

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, MARCH 9, 1989.

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The meeting was called to order by the presiding officer, Mayor Henry Cisneros, with the following members present: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Vera, Wolff, Labatt, Hasslocher, Cisneros. Absent: None.

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89-11 The invocation was given by Reverend Paul Wilkinson, New Birth Baptist Church.

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89-11 The members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

89-11 CITY EMPLOYEES

Mayor Cisneros acknowledged the presence of a large group of City employees in the audience who were present to receive certificates and recognition for 30, 35 and 40 years of service to the City of San Antonio. He then especially singled out 40 year honorees, Police Inspector Marion Talbert, and Fire Fighter Ruben R. Gomez, both of whom entered their respective departments in the year 1948.

Mayor Cisneros then handed out special certificates of service to each of the employees and the members of the City Council joined the Mayor in congratulating the employees on their years of service to the City.

89-11 TEJANO MUSIC WEEK

Mayor Cisneros introduced and presented to Mr. Rudy Trevino, Texas Talent Musicians' Association, a proclamation designating March 12 - 18, 1989 as Tejano Music Week.

Mr. Trevino spoke to the growth of the awards program and its media coverage and described the stars who will participate in this year's show.

Mr. Martinez provided a brief history of the Tejano Music Week

festivities.

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89-11

SIXTH GRADE CLASS - ST. LUKE'S EPISCOPAL SCHOOL

Mayor Cisneros acknowledged the presence in the audience of the sixth grade class from St. Luke's Episcopal School and their instructor Mrs. Pat Phelps.

The students then each introduced themselves.

Mr. Wolff stated that he had lunch with the students and answered many interesting questions about City government.

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89-11

LORD MAYOR OF DUBLIN

Mayor Cisneros welcomed the Right Honourable Councillor Ben Briscoe, Lord Mayor of Dublin, who is in San Antonio as part of a courtesy visit to our local organizers of the Texas Irish Festival. Lord Mayor Briscoe was elected to the Irish Parliament in 1965.

Mayor Cisneros welcomed the Lord Mayor to San Antonio, presented him with a San Antonio Book and then declared him to be an Alcalde de la Villita. The Mayor spoke of the history of the City of Dublin and described the many events to take place during St. Patrick's Day in San Antonio.

Lord Mayor Briscoe noted that his father became the Lord Mayor of Dublin in 1957 and was the first Lord Mayor of Dublin of Jewish descent. He noted that he is the only second generation Lord Mayor of Dublin, a post which dates back to the year 1230. He then spoke to the modern history of the City of Dublin.

Mayor Cisneros spoke to the Irish Texans and their impact on the history of this area.

Mr. Labatt noted that his family is native to Dublin, Ireland.

Lord Mayor Briscoe spoke to the 1992 lowering of all trade barriers between Ireland and other nations in Europe and he discussed the current political situation in Northern Ireland. He then presented the flag of Dublin and introduced Mr. Weir, a representative from the City of Dublin who briefly explained the flag's background. The Lord Mayor then presented the special Dublin seal to Mayor Cisneros.

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89-11 The minutes of the City Council meeting of February 16, 1989 were approved.

89-11 The Clerk read the following Ordinance:

AN ORDINANCE 68,977

AN ORDINANCE CALLING A BOND ELECTION FOR LIBRARY SYSTEM IMPROVEMENTS TO BE HELD IN THE CITY OF SAN ANTONIO, TEXAS ON MAY 6, 1989; MAKING PROVISION FOR THE CONDUCT OF THE ELECTION; RESOLVING OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTION; AND PROVIDING FOR AN EFFECTIVE DATE.

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Mayor Cisneros distributed information dealing with the library bond election campaign organization and explained that organization and its project steering committee functions. He also distributed names of other steering committee members, including organizations, and he thanked General Robert McDermott, USAA, for agreeing to serve as the Coordinating Chairman of the entire campaign.

A brief slide presentation then was given by members of the City staff to outline the City's library system and its current needs.

Ms. Nancy Gandara, Assistant Director of the Library, addressed the need for improvements to the library system (a copy of her remarks are made a part of the papers of this meeting).

Mr. Kevin Moriarty, Director of the Human Resources Department, focused on the need for literacy centers to help solve the literacy problems in San Antonio.

Mr. Joe Carroll Rust, Chairman of the San Antonio Commission on Literacy, spoke in support of the library bond issue in order to meet literacy needs in San Antonio and he unveiled bumper stickers printed in support of the projected bond issue.

Assistant City Manager J. Rolando Bono then addressed the operations and materials facet of the library bond issue (a copy of his remarks and handout are made a part of the papers of this meeting).

Ms. Joan Mellard, Chairman of the Library Board, reviewed the search for a new library director, noting that a list of 20 finalists had been screened down to the top eight candidates and board interviews of those top finalists are now set to determine a new library director to be selected by the end of March.

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Mr. Bono discussed the study concerning renovation of the current main library as one of the possible solutions to the library situation, along with possible relocation sites for final decision to be funded by the May bond election, if approved.

In response to a question by Mr. Thompson, Mr. Bono stated that the City proposed to enact a hiatus on the site selection process for a new library pending the study of possible renovation of the current main library. He then discussed the arbitrary boundaries of downtown San Antonio as defined in the request for proposal process and the library master plan. He noted that all six proposed new library sites are within the boundaries of the downtown area as expressed in the RFP and the master plan.

Mr. Thompson questioned the illiteracy rates quoted for some City Council districts, stating that he feels the questions of improvements to the branch libraries are the most important to be addressed at this time. He noted that the improvements to the branch libraries, new staffing, new books, etc. should be solved before taking the bond issue to the voters. He spoke in favor of a delay of submitting the bond issue to the voters past the May elections for fear that it might lose for lack of specific information available to the voters.

Mrs. Dutmer spoke in favor of linking the literacy centers to the branch libraries, and she addressed the possible new boundaries of downtown San Antonio for main library siting purposes. She stated that she would be willing to work in order to seek a lowering of ad valorem taxes so that the library bond financing will not have a severe impact on homeowners.

Mr. Labatt addressed his three-pronged priorities in this matter, those being: (1) books; (2) staffing; and (3) library space. He stated that he feels the proposed bond issue addresses this in reverse order and he also stated that he feels that literacy centers could be linked to schools in the areas and use of their internal school libraries. Mr. Labatt noted that the bond issue calls for a 1.73 cent tax increase and books and staffing needs at the library will add another 1 cent into future budgets. He spoke against the bond issue as proposed stating that he feels that defeat of the library issue on the May ballot could set back the improvements to the library five to ten years.

Ms. Vera addressed the need for flexibility in this entire matter and stated that she feels that literacy centers should be placed where the need is and available facilities used to the maximum extent possible. She further stated that the library bond issue could delay an important infrastructure bond issue for next year, dealing with streets and drainage.

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Mr. Wolff spoke in favor of getting the financing ready first, then going from there. He disagreed with Mr. Labatt that the library operations and maintenance needs must be addressed, including books and staffing, at this time. He also stated that he feels the present main library site could be sold for up to \$150.00 per square foot.

In response to a question by Mr. Thompson, City Attorney Lloyd Garza spoke to the reasons for projected action today in order to get on the May 6th ballot but in no case must action be taken later than next Thursday and it must be called at a regular meeting of the City Council.

Ms. Berriozabal addressed the need for literacy and its impact on the future. She then urged the City Council to move forward with the bond issue to address a major San Antonio problem.

Mrs. Dutmer stated that she favors a pure "library only" bond issue.

Reverend Russell Coatney, 442 Wood Shadow, proposed the City purchase from the Federal Deposit Insurance Corporation a cleared site of property south of Trinity University, adjacent to St. Mary's and Stadium Drive which has been cleared by a local developer as a possible new main library site.

Ms. Gloria Hilario, Council of Research and Academic Libraries, revealed the results of a three-day poll in her organization supporting the library bond issue.

Mr. Karl Wurz, 820 Florida, stated that he favors a pay-as-you-go financing method for all capital improvements and for retaining the main library at its present site, renovation of the library annex, and a new 100,000 square foot main library constructed on the City's northside.

Mr. Charles Faye, representing the Greater Northwest Community Association, spoke in support of the library bond issue.

Mr. Hasslocher also addressed his support for the bond issue call for May.

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

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

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89-11 Agenda item 5, being an appeal of Bill McDonald of the decision of The Historic Review Board was temporarily bypassed for consideration later in the meeting.

89-11 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE AMENDING SUBDIVISION SECTION OF UNIFIED DEVELOPMENT CODE

Mayor Cisneros declared the Public Hearing to be open.

Mayor Cisneros noted that most of the people who have signed up today wish to speak on the matter of parking recreational vehicles (RVs) in residential driveways. He noted that Mr. Hasslocher favors deleting the RV matter from the ordinance as it appears today and sending it back for more work and to the Zoning Commission for its reconsideration.

Mr. Roland Lozano, Director of Planning, stated that the present City Code does not allow RVs to be parked in a front yard setback in a residential area. He noted the Council has two options: (1) to enact today's ordinance to allow the parking of RVs in the front yard setback; or (2) send it back to the City staff and to the Zoning Commission to address the whole issue of RV parking in residential driveways.

Mr. Louis J. Fox, City Manager, asked the City Council to send the matter back to the Zoning Commission and to suspend the issuing of violations concerning parking RVs in residential driveways until the issue can be finally decided.

It was the concensus of City Council members, following discussion, to proceed with the matter of this public hearing.

A group of citizens, whose names appear on a signup sheet which is made a part of the papers of this meeting, then spoke for and against this matter. Most spoke in favor of parking RVs in residential driveways because they feel they cannot afford to park them elsewhere and to protect them from vandalism. Some other persons spoke in favor of the regulations forbidding parking of RVs in residential driveways.

At the conclusion of the listed citizens to be speak, the Mayor declared the Public Hearing to be closed.

Mr. Lozano then addressed the ramifications of the proposed ordinance which would allow RV parking in residential driveways.

Mr. Hasslocher spoke in support of the proposed ordinance.

A discussion then took place concerning the establishment of a ten-foot setback from the curb to the beginning of a homeowner's property

line as being a general provision in the City of San Antonio under current subdivision regulations.

Mr. Thompson spoke against allowing RVs to park blocking sidewalks.

The Clerk read the following Ordinance:

AN ORDINANCE 68,978

AMENDING THE SUBDIVISION SECTION OF THE UNIFIED DEVELOPMENT CODE CONCERNING DESIGNATION OF BEXAR COUNTY AS A REVIEWING AGENCY FOR PLATS WITHIN THE ETJ, PROVISIONS REGULATING MANUFACTURED HOME PARKS, IMPLEMENTATION OF SENATE BILL 408, AND MINOR AND MAJOR SUBDIVISIONS, AND PROVIDING A CRIMINAL PENALTY FOR VIOLATION HEREOF OF NOT LESS THAN \$25.00 NOR MORE THAN \$1,000.00.

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At this point, there was a main motion by Mr. Thompson to approve the City staff recommendation, with the provision that no recreational vehicles can be parked blocking existing residential sidewalks, cannot be parked where no sidewalk exists, and that an RV must be at least 10 feet back from the curb line. Mrs. Dutmer seconded the motion.

Mr. Wing stated that he favors allowing RVs to park in residential driveways so long as its use is lawful.

Mrs. Dutmer spoke against a change in the existing ordinance, stating that she feels many others are against allowing RVs in driveways.

Mr. Labatt spoke in support of the change or sending it back to the Zoning Commission.

Mr. Wolff stated that he cannot support a possible amendment to the motion and he addressed reasons for that. He stated that he would be willing to support allowing RVs to park in residential driveways so long as they don't block the view. He stated further that he feels some sort of guidelines must be established because the ordinance gives carte blanche to store RVs in driveways.

At this time, Mrs. Dutmer offered a substitute motion to approve the staff recommendations except the RV matter and to send it back to the Zoning Commission for study; in the meantime no city citations will be issued for violation of the RV restrictions on residential driveways until the issue is decided. Mr. Wolff seconded the motion.

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

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

89-11 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE AMENDING ZONING SECTION OF UNIFIED DEVELOPMENT CODE

Mayor Cisneros declared the Public Hearing to be open.

Mr. Lee W. Besing, representing REACT, spoke in favor of the proposed ordinance.

Mr. Vernon Kelley, also representing REACT, spoke in favor of the ordinance.

There being no further citizens to speak, the Mayor declared the Public Hearing to be closed.

The Clerk read the following Ordinance:

AN ORDINANCE 68,979

AMENDING ZONING SECTION OF THE UNIFIED DEVELOPMENT CODE CONCERNING BED AND BREAKFAST ESTABLISHMENTS, HOME OCCUPATIONS, GARAGE SALES, DAY CARE CENTERS, FENCING REQUIREMENTS, NONCOMMERCIAL PARKING LOTS, EMPLOYMENT AGENCIES/TEMPORARY HELP CONTRACTORS, OIL WELLS, ANTENNAS< SIDE AND REAR YARDS, AUTHORIZATION FOR ZONING COMMISSION TO CONSIDER CITY INITIATED REZONING CASES AT SPECIAL MEETINGS, AND EXCEPTION FOR ZONING COMMISSION MAJORITY VOTE IN ZONING CASES, AND PROVIDING FOR A PENALTY FOR VIOLATION HEREOF OF A FINE NOT TO EXCEED \$2,000.00.

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

Mr. Labatt offered an amendment with reference to temporary help contractors that they only be allowed to be open between the hours of 6:00 A.M. AND 10:00 P.M. Ms. Berriozabal seconded the motion.

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

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

89-11

CPS PARK ON THE SOUTHEAST SIDE

Mayor Cisneros spoke of the need for a new park area for use by the East Central Independent School District in order to partially offset the loss of property tax values by the taking of land for use by City Public Service and thus removing it from the tax rolls.

Mr. Arthur Von Rosenberg, CPS, stated that there would be no problems with donating the land for the park by CPS but there are a number of legal questions remaining concerning its financing. He noted that the CPS park on the City's northside was built by CPS employee funds and totally from employee-donated labor.

Mr. Richard Valentino, representing East Central Independent School District, spoke to the proposed development of "East Central Park" near Calaveras Lake on land to be donated by CPS. He then outlined the proposals for development of the park in order to allow usage year around as an educational/recreational facility.

Mayor Cisneros voiced his concern about the questions concerning the park and stated that he would like to have the attorneys at CPS investigate the matter in which they can help possibly offset the impact to the East Central and the Southside School Districts by assisting with the building of this park with CPS funds.

Mr. Von Rosenberg spoke about the various options which are available to assist the school districts involved and their willingness to investigate these options.

Mrs. Dutmer stated that she is concerned with the Mayor's statements about the vast amount of land which is owned by CPS in the area and the need to develop the CPS park.

Mr. Thompson spoke concerning the two school districts being impacted in Council District 6 by the presence of the Nelson Gardens City Landfill, and the need to pursue this matter further.

Mayor Cisneros spoke about the efforts of this particular group and their attempts to improve their economic base.

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Mr. Martinez stated that he is encouraged by the different entities who are appearing before Council today and working together to improve this facility.

Mayor Cisneros urged CPS to continue the efforts to do so and noted that they can go a long way towards making this a viable project.

89-11

POTENTIAL ENTERPRISE ZONE DESIGNATION

Mr. Anthony Constanzo, Superintendent of the East Central Independent School District, spoke about the district's attempts concerning a potential enterprise zone in this area and of the others who are interested entities who desire to better their community. He spoke to the fact that one-fourth of the land in the district is tax exempt already. He stated that the district would like to continue its programs of quality education, yet are having problems because of the lack of economic development in the area. He noted that the school districts involved are attempting to develop the CPS park and an enterprise zone in the area.

Mr. Ron Geyer, Superintendent of the Southside Independent School District, spoke of how the tax rate in his district and the low collection ratio impact his budget. He spoke of the need to increase the tax base through commercial development and the large percentage of his area that is not on the tax rolls. He asked for approval of this enterprise zone along Southeast Loop 410.

County Commissioner Bob Lee, representing the Bexar County Local Development Corporation (LDC), spoke of creation of that LDC and the need to have an area in the southeast designated as the City's third enterprise zone.

Ms. Lorraine Salazar-Bauer, Assistant Director of the Department of Economic and Employment Development, stated that municipalities are allowed to have only three enterprise zones and the City of San Antonio already has two in place. She noted that should Bexar County seek to have a new enterprise zone in the City's ETJ to the southeast, then the City must endorse this as the co-applicant if it is to become fact. She stated that the City Council might want to consider the option of enlarging the current eastside enterprise zone to encompass this particular area in order to save the third designation for use elsewhere.

Mayor Cisneros stated that he feels the independent school districts in the southeast cannot wait and he asked that the City Council instruct City staff to bring back an enterprise zone designation for this particular area that affects these two independent school districts.

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Ms. Salazar-Bauer spoke to how the eastside enterprise zone could be expanded to encompass these areas and stated that the City has not used up its total allotment of size for enterprise zones as yet.

Mrs. Dutmer noted that extending the eastside enterprise zone to encompass this area would not do the necessary job that is needed.

Mrs. Dutmer made a motion to instruct staff to bring back to City Council several options in a month for considerations to include a new enterprise zone or the extension of the current enterprise zone. Mr. Wolff seconded the motion.

Mr. Martinez asked the City staff to speak with today's speakers with reference to their suggestions on how to solve the problem.

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

89-11 The Clerk read the following Resolution:

A RESOLUTION NO. 89-11-16

DIRECTING CITY STAFF TO TAKE CERTAIN POSITIONS REGARDING THE TEXAS WASTE SYSTEMS, INC., SOLID WASTE LANDFILL PERMIT APPLICATION NO. 1986 PENDING BEFORE THE TEXAS DEPARTMENT OF HEALTH.

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Mr. Roliff Purrington, attorney representing Texas Waste Systems, Inc., spoke to the environmental sensitivity of the firm and of its desire to work with the City of San Antonio concerning a new landfill. He then addressed the merits of the application to the Texas Department of Health and he asked the Council to take at least a neutral position in this matter. He noted that his firm feels that this site is a good one and he exhibited land use maps to indicate the sparseness of development in this particular area. He noted further that the present area is an excavated sand pit that will be reclaimed for use as a landfill and stated that he feels a challenge to the application would be very costly to the city.

Mr. Jim Norstrom, Engineer representing the waste firm, addressed the engineering of the application to the Texas Department of Health.

Mr. Seagal Wheatley, local attorney representing the firm, stated that San Antonio has no workable solid waste management program in place, and he feels that this proposed landfill should be approved. He also addressed the possible impact of a City Council resolution on legal

actions relevant to this issue and the question of possible conflict of interest.

Mr. Jose Garcia de Lara, representing LULAC, stated that his group is opposed to this landfill because the site is historic to Mexican-Americans. He then addressed the specifics of the Battle of Rosillo Creek in 1813 and spoke of the need to protect this historic site from commercial intrusion.

Ms. Sheryl Sepulveda, Executive Director of the Southside Chamber of Commerce, stated that her group is opposed to the landfill on prime development land.

Ms. Barbara A. Bean, Vice President of the East Central Independent School District Board of Trustees, noted that the landfill will be within 2,000 feet of Loop 410 and will inhibit development in this area. She then read into the record the East Central Independent School District's resolution voicing opposition to the landfill proposal.

Ms. Alene Waneck, President of RISE, stated that the site is not suitable as a landfill and that her group feels there are errors made in the company's application to the Texas Department of Health. She then spoke to the adverse impact of landfill development on uses of land in this area.

Ms. Ramona Ward, Principal of Salado Middle School in the East Central Independent School District, spoke to several reasons for their opposition to the nearby landfill.

Ms. Linda Billa-Burke, 4414 Pecan Grove, stated that the landfill is a risk to the area's water supply.

Ms. Betty Burke, 4406 Pecan Grove, stated that she feels the area is too close to an area where development is being planned.

County Commissioner Bob Lee, Bexar County Local Development Corporation, noted that the landfill, in his opinion, will discourage economic development in this area.

Mr. Ron Geyer, Superintendent, Southside Independent School District, voiced his school district's concern with the impact upon their enterprise zone designation.

Mr. Gene Sekula, Principal of Pecan Valley Elementary School, stated that the landfill, in his opinion, will damage the historical site nearby, will increase traffic, and will hamper economic development.

Ms. Liz Davies, San Antonio Conservation Society, noted that her group opposed a landfill on historic property.

Mrs. Dutmer asked the City Council not to be threatened and pushed back from possible passage of this pending resolution.

Mr. Labatt stated that he must abstain from the vote because he owns stock in the waste management firm involved.

Mrs. Dutmer made a motion to approve the proposed Resolution provided that Section 1 of the Resolution state that the City Council urges the Texas Department of Health to reject Permit Application 1986 and that Section 2 direct City staff to prepare the City's case opposing Permit Application 1986 and to seek to be a Party Participant in the upcoming public hearing. Mr. Martinez seconded the motion.

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

89-11 CONSENT AGENDA

Mrs. Dutmer made a motion to approve Agenda Items 9 - 42, constituting the Consent Agenda, with Items 23, 26 and 41 to be pulled for individual consideration. Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 68,980

ACCEPTING THE PROPOSAL OF STANDARD & POOR'S CORPORATION TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH A SUBSCRIPTION RENEWAL OF STANDARD & POOR'S SERVICES FOR A TOTAL OF \$9,217.

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AN ORDINANCE 68,981

ACCEPTING THE PROPOSAL OF FONDO CULTURAL LATINO AMERICANO TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH SPANISH BOOKS FOR A TOTAL OF \$6,432.95.

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AN ORDINANCE 68,982

ACCEPTING THE PROPOSAL OF CHELSEA HOUSE PUBLISHING COMPANY TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH CLASSIC LITERATURE AND POETRY BOOKS FOR A TOTAL OF \$63,019.65.

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AN ORDINANCE 68,983

ACCEPTING THE LOW BID OF INDUS INTERNATIONAL, INC. TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH MICROFICHE READERS FOR A TOTAL OF \$3,150.

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AN ORDINANCE 68,984

AMENDING THE CURRENT AGREEMENT WITH CLSI, INC. FOR AN AUTOMATED LIBRARY SYSTEM.

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AN ORDINANCE 68,985

ACCEPTING THE LOW BID OF SNOBER INDUSTRIAL SERVICES FOR THE PAINTING OF BUILDINGS AT LA VILLITA FOR A TOTAL OF \$4,285.

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AN ORDINANCE 68,986

AWARDING A CONTRACT TO RODRIGUEZ FENCE COMPANY TO FURNISH THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH FENCING AT THE BOTANICAL CENTER FOR A TOTAL OF \$20,139 AND CANCELLING THE CONTRACT PREVIOUSLY AWARDED TO TAFOLLA FENCE CO.

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AN ORDINANCE 68,987

ACCEPTING THE LOW BID OF SOLIS GENERAL CONTRACTOR, INC. FOR THE INSTALLATION OF DRESSING ROOM PARTITIONS AT THE SAN PEDRO PARK POOL FOR A TOTAL OF \$9,300.

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AN ORDINANCE 68,988

ACCEPTING THE LOW BID OF SAN ANTONIO QUALITY FENCE COMPANY, INC. TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH WROUGHT IRON FENCING AT ELM AND NOLAN STREETS FOR A TOTAL OF \$7,204.

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AN ORDINANCE 68,989

ACCEPTING THE LOW QUALIFIED BID OF VULCAN ALUMINUM TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH ALUMINUM SIGN BLANKS FOR A TOTAL OF \$51,756.15.

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AN ORDINANCE 68,990

ACCEPTING THE BID OF BRIGGS WEAVER TO FURNISH THE CITY OF SAN ANTONIO ENVIRONMENTAL MANAGEMENT WITH GAS MONITORS FOR A TOTAL OF \$10,420.

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AN ORDINANCE 68,991

ACCEPTING THE LOW QUALIFIED BIDS OF ACE ELECTRICAL SUPPLY, INC. AND CUSTOM CONVEYOR COMPANY TO FURNISH THE CITY OF SAN ANTONIO AVIATION DEPARTMENT WITH BAGGAGE CONVEYOR PARTS FOR A TOTAL OF \$9,265.

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AN ORDINANCE 68,992

ACCEPTING THE PROPOSAL OF PDW, INC. TO FURNISH THE CITY OF SAN ANTONIO AVIATION DEPARTMENT WITH A SOFTWARE MAINTENANCE AGREEMENT FOR A TOTAL OF \$800 MONTHLY.

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AN ORDINANCE 68,993

AUTHORIZING AN ADDITIONAL \$1,300.00 FOR ARCHITECTURAL SERVICES PAYABLE TO MARMON, BARCLAY, SOUTER, FOSTER, HAYS ARCHITECTS IN CONNECTION WITH

THE MAIN PLAZA BUILDING - 5TH FLOOR RENOVATIONS.

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AN ORDINANCE 68,994

AMENDING ORDINANCE NO. 66704 BY AUTHORIZING \$46,154.45 TO BE TRANSFERRED TO JONES & KELL, INC., ARCHITECTS FOR GEOTECHNICAL SOIL AND MATERIAL TESTING SERVICES BEING DONE BY RABA-KISTNER CONSULTANTS, INC. (POLICE TRAINING & CAREER DEVELOPMENT CENTER)

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AN ORDINANCE 68,995

AUTHORIZING AN ADDITIONAL \$6,555.87 PAYABLE TO CHUMNEY & ASSOCIATES FOR ADDITIONAL DESIGN SERVICES AND FOR GEOTECHNICAL SERVICES IN CONNECTION WITH THE EMERGENCY OPERATIONS CENTER.

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AN ORDINANCE 68,996

AUTHORIZING AN ADDITIONAL \$74,531.27 FOR ENGINEERING FEES PAYABLE TO DANNENBAUM ENGINEERING CORPORATION IN CONNECTION WITH THE CASTROVILLE ROAD FROM GENERAL MCMULLEN TO ACME PROJECT.

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AN ORDINANCE 68,997

AUTHORIZING AN ADDITIONAL \$100,080.19 FOR ENGINEERING FEES PAYABLE TO WEYMAN & ASSOCIATES, INC. IN CONNECTION WITH THE RIP RAP NO. 69, PHASE II, DRAINAGE PROJECT.

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AN ORDINANCE 68,998

AUTHORIZING AN ADDITIONAL \$51,383.51 FOR ENGINEERING FEES PAYABLE TO W. H. MULLINS, INC. IN CONNECTION WITH THE OCTAVIA DRAINAGE NO. 63 PROJECT.

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AN ORDINANCE 68,999

AUTHORIZING AN ADDITIONAL \$32,831.87 FOR ENGINEERING FEES PAYABLE TO FERNANDEZ, FRAZER, WHITE & ASSOCIATES, INC. IN CONNECTION WITH THE LANARK DRAINAGE NO. 92A PROJECT.

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AN ORDINANCE 69,000

ACCEPTING THE LOW QUALIFIED BID AND AWARDING A CONSTRUCTION CONTRACT TO MATRIX BUILDERS, INC., FOR THE CONSTRUCTION OF NEW STAGE RIGGING FOR BEETHOVEN HALL IN THE AMOUNT OF \$216,950.00 WITH AN ADDITIONAL \$11,000.00 FOR CONSTRUCTION CONTINGENCY.

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AN ORDINANCE 69,001

AWARDING A \$189,216.70 CONSTRUCTION CONTRACT TO E-Z BEL CONSTRUCTION CO. INC.; AUTHORIZING \$18,921.67 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY ASSOCIATED WITH THE GUADALUPE STREET FROM BRAZOS TO SAN JACINTO PROJECT.

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AN ORDINANCE 69,002

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$10,315.00 OUT OF GENERAL OBLIGATION BONDS FOR THE PURPOSE OF ACQUIRING TITLE TO CERTAIN LANDS; ACCEPTING THE DEDICATION OF TITLE TO CERTAIN LANDS; AND ACCEPTING A LICENSE AGREEMENT WITH THE MISSOURI, KANSAS, TEXAS RAILROAD COMPANY AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE SAME; ALL IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS. (PACIFIC DRAINAGE PROJECT #66A; HI-LIONS DRAINAGE PROJECT #80; NOGALITOS STREET - BIGFOOT TO FURNISH PROJECT; S. GEVERS STREET BRIDGE NORTH OF I.H. 10 PROJECT; ZONING CASE Z87082 ON BABCOCK ROAD - MISCELLANEOUS EASEMENTS AND DEDICATIONS)

* * * *

AN ORDINANCE 69,003

AUTHORIZING A THREE YEAR LEASE AGREEMENT WITH STAR

COMPANIES, A PARTNERSHIP FOR OCCUPANCY OF 400 SQUARE FEET OF SPACE IN HEMISFAIR PARK FOR THE PURPOSE OF OPERATING A POPCORN WAGON.

* * * *

AN ORDINANCE 69,004

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF FEE SIMPLE TITLE OVER AND ACROSS A PORTION OF NEW CITY BLOCK 8114 AND TEMPORARY EASEMENTS OVER ADJACENT PROPERTY, IN SAN ANTONIO, BEXAR COUNTY, TEXAS FOR A PUBLIC PURPOSES, TO WIT: THE LOCATION, CONSTRUCTION, OPERATION, RECONSTRUCTION, IMPROVEMENT, REPAIR AND MAINTENANCE OF A DRAINAGE PROJECT.

* * * *

AN ORDINANCE 69,005

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF FEE SIMPLE TITLE TO LOT E, BLOCK 2, NEW CITY BLOCK 893, IN SAN ANTONIO, BEXAR COUNTY, TEXAS FOR PUBLIC PURPOSES, TO WIT: THE LOCATION, CONSTRUCTION, OPERATION, RECONSTRUCTION, IMPROVEMENT, REPAIR AND MAINTENANCE OF IMPROVEMENTS TO COMAL STREET.

* * * *

AN ORDINANCE 69,006

AUTHORIZING THE DIRECTOR OF HUMAN RESOURCES AND SERVICES TO PROVIDE CITY SERVICES TO CENTRAL AMERICAN ALIENS, BOTH DIRECTLY AND THROUGH SUB-CONTRACTORS; TO PLAN AND COORDINATE SERVICES FOR ALIENS WITH ALL OTHER INVOLVED AGENCIES AND ENTITIES FOR THE CITY OF SAN ANTONIO; AND TO TAKE ANY ACTIONS NECESSARY TO GENERATE THE EXPANSION OF MONIES NECESSARY TO ADEQUATELY ADDRESS THE PROBLEMS IN SAN ANTONIO THAT ARE OCCURRING DUE TO THE CURRENT CENTRAL AMERICAN ALIEN SITUATION.

* * * *

AN ORDINANCE 69,007

AMENDING ORDINANCE NO. 66605 TO AUTHORIZE THE EXECUTION OF LOAN DOCUMENTS WITH GONZALEZ BROTHERS INVESTMENTS (RIVER CITY PRODUCE COMPANY, INC.

OWNERS) IN CONNECTION WITH THE \$200,000 LOAN APPROVED FROM THE 12TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS TO SUPPORT THE RIVER CITY PRODUCE COMPANY, INC. WAREHOUSE FACILITY PROJECT AT THE CORNER OF SOUTH SAN MARCOS AND SOUTH LAREDO STREETS.

* * * *

AN ORDINANCE 69,008

AUTHORIZING THE CITY MANAGER OR HIS DESIGNATED REPRESENTATIVE TO EXECUTE A CONTRACT BETWEEN THE CITY AND TITLE USA OF SAN ANTONIO, TO PROVIDE CERTAIN TAX INFORMATION TO TITLE USA OF SAN ANTONIO, THROUGH COMPUTER FACILITIES FOR A TWO-YEAR PERIOD WITH A NINETY (90) DAY CANCELLATION PROVISION.

* * * *

AN ORDINANCE 69,009

CHANGING THE STREET NAME OF ENCINO GRANDE IN THE ENCINO PARK SUBDIVISION TO ENCINO LEDGE.

* * * *

AN ORDINANCE 69,010

AUTHORIZING THE EXECUTION OF AN AGREEMENT CONSENTING TO THE COLLATERAL ASSIGNMENT OF CERTAIN SAN ANTONIO INTERNATIONAL AIRPORT LEASES BY FAIRCHILD AIRCRAFT CORPORATION AND FAIRCHILD GEN-AERO, INC. TO SANWA BUSINESS CREDIT CORPORATION, AS AGENT.

* * * *

89-11 The Clerk read the following Ordinance:

AN ORDINANCE 69,011

AUTHORIZING FIELD ALTERATION NO. 2 IN THE AMOUNT OF \$13,446.00 PAYABLE TO THE KOEHLER COMPANY IN CONNECTION WITH THE FIRE STATION NO. 29 PROJECT.

* * * *

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

Mrs. Dutmer voiced her concern that the site for Fire Station No. 29 may affect drainage onto lower property nearby.

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

89-11 The Clerk read the following Ordinance:

AN ORDINANCE 69,012

AUTHORIZING FIELD ALTERATION NO. 2 IN THE AMOUNT OF \$52,585.20 PAYABLE TO RDM CONSTRUCTION, INC., IN CONNECTION WITH THE RIP RAP NO. 69, PHASE I PROJECT.

* * * *

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

Mrs. Dutmer spoke to the need to preserve this area.

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

89-11 The Clerk read the following Ordinance:

AN ORDINANCE 69,013

AMENDING THE HORSE-DRAWN CARRIAGE ORDINANCE DESIGNATING SPECIFIC ROUTES FOR THE CARRIAGES IN THE DOWNTOWN AREA DUE TO STREET CONSTRUCTION AND CLOSURES CAUSED BY THE TRI-PARTY WORK.

* * * *

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

Ms. Ann Wolfe, representing Yellow Rose Carriage, asked that certain time restrictions be addressed so that the horse-drawn carriage companies can accommodate weddings.

Mr. Thompson stated that he wants the City staff to consider this matter.

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

- - -
89-11 APPEAL OF BILL MCDONALD ON DECISION OF THE HISTORIC REVIEW BOARD

City staff members concerned noted that Mr. McDonald was not present in the audience and that contact with his office revealed that he is out of town today.

Following discussion, it was the concensus of the City Council to grant a three week postponement of the appeal hearing.

- - -
89-11 Agenda Item 43, regarding Control Data Corporation building, and Agenda Item 44, accepting the report of the Financial Advisory Team on the Municipal Court/Detention Facility, was temporarily bypassed for consideration later in the meeting.

- - -
89-11 The Clerk read the following Ordinance:

AN ORDINANCE 69,014

AUTHORIZING PAYMENT OF REFUNDS TO PERSONS MAKING OVERPAYMENTS OR DOUBLE PAYMENTS ON 70 TAX ACCOUNTS FOR A TOTAL OF \$87,216.50.

* * * *

Mrs. Dutmer 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,

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

- - -
89-11 The Clerk read the following Ordinance:

AN ORDINANCE 69,015

AUTHORIZING SETTLEMENT OF ALL CLAIMS OF CASEY AND ANDREW RODRIGUEZ AGAINST THE CITY OF SAN ANTONIO FOR A TOTAL OF \$23,000.

* * * *

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

- - -
89-11 The Clerk read the following Ordinance:

AN ORDINANCE 69,016

AUTHORIZING SETTLEMENT OF ALL CLAIMS OF PATRICIA BEAL AGAINST THE CITY OF SAN ANTONIO IN THE AMOUNT OF \$12,000.00.

* * * *

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

- - -
89-11 The Clerk read the following Ordinance:

AN ORDINANCE 69,017

AUTHORIZING SETTLEMENT OF ALL CLAIMS OF ELDA

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RODRIGUEZ AGAINST THE CITY OF SAN ANTONIO PENDING IN
CAUSE NO. 88-CI-18139 FOR A TOTAL OF \$10,900.00.

* * * *

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

- - -
89-11 The Clerk read the following Ordinance:

AN ORDINANCE 69,018

AMENDING ORDINANCE NO. 29632 PASSED ON JUNE 28, 1961
TO AMEND THE TERMS OF OFFICE OF MEMBERS OF THE
BUILDING AND FIRE CODE BOARD OF APPEALS.

* * * *

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

- - -
89-11 Agenda Item 50, a co-sponsorship application for the Tejano Music
Awards, and Agenda Item 51, state legislative items, was temporarily
bypassed for consideration later in the meeting.

- - -
89-11 The Clerk read the following Ordinance:

AN ORDINANCE 69,019

APPOINTING ROSIE CASTRO TO SERVE ON THE AFFIRMATIVE
ACTION ADVISORY COMMITTEE.

* * * *

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

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

ZONING HEARINGS

53. CASE Z89037 - to rezone a 7.620 acre parcel of land out of NCB 15679, from "B-2" Business District and "P-1(R-6)" Planned Unit Development Townhouse Residence District to "R-1" One Family Residence District and a 2.092 acre parcel of land out of NCB 15679 from Temporary "R-1" One Family Residence District to "B-2" Business District and an 8.364 acre parcel of land out of NCB 15679, from Temporary "R-1" One Family Residence District to "B-3R" Restrictive Business District, Thousand Oaks and Boulder Oaks, the 2.092 acres and the 8.364 acres are located on the northeast side of Thousand Oaks between Tavern Oaks and Boulder Oaks, having 1651.65' on Thousand Oaks, 176.19' on Boulder Oaks and 461.65' on Tavern Oaks. The 7.620 acres are located on the southeast side of Boulder Oaks, being 153.86' northeast of the intersection of Boulder Oaks and Thousand Oaks, having 465.06' on Boulder Oaks with an approximate depth of 415.09'.

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

Mr. Hasslocher made a motion to approve the recommendation of the Zoning Commission provided that a six-foot solid screen fence is erected and maintained along the northeast line of the proposed B-2 zoning. Mr. Thompson seconded the motion.

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

AN ORDINANCE 69,020

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 7.620 ACRE PARCEL OF LAND OUT OF NCB 15679, FROM "B-2" BUSINESS DISTRICT AND "P-1(R-6)" PLANNED UNIT DEVELOPMENT TOWNHOUSE RESIDENCE DISTRICT TO "R-1" ONE-FAMILY RESIDENCE

DISTRICT; A 2.092 ACRE PARCEL OF LAND OUT OF NCB 15679, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT AND AN 8.364 ACRE PARCEL OF LAND OUT OF NCB 15679, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, THOUSAND OAKS AND BOULDER OAKS, PROVIDED THAT A SIX-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTHEAST LINE OF THE PROPOSED B-2 ZONING. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

* * * *

54. CASE Z89040 - to rezone Tract 322, Block E, NCB 11538, Bandera Road and Evers Road, from "B-2" Business District to "B-3R" Restrictive Business District, located northwest of the intersection of Bandera Road and Evers Road, having 230.51' on Evers Road and 270.40' on Bandera Road and 77' on the cut-back between these two roads.

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

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

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

AN ORDINANCE 69,021

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 TRACT 322, BLOCK E, NCB 11538, BANDERA ROAD AND EVERS ROAD, FROM "B-2" BUSINESS DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT.

* * * *

89-11

JAPANESE GARDENS AT BOTANICAL CENTER

Mayor Cisneros acknowledged the presence in the audience of a

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group of Japanese visiting workers who are in San Antonio to construct the Kumamoto Sister Cities Memorial Garden in the Botanical Center. He then welcomed the work group to San Antonio and to City Hall.

Representatives of the work group presented several wooden pieces to the City emblematic of the ceremonies held yesterday at the Botanical Center to be placed in a display area at the Japanese Gardens.

Mayor Cisneros spoke of this tangible evidence of the Sister Cities relationship with the city of Kumamoto, Japan.

Representatives of the group then read an official statement from Mayor Tajiri of Kumamoto delivering this in both English and Japanese.

Mayor Cisneros then asked that an ordinance be prepared for passage before the final dedication ceremonies to name the Kumamoto Park area.

Mrs. Dutmer made a motion to draft an ordinance for naming of the park. Mr. Thompson seconded the motion.

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

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

ZONING HEARINGS (CONTINUED)

55. CASE Z89023 - to rezone Lots 32 and 47, Block 58, NCB 10567, 567 Cherry Ridge Drive and 258 Fennel Drive, from "B" Residence District to "O-1" Office District, located on the southeast side of Northwest Loop 410 Expressway between Cherry Ridge Drive and Fennel Drive, having 29.67 feet on fennel Drive, 76.53 feet on Cherry Ridge Drive and 285.76 feet on Northwest Loop 410 Expressway.

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

Ms. Shirley Evans, the proponent, noted that the property is located on Loop 410 and she feels the property should be rezoned commercial to allow for offices to be located on this site.

Speaking in opposition, Ms. Patsy Rolirad, 555 Cherry Ridge, stated that she wants her area to remain residential and spoke against the rezoning.

(At this point, Mr. Labatt relinquished the chair to Mr. Hasslocher).

In response to a question by Mr. Labatt, Mr. Andy Guerrero, Planner III, noted that 20% of the affect area involved in in opposition of this rezoning request.

Mr. Labatt made a motion to deny the requested rezoning. Mrs. Dutmer seconded the motion.

Mr. Thompson stated that this property, in his opinion, could be "O-1" in nature and he supported a rezoning to "O-1".

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

Mrs. Dutmer noted that the area is residential in nature not commercial.

The motion to deny prevailed by the following vote: AYES: Berriozabal, Dutmer, Martinez, Vera, Wolff, Labatt, Hasslocher, Cisneros; NAYS: Thompson; ABSENT: Webb, Wing.

Case Z89023 was denied.

56. CASE Z88161-E - to rezone Lot 1, Block 2, NCB 737, Lee's Gulf Service Station, 701 S. St. Mary's Street, from "I" Business District to Historic Significant (HS) "I" Business District, located south of the intersection of King Williams Street and St. Mary's Street, having 125.6' on King Williams Street and 210' on St. Mary's Street.

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

Ms. Patricia Osborne, Historic Preservation Officer for the City of San Antonio, distributed a set of photographs of this property and spoke to the historical significance of this service station at the entrance of the King William area. She noted that the State Historic Register wants the King William Historic District redefined.

Mr. Justin Arcchi, Chairman of the Historic Review Board, spoke to the reasons for the historic designation because of the location at the entrance to the historic King William area.

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Mr. Allen Polunsky, Attorney representing the landowners, stated that he feels that the property is not historically or architecturally significant, and thus has never been a part of the King William Historic District. He urged that the rezoning requested by the City of San Antonio be rejected.

Mayor Cisneros spoke in support of the rezoning request by the City of San Antonio in order to protect property at the entrance of the King William Historic District.

Mrs. Dutmer urged protection of historically significant property.

Ms. Berriozabal spoke in support of the City's request.

In response to a question by Ms. Berriozabal, Mr. Warner Fassnidge, Assistant City Attorney, noted that the Historic Register lists this property as historic and that a 1971 map of the area also contains this property listed as historic.

Mr. Polunsky stated that he still contends that one map does not list this property as historic and he feels that the City should not be interpreting federal maps. He noted that the Texas Historical Commission also acknowledges that a question exists concerning the historicity of this property.

Mrs. Dutmer made a motion to approve the requested rezoning. Mr. Labatt seconded the motion.

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

Case Z88161-E was denied.

- - -
The City Council recessed at 7:43 P.M., reconvening at 8:40 P.M. for continuation of the Regular Meeting.

- - -
89-11 Agenda Item 43, being consideration of a real estate contract for purchase of a leasehold interest of Control Data Corporation, was taken up for consideration at this time.

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

Mr. Marcus Jahns, Assistant City Manager, introduced members of the Financial Advisory Team who have prepared a final report on this matter.

Mayor Cisneros then distributed copies of the final report of the Stadium Advisory Committee, a copy of which is made a part of the papers of this meeting, and noted that this particular area in Vista Verde South is needed for relocation of the Municipal Courts/Detention Center and that if not for this, the area will be needed for the move of Alamo Iron Works from its present location to make way for the dome stadium. He noted that if the Alamo Iron Works can move right in from their current site, it will save perhaps a year on site location and construction, and he recommended that the ordinance be approved.

Mr. Buzz Heye, representing the firm of Gustav, Heye and Company, noted that the study shows that the Magnetic Peripherals Building is the best suited for relocation of the Municipal Courts/Detention Center and he addressed certain specifics of the report. He noted that the building will work well for this need and that it will cost some \$7,700,000.00 to completely remodel it.

Mr. Scott Binford, real estate appraiser, addressed the estimated \$600,000.00 savings to the City of San Antonio plus reuse of prime land in Vista Verde South. He recommended acceptance and passage of this ordinance.

In response to a question by Mr. Labatt, Mr. Louis J. Fox, City Manager, spoke of the need to move Municipal Courts out of the current Police Headquarters/Municipal Courts building.

In response to a question by Mr. Labatt, Mr. Jahns stated that if the City does not move on this quickly, the property will be put on the market very quickly by its current leasehold owner, Control Data Corporation.

Mr. Labatt expressed his concern about proceeding with this project without a space analysis plan.

Mrs. Berriozabal questioned the City's plan to trade away this building, which is deemed best qualified for use by the Municipal Courts/Detention Center, if in fact, Alamo Iron Works wants it. She voiced her concern that this will leave the City still searching for another site for a municipal courts building.

In response to a question by Ms. Berriozabal, Mr. Binford discussed the dollar figures involved and noted that some \$11.9 million is the total cost to acquire and to renovate the Magnetic Peripherals Building, and in addition also secure 11 additional acres of land nearby.

Mr. Fox noted that the City has some \$8 million dollars in Municipal Courts/Detention Center bond funds and will need about \$5 million more in order to renovate and to move Municipal Courts into this area. He then addressed the possibility of selling the property to Alamo Iron Works in order to keep them in the downtown area and their tax funds in the San Antonio Independent School District.

Mr. Jahns noted that Control Data Corporation has stated that it would put the Vista Verde South property up for sale to another party if the City does not act on the purchase now.

(Mayor Cisneros was obliged to leave the meeting. Mr. Labatt presided.)

Mr. Martinez stated that he hopes the City is able to keep Alamo Iron Works in the Vista Verde South area.

A discussion then took place concerning all of the City's options and alternatives in this matter.

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

Mrs. Dutmer stated that she feels that the City will absorb a loss in trading this property to Alamo Iron Works after it is purchased to Control Data Corporation.

A discussion concerning the City's proposed lease or purchase of 203 W. Nueva in order to house the Public Inebriate Program then took place.

Mr. Wing noted that the City has a number of options for use of buildings in Vista Verde South.

Mayor Cisneros spoke to the advantages of moving forward with this matter and noted that if Alamo Iron Works does not want this property, that they can locate the Municipal Courts/Detention Center there. He then addressed implications of having this issue fail tonight.

Mr. Martinez stated that he wants the Ordinance to state that the purchase is being made for Alamo Iron Works or for Municipal Courts usage.

City Attorney Lloyd Garza suggested possible inclusion of a new "whereas" clause in the ordinance in order to allow uses other than Municipal Courts and a Detention Facility if the City Council were to approve.

Mr. Martinez offered an amendment to add a new "whereas" clause in the ordinance to allow other uses other than Municipal Court/Detention if the Council approves such use. Mr. Hasslocher seconded the motion.

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Ms. Berriozabal voiced her concern why Alamo Iron Works is not mentioned in the original ordinance.

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

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

(At a later point in this meeting, the proposed ordinance was reconsidered and later approved. See page 33).

89-11 The Clerk read the following Ordinance:

AN ORDINANCE 69,022

ACCEPTING THE REPORT OF THE MUNICIPAL COURT/DETENTION FACILITY FINANCIAL ADVISORY TEAM AND AUTHORIZING AND APPROPRIATING FUNDS IN THE AMOUNT OF \$42,280.00 FROM THE MUNICIPAL COURT BUILDING FUND FOR SAID TEAM.

* * * *

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

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

89-11 The Clerk read the following Ordinance:

AN ORDINANCE 69,023

AUTHORIZING CITY CO-SPONSORSHIP FOR THE 9TH ANNUAL TEJANO MUSIC AWARDS TO BE HELD FRIDAY, MARCH 17, 1989 IN THE CONVENTION CENTER ARENA. (DISCRETIONARY FUNDS FROM DISTRICTS 3, 4, 5, AND 10 (\$1,250.00 EACH) WERE USED UP TO \$5,000.00)

* * * *

Mr. Wing made a motion to approve staff recommendation which is to deny the request for co-sponsorship. Mr. Hasslocher seconded the motion.

Ms. Karen Kliever, Assistant to the City Manager, explained the City staff recommendation to deny co-sponsorship.

At this point Mr. Martinez offered a substitute motion that the City co-sponsor the Tejano Music Awards with use of Council discretionary funds up to \$5,000.00. Mrs. Dutmer seconded the motion.

A discussion then took place among the City Council members, four of whom volunteered use of their discretionary funds to be divided equally which would amount to \$1,250.00 each.

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

The main motion, as substituted, then prevailed by the following vote: AYES: Berriozabal, Dutmer, Wing, Martinez, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: Webb, Thompson, Vera, Wolff.

- - -

89-11 The Clerk read the following Resolution:

A RESOLUTION NO. 89-11-17

DIRECTING STAFF TO PURSUE STATE LEGISLATIVE ACTION FOR THE PURPOSE OF ESTABLISHING A WASTEWATER REUSE AND CONSERVATION DISTRICT.

* * * *

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

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The City Council then recessed at 10:45 P.M. to convene a "B" Session, reconvening in Regular Session at 11:00 P.M.

89-11

RECONSIDERATION OF AGENDA ITEM 43

Mrs. Dutmer made a motion to reconsider Agenda Item 43, that being an ordinance approving a real estate contract for the purchase by the City of San Antonio of all of the leasehold interest of Control Data Corporation. Mr. Wing seconded the motion.

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

The Clerk read the following Ordinance:

AN ORDINANCE 69,024

APPROVING A REAL ESTATE CONTRACT FOR THE PURCHASE BY THE CITY OF SAN ANTONIO OF ALL OF THE LEASEHOLD INTEREST OF CONTROL DATA CORPORATION UNDER THAT CERTAIN MAY 19, 1982 LEASE AGREEMENT, AS AMENDED, EXCEPT FOR THE BTC/CDD SITE TO INCLUDE SAID INTEREST IN ALL OTHER LAND, THE MAGNETIC PERIPHERALS BUILDING, AND ALL APPURTENANCES THERETO, ALONG WITH CERTAIN PERSONAL PROPERTY, IF ANY, FIXTURES, AND INTANGIBLES LOCATED IN THE VISTA VERDE SOUTH PROJECT; AUTHORIZING THE CITY MANAGER OR ANY ASSISTANT CITY MANAGER TO EXECUTE SAID REAL ESTATE CONTRACT ON BEHALF OF THE CITY IN CONNECTION THEREWITH; AND APPROPRIATING AND AUTHORIZING THE EXPENDITURE OF \$3,850,000.00 FOR SAID PURCHASE.

* * * *

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

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

ROSA ROSALES

Rosa Rosales, NAGE, expressed her concern over the new policy to be implemented by management which they feel will be detrimental to the solid waste personnel. Their policy will prohibit "trumping" which is the practice by which citizens leave belongings/articles of clothing, etc. along the garbage collector's routes and they, in turn, use these articles for their own personal use. Mrs. Rosales stated that a task force was formed to study this matter and yet nothing has been resolved. She referred to a petition by the employees opposing the prohibition of "trumping." (A copy of this petition is on file with the papers of this meeting.)

Mr. Wing referred to the City Attorney's opinion with regard to the liability facing the City if trumping is allowed. Assistant City Attorney David Casas stated that no waiver can be granted in the workmen's compensation issue.

A discussion took place on this issue of "trumping."

City Manager Louis J. Fox explained why management is in favor of prohibiting trumping and the liabilities faced by the City.

Ms. Berriozabal stated that she is concerned about doing anything about this practice which she had never heard that it had hurt anyone.

Mr. P. G. Mendez explained how the City can be held liable if it permits trumping either orally or in writing, and his reason for supporting this prohibition.

Mrs. Rosales stated that they scavenging is totally different from trumping.

Mr. Marcus Jahns, Assistant City Manager, spoke about the creation of the Task Force and their recommendation on this issue. He then detailed the violations policy. Mr. Jahns stated that they don't mind if the workers pick up these items on their own time in their own vehicles.

Mrs. Angie Garcia stated that there is no documentation on the accidents caused or monies lost with trumping.

Mr. Martinez stated that he is not convinced that this policy needs to be implemented.

Mr. Labatt stated that other departments are not allowed to do this and if this practice is allowed to continue then it leaves the door open for potential problems.

Mayor Cisneros stated that if there is no motion to change the policy in place then the policy of "no trumping" will stand.

A discussion then took place on the difference between scavenging versus trumping.

Ms. Vera stated she felt that a set policy could be enforced if a clear definition could be established between scavenging and trumping.

Mr. Martinez made a motion that staff be directed to assess the issue of redefining more specifically the act of scavenging versus trumping and whether this problem can be addressed more clearly and then a report be made to the City Council. Ms. Vera seconded the motion.

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

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PAULA STARNES AND PAT SIEJAK

Paula Starnes, Texas Abortion Rights Action League, asked for an assurance by the City Council that there will be safeguards from a pro-life zealot "Joan Andrews." She distributed a packet of information to the Council.

Mayor Cisneros stated that the Police Department is aware of this situation and will do all they can to enforce the law.

Several Council members stated that the City Council will enforce the law and the Police Department will be vigilant to this matter.

Mr. Wing took exception with the premise of the allegations made by Mrs. Starnes. The situation has been handled very well by the Police Department. They have prevented the situation from getting out of hand.

Mr. Hasslocher concurred with Mr. Wing's statements.

Barbara Siejak, Reproductive Services, stated that the Police Department has not done all they can in this situation. They should respond in a more expedient manner. She stated that their concerns have been ignored by Chief Gibson and Lieutenant Smith.

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MARY LOU MILLER

Mary Lou Miller referred to a new business named "Cliff White,

Chimney Sweep Company, and distributed a flyer on this new business.

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There being no further business to come before the City Council,
the meeting was adjourned at 11:01 P.M.

A P P R O V E D

Henry Cisneros

M A Y O R

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

