

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, JANUARY 19, 1989.

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The meeting was called to order by the presiding officer, Mayor Pro Tem Weir Labatt, in the temporary absence of the Mayor, with the following members present: BERRIOZABAL, WEBB, DUTMER, WING, THOMPSON, VERA, WOLFF, LABATT, HASSLOCHER, CISNEROS. Absent: MARTINEZ.

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89-03 The invocation was given by Reverend Mike Kenny, Resurrection of Our Lord Catholic Church.

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89-03 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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89-03 MARCH OF DIMES

Mayor Pro Tem Labatt introduced Chris and Kathy Marrou, Honorary March of Dimes Chairpersons, and Ambassadors Corina Gutierrez and Buddy Garza, recipients of March of Dimes benefits, present in the audience to receive a Proclamation designating January 27 - February 4, 1989 as "Mothers March Week" in San Antonio.

Mayor Pro Tem Labatt then read the Proclamation and presented it to Mr. and Mrs. Marrou.

Ms. Kathy Marrou then presented the City with a painting entitled "Achieving the Dream", symbolizing the March of Dimes effort.

Ambassadors Corina Gutierrez and Buddy Garza introduced themselves to the City Council.

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89-03 KUMAMOTO DELEGATION

Mayor Pro Tem Labatt introduced eight delegates from the city of Kumamoto, Japan, present in San Antonio to finalize last-minute details for construction of a Japanese Garden at the San Antonio Botanical Center. Present were three delegates from the delegation, Mr. Tani, Director of Parks; Mr. Minamoto, Assistant Director International; and Mr. Mishizawa,

also Director of Parks.

Mr. Tani, speaking in Japanese, addressed plans for the construction of the Japanese Garden at the Botanical Center.

Mayor Pro Tem Labatt thanked members of the delegation for special postcards delivered to each Council member from Kumamoto.

Mr. Thompson spoke of the serious nature of the Sister Cities relationship as viewed by the Japanese, and also spoke of the great parks development in Kumamoto.

Ms. Beth Costello, Director of International Relations, explained details of the gardens to be constructed in San Antonio.

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89-03 The minutes of the regular City Council meeting of December 22, 1988 were approved.

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(At this time, Mayor Cisneros entered the meeting to preside.)
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89-03 CONSENT AGENDA

Mr. Hasslocher made a motion to approve Agenda Items #7 - 47, constituting the Consent Agenda, with the exception of Items 17, 43, 44, & 45, which were pulled for individual consideration. Mr. Thompson seconded the motion.

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

AN ORDINANCE 68,628

ACCEPTING THE LOW BID OF EAGLE HOME IMPROVEMENT CONTRACTOR, TO FURNISH THE CITY OF SAN ANTONIO PARKS AND RECREATION DEPARTMENT WITH REPAIRS TO VARIOUS BUILDINGS AT LA VILLITA FOR A TOTAL OF \$4,770.00.

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AN ORDINANCE 68,629

ACCEPTING THE PROPOSAL OF MACMILLIAN LIBRARY SALES

TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY
WITH DIRECTORIES OF AMERICAN BIOGRAPHY AND
SUPPLEMENTS FOR A TOTAL OF \$9,030.00.

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AN ORDINANCE 68,630

ACCEPTING THE LOW QUALIFIED BID OF BUSINESS PRODUCTS
CENTER, INC. TO FURNISH THE CITY OF SAN ANTONIO WITH
TYPEWRITERS FOR A TOTAL OF \$13,949.00.

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AN ORDINANCE 68,631

ACCEPTING THE LOW BID OF LAFAYETTE INSTRUMENTS TO
FURNISH THE CITY OF SAN ANTONIO POLICE DEPARTMENT
WITH POLYGRAPH INSTRUMENTS FOR A TOTAL OF \$7,614.00.

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AN ORDINANCE 68,632

ACCEPTING THE LOW BID OF COMMUNITECH, INC. TO
FURNISH THE CITY OF SAN ANTONIO POLICE DEPARTMENT
WITH HEADSETS FOR A TOTAL OF \$3,616.96.

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AN ORDINANCE 68,633

ACCEPTING THE LOW QUALIFIED BID OF OCE'S BUSINESS
SYSTEMS TO FURNISH THE CITY OF SAN ANTONIO POLICE
DEPARTMENT WITH COPIERS FOR A TOTAL OF \$1,306.00.

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AN ORDINANCE 68,634

ACCEPTING THE LOW BID OF ANCIRA WINTON CHEVROLET
COMPANY, TO FURNISH THE CITY OF SAN ANTONIO POLICE
DEPARTMENT WITH POLICE PATROL AUTOMOBILES FOR A
TOTAL OF \$3,380.650.00

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AN ORDINANCE 68,635

ACCEPTING THE LOW QUALIFIED BID OF HOLT COMPANY OF TEXAS TO FURNISH THE CITY OF SAN ANTONIO ENVIRONMENTAL MANAGEMENT WITH LANDFILL EQUIPMENT FOR A TOTAL OF \$445,027.00.

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AN ORDINANCE 68,636

ACCEPTING THE LOW BID OF HACH COMPANY TO FURNISH THE CITY OF SAN ANTONIO ENVIRONMENTAL MANAGEMENT WITH LABORATORY EQUIPMENT FOR MONITORING AND TESTING FOR A TOTAL OF \$3,215.00.

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AN ORDINANCE 68,637

ACCEPTING THE LOW BID OF VAUGHAN'S VACUUM COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH FLOOR FINISH ON A CONTRACT BASIS FOR A TOTAL OF APPROXIMATELY \$16,000.00.

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AN ORDINANCE 68,638

AUTHORIZING A PROFESSIONAL SERVICES CONTACT WITH SIA ENGINEERING AND C.A. PRATT & ASSOCIATES, INC., AND APPROPRIATING \$149,081.25 FOR DESIGN SERVICES RELATED TO THE STARCREST FROM NACOGDOCHES TO TWISTED OAKS PROJECT.

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AN ORDINANCE 68,639

ACCEPTING THE PROPOSAL FROM CALLINS ASSOCIATES, INC., DATED NOVEMBER 22, 1988, IN AN AMOUNT NOT TO EXCEED \$8,200.00 IN CONNECTION WITH NEW BOX SEATS IN THE ARENA.

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AN ORDINANCE 68,640

ACCEPTING THE CITY WATER BOARD'S CONTRIBUTION OF \$19,246.39 AND AUTHORIZING FIELD ALTERATION NO. 4 IN

THE AMOUNT OF \$19,246.39 PAYABLE TO MEADER
CONSTRUCTION CO., IN CONNECTION WITH THE MCDUGAL
AVENUE SANITARY SEWER RECONSTRUCTION PROJECT.

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AN ORDINANCE 68,641

AWARDING A \$11,943.55 CONSTRUCTION CONTRACT TO JOHN
COPELAND ENTERPRISES, INC., AND AUTHORIZING
\$2,000.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY
EXPENSES FOR HUEBNER ROAD FENCE RELOCATION BETWEEN
FREDERICKSBURG ROAD AND VANCE JACKSON.

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AN ORDINANCE 68,642

APPROPRIATING \$19,709.00 IN THE DISTRICT 6
IMPROVEMENT AND DISCRETIONARY FUND AND AUTHORIZING
CHARGES TO BE MADE FOR MATERIALS, LABOR, AND
EQUIPMENT COSTS BY CITY FORCES FOR INSTALLATION OF A
TRAFFIC SIGNAL AT THE INTERSECTION OF 24TH AND
DURANGO.

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AN ORDINANCE 68,643

AUTHORIZING AN ADDITIONAL \$20,207.00 FOR ENGINEERING
FEES PAYABLE TO OZUNA & ASSOCIATES, TO UPDATE AND
REVISE PLANS AND SPECIFICATION AS NEEDED TO INCLUDE
SANITARY SEWERS RELATED TO THE ELMENDORF DRAINAGE
NO. 38 (FREDERICKSBURG ROAD) PROJECT.

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AN ORDINANCE 68,644

APPROPRIATING \$3,638.32 AND AUTHORIZING CHARGES TO
BE MADE FOR MATERIALS, LABOR, AND EQUIPMENT COSTS BY
CITY FORCES FOR INSTALLATION OF A TRAFFIC SIGNAL AT
THE CONVENTION CENTER PEDESTRIAN CROSSING ON MARKET
STREET IN CONNECTION WITH THE CENTRAL BUSINESS
DISTRICT TRAFFIC SIGNAL SYSTEM UP-GRADE PROJECT.

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AN ORDINANCE 68,645

APPROVING A CONTRACT WITH MARMON BARCLAY SOUTER FOSTER HAYS, IN THE AMOUNT OF \$39,975.00, TO PROVIDE PROFESSIONAL DESIGN SERVICES IN CONNECTION WITH MISCELLANEOUS SITE IMPROVEMENTS AT INTERNATIONAL AIRPORT; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 68,646

AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT CHANGE ORDER NO. 2 IN THE NET DEDUCTIVE AMOUNT OF \$435,167.00 TO THE CONTRACT WITH MEADER CONSTRUCTION CO., FOR THE SAN ANTONIO WASTEWATER FACILITIES IMPROVEMENTS PROGRAM CATEGORY 4, PACKAGE "I".

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AN ORDINANCE 68,647

AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT CHANGE ORDER NO. 2 IN THE AMOUNT OF \$373,710.00, PAYABLE TO MEADER CONSTRUCTION CO., FOR THE SAN ANTONIO WASTEWATER FACILITIES IMPROVEMENTS PROGRAM, CATEGORY 4, PACKAGE "G".

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AN ORDINANCE 68,648

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH AMNER, INC., TO PROVIDE PLANS AND SPECIFICATIONS FOR THE LEON CREEK WASTEWATER TREATMENT PLANT CONVEYOR DESIGN PROJECT IN THE AMOUNT OF \$7,090.00 AND AUTHORIZING AN ADDITIONAL \$3,010.00 FOR THE ENGINEERING CONTINGENCY.

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AN ORDINANCE 68,649

AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER NO. 1 TO THE CONTRACT WITH UTILITIES CONSOLIDATED, INC., IN THE NET DEDUCTIVE AMOUNT OF \$30,462.74 FOR THE SAN ANTONIO WASTEWATER FACILITIES IMPROVEMENTS PROGRAM, CATEGORY 4, PACKAGE E-1.

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AN ORDINANCE 68,650

AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT CHANGE ORDER NO. 1 IN THE AMOUNT OF \$19,277.44, PAYABLE TO MEADER CONSTRUCTION CO., FOR THE SAN ANTONIO WASTEWATER FACILITIES IMPROVEMENTS PROGRAM, CATEGORY 4, PACKAGE "G".

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AN ORDINANCE 68,651

AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER NO. 1 IN THE AMOUNT OF \$40,616.48, PAYABLE TO S & S CONTRACTORS, INC., FOR THE SAN ANTONIO WASTEWATER FACILITIES IMPROVEMENTS PROGRAM, CATEGORY 4, PACKAGE E-6.

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AN ORDINANCE 68,652

AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER NO. 1 IN THE AMOUNT OF \$42,770.89, PAYABLE TO S & S CONTRACTORS, INC., FOR THE SAN ANTONIO WASTEWATER FACILITIES PROGRAM, CATEGORY 4, PACKAGE E-5.

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AN ORDINANCE 68,653

APPROPRIATING FUNDS AND AUTHORIZING THE CITY MANAGER TO EXECUTE PROFESSIONAL SERVICES AGREEMENTS WITH PEAT, MARWICK & MAIN (\$773,000.00), LAYTON & ASSOCIATES INTERNATIONAL (\$948,648.00) AND THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT SAN ANTONIO (\$6,500.00) WITH AN ADDITIONAL \$100,000.00 FOR A PROFESSIONAL SERVICES CONTINGENCY; APPROPRIATING \$40,000.00 FOR MATERIALS; ALL IN CONNECTION WITH TRAINING TO ASSURE PROPERLY CERTIFIED OPERATIONS PERSONNEL AS WELL AS TRAINED PERSONNEL IN MAINTENANCE, LABORATORY AND INDUSTRIAL PRODUCTION FOR THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT.

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AN ORDINANCE 68,654

ACCEPTING THE LOW QUALIFIED BID AND AWARDING A CONTRACT TO W.R. GRIGGS CONSTRUCTION COMPANY, INC., IN THE AMOUNT OF \$938,500.00 FOR BASE BID AND DEDUCTIVE ALTERNATIVES 2a AND 3 WORK FOR CONSTRUCTION AT THE NORTHWEST MUNICIPAL GOLF COURSE, AND ESTABLISHING A \$31,969.92 CONSTRUCTION CONTINGENCY, AUTHORIZING PAYMENTS TO THE CONTRACTOR FOR CONSTRUCTION AND CONTINGENCIES, AND APPROPRIATING FUNDS FOR CONSTRUCTION, CONTINGENCIES, AND BID ADVERTISING COST.

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AN ORDINANCE 68,655

AUTHORIZING AN ADDITIONAL \$20,869.23 PAYABLE TO THE STATE DEPARTMENT OF HIGHWAYS AS THE CITY'S ADDITIONAL PARTICIPATING SHARE IN CONNECTION WITH THE (1) BOWIE FROM HOUSTON TO COMMERCE, (2) HOUSTON FROM BONHAM TO BOWIE, AND (3) CROCKETT FROM BONHAM TO BOWIE PROJECT.

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AN ORDINANCE 68,656

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$3,168.00 OUT OF GENERAL OBLIGATION BONDS FOR THE PURPOSE OF ACQUIRING TITLE AND/OR EASEMENTS TO CERTAIN LANDS IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS.

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AN ORDINANCE 68,657

APPROPRIATING \$10,865.00 IN PAYMENT FOR TITLE CHARGES AND APPRAISAL FEES INCURRED IN ACQUISITION OF CERTAIN RIGHT-OF-WAY PROJECTS.

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AN ORDINANCE 68,658

AUTHORIZING THE EXECUTION BY THE CITY MANAGER OR ANY ASSISTANT CITY MANAGER OF A RELEASE OF LEASE ON BEHALF OF THE CITY OF SAN ANTONIO TO TANDY CORPORATION COVERING LEASE SPACE IN THE RIVERBEND PARKING GARAGE IN N.C.B. 160 IN CONSIDERATION OF THE

RECEIPT BY THE CITY OF \$23,795.00; AND APPROPRIATING THE AMOUNT OF \$66,520.60 FOR THE PURPOSE OF RENT PAYMENTS RELATED TO THE UNITED SERVICES ORGANIZATION (U.S.O.) LEASE OF SAID RELEASED SPACE AND THE ADJOINING LEASE SPACE AREA IN THE RIVERBEND PARKING GARAGE.

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AN ORDINANCE 68,659 .

APPROPRIATING \$21,243.75 AND AUTHORIZING PAYMENT FOR EXPENSES INCURRED IN CONNECTION WITH THE ACQUISITION OF EASEMENTS AND/OR FEE TITLE FOR CERTAIN ENVIRONMENTAL MANAGEMENT WASTEWATER PROJECTS.

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AN ORDINANCE 68,660 .

ACCEPTING THE DEDICATION OF AN EASEMENT ON CERTAIN LAND IN CONNECTION WITH THE LUCAS CREEK OUTFALL, SEGMENT II, SANITARY SEWER PROJECT.

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AN ORDINANCE 68,661 .

AUTHORIZING THE CITY MANAGER OR ANY ASSISTANT CITY MANAGER TO EXECUTE AN INTER-LOCAL AGREEMENT WITH BEXAR COUNTY FOR THE LEASE OF 8,400 SQUARE FEET OF A COUNTY OWNED FACILITY LOCATED AT 203 W. NUEVA, SAN ANTONIO, TEXAS FOR THE TEMPORARY HOUSING OF THE CITY'S PUBLIC INTOXICANT ARRESTEES THROUGH APRIL 30, 1989; AND APPROPRIATING THE AMOUNT OF \$15,876.00 AS RENT FOR SUCH FACILITY.

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AN ORDINANCE 68,662 .

AUTHORIZING THE EXECUTION OF AN AGREEMENT AMENDING A LEASE WITH UNITED PARCEL SERVICE, INC. FOR RAMP SPACE AT THE SAN ANTONIO INTERNATIONAL AIRPORT.

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AN ORDINANCE 68,663 .

AUTHORIZING EXTENSION OF THE CITY'S INSURANCE

CONSULTING CONTRACT FOR THE FINAL YEAR OF A THREE YEAR CONTRACT, RETAINING ALEXANDER & ALEXANDER OF TEXAS, INC., TO PROVIDE INSURANCE CONSULTANT SERVICES FOR THE CITY'S RISK MANAGEMENT PROGRAM IN ALL THE CITY'S GOVERNMENTAL, PROPRIETARY AND ASSOCIATED OPERATIONS FOR A FEE NOT EXCEEDING \$69,500.00 AND AUTHORIZING PAYMENT.

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AN ORDINANCE 68,664

APPROPRIATING \$8,649.83 OF CITY BUDGETED TRIPARTY FUNDS AND AUTHORIZING PAYMENT TO VIA METROPOLITAN TRANSIT FOR TRIPARTY DOWNTOWN TRANSPORTATION IMPROVEMENTS CONSTRUCTION PHASE ARCHAEOLOGICAL MONITORING AND INVESTIGATION PROFESSIONAL SERVICES PROVIDED UNDER CONTRACT BETWEEN VIA AND THE UNIVERSITY OF TEXAS AT SAN ANTONIO CENTER FOR ARCHAEOLOGICAL RESEARCH.

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89-03 The Clerk read the following Ordinance:

AN ORDINANCE 68,665

AWARDING A \$3,449,536.76 CONSTRUCTION CONTRACT TO PEERLESS CONTRACTORS FOR CONSTRUCTION OF THE LULLWOOD DRAINAGE PROJECT NO. 36, AUTHORIZING \$172,476.84 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES AND \$175,695.39 FOR ENGINEERING EXPENSES.

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

Mrs. Berriozabal outlined the massive nature of the project and its urgent need, then spoke of a neighborhood meeting held last night on this project.

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, Cisneros; NAYS: None; ABSENT: Martinez.

89-03

The Clerk read the following Ordinance:

AN ORDINANCE 68,666

AUTHORIZING THE REIMBURSEMENT OF \$32,572.18 FROM THE GENERAL FUND TO THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FUND TO COVER CERTAIN SALARY AND TRAVEL COSTS DETERMINED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) TO BE INELIGIBLE EXPENDITURES.

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

In response to a question by Ms. Berriozabal, Mr. Andrew Cameron, Community Development Officer, explained the reasons for the disallowance of expenditures of Community Development Action Grant funds and of plans for reimbursement of those disallowed funds from the City's general fund. He explained that the expenditures were for a Budget and Research position which was determined to be devoting less than 100 per cent of the incumbent's time to CDBG matters; thus, the entire allowance was disallowed. He also spoke of the lack of full documentation relating to the work of that position. He stated that new policies are now in place to prevent this type of reoccurrence.

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, Cisneros; NAYS: None; ABSENT: Martinez.

89-03

The Clerk read the following Ordinance:

AN ORDINANCE 68,667

AUTHORIZING THE APPLICATION FOR AND ACCEPTANCE OF AN HHS GRANT FOR THE HEAD START EARLY CHILD CARE PROGRAM YEAR 11 IN THE AMOUNT OF \$4,647,385.00; AUTHORIZING A PERSONNEL COMPLEMENT; AUTHORIZING THE APPLICATION FOR AND ACCEPTANCE OF ANY SUPPLEMENTAL GRANTS FOR THE HEAD START PROGRAM DURING THE PROGRAM YEAR 11; AUTHORIZING AN AGREEMENT WITH PARENT-CHILD, INCORPORATED TO OPERATE THE PROGRAM; AND AUTHORIZING THE USE OF FY89 FUNDS TO UPGRADE THE DEPARTMENT OF HUMAN RESOURCES AND

SERVICES COMPUTER SYSTEM.

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

Mrs. Berriozabal cited the important work being done in San Antonio by Parent-Child, Inc., and thanked Ms. Blanche Russ for her contributions.

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, Cisneros; NAYS: None; ABSENT: Martinez.

89-03 The Clerk read the following Ordinance:

AN ORDINANCE 68,668

AUTHORIZING THE EXTENSION OF THE CITY'S EMPLOYEE BENEFITS CONSULTING CONTRACT FOR THE FINAL YEAR OF A TWO YEAR CONTRACT RETAINING TOWERS, PERRIN, FORSTER & CROSBY, INC. TO PROVIDE EMPLOYEE BENEFITS CONSULTING SERVICES FOR A TOTAL OF \$51,000.00.

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

Mrs. Dutmer spoke of a special hardship case involving an ill City employee, and asked that City staff look into amelioration of the employee's problems.

Mr. Carl White, Director of Finance, stated that staff now is working on documenting the facts in the case at hand, and will be providing necessary funding retroactive to January 1 for the employee in question.

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

89-03 The Clerk read the following Ordinance:

AN ORDINANCE 68,669

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

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

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

89-03 The Clerk read the following Ordinance:

AN ORDINANCE 68,670

AUTHORIZING PAYMENT OF MEMBERSHIP DUES IN THE AMOUNT OF \$36,867.72 FOR CALENDAR YEAR 1989 TO THE ALAMO AREA COUNCIL OF GOVERNMENTS (AACOG).

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

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

89-03 The Clerk read the following Ordinance eliminating the one-way traffic flow restriction and implementing two-way traffic operations on Travis Street from Main Avenue to Avenue E, to be effective February 1, 1989.

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

In response to a question by Mr. Labatt, Mr. Joe Aceves, Director of Public Works, addressed the degree of public awareness of this

Tri-Party construction work in the downtown area, and asked that, as the result of a meeting held last night, segments of the proposed ordinance dealing with Broadway and Alamo Streets both be deleted from the ordinance at this time. He then addressed details of the agreement reached at last night's meeting.

Mr. Labatt made an amendment stating that only the downtown street portion dealing with Travis Street project be considered for action at this time. Mrs. Berriozabal seconded the motion.

Mr. Thompson spoke to the need for maximum publicity on Tri-Party street closures.

Mr. Frank Perry, Director of Downtown Initiatives, spoke of the door-to-door notification procedures utilized in this work, and the scheduling of public meetings designed to discuss each project portion with interested citizens.

The vote on the amendment prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Thompson, Vera, Wolff, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: Wing, Martinez.

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

AN ORDINANCE 68,671

ELIMINATING THE ONE-WAY TRAFFIC FLOW RESTRICTION AND IMPLEMENTING TWO-WAY TRAFFIC OPERATIONS ON TRAVIS STREET FROM MAIN AVENUE TO AVENUE E, TO BE EFFECTIVE FEBRUARY 1, 1989.

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89-03 The Clerk read the following Ordinance:

AN ORDINANCE 68,672

AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH MR. ED PIPES CONCERNING MR. PIPES' APPLICATION TO THE TEXAS WATER COMMISSION FOR A PERMIT TO DISPOSE OF WASTES WITHIN THE CITY'S EXTRATERRITORIAL JURISDICTION.

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

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

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89-03 The Clerk read the following Ordinance:

AN ORDINANCE 68,673

AUTHORIZING THE CITY CO-SPONSORSHIP REQUESTED BY INCARNATE WORD COLLEGE FOR THE "RUN FOR BRAINPOWER 10K" TO BE HELD MARCH 4, 1989.

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

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89-03 The Clerk read the following Ordinance:

AN ORDINANCE 68,674

APPROVING A CONTRACT WITH BASIC CONSTRUCTORS, INC., IN THE AMOUNT OF \$2,294,000.00 FOR THE CONSTRUCTION OF HEMISFAIR PARK - SOUTHWEST CORNER REDEVELOPMENT.

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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. Wolff, Mr. Ron Darner, Director of Parks and Recreation, noted that historic renovation of the HemisFair Park-area structures will be handled at a later date and are not involved in this contract. He then spoke of project funding and the funding of the work to follow.

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

89-03 The Clerk read the following Ordinance:

AN ORDINANCE 68,675

APPROPRIATING \$7,544.05 AND AUTHORIZING AND DIRECTING PAYMENT OF SAID SUM N SATISFACTION OF JUDGMENT IN CAUSE NO. 83-CI-14959A, SINGLETON V. CITY OF SAN ANTONIO, IN THE 45TH JUDICIAL DISTRICT COURT OF BEXAR COUNTY, TEXAS.

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Mrs. Dutmer made a motion to approve the proposed Ordinance. Mr. Hasslocher 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, Cisneros; NAYS: None; ABSENT: Martinez.

89-03 The Clerk read the following Ordinance:

AN ORDINANCE 68,676

APPOINTING YOLANDA ARELLANO TO SERVE ON THE MAYOR'S COMMISSION ON THE STATUS OF WOMEN FOR A TERM TO EXPIRE ON DECEMBER 15, 1989. (9)

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

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

On a point of personal privilege, Mrs. Dutmer spoke of having received information concerning a recent offer of water for San Antonio from Lake Texana in Jackson County. She then spoke of her understanding that Mayor Cisneros had rejected this offer which involves water owned by the State of Texas, and stated that he feels that the Mayor knew of this offer but did not inform other members of the City Council of that offer. She further stated that state legislators will be meeting to discuss this matter soon, and stated her understanding that this sewage-free water is available to the City of San Antonio if the city wants it. She then stated that she feels that this water would be a substitute for water from the planned Applewhite Reservoir.

Mayor Cisneros stated that he had referred the entire matter to the City Water Board, which after investigation stated its feeling that this water would not be a substitute for the Applewhite Reservoir. He noted that water from Lake Texana would have to be pumped uphill to overcome some 600 feet of elevation differential, and for a length of more than 120 or so miles. He further stated that he feels that the offer of water from Lake Texana nevertheless is good news for San Antonio, since it could help make the Applewhite Reservoir a constant-level reservoir with all attendant development associated with a constant-level lake which is a water-holding reservoir for the City of San Antonio.

Mrs. Dutmer voiced her concern that City Council members were not informed of this matter.

Mr. Thompson stated his opinion that the Mayor always brings to the City Council early data on various projects.

Mr. Labatt stated that the matter of possible water being available to San Antonio from Lake Texana was an issue that came before the Joint Water Committee, and stated that he feels that this water would not replace the need for the Applewhite Reservoir. He also stated his understanding that City Water Board has been working on this water matter for some time.

Mrs. Dutmer stated that she feels that this matter was not part of past City Council discussions on water in recent months.

Mayor Cisneros stated that he did not know the facts about water from Lake Texana when the July 1988 water discussions were taking place before the City Council.

Mrs. Berriozabal noted that a state legislator this morning informed her that some 43,000 acre-feet of state water was available to San Antonio from Lake Texana, and she asked that full details be given the City Council members. She further stated her opinion that the Bexar County legislative delegation is interested in this matter, and that a

meeting concerning this water source matter will be the subject of a meeting planned for next week.

Mayor Cisneros spoke of the death of the proposed regional water plan as the result of the recent Edwards Underground Water District board vote on water usage.

Mrs. Berriozabal asked that a briefing be given on the regional water plan and the availability of water from Lake Texana, and that the briefing be given soon.

Mr. Wolff spoke of the timeframe when the Joint Water Committee heard details of the availability of the Lake Texana water.

Mr. Wing stated that he had heard a radio broadcast involving State Rep. Orlando Garcia in which the legislator reportedly spoke of the Lake Texana water as a substitute for water from the proposed Applewhite Reservoir.

Mrs. Dutmer noted that she did not state that this new water will replace Applewhite, and further stated that she feels that the City Council should have been informed on the matter, regardless.

Mr. Labatt stated his opinion that the regional water plan issue must be taken to the State Legislature for an ultimate decision.

Ms. Vera stated that this issue could be brought before the full Council as a "B" Session item, if desired.

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

89-03 ZONING HEARINGS

56. CASE Z89020 - to rezone a 62.966 acre tract of land out of NCB 18219, on Marshall Road, from Temporary "R-1" ERZD One-Family Residence Edwards Recharge Zone District to "P-1(R-1)" ERZD Planned Unit Development One-Family Residence Edwards Recharge Zone District, located on the southside of Marshall Road, being 596.67' northeast of the cut-back at the intersection of U.S. 281 North and Marshall Road, having 2,774.47' on Marshall Road and a maximum depth of 1196'.

Mr. Hasslocher made a motion to approve the zoning request. Mr. Wing seconded the motion.

Mr. Hasslocher spoke to details of the rezoning request, and voiced his support.

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

AN ORDINANCE 68,677

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 62.966 ACRE TRACT OF LAND OUT OF NCB 18219, MARSHALL ROAD, FROM TEMPORARY "R-1" ERZD ONE-FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "P-1(R-1)" ERZD PLANNED UNIT DEVELOPMENT ONE-FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

89-03

CITY MANAGER'S REPORT - MR. JAMES TUTEN

Mr. Roland Lozano, Director of Planning, spoke to last week's appearance at Citizens to be Heard before City Council of Mr. James Tuten, and of the staff investigation of the situation involving the matter of access to his property and of the staff report on the matter, a copy of which is made a part of the papers of this meeting. Mr. Lozano identified the affected property area on a large map for Council members and spoke to the history of the problem as well as the development of this immediate area. He also addressed the legal actions that have taken place in relation to this situation, and spoke to actions taken by the City in order to provide Mr. Tuten with some access to his property from Castle Hills Forest, pending its later development. Mr. Lozano stated his opinion that the issue involves Mr. Tuten and two land developers, and that the City cannot use public funds to improve private property.

A discussion then took place concerning the pertinent points of the matter.

Mr. Thompson stated that he feels that the person who sold Mr. Tuten his property is the person responsible for providing him access to his property.

A discussion then took place concerning the developers' responsibilities in this case and the legal aspects of the issue.

The City Council recessed at 2:45 P.M. for Executive Session on the matters involving the Emily Morgan Hotel, reconvening in regular session at 3:17 P.M.

89-03 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE - CLOSING AND QUITCLAIMING PEMCREST, PEMVIEW, PEMHAVEN, PEMWOODS, PEMMONT, AND PEMCLIFF.

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

No citizen appeared to speak.

Mayor Pro Tem Labatt declared the Public Hearing to be closed.

The Clerk read the following Ordinance:

AN ORDINANCE 68,678

ABANDONING, CLOSING AND QUITCLAIMING SIX (6) STREETS (PEMCREST, PEMVIEW, PEMHAVEN, PEMWOODS, PEMMONT, PEMCLIFF), IN NEW CITY BLOCKS 17381-1, 17382-2, AND 17381-3, WITHIN THE PEMBROKE PLACE SUBDIVISION, SAN ANTONIO, BEXAR COUNTY, TEXAS TO PEMBROKE PLACE HOMEOWNERS ASSOCIATIONS, FOR A CONSIDERATION OF \$1.00.

* * * *

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

In response to a question by Mrs. Berriozabal, Mr. Joe Aceves, Director of Public Works, explained why the City is quitclaiming land for the sum of one dollar.

Mr. Wolff stated that this represents a chance to correct an existing eyesore.

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, Cisneros.

89-03

PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE - FY89 RENTAL REHABILITATION PROGRAM.

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

No citizen appeared to speak.

Mayor Pro Tem Labatt declared the Public Hearing to be closed.

The Clerk read the following Ordinance:

AN ORDINANCE 68,679

AUTHORIZING SUBMISSION OF THE CITY'S FISCAL YEAR 1989 NATIONAL RENTAL REHABILITATION ENTITLEMENT PROGRAM APPLICATION TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD); AUTHORIZING THE CITY MANAGER TO EXECUTE THE HUD PROGRAM CONTRACT AND CERTIFICATIONS AND TO PROVIDE ADDITIONAL INFORMATION AS MAY BE REQUIRED; APPROPRIATING GRANT FUNDS OF \$660,000.00; AND SETTING UP THE PROJECT ACCOUNTS.

* * * *

Mr. Wing 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, Cisneros; NAYS: None; ABSENT: Martinez.

89-03 The City Council recessed at 3:20 P.M., reconvening in regular session for Citizens to be Heard at 5:00 P.M. No citizens were signed up for Citizens to be Heard, the meeting was adjourned at 5:01 P.M.

A P P R O V E D

Henry Cisneros

M A Y O R

ATTEST:

Thomas A. Robinson
C i t y C l e r k

January 19, 1989
sr