

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, MAY 11, 1989

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

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89-21 The invocation was given by Reverend Bill Davis, St. Mary's Catholic Church.

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89-21 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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89-21 NATIONAL TRANSPORTATION WEEK

Mayor Pro Tem Webb read the proclamation declaring the week of May 14-20, 1989 to be National Transportation Week in San Antonio, and presented the proclamation to Mr. Vernon Petty, representative of VIA Metropolitan Transit.

Mr. Petty thanked the Mayor and Council for the designation.

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89-21 CHURCHILL HIGH SCHOOL BOYS SWIM TEAM

Mayor Pro Tem Webb read the following Citation:

CHURCHILL HIGH SCHOOL BOYS SWIM TEAM .

.
IN RECOGNITION OF THEIR OUTSTANDING COLLECTIVE AND INDIVIDUAL TALENTS WHICH PRODUCED AN OUTSTANDING SWIM SEASON, CULMINATING IN THEIR THIRD CONSECUTIVE CLASS 5A STATE CHAMPIONSHIP. CAPPING A REMARKABLE SEASON, THE TEAM CAPTURED A NUMBER OF INDIVIDUAL EVENTS IN THE STATE CHAMPIONSHIPS AS WELL AS THE 400 METER FREESTYLE RELAY, WHERE THE CHARGERS SET A NEW NATIONAL MARK FOR PUBLIC AND PREP SCHOOL BOYS.

THE CITY COUNCIL COMMENDS THE CHARGERS BOYS SWIM TEAM FOR ITS INDIVIDUAL AND TEAM ACCOMPLISHMENTS, BRINGING HONOR TO THE CITY OF SAN ANTONIO, AND HEREBY EXTENDS BEST WISHES FOR CONTINUED SUCCESS.

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Mayor Pro Tem Webb presented the Citation to swimming coach Al Marks of Churchill High School and to members of the boys swim team, present to receive it.

The audience joined the Mayor Pro Tem and other members of the City Council in a round of applause for the accomplishments of the team.

89-21 HONOR STUDENTS OF BREWER ELEMENTARY SCHOOL

Mayor Pro Tem Webb recognized Councilman Martinez, who then spoke of the presence in the audience today of a group of honor students from Brewer Elementary School accompanied by school Principal Ms. Sylvia Reyna.

Ms. Reyna then spoke to details of the school program which emphasizes academic achievement, and introduced nine students who today are being honored for their academic achievements, having made the A & B Honor Roll. She also expressed appreciation for the contributions of the staff of Cassiano Homes in this regard.

Individual City Council members paid tribute to the accomplishments of the students, and lauded the innovative program of the school.

89-21 7TH GRADE STUDENTS-MARK TWAIN MIDDLE SCHOOL

Mayor Pro Tem Webb took note of the presence in the audience today of a group of seventh-grade students from Mark Twain Middle School, and welcomed them to City Hall.

Ms. Berriozabal spoke of having watched a recent mock City Council meeting at Mark Twain Middle School and the students' debate over a proposed curfew for young people. She then introduced school Principal Steve Johnson and two teachers who were accompanying the students to City Hall.

RESOLUTION OF RESPECT: MR. HERBERT BELLAMY

Mayor Pro Tem Webb introduced members of the family of the late Mr. Bellamy and read the proposed Resolution:

A RESOLUTION NO. 89-21-49 .

WHEREAS, THE CITY OF SAN ANTONIO, AND IN PARTICULAR THOSE INVOLVED IN THE LITERACY MOVEMENT, HAS LOST A MOST RESPECTED AND OUTSTANDING CITIZEN, MR. HERBERT BELLAMY, AND

WHEREAS, MR. BELLAMY WAS INSTRUMENTAL IN ESTABLISHING LITERALLY HUNDREDS OF LITERACY CLASSES IN ADULT BASIC EDUCATION, ENGLISH AS A SECOND LANGUAGE, AND G.E.D., AND

WHEREAS, MR. BELLAMY ALSO RECRUITED, TRAINED AND PLACED HUNDREDS OF TEACHERS TO CONDUCT THESE CLASSES THROUGHOUT THE CITY AND LOCATIONS AT ADJOINING COUNTIES, AND

WHEREAS, MR. BELLAMY HIMSELF CONDUCTED LITERACY CLASSES ESPECIALLY FOR THE HANDICAPPED, AND

WHEREAS, MR. BELLAMY ALWAYS EXPRESSED A LOVE OF LIFE AND CONCERN FOR ALL WITH WHOM HE CAME IN CONTACT WITH, AND

WHEREAS, HIS PASSING LEAVES OUR COMMUNITY WITH A DEEP SENSE OF SORROW FOR THE LOSS OF SUCH AN HONORED AND RESPECTED CITIZEN; NOW, THEREFORE:

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

SECTION 1. THAT THIS CITY COUNCIL JOINS WITH HIS FAMILY AND FRIENDS IN THEIR SORROW OVER HIS DEATH, AND EXTENDS ITS SINCEREST SYMPATHY AND PRAYER OF COMFORT TO THOSE WHO WERE NEAR HIM.

SECTION 2. AND IT IS HEREBY DIRECTED THAT A COPY OF THIS RESOLUTION BE SPREAD UPON THE MINUTES OF THIS MEETING AND A COPY THEREOF BE

PRESENTED TO HIS FAMILY AS A TOKEN OF OUR
DEEPEST SYMPATHY.

* * * *

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

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

Mrs. Vera expressed her personal condolences to the family in the
loss of a strong proponent for literacy in San Antonio. She then noted
that two persons had received organ transplants from Mr. Bellamy upon his
death.

Mayor Pro Tem Webb asked other Council members to assist him in
making this presentation to the family members.

Mrs. Bellamy thanked the Mayor Pro Tem and City Council for the
heartwarming tribute to her late husband.

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89-21

SR. ENRIQUE SERBETO, SPAIN

Mayor Pro Tem Webb introduced Sr. Enrique Serbeto, international
visitor to San Antonio from Spain and a noted journalist, and his local
host, Sr. Jose Vives-Atsara, a prominent painter.

Sr. Vives-Atsara spoke briefly to Sr. Serbeto's reputation and
accomplishments as a Spanish journalist.

Sr. Serbeto thanked the Mayor Pro Tem and Council for the welcome
and spoke of his first visit to Texas and to San Antonio.

Mr. Wolff spoke of Sr. Vives-Atsara's renowned talents as an
artist and native of Spain.

Mayor Pro Tem Webb presented Sr. Serbeto with a San Antonio book
and tie.

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89-21

"TARGET 90/GOALS FOR SAN ANTONIO DAY"
FINAL REPORT

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

AN ORDINANCE 69,423

ACCEPTING THE PROPOSAL OF GENERAL RESEARCH CORPORATION TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH BIBLIOGRAPHIC DATABASE AND HARDWARE FOR A TOTAL OF \$11,405.

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AN ORDINANCE 69,424

ACCEPTING THE PROPOSAL OF HARTLEY COURSEWARE, INC. TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH LITERACY SOFTWARE FOR A TOTAL OF \$11,332.85 PLUS TRANSPORTATION.

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AN ORDINANCE 69,425

ACCEPTING THE LOW BID OF M. HUTTON AND COMPANY TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH HEADSET/MICROPHONES AND MOBILE RADIO ADAPTERS FOR A TOTAL OF \$4,803.

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AN ORDINANCE 69,426

ACCEPTING THE LOW BIDS OF ALAMO MACHINERY, GOLDTHWAITES OF TEXAS, A WBE COMPANY, AND WATSON DISTRIBUTING COMPANY TO FURNISH THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH SPRINKLER UNITS AND ACCESSORIES FOR A TOTAL OF \$4,854.77.

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AN ORDINANCE 69,427

ACCEPTING THE BIDS OF SANCHEZ ENVIRO SERVICES AND

GOODYEAR AUTO SERVICE CENTER TO FURNISH THE CITY
CERTAIN ITEMS ON AN ANNUAL CONTRACT BASIS.

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AN ORDINANCE 69,428 .

.
AWARDING A \$74,816.47 CONSTRUCTION CONTRACT TO E-Z
BEL CONSTRUCTION CO., INC., AND AUTHORIZING
\$7,481.65 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY
EXPENSES ASSOCIATED WITH THE PEREZ STREET - SAN
MARCOS TO UNION PACIFIC RAILROAD STREET IMPROVEMENT
PROJECT.

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AN ORDINANCE 69,429 .

.
AUTHORIZING FIELD ALTERATION NO. 16 IN THE AMOUNT OF
\$58,839.00, PAYABLE TO SPAW-GLASS CONSTRUCTION
SERVICES, INC., IN CONNECTION WITH THE POLICE
TRAINING & CAREER DEVELOPMENT CENTER.

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AN ORDINANCE 69,430 .

.
AUTHORIZING FIELD ALTERATION NO. 9 IN THE AMOUNT OF
\$18,027.66, PAYABLE TO S. H. TOLLIVER COMPANY, IN
CONNECTION WITH THE THOUSAND OAKS FROM RAILROAD TO
NACOGDOCHES PROJECT.

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AN ORDINANCE 69,431 .

.
ACCEPTING THE LOW QUALIFIED BID AND AWARDING A
CONSTRUCTION CONTRACT TO SEILER CONSTRUCTION, INC.,
IN THE AMOUNT OF \$400,897.00, FOR CONSTRUCTION OF
MODIFICATIONS TO LILA COCKRELL THEATRE AND STORAGE &
WALKWAY ADDITIONS TO HEMISFAIR ARENA; AND
AUTHORIZING AN INCREASE IN THE CONTRACT AMOUNT TO
CHESNEY-MORALES & ASSOCIATES, INC., FOR
ARCHITECTURAL SERVICES IN THE AMOUNT OF \$10,000 FOR
ADDITIONAL DESIGN SERVICES AT THE HEMISFAIR ARENA.

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AN ORDINANCE 69,432

APPROVING FIELD ALTERATION NO. 11, IN THE AMOUNT OF \$29,760.00, TO THE CONTRACT WITH INCORE, INC. FOR THE FIRE RESCUE STATION CONSTRUCTION PROJECT AT SAN ANTONIO INTERNATIONAL AIRPORT; REVISING THE BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 69,433

AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH M.W. CUDE AND ASSOCIATES, INC., TO PROVIDE ENGINEERING REPORT DESIGN SERVICE FOR THE TERRELL HILLS OUTFALL PROJECT AND AUTHORIZING \$32,200.00 FOR ENGINEERING FEES.

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AN ORDINANCE 69,434

AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENT AMENDMENT NO. 1 WITH THE PD VA GROUP, IN THE AMOUNT OF \$48,000. TO THE WASTEWATER FACILITY IMPROVEMENTS TEXAS RESEARCH PARK/W. BEXAR COUNTY DESIGNS/ PERMIT ENGINEERING CONTRACT.

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AN ORDINANCE 69,435

AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH HALLENBERGER-TELFORD, INC. TO PROVIDE PLANS AND SPECIFICATIONS FOR THE DOS RIOS WASTEWATER TREATMENT PLANT CIVIL ENGINEER'S ENHANCEMENT, GROUP 1 PROJECT, IN THE AMOUNT OF \$27,500.00; AND FURTHER AUTHORIZING AN ADDITIONAL \$2,750.00 FOR THE ENGINEERING CONTINGENCY AND \$250.00 FOR BID ADVERTISING.

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AN ORDINANCE 69,436

AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH SCOTT-WALKER & ASSOCIATES, INC., TO PROVIDE PLANS AND SPECIFICATIONS FOR THE DOS RIOS WASTEWATER TREATMENT PLANT MECHANICAL ENGINEER'S ENHANCEMENT PROJECT, IN

THE AMOUNT OF \$21,864.80; AND FURTHER AUTHORIZING AN ADDITIONAL \$2,186.00 FOR THE ENGINEERING CONTINGENCY AND \$250.00 FOR BID ADVERTISING.

* * * *

AN ORDINANCE 69,437 .

AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH FORD, POWELL & CARSON, INC., TO PROVIDE AN ENGINEERING REPORT FOR THE DOS RIOS WASTEWATER TREATMENT PLANT LANDSCAPING PLANT MATERIALS AND SUPPLEMENTAL IRRIGATION PROJECT IN THE AMOUNT OF \$40,700.00.

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AN ORDINANCE 69,438 .

APPROVING SUPPLEMENTAL AGREEMENT NO 1, IN THE AMOUNT OF \$580,995.00, TO THE CONTRACT WITH JOHN YANTIS COMPANY FOR THE TAXIWAY R CONSTRUCTION PROJECT AT SAN ANTONIO INTERNATIONAL AIRPORT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 69,439 .

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$3,906.00 OUT OF VARIOUS FUNDS FOR THE PURPOSE OF ACQUIRING TITLE TO CERTAIN LANDS; ALL IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS AND RESCINDING ORDINANCE NO. 68457 OF DECEMBER 15, 1988.

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AN ORDINANCE 69,440 .

APPROVING AN EXCHANGE AGREEMENT BETWEEN BEXAR COUNTY AND THE CITY OF SAN ANTONIO AND AUTHORIZING THE CITY MANAGER OR ANY ASSISTANT CITY MANAGER TO EXECUTE SAID EXCHANGE AGREEMENT, DEED WITHOUT WARRANTY AND RELATED DOCUMENTS FOR THE EXCHANGE OF LAND WITH BEXAR COUNTY IN CONNECTION WITH THE BEXAR COUNTY JUSTICE CENTER, A COUNTY PARKING GARAGE, AND STREET RIGHT-OF-WAY IN N.C.B. 100 AND N.C.B. 102.

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AN ORDINANCE 69,441

APPROPRIATING AND AUTHORIZING THE EXPENDITURE OF \$6,000.00 OUT OF SEWER FUNDS FOR THE ACQUISITION OF AN EASEMENT ON CERTAIN LAND; AND ACCEPTING THE DEDICATION OF EASEMENTS ON CERTAIN LANDS; ALL IN CONNECTION WITH WASTEWATER PROJECTS.

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AN ORDINANCE 69,442

APPROVING AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THREE PERMANENT DRAINAGE (CHANNEL) EASEMENTS AND TWO TEMPORARY CONSTRUCTION AND DETOUR ROAD EASEMENTS ON CITY OWNED PROPERTY TO BE GRANTED AND CONVEYED TO THE COUNTY OF BEXAR, STATE OF TEXAS, ALL IN CONNECTION WITH THE BEXAR COUNTY PUBLIC WORKS PROJECT, PHASE I, ON PLEASANTON ROAD FROM THE CITY LIMITS TO THE MEDINA RIVER. (PARCEL 3, TE-1 & TE-2) (PARCEL 4, TE-1) (PARCEL 7C) (E.M.S.P. 89-3)

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AN ORDINANCE 69,443

APPROPRIATING \$76,015 IN COSTS FOR A PERMANENT EASEMENT NEEDED FOR THE WURZBACH ROAD WIDENING PROJECT AND AUTHORIZING DISBURSEMENT AND DISPOSITION OF SUCH SUMS.

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AN ORDINANCE 69,444

AUTHORIZING SUBMISSION OF AN APPLICATION TO THE UNITED STATES PUBLIC HEALTH SERVICE IN THE AMOUNT OF \$300,000 TO FUND A MATERNAL SUBSTANCE ABUSE PROJECT FOR THE PERIOD SEPTEMBER 1, 1989 TO AUGUST 31, 1990.

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AN ORDINANCE 69,445

AUTHORIZING THE SUBMISSION OF A PROPOSAL TO THE DEPARTMENT OF DEFENSE (DOD) FOR CONTINUED FUNDING UNDER THE COOPERATIVE AGREEMENT PROPOSALS FY-89 PROGRAM TO SHARE IN THE COST OF SUPPORTING THE DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT'S

PROCUREMENT OUTREACH PROGRAM (POP).

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AN ORDINANCE 69,446

AUTHORIZING THE CITY MANAGER TO EXECUTE A SEWER SERVICE CONTRACT BETWEEN THE CITY OF SAN ANTONIO AND PHIL ROMANO, DEVELOPER, FOR A 2.075 ACRE TRACT OUT OF JOHN W. SMITH SURVEY NO. 27, BEXAR COUNTY, TEXAS.

* * * *

AN ORDINANCE 69,447

AMENDING ORDINANCE NO. 69132, PASSED AND APPROVED BY CITY COUNCIL ON MARCH 23, 1989, TO PROVIDE ADDITIONAL PUBLICATION VENDING MACHINE SPACES AT TEN (10) LOCATIONS IN THE FIRST PHASES OF CONSTRUCTION OF THE TRIPARTY DOWNTOWN TRANSPORTATION IMPROVEMENTS TO BE COMPLETED IN THE FIRST PERMIT YEAR WHICH COMMENCED APRIL 15, 1989, AND ENDING APRIL 14, 1990.

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AN ORDINANCE 69,448

AUTHORIZING THE CLOSURE OF THE 100 BLOCK OF WEST WHITTIER BETWEEN SOUTH PRESA AND HUNSTOCK ON SUNDAY, MAY 28, 1989, FROM 6:00 A.M. TO 10:00 P.M. FOR THE ST. CECILIA PARISH FESTIVAL.

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AN ORDINANCE 69,449

AUTHORIZING THE CLOSURE OF BRUNSWICK BLVD. FROM BAUR TO FERNDAL ON SATURDAY, MAY 20, 1989 FROM 8:00 A.M. TO 11:00 P.M., FOR THE ANNUAL SPRING FESTIVAL HELD BY THE SANTA FE EPISCOPAL CHURCH.

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AN ORDINANCE 69,450

AUTHORIZING THE CLOSURE OF W. ASHBY ST. FROM FREDERICKSBURG RD. TO ST. ANN FROM ASHBY TO FRENCH PLACE, FROM 12:00 NOON ON SATURDAY, JULY 8, 1989, TO

11:30 P.M. ON SUNDAY, JULY 9, 1989, FOR ST. ANN'S ANNUAL PARISH FESTIVAL.

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89-21 The Clerk read the following Ordinance:

AN ORDINANCE 69,451

AUTHORIZING THE CITY MANAGER TO SUBMIT APPLICATIONS TO AACOG FOR \$516,075 IN FINANCIAL ASSISTANCE FROM THE STATE CRIMINAL JUSTICE DIVISION (CJD) TO SUPPORT CRIMINAL JUSTICE PROGRAMS IN FY 1989-90; AND PROVIDING FOR ACCEPTANCE OF FUNDS IF AWARDED BY CJD.

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

In response to a question by Mrs. Berriozabal, Dr. Ken Daly, Director of Budget and Research, explained what the grant funds will pay for, and detailed the funding for the City's Office of Municipal Integrity.

Lt. Al Phillipus, Police Department, spoke to the Criminal Justice funds being available for outside training of police officers.

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

89-21 The Clerk read the following Ordinance:

AN ORDINANCE 69,452

ACCEPTING A \$100,000.00 MATCHING GRANT FROM THE TEXAS WATER DEVELOPMENT BOARD (TWDB) TO CONDUCT PLANNING STUDIES RELATED TO THE REGIONAL WATER RESOURCES PLAN (RWRP) AS IT REGARDS CONSERVATION, WASTEWATER REUSE AND FEASIBILITY OF SURFACE WATER SUPPLY ALTERNATIVES; AND AWARDED THE GRANT TO THE DEPARTMENT OF WATER RESOURCES MANAGEMENT UPON

APPROVAL.

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

In response to a question by Mrs. Dutmer, Ms. Rebecca Quintanilla Cedillo, Director of the Department of Water Resource Development, spoke to details of the \$585,000 five-year study on a regional water plan, noting that this Ordinance equates to first-year funding of that study. She then explained details of the Ordinance provisions and noted that study costs will be about \$200,000, while the remainder of the program represents capital improvements costs.

In response to a question by Mr. Hasslocher, Ms. Cedillo noted that if the grant is rejected, the City ultimately will have to fund it, itself.

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

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89-21 The Clerk read the following Ordinance:

AN ORDINANCE 69,453 .

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

* * * *

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

- - -
89-21 Agenda Item No. 38, being a proposed ordinance authorizing City co-sponsorship for the "Take Pride in the East Side Festival '89",

sponsored by the Eastside San Antonio Economic Development Council to be held June 12-17, 1989, was taken up for consideration at this time.

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

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

Agenda item 38 was denied.

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89-21 SECOND AND FINAL READING - ANNEXATION OF 130-ACRE PARCEL

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

In response to a question by Mr. Wolff, Mr. Roland Lozano, Director of Planning, explained the location of this property.

In response to a question by Mrs. Dutmer, Mr. Hasslocher, Chairman of the Council Annexation Committee, noted that a meeting is planned for next Tuesday concerning a separate matter dealing with the City of Kirby, and offered a brief explanation of today's annexation action request.

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

Following discussion, Ms. Berriozabal, a member of the prevailing side on the preceding vote, moved to reconsider agenda Item 39. Mr. Thompson seconded the motion.

Mr. Thompson spoke in favor of the annexation to add to the City's tax base.

Mr. Webb stated his consistent stand that he does not favor any further annexation because the City cannot provide adequate City services to citizens in its current boundaries. He then addressed specific annexations he is opposed to.

Mrs. Dutmer spoke in favor of this annexation request because of the jobs it will bring into the City of San Antonio.

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In response to a question by Ms. Vera, Mr. Lozano stated that the affected area is an industrial park and has no significant population.

Mrs. Vera spoke against any annexation that dilutes services to citizens of San Antonio.

Mr. Hasslocher spoke to the benefits to the City of San Antonio by this annexation, including growth control and code enforcement.

Mr. Wing and Mr. Thompson both spoke to the rationale for this annexation and the Annexation Committee's recommendations on its behalf.

The motion to reconsider Agenda Item No. 39, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Thompson, Vera, Wolff, Hasslocher; NAYS: None: ABSENT: Martinez, Labatt, Cisneros.

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

AN ORDINANCE 69,199

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS, IN ACCORDANCE WITH VERNON'S TEXAS CODES ANNOTATED, LOCAL GOVERNMENT CODE SECTION 43.028, BY THE ANNEXATION OF APPROXIMATELY 140 ACRES OF LAND OWNED BY SAN ANTONIO INTERSTATE 10 LIMITED PARTNERSHIP, AND APPROVING A SERVICE PLAN FOR SUCH AREAS.

* * * *

89-21 The Clerk read the following Ordinance:

AN ORDINANCE 69,454

AUTHORIZING PAYMENT OF JUDGMENT IN CAUSE NO. 85-CI-05128, STYLED GILBERT ROLAND VELA VS. THE CITY OF SAN ANTONIO; IN THE 131ST JUDICIAL DISTRICT COURT, 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, Hasslocher; NAYS: None; ABSENT: Martinez, Labatt, Cisneros.

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89-21 The Clerk read the following Ordinance:

AN ORDINANCE 69,455 .

.
AUTHORIZING \$232.00 FROM DISTRICT 5 DISCRETIONARY FUND TOWARDS THE SAN ANTONIO LIVING SENIOR ASSOCIATION (SALSA) FOR THE PURPOSE OF SPONSORING A MOTHER'S DAY DANCE AND A TRIBUTE TO MAYOR HENRY CISNEROS ON FRIDAY, MAY 12, 1989.

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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, Hasslocher; NAYS: None; ABSENT: Martinez, Labatt, Cisneros.

- - -
TRAVEL AUTHORIZATIONS

89-21 TRAVEL AUTHORIZATION - Granted:

Councilman Nelson Wolff to travel to Los Angeles, California from May 13, 1989 to May 17, 1989, to attend the 20th Biennial Japan-American Conference of Mayors and Chamber of Commerce Presidents.

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Councilwoman Helen Dutmer to travel to San Marcos, Texas on April 7, 1989 to attend the Texas Municipal League, Region VII meeting.

* * * *

89-21 The Clerk read the following Ordinance:

AN ORDINANCE 69,456

AMENDING CITY CODE CHAPTER 19, ENTITLED "MOTOR VEHICLES AND TRAFFIC", ARTICLE X, ENTITLED "JUNKED VEHICLES", CODE SECTIONS 19-356 THROUGH 19-369 INCLUSIVE, TO UPDATE PROCEDURES AND AUTHORIZE REMOVAL OF JUNKED VEHICLES FROM PRIVATE PROPERTY BY THE CITY.

* * * *

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

Mr. Martin Rodriguez, Code Compliance Manager, noted that the proposed Ordinance puts more 'teeth' into the current junk vehicle laws, including the power to remove such a vehicle from private property if necessary, and to have it destroyed. He also spoke to the rationale for the Ordinance.

A discussion then took place concerning enforcement of the red stickers placed on windshields of abandoned vehicles by the Police Department, and the green stickers placed by Code Compliance inspectors.

In response to a question by Mr. Webb, City Attorney Lloyd Garza noted that there is at present no legal method for emergency removal of a junked vehicle on public property without first giving its owner due legal process, including a hearing on the matter, unless the vehicle constitutes a traffic hazard.

A discussion then took place concerning the matter of an abandoned car parked at a burned-out house on the city's east side.

Mr. Garza stated that the City is doing all it can in these matters, under existing state law.

Mr. Thompson spoke to the desire of Kelly Air Force Base to acquire the old XC-99 aircraft, now located on private property near the base on Growdon Road. He also spoke to his belief that the aircraft now is in a state of disrepair while under control of a museum association.

A discussion took place concerning the possible options available to the City in this matter.

Mrs. Dutmer spoke to continuing problems with persons parking vehicles in their front yards improperly, despite a City ordinance against it. She asked City staff to take a look at the matter.

A discussion then took place concerning what constitutes a "junked vehicle" and the administrative process involved.

Mr. Martinez stated his concern with the effects of this Ordinance upon persons who restore old vehicles that are not yet classed as "antique vehicles", or persons who have experienced a hardship financially in repairing their vehicle and who cannot do so immediately. He spoke to the need for adequate protection in such areas.

In response to a question by Mr. Martinez, Mr. Garza noted that this Ordinance will allow the City to move against junked vehicles on private property, and spoke to its details in that regard.

Mr. Wing spoke in support of the Ordinance, stating his belief that persons who experience honest hardships will be protected. He then addressed details of a particular case involving junked cars in his district.

Ms. Vera spoke in support of the Ordinance to enhance removal of junked cars that are unhealthy as well as unsightly because of their abandoned state. She then spoke to a specific case in her district.

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

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89-21

THEFT OF ALUMINUM

Mayor Pro Tem Webb noted that thieves are removing aluminum bridge-railing from the Walters Street Overpass and apparently selling it, and he spoke of the need to gear-up to cope with the heavy growth of underbrush across the city, as well.

Mr. Lloyd Garza, City Attorney, noted that proposed new legislation before the State Legislature would require dealers who purchase aluminum for recycling to maintain records of who they purchased the stock from, etc. He stated that he would advise our lobbyist in Austin to push for passage of such legislation, if the Council desired.

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89-21 The Clerk read the following Ordinance:

AN ORDINANCE 69,457 .

APPOINTING A REPRESENTATIVE TO SERVE ON THE PRIVATE
INDUSTRY COUNCIL FOR A TERM TO EXPIRE ON JUNE 30,
1990. (ROSE VALDEZ)

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Mrs. Yolanda Ledesma, Boards and Commissions Coordinator for the City Clerk's Office, stated that the Council must make an appointment to this group from among nominated representatives of community-based organizations, and drew Council's attention to the several nominees proposed.

After discussion, nominations of Rose Valdez and Maria Elena Torralva, and voting, the Council named Ms. Rose Valdez to the vacant position, by Ordinance.

Mrs. Dutmer then 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, Thompson, Vera, Wolff, Hasslocher; NAYS: Dutmer, Wing; ABSENT: Martinez, Labatt, Cisneros.

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89-21 The Clerk read the following Ordinance:

AN ORDINANCE 69,458

APPOINTING K.W. HOUSTON TO SERVE AS A TRUSTEE FOR
THE SAN ANTONIO LOCAL DEVELOPMENT COMPANY FOR A TERM
TO EXPIRE ON MAY 9, 1992.

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Mrs. Berriozabal 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; NAYS: None; ABSENT: Martinez, Labatt, Hasslocher, Cisneros.

89-21 TRAVEL AUTHORIZATION - Granted:

Councilman Joe Webb to travel to Ft. Worth, Texas from May 18, 1989 to May 20, 1989 to attend the National League of Cities' FAIR Steering Committee meeting.

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The City Council recessed its Regular Meeting at 3:35 P.M. to convened a "B" Session on the possible sale of City Public Service, reconvening into regular session at 4:25 P.M.

89-21 CITIZENS TO BE HEARD

MR. E. L. RICHEY

Mr. E. L. Richey spoke against granting any additional funding to the San Antonio Symphony, as requested.

The City Council recessed its Regular Meeting at 4:28 P.M., reconvening at 5:00 P.M. for a continuation of Citizens to be Heard.

89-21 CITIZENS TO BE HEARD (CONTINUE)

A DISCUSSION OF ORDINANCE NO. 69292

Mark Willis, representing Mr. Tour, spoke to the City Council regarding the Ordinance that City Council had passed two weeks ago. He stated that this ordinance has been very detrimental to their business and has hurt his company financially. He also stated this has also hurt the City's overall economy.

Mario Zamora, Fiesta City Fun Tours, reiterated statements made by Mr. Willis. He related his own personal experiences since the ordinance was passed.

Mario A. Acuna, SAZA Tours, also spoke to the Council about the detrimental effects of the ordinance approved by the City Council.

John Patterson, San Antonio Trolley Tours, spoke to the Council

about the manner in which their business is being hurt by the Park Rangers and Police Officers.

Edward Torres, San Antonio City Tours, then spoke to the inconveniences caused to tourists.

Councilman Martinez stated that he would like to review this ordinance as well as the new set-up. He has heard also of complaints about the detrimental effects of this ordinance to the tour owners as well as the tourist.

Bob Thompson spoke to the history and the purpose of this ordinance.

Mr. Martinez stated that there are also questions about the interpretation of solicitation provided for in this ordinance.

Frank Perry, Director of Downtown Initiatives, stated that this ordinance does not prohibit solicitation. This prohibition had already existed in the City Code. There is just more enforcement.

In response to Mr. Thompson, Mr. Frank Perry stated that he was willing to work with the tour operator on remedying the current situation and will do all he can to assist the tour operators.

Council members expressed interest in having the city staff meet and discuss these problems with the tour operators and hopefully come up with a suitable solution.

Mr. Wing stated that he is still very concerned on moving the tour operators and the vendors from Alamo Plaza. He stated that he was opposed to the ordinance from the beginning.

Mrs. Dutmer expressed concern about Park Rangers usurping their powers at Alamo Plaza. She stated that these allegations should also be investigated. Mrs. Dutmer also spoke to the proliferation of the tour business forced the relocation of this business from the front of the Alamo. She also urged that the staff meet with the tour operator to reach a compromise.

Mayor Pro Tem Webb stated that Mr. Perry will be meeting with Tour Operators on this issue.

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The City Council recessed its regular session at 5:40 P.M., reconvening at 7:15 P.M. to discuss and consider the San Antonio Symphony matter.

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SAN ANTONIO SYMPHONY

(Mayor Cisneros arrived at the meeting to preside.)

The Clerk read the following Ordinance:

AN ORDINANCE 69,459

APPROVING EXPENDITURES OF THE INTEREST WHICH WILL ACCUMULATE ON MONIES PREVIOUSLY BUDGETED FOR THE SOUTH TEXAS RESEARCH PARK AND THE ONE-STOP BUSINESS CENTER (\$387,000) FOR ASSISTING THE SAN ANTONIO SYMPHONY SOCIETY.

* * * *

Mayor Cisneros noted that Mr. Wolff had overseen the drafting of a proposed new Ordinance to use certain set-aside funds, earmarked for the Texas Research Park and the One-Stop Business Center, and to utilize them at this time in response to an urgent funding crisis facing the San Antonio Symphony society.

Mr. Wolff provided a brief overview of the financial problem facing the symphony, including work being done on the Majestic Theater, the new symphony home. He noted that the May-to-September 1989 time-period is critical to this issue before Council tonight, with a total of \$395,000 needed to pay bills.

Dr. Robert West, Jr., Chairman of the Board, San Antonio Symphony Society, urged Council support for the proposed Ordinance and spoke to recent events, including the reorganization of the Symphony Society, now half a century old. He noted that ticket sales are at an all-time high, but community financial support has dropped due to overall economic conditions. He noted that ticket sales account for only about 35 per cent of the needed funds of the symphony, and addressed the urgent need for more funds immediately.

Mr. Rick Lester, President and Executive Director of the symphony, stated that he feels that ticket sales for next season will bring in about 1.5 million dollars, and certain grants funding will double. He then noted that some 60 per cent of symphony donors are new donors, and addressed the problems that befell the board of directors and the resultant loss of funding levels. He noted that the average donation to the symphony is \$400, a ten-year low.

Mr. Robert Marbut, Sr. asked the Council to invest in a major building-block in San Antonio, and reviewed past problems of divisiveness involving the symphony, then compared this with the new closeness and direction of the organization. He spoke of the symphony's role and importance to the rejuvenation of the downtown area, particularly the

Majestic Theater.

Mr. Greg Vaught, member of the symphony orchestra, spoke to the differences between the former symphony society board and the new one, and addressed the unity that now prevails between the board and the symphony. He spoke of the renewed effort to create the "Music of the Americas" program and other endeavors, and asked the City to expand its support for the symphony.

Mr. Wilford Stapp stated that he is satisfied that the symphony society has broadened its base of support since reorganization of its board of directors, and stated his contention that San Antonio must have a viable symphony in order to make it feasible to ultimately create local opera and ballet companies, as well.

Mr. James E. Pohlhammer, Pastor of Grace Presbyterian Church, spoke to the importance of the symphony in attracting people to San Antonio, and addressed this critical point in history of the symphony, urging the Council to support the request for additional funding.

Mr. Thompson broached a series of questions including the possible effects of varying levels of additional support; City input into symphony management; and possible inclusion of a City representative on the board of directors.

In response to Mr. Thompson's questions, Dr. West stated that his organization would welcome a City representative to the board of directors, and to City input to symphony management. He spoke to the excellent current working relationship with City management in recent months. He noted that the funding amounts requested are the minimum amounts that are needed. He then spoke to the City's acceleration of next year's funding of \$395,000 already given to the symphony, and the need for an additional \$387,000 at this time.

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

Mr. Thompson stated his contention that if more City support is forthcoming at this time, he feels that certain changes will have to be made in cutting symphony society expenses.

Mr. Martinez noted that this matter presents a difficult "11th-hour" decision of the City Council, and stated that he cannot support the request. He noted that this action could affect and impact upon how the City deals with all its arts agencies.

Mr. Louis J. Fox, City Manager, noted that the shortfall in symphony society fundraising has produced this financial crisis.

Mrs. Dutmer stated that she feels that there is support for the

symphony in the community, which is an integral part of city life. She then spoke to the symphony's appeal toward a quality-of-life attraction for the people of San Antonio, and spoke in support of the request.

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

Mrs. Vera noted that the City has difficult funding decisions facing it, including life-threatening matters of flooding situations. She urged the symphony society to continue its educational series of concerts, and spoke in support of the ordinance.

Mr. Wolff spoke of the symphony problems in other cities across the nation during these economic times, and of the need to support our symphony.

Mrs. Berriozabal noted that the symphony is a major part of the Majestic Theater restoration project, and spoke in support of the symphony request, though expressing her concerns taht this will seriously imbalance arts funding for the City. She stated her belief that one per cent of the hotel-motel tax should be used to fund the arts in San Antonio, and asked the symphony society to assist in this in the future.

Mayor Cisneros spoke in support of the Ordinance, stating that he feels that the symphony is an integral part of economic development of a community. He then spoke of his desire to see the "Music of the Americas" program developed, noting that other symphonies already have adopted this theme.

Mr. Lester noted that the process already has begun in this direction, with a broad-based citizens group, and details will be announced in coming months.

Mr. Wolff 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, Thompson, Vera, Wolff, Labatt, Hasslocher, Cisneros; NAYS: Martinez; ABSENT: Webb.

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89-21 The Clerk read the following Letter:

May 3, 1989

Honorable Mayor and Members of the City Council of the City of San Antonio

The following petition was received in my office and forwarded to the City

May 11, 1989
jd

Manager for investigation and report to the City Council.

May 1, 1989

Petition submitted by Ms. M. A. Beltran, 308 Warren Street, San Antonio, Texas 78212, requesting the City of San Antonio to repair the street in front of her house at 308 Warren Street.

* * * *

/s/Norma S. Rodriguez
City Clerk

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There being no further business to come before the Council, the meeting was adjourned at 8:50 P.M.

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A P P R O V E D

Henry Cisneros
M A Y O R

ATTEST: *Norma S. Rodriguez*
C I T Y C L E R K

May 11, 1989
jd

