

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO, HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, AUGUST 23, 1990.

\* \* \* \*

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.

- - -  
90-37 The invocation was given by Reverend Stan Wright, Alamo Heights Christian Church.

- - -  
90-37 The members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

- - -  
90-37 The minutes of the Regular City Council Meeting of July 12, 1990 were approved by the City Council.

- - -  
90-37 Mayor Cockrell read the following Resolution of Respect:

RESOLUTION OF RESPECT: CHARLES MCCLINTON

WHEREAS, LIFE CAME TO A CLOSE ON JUNE 3, 1990 FOR MR. CHARLES H. MCCLINTON; AND

WHEREAS, FOLLOWING SERVICE IN THE EUROPEAN THEATER DURING WORLD WAR II, HE CONTINUED TO SERVE HIS GOVERNMENT AND NATION AT KELLY AIR FORCE BASE UNTIL RETIREMENT; AND

WHEREAS, WITH AN ACTIVE ZEAL FOR LIFE, HE UNDERTOOK A NEW PROFESSION IN REAL ESTATE IN MUNICIPAL GOVERNMENT, SERVING FOR MORE THAN A DECADE WITH THE CITY OF SAN ANTONIO'S RIGHT-OF-WAY FUNCTIONS; AND

WHEREAS, DURING THAT TIME, HE WAS RECOGNIZED FOR HIS TIRELESS DEVOTION TO HIS WORK, FIRST ELECTED PRESIDENT OF THE SAN ANTONIO CHAPTER, INTERNATIONAL RIGHT OF WAY ASSOCIATION, IN 1982. THEN ELECTED AS A DIRECTOR OF THE INTERNATIONAL FOR TWO YEARS; AND

WHEREAS, NEVER ONE TONEGLECT HIS OTHER RESPONSIBILITIES, HE WAS A LEADER IN SAN ANTONIO'S EASTSIDE COMMUNITY AS DEVOTED CHURCH LEADER, FAMILY MAN AND PROFESSIONAL, NOW THEREFORE:

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

SECTION 1. THAT WITH THE PASSING OF MR. CHARLES H. MCCLINTON, 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 HIS FAMILY AND FRIENDS IN THEIR SORROW OVER HIS DEATH, AND EXTENDS ITS SINCEREST SYMPATHY AND PRAYER OF COMFORT TO THOSE WHO WERE NEAR HIM.

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 HIS FAMILY AS A TOKEN OF OUR SYMPATHY.

PASSED AND APPROVED THIS 23RD DAY OF AUGUST, 1990.

\* \* \* \*

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

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

Mr. Webb and Mayor Cockrell introduced members of the late Mr. McClinton's family who were in the audience, and presented a copy of the Resolution to his widow.

- - -

SAN ANTONIO CRACKDOWN DAY

Mayor Cockrell read a Resolution declaring "San Antonio Crackdown Day" in San Antonio, and introduced Mr. Greg McAlesee, Executive Producer for MAST Productions, Dallas; and Mr. Paul Ringenbach, USAA. She expressed appreciation to local TV stations for their cooperation in presenting this important program to the community, and presented Mr. McAlesee with an official Proclamation, naming him Honary Alcalde of San Antonio.

Mr. McAlesee spoke of the filming activities that have taken place in San Antonio and of the cooperation of law enforcement agencies in the production of the videotape to be aired.

In response to a question by Ms. Vera, Mr. McAlesee addressed the importance of the program and its call-in features designed to help those afflicted with substance abuse.

Mr. Wolff spoke of the program's efforts to showcase effective actions against drugs abuse.

In response to a question by Ms. Berriozabal, Mr. McAlesee noted that the program on Hispanic stations will be carried in Spanish.

In response to a question by Mr. Labatt, Mr. McAlesee spoke of the program's experience in Dallas, which was carried by only three TV stations. He further noted that the program will be shown in New Orleans September 5, 1990, with an estimated eight more programs planned for the future.

- - -

MC-ALLISTER PARK LITTLE LEAGUE TEAM

Mayor Cockrell noted that the McAllister Park Little League's All-Star Team, composed of 13-year-olds, has just returned from Taylor, Michigan where it competed in the Little League Junior World Series, made up of other teams from Hawaii, New Jersey, Illinois, Puerto Rico, Mexico, Canada and Europe. She further noted that the San Antonio team is returning to San Antonio as National Champions and the second-best team in the world.

Mayor Cockrell and Mr. Wolff introduced the team and coach Robert Ozuna, and spoke of the team's record in international play.

Mr. Ozuna spoke to the team's accomplishments, including taking the United States title and placing second in the world, with an overall

19-2 record.

Members of the City Council and the audience congratulated the team, after which each team player came forward, introduced themselves and identified their school.

90-37      CONSENT AGENDA

Mrs. Dutmer made a motion to approve Agenda Items 9 through 34, constituting the Consent Agenda, with the exception of Item 30, and Item 25 which was pulled earlier by the City Manager. Mr. Webb seconded the motion.

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

AN ORDINANCE 72,113

ACCEPTING THE LOW QUALIFIED BID OF ALAMO PACKAGING CORPORATION TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH DISTRIBUTION CONTAINERS FOR A TOTAL OF \$3,900.00.

\* \* \* \*

AN ORDINANCE 72,114

ACCEPTING THE LOW BID OF GT DISTRIBUTORS, INC., TO FURNISH THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH LEATHER I.D. HOLDERS FOR A TOTAL OF \$3,196.00.

\* \* \* \*

AN ORDINANCE 72,115

ACCEPTING THE BID OF WALKER PROCESS EQUIPMENT TO FURNISH THE CITY OF SAN ANTONIO ENVIRONMENTAL MANAGEMENT DEPARTMENT WITH PRIMARY CLARIFIER EQUIPMENT PARTS FOR A TOTAL OF \$5,330.00 PLUS FREIGHT.

\* \* \* \*

AN ORDINANCE 72,116 .

ACCEPTING THE LOW BID OF ALAMO WELDING AND BOILER WORKS, INC., FOR THE REPAIR OF TWO HOT WATER BOILERS FOR THE ENVIRONMENTAL MANAGEMENT DEPARTMENT FOR A TOTAL OF \$3,960.00.

\* \* \* \*

AN ORDINANCE 72,117 .

ACCEPTING THE PROPOSAL OF EXTREL CORPORATION TO FURNISH THE CITY OF SAN ANTONIO ENVIRONMENTAL MANAGEMENT DEPARTMENT WITH A MAINTENANCE AGREEMENT FOR A GAS CHROMATOGRAPH/SPECTROMETER FOR A TOTAL OF \$19,580.00.

\* \* \* \*

AN ORDINANCE 72,118 .

ACCEPTING THE PROPOSAL OF DIONEX CORPORATION TO FURNISH THE CITY OF SAN ANTONIO ENVIRONMENTAL MANAGEMENT DEPARTMENT WITH A MAINTENANCE AGREEMENT FOR DIONEX LABORATORY INSTRUMENTATION FOR A TOTAL OF \$7,165.00.

\* \* \* \*

AN ORDINANCE 72,119 .

ACCEPTING THE PROPOSAL OF NATIONAL STANDARDS ASSOCIATION TO FURNISH THE CITY OF SAN ANTONIO ECONOMIC AND EMPLOYMENT DEVELOPMENT WITH A GOVERNMENT SPECIFICATIONS SUBSCRIPTION RENEWAL FOR A TOTAL OF \$4,200.00.

\* \* \* \*

AN ORDINANCE 72,120 .

ACCEPTING THE PROPOSAL OF IBM CORPORATION TO FURNISH THE CITY OF SAN ANTONIO INFORMATION RESOURCES DEPARTMENT WITH SOFTWARE LICENSE RENEWAL FOR A TOTAL OF \$389,208.00.

\* \* \* \*

AN ORDINANCE 72,121

ACCEPTING THE LOW QUALIFIED BIDS OF ALAMO DATA SYSTEMS, INC., AND DATA IMAGE, INC., TO FURNISH THE CITY OF SAN ANTONIO INFORMATION RESOURCES DEPARTMENT WITH GEO-PROCESSING COMPUTER HARDWARE AND SOFTWARE FOR A TOTAL OF \$21,242.48.

\* \* \* \*

AN ORDINANCE 72,122

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

\* \* \* \*

AN ORDINANCE 72,123

AUTHORIZING THE CITY MANAGER OR ASSISTANT CITY MANAGER TO EXECUTE FIELD ALTERATION NO.1 IN THE AMOUNT OF \$8,136.00 TO THE CONTRACT WITH ADVANTAGE CONTRACTING CORPORATION TO PROVIDE FOR ADJUSTMENTS IN CONNECTION WITH THE REROOFING OF THE CARVER CULTURAL CENTER AND MAIN PLAZA BUILDINGS PROJECTS; AND PROVIDING FOR PAYMENT.

\* \* \* \*

AN ORDINANCE 72,124

AUTHORIZING PAYMENT OF AN ADDITIONAL \$3,150.00 IN ENGINEERING FEES TO ADVANCE CONSULTING ENGINEERS TO PROVIDE ADDITIONAL RIGHT-OF-WAY PLANS FOR THE NORTHWEST LIFT STATIONS ELIMINATION PROJECT (LIFT STATIONS NO. 86, 107, AND 143) UNDER THE PROFESSIONAL SERVICES CONTRACT AUTHORIZED BY ORDINANCE NO. 71086 DATED FEBRUARY 15, 1990; AND PROVIDING FOR FUNDING IN CONNECTION THEREWITH.

\* \* \* \*

AN ORDINANCE 72,125

APPROVING FIELD ALTERATION NO. 2 IN THE AMOUNT OF \$37,980.13 TO THE CONTRACT WITH SACC, INC., TO PROVIDE FOR ADJUSTMENTS IN CONNECTION WITH THE DEVINE, APPLE VALLEY, SOUTHCROSS (BORE) SANITARY

SEWER REHABILITATION PROJECT II; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

\* \* \* \*

AN ORDINANCE 72,126

ACCEPTING THE LOW BID OF TOM PAGE AND CO., INC., IN THE AMOUNT OF \$61,200.00 TO PROVIDE FOR CONSTRUCTION SERVICES IN CONNECTION WITH THE REROOFING/INTERIOR RENOVATIONS TO THE LANDA BRANCH LIBRARY; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; PROVIDING FOR PAYMENT OF THE CONTRACT; AND PROVIDING \$13,240.00 FOR THE CONSTRUCTION CONTINGENCY.

\* \* \* \*

AN ORDINANCE 72,127

ACCEPTING THE LOW BID OF BILL EMBRY ROOFING COMPANY, INC., IN THE AMOUNT OF \$9,564.00 TO PROVIDE FOR CONSTRUCTION SERVICES IN CONNECTION WITH THE REROOFING OF THE COLLINS GARDENS BRANCH LIBRARY; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; PROVIDING FOR PAYMENT OF THE CONTRACT; AND PROVIDING \$2,391.00 FOR THE CONSTRUCTION CONTINGENCY.

\* \* \* \*

AN ORDINANCE 72,128

ACCEPTING THE LOW BID OF CLARK CONSTRUCTION CO. IN THE AMOUNT OF \$1,689,338.96 TO PROVIDE FOR CONSTRUCTION SERVICES IN CONNECTION WITH THE STREET OVERLAY 1990 PROJECT; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; PROVIDING FOR PAYMENT OF THE CONTRACT; AND PROVIDING \$84,466.94 FOR THE CONSTRUCTION CONTINGENCY.

\* \* \* \*

AN ORDINANCE 72,129

AUTHORIZING PAYMENT IN THE AMOUNT OF \$3,030.39 FOR APPRAISAL FEES INVOLVING THE PACIFIC DRAINAGE PROJECT #66A, PHASE IIB, FOR TITLE CHARGES INVOLVING THE HI-LIONS DRAINAGE PROJECT #80, CEVALLOS/FURNISH/GOODWIN/SOUTHOLME/KECK/A&B STREET RECONSTRUCTION - THOUSAND OAKS TO CITY LIMITS,

GOLIAD ROAD IMPROVEMENTS - S.E. MILITARY DRIVE TO I.H. 410, DURANGO STREET OVERPASS PROJECT, AND FOR ACQUISITION OF HOUSE AND LOT AT 3302 WEST WOODLAWN; AND APPROPRIATING FUNDS.

\* \* \* \*

AN ORDINANCE 72,130

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$7,579.90 OUT OF GENERAL OBLIGATION BONDS FOR ACQUIRING TITLE TO A PARCEL, PAYING FOR TITLE CHARGES, AND ACCEPTING A TEMPORARY EASEMENT IN CONNECTION WITH THE ISOM ROAD - SAN PEDRO TO RAMSEY PROJECT; ACQUIRING TITLE TO TWO PARCELS IN CONNECTION WITH THE BABCOCK ROAD - FREDERICKSBURG TO ST. CLOUD PROJECT; ACCEPTING TWO TEMPORARY EASEMENTS IN CONNECTION WITH THE GOLIAD ROAD IMPROVEMENT PROJECT - S. E. MILITARY TO I.H. 410; AND ACCEPTING A DEDICATION DEED IN CONNECTION WITH STAHL ROAD.

\* \* \* \*

AN ORDINANCE 72,131

AUTHORIZING EXECUTION OF A NINE-MONTH LEASE AGREEMENT WITH DICK'S LAST RESORT OF SAN ANTONIO, INC., FOR 786.93 SQUARE FEET OF SPACE ON THE RIVER WALK TO BE USED FOR OUTDOOR RESTAURANT PURPOSES FOR A RENTAL FEE OF \$5,582.40.

\* \* \* \*

AN ORDINANCE 72,132

AUTHORIZING ACCEPTANCE OF A GRANT OF \$11,000. FROM THE TEXAS COMMISSION ON THE ARTS TO PARTIALLY FUND THE ARTSTEACH (ARTISTS IN THE SCHOOLS) PROJECT.

\* \* \* \*

AN ORDINANCE 72,133

DESIGNATING THE SEVENTEEN PARKING SPACES LOCATED AT THE ENTRANCE OF THE SAN ANTONIO FIRE DEPARTMENT ADMINISTRATION BUILDING, 115 AUDITORIUM CIRCLE, AS RESTRICTED PARKING FOR "FIRE DEPARTMENT VEHICLES AND PERMIT PARKING ONLY."

\* \* \* \*

AN ORDINANCE 72,134

AUTHORIZING AN AMENDMENT TO THAT CERTAIN CONTRACT WITH THE LIONS CLUB OF SAN ANTONIO CHARITIES, INC. TO MODIFY THE COMMISSION SCHEDULE FOR OPERATION OF TERRESTRIALSCOPES AT THE TOWER OF THE AMERICAS AS ORIGINALLY AUTHORIZED BY ORDINANCE NUMBER 67494, PASSED AND APPROVED ON JULY 14, 1988.

\* \* \* \*

AN ORDINANCE 72,135

CLOSING THE NORTH SIDE OF NUEVA STREET BETWEEN S. ALAMO AND SOUTH PRESA FROM 9:00 A.M. ON FRIDAY, SEPTEMBER 14, 1990, UNTIL MIDNIGHT ON SUNDAY, SEPTEMBER 16, 1990, TO ALLOW THE MEXICAN AMERICAN BUSINESS AND PROFESSIONAL WOMEN'S CLUB OF SAN ANTONIO TO HOLD THEIR 16TH ANNUAL LA FERIA DEL RIO AT THE ARNESON RIVER THEATER AND VILLITA PLAZA.

\* \* \* \*

AN ORDINANCE 72,136

CLOSING SEYMOUR STREET BETWEEN DALLAS AND CAMDEN STREET BETWEEN SEYMOUR AND RICHMOND STREETS, ON FRIDAY, OCTOBER 5, 1990, FROM 6:00 A.M. UNTIL 7:00 P.M. TO ALLOW THE BAPTIST MEMORIAL HOSPITAL SYSTEM TO HOLD THE FIESTA BMHS (FORMERLY BMHS FALL FESTIVAL).

\* \* \* \*

90-37

The City Clerk read the following Resolution:

A RESOLUTION NO. 90-37-45

REQUESTING THE CITY MANAGER TO PREPARE A PLAN DESIGNATING COSTS AND MEANS OF ASSISTING SCHOOL DISTRICTS WITH THE LOSS OF AD VALOREM TAX REVENUE IN CONNECTION WITH THE DEVELOPMENT OF APPLEWHITE RESERVOIR; REQUESTING THE WATER BOARD TO REPORT WHETHER ADDITIONAL LAND IS NEEDED TO UPGRADE THE RESERVOIR TO A RECREATIONAL LAKE, AND PREPARE A PLAN

FOR ACQUIRING ADDITIONAL WATER TO ENABLE THE LAKE TO BECOME A CONSTANT LEVEL LAKE; AND REQUESTING THAT A JOINT MEETING BE HELD WITH THE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION CONCERNING THE FEASIBILITY OF RAISING THE HIGHWAY 16 BRIDGE TO ACCOMMODATE BOATING.

\* \* \* \*

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

Mrs. Dutmer stated that the superintendent of the Southside Independent School District had asked that this matter be postponed for two weeks.

Mr. Tom Culbertson, representing Clean Air and Water, noted that the Freese & Nichols report indicates that the Applewhite Reservoir will be reduced to 15,000 acre-feet of water if it is made a recreational lake, and urged the City Council to make a determination on this before proceeding with further condemnation of property for the lake. He stated his opinion that recreational uses for the lake would affect its yield.

Ms. Deborah Cavazos, 438 Karen Lane, stated her opinion that data on the Applewhite Reservoir provided to the City Council is not factual, and spoke to certain problems she anticipates. She then compared the Applewhite Reservoir to the Gibraltar Reservoir in Santa Barbara, California, and asked that the Applewhite project be halted until alternatives to the reservoir are explored.

Mr. Wolff noted that this proposed Resolution is a follow-up to requests made by the City Council in the previous Applewhite Reservoir Ordinance in July, 1988. He stated that he had met with representatives of four independent school districts concerned with the reservoir issue and noted that they estimated they would lose a combined total of about \$55,000 each year in tax revenues, which he termed a "significant loss". He noted that City Water Board needs to explore making the Applewhite Reservoir a recreational lake in order to help alleviate this property tax loss to the school districts. He also noted that the first contract for construction on the Applewhite Reservoir came in some \$4 million under estimates.

Mr. Bill Allanach, Project Manager for the Applewhite Reservoir for City Water Board, noted that the Water Board's 404 Permit will have to be changed in order to make the reservoir a recreational lake. He stated that City Water Board, in conjunction with the South Side Chamber of Commerce and others, would study the matter to determine any necessary changes in the permit.

Mr. Labatt stated his opinion that City Water Board cannot

compromise the yield of Applewhite Reservoir in order to make it a recreational lake.

In response to a question by Mr. Labatt, Mr. Allanach noted that some 1,700 acres in the mitigation area are recreational in nature, and he explained the details.

Mrs. Dutmer stated her opinion that this effort is an attempt to make the Applewhite project more palatable to the public and addressed earlier plans to make Applewhite a "scalping lake", not a recreational lake. She spoke to her concerns with plans for the use of lands near the reservoir site, including a fish farm, which will require large amounts of water from the reservoir. She stated her opinion that recapture of water from the San Antonio River, now flowing downstream, could supply the needed water for re-treatment and use by San Antonio.

In response to a question by Mr. Thompson, Mr. Allanach spoke to actions already taken concerning recreational uses for Applewhite Reservoir, and the sequence of events required to change the current permit.

In response to a question by Ms. Berriozabal, Mr. Allanach contrasted a "scalping lake" and a lake allowing enhanced recreational uses. He stated that he will have the necessary report ready within six months.

Ms. Berriozabal discussed the extra costs involved because of the extra land necessary to make Applewhite a recreational lake, and addressed the exorbitant costs for the water yield the City will be getting, as well as other problems she sees with the project.

Mr. Wolff spoke to the possibility of having recreational uses for Applewhite Reservoir and the requirements for supplemental water for San Antonio. He addressed the Applewhite project as a new economic boost for the south side.

In response to a question by Mr. Martinez, Mr. Labatt spoke to alternate sources of water which could be stored in the Applewhite Reservoir, then treated before entering San Antonio's water supply system.

Mr. Martinez noted that he has questions about the Applewhite project as a new economic generator for the south side.

In response to a question by Mr. Martinez, Mr. Labatt spoke to alternate sources of water which could be stored in Applewhite Reservoir, then treated before entering San Antonio's water supply system.

Mr. Martinez noted that he has questions about the Applewhite project including its feasibility as a recreational lake.

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

90-37      ZONING CASES

4A.      CASE Z90060-C(PP) - TO REZONE LOT 1, BLOCK 1, NCB 16995, IN THE 13500 BLOCK OF NW MILITARY HIGHWAY, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT, LOCATED EAST OF THE INTERSECTION OF GEORGE ROAD AND NW MILITARY HIGHWAY, HAVING 84.09' ON GEORGE ROAD AND 242.02' ON NW MILITARY HIGHWAY.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council as "R-1" One Family Residence District, and deny "B-2" Business District.

Mr. Sam Schaefer, 12211 Huebner Road, the proponent, noted that, in his opinion, this is not residential property because of its location on a busy highway, and addressed the light retail uses that would be allowed on the property, if rezoned.

Mr. Frank Jenson, President of Oak Meadows Homeowners Association, noted that restrictive covenants on the property, placed there by Mr. Schaefer, call for this property to be R-1 residential in nature, and he distributed to the Council packets of information relative to this property, a copy of which is made a part of the papers of this meeting.

Colonel Ray Hamilton, also representing the Homeowner Association, spoke to the history of the opposition to the rezoning of this property, and also stated that he was in possession of petitions signed by some 350 residents opposed to this rezoning request. Mr. Schaefer reiterated his reasons for the rezoning request.

Mr. Wolff made a motion to approve the Zoning Commission recommendation of "R-1" Single -Family Residential District zoning on the property. Ms. Vera seconded the motion.

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

AN ORDINANCE 72,137

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 1, BLOCK 1, NCB 16995, IN THE 13500 BLOCK OF N. W. MILITARY HIGHWAY, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "R-1" ONE-FAMILY RESIDENCE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

4B. CASE Z90081 (PP) - TO REZONE LOT 23, BLOCK 10, NCB 2021, 311 CINCINNATI AVENUE, FROM "B" RESIDENCE DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT, LOCATED ON THE NORTHSIDE OF CINCINNATI AVENUE, BEING 271.02 FEET WEST OF THE INTERSECTION OF CINCINNATI AVENUE AND FREDERICKSBURG ROAD, HAVING 50.0 FEET ON CINCINNATI AVENUE AND A DEPTH OF 144.85 FEET.

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. Webb seconded the motion.

Ms. Berriozabal noted that the neighborhood supports the usage of this home for the mentally retarded, and asked the proponent to maintain contact with nearby St. Ann's Catholic Church and representatives of the Metro Alliance.

A discussion then took place concerning ownership of the home in question.

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

AN ORDINANCE 72,138

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 23, BLOCK 10, NCB 2021, 311 CINCINNATI AVENUE, FROM "B" RESIDENCE DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

4C. CASE 290055 - to rezone LOTS 20, 19 AND THE WEST 25 FEET OF LOT 18, BLOCK 185, NCB 9086, 2600 WEST AVENUE, FROM "F" LOCAL RETAIL DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT, LOCATED NORTHEAST OF THE INTERSECTION OF WEST AVENUE AND MARDELL STREET, HAVING 125.0 FEET ON WEST AVENUE AND 120.0 FEET ON MARDELL STREET.

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

AN ORDINANCE 72,139

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 20, 19 AND THE WEST 25 FEET OF LOT 18, BLOCK 185, NCB 9086, 2600 WEST AVENUE, FROM "F" LOCAL RETAIL DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

4D. CASE 290080 CC - to rezone LOT 45, NCE 14790, 15826 SAN PEDRO AVENUE, FROM "B-2" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT TO "B-3R" CC ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR A GASOLINE FILLING STATION WITH A CAR WASH, LOCATED NORTHEAST OF THE INTERSECTION OF SAN PEDRO AVENUE (US HWY 281) AND PASO DEL NORTE, HAVING 456.07 FEET ON SAN PEDRO AVENUE (US HWY 281) AND 61.97 FEET ON PASO DEL NORTE.

Mr. Claybourne Smith, 110 Paseo del Norte, stated that he is only opposed to any on-premises consumption of alcoholic beverages.

Mr. Travis Moursund, President, Mortgage Loan and Agency Company, spoke to the requested rezoning.

Mr. A. W. O'Donnell, representing Diamond Shamrock, spoke to plans to install tertiary containment of hydrocarbons on the property.

Mr. Ken Eaton, also representing Diamond Shamrock, addressed the construction plans for a service station and car-wash, and addressed reasons why his firm is opposed to installation of a 25-foot landscaped buffer at the rear of the property. He noted that the large vehicles required to service the facilities at the service station have a large turning-radius, and cannot do so in the limited area, should the 25-foot buffer be imposed. He spoke to plans for tertiary containment of hydrocarbons and addressed various meetings with the City staff and its written comments on this request.

In response to a question by Mr. Hasslocher, Mr. Smith stated that he would agree to the proponent's plans, so long as the rear property line is landscaped.

Mr. Hasslocher made a motion to approve the requested rezoning, subject to the recommendations of the Water Resources Division, and without the 25-foot landscaped buffer at the rear of the property in question. Mr. Webb seconded the motion.

(At this point, Mayor Cockrell was obliged to leave the meeting. Ms. Berriozabal presided in the absence of Mayor Pro Tem Vera.)

Mr. Labatt spoke to the new City Council standards for tertiary containment of hydrocarbons over the Edwards Aquifer recharge zone.

(At this point, Mr. Labatt presided in order for Ms. Berriozabal to speak to this matter.)

In response to a question by Ms. Berriozabal, Ms. Joan Falkenberg, Aquifer Protection Officer, spoke to the geologic and hydrologic aspects of this immediate area, and the requirement for a transportation plan and accidental spill plan.

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

Ms. Falkenberg then spoke to further requirements for inspection during installation of gasoline tanks and construction.

Ms. Berriozabal spoke of her concern that an estimated two million gallons of hydrocarbons are stored in various locations over the Edwards Aquifer recharge zone, without secondary or tertiary containment protections. She asked for a mapping of such uses over the aquifer, so

that the total impact can be evaluated, and noted that she would be voting against this measure today.

Ms. Falkenberg spoke to how older tanks are handled and also spoke to Texas Water Commission regulations that affect them.

Ms. Berriozabal spoke to her concern for seeking more water for San Antonio, yet also approving more service stations over the aquifer recharge zone.

Mr. Webb noted state regulations from the Texas Water Commission require monitoring wells near hydrocarbon tanks.

In response to a question by Mr. Wolff, Fire Marshal Steve Worley discussed his recommendations that there be third-party 24-hour leak-monitoring station on such sites to prevent employees of the service stations from deactivating the required warning audio alarm when it sounds.

A representative of Diamond Shamrock stated that this requirement would be complied with.

Mr. Labatt asked the City Manager to have City staff make recommendations for new policies on tertiary containment, as early as possible.

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

AN ORDINANCE 72,140

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 45, NCB 14790, 15826 SAN PEDRO AVENUE, FROM "B-2" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS EDWARDS RECHARGE ZONE DISTRICT WITH SPECIAL CITY COUNCIL APPROVAL FOR A GASOLINE FILLING STATION WITH A CAR WASH, PROVIDED THAT THE RECOMMENDATIONS OF THE WATER RESOURCES MANAGEMENT DIVISION AND THE FIRE DEPARTMENT ARE FULLY COMPLIED WITH (COPIES ATTACHED TO THIS ORDINANCE), "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

-  
90-37 The Clerk read the following Ordinance:

AN ORDINANCE 72,141

SETTING A PROPOSED TAX RATE FOR FISCAL YEAR 1990-91  
(TAX YEAR 1990) AND SETTING A PUBLIC HEARING ON SUCH  
PROPOSED TAX RATE FOR THURSDAY, SEPTEMBER 6, 1990 AT  
3:00 P.M. IN THE CITY COUNCIL CHAMBERS AT CITY HALL.

\* \* \* \*

Mr. George K. Noe, Director of Management Services, explained the proposed property tax rate.

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

-  
90-37 PUBLIC HEARING-CLOSING AN UNIMPROVED ALLEY

Mayor Cockrell declared the Public Hearing to be open.

No citizen appeared to speak on this matter.

Mayor Cockrell declared the Public Hearing to be closed.

Mr. Bill Toudouze, Right-of-Way Division, Public Works Department, explained the request to close an unimproved alley.

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

AN ORDINANCE 72,142

CLOSING, VACATING AND ABANDONING AN EXISTING  
UNIMPROVED ALLEY ADJACENT TO LOT 22, BLOCK 2, NEW  
CITY BLOCK 12910 ON THE NORTH AND LOTS 6 AND 14,

BLOCK 2, NEW CITY BLOCK 12910 ON THE SOUTH, IN HOLLY HILLS ESTATES SUBDIVISION AND LOCATED BETWEEN INTERSTATE 410 TO THE EAST, AND HOLLYHILL DRIVE, TO THE WEST, SAN ANTONIO, BEXAR COUNTY, TEXAS; AND AUTHORIZING THE CITY MANAGER OR ASSISTANT CITY MANAGER TO EXECUTE A QUITCLAIM TO MILLER BROS., A TEXAS GENERAL PARTNERSHIP, FOR A CONSIDERATION OF \$1.00 DOLLAR.

\* \* \* \*

- - -  
90-37 City Council recessed its regular meeting at 4:40 P.M. in order to convene a meeting of the Board of Directors of the City of San Antonio Industrial Development Authority, adjourning that CSAIDA meeting at 4:43 P.M. and reconvening the regular City Council meeting at 4:43 P.M.  
- - -

90-37 FACILITY MARKETING FIRM FOR THE MULTI-PURPOSE DOME STADIUM.

At this time, it was the concensus of City Council members present to undertake consideration of Agenda Item Number 44, being a proposed ordinance accepting the recommendation of the Dome Advisory Committee for Spectacor Management Group as the Facility Marketing Firm for the Multipurpose Dome Stadium and other facilities; and authorizing the City Manager or his designee to negotiate a professional services agreement for marketing, promotional and consulting services.

Dr. Henry Cisneros, Chairman of the Dome Advisory Committee, spoke to the City Council's earlier decision to separate the marketing of the Domed Stadium from its actual operations, and he addressed reasons for the committee's recommendations to select Spectacor over Pace/MLI.

Mr. Roland Lozano, Director of Dome Development, spoke to the five proposals received and addressed the timetable leading up to the selection of the two finalists, then the final recommendations by the advisory committee.

Ms. Vera addressed her reasons for favoring the Spectacor proposal.

A discussion then took place concerning the strengths of each of the two finalists firms, during which it was the concensus of Council members present to allow a 10-minute presentation by each of the two finalist firms.

Each of the two finalist firms then made their presentations to

City Council.

Mr. Martinez stated his desire to know the specific level of minority participation by the Spectacor firm, and spoke to his concern with the involvement of local small businesses in this effort, indicating that both firms have made a concerted effort to do that. He stated that he would have desired to see a more detailed presentation by each.

Mr. Martinez made a motion to approve the recommendation of the Dome Advisory Committee, contingent upon the staff reporting back to the City Council on the amount and level of minority and womens' involvement and participation. Mr. Wolff seconded the motion.

Mr. Wolff spoke in support of the main motion and asked that all groups be included in the report.

A discussion then took place on the full intent of the motion.

Ms. Vera asked for clarification of the motion, and noted that by supporting the motion, it is not suggested that the partnerships be changed.

Mr. Martinez then spoke to a clarification of his motion.

Several Council members addressed their opinions on the motion and expressed their desires as to the operations of the successful firm.

Mr. Wing questioned the efficacy of the motion and the impact it will have on groups.

Mr. Martinez stated his opinion that he is not convinced that the process used in this effort was the best available, and, with the approval of the seconder of his motion, withdrew that motion from consideration.

Ms. Vera then made a motion to approve the proposal of Spectacor. Mr. Thompson seconded the motion.

Ms. Berriozabal stated that she wants reassurances that local minority participation will be meaningful to those groups, and further stated that she wants minority talents to be used in this project.

A representative of Spectacor assured the Council that the firm will maintain a full 35 per cent minority participation.

Ms. Vera spoke in support of a certification process that mandates that joint-venture contractors must maintain a monitored certification procedure.

Mr. Lozano stated that he would bring the full contract back before City Council before executing it.

August 23, 1990  
jd/alh

A discussion then took place concerning the City's goals for small and minority business participation.

Mr. Alex Briseno, City Manager, reaffirmed that the final contract will be brought back before the City Council, following negotiations with the firm involved.

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

AN ORDINANCE 72,143

ACCEPTING THE RECOMMENDATION OF THE DOME ADVISORY COMMITTEE FOR SPECTACOR MANAGEMENT GROUP TO BE THE FACILITY MARKETING FIRM FOR THE MULTIPURPOSE DOME STADIUM AND OTHER FACILITIES; AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE A PROFESSIONAL SERVICES AGREEMENT FOR MARKETING, PROMOTIONAL AND CONSULTING SERVICES.

\* \* \* \*

90-37 The Clerk read the following Ordinance:

AN ORDINANCE 72,144

AUTHORIZING THE USE OF INJUNCTIVE RELIEF THROUGH FINAL JUDGEMENT AGAINST THE OWNERS OF CERTAIN PROPERTY IN COUNTY BLOCK 4188 IN SOUTHWEST BEXAR COUNTY TO PREVENT THE EXORBITANT EXPENSE AND DELAY BEING CAUSED TO THE CONSTRUCTION OF THE APPLEWHITE WATER SUPPLY PROJECT, TO PRESERVE THE STATUS QUO OF THE TITLE TO SUCH PROPERTY AND TO RESTRAIN AND ENJOIN ANY FURTHER SUBDIVISION OF CERTAIN PROPERTY IN COUNTY BLOCK 4188 SO AS TO PREVENT ANY FURTHER VIOLATIONS OF THE PLATTING ORDINANCES OF THE CITY OF SAN ANTONIO; APPROVING AND RATIFYING ALL PREVIOUS ACTIONS TAKEN BY THE CITY'S ATTORNEYS IN SEEKING AND OBTAINING INJUNCTIVE RELIEF THROUGH FINAL JUDGMENT AGAINST THE OWNERS OF CERTAIN PROPERTY IN COUNTY BLOCK 4188; AND PROVIDING FOR SEVERABILITY.

\* \* \* \*

Mr. Tom Culbertson, Clean Air and Water, protested the proposed

plugging of working oil wells at the Applewhite Reservoir site.

Mr. Philip M. Ross, representing Urban Wilderness San Antonio, noted that the property in question has 63 other owners in addition to himself and his wife, and noted that he and his firm are defendants in a lawsuit brought by the City of San Antonio on this matter. He then spoke to reasons for selling portions of the subject property to others, noting that he conveyed portions of the land to others by warranty deed, and not by contract for sale. He noted further that there have been no sales of portions of this property for some time.

Mr. Lloyd Garza, City Attorney, explained the ordinance and the reasons for seeking it.

Mr. Labatt 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: Webb, Vera, Wolff, Labatt, Hasslocher, Cockrell; NAYS: Berriozabal, Dutmer; ABSENT: Wing, Martinez, Thompson.

90-37

CITIZENS TO BE HEARD

RESIDENTS OF HOUSING PROJECTS

Mrs. Janie Adame, 1718 Slayton, together with a number of residents of housing projects, appeared to speak to the Council regarding an incident which occurred this week. She took exception to remarks made by Councilman Martinez and asked for a public apology. She also stated that she had wanted to address and discuss housing problems with him. She then spoke to the gang activity occurring at the housing projects.

Mrs. Maria T. Martinez, 413 Rosita, also spoke to the gang activity present at the housing projects and also of a specific incident which occurred involving her son. She also spoke about shootings in the area. She asked for help from the City Council in this area. She also asked for the Council to make an investigation on this particular incident.

Mr. George Espinoza, 100 Casanova, Vice President of the Residents Association, also spoke of the many gang-related incidents at the housing projects.

Mr. Apolonio Flores, Executive Director of the San Antonio Housing Authority, stated that he will be glad to meet with the residents on the problem families and will report back to the City Council on this issue personally.

Mr. Dale Jacobs, of the San Antonio Police Department, stated that Police Chief Gibson has been made aware of these problems and will work with Mr. Flores and the Resident Associations on these problems.

In response to Mr. Wing, Mr. Flores stated that they must follow specific criteria before they evict a family or specific individuals.

Mr. Wing spoke of Councilman Martinez' involvement in improving the situation at the housing projects.

Mr. Martinez acknowledged that there are a lot of problems in the housing projects, however the crime situation is not limited to these areas. He is still willing to meet with the residents on these issues when they're ready to meet with him. He also stated that he would not respond to Mrs. Adame's allegations.

Mrs. Frances Cadena, President of the Prospect Hill Neighborhood Association, stated that she had been asked to meet with the residents about these problems in the Alazan-Apache Courts. She asked that the pertinent groups sit down and discuss the problem.

Ms. Berriozabal stated that she knows that there are a lot of problems in the courts, but is encouraged to see such a large turnout of persons wanting to come forward to testify about these problems.

Mr. Martinez stated that they are working on a plan to bring the different parties such as the Police Department, Housing Authority management and resident organizations together to meet and try to resolve some of these problems.

- - -  
MRS. MARIA DOMINGUEZ

Mrs. Dominguez spoke to the Council about the budget situation. She took issue with many of the proposed line items included in the budget. She also took exception to the petitions being circulated trying to repeal the collective bargaining issue.

- - -  
MR. HUGO A. RIOS

Mr. Rios took exception to the type of programming being recently shown on cable television. He asked that the Council prohibit this type of programming.

In response to Mayor Cockrell, Mr. Lloyd Garza, City Attorney, stated that the City has no role in dictating or selecting programming and

explained that Mr. Rios' only recourse will be to address his complaints to Paragon Cable television company.

In response to Mr. Wolff, City Attorney Garza explained why this type of programming is permissable.

The City Council recessed its regular meeting at 7:10 P.M., reconvening at 7:53 P.M.

90-37 The Clerk read the following Ordinance:

AN ORDINANCE 72,145

AUTHORIZING THE EXECUTION OF A MEMORANDUM OF AGREEMENT BETWEEN THE CITY AND CITY PUBLIC SERVICE (CPS) WHICH SETS FORTH THE TERMS AND CONDITIONS COVERING THE PROVISION OF WASTEWATER SERVICE BY THE CITY TO THE CPS-OWNED BRAUNIG LAKE INDUSTRIAL PARK WITH ON-SITE DESIGN AND CONSTRUCTION COSTS IN THE APPROXIMATE AMOUNT OF \$150,000.00 TO BE PAID BY CPS AND GOLDEN ALUMINUM ON A PRO RATA COST BASIS.

\* \* \* \*

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

90-37 The Clerk read the following Ordinance:

AN ORDINANCE 72,146

AMENDING ORDINANCE NOS. 71532 AND 71533, PASSED ON MAY 10, 1990, AND ORDINANCE NO. 69986, PASSED ON AUGUST 10, 1989, SO AS TO ACCEPT THE MODIFICATION OF CERTAIN JTPA TITLE III/EDWAAA (40%), TITLE IIA AND TITLE III/EDWAAA (60%) SERVICE PROVIDER CONTRACTS, RESPECTIVELY; AND MODIFYING THE BUDGETS ACCORDINGLY.

\* \* \* \*

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

Mr. Kevin Moriarty, Acting Director of the Department of Economic and Employment Development, explained the need for the ordinance to secure City Council ratification of all charges and expenditures over \$3,000.

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

- - -  
90-37 The Clerk read the following Resolution:

A RESOLUTION NO. 90-37-46 .

.  
.  
SETTING A PUBLIC HEARING ON THE FISCAL YEAR 1990-91  
GENERAL OPERATING AND CAPITAL BUDGETS FOR WEDNESDAY,  
SEPTEMBER 5, 1990, AT 7:00 P.M., IN THE MISSION ROOM  
OF THE HENRY B. GONZALEZ CONVENTION CENTER.

\* \* \* \*

Mr. Martinez made a motion to approve the proposed Resolution. Mr. Thompson 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, Hasslocher, Cockrell; NAYS: None; ABSENT: None.

- - -  
90-37 The Clerk read the following Ordinance:

AN ORDINANCE 72,147 .

.  
.  
ACCEPTING THE LOW QUALIFIED BID OF OLMOS EQUIPMENT  
COMPANY AND AWARDED A CONSTRUCTION CONTRACT IN THE  
AMOUNT OF \$729,928.05 FOR THE MULTIPURPOSE DOME  
FACILITY; MASS EXCAVATION, FUNDED BY THE 1/2 CENT  
VIA SALES TAX REVENUE.

\* \* \* \*

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

Mr. Martinez and Ms. Berriozabal both spoke to the disparity in small and minority business participation on sub-contracting for the domed stadium excavation matter.

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

- - -  
90-37 City Council recessed its regular meeting to convene in Executive Session at 8:04 P.M., for the purpose of discussing the proposed sale of Hyatt Hotel Land.

- - -  
90-37 The Council reconvened its regular session at 8:29 P.M., at which time Mayor Cockrell announced that staff had discussed the proposed sale of Hyatt Hotel Land.

- - -  
90-37 The Clerk read the following Ordinance:

AN ORDINANCE 72,148

ACCEPTING THE BID SUBMITTED BY SAN ANTONIO 2000, LTD. AND BELTON K. JOHNSON, TO PURCHASE CERTAIN CITY PROPERTIES, INCLUDING AIR RIGHTS, KNOWN AS "THE HYATT HOTEL TRACT;; AND "HYATT PARKING GARAGE TRACT", LOCATED IN NEW CITY BLOCKS 416 AND 423, CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, SAVE AND EXCEPT THE RIVER WALK TRACT KNOWN AS "THE PASEO DEL ALAMO"; AUTHORIZING THE CITY MANAGER, OR THE ASSISTANT CITY MANAGER, TO EXECUTE (1) A QUITCLAIM DEED TO SAN ANTONIO 2000, LTD. AND BELTON K. JOHNSON, (2) AN AMENDMENT TO LEASE AGREEMENT COVERING THE RIVER WALK TRACT, AND (3) SUCH OTHER INSTRUMENTS APPROVED BY THE CITY ATTORNEY AS DEEMED NECESSARY TO EFFECTUATE SUCH TRANSACTION; AND DIRECTING THE DIRECTOR OF FINANCE TO DEPOSIT THE SALES PROCEEDS IN COMPLETED UDAG PROJECTS INCOME FUND NO. 26-054999, INDEX NO. 033951.

\* \* \* \*

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

Mr. Labatt stated his opinion that the Council would be shortchanging the taxpayers if it were to spend this money inside of five years' time.

Mrs. Dutmer spoke of ways to use the funds, but spoke against any open-ended spending of the funds.

Ms. Vera spoke in agreement with Mrs. Dutmer's remarks, and stated that she will not support the pending motion.

A discussion then took place concerning how the funds involved might be spent.

Mr. Wolff spoke in support for the agreement to sell the property concerned.

Mr. Thompson spoke to the advantages of accepting cash for the property, rather than taking it in pieces, noting that he feels that the money received should be spent when and where the City Council decides, and not put aside with restrictions on its use.

Mr. Alex Briseno, City Manager, and Mrs. Dutmer both spoke to the options available to the City Council.

Mrs. Dutmer spoke in favor of Option B, unless there is some sort of 'stop-gap' on spending of the funds received.

Mr. Labatt made a substitute motion to attach a Quitclaim Deed prior to the sale. Mrs. Dutmer seconded the motion.

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

Mrs. Dutmer then made a motion to amend the main motion, to put the funds received in an irrevocable trust so that they cannot be expended for five years, with the interest therefrom to be used for Title 1 uses. Ms. Vera seconded the motion.

Mr. Briseno, during discussion of the amendment, asked that City staff be allowed to study the matter fully and recommend to the Council ways in which to utilize the \$1.7 million received.

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

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

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

90-37 The Clerk read the following Ordinance:

AN ORDINANCE 72,149

AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING RELATING TO THE CONVEYANCE OF THE 2800 BLOCK OF MARTIN LUTHER KING BOULEVARD, KNOWN AS THE SONNY MITCHELL CENTER, TO THE CITY OF SAN ANTONIO.

\* \* \* \*

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

Mr. Webb noted that confiscated property is being deeded over to the City, and that he had met with neighborhood groups on this issue.

Police Chief Bill Gibson stated that this sends a clear message throughout the nation.

Ms. Lillie Wilson, representing 'People Against Corruption', thanked the Council for this action and expressed her hopes for continued attacks on drugs. She then spoke to the matter of economic development needs in her area.

A discussion then took place concerning how properties may be confiscated.

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

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

90-37 The Clerk read the following Ordinance:

AN ORDINANCE 72,150

APPOINTING ROBERT HUNT TO SERVE ON THE ZONING COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON JUNE

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

- - -  
90-37 The Clerk read the following Ordinance:

AN ORDINANCE 72,151 .

.  
AUTHORIZING THE ACCEPTANCE OF THE PROPOSAL OF THE  
GUADALUPE CULTURAL ARTS CENTER IN THE AMOUNT OF  
\$68,704.00 TO ADMINISTER A HISPANIC DANCE  
INITIATIVE.

\* \* \* \*

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

Mr. Wing spoke to the possibility of postponing this action, noting that the Council may want to fund new dance programs with a portion of these funds.

Mr. Eduardo Díaz, Director of the Department of Arts and Cultural Affairs, explained the method by which new dance groups would seek funding.

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

- - -  
90-37 Council recessed its regular meeting at 9:15 P.M. to convene a "B" Session discussion on the budget.  
- - -

90-37 The City Council reconvened in regular session at 11:05 P.M.  
There being no further business, Council was adjourned at 11:07 P.M.

A P P R O V E D

*Lila Cockell*

M A Y O R

ATTESTED:

*Anna S. Rodriguez*  
C i t y C l e r k

August 23, 1990  
jd/alh

29