

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, SEPTEMBER 7, 1989.

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

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89-39 The invocation was given by Reverend Georgia Stone, McKinley Avenue United Methodist Church.

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89-39 The Mayor and the City Council joined the audience in the Pledge of Allegiance to the flag of the United States.

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89-39 The minutes of the City Council meeting of August 24, 1989 were approved.

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89-39 "LITERACY AWARENESS DAY"

Mayor Cockrell read and presented a proclamation to Mr. Joe Carroll Rust, Chairman of the San Antonio Commission on Literacy, proclaiming "Literacy Awareness Day" in San Antonio.

Mr. Rust gave a brief status report on the actions of the Commission with regard to the opening of literacy centers in the City. He also introduced other members of the Commission who were present in the audience.

Ms. Vera spoke to the 244-READ telephone number that citizens can call to obtain locations of the nearest centers offering literacy services. She asked that Council members support the literacy program and make their constituents aware of this new service.

Ms. Berriozabal thanked the members of the Commission for their work and Councilwoman Vera for her leadership in initiating this program.

In response to a question by Mr. Thompson, Mr. Rust spoke to the illiteracy rate in San Antonio.

89-39 CONSENT AGENDA

Mr. Thompson made a motion to approve Agenda Items 8 - 62, constituting the Consent Agenda, with Items 29 and 45 pulled earlier from consideration, and Items 13, 47, 48, 49, 51 and 54 to be pulled for individual consideration. Mr. Martinez seconded the motion.

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

AN ORDINANCE 70,142

ACCEPTING THE LOW QUALIFIED BIDS OF UNIFORMS MANUFACTURING AND SOUTH TEXAS SCREEN PRINTING TO FURNISH THE CITY OF SAN ANTONIO PARKS AND RECREATION DEPARTMENT WITH UNIFORM SHIRTS FOR A TOTAL OF \$5,855.74.

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AN ORDINANCE 70,143

ACCEPTING THE LOW BID OF SCOREBOARD ASSOCIATES/NEVCO TO FURNISH THE CITY OF SAN ANTONIO PARKS AND RECREATION DEPARTMENT WITH BASKETBALL SCOREBOARDS FOR A TOTAL OF \$3,370.00.

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AN ORDINANCE 70,144

ACCEPTING THE LOW BID OF HASKIN PUMP SERVICE, INC., TO FURNISH THE CITY OF SAN ANTONIO PARKS AND RECREATION DEPARTMENT WITH WATER WELL AND WINDMILL REPAIRS FOR A TOTAL OF \$3,395.43.

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AN ORDINANCE 70,145

ACCEPTING THE LOW BID OF ALLEE SERVICES TO FURNISH THE CITY OF SAN ANTONIO PARKS AND RECREATION DEPARTMENT WITH CHILLED WATER COIL CLEANING FOR A

TOTAL OF \$6,250.00.

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AN ORDINANCE 70,146 .

ACCEPTING THE LOW QUALIFIED BID OF M J INDUSTRIES TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH LIBRARY SHELVING FOR A TOTAL OF \$13,547.00.

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AN ORDINANCE 70,147 .

ACCEPTING THE LOW BID OF ROADRUNNER TRAFFIC SUPPLY COMPANY TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH A TRAFFIC CONTROL DIRECTIONAL DISPLAY PANEL FOR A TOTAL OF \$4,999.56.

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AN ORDINANCE 70,148 .

ACCEPTING THE LOW BID OF SOUTHERN CABLE CORPORATION TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH TRAFFIC CABLE FOR A TOTAL OF \$7,248.00.

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AN ORDINANCE 70,149 .

ACCEPTING THE LOW BID OF CONSOLIDATED ELECTRICAL DISTRIBUTORS, INC., TO FURNISH THE CITY OF SAN ANTONIO AVIATION DEPARTMENT WITH LIGHTING FOR STINSON MUNICIPAL AIRPORT FOR A TOTAL OF \$3,802.00.

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AN ORDINANCE 70,150 .

ACCEPTING THE LOW BID OF INDUSTRIAL DISPOSAL SUPPLY COMPANY TO FURNISH THE CITY OF SAN ANTONIO AVIATION DEPARTMENT WITH A TRUCK MOUNTED STREET SWEEPER FOR A TOTAL OF \$42,445.00.

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AN ORDINANCE 70,151 .

ACCEPTING THE LOW BID OF DIETZ TRACTOR COMPANY TO FURNISH THE CITY OF SAN ANTONIO AVIATION DEPARTMENT WITH TRACTOR/MOWERS FOR A TOTAL OF \$75,759.64.

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AN ORDINANCE 70,152 .

ACCEPTING THE PROPOSAL OF JOHNSON CONTROLS, INC., TO FURNISH THE CITY OF SAN ANTONIO AVIATION DEPARTMENT WITH CENTRAL PLANT CHILLED WATER SYSTEM MODIFICATIONS FOR A TOTAL OF \$49,847.00.

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AN ORDINANCE 70,153 .

ACCEPTING THE LOW QUALIFIED BID OF ACCUTRONICS, INC. TO FURNISH THE CITY COUNCIL OF SAN ANTONIO ENVIRONMENTAL MANAGEMENT DEPARTMENT WITH AN AUTOMATIC CANTILEVER GATE FOR A TOTAL OF \$9,143.00.

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AN ORDINANCE 70,154 .

ACCEPTING THE LOW BID OF DANMAR INDUSTRIES, INC., TO FURNISH THE CITY OF SAN ANTONIO ENVIRONMENTAL MANAGEMENT DEPARTMENT WITH AIR COMPRESSORS FOR A TOTAL OF \$8,265.20.

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AN ORDINANCE 70,155 .

ACCEPTING THE LOW BID OF MIDWEST BROWN BEAR TO FURNISH THE CITY OF SAN ANTONIO ENVIRONMENTAL MANAGEMENT DEPARTMENT WITH AN AUGER/AERATOR COMPOST TRACTOR FOR A TOTAL OF \$136,673.00.

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AN ORDINANCE 70,156 .

ACCEPTING THE LOW BID OF THOMAS EQUIPMENT TO FURNISH THE CITY OF SAN ANTONIO ENVIRONMENTAL MANAGEMENT

DEPARTMENT WITH A RIDING MOWER FOR A TOTAL OF \$9,539.60.

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AN ORDINANCE 70,157 .

ACCEPTING THE LOW BID OF SPARLING INSTRUMENTS, INC. C/O GULF ALAMO, INC. TO FURNISH THE CITY OF SAN ANTONIO ENVIRONMENTAL MANAGEMENT DEPARTMENT WITH CONTINUOUS LEVEL MEASUREMENT EQUIPMENT FOR A TOTAL OF \$28,815.00.

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AN ORDINANCE 70,158 .

ACCEPTING THE LOW BIDS OF WITTIG'S OFFICE INTERIORS AND SUPER OFFICE STORE TO FURNISH THE CITY OF SAN ANTONIO MUNICIPAL COURTS WITH ACOUSTIC PANELS FOR A TOTAL OF \$3,951.20.

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AN ORDINANCE 70,159 .

ACCEPTING THE LOW BID OF OFFICE PAVILION TO FURNISH THE CITY OF SAN ANTONIO MUNICIPAL COURTS WITH WORK STATIONS FOR A TOTAL OF \$8,574.60.

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AN ORDINANCE 70,160 .

ACCEPTING THE PROPOSAL OF ARA/CORY REFRESHMENT SERVICES TO FURNISH THE CITY OF SAN ANTONIO HUMAN RESOURCES DEPARTMENT ELDERLY NUTRITION PROJECT WITH COFFEE SERVICE FOR A TOTAL OF \$30,154.41.

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AN ORDINANCE 70,161 .

ACCEPTING THE LOW QUALIFIED BID OF SOUTHWEST SOUND AND ELECTRONICS, INC. TO FURNISH THE CITY OF SAN ANTONIO CONVENTION FACILITIES WITH AN INTERCOM SYSTEM FOR A TOTAL OF \$4,120.78.

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AN ORDINANCE 70,162 .

ACCEPTING THE LOW BID OF FISK ELECTRIC COMPANY TO FURNISH THE CITY OF SAN ANTONIO INFORMATION RESOURCES DEPARTMENT WITH A POWER DISTRIBUTION UNIT FOR A TOTAL OF \$12,850.00.

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AN ORDINANCE 70,163 .

CANCELLING THE CONTRACT OF TEHCO, INC., FOR MODERNIZATION OF THE AUTOMOTIVE FUELING FACILITY AND AWARDED IT TO D & M PUMP SERVICE OF SAN ANTONIO FOR A TOTAL OF \$199,708.00.

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AN ORDINANCE 70,164 .

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

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AN ORDINANCE 70,165 .

ACCEPTING THE LOW QUALIFIED BID AND AWARDED A CONSTRUCTION CONTRACT TO TONY C. QUINTANILLA, INC., IN THE AMOUNT OF \$146,518.00 FOR RENOVATION OF ARENA TOILET ROOMS INCLUDING ALTERNATE NO. 1 FOR NEW VANITIES WITH AN ADDITIONAL \$14,000.00 FOR THE CONSTRUCTION CONTINGENCY; AUTHORIZING AN INCREASE IN THE CONTRACT TO RABA-KISTNER CONSULTANTS, INC., IN THE AMOUNT OF \$1,500.00 FOR ADDITIONAL MATERIAL TESTING IN THE HEMISFAIR PARK AREA; AND AUTHORIZING \$1,000.00 FOR ADVERTISEMENT FOR BIDS ON THE PROJECTS IN THE HEMISFAIR ARENA.

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AN ORDINANCE 70,166 .

ACCEPTING A PROPOSAL FROM URBAN DESIGN GROUP/APANDA SURVEYORS IN THE AMOUNT OF \$5,000.00, TO PROVIDE SURVEYING SERVICES IN CONNECTION WITH THE EASTSIDE STREETS SOUTH (MODIFIED) PROJECT.

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AN ORDINANCE 70,167

AUTHORIZING AN ADDITIONAL \$500,462.25 FOR ENGINEERING FEES PAYABLE TO MACINA, BOSE, COPELAND & ASSOCIATES, INC., FOR SERVICES RELATED TO THE S. FLORES DRAINAGE #70 & 70A, PHASE II PROJECTS.

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AN ORDINANCE 70,168

AUTHORIZING AN ADDITIONAL \$17,957.22 FOR ENGINEERING FEES PAYABLE TO M. W. CUDE & ASSOCIATES, INC., IN CONNECTION WITH THE CANTRELL FROM HILTON TO PLEASANTON ROAD PROJECT.

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AN ORDINANCE 70,169

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH K. M. NG & ASSOCIATES, INC., IN THE AMOUNT OF \$51,150.00 FOR DESIGN SERVICES RELATED TO THE PENTAGON STREETS, PHASE III PROJECT AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 70,170

APPROVING AND AUTHORIZING THE EXECUTION OF FIELD ALTERATION NO. 1 IN THE AMOUNT OF \$6,231.50 AND AUTHORIZING PAYMENT TO MISSION CONTRACTORS, INC., FOR WORK IN CONNECTION WITH THE ROYAL VALLEY SANITARY SEWER PROJECT.

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AN ORDINANCE 70,171

APPROVING AND AUTHORIZING THE EXECUTION OF CITY WATER BOARD FIELD ALTERATION NO. 1 IN THE AMOUNT OF \$36,073.00 AND AUTHORIZING PAYMENT TO HEATH CONSTRUCTORS, INC., FOR WORK IN CONNECTION WITH THE WESTERN DRAINAGE PROJECT NO. 74, PART ONE.

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AN ORDINANCE 70,172

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH BROWN ENGINEERING CO., IN THE AMOUNT OF \$33,067.54 FOR DESIGN SERVICES IN CONNECTION WITH THE LEE HALL STREETS, ETC., PHASE III PROJECT AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 70,173

APPROVING FIELD ALTERATION NO. 2 IN THE AMOUNT OF \$67,804.87 AND AUTHORIZING PAYMENT TO V.K. KNOWLTON PAVING CONTRACTORS, INC., FOR WORK IN CONNECTION WITH THE STREET OVERLAY-1989 PROJECT.

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AN ORDINANCE 70,174

APPROVING A PROFESSIONAL SERVICES CONTRACT WITH AIRFIELD LIGHTING JOINT VENTURE TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH UPGRADING AIRFIELD LIGHTING CIRCUITS AT SAN ANTONIO INTERNATIONAL AIRPORT; APPROPRIATING FUNDS; PROVIDING FOR PAYMENT IN THE AMOUNT OF \$172,616.00 FOR CONTINGENT ENGINEERING EXPENSES.

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AN ORDINANCE 70,175

ACCEPTING THE LOW QUALIFIED BID AND AWARDING A CONTRACT FOR BASE BID AND ADDITIVE ALTERNATE ONE WORK TO ROSSON BUILDERS, INC., IN THE AMOUNT OF \$28,770.00 FOR THE INSTALLATION OF NEW PLAYGROUND EQUIPMENT AND A SHADE STRUCTURE AT ARNOLD PARK PLAYGROUND; ESTABLISHING A \$2,877.00 CONSTRUCTION CONTINGENCY; AND AUTHORIZING PAYMENT.

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AN ORDINANCE 70,176

ACCEPTING THE LOW QUALIFIED BID AND AWARDING A CONTRACT FOR BASE BID AND ADDITIVE ALTERNATE ONE WORK TO DACOM, INC., IN THE AMOUNT OF \$54,100.00 FOR

LINCOLN PARK POOL DECK REPAIRS; ESTABLISHING A \$2,900.00 CONSTRUCTION CONTINGENCY; AND AUTHORIZING PAYMENT.

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AN ORDINANCE 70,177

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$4,016.00 OUT OF GENERAL OBLIGATION BONDS FOR THE PURPOSE OF ACQUIRING TITLE TO CERTAIN LANDS; IN CONNECTION WITH THE HI-LIONS DRAINAGE PROJECT, #80.

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AN ORDINANCE 70,178

ABANDONING CERTAIN WATER PIPELINE EASEMENTS NOT FURTHER REQUIRED BY THE CITY WATER BOARD AND AUTHORIZING THE GENERAL MANAGER OF THE CITY WATER BOARD TO EXECUTE ANY AND ALL INSTRUMENTS REQUIRED TO RELEASE SAID EASEMENTS.

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AN ORDINANCE 70,179

AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE TEXAS DEPARTMENT OF HEALTH TO PROVIDE INFLUENZA SURVEILLANCE ACTIVITIES IN CENTRAL TEXAS AS A PORTION OF THE INFLUENZA DEMONSTRATION PROJECT, AND AUTHORIZING AND APPROVING FUNDS IN CONNECTION THEREWITH.

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AN ORDINANCE 70,180

AUTHORIZING THE CITY MANAGER OR HIS DESIGNATED REPRESENTATIVE TO ACCEPT A PROPOSAL FROM ANTARES DEVELOPMENT CORPORATION TO PROVIDE SYSTEM ANALYSIS AND PROGRAMMING SERVICES FOR APPROXIMATELY \$4,000.00 ON THE AVIATION DEPARTMENT'S PARKING LOT OPERATIONS MANAGEMENT SYSTEM.

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AN ORDINANCE 70,181 .

AUTHORIZING THE CITY MANAGER OR ANY ASSISTANT CITY MANAGER TO ALLOCATE \$9,000.00 FROM JTPA GRANT FUNDS TO THE ALAMO PRIVATE INDUSTRY COUNCIL TO PAY DR. KAREN C. LANE, CONSULTANT, FOR EVALUATION SERVICES COMPLETED FOR THE 1988-89 JTPA TITLE IIB SUMMER YOUTH EMPLOYMENT TRAINING PROGRAM (SYETP).

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AN ORDINANCE 70,182 .

AMENDING CITY COUNCIL ORDINANCE 69742, DATED JUNE 29, 1989 BY AUTHORIZING A CHANGE TO THE JTPA TITLE IIA PY '89 ALLOCATION TO THE ALAMO AREA COUNCIL OF GOVERNMENTS, BEXAR COUNTY WOMEN'S CENTER AND SOUTHWEST WINNERS.

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AN ORDINANCE 70,183 .

AUTHORIZING THE CITY MANAGER OR ANY ASSISTANT CITY MANAGER TO ENTER INTO CUSTOMIZED TRAINING AGREEMENTS WITH BAUSCH & LOMB, INC. AND SEARS, ROEBUCK & CO. IN THE AMOUNTS OF \$215,000.00 AND \$110,500.00, RESPECTIVELY, FOR PROGRAM YEAR 1989-90 UNDER TITLES IIA AND III OF THE JOB TRAINING PARTNERSHIP ACT (JTPA).

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AN ORDINANCE 70,184 .

AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING WITH THE SMALL BUSINESS ADMINISTRATION IN CONNECTION WITH THE THIRD ANNUAL MAYOR'S COMMISSION ON THE STATUS OF WOMEN SYMPOSIUM ON ENTREPRENEURSHIP FOR WOMEN SCHEDULED FOR SEPTEMBER 23, 1989.

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AN ORDINANCE 70,185 .

AUTHORIZING THE CLOSURE OF SAN AUGUSTINE FROM W. COMMERCE TO BUENA VISTA FROM 10:00 A.M. UNTIL MIDNIGHT ON SUNDAY, OCTOBER 29, 1989, TO ENABLE ST. JUDE'S CATHOLIC CHURCH TO HOLD THEIR ANNUAL FALL

FESTIVAL.

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AN ORDINANCE 70,186

AUTHORIZING THE CLOSURE OF ALAMO PLAZA EAST FROM HOUSTON TO CROCKETT FROM 11:00 P.M. UNTIL MIDNIGHT ON SATURDAY, SEPTEMBER 23, 1989, TO ENABLE THE ALAMO AREA SQUARE & ROUND DANCE ASSOCIATION TO CONDUCT A SQUARE DANCE.

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AN ORDINANCE 70,187

AUTHORIZING THE CLOSURE OF SEYMOUR FROM DALLAS TO CAMDEN FROM 3:00 P.M. TO 9:00 P.M. ON SATURDAY, SEPTEMBER 9, 1989, AS REQUESTED BY THE BAPTIST MEMORIAL HOSPITAL.

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AN ORDINANCE 70,188

CLOSING CERTAIN STREETS FROM 6:00 A.M. ON SATURDAY, SEPTEMBER 23, 1989, UNTIL 3:00 A.M. ON MONDAY, SEPTEMBER 25, 1989, AND CLOSING ONE STREET LANE FROM 9:00 A.M. ON FRIDAY, SEPTEMBER 22, 1989, UNTIL 6:00 A.M. ON SATURDAY, SEPTEMBER 23, 1989 IN CONNECTION WITH THE JAZZ 'SALIVE FESTIVAL TO BE HELD BY THE PARKS DEPARTMENT IN TRAVIS PARK.

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89-39 The Clerk read the following Ordinance:

AN ORDINANCE 70,189

ACCEPTING THE LOW QUALIFIED BIDS OF SOUTHWEST COMPUTER NETWORK AND COMPUTER SOLUTIONS TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS AND LIBRARY DEPARTMENTS WITH MICROCOMPUTERS FOR A TOTAL OF \$19,050.13.

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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: Berriczabal, Webb, Thompson, Vera, Wolff, Hasslocher, Cockrell; NAYS: None; DISQUALIFIED: Labatt; ABSENT: Dutmer, Wing, Martinez.

89-39 The Clerk read the following Ordinance:

AN ORDINANCE 70,190

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH JOE L. SCATES TO PERFORM RIGHT-OF-WAY ACQUISITION APPRAISAL SERVICES FOR THE SAN ANTONIO METROPOLITAN HOUSING SERVICES AND AUTHORIZING PAYMENT IN THE AMOUNT OF \$350.00.

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

In response to questions by Ms. Berriczabal, Mr. Drew Cameron, City Manager's Office, stated that these funds were allocated in May. He also explained the use of monies in the CDEG and NHS funds.

In response to questions by Mr. Thompson, Mr. Cameron spoke to the anticipated use of the NHS funds in District 2 and Mr. Bill Toudouze, Real Estate Section, Public Works Department, noted that these funds were only for the purpose of hiring an appraiser to appraise one parcel of land.

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

89-39 Agenda Item 48, being a proposed ordinance appropriating \$4,881.08 in costs for fee title to Lots 1-14, Block 1, NCE 1348 which is needed for the Ella Austin Health Center Project and authorizing disbursement and disposition of such sums, was taken up for consideration at this time.

Mr. Webb made a motion to postpone consideration of this proposed ordinance for four weeks to allow time for certain details to be worked out. Mr. Hasslocher seconded the motion.

A brief discussion followed on the ramifications to the City and the property owners if the lots were acquired by the City.

Mr. Bill Wood, Assistant City Attorney, stated that he did not foresee any legal problems if the City delayed consideration of this item for four weeks.

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

89-39 The Clerk read the following Ordinance:

AN ORDINANCE 76,191

AUTHORIZING THE EXECUTION OF A LETTER TO THE BANK OF SAN ANTONIO, REGARDING A NEW \$300,000 LOAN CREATING A SECOND LIEN, WHICH LETTER EVIDENCES THE CURRENT STATUS OF A SUPERIOR CITY OF SAN ANTONIO FIRST LIEN AND AGREES TO GIVE NOTICE OF (AND ALLOWS CURE FOR) ANY DEFAULT IN CONNECTION WITH A \$325,000 NOTE TO THE CITY FROM PASEO DEL RIO JOINT VENTURE NUMBER ONE, A TEXAS JOINT VENTURE, AS PART OF A UDAC GRANT IN 1979 COVERING CERTAIN PASEO DEL RIO CONDOMINIUM UNITS, LOTS A-4 AND A-5, NEW CITY BLOCK 914, SAN ANTONIO, BEXAR COUNTY, TEXAS.

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

In response to a question by Mr. Martinez, Mr. Bill Wood, Assistant City Attorney, stated that this second lien will be subordinate to the City's first lien.

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

89-39 Agenda Item 51, being a proposed ordinance authorizing the execution of a contract with Mr. Wayne Amerine for the design, fabrication and installation of a sculpture at the Riverbend Garage, authorizing payment in the amount of \$10,000, and rescinding Ordinance 67762, was taken up for consideration at this time.

Mr. Thompson made a motion to approve the proposed ordinance. Ms. Berriozabal seconded the motion.

In response to a question by Ms. Berriozabal, Ms. Rebecca Quintanilla Cedillo, Director of Planning, spoke to the proposed sculpture and Mr. Joe Aceves, Director of Public Works, stated that monies had been set aside for public art when the garage was built.

Ms. Berriozabal requested information on whether any other monies are budgeted for public art and whether these monies can be used for other purposes.

In response to a question by Mr. Labatt, Mrs. Cedillo briefly spoke to the history of this piece of art and stated that a firm commitment had not been made with the artist as the contract was signed contingent on Council approval.

Mr. Labatt spoke to his concern with spending monies for art in these difficult budget times and noted that he would vote against this proposed ordinance.

In response to a question by Mayor Cockrell, Mr. Aceves stated that the monies for this expenditure were part of the original total contract.

Ms. Berriozabal and Ms. Genie Cooper, Planning Department, briefly explained the selection process.

Responding to questions by Mr. Thompson, Mr. Aceves reiterated his earlier comments noting that monies for this piece of art had been allocated in 1979 as part of the total construction package.

In response to a question by Ms. Vera, Mr. Aceves and Mr. Lloyd Garza, City Attorney, stated that these monies cannot be used for any other purpose as they are dedicated bond funds.

Ms. Vera stated that she would like to see these funds used for some other purpose if a proper use can be identified.

Mr. Thompson made a motion to postpone consideration of this proposed ordinance for four weeks. Ms. Vera seconded the motion.

The motion to postpone failed to carry by the following vote:
AYES: Berriczabal, Martinez, Thompson, Vera, Cockrell; NAYS: Wing,

Labatt, Hasslocher; ABSENT: Webb, Dutmer, Wolff.

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

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89-39 The Clerk read the following Ordinance:

AN ORDINANCE 70,192

AMENDING THE JOINT CITY AND VIA TRIPARTY DESIGN PROFESSIONAL SERVICES CONTRACT WITH JOHNSON, JOHNSON AND ROY, INC., BY INCREASING THE NOT-TO-EXCEED NET AMOUNT BY \$51,867.11, WHICH CONTRACT WAS ORIGINALLY APPROVED BY ORDINANCE NO. 64265 AND SUBSEQUENTLY AMENDED BY ORDINANCE NO. 65508, FOR ADDITIONAL DESIGN PHASE SERVICES FOR THE TRIPARTY HOUSTON STREET DESIGN PACKAGE.

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

In response to a question by Mr. Martinez, Mr. Frank Perry, Director of Downtown Initiatives, explained the need for the additional design phase services.

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

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89-39 The Clerk read the following Ordinance:

AN ORDINANCE 70,193

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

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

89-39 The Clerk read the following Ordinance:

AN ORDINANCE 78,194

AUTHORIZING PAYMENT OF REFUNDS TO PERSONS MAKING OVERPAYMENTS OR DOUBLEPAYMENTS ON 12 TAX ACCOUNTS.

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

89-39 The Clerk read the following Ordinance:

AN ORDINANCE 78,195

ACCEPTING A PROPOSAL FROM CECIL BEACE/DARCO WILEY, JOINT VENTURE, IN AN AMOUNT NOT TO EXCEED \$62,000.00, TO PROVIDE CONSULTANT SERVICES TO THE CITY OF SAN ANTONIO LIBRARY BOARD OF TRUSTEES AND LIBRARY ADVISORY COMMITTEE IN CONNECTION WITH PLANNING ACTIVITIES RELATED TO A LONG RANGE PLAN FOR THE SAN ANTONIO PUBLIC LIBRARY.

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

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

89-39 The Clerk read the following Resolution:

A RESOLUTION NO. 89-39-73

SETTING THE DATE FOR A PUBLIC HEARING ON THE PROPOSED SALE OF CERTAIN CITY PROPERTY IN NEW CITY BLOCK 929 SUBJECT TO AN EXISTING LEASEHOLD; AND PROVIDING FOR NOTICE OF SUCH PUBLIC HEARING.

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

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

89-39 The Clerk read the following Ordinance:

AN ORDINANCE 78,190

AUTHORIZING THE SUBMISSION OF NINE GRANT APPLICATIONS FOR THE TRAFFIC LIGHT SYNCHRONIZATION PROGRAM, AUTHORIZING THE CITY MANAGER OR DIRECTOR OF PUBLIC WORKS TO ENTER INTO CONTRACTS WITH THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION, ESTABLISHING A BUDGET AND AUTHORIZING CHARGES TO BE MADE FOR MATERIALS, TRAVEL AND LABOR BY CITY FORCES, PENDING GRANT APPROVAL.

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

89-39 The Clerk read the following Ordinance:

AN ORDINANCE 70,197

AUTHORIZING THE CLOSURE OF ALAMO PLAZA (EAST SIDE) FROM E. HOUSTON TO CROCKETT STREET AND CROCKETT STREET FROM ALAMO PLAZA TO BONHAM STREET FROM 9:45 A.M. TO 11:30 A.M. ON FRIDAY, SEPTEMBER 15, 1989, AS REQUESTED BY THE DEPARTMENT OF THE AIR FORCE TO OBSERVE A "NATIONAL POW/MIA RECOGNITION DAY", AND PROVIDING FOR SECURITY AND BARRICADES FROM THE DISTRICT 3 DISCRETIONARY ACCOUNT.

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

Mr. Labatt thanked Councilwoman Dutmer for using her discretionary funds to assist with certain expenses for this activity.

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

89-39 The Clerk read the following Ordinance:

AN ORDINANCE 70,198

AUTHORIZING SETTLEMENT OF A CASE STYLED HERMINIA MENDEZ, INDIVIDUALLY AND AS NEXT FRIEND OF HERMILC MENDEZ, V. CITY OF SAN ANTONIO, CAUSE NO. 89-CI-00195, IN THE AMOUNT OF \$75,000.00.

* * * *

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

In response to expressed concerns on the City's liability by Councilman Labatt, City Attorney Lloyd Carza explained the circumstances of this settlement.

Mr. Thompson explained the legal obligations assumed when the City sponsored a program such as the one in which this child was involved.

Mr. Garza spoke to the child's injury and the negotiations which led ultimately to the \$75,000 settlement.

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

89-39 The Clerk read the following Ordinance:

AN ORDINANCE 70,199

APPROVING AND AUTHORIZING ENTRY OF AGREED JUDGMENT IN CAUSE NO. 86-CI-20411 IN THE 15TH JUDICIAL DISTRICT COURT OF BEXAR COUNTY, TEXAS STYLED CITY OF SAN ANTONIO VS. MARGARET PACE WILLSON AND PROHIBITING THE INSTALLATION AND OPERATION OF ADDITIONAL AMUSEMENT RIDES WITHIN BRACKENRIDCE AND KOEHLER PARKS.

* * * *

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

In response to a question by Ms. Berriozabal, Mr. Lloyd Garza, City Attorney, noted that this judgement would not affect the carousel contract.

Mr. Garza, then responding to Mr. Labatt, stated that the zoo would also not be affected by the provisions of this agreement.

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

ZONING HEARINGS

72. CASE Z89152 - to rezone Lot 4, Block 1, NCE 12780, 6023 Return Drive, from "D" Apartment District to "F-1" C.C. Single Family Residence District for a day-care center, located southwest of the intersection of Return Drive and Grapeland Avenue, having 65.6 feet on Return Drive and 114.7 feet on Grapeland Avenue.

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 provided that a six foot solid screen fence is erected and maintained along the south property line. Mr. Webb seconded the motion.

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

AN ORDINANCE 78,288

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 1, NCB 12780, 6003 RETURN DRIVE, FROM "D" APARTMENT DISTRICT TO "R-1" C.C. SINGLE FAMILY RESIDENCE DISTRICT, FOR A DAY-CARE CENTER, PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE SOUTH PROPERTY LINE. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

* * * *

73. CASE Z89094 - to rezone Lots 16, 17, 33, and 35, Block 6, NCB 3090, 618 and 622 East Mulberry Avenue, 555 and 557 East Huisache Avenue, from "D" Historic Apartment District to "O-1" Historic Office District, located on the west side of Stadium Drive between East Mulberry Avenue, and East Huisache Avenue, having 100.0 feet on both East Mulberry Avenue and East Huisache Avenue and 350.0 feet on Stadium Drive.

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

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

Ms. Berriozabal noted that an agreement had been reached between Mr. Pablo Bustamante, the adjacent property owners and the Monte Vista Historical Association and requested that these areas of agreement be made a part of the record. This agreement included: 1) a 25-year deed restriction to limit building height to two stories; 2) allow access to the alley intersecting subject property to remain open so that Huisache

and Mulberry residents may continue their daily use of it; 3) lock parking areas at night; 4) landscape property and shield the view of the parking areas; 5) install signage for building facing the access road of McAllister Freeway; and 6) diffuse lighting or directed away from adjacent residential properties.

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

AN ORDINANCE 70,201

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 16, 17, 33, AND 35, BLOCK 6, NCB 3090, 618 AND 622 EAST MULBERRY AVENUE, 555 AND 557 EAST HUISACHE AVENUE, FROM "D" HISTORIC APARTMENT DISTRICT TO "C-1" HISTORIC OFFICE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

* * * *

89-39 TRAVEL AUTHORIZATION - Approved.

Councilman Walter Martinez to travel to Washington, D.C. from September 8 - 11, 1989 to attend the Community and Economic Development Steering Committee Meeting.

The City Council recessed its Regular Session at 2:25 P.M. to convene a "B" Session, reconvening the Regular Session at 3:04 P.M.

The Council then immediately recessed at 3:05 P.M. to convene a Board of Directors meeting of the City of San Antonio Industrial Development Authority to consider certain actions in relation to Consolidated Produce Company, Inc.

The Regular Meeting of the City Council then reconvened at 3:12 P.M. to consider a resolution which had been approved by the Directors of the Authority.

The Clerk then read the following Resolution:

A RESOLUTION NO. 89-39-74

APPROVING THE RELEASE OF THE INDENTURE AUTHORIZED BY THE CITY OF SAN ANTONIO INDUSTRIAL DEVELOPMENT AUTHORITY REGARDING INDUSTRIAL DEVELOPMENT REVENUE BONDS FOR CONSOLIDATED PRODUCE COMPANY, INC.

* * * *

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

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

The Regular Meeting of the City Council recessed at 3:14 P.M. for continuation of the "B" Session, reconvening at 3:30 P.M. to hold a public hearing on the tax rate.

89-39

PUBLIC HEARING ON THE PROPOSED TAX RATE

Mayor Cockrell noted the purpose of the public hearing and the action the Council needed to take on the tax rate.

Mr. Ken Daly, Director of the Finance Department, and Mr. Lloyd Garza, City Attorney, further explained the process to take place today and noted that the tax rate will be adopted at next week's Council meeting.

At this point, Mayor Cockrell opened the Public Hearing.

Ms. Linda Chavez-Thompson, Executive Director of AFSCME, spoke to her organization's position on the school crossing guard program, expressed concern with the amount of additional monies that have been allocated for City employees, spoke for a strong commitment by management on promotions from within, and financial allocations for certain programs.

Ms. Rosa Rosales, Director of NAGE, expressed her organization's concern with the disparity of benefits between the uniformed and non-uniformed employees. She stated her organization's position on additional monies for City employees, bonuses for employees based on longevity, cost of living raises, and restoration of benefits.

Mr. C. A. Stubbs, President of the Homeowners/Taxpayers Association, noted that his organization would circulate a petition calling for a rollback election if the Council approved a tax rate higher than 8%.

Mrs. Dutmer noted that the extra monies collected over and above the 8% would be used solely for public safety.

Mr. Stubbs stated that his organization review of the City's budget indicated it could be cut further to stay within the 8% figure.

In response to a question by Mr. Wolff, Mr. Stubbs stated that the feedback he had gotten when he asked his members about accepting a 12% increase was that they could not live with such a high increase.

Mr. Wolff spoke to the need to look at the whole budget picture and to the importance of salvaging some of the City's basic needs.

Mrs. Cockrell thanked Mr. Stubbs for his assistance in quoting cuts that can be made to the budget and stated that some of his proposals may be accepted .

Ms. Vera stated that the Council was making every possible attempt to come up with a balanced budget. She spoke to her recent meeting with the superintendents of the various school districts with regard to the school crossing guard program and the increased costs involved should responsibility of this program be delegated to the individual districts.

Mr. Webb stated that the City had in past years only increased the property tax at the rate necessary to maintain the needed revenues.

Mr. Stubbs commented on the increased costs of user fees.

Mrs. Maria Dominguez took exception to the staffing of police substations in District 7. She noted that police officers are needed on the streets and not in police buildings.

Mr. Martin Meltz, Great Northwest Homeowners Association, spoke to the agreements that had been made when discussions were held on annexing his area into the City and asked that the City meet its commitment in terms of officers and police cars and monies that were agreed upon to his area.

Mr. Daly spoke to the dilution of the ratio of officers to citizens when areas are annexed and provisions are not made for additional officers.

Mrs. Dutmer questioned priorities with regard to the dome and Applewhite and spoke to the importance of trust in government.

Mr. Thompson noted that the Council is serious about their commitment to this newly annexed area and stated that these commitments will be met.

Ms. Vera also voiced her support for carrying out the commitments the Council had made to this group.

Mr. Webb stated that perhaps the City Council should have been raising the ad valorem tax rather than the user fees.

Mr. Wolff spoke to problems that other areas presently outside the City are experiencing because they have not been annexed. He spoke of their deteriorating infrastructures.

Mr. Carroll Jackson, North San Antonio Chamber of Commerce, stated that the Chamber after much study and deliberation had adopted a three point position on the proposed FY 89-90 budget for the City of San Antonio (a copy of his report is on file with the papers of this meeting). Their position addressed: Point 1 - specific issues that the Council should implement on a permanent basis; Point 2 - more specific budget cuts that the City should consider for the upcoming City budget; and Point 3 - the areas in the budget that should receive additional funding. He ended his comments with a statement that the Board of Directors of the Chamber would support an increase in property taxes of up to 12% provided that Points 1 and 2 of their position paper were met.

Several Council members spoke to specific points of the report and to the need for flexibility by the Chamber on some of the issues.

Mr. Labatt read excerpts from letters he had received from businesses as well as private citizens expressing concern with the proposed increase in the tax rate.

Mayor Cockrell thanked the Northside Chamber for their statements and asked the Chamber for their input on which City departments they recommended receive additional cuts in their budgets. She added that every member of the City Council has put many hours of their time on the budget and finding additional cuts was difficult.

Mayor Cockrell then declared the Public Hearing to be closed.

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89-39

CITIZENS TO BE HEARD

MARIA FARRINGTON

Ms. Maria Farrington, Communities in Schools, spoke to the need for reallocation of funds in the Human Resources area to put youth workers in the schools for peer counseling on such issues as dropping out of school, teen pregnancy, etc., where they can make a more meaningful impact rather than keeping them in community centers.

Ms. Berriozabal explained Ms. Farrington's suggestion and stated that this suggestion is worthy of being investigated by staff.

* * * *

89-39 Mayor Cockrell then read a statement on the Notice of Vote on Tax Rate (a copy of which is filed with the papers of this meeting).

On a point of clarification, Mr. Ken Daly, Director of Budget & Research, stated that the notice should read that the the City Council was scheduled to vote on the tax rate at a public meeting on September 14, 1989 at 2:30 P.M. and not 3:30 P.M. as had been written.

89-39

CITIZENS TO BE HEARD
(CONTINUED)

LOUIS WALKER

Mr. Louis Walker, 2530 Harry Wurzbach, spoke to problems he had experienced when his automobile was vandalized and then towed away and to his inability to find a lawyer that would represent him.

Mayor Cockrell noted that Mr. Walker needed to seek legal counsel and asked staff to supply him with information on whom to contact.

89-39 The Clerk read the following Letter:

August 29, 1989

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.

August 22, 1989

Petition submitted by Mr. Ciro D. Rodriguez, et al, 363 W. Harding Street, San Antonio, Texas 78221, requesting repairs on Harding Street and to provide sidewalks and curbing.

* * * *

/s/Norma S. Rodriguez
City Clerk

- - -
There being no further business to come before the City Council, the meeting was adjourned at 5:50 P.M.

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A P P R O V E D

Lila Cockrell

M A Y O R

ATTEST: *Norma S. Rodriguez*
City Clerk

September 7, 1989
mlr

