

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO, HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, DECEMBER 20, 1990.

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The meeting was called to order by the Presiding Officer, Mayor Mayor Pro Tem Walter Martinez, with the following members present: BERRIOZABAL, WEBB, DUTMER, WING, MARTINEZ, THOMPSON, VERA, WOLFF, LABATT, HASSLOCHER. Absent: COCKRELL.

- - -  
90-55 Invocation - Reverend William Geter, Damascus Baptist Church.

- - -  
90-55 Pledge of Allegiance to the flag of the United States.

- - -  
90-55 Minutes of the November 15, 1990 Regular meeting were approved.

- - -  
90-55 CHRISTMAS INTERNATIONAL HOUSE DAYS

Mayor Pro Tem Martinez introduced Reverend George McDill, representing "Christmas International House Program, and read a Proclamation designating "Christmas International House Days" in San Antonio. He also recognized ten foreign students from different nations as a delegation to receive the Proclamation.

Reverend McDill spoke briefly to the history of the Christmas International House Program.

Each student then introduced himself/herself and identified their nation of residence.

- - -  
90-55 CONSENT AGENDA

Mrs. Dutmer made a motion to approve Agenda Items 7 through 41, constituting the Consent Agenda, with Item 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, Webb, Dutmer, Wing, Martinez, Thompson, Vera, Wolff, Labatt, Hasslocher; NAYS: None; ABSENT: Cockrell.

AN ORDINANCE 72,800 .

.  
ACCEPTING THE LOW BIDS OF FIREQUIP, INC. AND HALPRIN SUPPLY COMPANY TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH FIRE HOSE FOR A TOTAL OF \$57,748.50.

\* \* \* \*

AN ORDINANCE 72,801 .

.  
ACCEPTING THE LOW QUALIFIED BID OF TEXAS EQUIPMENT COMPANY TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH PORTABLE GENERATORS FOR A TOTAL OF \$4,900.00.

\* \* \* \*

AN ORDINANCE 72,802 .

.  
ACCEPTING THE LOW BID OF CLEAR VISIONS, INC. TO FURNISH THE CITY OF SAN ANTONIO FINANCE DEPARTMENT WITH THE PRINTING OF ANNUAL FINANCIAL REPORTS FOR A TOTAL OF \$7,822.00.

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AN ORDINANCE 72,803 .

.  
ACCEPTING THE LOW QUALIFIED BIDS OF HALLWAY ACE HARDWARE, SAN ANTONIO EQUIPMENT HYDRAULIC COMPANY AND SANKEY EQUIPMENT COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH AUTOMOTIVE SERVICE EQUIPMENT FOR A TOTAL OF \$9,597.64.

\* \* \* \*

AN ORDINANCE 72,804 .

.  
ACCEPTING THE LOW BID OF TEXAS EQUIPMENT COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH AN ANNUAL CONTRACT FOR GRADER BLADES AND END BITS FOR A TOTAL OF APPROXIMATELY \$4,000.00.

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AN ORDINANCE 72,805

ACCEPTING THE PROPOSAL OF MOTOROLA COMMUNICATIONS AND ELECTRONICS, INC. TO FURNISH THE CITY OF SAN ANTONIO AVIATION DEPARTMENT WITH A COMMUNICATIONS CONTROL CENTER FOR A TOTAL OF \$180,569.00.

\* \* \* \*

AN ORDINANCE 72,806

ACCEPTING THE LOW BID OF DIXIE OIL COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH NAPHTHA ON AN ANNUAL CONTRACT BASIS FOR A TOTAL OF APPROXIMATELY \$10,000.00.

AN ORDINANCE 72,807

ACCEPTING THE LOW BID OF DIXIE OIL COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH KEROSENE ON AN ANNUAL CONTRACT BASIS FOR A TOTAL OF APPROXIMATELY \$6,000.00.

AN ORDINANCE 72,808

ACCEPTING THE LOW BID OF HEDRICKS BEECHCRAFT SAN ANTONIO TO FURNISH THE CITY OF SAN ANTONIO WITH JET-A-FUEL & AVIATION GAS ON AN ANNUAL CONTRACT BASIS.

\* \* \* \*

AN ORDINANCE 72,809

ACCEPTING THE LOW QUALIFIED BID OF ROYCE GROFF OIL COMPANY, INC. TO FURNISH THE CITY OF SAN ANTONIO WITH MOTOR FUEL IN TANKWAGON LOADS ON AN ANNUAL CONTRACT BASIS.

\* \* \* \*

AN ORDINANCE 72,810

ACCEPTING THE LOW QUALIFIED BID OF DIAMOND SHAMROCK REFINING & MARKETING TO FURNISH THE CITY OF SAN ANTONIO WITH DIESEL FUEL OIL IN TRANSPORT LOADS ON AN ANNUAL CONTRACT BASIS.

\* \* \* \*

AN ORDINANCE 72,811

ACCEPTING THE LOW QUALIFIED BID OF COASTAL REFINING AND MARKETING TO FURNISH THE CITY OF SAN ANTONIO WITH GASOLINE IN TRANSPORT LOADS ON AN ANNUAL CONTRACT BASIS.

\* \* \* \*

AN ORDINANCE 72,812

ACCEPTING THE LOW QUALIFIED BIDS OF AT&T COMPUTERS SYSTEMS, INC., ALAMO DATA SYSTEMS, SOUTHWEST COMPUTER NETWORK, AND UNIVERSAL DATA PRODUCTS, INC. TO FURNISH THE CITY OF SAN ANTONIO INFORMATION RESOURCES DEPARTMENT WITH COMPUTER HARDWARE ON AN ANNUAL CONTRACT BASIS FOR A TOTAL OF APPROXIMATELY \$970,973.00.

\* \* \* \*

AN ORDINANCE 72,813

AUTHORIZING AN ADDITIONAL \$142,177.56 PAYABLE TO GUSTAVE HEYE & ASSOCIATES FOR ARCHITECTURAL SERVICES IN CONNECTION WITH THE MUNICIPAL COURTS/PUBLIC INEBRIATE PROGRAM.

\* \* \* \*

AN ORDINANCE 72,814

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$5,687.50 WITH DEBRA J. DOCKERY, ARCHITECT, P.C. FOR THE PROVISION OF CERTAIN ARCHITECTURAL SERVICES RELATED TO THE KENWOOD COMMUNITY CENTER PROJECT; REVISING THE PROJECT BUDGET; AUTHORIZING \$853.50 FOR ARCHITECTURAL CONTINGENCIES; AND PROVIDING FOR PAYMENT.

\* \* \* \*

AN ORDINANCE 72,815

APPROPRIATING \$160,641.00 IN THE 1986 SAN PEDRO CREEK CERTIFICATES OF OBLIGATION FUND NO. 43-606 PAYABLE TO THE SAN ANTONIO RIVER AUTHORITY FOR CONSTRUCTION ADMINISTRATION EXPENSES FOR FY 1991 RELATED TO THE SAN ANTONIO RIVER AUTHORITY FOR CONSTRUCTION ADMINISTRATION EXPENSES FOR FY 1991

RELATED TO THE SAN PEDRO CREEK TUNNEL PROJECT.

\* \* \* \*

AN ORDINANCE 72,816

ACCEPTING THE LOW BID OF GOODEN CONSTRUCTORS CORP. IN THE AMOUNT OF \$282,700.00 FOR CONSTRUCTION SERVICES IN CONNECTION WITH THE HEMISFAIR ARENA EXIT SAFETY IMPROVEMENT/ADDITIONAL SEATING PROJECT; AUTHORIZING \$28,270.00 FOR THE CONSTRUCTION CONTINGENCY; AUTHORIZING \$225.00 FOR ADVERTISING EXPENSES; AND PROVIDING FOR PAYMENT.

\* \* \* \*

AN ORDINANCE 72,817

APPROVING FIELD ALTERATION NO. 2 IN THE AMOUNT OF \$22,996.00 TO THE CONTRACT WITH E-Z BEL CONSTRUCTION, INC. TO PROVIDE FOR ADJUSTMENTS IN CONNECTION WITH THE TERESA FROM IH 35 TO PLEASANTON ROAD PROJECT; AND PROVIDING FOR PAYMENT.

\* \* \* \*

AN ORDINANCE 72,818

ACCEPTING THE LOW BID OF RAM II GENERAL CONTRACTOR, INC. IN THE AMOUNT OF \$229,176.00 FOR CONSTRUCTION SERVICES IN CONNECTION WITH THE LA CHAPELLE - NOGALITOS TO S. FLORES STREET PROJECT; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$22,917.60 FOR THE CONSTRUCTION CONTINGENCY; AND PROVIDING FOR PAYMENT.

\* \* \* \*

AN ORDINANCE 72,819

ACCEPTING THE LOW BID OF R. L. JONES, COMPANY, INC., IN THE AMOUNT OF \$288,674.72 FOR CONSTRUCTION SERVICES IN CONNECTION WITH THE SANITARY SEWER REHABILITATION PROJECTS; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$28,867.47 FOR THE CONSTRUCTION CONTINGENCY; AND PROVIDING FOR PAYMENT.

\* \* \* \*

AN ORDINANCE 72,820

RATIFYING WORK AND APPROVING CITY WATER BOARD FIELD ALTERATION NO. 1 IN THE AMOUNT OF \$23,825.20 TO THE CONTRACT WITH V. K. KNOWLTON PAVING CONTRACTOR, INC., TO PROVIDE FOR ADJUSTMENTS IN CONNECTION WITH THE VALLEY HI - LOOP 410 TO LACKLAND AFB PROJECT; AND PROVIDING FOR PAYMENT.

\* \* \* \*

AN ORDINANCE 72,821

APPROPRIATING A TOTAL OF \$11,780.00 TO FUND THE JOE WARD COMMUNITY CENTER ROOF REPAIR, THE ARNESON RIVER THEATRE PLAQUE INSTALLATION, THE RIVERWALK REPAIRS AT N. ST. MARY'S AND THE BID ADVERTISING COSTS FOR SEVEN PROJECTS.

\* \* \* \*

AN ORDINANCE 72,822

AUTHORIZING THE EXPENDITURE OF \$200.00 OUT OF SEWER FUNDS FOR THE ACQUISITION OF EASEMENTS ON CERTAIN LANDS; ALL IN CONNECTION WITH WASTEWATER PROJECTS; NORTHSIDE LIFT STATION ELIMINATION PROJECT; AND APPROPRIATING FUNDS.

\* \* \* \*

AN ORDINANCE 72,823

APPROVING THE PRICE, TERMS AND CONDITIONS OF SALE BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF CERTAIN SINGLE-FAMILY RESIDENTIAL LOTS LOCATED WITHIN THE BELLE EAST COMMUNITY DEVELOPMENT PROJECT.

\* \* \* \*

AN ORDINANCE 72,824

AUTHORIZING A TWELVE-MONTH EXTENSION OF THAT CERTAIN PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND LAVERNE C. SCHMIDT FOR SERVICES TO BE RENDERED IN CONNECTION WITH PLANNING AND PROJECT DEVELOPMENT OF THE CITY'S GOLF COURSE SYSTEM.

\* \* \* \*

AN ORDINANCE 72,825

AUTHORIZING THE ACCEPTANCE OF A DONATION FROM BARNEY I. KLEIN, JR. OF AN UNIMPROVED PARCEL OF LAND DESCRIBED AS LOT SW 1/2 OF 3, BLOCK 16, UNIT 2, LOCKHILL ESTATES, NEW CITY BLOCK 11732 (10818 LIMA DRIVE) SAN ANTONIO, TEXAS FOR THE SAN ANTONIO PUBLIC LIBRARY TO USE AS IT SEES FIT IN THE ATTEMPT TO PROMOTE THE LEVEL OF LITERACY IN THE MOST NEEDED AREAS OF THE CITY.

\* \* \* \*

AN ORDINANCE 72,826

AUTHORIZING THE ASSIGNMENT OF A CARGO BUILDING LEASE AT SAN ANTONIO INTERNATIONAL AIRPORT FROM JOHN P. COSTON, A SOLE PROPRIETOR, TO JOHN P. COSTON AND COMPANY, INC.

\* \* \* \*

AN ORDINANCE 72,827

AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH THE FEDERAL EXPRESS CORPORATION FOR SPACE IN THE WETMORE ROAD AIR CARGO BUILDING AT SAN ANTONIO INTERNATIONAL AIRPORT FOR A TEN YEAR PERIOD AT AN ANNUAL RENTAL OF \$273,396.84 FOR 185,610 SQUARE FEET OF CARGO BUILDING AND APRON SPACE AND AT SUCH ANNUAL RENTAL FOR 4,744 SQUARE FEET OF TENANT OFFICE SPACE AS SHALL RECOMPENSE THE CITY OF SAN ANTONIO FOR COSTS OF TENANT OFFICE SPACE IMPROVEMENTS AND AUTHORIZING THE EXECUTION OF A MONTH TO MONTH LEASE OF 147,480 SQUARE FEET OF APRON SPACE AT A MONTHLY RENTAL OF \$9,143.76 UNTIL SUCH TIME AS THE WETMORE ROAD AIR CARGO FACILITY SHALL BE READY FOR OCCUPANCY.

\* \* \* \*

AN ORDINANCE 72,828

AUTHORIZING THE CITY MANAGER OR THE ASSISTANT CITY MANAGER TO SUBMIT AN APPLICATION TO THE TEXAS DEPARTMENT OF PARKS AND WILDLIFE FOR A SHOOTING RANGE FUND PROGRAM GRANT FOR IMPROVEMENTS TO THE SAN ANTONIO GUN CLUB FACILITIES IN OLMOS BASIN PARK, DESIGNATING THE DIRECTOR, DEPARTMENT OF PARKS AND RECREATION, AS THE CITY'S REPRESENTATIVE IN MATTERS

RELATED TO SAID APPLICATION AND AFFIRMING THE USE OF THE SAN ANTONIO GUN CLUB SITE FOR THE PURPOSES OF SHOOTING AND HUNTER EDUCATION.

\* \* \* \*

AN ORDINANCE 72,829

AMENDING ORDINANCE NO. 70819 SO AS TO DELAY THE EFFECTIVE DATE OF CITY CODE CHAPTER 33, ("VEHICLES FOR HIRE"), ARTICLE 5 ("LIMOUSINES"), ARTICLE 7 ("TOUR VEHICLES"), AND ARTICLE 8 ("CHARTER VEHICLES") FOR 90 DAYS, TO BE IN FULL FORCE AND EFFECT ON APRIL 1, 1991.

\* \* \* \*

AN ORDINANCE 72,830

AUTHORIZING A CONTRACT WITH THE COMMUNITY GUIDANCE CENTER OF BEXAR COUNTY, TEXAS TO PROVIDE PSYCHOLOGICAL SERVICES TO CLIENTS OF THE DEPARTMENT OF HUMAN RESOURCES AND SERVICES FOR THE PERIOD DECEMBER 1, 1990 THROUGH NOVEMBER 30, 1991.

\* \* \* \*

AN ORDINANCE 72,831

AMENDING ORDINANCE NO. 72676, PASSED ON NOVEMBER 20, 1990, INCREASING THE ALAMO AREA COUNCIL OF GOVERNMENTS RETAINING AND SUPPORTIVE SERVICE ALLOCATION BY \$54,000.00 FOR THE PROGRAM YEAR 1990-91 UNDER TITLE III OF THE JOB TRAINING PARTNERSHIP ACT (JTPA) AS APPROVED BY THE ALAMO PRIVATE INDUSTRY COUNCIL (PIC).

\* \* \* \*

AN ORDINANCE 72,832

AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE TEXAS EMPLOYMENT COMMISSION FOR \$50,000.00 TO PROVIDE INTAKE AND CERTIFICATION SERVICES FOR CUSTOMIZED TRAINING PROJECTS FOR PROGRAM YEAR 1990-91 UNDER TITLE IIA OF THE JOB TRAINING PARTNERSHIP ACT (JTPA) AS APPROVED BY THE ALAMO PRIVATE INDUSTRY COUNCIL (PIC).

\* \* \* \*

AN ORDINANCE 72,833

AUTHORIZING THE EXECUTION OF AN INTERAGENCY GRANT AGREEMENT WITH THE NATIONAL INSTITUTE OF JUSTICE FOR A GRANT OF \$97,838.58 FOR AN EIGHTEEN-MONTH EXTENSION TO THE DRUG USE FORECASTING GRANT.

\* \* \* \*

ANNEXATIONS - SECOND READINGS

90-55  
time:

The Clerk read the following Ordinance for the second and final

AN ORDINANCE 72,637

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 23.0 ACRES OF LAND KNOWN AS THE ST. HEDWIG INDUSTRIAL DISTRICT AREA PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

\* \* \* \*

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

90-55  
time:

The Clerk read the following Ordinance for the second and final

AN ORDINANCE 72,638

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 9.1 ACRES OF LAND KNOWN AS THE M.G. INDUSTRIES INDUSTRIAL DISTRICT AREA PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

\* \* \* \*

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

In response to a question by Mr. Hasslocher, Ms. Rebecca Q. Cedillo, Director of Planning, spoke to the seven-year fire-protection contract with M.G. Industries which now has come to an end, along with the non-annexation agreement.

Mrs. Dutmer stated that she must protest the City zoning restrictions that are placed upon newly-annexed agricultural land because the Bexar Appraisal District is rejecting the lower agriculture-use tax rates on such land. She stated that this rejection of lower tax rates is because of the minimum acreage required to be under agricultural usage before such tax rates can be applied.

A discussion then took place concerning procedures of the Bexar Appraisal District board, and of applicable state laws dealing with annexations.

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

- - -  
90-55 The Clerk read the following Ordinance for the second and final  
time:

AN ORDINANCE 72,639

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 256.0 ACRES OF LAND KNOWN AS THE VOIGHT/F.M. 1604 A & B AREA PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

\* \* \* \*

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

90-55  
time:

The Clerk read the following Ordinance for the second and final

AN ORDINANCE 72,640

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 69.0 ACRES OF LAND KNOWN AS THE SEGUIN ROAD AREA PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

\* \* \* \*

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

90-55  
time:

The Clerk read the following Ordinance for the second and final

AN ORDINANCE 72,641

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 1.3 ACRES OF LAND KNOWN AS THE CEDAR CREEK AREA PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

\* \* \* \*

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

A discussion ensued concerning annexation of this property to connect the present City limits to a new City golf course, and plans for annexation of certain outlying areas of Babcock Road, as well as plans for development of that particular area.

Ms. Berriozabal spoke to her concerns for the precedents set by annexations and her sensitivity toward development of the outer Babcock Road areas over the Edwards Aquifer and the abutting Glen Rose Aquifer.

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

Dutmer; ABSENT: Cockrell.

90-55 The Clerk read the following Resolution:

A RESOLUTION NO. 90-55-67

SUPPORTING THE MAINSTREET ALLIANCE'S PARTICIPATION  
IN THE TEXAS URBAN MAIN STREET SELF-INITIATED  
PROGRAM (VALERO SOUTH URBAN MAIN STREET PROGRAM).

\* \* \* \*

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

Ms. Rebecca Q. Cedillo, Director of Planning, spoke to the history of the grant and the area included in this designation, noting that the City will provide no funds, only assistance by City staff.

Mr. Louis Fisher and Mr. Richard Cervera, representing the two neighborhood associations involved, noted that their grant applications were not approved in favor of others, but noted that the state will help them through staff and technical assistance. They noted that they have raised some \$40,000 so far, and have hired a director.

Ms. Berriozabal spoke to re-development of this important southside corridor and noted that they will apply for community Development Block Grant funds to supplement the privately-raised funds.

Mrs. Dutmer spoke of the isolation of these neighborhoods by expressway construction and the need to re-develop these areas.

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

90-55 The Clerk read a proposed ordinance prohibiting Landscape watering during the hours from 10:00 a.m. through 8:00 p.m.; providing a penalty upon conviction in an amount not to exceed two hundred dollars (\$200.00); making a Prima Facie presumption that the person in whom a water connection is registered is a person who permits or causes the illegal landscape watering to occur; providing defenses to prosecution; and providing for a severability clause.

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

Labatt seconded the motion.

Mr. Tom Culbertson, representing Clean Air and Water Association, noted that his organization supports the goal of water conservation, but is concerned with penalties without proper education for the public, first. He asked that this ordinance's penalty provisions be denied.

Mr. Labatt noted that only year-round water conservation is being sought by this ordinance, and he spoke to ways for watering lawns to achieve maximum effectiveness and water conservation. He stated that this ordinance is an attempt to phase-in water conservation, and he questioned the enforcement costs estimated by City staff. He stated his belief that San Antonio needs to set the example for our neighbors to follow, and noted that the fines are established to enforce the need for water conservation, year-round.

Ms. Vera spoke to her concerns with implementing the ordinance, and questioned the amount of public education that has been accomplished. She addressed the need to educate the public before a law is enacted.

Ms. Cedillo explained staff plans for this, and noted the ordinance has no restrictions on the use of a hand-held watering hose or drip-irrigation system. She then addressed the staff's plan for public education.

A discussion then took place concerning experiences of other cities around the nation which have enacted such ordinances, and addressed concerns raised for possible adverse effects upon the economic development of San Antonio.

Ms. Cedillo noted that, as yet, no other Texas city is doing this.

Mr. Thompson stated that he cannot support this ordinance at this time, though he supports water conservation. He addressed his concerns with enforcement problems during non-drought times and urged the Council's caution on enacting such an ordinance.

Mr. Wolff spoke to the need to get public notice out well before enacting a penalty provision for violations of the ordinance.

Mrs. Dutmer spoke in support for the ordinance, noting that others look to San Antonio for leadership in water conservation, and expressed her opinion that the proposed ordinance will cause people to practice water conservation. She spoke in favor of enforcing the ordinance provisions only upon receiving complaints, and spoke in support for sending letters to offenders on the first offense, instead of merely fining them.

Mrs. Dutmer then offered an amendment to require the City to send

letters to first offenders, rather than levying fines for a first offense. The motion died for lack of a second.

In response to a question by Mayor Pro Tem Martinez, Ms. Cedillo spoke to staff plans for educational efforts for the public and enforcement of the ordinance provisions. She then briefly narrated a series of overhead projections comparing City Water Board pumping history at different times, including periods of drought, in San Antonio.

Mr. Labatt spoke in favor of softening the ordinance provisions to provide that no actual fines will be levied until March 1991, and that in the interim, letters will be sent to offenders, notifying them of the infraction.

Mr. Labatt offered an amendment that no actual fines be levied in connection with this proposed ordinance until March 1991. Mrs. Dutmer seconded the motion.

In response to a question by Ms. Berriozabal, Ms. Cedillo addressed her conception of how this ordinance will fit into the City's drought management plans.

A discussion ensued concerning a city-wide water conservation program, including City Water Board initiatives and public information efforts taken to inform the public of the provisions of the proposed ordinance.

Ms. Berriozabal spoke to her concerns with a complaint-based system of enforcement, and urged that incentives be offered for conservation efforts.

Mr. Labatt spoke to new City Water Board rates that encourage water conservation.

Ms. Vera spoke in favor of more public input into this matter.

Ms. Vera offered a substitute motion to require a public hearing be held prior to formal adoption of the proposed ordinance, and that the public hearing be held specifically and exclusively on the matter of water conservation.

Mr. Labatt stated that he would support the public hearing if debate is limited to only water conservation.

Mrs. Dutmer stated that she cannot support any delay in implementing water conservation.

Ms. Berriozabal stated her opinion that any public hearing on water is all-encompassing.

Council members then spoke, pro and con, on the substitute motion to hold a public hearing on this matter before enacting any proposed ordinance.

After discussion, the substitute motion failed by the following vote: AYES: Berriozabal, Thompson, Vera; NAYS: Dutmer, Wing, Martinez, Wolff, Labatt, Hasslocher; ABSENT: Webb, Cockrell.

A pro and con discussion then took place concerning implementation of provisions of the proposed ordinance, including the matter of a public hearing on this issue.

After consideration, the motion on the amendment that no actual fines be levied until March 1991, prevailed by the following vote: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Vera, Wolff, Labatt; NAYS: Hasslocher; ABSENT: Cockrell.

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

AN ORDINANCE 72,834

PROHIBITING LANDSCAPE WATERING DURING THE HOURS FROM 10:00 A.M. THROUGH 8:00 P.M.; PROVIDING A PENALTY UPON CONVICTION IN AN AMOUNT NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00); MAKING A PRIMA FACIE PRESUMPTION THAT THE PERSON IN WHOM A WATER CONNECTION IS REGISTERED IS A PERSON WHO PERMITS OR CAUSES THE ILLEGAL LANDSCAPE WATERING TO OCCUR; PROVIDING DEFENSES TO PROSECUTION; ESTABLISHING THE DATE OF MARCH 1, 1991 AS THE DATE TO THEREAFTER COMMENCE PROSECUTION OF VIOLATORS OF THIS ORDINANCE; AND PROVIDING FOR A SEVERABILITY CLAUSE.

\* \* \* \*

90-55      ZONING HEARINGS

4A.      CASE Z90136 - to rezone A .6538 ACRE TRACT OF LAND OUT OF NCB 10738 AT THE REAR OF 345 HOLMGREEN ROAD, FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, LOCATED 150 FEET WEST OF HOLMGREEN ROAD AND 1240.68 FEET NORTH OF THE INTERSECTION OF CRESTHILL ROAD AND HOLMGREEN ROAD, HAVING 160 FEET IN DEPTH AND A WIDTH OF 178.8 FEET.

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

Mrs. Dutmer made a motion to approve the recommendation of the Zoning Commission of denial of "I-1" and approval of "R-1".

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

AN ORDINANCE 72,835

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 .6538 ACRE TRACT OF LAND OUT OF NCB 10738 AT THE REAR OF 345 HOLMGREEN ROAD, FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, LOCATED 150 FEET WEST OF HOLMGREEN ROAD AND 1240.68 FEET NORTH OF THE INTERSECTION OF CRESTHILL ROAD AND HOLMGREEN ROAD, HAVING 160 FEET IN DEPTH AND A WIDTH OF 178.8 FEET. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4B. CASE Z90143 - to rezone LOTS 8 THRU 22, THE EAST 25 FEET OF LOTS 7 AND 23, NCB 2951, 1300 BLOCK OF FAIR AVENUE, FROM "F" LOCAL RETAIL DISTRICT, "B-1" BUSINESS DISTRICT AND "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, LOCATED ON THE EAST SIDE OF S. GEVER AVENUE BETWEEN FAIR AVENUE AND WALEETKA STREET, HAVING 242 FEET ON S. GEVER AVENUE, 475 FEET ON FAIR AVENUE AND 325 FEET ON WALEETKA STREET.

Mr. Kenneth Beanland, attorney representing the proponent, noted that the 0264 requested rezoning will allow the longstanding veterinarian clinic to begin housing small animals overnight.

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

Mrs. Dutmer made a motion to rezone the area occupied by the veterinary clinic itself to B-3NA, with the remainder of Lots 8 thru 22, and the east 25 feet of Lots 7 and 23, NCB 2951, to be rezoned to B-2NA.

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

AN ORDINANCE 72,836

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 8, 13, 14, AND 18 THRU 22, AND THE SOUTH 60 FEET OF LOTS 15 THRU 17, THE NORTH 60 FEET OF LOT 12, THE SOUTH 61 FEET OF LOT 9, AND THE EAST 25 FEET OF LOTS 7 AND 23, NCB 2951 FROM "B-1" BUSINESS DISTRICT AND "F" LOCAL RETAIL DISTRICT TO "B-2NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT; AND THE SOUTH 61 FEET OF LOTS 10, 11 AND 12, AND THE NORTH 61 FEET OF LOTS 15 THRU 17, NCB 2951, IN THE 1300 BLOCK OF FAIR AVENUE, FROM "F" LOCAL RETAIL DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT, LOCATED ON THE EAST SIDE OF S. GEVER AVENUE, 475 FEET ON FAIR AVENUE AND 325 FEET ON WALEETKA STREET. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

4C. CASE Z90128 - to rezone THE WEST 50 FEET OF THE NORTH 155 FEET OF LOT 27A, BLOCK 2, NCB 8417, 124 SHERWOOD, FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "B-2NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT, LOCATED ON THE SOUTH SIDE OF SHERWOOD DRIVE AT THE SOUTHEAST INTERSECTION OF I.H. 10 WEST AND SHERWOOD DRIVE, HAVING 50 FEET ON SHERWOOD DRIVE AND 100 FEET ON I.H. 10 WEST ACCESS ROAD.

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

In response to a question by Mr. Labatt, Mr. Andy Guerrero, Land Development Services, briefly discussed the request and planned use for the properties.

Mr. Labatt made a motion to approve the recommendation of the Zoning Commission, provided that a six (6) foot solid screen fence is erected and maintained along the east property line. Mrs. Dutmer seconded the motion.

After consideration, the motion, carrying with it the passage of

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

AN ORDINANCE 72,837

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 THE WEST 50 FEET OF THE NORTH 155 FEET OF LOT 27A, BLOCK 2, NCB 8417, 124 SHERWOOD, FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "B-2NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT, LOCATED ON THE SOUTH SIDE OF SHERWOOD DRIVE AT THE SOUTHEAST INTERSECTION OF I.H. 10 WEST AND SHERWOOD DRIVE, HAVING 50 FEET ON SHERWOOD DRIVE AND 100 FEET ON I.H. 10 WEST ACCESS ROAD. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

4D. CASE Z90138 - to rezone THE EAST 50 FEET OF P-84, BLOCKS 53 AND 54, NCB 15597, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-2NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT; AND P-84, SAVE AND EXCEPT THE EAST 50 FEET, BLOCKS 53 AND 54, NCB 15597, 6950 MILITARY DRIVE S.W., FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT, LOCATED ON THE SOUTH SIDE OF WESTWARD DRIVE BETWEEN S.W. MILITARY DRIVE AND MARTINIQUE DRIVE, HAVING 191.32 FEET ON WESTWARD DRIVE, 199.03 FEET ON S.W. MILITARY DRIVE AND 26.61 FEET ON MARTINIQUE DRIVE

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

Mr. Thompson made a motion to approve the recommendation of the Zoning Commission, provided zoning become "B-2NA" Non-Alcoholic Sales Business District on entire property. Mrs. Dutmer seconded the motion.

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

AN ORDINANCE 72,838

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 P-84, BLOCKS 53 AND 54, NCB 15597, 6950 S. W. MILITARY DRIVE, FROM TEMPORARY "R-1" SINGLE-FAMILY RESIDENCE DISTRICT TO "B-2NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT, LOCATED ON THE SOUTH SIDE OF WESTWARD DRIVE BETWEEN S. W. MILITARY DRIVE AND MARTINIQUE DRIVE, HAVING 191.32 FEET ON WESTWARD DRIVE, 199.03 FEET ON S. W. MILITARY DRIVE AND 26.61 FEET ON MARTINIQUE DRIVE. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

4E. CASE Z90146 - to rezone THE NORTHWEST 128 FEET OF THE SOUTHWEST 100 FEET OF LOT 188, BLOCK H, NCB 8365, 1060 BANDERA ROAD, FROM "F" LOCAL RETAIL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, LOCATED EAST OF THE INTERSECTION OF CHERYL DRIVE AND BANDERA ROAD, HAVING 100 FEET ON CHERYL DRIVE AND 128 FEET ON BANDERA ROAD.

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

Ms. Vera made a motion to approve the recommendation of the Zoning Commission. Mr. Thompson seconded the motion.

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

AN ORDINANCE 72,839

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 THE NORTHWEST 128 FEET OF THE SOUTHWEST 100 FEET OF LOT 188, BLOCK H, NCB 8365, 1060 BANDERA ROAD, FROM "F" LOCAL RETAIL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, LOCATED EAST OF THE INTERSECTION OF CHERYL DRIVE AND BANDERA ROAD, HAVING 100 FEET ON CHERYL DRIVE AND 128 FEET ON BANDERA ROAD. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

4F. CASE Z90150 - to rezone A 1.619 ACRE TRACT OF LAND OUT OF LOTS 2 AND 4, NCB 8406, 3401 FREDERICKSBURG ROAD, FROM "F" LOCAL RETAIL DISTRICT TO "B-3" BUSINESS DISTRICT, LOCATED ON THE SOUTHWEST SIDE OF FREDERICKSBURG ROAD APPROXIMATELY 805 FEET NORTHWEST OF THE INTERSECTION OF BABCOCK ROAD AND FREDERICKSBURG ROAD HAVING 282.05 FEET ON FREDERICKSBURG ROAD AND A DEPTH OF 250 FEET.

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

Mr. Labatt made a motion to approve the recommendation of the Zoning Commission, provided it is approved as "B-3NA" Non-Alcoholic Sales Business District. Mr. Hasslocher seconded the motion.

Mr. Ralph Brown, attorney representing the proponent, spoke to plans for the property, including no alcoholic beverages. He spoke in preference for a "B-3R" zoning, instead.

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

AN ORDINANCE 72,840

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 1.619 ACRE TRACT OF LAND OUT OF LOTS 2 AND 4, NCB 8406, 3401 FREDERICKSBURG ROAD, FROM "F" LOCAL RETAIL DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT, LOCATED ON THE SOUTHWEST SIDE OF FREDERICKSBURG ROAD APPROXIMATELY 805 FEET NORTHWEST OF THE INTERSECTION OF BABCOCK ROAD AND FREDERICKSBURG ROAD HAVING 282.05 FEET ON FREDERICKSBURG ROAD AND A DEPTH OF 250 FEET. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

4G. CASE Z90152 - to rezone THE EAST IRREGULAR 144.8 FEET OF A-9, NCB 3120, 529 ROOSEVELT AVENUE, FROM HISTORIC "R-1" SINGLE FAMILY RESIDENCE DISTRICT AND HISTORIC "B-2" BUSINESS DISTRICT TO HISTORIC "B-3NA"

NON-ALCOHOLIC SALES BUSINESS DISTRICT, LOCATED ON THE WEST SIDE OF ROOSEVELT AVENUE, 155 FEET NORTH OF THE INTERSECTION OF ROOSEVELT AVENUE AND YELLOWSTONE AVENUE, HAVING 60.7 FEET ON ROOSEVELT AVENUE AND A DEPTH OF 144.8 FEET.

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

Ms. Berriozabal made a motion to approve the recommendation of the Zoning Commission. Mr. Wing seconded the motion.

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

AN ORDINANCE 72,841

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 THE EAST IRREGULAR 144.8 FEET OF A-9, NCB 3120, 529 ROOSEVELT AVENUE, FROM HISTORIC "R-1" SINGLE FAMILY RESIDENCE DISTRICT AND HISTORIC "B-2" BUSINESS DISTRICT TO HISTORIC "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT, LOCATED ON THE WEST SIDE OF ROOSEVELT AVENUE, 155 FEET NORTH OF THE INTERSECTION OF ROOSEVELT AVENUE AND YELLOWSTONE AVENUE, HAVING 60.7 FEET ON ROOSEVELT AVENUE AND A DEPTH OF 144.8 FEET. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

90-55 The Clerk read the following Ordinance:

AN ORDINANCE 72,842

ADOPTING A DROUGHT MANAGEMENT PLAN TO BECOME EFFECTIVE JANUARY 1ST, 1991 UPON THE EXPIRATION OF THE EMERGENCY ACTION PLAN; ADOPTING DROUGHT STAGE CONDITIONS SET OUT IN THE PLAN WHICH SHALL BE AUTOMATICALLY TRIGGERED WHEN THE AQUIFER WELLS AY-68-37-203(J-17) IN SAN ANTONIO AND YP-69-50-302 IN UVALDE REACH CERTAIN LEVELS; MAKING IT A CRIMINAL OFFENSE TO FAIL TO COMPLY WITH THE MEASURS INCORPORATED IN THE PLAN AND PROVIDING A PENALTY

UPON CONVICTION IN AN AMOUNT NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00); MAKING A PRIMA FACIE PRESUMPTION THAT THE PERSON IN WHOM A WATER CONNECTION IS REGISTERED IS A PERSON WHO PERMITS OR CAUSES THE ILLEGAL USE OF WATER TO OCCUR; PROVIDING DEFENSES TO PROSECUTION; RESCINDING THE MANDATORY WATER REGULATION PROGRAM ADOPTED PURSUANT TO CITY ORDINANCE 71768, DATED JUNE 21, 1990; AND PROVIDING FOR A SEVERABILITY CLAUSE.

\* \* \* \*

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

Ms. Rebecca Q. Cedillo, Director of Planning, explained the provisions of the proposed ordinance, including stage levels of a declared drought. She then spoke to two changes to the previous emergency declarations.

Mr. Tom Culbertson, representing Clean Air and Water Association, stated his opinion that this ordinance is premature, noting that the state legislature will present its own water management plan shortly to the people of Texas. He urged the Council to wait before enacting this proposed ordinance.

Mr. Labatt asked to insert into the record a letter from the Edwards Underground Water District, a copy of which is made a part of the papers of this meeting. He noted that EUWD does not favor enactment of this ordinance at this time.

A discussion ensued concerning the previous implementation of drought management provisions by the City and EUWD.

Ms. Cedillo spoke to reasons for enactment of the new proposed drought management plan to replace the old plan which expires automatically on December 31, 1990.

Mr. Thompson voiced his concern with acting on this matter until EUWD agrees with the ordinance.

Mr. Labatt spoke of the need to move on a drought management plan, now, then solve any differences with EUWD on the matter.

In response to a question by Mr. Thompson, Ms. Cedillo spoke to the EUWD letter and its contents, stating her feeling that it is not in the City's best interests to let the drought management plan lapse.

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

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

- - -  
90-55 The Clerk read the following Ordinance:

AN ORDINANCE 72,843 .

.  
APPROVING SETTLEMENT OF CAUSE NO. 88-CI-13354  
PATRICK NICHOLS VS. CITY OF SAN ANTONIO FOR THE  
AMOUNT OF \$5,850.00.

\* \* \* \*

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

- - -  
90-55 The Clerk read the following Ordinance:

AN ORDINANCE 72,844 .

.  
AUTHORIZING PAYMENT IN THE AMOUNT OF \$15,000.00 IN  
SETTLEMENT OF ALL CLAIMS OF IRMA FALCON AGAINST THE  
CITY OF SAN ANTONIO.

\* \* \* \*

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

- - -  
90-55 The Clerk read the following Ordinance:

AN ORDINANCE 72,845 .

.  
AUTHORIZING PAYMENT IN THE AMOUNT OF \$22,000.00 IN

SETTLEMENT OF ALL CLAIMS OF ARTURO AND FELIZ MORENO  
AGAINST THE CITY OF SAN ANTONIO.

\* \* \* \*

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

90-55 The Clerk read the following Ordinance:

AN ORDINANCE 72,846

REGULATING THE RATES FOR ELECTRIC AND GAS SERVICE THROUGH THE SAN ANTONIO ELECTRIC AND GAS SYSTEMS OPERATED BY THE CITY PUBLIC SERVICE BOARD OF SAN ANTONIO.

\* \* \* \*

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

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

90-55 The Clerk read the following Ordinance:

AN ORDINANCE 72,847

ACCEPTING THE LOW QUALIFIED BID OF LYDA, INC., AND AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$15,990,000.00 WITH A CONTINGENCY OF \$1,279,200.00 FOR THE MULTIPURPOSE DOME FACILITY: PACKAGE 3A-STRUCTURAL FRAME, FUNDED BY 1/2 PERCENT SALES TAX REVENUE COLLECTION.

\* \* \* \*

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

Mr. Webb seconded the motion.

Mrs. Dutmer spoke to her concerns with any possible field alterations on this project, and asked City staff to watch it closely.

In response to a question by Mr. Wolff, Mr. Roland Lozano, Director of Dome Development, stated his opinion that it is important to manage this project closely.

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

- - -  
90-55 The Clerk read the following Ordinance:

AN ORDINANCE 72,848 .

.  
APPROVING FIELD ALTERATION NO. 5 IN THE AMOUNT OF \$23,450.70 TO THE CONTRACT WITH OLMOS EQUIPMENT COMPANY FOR THE CLOSURE OF WELLS AND BORINGS UNDER THE MULTIPURPOSE DOME FACILITY: PACKAGE 2B-MASS EXCAVATION PROJECT; PROVIDING FOR PAYMENT FROM THE 1/2 PERCENT SALES TAX REVENUE COLLECTION.

\* \* \* \*

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

In response to a question by Mayor Pro Tem Martinez, Mr. Roland Lozano, Director of Dome Development, spoke to work to be performed under the ordinance for certain field alterations not under the original bid, but work now required by the state.

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

- - -  
90-55 The Clerk read the following Ordinance:

AN ORDINANCE 72,849 .

.  
APPROPRIATING \$400.00 FROM THE DISTRICT 2 DISCRETIONARY FUND TO HELP SUPPORT THE RENTAL OF THE

SHOWMOBILE FOR AN ANTI-DRUG RALLY TO BE HELD IN  
LINCOLN PARK ON SATURDAY, DECEMBER 29, 1990; AND  
DECLARING AN EMERGENCY.

\* \* \* \*

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

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

90-55 The Clerk read the following Ordinance:

AN ORDINANCE 72,850

PROVIDING AN EXCEPTION TO THE CITY CODE OF THE CITY  
OF SAN ANTONIO, CHAPTER 32, SECTION 32-25 SO AS TO  
ALLOW THE MARKET SQUARE/TENANT ASSOCIATIONS TO STAGE  
A FIREWORKS FIESTA AND TO ALLOW AN ADMISSION CHARGE  
ON NEW YEARS EVE, DECEMBER 31, 1991.

\* \* \* \*

Mr. Bob Tagle, Market Square Manager, explained the proposed  
ordinance as requested by three merchants associations at Market Square,  
noting that City staff recommends against the ordinance, since it  
initiates a charge for entry to Market Square. He spoke of proposed plans  
for a fireworks display on City-owned property in Vista Verde South,  
nearby, behind a City fire station, and noted that the City never has  
allowed for a charge for entry to Market Square.

In response to a question by Mrs. Dutmer, Mr. Tagle spoke to the  
proposed means of barricading Market Square and security to be hired.

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

A discussion then took place with Council members expressing  
their personal opinions, both pro and con, on the matter of closing Market  
Square and requiring a charge for entry for this event, including the  
matter of setting a precedent by so charging for entry after 6:00 P.M.

Mr. David Cortez, representing the Market Square Association,  
briefly outlined plans for the event, including the planned entertainment,  
noting that all aspects of the event have been worked out with the Fire

Department and other affected entities.

Ms. Berriozabal stated that she wants a clear understanding that this is a one-time matter and not setting a precedent for the future concerning Market Square.

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; NAYS: None; ABSENT: Webb, Cockrell.

90-55 The Clerk read the following Ordinance:

AN ORDINANCE 72,851

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS, RELATING TO THE ISSUANCE AND SALE OF \$60,645,000 "CITY OF SAN ANTONIO, TEXAS GENERAL IMPROVEMENT BONDS, SERIES 1991", AND NOT TO EXCEED \$12,000,000 "CITY OF SAN ANTONIO, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 1991", INCLUDING THE APPROVAL AND DISTRIBUTION OF A NOTICE OF SALE AND OFFICIAL STATEMENT IN CONNECTION WITH THE ISSUANCE AND SALE OF THE BONDS AND CERTIFICATES; AUTHORIZATION TO PROCEED WITH THE GIVING OF NOTICE OF INTENTION TO ISSUE THE CERTIFICATES; AUTHORIZING THE PUBLIC ADVERTISEMENT FOR THE SALE OF THE BONDS AND CERTIFICATES; AND DECLARING AN EMERGENCY.

\* \* \* \*

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

In response to a question by Mr. Labatt, Ms. Nora Chavez, Director of Finance, addressed the matter of the Certificates of Obligation for renovation of the Dwyer Avenue Center, and also spoke to certain fire and police equipment.

Mrs. Dutmer spoke to the need for renovations to the outside of City Hall.

Mr. Alex Briseno, City Manager, estimated that it would cost about \$1 million to renovate the outside of City Hall, and the Council might want to consider that in a future bond issue.

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; NAYS: None; ABSENT: Webb, Cockrell.

- - -  
90-55 (At this point, Mayor Pro Tem Martinez was obliged to leave the meeting. Ms. Berriozabal presided.)

- - -  
90-55 The Clerk read the following Resolution:

A RESOLUTION NO. 90-55-68

DIRECTING CITY STAFF TO INITIATE THE REQUIRED PROCEDURES TO REPROGRAM \$1,700,000.00 IN PROGRAM INCOME REALIZED FROM THE HYATT UDAG SALE OF LAND TO SUPPORT THE RENOVATION OF THE DWYER AVENUE CENTER RENOVATION PROJECT; AND SETTING A PUBLIC HEARING FOR CONSIDERATION OF SAME FOR JANUARY 3, 1991 AT 3:30 P.M.

\* \* \* \*

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

Mr. George K. Noe, Director of Management Services, briefly explained the proposed Resolution.

Mr. Wolff voiced his concern with uncertainties in the financial package, including the use of Hyatt Hotel land-sale proceeds for the Dwyer Avenue Center. He stated his opinion that this is not the use for those funds planned by the City Council.

Ms. Berriozabal explained the reasons for using the Hyatt Hotel land-sale funds here, in order to save funds. She spoke to the use of the proposed land-sale funds in order to free-up other funds for investment, as a result of this proposed decision.

Mr. Labatt, Mr. Wing and Mr. Wolff expressed support for the proposal.

Mr. Alex Briseno, City Manager, explained the rationale involved, in order to save up-front monies.

A discussion then ensued concerning plans for operations of the Dwyer Avenue Center.

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

90-55 The Clerk read the following Ordinance:

AN ORDINANCE 72,852

ESTABLISHING A FIRE DEPARTMENT BLUE RIBBON COMMITTEE SETTING ITS DUTIES AND COMPOSITION, AND APPOINTING MEMBERS THERETO.

\* \* \* \*

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

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

90-55 (At this point, Mayor Pro Tem Martinez returned to the meeting to preside.)

90-55 The Clerk read the following Ordinance:

AN ORDINANCE 72,853

CLOSING PORTIONS OF SAN SABA AND FRIO STREETS ON DECEMBER 31, 1990, AND JANUARY 1, 1991, SO THAT THE THREE MARKET SQUARE TENANT AND MERCHANT ASSOCIATIONS MAY STAGE A NEW YEAR'S EVE FIREWORKS DISPLAY.

\* \* \* \*

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

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

- - -  
90-55

CITY MANAGER'S REPORT

BOND RATING AGENCIES' VISIT TO SAN ANTONIO

Mr. Alex Briseno, City Manager, noted that representative of bond rating agencies will be visiting San Antonio in January 1991, and noted that he would be asking Council members to become involved in various meetings held with those agencies at that time.

- - -  
90-55 City Council recessed its regular meeting at 4:28 P.M. to convene a "B" session to discuss A) Surplus Bond Fund Report; B) Impact Fees Status Report; C) Street Maintenance Task Force Report; D) TriParty Downtown Transportation Improvements Project Update.

- - -  
90-55 City Council reconvened "A" Session at 5:00 P.M. for Citizens To Be Heard.

- - -  
90-55

CITIZENS TO BE HEARD

SISTER NEOMI HAYES

Sister Neomi Hayes, 945 West Huisache, spoke to the Council suggesting that Council investigate the HUD's program of providing HUD's foreclosed homes purchased either by SADA or SAHA and move public housing residents to these homes in order to move the homeless into the public housing units.

Mrs. Berriozabal spoke to Council's action taking on the Hyatt money to be used for the Dwyer Street Project. She also spoke regarding the need to have the Council informed as to the number of foreclosed HUD homes and other pertinent information.

\* \* \* \*

MR. JESSE E. WRIGHT

Mr. Jesse E. Wright, 4403 Chesapeake Drive, spoke to the Council regarding fairness.

90-55

December 11, 1990

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 Manager for investigation and report to the City Council.

December 5, 1990

Petition submitted by Ms. Eva Carol Greenwood, 132 Meadow Way, Converse, Texas 78109, requesting permission to transfer her cab permits to Jay Khadem.

- - -  
90-55 City Council reconvened "A" Session at 6:29 P.M.

- - -  
90-55 There being no further business to come before Council, the meeting was adjourned at 6:30 P.M.

A P P R O V E D

*Lila Cockell*

M A Y O R

ATTEST

*Arma J. Rodriguez*  
C i t y C l e r k

December 20, 1990  
alh