salvage yard, 8518 Highway 81 South, located on the southeast side of Highway 81 South, 1770 feet northeast of the intersection of Leon Creek and Highway 81 South, having 125 feet on Highway 81 South and a depth of 160 feet.

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

Mr. Wing stated his opposition to yet another salvage yard to be located in District 4.

Miss Yvette Martinez, speaking for her grandfather, Mr. Felix

Martinez, 8513 Highway 81 South, the proponent, spoke to details of the requested zoning change.

Mr. Wing noted that this property and other properties nearby have consistently been before the City Council for rezoning as salvage yards, and he stated his opinion that the community does not want another such usage in this area. He spoke to the history of salvage yards located along several major arteries in this section of the city.

Mr. Wing made a motion to deny the recommendation of the Zoning Commission. Mr. Thompson seconded the motion.

After consideration, the motion, to deny the rezoning, prevailed by the following vote: AYES: Pierce, Dutmer, Wing, Martinez, Thompson, Vera, Thornton, Labatt, Larson; NAYS: None; ABSENT: Perez, Wolff.

Zoning Case Z91086 CC was denied.

4E. CASE Z91087 - to rezone Lots 6, 7 and 8, Block 64, NCB 15369 from Temporary "R-1" Single Family Residence District to "R-3" Multiple Family Residence District, 6929 Timbercreek located on the northeast side of Timbercreek Drive, 367.42 feet northwest of the intersection of Timbercreek Drive and S.W. Military Drive, having 349.41 feet on Timbercreek Drive and a depth of 150.24 feet.

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

Mr. Thompson made a motion to approve the recommendation of the Zoning Commission. Mr. Pierce seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Perez, Pierce, Dutmer, Wing, Martinez, Thompson, Vera, Thornton, Labatt, Larson; NAYS: None; ABSENT: Wolff.

AN ORDINANCE 74,007

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 6, 7, AND 8, BLOCK 64, NCB 15369 FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT, 6929 TIMBERCREEK. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4F. CASE Z91088 - was temporarily bypassed for consideration later in the meeting.

4G. CASE Z91090 - to rezone Lot 4, Block 2, NCB 6201 from "B" Residence District to "O-1" Office District, 610 E. Woodlawn located on the south side of East Woodlawn, 101 feet east of the intersection of North St. Mary's Street and East Woodlawn, having 50 feet on East Woodlawn and a depth of 100 feet.

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

Mr. Perez made a motion to approve the recommendation of the Zoning Commission. Mr. Pierce seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Perez, Pierce, Dutmer, Wing, Martinez, Thompson, Vera, Thornton, Labatt, Larson; NAYS: None; ABSENT: Wolff.

AN ORDINANCE 74,008

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 4, BLOCK 2, NCB 6201 FROM "B" RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT, 610 E. WOODLAWN. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4H. CASE Z91091 - to rezone Lot 5, Block 37, NCB 17878 from Temporary "R-1" Single Family Residence District to "R-3" Multiple Family Residence District, 1880 Horal Drive located between Horal Drive and Columbia Square Street, approximately 655 feet north of the intersection of Flint Valley Drive and Horal Drive, having 850 feet on Horal Drive and 800 feet on Columbia Square Street.

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

Mr. Thompson 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: Perez, Pierce, Dutmer, Wing, Martinez, Thompson, Vera, Thornton, Labatt, Larson; NAYS: None; ABSENT: Wolff.

AN ORDINANCE 74,009

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 5, BLOCK 37, NCB 17878 FROM TEMPORARY "R-1" SINGLE FAMILY REIDENCE DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT, 1880 HORAL DRIVE. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4I. CASE Z91091 (CC) - to rezone a 0.057 acre tract of land out of Lot 2, Block 1, NCB 16668 from "B-2" Business District to "B-3NA" CC Non-Alcoholic Sales Business District with City Council approval for a communications transmission tower, a 50 feet square area located southeast of the intersection of N.W. Military and Braesview Drive, being 199.60 feet off of Braesview Drive and 385 feet off of N.W. Military Highway.

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 nine affirmative votes of City Council would be necessary to approve this rezoning request because of the percentage of opposition from landowners within 200 feet of the subject property.

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

Mr. Harry Jewett, representing the proponent, briefly explained the requested rezoning for use of the property as the site for a cellular telephone communications tower.

There was no opposition present in the audience to speak against this requested rezoning.

Mr. Thornton 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 Ordinance, prevailed by the following vote: AYES: Perez, Pierce, Dutmer, Wing, Martinez, Thompson, Vera, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: None.

AN ORDINANCE 74,010

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 0.057 ACRE TRACT OF LAND OUT OF LOT 2, BLOCK 1, NCB 16668 FROM "B-2" BUSINESS DISTRICT TO "B-3NA" CC NON-ALCOHOLIC SALES BUSINESS DISTRICT, 2385 N.W. MILITARY HIGHWAY. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4F. CASE Z91088 - to rezone Lots 6, 7, and 8, NCB 7033 from "F" Local Retail District and "B" Residence District to "B-3NA" Non-Alcoholic Sales Business District, 1000 Block of Fair Avenue located northwest of the intersection of south New Braunfels and Fair Avenue, having 124 feet on South New Braunfels and 159 feet on Fair Avenue.

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

Mr. Roy Leslie, Jr., speaking for the proponent, addressed the reasons for the requested rezoning, in order to allow a pawn shop to occupy the site in question.

Mrs. Dutmer spoke to her objections to more pawn shops in the area, particularly as they relate to the aesthetics of the building. She asked for assurances that the building would not be painted in garish colors, but tastefully painted.

A discussion then took place concerning the aesthetics of the building in question.

Mrs. Dutmer made a motion to postpone the zoning case for three weeks. Mr. Pierce seconded the motion.

After consideration, the motion, to postpone the zoning case for three weeks, prevailed by the following vote: AYES: Perez, Pierce, Dutmer, Vera, Thornton, Labatt, Larson; NAYS: None; ABSENT: Wing, Martinez, Thompson, Wolff.

Zoning Case Z91088 was postponed for three weeks.

91-32 The Clerk read the following Ordinance:

AN ORDINANCE 74,011

AUTHORIZING PAYMENT OF REFUNDS TO PERSONS MAKING A DOUBLE PAYMENT, OVERPAYMENT, OR AS A RESULT OF A VALUE CHANGE ON 15 TAX ACCOUNTS TOTALING \$35,140.69.

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Mr. Pierce made a motion to approve the proposed Ordinance. Mr. Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Pierce, Dutmer, Vera, Thornton, Labatt, Larson; NAYS: None; ABSENT: Wing, Martinez, Thompson, Wolff.

91-32 The Clerk read the following Ordinance:

AN ORDINANCE 74,012

AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT BETWEEN THE SAN ANTONIO RIVER AUTHORITY AND THE CITY OF SAN ANTONIO IN THE AMOUNT OF \$473,738.00 FOR DESIGN, CONSTRUCTION, AND REAL ESTATE SERVICES REQUIRED FOR STREETS, DRAINAGE, AND FLOOD CONTROL IMPROVEMENTS ON HICKMAN, WEYMOUTH, KREMPKAU, HESS, ASHBY, RIPLEY, FRENCH, AND AGANIER STREETS.

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

Mr. Joe Aceves, Director of Public Works, briefly explained the history of the drainage work.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Pierce, Dutmer, Vera, Thornton, Labatt, Larson; NAYS: None; ABSENT: Wing, Martinez, Thompson, Wolff.

Agenda items 30 and 31 were temporarily bypassed for consideration later in the meeting.

91-32 The Clerk read the following Ordinance:

AN ORDINANCE 74,013

RATIFYING THE ACTIONS OF CITY STAFF IN ACCEPTING THE PROPOSAL OF THE DIONEX CORPORATION IN THE AMOUNT OF \$11,000.00 FOR PROFESSIONAL ION CHROMATOGRAPHY TRAINING SERVICES AT THE DOS RIOS WASTEWATER TREATMENT PLANT LABORATORY; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Pierce, Dutmer, Wing, Vera, Thornton, Labatt, Larson; NAYS: None; ABSENT: Martinez, Thompson, Wolff.

91-32 The Clerk read the following Ordinance:

AN ORDINANCE 74,014

AUTHORIZING THE APPLICATION FOR A GRANT FROM THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION FOR INSTALLATION OF TRAFFIC SIGNAL SYSTEMS AT 57 LOCATIONS AND THE IMPLEMENTATION OF NEW SIGNAL TIMINGS AT 230 ADDITIONAL LOCATIONS AS PART OF THE TRAFFIC LIGHT SYNCHRONIZATION PROGRAM USING \$414,927.75 (75%) IN STATE FUNDS AND A CITY MATCH OF \$138,309.25 (25%) MADE UP OF ALREADY APPROPRIATED IN-KIND SERVICES.

\* \* \* \*

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

Mr. Joe Aceves, Director of Public Works, explained that this is the third grant for improvements to the traffic signalization system, and he briefly spoke to the uses planned for the old equipment being replaced.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Dutmer, Wing, Martinez, Thompson, Vera, Thornton, Labatt, Larson, Wolff;

NAYS: None; ABSENT: Pierce.

91-32 The Clerk read the following Ordinance:

AN ORDINANCE 74,015

AUTHORIZING THE CLOSURE OF ALAMO PLAZA EAST ON FRIDAY, JULY 26, 1991, FROM 9:30 A.M. TO 10:30 A.M. FOR CEREMONIES RELATED TO THE ANNUAL NATIONAL NIGHT OUT, AND DECLARING AN EMERGENCY IN ORDER THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY.

\* \* \* \*

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Pierce, Dutmer, Wing, Martinez, Thompson, Vera, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: None.

91-32 The Clerk read the following Ordinance:

AN ORDINANCE 74,016

AUTHORIZING THE INSTITUTE OF TEXAN CULTURES TO RESERVE THE CITY-OWNED BOWIE STREET PARKING LOT FROM MONDAY, JULY 29, THROUGH MONDAY, AUGUST 5, 1991 FOR USE IN STAGING THE ANNUAL FOLKLIFE FESTIVAL; AND DECLARING AN EMERGENCY.

\* \* \* \*

Mr. Perez 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: Perez, Pierce, Dutmer, Wing, Martinez, Thompson, Vera, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: None.

91-32 The Clerk read the following Ordinance:

AN ORDINANCE 74,017

RATIFYING AND CONFIRMING ALL ACTIONS TAKEN BY CITY STAFF IN CONNECTION WITH FIELD ALTERATION NO. 3 IN THE AMOUNT OF \$67,501.54 TO THE CONTRACT WITH R.L. JONES COMPANY, INC. FOR CONSTRUCTION OF STREETS, DRAINAGE, AND SANITARY SEWER IMPROVEMENTS AT SAN ANTONIO INTERNATIONAL AIRPORT FOR EMERGENCY WORK NECESSITATED BY CONFLICTS WITH CPS UNDERGROUND ELECTRIC CONDUITS; AUTHORIZING THE CITY MANAGER OR ASSISTANT CITY MANAGER TO EXECUTE SAID FIELD ALTERATION NO. 3 IN THE AMOUNT OF \$67,501.54; AND APPROPRIATING FUNDS AND AUTHORIZING PAYMENT THEREOF TO R.L. JONES COMPANY, INC. IN CONNECTION WITH SAID FIELD ALTERATION.

\* \* \* \*

Mr. Pierce 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: Perez, Pierce, Dutmer, Wing, Martinez, Thompson, Vera, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: None.

91-32 The Clerk read the following Ordinance:

AN ORDINANCE 74,018

RATIFYING AND CONFIRMING ALL ACTIONS TAKEN BY CITY STAFF IN CONNECTION WITH FIELD ALTERATION NO. 4 IN THE AMOUNT OF \$32,193.29 TO THE CONTRACT WITH DESIGN & GENERAL CONTRACTING, INC., FOR CONSTRUCTION OF THE SECURITY COMMUNICATIONS CENTER AT SAN ANTONIO INTERNATIONAL AIRPORT WHICH WAS PERFORMED ON AN EMERGENCY BASIS DUE TO THE NECESSITY TO COMPLETE SAID PROJECT IN ACCORDANCE WITH A FEDERALLY MANDATED DEADLINE ON OCTOBER 1, 1991; AUTHORIZING THE CITY MANAGER OR ASSISTANT CITY MANAGER TO EXECUTE SAID FIELD ALTERATION NO. 4; AND APPROPRIATING FUNDS AND AUTHORIZING PAYMENT THEREOF TO DESIGN & GENERAL CONTRACTING, INC. IN CONNECTION WITH SAID FIELD ALTERATION.

\* \* \* \*

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

Mr. Larson addressed his concerns for paying for work already performed, and urged City staff to plan ahead on such projects to avoid this reoccurrence.

Mr. Carl Baber, Planning and Engineering Manager, Department of Aviation, addressed the time constraints involved in this case which necessitated beginning the project prior to Council approval.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Pierce, Dutmer, Thompson, Vera, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: Perez, Wing, Martinez.

91-32 The Clerk read the following Ordinance:

AN ORDINANCE 74,019

APPROPRIATING THE SUM OF \$15,000.00 AND AUTHORIZING DISBURSEMENT OF SUCH AMOUNT IN FULL AND FINAL SETTLEMENT OF CAUSE NO. 89-CI-11089 IN THE 57TH DISTRICT COURT OF BEXAR COUNTY, TEXAS, STYLED JOHN P. RICHARDSON VS. CITY OF SAN ANTONIO.

\* \* \* \*

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Pierce, Dutmer, Wing, Thompson, Vera, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: Perez, Martinez.

91-32 The Clerk read the following Ordinance:

AN ORDINANCE 74,020

AUTHORIZING THE CITY ATTORNEY TO COMPROMISE AND SETTLE CAUSE NUMBER 89-CA-9868 STYLED MARTA SAN MIGUEL V. CITY OF SAN ANTONIO IN THE UNITED STATES DISTRICT COURT FOR THE AMOUNT OF \$20,500.00.

\* \* \* \*

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Pierce, Dutmer, Wing, Thompson, Vera, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: Perez, Martinez.

91-32 The Clerk read the following Ordinance:

AN ORDINANCE 74,021

APPROPRIATING \$800.00 FROM DISTRICT 7 DISCRETIONARY FUNDS TO BE USED IN CONNECTION WITH THE 1991 NATIONAL YOUTH SPORTS PROGRAM AT ST. MARY'S UNIVERSITY; AND DECLARING AN EMERGENCY.

\* \* \* \*

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: Pierce, Dutmer, Wing, Thompson, Vera, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: Perez, Martinez.

91-32 The Clerk read the following Ordinance:

AN ORDINANCE 74,022

APPROPRIATING \$1,000.00 FROM DISTRICT 7 DISCRETIONARY FUNDS TO BE USED FOR TRAVEL EXPENSES INCURRED BY THE SAN ANTONIO RANGERS AAU BASEBALL TEAM WHILE ATTENDING THE AAU NATIONAL BASEBALL CHAMPIONSHIP TOURNAMENT AUGUST 5, 1991 TO AUGUST 10, 1991, IN BROOKLYN PARK, MINNESOTA; AND DECLARING AN EMERGENCY.

\* \* \* \*

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Pierce, Dutmer, Wing, Thompson, Vera, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: Perez, Martinez.

91-32 The Clerk read the following Ordinance:

AN ORDINANCE 74,023

ADOPTING THE SEVENTEENTH (17TH) YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM BUDGET; AND AUTHORIZING THE CITY MANAGER, ASSISTANT CITY MANAGER OR COMMUNITY DEVELOPMENT DIRECTOR TO SUBMIT SAID CDBG PROGRAM BUDGET, CERTIFICATIONS, AND OTHER SUCH INFORMATION AS REQUIRED TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR THE FISCAL YEAR 1991/92 ENTITLEMENT FUNDS.

\* \* \* \*

Mayor Wolff declared the Public Hearing to be open.

Mr. Andrew Cameron, Director of Community Development, addressed the Community Development Block Grant (CDBG) budget, including new plans that require that agency contracts must be worked out by a certain date or the allocation in question will be cancelled.

Ms. Jo Ann Murillo, Westfort Alliance Neighborhood Organization, spoke to details involving her area of the city and its accomplishments in recycling and the war on crime efforts.

Mr. John McGee, representing the same organization, spoke to neighborhood needs for CDBG funds for improvements, and noted that his group is seeking \$250,000 for these improvements.

Mr. Thomas Harmon, representing the same organization, addressed the neighborhood mix of interests and ethnicity.

Rev. L.E. Bennett, West End Neighborhood Association, spoke in support for the Micklejohn revitalization and improvement plan, for which his group is seeking some \$500,000 in CDBG funding.

Sister Mary Jane Strauch, St. Philip of Jesus Health Center, addressed the work of her health center in serving the lower-income areas of the city, and spoke in support for some \$147,860 in CDBG funding to expand her facility's services.

Rev. Hector Grant, Community Workers Council, also representing Barrio Neighborhood Watch and Bethel Neighborhood Council, spoke in support of \$35,000 in CDBG funding for after-school services for children; \$1.3 million in funding for streets improvements; and

\$298,000 for improvements to Acme Park.

Ms. Mary Piccione, Communities Organized for Public Service and Metro Alliance, urged the City to find the resources, other than federal funding, to rehabilitate large areas of the city. She then spoke in favor of the plan for use of CDBG funds as proposed by her organizations.

Ms. Emma Juarez, representing the same organizations, spoke in support for the COPS/Metro Alliance proposals for use of CDBG funds, as presented, and thanked both Mr. Wing and Mr. Cameron for their hard work on this matter.

Ms. Virginia Ramirez, Co-Chair, COPS, urged continuation of the use of CDBG funding for infrastructure improvements, and spoke against use of CDBG funds for training additional administrative personnel. She asked for a review of CDBG policies, and thanked Mr. Wing for his work in this matter.

Ms. Suzanne Detwiler, Southside YMCA, spoke in support for CDBG funds to expand her facility's child-care center, noting that some \$50,000 more is needed to match an existing \$50,000 grant for this work.

Ms. Deborah Woodring, La Clinica Amistad, spoke to the clinic's work, and thanked the City for continued financing of her project.

Mr. Melvin Troutz, 427 Drury, spoke to needed streets work in his area and the solution of drainage problems, as well.

Ms. Myra E. Garcia, resident of the same neighborhood, spoke to neighborhood streets and drainage problems.

Mr. Lee Reyna, Healy Murphy Center, spoke to restoration requirements at the Dullnig House, and requested \$170,000 in CDBG funds to perform this work.

Mr. Henry Meade, George Gervin Youth Center, spoke to his group's request for \$253,000 in CDBG funds for first-phase renovation of property owned by the group, and he described the Center and its planned services to youth. He also asked for an additional \$100,000 in seed-money in order to secure other grants.

Ms. Gloria Jaramillo, Shady Apartments, spoke to security needs in her apartment complex, a San Antonio Housing Authority function.

Ms. Sara Lozano, Presa Community Center, addressed program needs for children at the Center, and spoke to details of her request for \$10,000 for the youth center and nutrition center.

Mr. Richard M. Caldera, Southtown Main Street Business Revitalization program, addressed details of the revitalization program

of the near-downtown area along South St. Mary's Street, and asked for \$50,000 in CDBG funding.

Ms. Irma Vargas, representing the same organization, described the needs of the area.

Ms. Christina Anthony, Francis Furey Apartments Residents Council, thanked the Council for the recommended funding for needs of her San Antonio Housing Authority function.

Mr. Joe Scott, Eastside Economic Development Council, spoke to a coming announcement of a revolving loan program for housing in east side areas, funded by the private sector.

Mr. Mack Chambers, Executive Director, EEDC, asked for \$450,000 in CDBG funding for a number of east side projects.

There being no further citizens to speak to this matter, Mayor Wolff declared the Public Hearing to be closed.

Mr. Cameron spoke to the current CDBG funding allocation, noting that some 52 per cent of the funds are going to capital projects and 16 per cent to housing.

Mr. Wing thanked COPS and Metro Alliance for their input into the CDBG process, along with other groups who took part, and noted that there was some \$400 million in requests, and less than \$17 million in available CDBG grant funds. He then refuted charges that the north side seems to get all the projects, and spoke to projects in all areas. He then spoke to the fact that all needs cannot be met, all at once, and expressed his opinion that available CDBG funds should be spent prudently and with full accountability. He then identified several examples.

Mr. Wing then discussed, district by district, the recommended projects, along with several recommended changes in the funding.

Ms. Vera expressed her concern that District 7 is only to receive some \$694,000 in CDBG funding this coming year, and that no new projects were included. She noted that, while she has supported the process in the past, she intends to work with Mr. Wing next year on CDBG funding matters. She also urged accountability in all projects mentioned by Mr. Wing, and expressed concern about the funding of San Antonio Housing Authority projects.

Mr. Thornton spoke to the fact that CDBG funding is not available in Districts 8 and 10.

A discussion then took place concerning the recommended improvements funding for the Francis Furey Apartments, during which Mr. Cameron suggested ways to deal with funding of this particular project and its needs.

Mr. Labatt spoke to the seven-year funding and what has been accomplished with CDBG funds in District 9.

Mr. Cameron spoke to the city-wide projects to be funded, amounting to some \$3.8 million, out of a funding total of some \$16,965,000 for CDBG funds, overall.

Mr. Thompson spoke to neighborhood responsibility in maintaining projects provided by CDBG funding.

A discussion then ensued concerning the city-wide projects.

Mr. Martinez addressed San Antonio's record in using federal funds in order to leverage private investment.

Mayor Wolff spoke of overall city benefits from CDBG funding, including the matter of housing.

Mr. Cameron spoke to the matter of a computation error in funding figures for District 9 projects, and stated that the difference of \$10,000 in funding would be applied to Homeowner Incentives in District 9.

Mr. Wing 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: Perez, Pierce, Dutmer, Wing, Martinez, Thompson, Vera, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: None.

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

91-32 The Clerk read the following Ordinance:

A RESOLUTION NO. 91-32-43

BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO  
ADOPTING THE SAN ANTONIO REPORT ON DEVELOPMENT AND  
PLANNING ACTIVITIES, 1980-1990.

\* \* \* \*

Ms. Rebecca Q. Cedillo, Director of Planning, briefly explained the Planning Commission Report to City Council on Development and Planning Activities for the decade 1980-1990.

Mr. Edward Cross, Planning Commission, briefly reviewed the printed report provided to the City Council members, a copy of which is made a part of the papers of this meeting. He took note of the statistics that indicated that, during the decade of the 1980's, population growth in San Antonio has been to the north, and most of it outside of Loop 410.

Mrs. Dutmer spoke to her hopes for more growth in south and central sectors of the city by next year.

Mr. Labatt stated his belief that this report is an inventory for development of a Master Plan for San Antonio.

In response to a question by Mr. Perez, Ms. Cedillo discussed the status of the dispute in new census figures for San Antonio and what Council district redistricting will be based upon.

Mr. Thompson addressed the pattern for development of a MasterPlan.

Mr. Alex Briseno, City Manager, spoke to the importance of this report.

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

After consideration, the motion, carrying with it the passage of the Resolution, prevailed by the following vote: AYES: Perez, Pierce, Dutmer, Wing, Thompson, Vera, Thornton, Labatt, Larson; NAYS: None; ABSENT: Martinez, Wolff.

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

91-32 The Clerk read the following Ordinance:

AN ORDINANCE 74,024  
CREATING A YOUTH COMMISSION FOR THE CITY OF SAN ANTONIO.

\* \* \* \*

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

Ms. Maria Farrington, representing the Communities in Schools

Program, briefly explained the proposed ordinance.

Mr. Larson explained representation in the commission, stating his desire to have San Antonio's youth input into the process.

Mr. Thompson urged the Council to listen to the youth in their recommendations.

Ms. Vera stated her opinion that this entire issue is being handled backwards: passing a curfew ordinance later today, then appointing a Youth Commission.

A discussion ensued concerning the process to be used in making appointments to the Commission.

Mr. Perez recommended that the Council appoint students as members of the Commission, but not necessarily those considered "student leaders" in the schools. He expressed his desire to visit with students and school officials, first.

Mr. Pierce spoke in support for the Commission looking into "real" youth issues, and to be a true cross-section of the community's youth.

Mrs. Dutmer spoke to her concerns for school counselors picking student representatives for the Commission, and expressed a desire to appoint representatives who are closely-familiar with youth problems.

Mayor Wolff called the issue a "major step forward" for the community.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Pierce, Dutmer, Wing, Martinez, Thompson, Vera, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: None.

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91-32

CITY WATER BOARD LAWSUIT

Mr. Lloyd Garza, City Attorney, spoke to the latest information on the matter of the City Water Board lawsuit against the City of San Antonio relative to the matter of abandoning the Applewhite Reservoir. He stated that the presiding judge today had made a verbal ruling on certain standing issues, which still is being studied. He asked to have a Council Executive Session on this issue, and noted that the judge's ruling today seeks to realign the parties in the suit. He reiterated that the ruling at this moment still is being analyzed by his team of attorneys.

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91-32 The Clerk read the following Resolution:

A RESOLUTION NO. 91-32-44

AUTHORIZING THE CITY OF SAN ANTONIO TO CO-SPONSOR THE SOUTHTOWN URBAN MAIN STREET APPLICATION TO THE TEXAS URBAN MAIN STREET PROGRAM OF THE TEXAS HISTORICAL COMMISSION, AND DECLARING AN EMERGENCY.

\* \* \* \*

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

Mr. Perez briefly explained the program.

After consideration, the motion, carrying with it the passage of the Resolution, prevailed by the following vote: AYES: Perez, Pierce, Dutmer, Martinez, Thompson, Vera, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: Wing.

91-32 The Clerk read the following Ordinance:

AN ORDINANCE 74,025

ESTABLISHING A CURFEW FOR MINORS UNDER SEVENTEEN YEARS OF AGE TO PROHIBIT BEING IN ANY PUBLIC PLACE BETWEEN THE HOURS OF MIDNIGHT AND 6:00 A.M.; PROVIDING AN ENFORCEMENT PROCEDURE; ESTABLISHING CRIMINAL PENALTIES FOR MINORS AND FOR PARENTS OF MINORS; AND ADOPTING CERTAIN EXCEPTIONS.

\* \* \* \*

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

Mr. Tom Finlay, Assistant City Attorney, explained details of the proposed ordinance and noted certain changes made in the enforcement provisions from previous discussions. He then briefly addressed those enforcement provisions, and noted that the estimated costs for this program have been determined by the individual affected departments.

Mr. I.F. Thompson, Jr., 352 Albert Walk, noted that Lincoln Courts has a voluntary curfew, and stated that most criminal activity comes at night and from outside elements. He spoke in support for a youth curfew in San Antonio.

Ms. Margie Gutierrez, 346 Albert Walk, and Mr. Manuel V. Vallejo, Jr., 1406 North Hamilton, both spoke in support for a youth curfew.

Mr. Cliff Lindsay, 7230 Bandera Road, distributed copies of a printed statement to City Council members, a copy of which is made a part of the papers of this meeting. He spoke in support of a youth commission for San Antonio, but against a youth curfew. He stated his opinion that such a curfew might lead to further restrictions on our freedoms, and noted that only two per cent of our youth cause problems, yet a curfew would penalize the remaining 98 per cent, as well. He then spoke against the advent of secular humanism and suggested that a seminar be held on this topic. He spoke in favor of home education for our youth, rather than the public school system.

Mr. Adanjesus Quavez, representing Students United for Justice, presented petitions bearing a reported 500 additional names of persons in opposition to a youth curfew for San Antonio, and noted that this will add to the 500 names on pretitions previously submitted on this matter. He spoke against a youth curfew for Sqn Antonio and spoke to examples of why he feels it would not work. He also noted that most parents cannot afford the proposed \$500 fine that can be levied against parents of youths, in some cases.

Mr. Frank Monreal, speaking for Juan Balditt, 611 Jennings, handed to the Mayor a written statement, refuting reports that he was part of a movement seeking to recall the Mayor and other members of City Council.

Rev. R.A. Callies, Sr., Activities Coordinator, Youth Leadership Conference for Community Progress, stated his opinion that a youth curfew is best for our city at this time, and he spoke to his work with the youth of the east side and as an educator for the past 34 years. He stated that it is important to put young people to work and thus keep them off the streets. A copy of his remarks is made a part of the papers of this meeting.

Mr. Henry Rodriguez, representing LULAC Council 4433, spoke to his concerns with the burdens that a youth curfew will place upon the police. He stated his belief that a city cannot punish many for the crimes of but a few.

Ms. Carolyn Fuentes, 519 West Mistletoe, spoke to reasons for her concerns with a youth curfew, expressing her opinion that the evidence is not there to support such a youth curfew. She urged, rather, the use of common sense and investigation.

Mr. Jose Gallegos, Jr., 3737 Broadway, Suite 285, Texas War on Drugs, stated that he is a former youth gang member, now a drug counselor, and he opposes the youth curfew.

Ms. Norma Quinones, 414 Overhill, stated that she has mixed emotions over the idea of a curfew, although she is against youth gangs

and drug usage. She spoke against fining parents for the curfew violations of their children.

Mr. Larson stated his belief that his Council district is overwhelmingly in favor of a youth curfew, and he expressed his opinion that, as an example, he finds no good reason for a 13-year-old to be on the streets at 3:00 A.M. He further noted that of the 26 police officers he has spoken to on this matter in recent days, 24 are in favor of a youth curfew. He stated his belief that such a curfew will serve to break up gangs of youths gathering on parking lots, and will discourage crime, overall. He stated his belief that it is wrong not to do something about this issue, noting that 19 of the top 24 cities across the nation have youth curfews in effect.

Mr. Wing stated his belief that a youth curfew for San Antonio is both unenforcable and unprosecutable. He voiced his concern for the possible adverse impact of a curfew on police patrol activity, and expressed his belief that such a curfew addresses only a symptom, not the cause of the problem, such as unemployment.

Mr. Thornton stated his belief that his Council district supports a youth curfew, although such a curfew in and of itself will not solve the entire problem. He further noted that, in his opinion, 16-year-olds already are treated differently than adults, and he feels that a youth curfew will be good for the neighborhoods.

Mrs. Dutmer stated that she wants the offending youths involved in curfew violations to be punished, not their parents, and stated that she would vote for a youth curfew to protect the younger children of the city. She especially voiced her concern with the matter of graffiti, and the need for public service in lieu of a fine.

Mr. Labatt addressed his feelings as to the values of a curfew, and addressed statistics which he feels indicates that a youth curfew has a definite impact upon automobile accidents involving teenaged drivers. He spoke in agreement with Mrs. Dutmer's comments regarding the matter of imposing public service requirements upon parents, in lieu of a fine.

In response to a question by Mr. Labatt, Mr. Finlay noted that the City's Municipal Courts already have in-place a community service program that can be instituted in place of a possible fine. He then made certain wording recommendations to the proposed ordinance that would effect this.

Ms. Vera addressed the costs of a youth curfew and the fact that other cities have such a curfew in place. She then referred to a recent article in the Wall Street Journal concerning how youth curfews reportedly have not made an impact in crime statistics. She also noted that the article indicated that, in Atlanta, crime among juveniles has increased under the curfew. She spoke of her concerns for selective enforcement of this ordinance and passage of the proposed ordinance for the wrong reasons.

In response to a question by Ms. Vera, a representative of the Lincoln Courts housing project stated that their voluntary curfew is for adults as well as juveniles.

Ms. Vera suggested that, instead of imposing a youth curfew, the Council seek enforcement of the existing laws against loitering.

Mr. Thompson spoke in favor of the curfew ordinance and expressed his belief that it is needed for children under the age of 12 years, especially.

Mr. Martinez addressed his concerns over interpretation and enforcement of this proposed ordinance, and stated that he would vote against it since he does not feel that it will alleviate the crime situation.

Mr. Pierce also spoke against the proposed ordinance, expressing his belief that it will have no effect upon the crime problem. He spoke to his concern that laws already in effect cannot be enforced, and addressed the need for an alternative to this proposed curfew.

A discussion then took place concerning the matter of a similar youth curfew ordinance in the City of Dallas, and the fact that a judicial ruling on that ordinance is scheduled to be returned August 16, 1991. Discussion also took place concerning the possibility of holding off enforcement of the San Antonio ordinance until that judicial decision has been reached, to determine the impact on the local ordinance, if enacted.

In response to a question by Mr. Perez, Mr. Finlay spoke to particulars of the lawsuit in federal court involving the City of Dallas youth curfew ordinance, noting that this lawsuit is based upon basic constitutional issues such as speech, travel and association.

Mr. Thornton spoke to how the youth curfew works in Atlanta, including its impact upon that city's youth and their habits. He stated his belief that San Antonio needs to move forward on this issue.

Mr. Labatt made an amendment to the motion to add into Section 5 a subparagraph "c", stating that in assessing punishment for either a parent or a child, the Municipal Court judges are encouraged to consider the community service program. Mr. Larson seconded the motion.

After consideration, the amendment to add into Section 5 a subparagraph "c", stating that in assessing punishment for either a parent or a child, the Municipal Court judges are encouraged to consider the community service program, prevailed by the following vote: AYES: Perez, Pierce, Dutmer, Wing, Martinez, Thompson, Vera, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: None.

In response to Ms. Vera's question, Mr. Joe Gallegos stated

that, in his opinion, a youth curfew will not affect the three per cent of the city's youths who are involved in crimes.

In response to a question by Mr. Larson, Mr. Finlay spoke to the rulings by higher courts in matters of curfew ordinances.

Mr. Perez expressed his concerns with the constitutional issues involved and stated his preference to wait until the Dallas ordinance issue is resolved by court ruling before San Antonio moves to enact such an ordinance.

Mr. Perez made a substitute motion to postpone consideration of this proposed curfew ordinance until August 22, 1991. Ms. Vera seconded the motion.

After consideration, the substitute motion, to postpone consideration of this proposed curfew ordinance until August 22, 1991, failed by the following vote: AYES: Perez, Pierce; NAYS: Dutmer, Wing, Martinez, Thompson, Vera, Thornton, Labatt, Larson, Wolff; ABSENT: None.

In response to a question by Mr. Wing concerning the right of assembly, Mr. Finlay stated that the right of assembly was mentioned as a stipulation to another ordinance which would have ruled that ordinance constitutionally-sound, and that is why it was added in order to make this ordinance similarly constitutionally-sound.

Mrs. Dutmer stated that the Constitution speaks to "peaceful assembly", and reiterated her support for the proposed ordinance.

Mayor Wolff spoke to his reasons for supporting the proposed ordinance, and asked that Council be provided with a report in six months in order that it might assess the effectiveness and status of the youth curfew ordinance.

After consideration, the main motion, as amended, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Dutmer, Thompson, Thornton, Labatt, Larson, Wolff; NAYS: Pierce, Wing, Martinez, Vera; ABSENT: None.

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91-32

CITIZENS TO BE HEARD

MR. BRUCE MARTIN

Mr. Martin, representing the Mahncke Park Neighborhood Association, spoke to the City Council concerning City actions to help alleviate the matter of prostitution along sections of Broadway in his area. He commended Mr. Andy Guerrero, Land Development Services, for his assistance to the citizens in this matter, and spoke about the matter of citizen foot patrols along that section of Broadway to discourage such activity. He addressed other examples of neighborhood

association activity aimed at improvement of the area, and expressed their desire to do even more. He asked the City to assist them in securing additional street lights; erection of a permanent police sub-station in the area; removing a number of public telephones along that section of Broadway; and demolishing vacant houses across from the Botanical Center.

Mr. Labatt spoke to the tremendous efforts of this association to improve their area and its quality of life. He then asked City staff to address certain issues raised by the association such as the telephone removal, demolition of vacant houses, and additional street lights.

Mr. Pierce also commended the neighborhood association for its efforts.

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91-32

PWA FUNDING WATCH COMMITTEE

Ms. Sharon Rupp stated that she is representing a group of citizens entitled "PWA Funding Watch Committee", and presented Council with a petition bearing a reported 1,000 signatures, calling for the removal of Dr. Fernando Guerra, Director of the Metropolitan Health District. Ms. Rupp stated her opinion that Dr. Guerra has been unable to show leadership in the present AIDS crisis, and related details of a particular incident in which a young man died, allegedly because the system did not respond properly.

Mr. Wing stated his opinion that Dr. Guerra has been in the forefront of the AIDS issue, and disagreed totally with Ms. Rupp's remarks about Dr. Guerra. He also stated that Bexar County Hospital District is an entity which treats Bexar County citizens primarily, and each county has its responsibility to take care of its indigent health care patients, itself.

Mrs. Dutmer concurred with Mr. Wing's remarks regarding Dr. Guerra and urged the Committee to take up this matter with Bexar County.

Ms. Connie Little, also representing the same group, stated that they are very concerned about the Ryan White II grant funding, and the manner in which Dr. Guerra wants to spend those monies. She urged the City Council to look at the way that the money under this grant is being spent.

Dr. Maurine Porto, Communicable Disease Division, Metropolitan Health District, explained the manner in which these grant funds were to be allocated.

Dr. Thornton also expressed his positive experiences with Dr. Guerra, and stated that he would like for the group to reduce their concerns to writing, and he will seek to get answers for them to those

questions and concerns.

- - -  
City Council recessed its regular meeting for dinner at 8:45 P.M., reconvening at 9:20 P.M.

- - -  
91-32 The Clerk read the following Ordinance:

AN ORDINANCE 74,026

ACCEPTING THE LOW QUALIFIED BID AND AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$5,039,456.00 TO LYDA, INC. FOR THE ALAMODOME: PACKAGE 4A - MASONRY, WITH AN ADDITIONAL AMOUNT OF \$403,156.00 FOR CONSTRUCTION CONTINGENCY; AND PROVIDING FOR FUNDING FROM THE 1/2 PERCENT VIA SALES TAX REVENUE.

\* \* \* \*

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

Mr. Steve Souter, member of the domed stadium design team, explained the bid specifications on masonry materials for the domed stadium, and recommended the upgraded material displayed for the Council because of its better characteristics and aesthetics. He spoke to the \$200,000 difference in cost between the two displayed materials, noting that, in his opinion, the \$200,000 difference will be principally offset over the years through lack of a need for repainting of the masonry material of the domed stadium, which would be necessary if the lesser material was chosen. He stated that repainting of the material would cost about \$120,000.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Pierce, Dutmer, Wing, Martinez, Thompson, Vera, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: None.

- - -  
91-32 The Clerk read the following Ordinance:

AN ORDINANCE 74,027

AUTHORIZING THE APPLICATION FOR AND ACCEPTANCE OF A GRANT, IN AN AMOUNT UP TO \$1,500,000.00, FROM THE U.S. DEPARTMENT OF COMMERCE, ECONOMIC DEVELOPMENT ADMINISTRATION (EDA), UNDER THE TITLE IX, ECONOMIC ADJUSTMENT ASSISTANCE PROGRAM, FOR PUBLIC INFRASTRUCTURE IMPROVEMENTS PLANNED IN CONJUNCTION

WITH THE ELEMENDORF DRAINAGE PROJECT NO. 38; AND  
DECLARING AN EMERGENCY.

\* \* \* \*

Mrs. Dutmer 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: Perez, Pierce, Dutmer, Wing, Martinez, Thompson, Vera, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: None.

- - -  
91-32 City Council recessed its regular session at 9:29 P.M. and convened in informal "B" Session to undertake discussion regarding the moratorium on the issuance of permits for billboards and certain types of on-premise signs on property along IH 10 between Wurzbach and Boerne Stage Road, and along Loop 1604 between Northwest Military Drive and Hausman Road. Council then reconvened in regular session at 10:50 P.M.

- - -  
91-32 City Council at 10:50 P.M. recessed its regular session in order to convene in Executive Session to:

1. Receive briefing regarding TriParty construction contract claims of Clearwater Constructors, general contractor;

2. Receive briefing on the proposed settlement of a lawsuit styled Cassias v. City of San Antonio et al, Cause No. 87-CA-1056;

3. Receive a briefing on the status of a pending lawsuit styled Weatherly et all v. City of San Antonio, Cause No. 91-CI-06830.

City Council reconvened in regular session at 12:04 A.M. Friday, July 26, 1991, and Mayor Wolff announced that City Council had been briefed on the above topics and had given direction to City staff to proceed.

- - -  
91-32 July 9, 1991

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

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

July 25, 1991  
jd

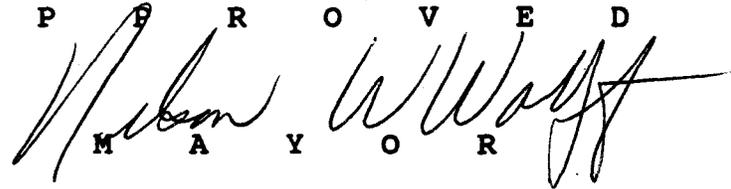
July 9, 1991

Petition submitted by Mr. and Mrs. Angel N. Martinez, et al, 634 W. Gerald, San Antonio, Texas 78221 on behalf of residents of the W. Gerald area requesting demolition or compliance of occupancy standards for the dwelling located at 627 W. Gerald.

/s/ Norma S. Rodriguez  
City Clerk

91-32 There being no further business to come before the Council, the meeting was adjourned at 12:04 A.M. Friday, July 26, 1991.

A P P R O V E D

Handwritten signature of Nelson W. Wolff in cursive script.

M A Y O R

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