

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

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The meeting was called to order by the Presiding Officer, Mayor Lila Cockrell, with the following members present: BERRIOZABAL, WEBB, DUTMER, WING, MARTINEZ, THOMPSON, WOLFF, LABATT, HASSLOCHER, COCKRELL. Absent: VERA.

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90-30 The invocation was given by Father Nathan McNally of San Jose Mission.

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90-30 The members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

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90-30 RESOLUTION OF RESPECT: CATHERINE POWELL

Mayor Cockrell invited Mr. Boone Powell and his two daughters to come forward, and spoke of the presence in the audience today of Dr. Earl Lewis and Mr. Louis J. Fox, former and present chairs of the Urban Studies Department of Trinity University, for who Ms. Powell worked as Professor. She then read the following Resolution of Respect:

RESOLUTION OF RESPECT 90-30-37

WHEREAS, LIFE CAME TO AN END ON JUNE 2, 1990 FOR CATHERINE H. POWELL; AND

WHEREAS, HER CROWNING ACHIEVEMENTS IN LIFE WERE HER UNIQUE ABILITIES TO COMBINE HER LOVE OF FAMILY WITH HER LOVE AND COMMITMENT TO PROTECTION OF NEIGHBORHOOD, ENVIRONMENT AND COMMUNITY; AND

WHEREAS, AMONG THOSE MANY COMMITMENTS AND ACTIVITIES WERE THE AQUIFER PROTECTION

ASSOCIATION, CONSERVATION SOCIETY,
CITIZENS FOR A BETTER ENVIRONMENT AND
NUMEROUS OTHERS; AND

WHEREAS, AS ASSISTANT PROFESSOR OF URBAN STUDIES
AT TRINITY UNIVERSITY, SHE PLAYED A
MAJOR ROLE IN SHAPING AND DIRECTING
OTHERS, INSTILLING IN THEM HER LOVE AND
DEVOTION TO THOSE THINGS WHICH SUSTAIN
A COMMUNITY; AND

WHEREAS, HER ABILITY TO TOUCH OTHERS WITH HER
CONCERNS AND GUIDANCE INSURES THAT THE
VALUES WHICH SHE HELD SO DEAR WILL
CONTINUE TO GROW THROUGH THEM, TO THE
BETTERMENT OF ALL, NOW THEREFORE:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
SAN ANTONIO:

SECTION 1. THAT WITH THE PASSING OF CATHERINE H.
POWELL, THE CITY OF SAN ANTONIO HAS
LOST A TRUE FRIEND AND A VALUABLE ASSET
TO ITS PAST, PRESENT AND FUTURE.

SECTION 2. THAT THIS CITY COUNCIL JOINS WITH HER
FAMILY AND FRIENDS IN THEIR SORROW OVER
HER DEATH, AND EXTENDS ITS SINCEREST
SYMPATHY AND PRAYER OF COMFORT TO THOSE
WHO WERE NEAR HER.

SECTION 3. AND IT IS HEREBY DIRECTED THAT A COPY
OF THIS RESOLUTION BE SPREAD UPON THE
MINUTES OF THIS MEETING AND A COPY
THEREOF PRESENTED TO HER FAMILY AS A
TOKEN OF OUR SYMPATHY.

PASSED AND APPROVED THIS 12TH DAY OF JULY, 1990.

* * * *

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

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

Mayor Cockrell and members of the City Council formally presented

the Resolution of Respect to Mr. Powell and his two daughters, expressing their condolences in the loss of Ms. Powell.

Mr. Powell spoke of his late wife's work on behalf of San Antonio, and stated that he was honored to accept the Resolution of Respect from the City Council.

Mr. Alex Briseno, City Manager, also spoke of Ms. Powell's contributions to the City.

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90-30

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CITATION: DR. JOHN M. SMITH, JR.

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Mayor Cockrell asked Dr. and Mrs. Smith to come forward, as she commented on his many contributions to San Antonio and its medical community, noting that Dr. Smith is to receive the American Medical Association's 1990 Distinguished Service Award. She also noted that it was Dr. Smith who was primarily instrumental for the late Mr. Sid Cockrell and herself moving to San Antonio in 1956 when Mr. Cockrell was named Executive Director of the Bexar County Medical Society. She then presented the citation to Dr. Smith after reading it into the record, the text of which follows:

CITATION

IN RECOGNITION OF HIS MORE THAN FOUR DECADES OF UNPARALLELED ACHIEVEMENT IN HELPING BRING SAN ANTONIO TO THE FOREFRONT OF MODERN MEDICINE THROUGH TEACHING, TECHNOLOGY, FACILITIES, DEVELOPMENT AND LEADERSHIP, IT IS SIGNIFICANT TO NOTE THAT DR. SMITH'S MORE THAN 40 YEARS OF COMMITMENT TO MEDICINE IN SAN ANTONIO AND TEXAS HAS BEEN RECOGNIZED BY THE AMERICAN MEDICAL ASSOCIATION, NAMING HIM ITS 1990 RECIPIENT OF THE AMA DISTINGUISHED SERVICE AWARD.

THE MAYOR AND CITY COUNCIL COMMEND DR. SMITH FOR HIS MANY ACHIEVEMENTS IN MEDICINE AND EXTEND BEST WISHES FOR HIS CONTINUED SUCCESS.

* * * *

Mr. Wolff spoke to Dr. Smith's legislative expertise, which led to establishment of San Antonio's Medical Complex, and noted that San Antonio is one of but three medical centers in North America performing successful long transplant operations.

Dr. Smith thanked the Mayor and Council for the Citation.

90-30

DEFENSE LANGUAGE SCHOOL STUDENTS

Mayor Cockrell welcomed a group of students from the Defense Language School, Lackland Air Force Base, present in the audience.

90-30

CERTIFICATE OF APPRECIATION:
CITIZENS OF SAN ANTONIO, TEXAS

Mayor Cockrell introduced Chief Warrant Officer Al Cargen (Retired), President of the San Antonio Chapter, Army Aviation Association; and Lt. Col. Darwin Fretwell, Chapter Secretary.

Mr. Cargen presented to the City Council a Certificate of Appreciation from the Army Aviation Association of America, Inc. in appreciation for the help that San Antonio citizens gave to the families of those military service members wounded during Operation Just Cause in Panama, and airlifted to San Antonio military hospitals for treatment.

Mr. Cargen and Lt. Col. Fretwell then jointly presented the Certificate to Mayor Cockrell, who accepted it on behalf of the citizens of San Antonio.

Mayor Cockrell spoke of San Antonio's community-wide acceptance of both the wounded and their families, and thanked the Association for the honors.

90-30

MADISON HIGH SCHOOL
PARLIAMENTARY PROCEDURES TEAM

Mayor Cockrell recognized the 1990-91 Madison High School Parliamentary Procedures Team, and spoke of their having won a third straight national Parliamentary Procedures competition. She asked team members and Mr. Ron Stinson, Vocational Department Chairman, to come forward and accept the Citation which she then read.

Mr. Stinson noted that each team member has won a \$14,000 scholarship to ITT- Technical Institute as a result of the national championship, and introduced the team members.

A representative of the team explained the team preparation for the competition.

Mr. Stinson spoke of plans to bring the national competition event to San Antonio in some three years.

90-30 CONSENT AGENDA

Mr. Hasslocher made a motion to approve Agenda Items 8 through 32, constituting the Consent Agenda, with items 9, 17, 22, 23, and 29 to be pulled for individual consideration. 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, Dutmer, Thompson, Wolff, Labatt, Hasslocher, Cockrell; NAYS: None; ABSENT: Webb, Wing, Martinez, Vera.

AN ORDINANCE 71,844

ACCEPTING THE LOW BID OF BELL& HOWELL IN THE AMOUNT OF \$15,887.16 TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH COIN OPERATED MICROFORM READER/PRINTERS.

* * * *

AN ORDINANCE 71,845

ACCEPTING THE LOW BID OF COASTAL DATAFLEET TO PROVIDE THE FIRE DEPARTMENT AND EMS WITH AN ANNUAL CONTRACT FOR VEHICLE REFUELING FOR A TOTAL OF APPROXIMATELY \$70,000.00.

* * * *

AN ORDINANCE 71,846

APPROPRIATING \$66,794.00 TO THE EXISTING CONTRACTS WITH TEHCO, INC., TO PROVIDE FOR THE REMOVAL OF FUEL TANKS AND THE CLEANUP OF AREAS IN ACCORDANCE WITH THE REGULATIONS OF THE TEXAS WATER COMMISSION.

* * * *

AN ORDINANCE 71,847

ACCEPTING THE LOW BIDS OF VARIOUS VENDORS TO FURNISH THE CITY OF SAN ANTONIO WITH VARIOUS MATERIALS AND SERVICES FOR AN ANNUAL CONTRACT BASIS.

* * * *

AN ORDINANCE 71,848

APPROPRIATING FUNDS IN THE AMOUNT OF \$2,460.00 FOR ADDITIONAL PRINTING AND BID ADVERTISING COSTS AND THE PURCHASE OF LIGHT FIXTURES FOR THE BOTANICAL CENTER.

* * * *

AN ORDINANCE 71,849

ACCEPTING THE PROPOSAL OF DU-MOR ENTERPRISES IN AN AMOUNT NOT TO EXCEED \$8,000.00 FOR SEWER REPAIR WORK AT CEDAR CREEK MUNICIPAL GOLF COURSE; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT, AND PROVIDING FOR PAYMENT OF THE CONTRACT.

* * * *

AN ORDINANCE 71,850

ACCEPTING THE LOW QUALIFIED BID OF SYD MARTIN ELECTRIC, INC., IN THE AMOUNT OF \$30,460.00 TO PROVIDE FOR VARIOUS ELECTRICAL IMPROVEMENTS AT KOGER STOKES COMPLEX; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; PROVIDING FOR PAYMENT OF THE CONTRACT; APPROPRIATING FUNDS; AND PROVIDING \$2,000.00 FOR A CONSTRUCTION CONTINGENCY.

* * * *

AN ORDINANCE 71,851

ACCEPTING THE LOW BID OF HOGAN MECHANICAL, INC., IN THE AMOUNT OF \$139,990.00 TO PROVIDE FOR CONSTRUCTION SERVICES IN CONNECTION WITH THE DOS RIOS WASTEWATER TREATMENT PLANT CIVIL ENGINEER'S ENHANCEMENT GROUP I PROJECT; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; PROVIDING FOR PAYMENT OF THE CONTRACT; PROVIDING \$14,000.00 FOR THE CONSTRUCTION CONTINGENCY; AND PROVIDING \$4,965.00 PAYABLE TO HALLENBERGER/TELFORD, INC., FOR ENGINEERING SERVICES IN CONNECTION WITH THE SAME PROJECT.

* * * *

AN ORDINANCE 71,852

AUTHORIZING FIELD ALTERATION NO. 1 IN THE AMOUNT OF

\$23,482.00 PAYABLE TO V.K. KNOWLTON PAVING
CONTRACTOR, INC. IN CONNECTION WITH THE
EDISON/FRESNO/GARDINA/HERMOSA/LEE HALL/WILDWOOD
(WEST AVENUE TO IH 10) PROJECT; AND PROVIDING FOR
PAYMENT.

* * * *

AN ORDINANCE 71,853

ACCEPTING THE PROPOSAL OF BROWN ENGINEERING COMPANY
IN THE AMOUNT OF \$20,000.00 TO PROVIDE A PRELIMINARY
ENGINEERING STUDY FOR THE FM 1957 - CULEBRA TO LOOP
1604, AND LOOP 410 - IH 10 TO HONEYSUCKLE LANE
PROJECT; AUTHORIZING THE EXECUTION OF A PROFESSIONAL
SERVICES CONTRACT; AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 71,854

APPROVING CHANGE ORDER NO. 3 IN THE AMOUNT OF
\$18,100.00 TO THE CONTRACT WITH UTILITIES
CONSOLIDATED, INC., TO PROVIDE FOR ADJUSTMENTS IN
CONNECTION WITH THE CATEGORY 5, MANHOLE
REHABILITATION, CONTRACT 2 PROJECT; AND PROVIDING
FOR PAYMENT.

* * * *

AN ORDINANCE 71,855

AUTHORIZING PAYMENT OF AN ADDITIONAL \$11,148.75 TO
THE CONTRACT WITH RONNFELDT/ARANDA JOINT VENTURE TO
PROVIDE FOR ENGINEERING SERVICES IN CONNECTION WITH
THE 34TH STREET FROM CULEBRA TO W. COMMERCE STREET
PROJECT.

* * * *

AN ORDINANCE 71,856

ACCEPTING THE LOW BID OF SOUTH TEXAS CONSTRUCTION
CO. IN THE AMOUNT OF \$2,384,576.00 TO PROVIDE FOR
CONSTRUCTION SERVICES IN CONNECTION WITH THE WEST
HOUSTON DRAINAGE PROJECT #48; AUTHORIZING THE
EXECUTION OF A CONSTRUCTION CONTRACT; PROVIDING FOR
PAYMENT OF THE CONTRACT; AND PROVIDING \$119,228.81
FOR THE CONSTRUCTION CONTINGENCY.

* * * *

AN ORDINANCE 71,857

AUTHORIZING PAYMENT IN THE AMOUNT OF \$7350.00 FOR APPRAISAL FEES INVOLVING THE FRENCH CREEK PHASE I SANITARY SEWER PROJECT - WASTEWATER MANAGEMENT FACILITIES IMPROVEMENT 201 PROGRAM, CATEGORY 4, PACKAGE "E" - RIPLEY AREA SANITARY SEWER PROJECT - WEST SALADO CREEK OUTFALL PHASE I PROJECT - RIGSBY (U.S. 87) RELOCATION SANITARY SEWER PROJECT - SOUTHSIDE GOLF COURSE IRRIGATION SYSTEM PROJECT - STANDARD ELECTRIC OFF-SITE SEWER PROJECT - WOLLER CREEK SUBDIVISION OFF-SITE SANITARY SEWER PROJECT AND APPROPRIATING FUNDS.

* * * *

AN ORDINANCE 71,858

AUTHORIZING THE EXPENDITURE OF \$900.00 OUT OF SEWER FUNDS FOR THE ACQUISITION OF AN EASEMENT; AND ACCEPTING DEDICATION OF EASEMENTS ON CERTAIN LANDS; ALL IN CONNECTION WITH WASTEWATER PROJECTS; AND APPROPRIATING FUNDS.

* * * *

AN ORDINANCE 71,859

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$7,542.65 OUT OF GENERAL OBLIGATION BONDS FOR ACQUIRING TITLE TO FOUR PARCELS OF LAND AND PAYING FOR TITLE CHARGES IN CONNECTION WITH THE HI-LIONS DRAINAGE PROJECT #80.

* * * *

AN ORDINANCE 71,860

APPROVING AN AMENDMENT TO THE LEASE AGREEMENT WITH METZGER BUILDING JOINT VENTURE, AS LESSOR, AND THE CITY OF SAN ANTONIO, AS LESSEE, TO INCREASE THE PREMISES BY ADDING APPROXIMATELY 2,850 SQUARE FEET OF FINISHED WAREHOUSE SPACE FOR USE BY THE POLICE DEPARTMENT'S ASSET SEIZURE UNIT, BEING LOCATED IN A SEPARATE BUILDING TO THE REAR OF THE METZGER BUILDING CURRENTLY LEASED FOR OFFICE SPACE USE BY THE POLICE DEPARTMENT'S REPEAT OFFENDERS PROGRAM (R.O.P.), WITH ADDITIONAL RENTAL OF \$700.00 PER

MONTH FOR A TERM TO EXPIRE ON SEPTEMBER 30, 1991,
CONCURRENT WITH THE EXPIRATION OF THE ORIGINAL
LEASE TERM.

* * * *

AN ORDINANCE 71,861

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE
AUSTIN HIGHWAY WATER SUPPLY CORPORATION (AHWSC) FOR
THE COLLECTION, ON BEHALF OF THE CITY, OF SANITARY
SEWER CHARGES DUE TO THE CITY BY CUSTOMERS OF THE
WATER PURVEYOR.

* * * *

AN ORDINANCE 71,862

AMENDING SECTION 19-54, SUBSECTION (a), PARAGRAPH
(3) OF THE CITY CODE ENTITLED "RELEASE OF IMPOUNDED
VEHICLES", TO SHORTEN THE REQUIRED STORAGE TIME
BEFORE RELEASE TO A LIENHOLDER WHO PROVIDES A SURETY
BOND GUARANTEEING THAT THE VEHICLE CLAIMANT IS A
LIENHOLDER WITH THE CONTRACTUAL RIGHT OF
REPOSSESSION AND INDEMNIFYING THE CITY AGAINST
LIABILITY FOR ALLOWING CLAIMANT TO TAKE POSSESSION
OF AN IMPOUNDED VEHICLE; AND PERMITTING THE
IMMEDIATE REPOSSESSION BY A LIENHOLDER OF A VEHICLE
CONFISCATED BY POLICE AS CONTRABAND UNDER CHAPTER 59
OF THE CODE OF CRIMINAL PROCEDURE.

* * * *

AN ORDINANCE 71,863

CLOSING THE NORTH SIDE OF NUEVA STREET BETWEEN SOUTH
ALAMO AND PRESA STREETS FROM 6:00 A.M., SUNDAY, JULY
22, 1990, UNTIL 2:00 A.M., MONDAY, JULY 23, 1990, IN
CONNECTION WITH THE HISPANIC STATE FAIR.

* * * *

90-30 The Clerk read the following Ordinance:

AN ORDINANCE 71,864

AUTHORIZING PAYMENT TO SOUTHERN TURF NURSERY IN THE
AMOUNT OF \$11,900.00 TO PROVIDE FOR EMERGENCY
ACQUISITION OF BERMUDA SPRIGS FOR THE CITY OF SAN

ANTONIO PARKS & RECREATION DEPARTMENT.

* * * *

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

In response to a question by Mrs. Dutmer, Mr. Ron Darner, Director of Parks and Recreation, noted that both new City golf courses, north and south, are affected.

In response to a question by Ms. Berriozabal, Mr. Darner noted that the full extent of the damage caused by last December's heavy and prolonged freeze was only made manifest in recent weeks.

Ms. Berriozabal spoke of her concerns for the extensive water usage necessary for new grass plantings.

Mr. Labatt spoke to plans for use of non-potable water for the southside golf course.

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

- - -
90-30 The Clerk read the following Ordinance:

AN ORDINANCE 71,865

ACCEPTING THE LOW BID OF OLMOS EQUIPMENT IN THE AMOUNT OF \$467,350.90 TO PROVIDE FOR CONSTRUCTION SERVICES IN CONNECTION WITH THE MILITARY DRIVE WEST - SHADY GROVE TO LOOP 410 PROJECT; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; PROVIDING FOR PAYMENT OF THE CONTRACT; AND PROVIDING \$46,735.00 FOR THE CONSTRUCTION CONTINGENCY.

* * * *

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

July 12, 1990
jd/alh

90-30 The Clerk read the following Ordinance:

AN ORDINANCE 71,866

ACCEPTING THE LOW BID OF UTILITIES CONSOLIDATED, INC., IN THE AMOUNT OF \$304,824.51 FOR THE CONSTRUCTION OF THE SCHAEFER/HAUSMAN OFFSITE SANITARY SEWER PROJECT; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; PROVIDING FOR PAYMENT OF THE CONTRACT; PROVIDING \$30,482.45 FOR THE CONSTRUCTION CONTINGENCY; AND PROVIDING \$10,132.00 PAYABLE TO HARRY JEWETT ASSOCIATES FOR CONSTRUCTION SUPERVISION SERVICES.

* * * *

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

In response to a question Ms. Berriozabal, Mr. Joe Aceves, Director of Public Works, addressed the applicable fees and the use of impact fees to fund the project.

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

90-30 The Clerk read the following Ordinance:

AN ORDINANCE 71,867

ACCEPTING THE LOW, QUALIFIED BID OF V.K. KNOWLTON PAVING CONTRACTOR, INC. IN THE AMOUNT OF \$340,000.00 IN CONNECTION WITH THE NORTH SAN GABRIEL (COMMERCE TO DARTMOUTH) RECONSTRUCTION PROJECT; AUTHORIZING \$34,000.00 FOR CONSTRUCTION CONTINGENCIES AND \$11,146.00 FOR PROJECT OVERSIGHT COSTS; AUTHORIZING A CONTRACT; AND PROVIDING FOR PAYMENT.

* * * *

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

In response to a question by Mrs. Dutmer, Mr. Joe Aceves,

Director of Public Works, explained that the project oversight costs are coming from CDBG funds given to the City for use in its inspections process.

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

90-30 The Clerk read the following Ordinance:

AN ORDINANCE 71,868

APPROVING AN AGREEMENT BETWEEN FROST NATIONAL BANK OF SAN ANTONIO AND THE CITY OF SAN ANTONIO WHEREBY THE CITY IS GRANTED A LICENSE COVERING 790 SQUARE FEET FOR SIDEWALK PURPOSES AND 676 SQUARE FEET FOR COMMERCIAL VEHICLE PARKING, BOTH OUT OF NEW CITY BLOCK 122 ADJACENT TO THE WEST LINE OF NORTH FLORES STREET JUST SOUTH OF ITS INTERSECTION WITH HOUSTON STREET AND AUTHORIZING THE CITY MANAGER OR ASSISTANT CITY MANAGER TO EXECUTE SUCH AGREEMENT.

* * * *

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

Ms. Berriozabal spoke of Frost Bank's cooperation with the City on this project, which is designed to improve the traffic flow in this portion of downtown San Antonio.

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

90-30 ZONING HEARINGS

33. CASE Z90074 - to rezone Lots 36 and 37, Block 1, NCB 17637, 10420 and 10430 Culebra Road from "B-2" Business District to "B-3NA" Non-Alcoholic Sales Business District, located on the southwest side of Culebra Road, being 100.0' northwest of the intersection of Culebra Road and Mountain View Drive, having 200.0' on Culebra Road and a depth of 200.0'

The Zoning Commission has recommended that this request of change

of zone be approved by the City Council.

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

Ms. Berriozabal stated that she has similar problems in District 1.

Mr. Andy Guerrero, Land Development Services, stated that circulation of a Council memo with six Council members' signatures in the affirmative could initiate a zoning case.

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

AN ORDINANCE 71,869

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 36 AND 37, BLOCK 1, NCB 17637 FROM "B-2" BUSINESS DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT, 10420 AND 10430 CULEBRA ROAD. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00"

* * * *

34. CASE Z90083 - to rezone Lot 8, save and except the northeast 307.57 feet, NCB 15685, 11800 Block of Perrin-Beitel Road from "B-2" Business District to "B-3" Business District located between Perrin Beitel Road and Old Perrin Beitel Road, being 714.67 feet northeast from the cut-back at Perrin Beitel Road and Old Perrin Beitel Road, having 100.0 feet on Perrin Beitel Road and 409.68 feet on Old Perrin Beitel Road.

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

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

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

AN ORDINANCE 71,870

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 8, SAVE AND EXCEPT THE NORTHEAST 307.57 FEET, NCB 15685, FROM "B-2" BUSINESS DISTRICT TO "B-3" BUSINESS DISTRICT, 11800 BLOCK OF PERRIN-BEITEL ROAD. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00"

* * * *

35. CASE Z90087 - to rezone Lot 24-A, Block 1, NCB 7185, 2501-2525 West Avenue, from "F" Local Retail to "B-3" Business District, located northwest of the intersection West Avenue and Sherwood Drive, having 300.0 feet on West Avenue and 113.5 feet on Sherwood Drive.

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

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

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

AN ORDINANCE 71,871

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 24-A, BLOCK 1, NCB 7185, FROM "F" LOCAL RETAIL DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT, 2501-2525 WEST AVENUE. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

36. CASE Z90069 - to rezone Lot 19, Block 331, NCB 9426, 3114 Commercial Avenue, from "B-2NA" Non-Alcoholic Sales Business District to "B-3" Business District, located northeast of the intersection of Commercial Avenue and Hutchins Place, having 150.0 feet on Commercial Avenue and 100.0 feet on Hutchins Place.

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

Mr. Ken Hicks, representing the proponent, stated that the proponent had operated the property as a nightclub for some 20 years, but the rezoning of the area forbids improving the property under its present zoning.

Mr. Wing noted that the property in question was "grandfathered" when the area rezoning was done, and the business could operate as a nightclub until it changed hands. He spoke of the Public Hearings held on the area rezoning and other actions taken to bring appropriate zoning to this area. He then spoke to the subject property's close proximity to area schools and churches, noting that citizens of the area favored the rezoning when it was accomplished.

Mr. Wing made a motion to approve staff recommendation to deny the rezoning request. Mr. Webb seconded the motion.

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

Case Z90069 was denied.

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90-30 The Clerk read the following Ordinance:

AN ORDINANCE 71,872

ACCEPTING THE DONATION OF A GREENHOUSE FROM THE SAN ANTONIO CACTUS AND XERIPHYTE SOCIETY FOR USE AT THE SAN ANTONIO BOTANICAL CENTER.

* * * *

Mrs. Dutmer made a motion to approve the proposed Ordinance. Mr. Thompson 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, Wolff, Labatt, Cockrell; NAYS:

None; ABSENT: Vera, Hasslocher.

90-30 The Clerk read the following Ordinance:

AN ORDINANCE 71,873

ACCEPTING A PROPOSAL IN THE AMOUNT OF \$54,742.00 FROM THE UNIVERSITY OF TEXAS AT SAN ANTONIO CENTER OF ARCHAEOLOGICAL RESEARCH TO CONDUCT PHASE II HISTORICAL/ARCHIVAL RESEARCH FOR THE SAN ANTONIO MULTIPURPOSE DOME PROJECT SITE TO BE FUNDED BY THE 1/2 CENT VIA SALES TAX.

* * * *

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

In response to a question by Mr. Thompson, Mr. Roland Lozano, Director, Dome Development Office, noted that funding is coming from the VIA sales tax receipts and revenues, and discussed the work to be done and some expectations of what might be found in the work.

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

90-30 The Clerk read the following Ordinance:

AN ORDINANCE 71,874

APPROPRIATING \$3,000.00 FROM THE DISTRICT 2 DISCRETIONARY AND IMPROVEMENTS FUND TO SUPPORT THE BOYS AND GIRLS EASTSIDE NIGHT SUMMER YOUTH PROGRAM.

* * * *

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

During discussion, Mrs. Dutmer asked that \$1,000 be allocated from her discretionary funds for this work.

Mrs. Dutmer made a motion to amend the ordinance by adding

\$1,000.00 from District 3 discretionary funds. Mr. Thompson seconded the motion.

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

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

- - -
90-30 BOARD APPOINTMENTS

90-30 The Clerk read the following Ordinance:

AN ORDINANCE 71,875

APPOINTING TERTIA EMERSON TO SERVE AS AN ALTERNATE
ON THE BOARD OF ADJUSTMENT FOR A TERM OF OFFICE TO
EXPIRE ON FEBRUARY 22, 1991.

* * * *

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

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

- - -
90-30 The Clerk read the following Ordinance:

AN ORDINANCE 71,876

APPOINTING MEMBERS TO SERVE ON THE ANIMAL CONTROL
ADVISORY BOARD FOR TERMS OF OFFICE TO EXPIRE ON
APRIL 3, 1992.

* * * *

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

After consideration, the motion, carrying with it the passage of

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

90-30 The Clerk read the following Ordinance:

AN ORDINANCE 71,877

APPOINTING MEMBERS TO SERVE ON THE BUILDING AND FIRE CODE BOARD OF APPEALS FOR TERMS OF OFFICE TO EXPIRE ON JULY 31, 1992.

* * * *

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

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

90-30 The Clerk read the following Ordinance:

AN ORDINANCE 71,878

APPOINTING LINDA WINCHESTER TO SERVE ON THE CENTRO 21 TASK FORCE, SAN ANTONIO, FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 31, 1991.

* * * *

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

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

90-30 The Clerk read the following Ordinance:

AN ORDINANCE 71,879

APPOINTING MEMBERS TO SERVE ON THE COMMISSION FOR CHILDREN AND FAMILIES FOR TERMS OF OFFICE TO EXPIRE ON JUNE 27, 1992.

* * * *

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

90-30 The Clerk read the following Ordinance:

AN ORDINANCE 71,880

APPOINTING MEMBERS TO SERVE ON THE CONVENTION AND VISITORS BUREAU ADVISORY COMMITTEE, SAN ANTONIO.

* * * *

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

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

90-30 The Clerk read the following Ordinance:

AN ORDINANCE 71,881

APPOINTING MEMBERS TO SERVE ON THE ELECTRICAL EXAMINING AND SUPERVISING BOARD FOR TERMS OF OFFICE TO EXPIRE ON JULY 31, 1992.

* * * *

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

Thompson seconded the motion.

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

- - -
90-30 The Clerk read the following Ordinance:

AN ORDINANCE 71,882 .

.
APPOINTING MEMBERS TO SERVE ON THE HANDICAPPED
ACCESS ADVISORY COMMITTEE FOR TERMS OF OFFICE TO
EXPIRE ON JUNE 30, 1992.

* * * *

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

- - -
90-30 The Clerk read the following Ordinance:

AN ORDINANCE 71,883 .

.
APPOINTING MEMBERS TO SERVE ON THE HOME IMPROVEMENT
ADVISORY BOARD.

* * * *

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

90-30 The Clerk read the following Ordinance:

AN ORDINANCE 71,884

APPOINTING CHRISTINA GARCIA TO SERVE ON THE HOUSING AUTHORITY FOR THE CITY OF SAN ANTONIO FOR A TERM OF OFFICE TO EXPIRE ON APRIL 6, 1992.

* * * *

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

90-30 The Clerk read the following Ordinance:

AN ORDINANCE 71,885

APPOINTING MEMBERS TO SERVE ON THE HOUSING TRUST FUND BOARD OF TRUSTEES FOR TERMS OF OFFICE TO EXPIRE ON MAY 30, 1992.

* * * *

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

90-30 The Clerk read the following Ordinance:

AN ORDINANCE 71,886

APPOINTING MEMBERS TO SERVE ON THE HOUSING TRUST FUND - DOWNTOWN ADVISORY COMMITTEE.

* * * *

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

Thompson seconded the motion.

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

- - -
90-30 The Clerk read the following Ordinance:

AN ORDINANCE 71,887 .

.
APPOINTING MEMBERS TO SERVE ON THE HOUSING TRUST FUND - NEIGHBORHOOD ADVISORY COMMITTEE FOR TERMS OF OFFICE TO EXPIRE ON MAY 30, 1992.

* * * *

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

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

- - -
90-30 The Clerk read the following Ordinance:

AN ORDINANCE 71,888 .

.
REAPPOINTING DR. ROCKY SHIH TO SERVE ON THE INDUSTRIAL WASTEWATER REVIEW BOARD, FOR A TERM OF OFFICE TO EXPIRE ON JANUARY 17, 1992.

* * * *

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

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

90-30 The Clerk read the following Ordinance:

AN ORDINANCE 71,889

APPOINTING MEMBERS TO SERVE ON THE MARKET SQUARE
COMMISSION FOR TERMS OF OFFICE TO EXPIRE ON MAY 5,
1992.

* * * *

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

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

90-30 The Clerk read the following Ordinance:

AN ORDINANCE 71,890

APPOINTING MEMBERS TO SERVE ON THE MECHANICAL BOARD
OF APPEALS FOR TERMS OF OFFICE TO EXPIRE ON JULY 31,
1992.

* * * *

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

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

90-30 The Clerk read the following Ordinance:

AN ORDINANCE 71,891

APPOINTING MEMBERS TO SERVE ON THE OPEN SPACE
ADVISORY BOARD FOR TERMS OF OFFICE TO EXPIRE ON JULY
31, 1992.

* * * *

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

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

90-30 The Clerk read the following Ordinance:

AN ORDINANCE 71,892

APPOINTING LINDA COMEAUX TO SERVE ON THE PARKS AND RECREATION BOARD FOR A TERM OF OFFICE TO EXPIRE ON MARCH 31, 1992.

* * * *

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

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

90-30 The Clerk read the following Ordinance:

AN ORDINANCE 71,893

APPOINTING MEMBERS TO SERVE ON THE PLANNING COMMISSION FOR TERMS OF OFFICE TO EXPIRE ON JULY 31, 1992.

* * * *

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

Mrs. Dutmer questioned the status of Linda Billa Burke for appointment to this commission, in view of her elected position as a Director of the Edwards Underground Water District, as well.

In response to a question by Mr. Labatt, Mr. Lloyd Garza, City Attorney, noted that membership on the Planning Commission is affected by certain wording in the City Charter that disallows membership on both

these boards at the same time.

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

- - -

90-30 The Clerk read the following Ordinance:

AN ORDINANCE 71,894 .

APPOINTING TED ALEGRIA TO SERVE ON THE PLUMBING APPEALS AND ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON MARCH 20, 1992.

* * * *

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

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

- - -

90-30 The Clerk read the following Ordinance:

AN ORDINANCE 71,895 .

APPOINTING IDA GIVENS TO SERVE ON THE SAN ANTONIO LOCAL DEVELOPMENT COMPANY - DIRECTORS FOR A TERM OF OFFICE TO EXPIRE ON MAY 9, 1992.

* * * *

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

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

- - -

90-30 The Clerk read the following Ordinance:

AN ORDINANCE 71,896

APPOINTING MEMBERS TO SERVE ON THE PRIVATE INDUSTRY
COUNCIL FOR TERMS OF OFFICE TO EXPIRE ON JUNE 30,
1992.

* * * *

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

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

Mrs. Dutmer stated that she was sorry that Mr. Steve Huffman was not reappointed to this board, since he was the arbitrator of certain board differences.

90-30 The Clerk read the following Ordinance:

AN ORDINANCE 71,897

APPOINTING MEMBERS TO SERVE ON THE SAN ANTONIO LOCAL
DEVELOPMENT COMPANY - TRUSTEES.

* * * *

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

90-30 The Clerk read the following Ordinance:

AN ORDINANCE 71,898

APPOINTING LEO GOMEZ TO SERVE ON THE SMALL AND
MINORITY BUSINESS ADVOCACY COMMITTEE FOR A TERM OF
OFFICE TO EXPIRE ON NOVEMBER 20, 1990.

* * * *

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

- - - - -
90-30 The Clerk read the following Ordinance:

AN ORDINANCE 71,899 .

.
REAPPOINTING VICTOR MADRIGAL TO SERVE ON THE
TRANSPORTATION ADVISORY BOARD FOR A TERM OF OFFICE
TO EXPIRE ON JANUARY 26, 1992.

* * * *

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

- - - - -
90-30 The Clerk read the following Ordinance:

AN ORDINANCE 71,900 .

.
APPOINTING MEMBERS TO SERVE ON THE 201 AREA
WASTEWATER ADVISORY COMMITTEE.

* * * *

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

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

- - -
90-30 The Clerk read the following Ordinance:

AN ORDINANCE 71,901

REAPPOINTING MEMBERS TO SERVE ON THE ZONING
COMMISSION FOR TERMS OF OFFICE TO EXPIRE ON JUNE 30,
1992.

* * * *

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

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

- - -
90-30 The Clerk read the following Ordinance:

AN ORDINANCE 71,902

APPOINTING ALLEN M. GHORMLEY TO SERVE ON THE HOUSING
MASTER PLAN TASK FORCE.

* * * *

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

- - -
90-30 The Clerk read the following Ordinance:

AN ORDINANCE 71,903

APPOINTING KAY MALEY SCHANZER TO SERVE ON THE URBAN
RENEWAL AGENCY.

* * * *

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

Mrs. Dutmer spoke of the need to replace three persons on this board as soon as possible in order to assure that board business can be accomplished in a timely manner.

A discussion then took place concerning recent resignations from the board.

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

- - -

90-30 The Clerk read the following Ordinance:

AN ORDINANCE 71,904

ABOLISHING THE CARVER ADVISORY BOARD.

* * * *

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

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

- - -

90-30 City Council recessed its Regular Meeting at 2:34 P.M. to convene an Executive Session to discuss Dome and Arena Leases with the San Antonio Spurs, and hear Status Report on Covell Landfill Administrative Hearing before the Texas Department of Health.

- - -

90-30 Council reconvened in Regular Session at 4:20 P.M. with Mayor Pro Tem Webb presiding. He announced that the Council in Executive Session had discussed landfill operations and gave certain direction to the staff.

- - -

90-30 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE TO CLOSE AND ABANDON "BUCKBERRY ALLEY".

Mayor Pro Tem Webb declared the Public Hearing to be open.

No citizen appeared to speak on this matter.

Mayor Pro Tem Webb then declared the Public Hearing to be closed.

The City Clerk read the following Ordinance:

AN ORDINANCE 71,905

CLOSING, VACATING AND ABANDONING AN EXISTING UNIMPROVED ALLEY KNOWN AS "BUCKBERRY ALLEY" WEST OF, AND ADJACENT TO, BLOCK 111, NEW CITY BLOCK 185, LOCATED BETWEEN SAN FERNANDO STREET TO THE NORTH, EL PASO STREET TO THE SOUTH, COMAL STREET TO THE EAST, ALAZAN CREEK TO THE WEST, SAN ANTONIO, BEXAR COUNTY, TEXAS; AND AUTHORIZING THE CITY MANAGER OR THE ASSISTANT CITY MANAGER TO EXECUTE A QUITCLAIM TO SUNSHINE NUT COMPANY FOR A CONSIDERATION OF ONE (\$1.00) DOLLAR.

* * * *

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

90-30 APPEAL FROM RULING OF HISTORIC REVIEW BOARD

Mr. Tom Joseph, attorney for the proponents of the appeal, explained the ruling of the Historic Review Board, denying a permit to Mr. and Mrs. Tracy to sell an historic building where Tracy Cleaners once was located. He spoke of plans to sell the property, after which the house would be moved to another location. He spoke of the repairs needed on the house involved and addressed other B-3 uses in the neighborhood. He further explained the need for the proponents to sell the property in order to pay off certain bank debt, and spoke to the need for the city to set up a central location where such historic buildings could be located together. He then displayed photographs of buildings in the immediate area.

Mayor Pro Tem Webb then polled the list of speakers on this matter to determine whether each was for or against the appeal.

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

Mr. Don Vinez, Executive Vice-President, Union Bank, stated that the Tracys had been customers of his bank for some 40 years, and spoke of the need to settle the estate of the late Mr. Tracy. He stated his opinion that the ruling of the Historic Review Board in this matter was "selective condemnation".

Mr. Bob Kunczt, Vice-president, Union bank, spoke to what he considered a lack of proper notice to the lienholder of this property as to the Historic Review Board consideration of the case. He spoke in favor of some change to the Ordinance involved.

A number of citizens spoke in opposition to the appeal of the Historic Review Board ruling:

Ms. Barbara Hunter, representing San Antonio Conservation Society, read a letter from Society President Ms. Jane Foster, speaking against the appeal from the Historic Review Board ruling and in favor of maintaining the house in question on its present site. The letter spoke to the house's contributions to the character of the neighborhood, which is predominantly residential in character.

Ms. Isabel Zertuche, 228 Daniel Street, spoke against the prospect of having a Pioneer Flour Mills parking lot on the site of this home, stating her contention that it would bring about the beginning of a landslide for such changes in this area.

Ms. Rhoda Hockett-Cobb 217 East Rische Street, stated that she lives next door to the house in question, and spoke against having a parking lot there. She then spoke to the residential character of the neighborhood.

Ms. Carol Hodge, President, King William Association, spoke to several historic neighborhoods in the area, and spoke against the appeal. She noted that neighbors do not want the building moved to another location.

Ms. Caroline Zehner asked that the Council deny the appeal.

Mr. Michael Nye stated his opinion that the preservation of the neighborhood is at stake in this matter, and he spoke to promises made by officials of Pioneer Flour Mills years ago not to seek additional property in this area for expansion.

Ms. Ronnie Perez asked that the neighborhood be preserved.

Ms. Patricia Osborne, Historic Preservation Officer, read for the record the motion enacted by the Historic Review Board in this matter.

Mr. Justin Arecchi, Chairman, Historic Review Board, spoke of the residents battle to preserve this neighborhood's residential character and the possible adverse effects if the appeal is sustained.

Ms. Osborne stated that she feels the building can be used as a residence or office structure, if maintained.

Mr. Joseph stated that he feels that the proponents have proven an adverse economic impact should the Historic Review Board ruling be upheld. He noted that the property has been for sale, as-is, for some four years without sale, and that Mrs. Tracy, widow of the property owner, needs to sell the property for revenue.

Ms. Berriozabal spoke to the positive aspects of the neighborhood and the process followed, leading up to the Historic Review Board ruling. She stated her opinion that approving the appeal will damage the residential character of the neighborhood, and spoke of the neighborhood master plan, created over a two-year period.

Ms. Berriozabal made a motion to uphold the ruling of the Historic Review Board. Mr. Wolff seconded the motion.

In response to a question by Mr. Wolff, Ms. Osborne spoke to the notice provisions of the Historic Review Board hearing on this matter, and stated her opinion that the bank made its loan on this property, based upon the structure located on the property. She disagreed that attachment of an "historic" designation damages a property's value.

Mrs. Dutmer stated her belief that the City allowed commercial intrusion into this area years ago by allowing certain other uses, besides residential. She stated her contention that the Board ruling amounts to confiscation of property, and she will vote to grant the appeal.

In response to a question by Mr. Thompson, Ms. Osborne discussed City staff assistance to Mrs. Tracy in attempts to sell the property.

Ms. Hodge spoke to efforts made to assist Mrs. Tracy to sell her property in the past.

Mayor Cockrell spoke in support for the pending motion.

Mr. Bill Cauthron, Executive Vice-President, Pioneer Flour Mills, stated that his firm was approached by Mrs. Tracy about purchasing the property, and that an offer was made to purchase it to make way for an employees' parking lot. He spoke to past actions relative to acquisition of property by Pioneer, and stated his belief that Pioneer never agreed to

halt future expansion of its facilities.

After consideration, the motion to uphold the ruling of the Historic Review Board failed by the following vote: AYES: Berriozabal, Martinez, Wolff, Labatt, Cockrell; NAYS: Webb, Dutmer, Wing, Thompson; ABSENT: Vera, Hasslocher.

Mr. Wing then made a motion to uphold the Appeal. Mrs. Dutmer seconded the motion.

Mayor Cockrell discussed the applicability of historic Ordinances and their effects.

Ms. Berriozabal spoke to her concern for neighborhood deterioration.

Mrs. Dutmer stated that she supports the historic Ordinances, but feels that this particular property is not historic.

Mr. Thompson stated his belief that the issue should be resolved in the public marketplace.

Mr. Wolff spoke to the fine balance of issues involved in this case.

Mr. Warner Fassnidge, Assistant City Attorney, spoke to the status of this case, should this motion also fail.

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

There being no majority vote to sustain the appeal, said appeal was not granted.

(City Council recessed at 5:54 PM to convene a "B" Session consideration of the Solid Waste Committee Report, reconvening in Regular Session at 6:25 PM for Citizens To Be Heard).

90-30

CITIZENS TO BE HEARD

MR LAURENCE FRANKLIN

Mr. Laurence Franklin, representing Script Advertising, spoke to the Council regarding a proposal for an ad campaign for the Convention

Center and other city facilities.

City Manager, Alex Briseno stated that he would have a member of his staff meet with Mr. Franklin on this proposal.

* * * *

MR. BILL SASTOR

Bill Sastor, 6034 Merrimac Cove, stated that the water conservation ordinance should be revised. He stated that he is a member of the car wash business and feels that they are not water wasters. He stated that the Ordinance as written will have a negative impact on the car wash industry, especially at level 612.

Mayor Cockrell stated that the Ordinance tracks agreements which were negotiated with different entities.

Mr. Labatt stated that the 1991 Endangered Species Act does not address the problem of economics but addresses the endangered species. There is no balance reflected by this bill in his opinion.

Mr. Labatt stated that the city is trying very hard to keep the provisions and safeguards which are present in the ordinance.

* * * *

MR. GAYLORD STEVENS

Mr. Stevens asked if the City Council wanted to relocate the Viet Nam Museum. He stated that he is asking this question because of the harrassment he is receiving at the hands of the police. He said that this occurred when they tried to stage a fund raiser to keep the museum funded.

Mayor Cockrell stated that there are hundreds of worthy projects throughout the City and there is no way that they can support every project.

Mr. Wolff stated that the City Council is not ignoring the Viet Nam Project and spoke of Mr. John Baines' involvement in the Viet Nam Memorial. He stated that the Street Solicitation Ordinance was not directed at any particular organization.

In response to Mr. Wolff, Mr. Stevens stated that they had tried to hold a fund raiser; however, they were cited for what they perceived to be a silly infraction.

Several Council members took exception to the statements made by Mr. Stevens and stated that the tactics used by Mr. Stevens is really hurting the Viet Nam Museum.

Mrs. Dutmer offered her help in raising funds in a legitimate manner.

* * * *

MR. JESSE WRIGHT

Mr. Joe Webb stated that the City Council has attempted to help Mr. Jesse E. Wright and his brother. He asked Mr. Kevin Moriarty, Director of Human Resources, to respond.

Mr. Moriarty gave a status report on this case, and what his office has tried to do to help the family, however he stated that they cannot give Mr. Wright the legal assistance he requests.

Mr. Webb stated for the record that the City cannot provide legal assistance to individual citizens.

Mr. Jesse Wright stated that he believes that this City Council can do anything it wants and doesn't believe the Council when they say they can't help him. He stated that the City has to help him because he hasn't been helped anywhere else.

Mayor Cockrell stated that Mr. Wright has made allegations, and to carry through these allegations, he will need to seek private counsel.

Mr. Wright stated that he has already been through the Court system and feels that he's been abused.

Mayor Cockrell advised Mr. Wright of the remedies available to him.

Mr. Wright stated that the legal system here does not work and all he wants is to get his body fixed.

Mayor Cockrell asked him to go to the Bexar County Hospital to seek medical help. Mayor Cockrell stated that the City can assist him by enlisting help for his brother, but their hands are tied as far as assisting him with legal counsel.

(At the conclusion of Citizens To Be Heard, City Council recessed its meeting for dinner, reconvening at 7:50 P.M.)

CITY MANAGER'S REPORT

City Manager Briseno stated that enforcement of the City Water Ordinance would begin this week-end. He submitted copies to Mayor and Council a copy of his report on "Water Awareness Activity", a copy of which is filed with the papers of this meeting.

90-30 Council then recessed its regular meeting at 7:53 P. M. for an Executive Session for the purpose of discussing Dome and Arena leases with the San Antonio Spurs.

The meeting was reconvened at 8:45 P.M. at which time Mayor Cockrell stated that the City Council had heard a briefing on the dome and Arena Leases with the San Antonio Spurs and gave direction to Staff to proceed.

There being no further business to come before the Council, the meeting was adjourned at 9:00 P.M.

A P P R O V E D

Lila Cockrell

M A Y O R

ATTEST:

[Signature]
CITY CLERK