

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, FEBRUARY 8, 1990.

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

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90-07 The invocation was given by Reverend Earl Harris of Damascus Baptist Church.

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90-07 The members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

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90-07 INNER CITY DEVELOPMENT APPRECIATION WEEK

Mayor Cockrell read a Proclamation designating "Inner City Development Appreciation Week" in San Antonio, and presented it to Mr. Ron Radle, Executive Director, Inner City Development.

Mr. Radle introduced representatives of Campbell Soup Company, San Antonio Light, Kroger Stores, HEB Food Stores, Handy Andy Food Stores, and Radio stations KMIX and CNS, present in the audience, and spoke of each firm's involvement in the food drive. He thanked each for its contributions to the success of the food drive for Inner City Development.

Mr. Martinez thanked Mr. Radle and his wife, Patty Radle, along with the organizations and volunteers involved in this effort, for their hard work.

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90-07 MERITORIOUS CERTIFICATE
HECTOR MARTINEZ

Mayor Cockrell asked Mr. Hector Martinez and members of his family and friends to come forward, then read a Citation commending him for saving the life of a fellow human being at North Star Mall.

Members of the City Council individually congratulated Mr.

Martinez for his lifesaving efforts.

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90-07

CHOLESTEROL AWARENESS WEEK

Mayor Cockrell read a Proclamation designating "Cholesterol Awareness Week" in San Antonio and presented it to Mr. Crutsinger, Executive Director, Y.M.C.A.

Mr. Crutsinger spoke to America's health problems and the educational efforts underway to help solve those problems. He then thanked other participants in the project and introduced them to the Council.

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90-07

PARAGON CABLE

Mayor Cockrell spoke of the creation of a new weekly program developed by Paragon Cable featuring the City Council. She introduced Mr. T. J. Connally of Paragon Cable, the host of the program.

Mr. Connally spoke of details of the live cable TV show to be held immediately before the opening of each week's City Council meeting, direct from City Hall.

Ms. Berriozabal thanked Paragon Cable for creating this new show and for its involvement in the community.

Ms. Vera thanked the cable television firm for providing a grant to the City's Literacy Program and for this new program from City Hall.

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90-07

DEFENSE LANGUAGE INSTITUTE STUDENTS

Mayor Cockrell took note of the presence in the audience today of a group of students from the Defense Language Institute, Lackland Air Force Base. Each student came forward individually to introduce themselves and identify the nation they represent.

Mayor Cockrell welcomed the group to City Hall.

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90-07

BUDGET INTERIM REPORT

Mayor Cockrell spoke of the hard work performed by the Budget Advisory Committee and introduced its Chairman, Mr. Ray Otte.

Mr. Otte spoke of the cooperation given his committee by all City departments and noted that the committee's final report will be made in March to the City Council. He introduced members of the Budget Advisory Committee by the Council district they represent and then made his interim report, which is on file with the papers of this meeting.

Mr. Otte stated his opinion that the City could save \$12-15 million per year by implementing these recommendations.

Ms. Vera thanked the committee for its work, then addressed the need to find ways to improve city streets and fee collection systems.

Mr. Thompson stated his opinion that the Council will consider all the committee's recommendations, and briefly discussed program priorities recommendations; civilianization of some uniformed positions; and the proposed eight per cent reduction in all personnel positions in City employ, across the board.

Mr. Martinez addressed the need for more detail in the committee's recommendations and spoke to the differences that exist between the private sector and the public sector.

Mrs. Dutmer spoke to the civilianization of some positions; requiring outside funded agencies to live within their established budgets; street maintenance; and other individual areas of the interim report.

Mayor Cockrell spoke to the need to have Council ask Ms. Vera and the Plans and Policy Committee to schedule Council work sessions on the various committee recommendations.

Mr. Webb spoke to the recommendations relative to outside agencies and the need for more detailed information.

Ms. Berriozabal stated that she would like to further discuss some of the committee's recommendations, and asked the Budget Advisory Committee to look into various avenues of public participation in local government. She spoke of the need to seek other ways to increase the City's revenues and addressed her concerns on several other committee recommendations. She then spoke to the growing workload of the City Council members and the need for possible charter revision. She voiced her concern with the adverse impact of certain recommendations on an already-overburdened City employee work force.

Mr. Wing stated that he feels that most of the committee's recommendations already have been considered and studied before, and stated his opinion that personnel cuts will adversely affect the delivery of services. He spoke in favor of looking into the use of temporary employees versus full-time employees, and addressed concerns in several

areas of the interim report, including the funding of outside agencies.

Mr. Wolff thanked the committee for its strong recommendations, including the eight per cent across-the-board reduction in personnel. He spoke of the need to do this in order to balance the budget and stated that the City cannot hire more people without a tax hike.

Mr. Labatt spoke of the need for further study of the committee's recommendations.

Mr. Hasslocher noted that citizens want accountable government and expressed his concerns with workers compensation costs. He addressed the need for street maintenance, and thanked Mayor Cockrell for putting together this Citizens Advisory Committee.

Mayor Cockrell thanked members of the committee for their interim report and stated that the Council will discuss possible implementation of its various recommendations. She then asked that the committee's recommendations for immediate implementation be scheduled for Council discussion as soon as possible.

90-07 CONSENT AGENDA

Mr. Thompson made a motion to approve Agenda Items 5 through 27, constituting the Consent Agenda, with items 5, 7, 18, 22, 23, 24, 25, 26, and 27 to be pulled for individual consideration and Item 19 which was pulled earlier from consideration by the City Manager. Mrs. Dutmer seconded the motion.

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

AN ORDINANCE 71,017

RENEWING A SOFTWARE LICENSE AGREEMENT WITH CINCOM FOR A MAINFRAME DATA NETWORK MONITORING SYSTEM FOR THE INFORMATION RESOURCES DEPARTMENT AT AN ANNUAL COST OF \$16,000.00.

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AN ORDINANCE 71,018

ACCEPTING THE PROPOSAL OF O/C TANKS CORPORATION FOR THE RECERTIFICATION OF TWO FUEL STORAGE TANKS FOR

THE CITY OF SAN ANTONIO FOR A TOTAL OF \$3,538.40.

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AN ORDINANCE 71,019

ACCEPTING THE LOW BID OF PARKE DAVIS TO FURNISH THE CITY OF SAN ANTONIO HEALTH DEPARTMENT WITH INFLUENZA VACCINE FOR A TOTAL OF \$4,670.00.

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AN ORDINANCE 71,020

AUTHORIZING THE EXECUTION OF FIELD ALTERATION NO. 39 IN THE AMOUNT OF \$43,488.22 TO THE CONTRACT WITH H.B. ZACHRY COMPANY TO PROVIDE FOR STREET EXCAVATION, LIME TREATMENT AND STABILIZATION, REINFORCED CONCRETE PIPE AND CONCRETE DRIVES AND SIDEWALKS; AUTHORIZING AN ADDITIONAL \$8,801.88, PAYABLE TO OZUNA & ASSOCIATES, INC., FOR ENGINEERING SERVICES INVOLVING CONSTRUCTION SUPERVISION, ALL IN CONNECTION WITH THE ASHBY DRAINAGE PROJECT NO. 30 & 31; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 71,021

AUTHORIZING THE EXECUTION OF FIELD ALTERATION NO. 1 IN THE AMOUNT OF \$8,922.50, FUNDED WITH COMMUNITY BLOCK GRANT FUNDS, TO THE CONTRACT WITH E-Z BEL CONSTRUCTION COMPANY, INC., TO PROVIDE ADDITIONAL CURB, RETAINING WALLS AND REPLACEMENT AND ADJUSTMENT OF VEHICULAR GATES IN CONNECTION WITH THE COMAL FROM TAMPICO TO R.R. TRACKS PROJECT; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 71,022

AUTHORIZING PAYMENT TO CORTES CONTRACTING, INC., IN THE AMOUNT OF \$4,786.15 INVOLVING THE REPAIR OF A WATER LINE IN CONNECTION WITH THE CINCINNATI AVENUE-FREDERICKSBURG ROAD TO KENSINGTON SANITARY SEWER PROJECT; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 71,023

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH PI ENGINEERING, INC., IN THE AMOUNT OF \$10,000.00 TO DESIGN PLANS FOR THE RELOCATION OF EXISTING SEWER LINES IN CONNECTION WITH THE U.S. 87-W.W. WHITE TO LOOP 410 PROJECT; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 71,024

AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$555,745.00 TO D.E.W., INC., AND D.E. WURZBACH, A JOINT-VENTURE, INVOLVING THE INSTALLATION OF A UPS SYSTEM, STANDBY GENERATOR, AND A CHILLER ADDITION IN CONNECTION WITH THE RENOVATION OF POLICE HEADQUARTERS PROJECT; AUTHORIZING AN ADDITIONAL \$38,902.15 FOR THE CONSTRUCTION CONTINGENCY AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 71,025

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH LOCKWOOD, ANDREWS, & NEWNAM, INC., IN THE AMOUNT OF \$11,250.00 FOR ENGINEERING DESIGN SERVICES IN CONNECTION WITH THE REPLACEMENT OF THE WEST COMMERCE STREET BRIDGE AT SAN PEDRO CREEK; AUTHORIZING AN ADDITIONAL \$1,750.00 FOR THE ENGINEERING CONTINGENCY; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 71,026

AUTHORIZING THE EXECUTION OF CITY WATER BOARD FIELD ALTERATION NO. 4 IN THE AMOUNT OF \$16,691.20 TO THE CONTRACT WITH MARTIN K. EBY CONSTRUCTION CO. TO PROVIDE A SERVICE RELAY ON AN EXISTING MAIN, RELAY AN EXISTING WATER MAIN AND RE-ADJUST AN EXISTING WATER MAIN IN CONNECTION WITH THE DRIFTWOOD DRAINAGE PROJECT #39, NORTH, PACKAGE; AN PROVIDING FOR PAYMENT.

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AN ORDINANCE 71,027

AUTHORIZING PAYMENT TO CARVER SOUND EQUIPMENT CO.,
INC., IN THE AMOUNT OF \$3,210.00 FOR EMERGENCY
REPAIRS TO THE HEMISFAIR ARENA SOUND SYSTEM.

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AN ORDINANCE 71,028

DECLARING SURPLUS THE REMAINING 607.60 SQUARE FOOT
PORTION OF LOT 3, BLOCK 4, NEW CITY BLOCK 2347,
BETWEEN COLORADO STREET AND SAUNDERS AVENUE, SAN
ANTONIO, BEXAR COUNTY, TEXAS AND AUTHORIZING THE
CITY MANAGER OR HIS ASSISTANT, TO EXECUTE A
QUITCLAIM TO ESEQUIEL M. ZAMUDIO FOR A CONSIDERATION
OF \$230.00.

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AN ORDINANCE 71,029

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$12,431.00
OUT OF GENERAL OBLIGATION BONDS TO ACQUIRE TITLE TO
A PARCEL AND PAYING FOR TITLE CHARGES IN CONNECTION
WITH THE HI-LIONS DRAINAGE PROJECT #80; ACQUIRING
TITLE TO A PARCEL AND PAYING FOR TITLE CHARGES AND
BILLBOARD RELOCATION IN CONNECTION WITH THE 36TH AND
OLD HWY. 90 INTERSECTION IMPROVEMENTS PROJECT; AND
PAYING FOR A PROCESSING FEE IN CONNECTION WITH THE
DOLLARHIDE OUTFALL DRAINAGE PROJECT #81.

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90-07 The Clerk read the following Ordinance:

AN ORDINANCE 71,030

ACCEPTING THE LOW QUALIFIED BID OF STEINROCK ROOFING
CORPORATION TO REPLACE THE BOILER ROOM ROOF AT DOS
RIOS WASTEWATER TREATMENT PLANT FOR THE CITY OF SAN
ANTONIO ENVIRONMENTAL MANAGEMENT DEPARTMENT FOR A
TOTAL OF \$15,872.00.

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

In response to a question by Mrs. Dutmer, Mr. Archie Titzman, Director of Purchasing and General Services, explained the need for a new roof over the boiler area and the damage which caused this need.

Ms. Mary Alice Garcia, Department of Environmental Management, noted that certain gases emitted by the boiler damaged the original room, which now is out of warranty.

In response to a question by Mr. Wing, Mr. Titzman explained why one bid was removed from consideration.

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

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90-07 The Clerk read the following Ordinance:

AN ORDINANCE 71,031

ACCEPTING THE LOW QUALIFIED BID OF ANCIRA WINTON CHEVROLET, INC., TO FURNISH THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH 250 POLICE PATROL AUTOMOBILES FOR A TOTAL OF \$2,868,750.00.

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

In response to a question by Ms. Berriozabal, Mr. Archie Titzman, Director of Purchasing and General Services, explained why Thoroughbred Chevrolet withdrew its bid due to an error, and noted that the 'life' of a police vehicle is governed by agreement in the police contract, calling for replacement of police cars after 60,000 miles. He explained the staggered delivery dates for these new police cars over the current fiscal year, and stated his opinion that 60,000 miles for a vehicle is a good replacement standard because of the stress given police vehicles. He noted that, beyond that replacement point, it has proven to be more costly to maintain the vehicle than to replace it, and explained the auction of old City vehicles. He then described the 'police package' on each new police car and the discounted costs to the City for its new police cars, over the prices paid by the ordinary citizen at a car dealer.

After the discussion, 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.

90-07 The Clerk read the following Ordinance:

AN ORDINANCE 71,032

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH CH2M HILL, INC., IN THE AMOUNT OF \$55,000.00 TO PROVIDE ENGINEERING CONSULTING SERVICES TO THE ENVIRONMENTAL MANAGEMENT DEPARTMENT FOR THE PREPARATION OF A SANITARY SEWER CAPITAL IMPROVEMENTS PLAN AND AN IMPACT FEE RATE SCHEDULE; AND PROVIDING FOR PAYMENT.

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

In response to a question by Ms. Berriozabal, Ms. Mary Alice Garcia, Environmental Management, explained the need for approval of the committee-approved Sanitary Sewer Capital Improvements Plan by a professional engineer, as required by law, and also addressed the impact fees involved.

Ms. Berriozabal discussed the uses for these impact fees.

In response to a question by Mr. Hasslocher, Ms. Garcia spoke to the methods whereby sewer service can be extended to non-service areas of the City, and addressed the contents of a letter sent to some homeowners, requiring them to connect to the City's new sewer line in the area only a short time after first requiring them to install expensive septic systems at their homes.

Mr. Hasslocher voiced his concern that citizens were required to pay thousands of dollars to install septic tanks when their homes were first built, and now are being threatened with a lawsuit if they don't connect to the new City sewer system. He stated his belief that some leniency is required in these cases.

Mr. Marc Jahns, Assistant City Manager, stated that he already has met with the people concerned and is working on a fair and equitable way to settle the matter.

Mr. Louis J. Fox, City Manager, stated that the only answer is to amend the City Code.

Mrs. Dutmer noted that both federal and state laws require the connection to the sewer system in lieu of using the septic tanks.

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.

90-07 The Clerk read the following Ordinance:

AN ORDINANCE 71,033

AUTHORIZING THE EXPENDITURE OF \$40,000.00 FROM THE HHS-HEAD START GRANT CONTRACTED TO PARENT CHILD INC., TO PAY FOR EXPENDITURES IN THE CITY FUNDED PARENT CHILD INC., GENERAL FUND CONTRACT AND AUTHORIZING \$40,000.00 FROM THE CITY FUNDED PARENT CHILD INC., GENERAL FUND CONTRACT TO PAY FOR EXPENSES INCURRED FOR THE SILVER ANNIVERSARY OF HEAD START AT THE HEAD START ANNUAL CONFERENCE TO BE HELD IN SAN ANTONIO IN MARCH 1990.

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

Mrs. Dutmer addressed her concerns that a family must be on welfare or a minority in order to take part in the Head-Start Program, noting that she was told this by a representative of an independent school district, when she inquired about it. She stated that she considers this discriminatory.

Mr. Kevin Moriarty, Director of the Department of Human Resources and Services, spoke to the requirement involving participants having to be in a low-income category, but that there was no requirement that they be a minority. He further stated that he would presently look into this matter for the Council.

In response to a question by Mr. Labatt, Mr. Moriarty explained that this is an additional \$40,000 grant from the Department of Health and Human Services, and is not from the City's general fund.

A discussion then took place concerning the amount of funds which will be spent in San Antonio during this conference by its 10,000 participants.

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

90-07 The Clerk read the following Ordinance:

AN ORDINANCE 71,034

AMENDING ORDINANCE NO. 69737, PASSED ON JUNE 29, 1989 BY AUTHORIZING THE ALLOCATION OF AN ADDITIONAL \$500,000.00 IN JOB TRAINING PARTNERSHIP ACT (JTPA) TITLE IIA SECTION 123 RE-OBLIGATED FUNDS TO APPROVED CATEGORIES AND PROGRAMS, AS APPROVED AND RECOMMENDED BY THE ALAMO PRIVATE INDUSTRY COUNCIL (PIC); AND AUTHORIZING THE CREATION OF ONE (1) POSITION FOR THE MANAGEMENT AND OVERSIGHT OF SUCH FUNDS.

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

In response to a question by Mr. Martinez, Mr. Stuart Summers, Director of the Department of Economic and Employment Development, explained the proposed Ordinance as approved by the Private Industry Council. She spoke of staff investigations into allegations of a conflict of interest in connection with past transactions.

Mrs. Dutmer differentiated between "abstaining" from a vote, and being "disqualified" from a vote, during meetings of the Private Industry Council.

Mr. Pat Lombrano, Executive Director, Private Industry Council, briefly discussed the PIC's voting procedures.

Mr. Labatt stated his opinion that any PIC board member with ties to any group involved in PIC funding should disqualify themselves from discussion on funding matters involving that group.

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

90-07 The Clerk read the following Ordinance:

AN ORDINANCE 71,035

AMENDING ORDINANCE NO. 70487, PASSED ON NOVEMBER 2, 1989 BY ALLOCATING FUNDS TOTALING \$400,000.00 TO EASTSIDE ECONOMIC DEVELOPMENT COUNCIL, SAN ANTONIO CENTRAL LABOR COUNCIL, SAN ANTONIO JOB CLUB AND SAN ANTONIO NEIGHBORHOOD YOUTH ORGANIZATION, AT \$100,000.00 EACH, TO PROVIDE EMPLOYMENT AND TRAINING SERVICES UNDER THE JOB TRAINING PARTNERSHIP ACT (JTPA) TITLE III ECONOMIC DISLOCATION AND WORKER ADJUSTMENT ASSISTANCE ACT PROGRAM FOR THE PERIOD OF FEBRUARY 1, 1990 TO JUNE 30, 1990, AS APPROVED BY THE ALAMO PRIVATE INDUSTRY COUNCIL; AUTHORIZING THE CITY MANAGER OR ANY ASSISTANT CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE ABOVE-NAMED SERVICE PROVIDERS FOR SUCH SERVICES; AND AUTHORIZING THE CREATION OF TWO POSITIONS FOR THE MANAGEMENT AND OVERSIGHT OF THE ABOVE-DESCRIBED PROGRAM.

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

In response to a question by Mr. Martinez, Mr. Stuart Summers, Director of the Department of Economic and Employment Development, stated that dislocated workers such as those who lost their jobs in the recent Levi Strauss plant closing will not be trained by these groups, but by other re-training groups.

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

90-07 The Clerk read the following Ordinance:

AN ORDINANCE 71,036

AMENDING ORDINANCE NO. 70658, PASSED ON NOVEMBER 21, 1989, BY AUTHORIZING THE CITY MANAGER OR ANY ASSISTANT CITY MANAGER TO ACCEPT AN ADDITIONAL \$5,685,133.00 IN THE JOB TRAINING PARTNERSHIP ACT (JTPA) TITLE IIB SUMMER YOUTH EMPLOYMENT AND TRAINING PROGRAM (SYETP) FUNDS: ALLOCATING THOSE FUNDS TO APPROVED CATEGORIES AND PROGRAMS AS

PREVIOUSLY APPROVED BY THE ALAMO PRIVATE INDUSTRY COUNCIL (PIC); AND AUTHORIZING THE CREATION OF TWO POSITIONS FOR THE MANAGEMENT AND OVERSIGHT OF THE JTPA TITLE IIB SYETP PROGRAM.

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

Mr. Clyde Williams, ROBBED Board Chairman, spoke of his concern that \$450,000 in Summer Youth Program funding will not be going into east side areas. He stated his opinion that these funds should be reallocated, or else the receiving agencies must be required to work with the summer youth needs of the east side.

Mr. Pat Lombrano, Executive Director, Private Industry Council, spoke to the division of the city into three separate areas which give the western portions of the city a larger portion of funding. He explained the bidding process and additional allocations made by the state to several east side agencies, stating his belief that summer youth services will not be diminished to any area of the city.

Mr. Abram Emerson, also representing ROBBED, voiced his concern that the allocation process is becoming centralized, not regionalized as originally established and planned. He stated his belief that people and programs in separate areas should be allowed to work with children in their own areas, and expressed concern that agencies in one area of the city might not be able to effectively serve children in other areas.

Mr. Lombrano stated that he feels that the Summer Youth Employment Program has changed since its inception in 1965, and explained the thrust of the program, to teach children the advantages of returning to school. He noted that the programs must work closely with the school districts in each area.

In response to a question by Mr. Labatt, Mr. Lombrano addressed services available to specific target areas of the north side, near Fresno and Blanco.

A discussion then took place concerning agencies which were not funded, and the reduced funding given to others.

In response to a question by Mrs. Dutmer, Mr. Lombrano discussed the rationale for funding of various groups.

In response to a question by Mr. Webb, Mr. Williams voiced his concern that agencies serving the east side youth are not located in that area of the city.

In response to a question by Mr. Webb, Mr. Lombrano assured the Councilman that funding will be equitable, and stated his feeling that Bexar County Opportunities Industrialization Corporation (BCOIC) and Project FREE are adequately funded.

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

Ms. Barbara Hawkins, ROBBED, voiced the same concerns as expressed by Mr. Williams.

Mr. Lombrano stated that the funded agencies will coordinate with the Ella Austin Community Center to insure that young people on the east side are served.

Ms. Berriozabal stated that poverty has shifted over the years to the north, and stated her opinion that a major shift in this category will occur with results of the 1990 census made public.

In response to a question by Mr. Martinez, Mr. Lombrano discussed the locations of various funded organizations under this program.

Ms. Jo Ann Penuelaz, representing Westside Parish Coalition, spoke to her group's unique proposal for funding, which was rejected.

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; NAYS: None; ABSENT: Dutmer, Cockrell.

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90-07 The Clerk read the following Ordinance:

AN ORDINANCE 71,037

AUTHORIZING THE CITY MANAGER OR ANY ASSISTANT CITY MANAGER TO ACCEPT A PROPOSAL FROM JOSTEN'S LEARNING AND IBM TO FURNISH THE CITY OF SAN ANTONIO'S DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT WITH EDUCATIONAL MATERIALS AND EQUIPMENT FOR THE READING TO REDUCE RECIDIVISM PROGRAM FOR OFFENDERS FUNDED BY THE JOB TRAINING PARTNERSHIP ACT (JTPA) TITLE IIA 123 FUNDS AND TO EXECUTE AN AGREEMENT WITH THE ABOVE-NAMED BUSINESSES FOR SUCH MATERIALS AND EQUIPMENT IN THE AMOUNT OF \$221,808.00.

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

In response to a question by Mr. Martinez, Mr. Belvin Steward, DEED, described the computer lab equipment to be purchased under this Ordinance to teach ex-convicts new skills.

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

90-07 The Clerk read the following Ordinance:

AN ORDINANCE 71,038

AUTHORIZING A ONE YEAR CONTRACT WITH THE CITY OF HELOTES TO CONTINUE EMERGENCY MEDICAL SERVICES FOR THE 1989-90 FISCAL YEAR FOR THE TOTAL ANNUAL REVENUE OF \$25,955.00.

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

In response to a question by Mr. Thompson, Mr. Jimmy Contreras, San Antonio Fire Department, explained the timing of this contract and spoke of two additional ones to come.

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

90-07 The Clerk read the following Ordinance:

AN ORDINANCE 71,039

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

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

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

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90-07 The Clerk read the following Ordinance:

AN ORDINANCE 71,040 .

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AUTHORIZING PAYMENT OF REFUNDS TO PERSONS MAKING
OVERPAYMENTS OR DOUBLEPAYMENTS ON 83 TAX ACCOUNTS.

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

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

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

AN ORDINANCE 71,041 .

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AUTHORIZING PAYMENT OF MEMBERSHIP DUES IN THE AMOUNT
OF \$15,000.00 TO THE GREATER AUSTIN-SAN ANTONIO
CORRIDOR COUNCIL AS PAYMENT FOR DUES OWED FOR THE
1988-89 FISCAL YEAR.

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

In response to a question by Mr. Thompson, Mayor Cockrell noted that the Austin-San Antonio Corridor Council has a new Executive Director, Mr. Greg Davenport, and that this Ordinance represents the remaining portion of the City of San Antonio's dues for fiscal year 1988-89. She

described the recent successful Camino Real Conference.

Mr. Thompson stated that he feels that the City must measure performance of all its agencies in return for the dues paid.

Mayor Cockrell asked to have Mr. Davenport report to the City Council at a future "B" Session before any further dues are paid to the group.

Ms. Vera spoke of the need to be cautious with dues expenditures, and asked for a report on fees paid for all agencies and organizations.

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

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

90-07 The Clerk read the following Ordinance:

AN ORDINANCE 71,042

ACCEPTING A GRANT OF \$185,142.00 IN CASH AND \$705,671.00 IN VACCINE FROM THE U.S. PUBLIC HEALTH SERVICE IN SUPPORT OF THE OPERATION OF THE 1990 CHILD IMMUNIZATION MAINTENANCE PROJECT BY THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT; ADOPTING A BUDGET AND APPROVING PERSONNEL POSITIONS.

* * * *

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

In response to a question by Ms. Berriozabal, Dr. Fernando Guerra, Metropolitan Health District Director, addressed the \$100,000 in revenues received from co-payments made by MHD patients, mostly from the immunization program.

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

- - -
90-07 The Clerk read the following Ordinance:

AN ORDINANCE 71,043

AMENDING THE CITY ETHICS ORDINANCE TO PROVIDE DEFINITIONS AND INTERPRETATIONS FOR ENFORCEMENT OF SECTION 141 OF THE CITY CHARTER (CONFLICT OF INTEREST).

* * * *

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

In response to a question by Mrs. Dutmer, Mr. Lloyd Garza, City Attorney, addressed the state law safeguards against the sale of City land to a City employee, and noted that this Ordinance is an attempt to clarify some definitions and questions dealing with the level of involvement.

Mr. Tom Finlay, Assistant City Attorney, explained the Ordinance provisions to further interpret the City Charter areas dealing with conflict of interest.

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

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.

- - -
90-07 The Clerk read the following Ordinance:

AN ORDINANCE 71,044

AUTHORIZING THE PAYMENT OF A \$225,000.00 CIVIL PENALTY ASSESSED AGAINST THE CITY FOR THE VIOLATION OF CERTAIN TERMS AND CONDITIONS OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMITS FOR THE DOS RIOS, LEON CREEK AND SALADO CREEK WASTEWATER TREATMENT PLANTS; AND PROVIDING FOR PAYMENTS; AND DECLARING AN EMERGENCY.

* * * *

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

Labatt seconded the motion.

Mr. Labatt noted that the City has no choice but to pay this penalty because certain industrial users placed pollutants into the wastewater discharge system. He noted further that the City is not admitting any guilt by paying this penalty.

Mr. Lloyd Garza, City Attorney, spoke to the great risk involved in defending the City against this case in the courts.

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

90-07 The Clerk read the following Ordinance:

AN ORDINANCE 71,045

AUTHORIZING PAYMENT IN THE AMOUNT OF \$10,000.00 IN THE SETTLEMENT OF ALL CLAIMS OF MARIA ESTHER REYES ARISING OUT OF A COLLISION WITH A CITY PUBLIC WORKS VEHICLE ON APRIL 11, 1988.

* * * *

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

90-07 The Clerk read the following Ordinance:

AN ORDINANCE 71,046

AUTHORIZING PAYMENT IN THE AMOUNT OF \$12,500.00 IN SETTLEMENT OF CAUSE NO. 88-CI-13326, STYLED NAN FRANCES MINCHOW-NEWMAN VS. CITY OF SAN ANTONIO, IN THE 224TH JUDICIAL DISTRICT COURT, BEXAR COUNTY, TEXAS.

* * * *

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

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

90-07 The Clerk read the following Ordinance:

AN ORDINANCE 71,047

AUTHORIZING PAYMENT IN THE AMOUNT OF \$35,000.00 IN THE SETTLEMENT OF CAUSE NO. 87-CI-06507, STYLED MARIA CASTILLO VS. OLIVIA O. DONEL, FRANK CASTILLO, INDIVIDUALLY AND D/B/A CITY CAB COMPANY, CITY OF SAN ANTONIO, SOUTHWESTERN BELL TELEPHONE CO., ALAMO IRON WORKS IN THE 285TH JUDICIAL DISTRICT COURT, BEXAR COUNTY, TEXAS; AND DECLARING AN EMERGENCY.

* * * *

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

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

90-07 The Clerk read the following Ordinance:

AN ORDINANCE 71,048

AMENDING THE FY 1989-90 ANNUAL BUDGET TO REDUCE ANTICIPATED INCOME FROM AD VALOREM TAXES AND ADJUST REVENUE TOTALS TO REFLECT A TAX RATE WHICH IS 8% HIGHER THAN THE RATE CALCULATED AS PROVIDED BY SECTION 26.04 OF THE TAX CODE, AND DELETING CERTAIN EXPENDITURE ITEMS SO THAT THE BUDGET IS BALANCED.

* * * *

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

Mayor Cockrell briefly explained the proposed Ordinance, including the elimination of some 50 police officer positions, in view of the City's financial condition. She spoke to the Police Department manpower study being brought up-to-date in light of new factors, including the budget considerations, and asked City staff for recommendations on when and how new goals for the Police Department can be accomplished. She asked the Police Chief for a report on civilianization of some parts of the police force. On the matter of a curtailment in spending for library books as a result of the rollback election result, Mayor Cockrell spoke of her hope that those property owners receiving refunds on property taxes paid might sign over those checks to be spent for new library books. On the matter of the school crossing guards, she noted that the City will continue funding the program while negotiations continue with the various school districts in the matter.

At this point, Ms. Vera moved to obtain City Council concensus to ask City staff for recommendations and alternatives involved in updating the police manpower study. Mr. Wolff seconded the motion to so direct the City Manager.

Mrs. Dutmer urged that the City include in the updated study someone with expertise in police needs and requirements.

Ms. Vera urged the use of loaned executives from local manpower training firms, which might be available to the City at little or no cost.

Mayor Cockrell spoke to the need for the use of experts in this area.

Mr. Thompson urged that Police Chief Bill Gibson be named to participate in that study, and that the Council heed his advice.

Mr. Wing stated his opinion that there exists a credibility gap in the community, and he expressed concern that the study if done in-house, might be perceived with some apprehension. He again spoke to the need to bring police staffing up to standard.

In response to a question by Mr. Martinez, Mayor Cockrell noted that the pending informal motion should direct City staff to develop a proposal on how to obtain an updated manpower study, then bring it back to the City Council for further action.

Ms. Berriozabal spoke in support for the study, but stressed the need for a re-structuring of the manner in which policing is done. She spoke about the new influx of crime by juveniles; deployment needs; civilianization; special operational units; and neighborhood services. She also spoke about the problems of crime at the housing projects and the need to work with other agencies on these problems.

Mr. Wolff spoke to the police manpower problems in his very large

Council district, and asked City staff to look at management decisions to better utilize police in a more efficient manner.

Mr. Thompson expressed his concerns about beginning a Request for Proposal process at this time, before the Police Chief has an opportunity to present his input to the Council.

Mrs. Dutmer stated that she doesn't want to place the Chief in an awkward posture.

Mr. Wing spoke to Chief Gibson's Five-Year Plan and stated that perhaps an update of that Plan needs to be done, perhaps by an outside, more objective viewer.

Mayor Cockrell noted that the citizens advisory committee on the budget had recommended that such a study of police manpower needs be prepared.

After further discussion, Ms. Vera's motion to direct the City Manager was passed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Vera, Wolff, Labatt, Cockrell; NAYS: None; ABSENT: Hasslocher.

In response to a question by Mr. Martinez, Mr. Louis J. Fox, City Manager, noted that nine of the 10 affected school districts met earlier today with City staff at a meeting in which the City proposed to transfer costs of the school crossing guard program over to the school districts on a per-crossing cost basis. The City has asked the districts to respond within two weeks to the proposal, which is estimated to cost the districts about \$32,000 per crossing per year. He noted that the school district representatives feel that the school crossing guard program is a municipal problem, not a school district problem, but that they agreed to talk with their elected boards who, in all probability, will ask the City Council to retain the service at City expense.

Mr. Martinez stated his belief that the program is a City matter, also, but feels that there is room to negotiate a future partial-funding agreement with the school districts. He stated his belief that it would be unfair to simply stop the program in mid-budget.

Mr. Fox noted that the Houston Independent School District currently funds its own school crossing guard program, although attempts to transfer responsibility from municipalities to school districts has not been successful in other cities. He noted that the program will continue in San Antonio until a satisfactory solution is found.

Mrs. Dutmer stated her opinion that the matter of funding programs was made clear during the rollback election discussions, and that no funds presently exist for any of the three areas: 50 police officers, new library books, and the school crossing guard program. She stated that

the City has no alternative but to cut the three programs.

Mr. Thompson stated his opinion that the affected school districts have a stake in all three of these areas, to some degree, and he feels this is a joint issue fundamentally.

Mr. Hasslocher addressed the need for continuation of the school crossing guard program, and stated his belief that the school districts must share the responsibility with the City for the program. He spoke to a breakdown on school crossing guard program usage by the various school districts, noting that one-half of the crossings are located within the San Antonio Independent School District alone. He spoke to the possibility of using a portion of the Rogers TV monies to help in this matter, noting that the program requires some \$328,000 to complete the school year.

Mr. Labatt asked that the Council consider not taking any action on this matter today of eliminating these three programs from this year's budget, and that discussions continue on their funding. He then proposed 14 separate considerations for future consideration. (A copy of his proposals is made a part of the papers of this meeting.)

Mr. Labatt then offered a substitute motion that the Council not determine today what items will be excluded from or included in the current budget as a result of the tax rollback. The motion died for lack of a second.

Mr. Wing stated his opinion that the issue was clear during budget discussions. No funds were available for these three programs if the property tax rollback effort prevailed.

Ms. Vera noted that Mr. Labatt had taken an earlier stance that he would not support a tax increase during budget deliberations. She also noted that the citizens budget advisory committee is recommending an eight per cent cutback in City personnel, yet citizens continue to ask for more police, library books, and continuation of the school crossing guard program. She stated her opinion that the funds are simply not there for these three programs, and predicted that the affected school districts will not pick up any part of the school crossing guard program.

Mr. Wolff spoke of his disappointment in the stance taken by Mr. Labatt in this matter today, and noted that there are no funds available for these three programs, in addition to the fact that the City is facing a \$23 million deficit next fiscal year.

Ms. Berriozabal spoke in support of the pending main motion, but stated that she understands that many citizens don't want to pay more property taxes and want more accountability from their City Council. She spoke in support for a partnership arrangement with the school districts and the City on the school crossing guard program, and thanked Mr. Labatt

for his suggestions, although she doesn't necessarily support them.

Mr. Martinez spoke in support for the main motion to eliminate the three functions involved from the budget.

Mr. Labatt stated that he still feels that some mid-year budget adjustments can be made that probably could fund a portion of these three programs. He further stated that he recognizes that he might have been naive when he announced in January 1989 that he would not vote on the City budget, but, nevertheless, feels that debate should remain open on funding of these three programs.

Mr. Hasslocher stated his opinion that the Council must regain the trust of the citizenry, and thanked Mayor Cockrell for her leadership. He spoke to the need for unity.

Mr. Thompson stated his opinion that the Council rejected the 14 points raised by Mr. Labatt back during budget discussions.

Mr. Webb stated that he feels that the citizens want more City services, but are not willing to pay for them, and he warned of even greater cuts in future budgets.

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

- - -
(The Council temporarily bypassed Agenda Items 38A, B, C and D.)
- - -

90-07 ZONING HEARINGS

39. CASE Z89195 - to rezone Lot 21, Block 21, NCB 8992 and Lot 23, block 21, NCB 8992, at 972 S.W. 36TH Street from "C" Apartment District and "D" Apartment District to "B-2" Business District and "B-3R" Restrictive Business District located on the east side of S.W. 36th Street 142.56 feet north of Castroville road having 116 feet on S.W. 36th and a maximum depth of 150.72 feet.

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

Mr. Juan S. Gonzales, proponent, noted that he had closed his day care center after four years of operation, and was now remodeling his facilities for a bakery, real estate office and a beauty shop. He stated

that he now feels that, with current expansion plans for Kelly Air Force Base, a day care center on his site could handle up to 45 children. he also spoke to the need for rezoning to allow for a cafe on the site.

After discussion, Mr. Thompson moved to grant "B-2" Business zoning on Lot 21, but to allow only "B-3NA" Non-Alcoholic Sales Business District on Lot 23. Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 71,049

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 2, BLOCK 21, NCB 8992 FROM "C" APARTMENT DISTRICT TO "B-2" BUSINESS DISTRICT AND LOT 23, BLOCK 21, NCB 8992, 972 SOUTHWEST 36TH STREET FROM "D" APARTMENT DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT. THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00"

* * * *

40. CASE Z90014 - to rezone Lot 118, Block 002, NCB 15730, 100 Dinn Drive, from temporary "R-1" One Family Residence District to "B-3" Business District located southwest of the intersection of Dinn Drive and Fratt Road, having 75.0 feet on Dinn Drive and 150.0 feet on Fratt Road.

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

Mr. William Victor, proponent, spoke in favor of a "B-3" business zoning.

Mr. Webb stated that City staff, the Zoning Commission, and neighbors all are opposed to "B-3" on the property.

Mr. Webb made a motion to approve the rezoning to "B-3R". Mr. Hasslocher seconded the motion.

Mr. Andy Guerrero, Planner III, explained how the tavern located next door to this property had managed to keep operating as a

non-conforming use, while a tavern on this property had ceased operations for more than one year, and thus had lost its non-conforming usage as such.

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

AN ORDINANCE 71,050

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 118, BLOCK 002, NCB 15730 AT 100 DINN DRIVE FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00"

* * * *

41. CASE Z90001 - to rezone Lot 27, Block 1, NCB 16511, 2055 Kenneth Avenue from temporary "R-1" One Family Residence District to "B-3NA" Non-Alcoholic Sales Business District located northwest of the intersection of Kenneth Avenue and Elmer Blvd., having 54.2 feet on Kenneth Avenue, 118.8 feet on Elmer Blvd. and 50.0 feet on the cutback at these two streets.

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

Mr. Thompson made a motion to approve the recommendation of the Zoning Commission. 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, Dutmer, Wing, Martinez, Thompson, Vera, Wolff, Labatt, Hasslocher, Cockrell; NAYS: None; ABSENT: Berriozabal.

AN ORDINANCE 71,051

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 27, BLOCK 1, NCB 16511, 2055 KENNETH AVENUE FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00"

* * * *

42. CASE Z90004 - to rezone a 31.04 acre tract of land out of NCB 14865, 8231 Hausman Road from temporary "R-1" ERZD One Family Residence Edwards Recharge Zone District to "B-3" ERZD Business Edwards Recharge Zone District located northeast of the intersection of F.M. 1604 and Hausman Road, having 2497.73 feet on F.M. 1604, 1073.26 feet on Hausman Road and 129.42 feet on the cutback between these two right-of-ways.

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

Mr. Andy Guerrero, Planner III, noted that the proponent had approved the four conditions proposed by the opposition to the rezoning.

Mr. Wolff made a motion to approve the recommendations of the Zoning Commission provided that: (1) prior to the release of any building permits, a water pollution abatement plan approval letter must be obtained from the Texas Water Commission and submitted to the Water Resources Management Division; (2) prior to the release of any building permits, site-specific design plans must be submitted to the Water Resources Management Division; (3) landscaped areas shall be sensitive to minimizing water needs and to fertilizer, herbicide and pesticide applications (for example, use of native plants). Irrigation methodology for these areas shall incorporate the best possible technology for conserving water and eliminating waste (for example, use of native plants). Irrigation methodology for these areas shall incorporate the best possible technology for conserving water and eliminating waste (for example, drip irrigation); and (4) if any solution openings, caves or sinkholes are discovered on this site during land clearing, excavating or blasting, the developer shall immediately notify the City of San Antonio Department of Water Resources management at (512) 299-7869 and the Texas Water Commission at (512) 490-3096. Mr. Hasslocher seconded the motion.

Mrs. Dutmer voiced her concern that a sinkhole is located on the property in question.

Mr. Gene Dawson, Pape-Dawson Engineers, noted that a pollution abatement plan has been partially prepared and will be finished when the developer decides upon the ultimate use for the property in question.

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

AN ORDINANCE 71,052

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 31.04-ACRE TRACT OF LAND OUT OF NCB 14865, 8231 HAUSMAN ROAD FROM TEMPORARY "R-1" ERZD SINGLE-FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "B-3" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT PROVIDED THAT THE FOUR RECOMMENDATIONS OF THE DEPARTMENT OF PLANNING, WATER RESOURCES MANAGEMENT DIVISION ARE ADHERED TO. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00"

* * * *

90-07

CITIZENS TO BE HEARD

MRS. MARIA DOMINGUEZ

Mrs. Dominguez stated that she follows a certain philosophy that she doesn't take anything personal and asked Council not to take the loss of the election personal. She spoke with regard to the special rollback election and the need to listen to the citizens' on this issue.

MRS. ORALIA MENDOZA

Mrs. Mendoza spoke to the Council about her present situation. She lost her job and was unable to make the payments on her television. The television was then taken out of her apartment without her permission. She asked the Council for assistance on any legal remedies.

Assistant City Manager Briseno stated that she will be counseled by a City staff member on her legal remedies on this issue.

90-07 The Clerk read the following Ordinance:

AN ORDINANCE 71,053

APPOINTING RICHARD TAMEZ TO SERVE ON THE ELECTRICAL EXAMINING AND SUPERVISING BOARD FOR A TERM OF OFFICE TO EXPIRE ON JULY 31, 1990.

* * * *

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

90-07 The Clerk read the following Ordinance:

AN ORDINANCE 71,054

APPOINTING CHARLES ANDREWS TO SERVE ON THE HOUSING AUTHORITY OF THE CITY OF SAN ANTONIO FOR A TERM OF OFFICE TO EXPIRE ON APRIL 6, 1991.

* * * *

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

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

90-07 The Clerk read the following Ordinance:

AN ORDINANCE 71,055

APPOINTING REVEREND I.C. GORDON TO SERVE ON THE MUNICIPAL CIVIL SERVICE COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON JUNE 6, 1991.

* * * *

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

- - -
90-07 The Clerk read the following Ordinance:

AN ORDINANCE 71,056 .

.
APPOINTING PORTER DILLARD TO SERVE ON THE RIVERWALK COMMISSION FOR A TERM OF OFFICE TO EXPIRE ON OCTOBER 31, 1991.

* * * *

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

- - -
90-07 The Clerk read the following Ordinance:

AN ORDINANCE 71,057 .

.
AUTHORIZING THE CITY MANAGER OR ANY ASSISTANT CITY MANAGER TO ACCEPT \$231,248.00 IN JOB TRAINING PARTNERSHIP ACT (JTPA) TITLE III FUNDS TO INITIATE THE FEDERAL EMERGENCY MANAGEMENT AGENCY SOUTH TEXAS DISASTER RELIEF PROGRAM AS DIRECTED BY THE TEXAS DEPARTMENT OF COMMERCE (TDOC); AUTHORIZING A SERVICE PROVIDER CONTRACT WITH THE ALAMO AREA COUNCIL OF GOVERNMENTS (AACOG); ESTABLISHING A BUDGET FOR SUCH PROGRAM; AUTHORIZING THE CREATION OF ONE (1) POSITION FOR THE MANAGEMENT AND OVERSIGHT OF SUCH PROGRAM; AND DECLARING AN EMERGENCY.

* * * *

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

Vera seconded the motion.

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

- - -
90-07 The minutes of the meeting of January 11, 1990 were approved.
- - -

90-07 TRAVEL AUTHORIZATION - Granted:

Councilman Robert S. "Bob" Thompson to travel to Guadalajara, Mexico (Sister City Trip) from February 15, 1990 to February 18, 1990.

* * * *

Councilwoman Yolanda Vera to travel to Guadalajara, Mexico (Sister City Trip) from February 15, 1990 to February 18, 1990.

* * * *

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

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

Ms. Vera noted that she and Mr. Thompson would be making this visit at no expense to the City, but at their own personal expense, and she addressed details of the event in Guadalajara.

- - -
(The Council recessed its regular session to convene in "B" Session to discuss (1) Eastside Enterprise Zone Boundary Modification Briefing, and (2) Executive Session.
- - -

There being no further business to come before the Council the meeting adjourned at 7:45 P.M.

A P P R O V E D

Lila Cockburn

M A Y O R

ATTEST: *Anna J. Rodriguez*
C i t y C l e r k

February 8, 1990
jd/alh