

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, MARCH 12, 1992.

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The meeting was called to order by the Presiding Officer, Mayor Nelson W. Wolff, with the following members present: PEREZ, PIERCE, BILLA BURKE, WING, SOLIS, AYALA, VERA, THORNTON, LABATT, LARSON, WOLFF. Absent: NONE.

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92-11 Invocation - Reverend Fletcher Pool, Alamo Heights
United Methodist Church.

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92-11 Pledge of Allegiance to the flag of the United States.

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92-11 Minutes of the February 6, 1992 Regular City Council Meeting
were approved.

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92-11 "MAXIMUS"

Mayor Pro Tem Billa Burke, presiding in the temporary absence of the Mayor, introduced Mr. Robert Tessen, Job Services Center Manager, Maximus Job Services Center, who noted that his group is on hand in Council chambers today to witness the swearing-in of board/commission members.

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92-11 SUMMER RECREATION PROGRAM - HISPANIC LAWYERS

Mayor Pro Tem Billa Burke introduced Judge Tony Jimenez, who in turn called forward a group of young attorneys who introduced themselves and their law firms.

Judge Jimenez spoke of budgetary losses over the past several years for the City's Summer Recreation Program for San Antonio youth, and noted that a group of Hispanic attorneys today are joining in participation in the City's "Adopt-a-Park" Program by "adopting" Monterrey Park and supporting its programs for the summer. He stated that the group today is donating \$5,000.00 to the programs at this time

and pledging to raise another \$10,000.00 for the City's Summer Youth Program, including its Mentoring Program.

Mayor Pro Tem Billa Burke thanked the group for their strong commitment to youth in this community.

Mr. Pierce stated that he would challenge the city's African-American Bar Association to do likewise, and thanked the Hispanic Attorneys organization for its commitment.

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92-11

BOARD/COMMISSION SWEARING-IN

Newly-appointed or reappointed members of City boards and/or commissions, present in the audience, stood en masse as City Clerk Norma S. Rodriguez administered their oaths of office and congratulated them.

Members of City Council personally congratulated each as they came forward to receive their Certificates of Appointment.

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92-11

"AT YOUR SERVICE" AWARD

Mayor Pro Tem Billa Burke introduced Ms. Idalia Cortes, a Systems Programmer in the Information Services Department, and noted that she is this month's recipient of the City Manager's "At Your Service" Award.

Mr. Alex Briseno, City Manager, spoke briefly to Ms. Cortes' background and work history.

A brief videotaped presentation outlined her duties for the City, as part of a pilot program on telecommunications, working from her home via computer.

Mayor Pro Tem Billa Burke and City Manager Briseno jointly presented Ms. Cortes with a special Certificate of Appreciation.

Ms. Cortes thanked her supervisors and co-workers for their support.

Ms. Vera stated that she was impressed by this progressive management program in which Ms. Cortes is taking part.

Mr. Pierce thanked the Information Services Department for installing such a good pilot program.

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92-11

SWEARING-IN OF NEW MAYOR PRO TEM

City Clerk Norma S. Rodriguez administered the oath of office for the incoming Mayor Pro Tem, Mr. Labatt, noting that this ceremony is taking place today because of Mr. Labatt's planned absence from the Council meeting next week, the meeting at which he normally would be given the oath of office.

Members of the City Council offered their congratulations to Mr. Labatt and to the outgoing Mayor Pro Tem, Ms. Billa Burke.

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92-11

CONSENT AGENDA

Ms. Vera made a motion to approve Agenda Items 8 through 32, constituting the Consent Agenda. Mr. Solis seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinances, prevailed by the following vote: AYES: Pierce, Billa Burke, Solis, Ayala, Vera, Labatt, Larson; NAYS: None; ABSENT: Perez, Wing, Thornton, Wolff.

AN ORDINANCE 75,396 .

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ACCEPTING THE PROPOSAL OF GALE RESEARCH, INC. TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH BOOKS FOR A TOTAL OF \$11,656.71.

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AN ORDINANCE 75,397 .

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ACCEPTING THE LOW BID OF CATO ELECTRIC FURNISH THE CITY OF SAN ANTONIO POLICE DEPARTMENT VEHICLE STORAGE ON GROWDEN ROAD WITH AN AREA LIGHTING SYSTEM FOR A TOTAL OF \$21,275.00

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AN ORDINANCE 75,398

ACCEPTING THE LOW BID OF HYDRODYNE CONTRACTING & COATING TO FURNISH THE CITY OF SAN ANTONIO PARKS AND RECREATION WITH REPAIR OF WALL CRACKS AT THE BOTANICAL CENTER CONSERVATORY BUILDING FOR A TOTAL OF \$80,774.00.

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AN ORDINANCE 75,399

ACCEPTING THE LOW QUALIFIED BID OF NETZSCH, INC. TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH TWO SLUDGE FEED PUMPS FOR A TOTAL OF \$8,684.00.

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AN ORDINANCE 75,400

ACCEPTING THE LOW QUALIFIED BIDS OF O.M. SCOTT & SONS COMPANY, TERRA INT'L, WILBUR ELLIS COMPANY, KINNEY BONDED WAREHOUSE, BWI-SCHULENBURG, ESTES, INC., AND LESCO, INC. TO FURNISH THE CITY OF SAN ANTONIO PARKS AND RECREATION AND PUBLIC WORKS DEPARTMENTS WITH HERBICIDES, INSECTICIDES, AND FUNGICIDES FOR A TOTAL OF \$135,288.99.

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AN ORDINANCE 75,401

RATIFYING THE RENEWAL OF THE MAINTENANCE AGREEMENT FOR THE EMS TELEMETRY RADIO SYSTEM WITH MOTOROLA COMMUNICATIONS AND ELECTRONICS, INC. FOR A MONTHLY COST OF \$3,280.00.

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AN ORDINANCE 75,402

ACCEPTING THE LOW QUALIFIED BID OF ALAMO FORD NEW HOLLAND TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH A BRUSH CHIPPER WITH GRAPPLE FOR A TOTAL OF \$198,820.00.

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AN ORDINANCE 75,403

ACCEPTING THE LOW QUALIFIED BIDS OF SANTEX INT'L AND GRANDE TRUCK CENTER TO FURNISH THE CITY OF SAN ANTONIO WITH MEDIUM AND HEAVY DUTY TRUCKS FOR A TOTAL OF \$1,701,619.52.

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AN ORDINANCE 75,404

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT, IN THE AMOUNT OF \$182,637.00, WITH S.M. GALINDO ENGINEERS, INC. TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE AIRCRAFT HOLDING BAYS PROJECT AT SAN ANTONIO INTERNATIONAL AIRPORT; AUTHORIZING \$18,264.00 FOR THE ENGINEERING CONTINGENCY ACCOUNT; AUTHORIZING \$5,654.00 AS AN ALLOWANCE FOR TESTING FEES; AUTHORIZING \$1,000.00 FOR AN ADMINISTRATIVE EXPENSES ACCOUNT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 75,405

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT, IN THE AMOUNT OF \$63,183.00, WITH LOCKWOOD, ANDREWS & NEWNAM, INC. TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE TAXIWAY RECONSTRUCTION & LIGHTING PROJECT AT SAN ANTONIO INTERNATIONAL AIRPORT; AUTHORIZING \$6,318.00 FOR THE ENGINEERING CONTINGENCY ACCOUNT; AUTHORIZING \$5,014.00 AS AN ALLOWANCE FOR TESTING FEES; AUTHORIZING \$1,000.00 FOR AN ADMINISTRATIVE EXPENSES ACCOUNT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 75,406

AUTHORIZING THE EXECUTION OF FIELD ALTERATION NO. 1 IN THE DECREASED AMOUNT OF \$65,823.54 TO THE CONSTRUCTION CONTRACT WITH YANTIS CORPORATION IN CONNECTION WITH THE BITTERS ROAD FROM WEST AVENUE TO TREASURE TRAIL RECONSTRUCTION PROJECT.

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AN ORDINANCE 75,407

AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$750,927.35 WITH ROBERT & SON, INC. IN CONNECTION WITH THE WHITEWOOD FROM MEDINA BASE ROAD TO SOUTH WEST MILITARY DRIVE RECONSTRUCTION PROJECT; AUTHORIZING \$52,564.91 FOR CONSTRUCTION CONTINGENCIES, AND \$10,979.69 FOR ENGINEERING CONSTRUCTION SUPERVISION SERVICES; APPROPRIATING 1987 G.O. STREET BOND FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 75,408

AUTHORIZING AN ADDITIONAL \$3,987.50 FOR ENGINEERING FEES PAYABLE TO SIA ENGINEERING, INC. IN CONNECTION WITH THE RECONSTRUCTION OF BURBANK, SONORA AND ZAVALA FROM IH 35 TO NOGALITOS (ST. HENRY'S STREETS) PROJECT.

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AN ORDINANCE 75,409

AUTHORIZING FIELD ALTERATION NO. 3 IN THE DECREASED AMOUNT OF \$27,132.93 TO THE CONTRACT WITH V.K. KNOWLTON IN CONNECTION WITH THE ENGLEWOOD AREA STREETS, PHASE II PROJECT; AND REVISING THE PROJECT BUDGET.

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AN ORDINANCE 75,410

AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$1,591,258.05 WITH RAMEX CONSTRUCTION COMPANY, INC.; AUTHORIZING \$141,349.90 FOR CONSTRUCTION CONTINGENCIES; AUTHORIZING THE APPROPRIATION OF \$18,075.12 TO MACINA, BOSE, COPELAND AND ASSOCIATES, INC., FOR CONSTRUCTION SUPERVISION SERVICES ALL IN CONNECTION WITH THE HIGHLAND PARK EXTENSION SANITARY SEWER REHABILITATION PROJECT; APPROPRIATING SEWER IMPROVEMENT AND CONTINGENCY FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 75,411

TRANSFERRING FIVE PROFESSIONAL SERVICES CONTRACTS FROM HOWARD W. GADDIS CONSULTING ENGINEERS, INC., TO GADDIS/SIMPSON ENGINEERS, INC. IN CONNECTION WITH THE REMAINING PHASE OF SAID CONTRACTS TOTTALLING \$180,554.43; AND AUTHORIZING THAT ALL ENCUMBRANCES IN EACH CONTRACT TO BE TRANSFERRED TO AND AUTHORIZED PAYMENT TO GADDIS/SIMPSON ENGINEERS, INC.

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AN ORDINANCE 75,412

PROVIDING FOR ADDITIONAL FUNDS IN THE AMOUNT OF \$21,327.44 FOR PAYMENT TO LOCKWOOD, ANDREWS & NEWNAM, INC. FOR ENGINEERING SERVICES IN CONNECTION WITH TEN (10) FIELD ALTERATIONS TO THE WURZBACH ROAD FROM VANCE JACKSON TO LOCKHILL SELMA AND BRIDGE PROJECT; APPROPRIATING 1985 GENERAL OBLIGATION STREET BOND FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 75,413

AUTHORIZING THE CITY WATER BOARD TO OVERSIZE APPROXIMATELY 800 FEET OF SINGLE CUSTOMER MAIN EXTENSION ON BANDERA ROAD FROM (8) INCHES TO TWELVE (12) INCHES TO ACCOMMODATE ANTICIPATED FUTURE DEVELOPMENT IN THE AREA.

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AN ORDINANCE 75,414

AUTHORIZING THE CITY MANAGER OR ASSISTANT CITY MANAGER TO EXECUTE A QUITCLAIM FROM THE CITY OF SAN ANTONIO RELEASING, REMISING, AND QUITCLAIMING TO MAIN AVENUE ENTERPRISES, INC. 83.846 SQUARE FEET OUT OF EAST LOCUST STREET RIGHT-OF-WAY, SPECIFICALLY A SIDEWALK ADJOINING THE NORTH LINE OF LOT 14, BLOCK 18, NCB 1747, ON WHICH A PRIVATELY-OWNED BUILDING IS CURRENTLY ENCROACHING, FOR THE CONSIDERATION OF \$10.00.

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AN ORDINANCE 75,415

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$29,037.25 OUT OF GENERAL OBLIGATION BONDS; ACQUIRING TITLE TO ONE PARCEL IN CONNECTION WITH THE ASHLEY ROAD RECONSTRUCTION PROJECT - BASCUM BLVD. TO S. FLORES; ACQUIRING TITLE TO ONE PARCEL AND PAYING FOR TITLE CHARGES IN CONNECTION WITH THE CASTROVILLE ROAD RECONSTRUCTION PROJECT - GENERAL MCMULLEN TO ACME ROAD; AND ACQUIRING TITLE TO TWO PARCELS IN CONNECTION WITH THE NORTH FLORES #35, PHASE I, 35Y, MYRTLE STREET PROJECT.

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AN ORDINANCE 75,416

TERMINATING A PROFESSIONAL SERVICES CONTRACT WITH PATRICIA STEBBINS, SRPA, OF THE STEBBINS COMPANY FOR PREPARATION OF RIGHT-OF-WAY ACQUISITION APPRAISALS FOR THE RITTIMAN ROAD RECONSTRUCTION PROJECT - I.H. 35 TO RITTIMAN PLAZA AND ADJUSTING THE BUDGET.

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AN ORDINANCE 75,417

AMENDING CHAPTER 19 (TRAFFIC REGULATIONS) OF THE CITY CODE SETTING FORTH LOCATIONS AT WHICH ELECTRONIC TRAFFIC CONTROL SIGNALS ARE IN FULL OPERATION, DESIGNATING STOP SIGN LOCATIONS, YIELD-RIGHT-OF-WAY LOCATIONS; PROHIBITING PARKING AT ALL TIMES ON CERTAIN STREETS, PROHIBITING CERTAIN TURNS, ESTABLISHING CERTAIN SCHOOL ZONES, AND PROVIDING THAT VIOLATIONS HEREOF BE PUNISHABLE BY A FINE OF NOT LESS THAN \$1.00 NOR MORE THAN \$200.00.

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AN ORDINANCE 75,418

AUTHORIZING THE RENEWAL OF A CONTRACT WITH MANAGED HEALTHCARE, INC., (MHI) TO PROVIDE HEALTH CARE UTILIZATION REVIEW SERVICES FOR THE CITY'S EMPLOYEE HEALTH INSURANCE PLANS FOR A ONE-YEAR PERIOD COMMENCING JANUARY 1, 1992, FOR A COST OF APPROXIMATELY \$156,000.00.

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AN ORDINANCE 75,419

AMENDING ORDINANCES NO. 73659 AND 74706 TO AUTHORIZE THE BUDGET ADJUSTMENTS AND THE STAFF COMPLEMENT FOR THE TITLE III/EDWAA 60% AND 40% ALLOCATION FOR THE ALAMO SUBSTATE AREA.

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AN ORDINANCE 75,420

AUTHORIZING THE NEGOTIATION OF A GRANT IN THE AMOUNT OF \$31,849.00 FOR THE PRACTICAL PARENT EDUCATION PROGRAM (PPE); AUTHORIZING A MATCHING FUND OF \$2,259.00 AND AN IN-KIND MATCH OF \$972.00 FOR A TOTAL PROJECT BUDGET OF \$35,080.00; APPROVING A TENTATIVE BUDGET AND PERSONNEL COMPLEMENT; AND AUTHORIZING A LETTER OF AGREEMENT WITH THE WOMEN'S AND CHILDREN'S RESOURCE CENTER, BATTERED WOMEN'S SHELTER.

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92-11 City Clerk Norma S. Rodriguez announced that, at the request of the City Attorney, Agenda Items 33, 34 and 35 would be considered after an Executive Session, later in this meeting.

92-11 The Clerk read the following Ordinance:

AN ORDINANCE 75,421

ADOPTING THE PROGRAM DESIGN FOR THE JOB TRAINING DEMONSTRATION PROJECT; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO SUBMIT THE PROGRAM DESIGN FOR THE JOB TRAINING DEMONSTRATION PROJECT TO THE TEXAS EMPLOYMENT COMMISSION (TEC); AUTHORIZING ACCEPTANCE OF \$2,500,000.00 IN WAGNER-PEYSER FUNDS FROM THE (TEC); AND AUTHORIZING A START-UP BUDGET AND PERSONNEL COMPLEMENT.

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Mr. Pierce made a motion to approve the proposed Ordinance. Mr. Solis seconded the motion.

Mr. Kevin Moriarty, Director of Community Initiatives, spoke to the involvement of community groups and individuals in formulating the Job Training Demonstration Program, which will be run by the community and administered by the City staff. He then addressed staff's expectations for success of the program. A copy of the program is made a part of the papers of this meeting.

Mr. Solis spoke to the importance of job training to the economic development of San Antonio.

In response to a question by Mr. Larson, Mr. Moriarty noted that federal Job Training Partnership Act (JTPA) funds allocated to the City of San Antonio amount to some \$22 million each year.

Mr. Larson addressed his concern with where the City will identify and allocate its \$2 million part of the program, over a two-year period.

Mr. Alex Briseno, City Manager, noted that some \$400,000 of that figure already has been identified and committed, and he addressed the importance of the City providing a "living stipend" as an important facet of job training to participants.

Mr. Moriarty spoke to both internal and external monitoring of the program, with quarterly reports to be made to City Council.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Pierce, Billa Burke, Solis, Ayala, Vera, Labatt, Larson; NAYS: None; ABSENT: Wing, Thornton, Wolff.

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92-11 Agenda Item 37, being a proposed Ordinance authorizing the transfer of funding for Texas A&M in the amount of \$118,190.00, Bexar County Women's Center in the amount of \$59,412.00, and Westside Parish Coalition in the amount of \$46,916.00 for a total of \$224,518.00 from the General Fund to JTPA Title IIA; and authorizing a transfer in the same amount to fund the staff for the SALDC and a portion of the Procurement Outreach Staff in the Economic Development Department out of the General Fund, was earlier removed from consideration by the City Manager.

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92-11 The Clerk read the following Ordinance:

AN ORDINANCE 75,422

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE CENTER OF WATER RESEARCH OF THE UNIVERSITY OF

TEXAS/SAN ANTONIO TO PARTICIPATE IN A RESEARCH PROJECT TO BE CONDUCTED BY THE CENTER ENTITLED, "REGIONAL WATER SUPPLY PLANNING: DESIGN TEST, AND SUPPLEMENT DECISION SUPPORT TOOLS FOR THE SAN ANTONIO REGION"; AND APPROPRIATING \$20,000.00 AS THE CITY'S CONTRIBUTION TO THIS PROJECT.

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

Mr. Joe Aceves, Director of Public Works, explained details of the \$200,000 study to be performed by the University of Texas at San Antonio Center for Water Research, and spoke to the various entities contributing to the funding of this study.

In response to a question by Mr. Larson, Mr. Aceves noted that the Edwards Underground Water District (EUWD) has not yet taken part in this funding.

Mr. Larson stated his opinion that the EUWD needs to pay \$100,000 for one-half the cost of this study, and noted that funding from San Antonio contributes some 93 per cent of EUWD's funding, overall.

Mr. Larson moved to give direction to City staff, through the City Manager, to send a letter to the Edwards Underground Water District, asking for a \$20,000 contribution to the funding of this study. Mr. Perez seconded the motion.

After consideration, the motion, to give City staff direction, prevailed by the following vote: AYES: Perez, Pierce, Billa Burke, Solis, Ayala, Vera, Thornton, Labatt, Larson; NAYS: None; ABSENT: Wing, Wolff.

After consideration, the main motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Pierce, Billa Burke, Solis, Ayala, Vera, Thornton, Labatt, Larson; NAYS: None; ABSENT: Wing, Wolff.

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92-11 ZONING HEARINGS

4A. CASE Z92018 - Mr. Perez asked for and received informal approval to move consideration of this zoning case to the end of the zoning cases scheduled for hearing today, in order that he might meet with persons concerned with this case, beforehand.

4B. CASE Z92020 - to rezone Lot 24, Block 1, NCB 13335 from "R-3" Multiple Family Residence District to "B-2" Business District, 1600 Block Of Terra Alta Road, 7800 Block of Broadway located southwest of the intersection of W. Terra Alta Road and Broadway, having 300.64 feet on W. Terra Alta and 293.93 feet on Broadway.

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

Mr. Andy Guerrero, Land Development Services, noted that nine affirmative votes of City Council would be required to approve the requested rezoning.

Mr. Jerry Solcher, representing the proponent, explained plans to develop a small boutique on this site.

Ms. Linda Cisneros, 7834 Broadway, #305, presented City Council with a petition signed by some 31 area residents opposed to the requested B-2 zoning, and spoke in support for an O-1 zoning on the property as proposed by City staff. A copy of the petitions is made a part of the papers of this meeting.

Ms. Clemencia Prieto, 7834 Broadway, #D, spoke against the request for rezoning and for the need to maintain the residential character of the property in question. She stated that she would support a rezoning to O-1.

Mr. Solcher noted that he had met with the homeowners association of the Cherbourg Square Apartments to assure them that the proponents have no plans to devalue this property, and he spoke to the business character of this immediate area.

Mr. Guerrero stated that, after further review of the notices in opposition to this rezoning request, only six affirmative Council votes would be needed to enact the requested rezoning.

Mr. Labatt noted that this immediate area is becoming business-oriented.

Mr. Labatt made a motion to approve the "B-2" rezoning. Mr. Wing seconded the motion.

Mr. Wing spoke in support for the motion, noting that he does not feel that the proponents would damage the area, economically.

In response to a question by Ms. Vera, Mr. Guerrero spoke to fencing that will be required to be erected. He noted that Council could, if it wished, require a 50-foot buffer of O-1 zoning between the B-2 and nearby residences, but noted further that B-2 often is placed next to residential areas.

Mr. Solcher spoke to the topographical configuration of the property and the adverse impact that an O-1 buffer would have on plans for development of this property. He noted that proponents plan to heavily landscape the west property line with a greenbelt, and stated that he would verbally agree at this time to a five-foot greenbelt along the west property line.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pierce, Billa Burke, Wing, Solis, Ayala, Labatt, Larson; NAYS: Vera; ABSENT: Perez, Thornton, Wolff.

AN ORDINANCE 75,423

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 24, BLOCK 1, NCB 13335 FROM "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT, 1600 BLOCK OF TERRA ALTA ROAD AND 7800 BLOCK OF BROADWAY. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4C. CASE Z91132 - Mr. Andy Guerrero, Land Development Services, noted that Mr. Rudy Hettler, representing the proponents in this zoning case, has asked to withdraw the case from consideration. He noted that proponents, in this case, then could not re-file for rezoning of this property less than six months from the date of the original case's hearing before the Zoning Commission.

4D. CASE Z91139 - to rezone Lots 1 thru 127, 129 and 130, Block 1, NCB 17339 from "(P-1)R-3" Planned Unit Development Multiple Family Residence District to "B-2" Business District, 5900 Block of Eckhert Road located on the north side of Eckhert Road, approximately 217 feet northeast of the intersection of Babcock Road and Eckhert Road, having 240 feet on Eckhert Road and a depth of 563.80 feet.

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

Mr. Andy Guerrero, Land Development Services, stated that the proponent in this case has asked for a postponement of this rezoning case.

Mr. Pierce made a motion to postpone the zoning case. Mr. Solis seconded the motion.

After consideration, the motion, to postpone the zoning case, prevailed by the following vote: AYES: Pierce, Billa Burke, Wing, Solis, Ayala, Vera, Labatt, Larson; NAYS: None; ABSENT: Perez, Thornton, Wolff.

CASE Z91139 was postponed.

4E. CASE Z92017 - to rezone Lot 145, Block 1, NCB 17341 from "B-2" Business District to "R-5" Single Family Residence District, 8000 Block of North Hollow located southwest of the intersection of North Hollow and Apple Green Road, having 1,718 feet on North Hollow and 235.1 on Apple Green Road.

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

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

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pierce, Billa Burke, Wing, Solis, Ayala, Vera, Labatt, Larson; NAYS: None; ABSENT: Perez, Thornton, Wolff.

AN ORDINANCE 75,424

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 145, BLOCK 1, NCB 17341 FROM "B-2" BUSINESS DISTRICT TO "R-5" SINGLE FAMILY RESIDENCE DISTRICT, 8000 BLOCK OF NORTH HOLLOW. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4F. CASE Z92016 - to rezone Lot 46, Block 1, NCB 11213 from "B-2" Business District to "B-3NA" Non-Alcoholic Sales Business District, 1759 Palo Alto Road located northwest of the intersection of Palo Alto Road and Wainwright Street, having 75.53 feet on Palo Alto Road and 107.4 feet on Wainwright Street.

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

Mr. Wing addressed the need for the proponent to clean up this property, and noted that he would be willing to support the requested rezoning, but would move to recall that rezoning approval if the junk cars on the property are not removed.

Mr. Thornton made a motion to approve the recommendation of the Zoning Commission. Mr. Solis seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Perez, Pierce, Billa Burke, Wing, Solis, Ayala, Labatt, Larson; NAYS: None; ABSENT: Vera, Thornton, Wolff.

AN ORDINANCE 75,425

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 46, BLOCK 1, NCB 11213 FROM "B-2" BUSINESS DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT, 1759 PALO ALTO ROAD. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4G. CASE Z92022 - to rezone Lot 7, Block, NCB 8963 from "B" Residence District to "B-1" Business District, 742 Division Avenue, located on the south side of Division Avenue, 300 feet east of the intersection of Commercial Avenue and Division Avenue, having 50 feet of Division Avenue and a depth of 112.5 feet.

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

Mr. Solis requested, and the proponent of the rezoning case agreed, to provide certain fencing, if the case is approved.

Mr. Solis made a motion to approve the recommendation of the Zoning Commission. Mr. Pierce seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Perez, Pierce, Billa Burke, Wing, Solis, Ayala, Labatt, Larson; NAYS: None; ABSENT: Vera, Thornton, Wolff.

AN ORDINANCE 75,426

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 7, BLOCK 1, NCB 8963 FROM "B" RESIDENCE DISTRICT TO "B-1" BUSINESS DISTRICT, 742 DIVISION AVENUE LOCATED ON THE SOUTH SIDE OF DIVISION AVENUE, 300 FEET EAST OF THE INTERSECTION OF COMMERCIAL AVENUE AND DIVISION AVENUE, HAVING 50 FEET OF DIVISION AVENUE AND DEPTH OF 112.5 FEET. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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4H. CASE Z91080-Q - to rezone Lots 1 thru 8, Block 7, NCB 707 from "D" Apartment District to "B-2" Business District or "R-2" Two Family Residence District and "R-2" SUP Two Family Residence District with special use permit for a 9-unit apartment, 602 Matagorda Street 211-215-219-225-229-233 Lavaca Street and 613 Indianola Street located on the northeast side of Lavaca Street between Matagorda Street and Indianola Street, having 154 feet on Matagorda Street, 154 feet on Indianola Street and 440 feet on Lavaca.

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

Mr. Andy Guerrero, Land Development Services, stated that nine affirmative votes of City Council would be required to grant the requested rezoning.

Mr. Richard Hammel, representing The Voice of the Taxpayers organization, spoke against the request because of the expected increase in parking in the area, including the headquarters for San Antonio Independent School District. He stated his belief that an apartment house on this property also would increase parking problems in the neighborhood. He spoke in favor of a B-2 zoning.

Ms. Evelyn Sievers, 4119 Willow Green, presented photographs of the property and copies of her statement to the City Council. She stated her belief that, despite living in another area, she owns property in this neighborhood and thus should be allowed to speak at neighborhood association meetings. She also spoke of her concerns with a burned-out residence in this area.

(At this point, Mayor Pro Tem Billa Burke was obliged to leave the meeting. Mr. Larson presided in her absence.)

Mr. Michael Berrier, 202 Lavaca, spoke in support for R-2 residential zoning on this property.

Miss Mary J. Alvarado, 120 Camargo, spoke in favor of B-2 zoning on this property, and spoke of her concerns for the impact of the neighborhood association on this area.

(At this point, Mayor Pro Tem Billa Burke returned to the meeting to preside.)

Ms. Anna Blanco, 218 Delaware, President of Hemisfair South/Lavaca Neighborhood Association, spoke against commercial zoning on the property in question in order to protect the residential character of the neighborhood. She then presented the City Council with petitions signed by more than 100 area residents opposed to any commercial zoning on this property.

In response to a question by Mr. Wing, Mr. Berrier spoke to plans to develop more residences in this area, and noted his understanding of the concerns of some of the senior citizen homeowners in this area.

Mr. Perez stated his belief that the issue today is a neighborhood fighting for its life as a residential area, with commercial corridors already established along South Presa Street and South St. Mary's Street.

Mr. Perez made a motion to approve the recommendation of the Zoning Commission. Mr. Pierce seconded the motion.

Mr. Wing asked that area property owners be accorded some sensitivity in the development of their properties, and urged that all property owners in the area be given a voice in development of this area, not only those who actually reside there.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Perez, Pierce, Billa Burke, Wing, Solis, Ayala, Vera, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: None.

AN ORDINANCE 75,427

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 3 THRU 8, BLOCK 7, BLOCK 7, NCB 707 AND LOTS 1 AND 2, BLOCK 7, NCB 707 FROM "D" APARTMENT DISTRICT TO "R-2" TWO FAMILY RESIDENCE DISTRICT AND "R-2" SUP TWO FAMILY RESIDENCE DISTRICT

WITH SPECIAL USE PERMIT FOR A 9-UNIT APARTMENT,
211-215-219-225-229-233 LAVACA STREET, 613 INDIANOLA
STREET AND 620 MATAGORDA STREET. "THE PENALTY FOR
VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4I. CASE Z92023 - to rezone Target area which is bounded on the north, a distance of 500 feet north of Loop 1604, on the east by the City of Hollywood Park, on the south by the San Antonio City Limits and on the west by Huebner Road Temporary "R-1" ERZD Single Family Residence Edwards Recharge Zone District to "R-1" ERZD Single Family Residence Edwards Recharge Zone District, "P-1(R-1)" ERZD Planned Unit Development Single Family Residence Edwards Recharge Zone District, "R-1" CC ERZD Single Family Residence Edwards Recharge Zone District with City Council approval for a golf course and "B-2" ERZD Business Edwards Recharge Zone District.

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

Mr. Andy Guerrero, Land Development Services, briefly explained the rezoning request.

Mr. William Telford, consultant representing the Russell Rogers Fund for the Arts, noted that the proponent in this case owns a one-third interest in the Rogers Ranch property, and he spoke in support of the Zoning Commission recommendation for a B-2 zoning.

Mr. Howard Peak, representing Stone Oak, Inc., asked that some 500 feet of property in the northeast corner of Blanco Road and Loop 1604 be removed from consideration in this case today, and be referred back to the Zoning Commission as an individual case. He stated his clients' desires to mirror the uses established by the Stone Oak Master Plan, and spoke in support for an eventual rezoning of this area to B-3.

Mr. Dale Kane, representing Resolution Trust Corporation/Canyon Creek Country Club tract, asked that the property he represents also be remanded back to the Zoning Commission for reconsideration on an individual basis.

Mr. Larson made a motion to approve the rezoning request, with the exception of the two areas in question, each of which is to be remanded back to the Zoning Commission for reconsideration as an individual case. Mr. Solis seconded the motion.

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

Perez, Pierce, Billa Burke, Wing, Solis, Ayala, Thornton, Labatt,
Larson; NAYS: None; ABSENT: Vera, Wolff.

AN ORDINANCE 75,428

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 NCB 16329, PARCEL 4C. NCB 16333, PARCELS 2A (30.045 ACRES) AND 2B (47.258 ACRES). NCB 16334, THE SOUTH 500 FEET PARALLEL TO THE NORTH RIGHT-OF-WAY LINE OF ANDERSON LOOP (FM 1604) OF PARCEL 2, OUT OF 117.18 ACRES. NCB 16334, THE SOUTH 500 FEET PARALLEL TO THE NORTH RIGHT-OF-WAY LINE OF ANDERSON LOOP (FM 1604) OF THE EAST 3500 FEET OF PARCEL 2 OUT OF 424.96 ACRES AND NCB 16329, PARCEL 2B (0.061 ACRES). NCB 16329, PARCEL 2C (0.038 ACRES). NCB 16329, PARCEL 3 (38.31 ACRES). NCB 16329, PARCEL 4 (53.22 ACRES). NCB 16329, PARCEL 5 (6.361 ACRES). NCB 16329 PARCEL 5A (1.209 ACRES). NCB 16329, PARCEL 5B (0.244 ACRES). NCB 16329, PARCEL 17B (0.562 ACRES). NCB 16329, PARCEL 18B (0.618 ACRES). NCB 16329, PARCEL 20 (3.194 ACRES). NCB 16329, 20A (0.025 ACRES). NCB 16329, PARCEL 20B (26.796 ACRES). NCB 16329, PARCEL 43 (65 ACRES) AND NCB 18392, PARCEL 3 931.930 ACRES). NCB 18392, PARCEL 7 (0.453 ACRES). NCB 18392, PARCEL 7B (2.43 ACRES). NCB 18393, PARCEL 5 (30.604 ACRES) AND NCB 18357, BLOCK 7, LOTS 13 THRU 27. NCB 18358, BLOCK 8, LOTS 8 THRU 30. NCB 18362, BLOCK 12,, LOTS 50 THRU 53. NCB 18364, BLOCK 14, LOTS 6 THRU 28. NCB 18365, BLOCK 15, ALL OF NCB. NCB 18366, BLOCK 16, LOTS 1 THRU 32. NCB 18367, BLOCK 17, ALL OF NCB. NCB 18368, BLOCK 18, ALL OF NCB. NCB 18369, BLOCK 19, ALL OF NCB. NCB 18370, BLOCK 20, LOTS 1 THRU 34. NCB 18370, PARCEL 4 (1.396 ACRES). NCB 18370, PARCEL 11 (3.9212 ACRES). NCB 18371, BLOCK 21, ALL OF NCB. NCB 18372, BLOCK 22, ALL OF NCB. NCB 18374, BLOCK 23, LOTS 1 THRU 12. NCB 18375, BLOCK 24, LOTS 1 THRU 6. NCB 18387, BLOCK 7, THE NORTH IRREGULAR 1,529.72 FEET OF LOT 2. NCB 18392, PARCEL 1A (3.058 ACRES). NCB 18392, PARCEL 1E (10.344 ACRES). NCB 18392, PARCEL 7A (11.178 ACRES) FROM TEMPORARY "R-1" ERZD SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "R-1" ERZD SINGLE FAMILY RESIDENCE EDWARDS RECHARGE

ZONE DISTRICT, "(P-1)R-1" ERZD PLANNED UNIT DEVELOPMENT SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT, "R-1" CC ERZD SINGLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT WITH CITY COUNCIL APPROVAL FOR A GOLF COURSE AND "B-2" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4A. CASE Z92018 - to rezone Lot 26, Block 7, NCB 2045 from "B-2" Business District to "B-3NA" Non-Alcoholic Sales Business District 203 Princeton Avenue, located northwest of the intersection of North Colorado Street and Princeton Avenue, having 155.6 feet on North Colorado Street and 55.6 feet on Princeton Avenue.

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

Mr. Andres Garcia, 528 West Magnolia Avenue, spoke in support for his rezoning request, in order that the existing auto body and paint shop might continue in operation on this property.

Mr. Raymond Reynosa, President of University Neighborhood Association, spoke against the use of this property for an auto garage, and addressed concerns for the parking of autos under repair throughout the immediate area, which he feels creates traffic problems. He also spoke to the testing of automobiles on neighborhood streets as a traffic safety matter. He noted that Code Compliance has taken photographs of the property and use concerned, and the immediate area of the garage.

Mr. Perez addressed the violation notices issued for this usage.

Mr. Perez made a motion to deny the zoning case. Mr. Pierce seconded the motion.

Mr. Andy Guerrero, Land Development Services, noted that a court case is pending in this matter.

Mr. Martin Rodriguez, Director, Code Compliance, stated that he would place this proponent on probation for the next few months in order to allow him time to relocate this auto body and paint business to another location.

After consideration, the motion, to deny the zoning case, prevailed by the following vote: AYES: Perez, Pierce, Billa Burke, Solis, Ayala, Thornton, Labatt, Larson, Wolff; NAYS: Wing; ABSENT: Vera.

CASE Z92018 was denied.

(At this point, Mayor Wolff arrived at the meeting to preside.)

92-11 The Clerk read the following Ordinance:

AN ORDINANCE 75,429

ALLOWING THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY AND REPAIR PERMITS NECESSARY FOR THE REOPENING OF A RESTAURANT AT 715 IOWA STREET WITHIN THE BOUNDARIES OF THE ALAMODOME IMPACT AREA; AND GRANTING AN EXCEPTION TO THE MORATORIUM ON THE ISSUANCE OF SIGN PERMITS AS IMPOSED BY ORDINANCES NO. 74488 AND NO 74531.

* * * *

Mayor Wolff declared the Public Hearing to be open.

Mr. Gene Camargo, Director of Building Inspections, briefly explained the request for an exception to the moratorium on the property in question, and noted that City staff supports the request.

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

Mr. Pierce 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: Pierce, Billa Burke, Wing, Solis, Ayala, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: Perez, Vera.

92-11 The Clerk read the following Ordinance:

AN ORDINANCE 75,430

CANCELLING THE CONSTRUCTION CONTRACT WITH A.G. & ASSOCIATES IN THE AMOUNT OF \$160,000.00;

AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$166,500.00 WITH E.E. ROBERTS CO., INC.; AUTHORIZING \$16,650.00 FOR CONSTRUCTION CONTINGENCIES ALL IN CONNECTION WITH THE VISITORS INFORMATION CENTER RENOVATION PROJECT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

* * * *

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

Mr. Joe Rodriguez, Assistant Director of Public Works, spoke to the inability of the first contractor to obtain the proper bonding, and plans to award the bid to the next lowest bidder, instead.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Pierce, Wing, Solis, Ayala, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: Perez, Billa Burke, Vera.

92-11 The Clerk read the following Ordinance:

AN ORDINANCE 75,431

RATIFYING THE EXECUTION OF A CONTRACT WITH THOMAS F. BRERETON, AICP, FOR A FEE OF \$4,500.00 FOR SERVICES REQUIRED TO REVISE, EDIT AND FINALIZE THE REPORT OF THE GREATER SAN ANTONIO CITIZENS COMMITTEE ON WATER; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

* * * *

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

Mr. Joe Aceves, Director of Public Works, and Mr. Labatt explained the need for the ratifying ordinance because extra work needed on the project pushed the cost past \$3,000.00.

Mr. Labatt noted that this report will be a topic of discussion at three City Council work sessions scheduled for this month at the International Conference Center.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Pierce, Wing, Solis, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: Perez, Billa Burke, Ayala, Vera.

92-11 The Clerk read the following Ordinance:

AN ORDINANCE 75,432

AUTHORIZING PAYMENT OF OUTSTANDING FEES AND EXPENSES IN THE AMOUNT OF \$1,202.85 FOR THE CASE STYLED NELDA WEATHERLY ET AL V. CITY OF SAN ANTONIO.

* * * *

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

Mr. Tom Finlay, Assistant City Attorney, explained the fees outstanding involving the City Water Board lawsuit against the City.

Mr. Larson stated his opinion that the action taken by City Council to consolidate water agencies should cause this case to be withdrawn.

Mr. Lloyd Garza, City Attorney, explained the legal work remaining to be done on this case, even though the merging of the various water entities does solve much of the problem. He noted that court-set deadlines remain to be met by the April 27, 1992 court date. He estimated that the City probably will spent about \$30,000 more by that date, and stated that he would brief the City Council in Executive Session next week on this remaining work.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Pierce, Wing, Solis, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: Perez, Billa Burke, Ayala, Vera.

92-11 The Clerk read the following Ordinance:

AN ORDINANCE 75,433

APPROVING FIELD ALTERATION NO. 7 IN THE AMOUNT OF \$49,265.00 TO THE CONSTRUCTION CONTRACT WITH LYDA, INC. FOR WORK ON THE ALAMODOME: PACKAGE

3C-STRUCTURAL & MISCELLANEOUS METALS; AND PROVIDING
FOR PAYMENT FROM THE CONSTRUCTION CONTINGENCY AND
THE 1/2 PERCENT SALES TAX.

* * * *

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

Mr. Roland Lozano, Director of Dome Development, explained the field alteration involved and detailed the work to be done. He spoke to the re-sequencing of certain work on the Alamodome project in order to maintain the construction schedule on time. He then described the critical nature of the "float", or pad of days that the project remains ahead of schedule.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Pierce, Billa Burke, Wing, Solis, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: Perez, Ayala, Vera.

- - -
92-11 The Clerk read the following Ordinance:

AN ORDINANCE 75,434

APPROVING FIELD ALTERATION NO. 10 IN THE AMOUNT OF \$23,391.00 TO THE CONSTRUCTION CONTRACT WITH ERMCO/MARTIN WRIGHT FOR WORK ON THE ALAMODOME: PACKAGE 7A-ELECTRICAL SYSTEMS; AND PROVIDING FOR PAYMENT FROM THE CONSTRUCTION CONTINGENCY AND THE 1/2 PERCENT SALES TAX.

* * * *

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

Mr. Roland Lozano, Director of Dome Development, and Mr. David Majda, representing Day & Zimmerman, project consultants, explained the field alteration for work required by the Federal Aviation Administration concerning warning-lights to be mounted on the masts of the Alamodome.

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

Burke, Wing, Solis, Thornton, Labatt, Larson, Wolff; NAYS: None;
ABSENT: Perez, Ayala, Vera.

92-11 The Clerk read the following Ordinance:

AN ORDINANCE 75,435

APPROVING FIELD ALTERATION NO. 13 IN THE AMOUNT OF \$34,435.00 TO THE CONSTRUCTION CONTRACT WITH ERMCO/MARTIN WRIGHT FOR WORK ON THE ALAMODOME: PACKAGE 7A-ELECTRICAL SYSTEMS; AND PROVIDING FOR PAYMENT FROM THE CONSTRUCTION CONTINGENCY AND THE 1/2 PERCENT SALES TAX.

* * * *

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

Mr. Roland Lozano, Director of Dome Development, explained the field alteration to provide a 15 per cent increase in the amount of electrical power to the Alamodome, as recommended by City Public Service.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Pierce, Billa Burke, Wing, Solis, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: Perez, Ayala, Vera.

92-11 The Clerk read the following Ordinance:

AN ORDINANCE 75,436

APPROVING FIELD ALTERATION NO. 14 IN THE AMOUNT OF \$50,056.00 TO THE CONSTRUCTION CONTRACT WITH ERMCO/MARTIN WRIGHT FOR WORK ON THE ALAMODOME: PACKAGE 7A-ELECTRICAL SYSTEMS; AND PROVIDING FOR PAYMENT FROM THE CONSTRUCTION CONTINGENCY AND THE 1/2 PERCENT SALES TAX.

* * * *

Mr. Larson made a motion to approve the proposed Ordinance. Ms. Billa Burke seconded the motion.

Mr. Roland Lozano, Director of Dome Development, explained the field alteration to provide more temporary electrical power to different projects within the Alamodome construction project.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Pierce, Billa Burke, Ayala, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: Wing, Solis, Vera.

92-11 Agenda Item 46, being a proposed ordinance accepting a proposal from the University of Texas at San Antonio-Center for Archaeological Research (UTSA-CAR) to conduct Phase V-Final Investigation for the San Antonio Alamodome Development Project in the amount of \$168,527.00; and providing for payment from the 1/2 per cent sales tax, was earlier removed from consideration by the City Manager.

92-11 The Clerk read the following Ordinance:

AN ORDINANCE 75,437

WHEREBY THE CITY OF SAN ANTONIO, TEXAS, AND SOUTHWESTERN BELL TELEPHONE COMPANY AGREE THAT, FOR THE PURPOSE OF OPERATING ITS TELECOMMUNICATIONS BUSINESS, THE TELEPHONE COMPANY SHALL MAINTAIN AND CONSTRUCT ITS POLES, WIRES, ANCHORS, FIBER, CABLES, MANHOLES, CONDUITS, AND OTHER PHYSICAL PLANT AND APPURTENANCES IN, ALONG, ACROSS, ON, OVER, THROUGH, ABOVE AND UNDER ALL PUBLIC STREETS, AVENUES, HIGHWAYS, ALLEYS, SIDEWALKS, BRIDGES OR PUBLIC WAYS IN SAID CITY; PRESCRIBING THE ANNUAL COMPENSATION DUE THE CITY UNDER THIS ORDINANCE; PRESCRIBING THE CONDITIONS GOVERNING THE USE OF PUBLIC RIGHTS-OF-WAY AND THE PERFORMANCE OF CERTAIN CONSTRUCTION WORK ON PUBLIC RIGHTS-OF-WAY FOR THE TELEPHONE COMPANY'S TELECOMMUNICATIONS BUSINESS; PROVIDING AN INDEMNITY CLAUSE; SPECIFYING GOVERNING LAWS; PROVIDING FOR A RELEASE OF ALL CLAIMS UNDER PRIOR ORDINANCE; PROVIDING FOR FUTURE CONTINGENCIES; PROVIDING FOR WRITTEN ACCEPTANCE OF THIS ORDINANCE BY THE TELEPHONE COMPANY; AND PROVIDING FOR A TERM AND AN EFFECTIVE DATE.

* * * *

Ms. Billa Burke made a motion to approve the proposed Ordinance. Mr. Pierce seconded the motion.

Mr. George K. Noe, Director of Management Services, explained the proposed ordinance to replace the 1975 franchise ordinance with Southwestern Bell Telephone Company. He spoke to the matter of increased revenues to the City by virtue of this ordinance, and the projected 31-cent monthly fee increase to telephone customers.

Mr. Larson spoke against the proposed ordinance, noting that SWBT customers already are paying some \$5.49 in state and local taxes on their monthly bills.

Mr. Labatt explained the 50-cent per month savings to be applied to Touchtone telephones to be implemented over the next two years, and the new Lifeline rate for low-income telephone users who receive either federal or state public assistance. He noted that, under terms of the proposed ordinance, any revenues to the City will go into the General Fund.

In response to a question by Ms. Ayala, Mr. Noe explained the various options, should the proposed franchise ordinance be rejected, including the possibility of lawsuits, audits, and the holding of SWBT to its present franchise provisions through the end of its stated term.

Ms. Ayala asked that SWBT provide better publicity for its Lifeline service.

Mr. Greg Epp, representing Southwestern Bell, explained the publicity given the Lifeline rate, to date, since its approval by the Public Utility Commission in September 1991. He stated his firm's willingness to additionally advertise the Lifeline rate.

In response to a question by Mr. Thornton, Mr. Noe explained what portion of the telephone bill is paid by users to the City of San Antonio.

Mr. Thornton and Mr. Noe spoke to the advantages of the new franchise ordinance to low-income telephone users. They noted that the City, through an increased franchise fee, gains an additional \$3.5 million, and addressed other savings to the City, including the use of SWBT telephone conduits without charge for the City's own lines.

In response to a question by Mr. Larson, Mr. Noe spoke to the possibility that Southwestern Bell might be able to provide cable television service without having to pay a franchise fee to the City, should the Federal Communications Commission approve.

Mr. Larson voiced his concerns that the proposed new franchise has no guarantees that SWBT cannot and will not sharply increase telephone rates in the third year of the franchise, if the Public Utility Commission approves. He then noted that some of the listed

advantages of the new franchise actually will be gained by telephone users, whether or not a new franchise is granted, such as the Touchtone reduction and the new Lifeline rate.

A discussion then took place concerning the advantages of the proposed new franchise ordinance.

Mr. Larson stated his opinion that a new franchise does not greatly benefit the citizens of the city, and he will vote against it. He stated that, in the event the ordinance passes, he would urge that the additional funds from the franchise fee be earmarked for such things as street repair, etc.

Mr. Wing spoke in support of the proposed ordinance as an opportunity to increase the City's franchise fee.

Ms. Vera stated her concern that the additional revenue is not earmarked for streets.

Ms. Ayala spoke to the need to take care of city streets, and urged SWBT to fully advertise the Lifeline rate.

Mr. Labatt made an amendment to the motion that any additional revenues to the City, generated from a new franchise ordinance, be earmarked for street maintenance. Ms. Vera seconded the motion.

Mr. Wing and Mr. Perez both spoke against "fencing" any new monies accruing to the City from the new franchise.

After consideration, the amendment, failed by the following vote: AYES: Pierce, Ayala, Vera, Labatt, Larson; NAYS: Perez, Billa Burke, Wing, Solis, Thornton, Wolff; ABSENT: None.

After consideration, the main motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Pierce, Billa Burke, Wing, Solis, Ayala, Thornton, Labatt, Wolff; NAYS: Vera, Larson; ABSENT: None.

92-11 The Clerk read the following Ordinance:

AN ORDINANCE 75,438

AUTHORIZING ISSUANCE OF PERMITS AND A CERTIFICATE OF OCCUPANCY AS APPLIED FOR IN ORDER TO ACCOMMODATE THE REMODELING AND USE OF THE PROPERTY AT 915 GUADALUPE AS A LAW OFFICE.

* * * *

Mayor Wolff declared the Public Hearing to be open.

Mr. Gene Camargo, Director of Building Inspections, explained the request to repair a commercial building in order to lease it for a law office, noting that City staff supports the request.

There being no citizens to speak to this matter, Mayor Wolff declared the Public Hearing to be closed.

Mrs. Billa Burke 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: Perez, Pierce, Billa Burke, Wing, Solis, Vera, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: Ayala.

- - -
92-11 City Council recessed its Regular Meeting at 4:46 P.M. to convene in informal "B" Session for a Staff Presentation on Youth Programs, reconvening in Regular Session at 5:40 P.M.
- - -

92-11 The Clerk read the following Ordinance:

AN ORDINANCE 75,439

DESIGNATING AN IDENTIFYING \$452,967.91 TO ESTABLISH THE 1992 SUMMER RECREATION PROGRAM 26-10-12, AT 42 DAYTIME SITES AND 17 NIGHT OWL LOCATIONS, ACCEPTING CONTRIBUTIONS OF \$15,000.00 FROM LOCAL HISPANIC LAWYERS AND A \$10,000.00 ANTICIPATED CONTRIBUTIONS BY THE SAN ANTONIO JAYCEES, AUTHORIZING 223 PERSONNEL POSITIONS; AUTHORIZING EXPANSION OF THE PROGRAM IN THE EVENT ADDITIONAL FUNDS ARE MADE AVAILABLE; AND AUTHORIZING ANY SURPLUS 1992 SUMMER RECREATION PROGRAM FUNDS TO BE CARRIED FORWARD FOR THE 1993 SUMMER RECREATION PROGRAM.

* * * *

Ms. Billa Burke made a motion to approve the proposed Ordinance. Mr. Pierce seconded the motion.

Rev. David Semrod, representing Metro Alliance, spoke to his organization's concerns for a coordinated and comprehensive plan to attack youth problems, a plan which has been hampered over the past

recent years by budget cuts of the City. He spoke to the need to restore those funds, totalling some \$3.1 million, to fund this program, and noted that his organization wants to be partners with the City in this area.

A discussion then took place concerning the depth of the City's commitment to this program and the need for community support for this funding.

Mr. Pierce spoke of increased funding commitments in District 2 and the need for all involved to work together.

In response to a question by Mr. Thornton, Rev. Semrod reiterated the support of Metro Alliance for this program.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Pierce, Billa Burke, Wing, Solis, Ayala, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: Vera.

92-11 The Clerk read the following Ordinance:

AN ORDINANCE 75,440

AUTHORIZING EXECUTION OF A THREE-MONTH AGREEMENT TO RENT OFFICE SPACE FROM OUR LADY OF SORROWS CHURCH FOR USE IN CONNECTION WITH THE ADMINISTRATION OF THE SUMMER RECREATION PROGRAM.

* * * *

Mr. Perez made a motion to approve the proposed Ordinance. Ms. Billa Burke seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Pierce, Billa Burke, Solis, Ayala, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: Wing, Vera.

92-11 The Clerk read the following Ordinance:

AN ORDINANCE 75,441

AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION AND ACCEPT A GRANT FOR \$642,123 FOR THE

1992 SUMMER FOOD SERVICE PROGRAM; APPROVING A BUDGET AND PERSONNEL COMPLEMENT; AND AUTHORIZING APPLICATION FOR AND ACCEPTANCE OF SUPPLEMENTAL FUNDING FROM AFORESTATED AGENCY IN THE EVENT THE OPERATION OF ADDITIONAL OUTSIDE AGENCY SITES IS MADE POSSIBLE.

* * * *

Ms. Billa Burke 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: Perez, Pierce, Billa Burke, Wing, Solis, Ayala, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: Vera.

- - -
92-11 The Clerk read a proposed Resolution, as requested by Councilmember Thornton, requesting funding of independent studies to determine the feasibility of artificially augmenting the Comal spring/stream flow.

Mr. Thornton made a motion to approve the proposed Resolution. Mr. Larson seconded the motion.

Mr. Guenther Krellwitz, 5518 Chancellor, spoke in support for the proposed Resolution for independent studies to determine the feasibility of artificially-augmenting the Comal Spring/stream flow.

Mr. Tom Culbertson, representing Regional Clean Air & Water, stated his belief that the Citizens Committee on Water has made a good report, and he recommended that it be developed on a regional basis. He spoke in favor of augmentation.

Ms. Kay Turner stated her opinion that augmentation will bring all sides of the water issue together, and expressed her belief that the Edwards Underground Water district should fund the studies.

Mr. Thornton noted than much progress has been made in recent months on the water-related matters of San Antonio and this area. He stated his belief that the Edwards Underground Water District has not participated in this, and addressed a number of recommendations by different groups and reports, each speaking to a need for these augmentation studies. He addressed EUWD's planned expenditures for projects in New Braunfels and San Marcos, while San Antonio contributes

93 per cent of its total budget. He noted that a consultant to EUWD has reported that no solution exists to water problems of this area, in his opinion, a report that Mr. Thornton feels has been buried. He further noted that EUWD has budgeted no funds for an augmentation study, and he urged the District to allocate funding for this study. He also expressed his belief that EUWD is not impartial in this matter, and thus cannot lead this water effort. He asked that consideration of today's proposed Resolution be postponed until next week's City Council meeting or perhaps the following week, so that Council can gain insight from results of a meeting to be held tomorrow.

Ms. Billa Burke made a substitute motion to postpone action on this Resolution. Mr. Larson seconded the motion.

Mayor Wolff stated his belief that the City of San Antonio should pay at least a portion of the costs of this proposed augmentation study in order to maintain a degree of control in this area.

Mr. Thornton stated that he feels that the Texas Water Commission should be the lead agency for the augmentation study, using some funds from the EUWD to finance it.

Ms. Billa Burke stated her opinion that the City must be ready to fund the augmentation study, no matter what EUWD decides on financial participation.

Mr. Larson stated his belief that the City needs to look into the possibility of legislatively-disbanding the Edwards Underground Water District during this summer's legislative session, and going with a new agency.

Ms. Ayala and Mr. Labatt spoke in agreement with Mr. Larson's comments.

After consideration, the substitute motion, prevailed by the following vote: AYES: Perez, Pierce, Billa Burke, Wing, Solis, Ayala, Vera, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: None.

After consideration, the main motion, as substituted, prevailed by the following vote: AYES: Perez, Pierce, Billa Burke, Wing, Solis, Ayala, Vera, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: None.

Action on this resolution was postponed

- - -
(At this point, Mayor Wolff was obliged to leave the meeting. Mayor Pro Tem Billa Burke presided.)
- - -

DISCUSSION OF COMPREHENSIVE REVIEW OF CITY ZONING POLICY

Ms. Rebecca Q. Cedillo, Director of Planning, spoke to five areas of concern with respect to the City's zoning policies, raised by a group of citizens at the March 5, 1992 City Council meeting. She then addressed the Planning Department's recommendations in respect to each of the five main points. A copy of her memorandum is made a part of the papers of this meeting.

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

A discussion then ensued concerning the five areas of concern and the staff's recommendations, as well as recommendations of City Council members.

(At this point, Mayor Wolff was obliged to leave the meeting. Mr. Perez presided in the temporary absence of the Mayor Pro Tem.)

A discussion then took place concerning problems of coordination between state agencies and local communities.

Mr. Pierce made a motion to ask City Staff to implement action on recommendations 1, 2, 4 and 5, and to return to the City Council with those recommendations in the form of an Ordinance. Mr. Labatt seconded the motion.

After consideration, the motion, prevailed by the following vote: AYES: Perez, Pierce, Billa Burke, Wing, Solis, Ayala, Vera, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: None.

CITIZENS TO BE HEARD

MS. LUCILLE W. HOAG

Ms. Lucille W. Hoag, 178 Postwood, expressed her concern with the water consolidation action taken by the City Council and stated that this increases the possibility of additional rate increases. She also expressed displeasure of the raising of zoo admission rates by the City Council. She stated that she along with her neighbors are not in favor of privatization of the garbage services and also expressed concern with garbage fees being raised.

MR. JOE JIMENEZ

Mr. Joe Jimenez, 218 Parkview, again appeared to speak before the City Council relating to the circumstances of his departure from City employment. He stated that he has not been properly treated by the City.

(City Council recessed its Regular Meeting at 7:10 P.M. for dinner, reconvening in Regular Session at 7:44 P.M.)

92-11

SAN ANTONIO WATER SYSTEMS BOARD

Mayor Wolff distributed to other members of City Council a one-page memorandum concerning appointment of the new San Antonio Water Systems Board, a copy of which is made a part of the papers of this meeting.

A discussion then ensued concerning the actions which will take place at next week's Council meeting, and the ground rules to be followed in the nomination of candidates.

Mayor Wolff asked that the Council open this segment of the meeting to short presentations by anyone who wishes to be a candidate for the new board.

A discussion of possible residency requirements for the new board members then took place, during which Mayor Wolff stated his desire that the new board members have requirements similar to the City Public Service board members; that is, that they live within the "service area".

Mr. Wing spoke in favor of requiring the new board members to be residents of the City of San Antonio, and spoke to his concerns that to do otherwise might give the perception that the board doesn't represent San Antonio, should a large percentage of board members reside outside San Antonio.

In response to a question by Mr. Larson, Mr. Joe Aceves, Director of Public Works and Acting Director, Wastewater Management Department, stated that some 90 per cent of our water users are within the city limits of San Antonio.

Mr. Solis spoke in favor of appointing board members who reside inside the city of San Antonio.

A discussion then ensued as to the best system of selection to be followed.

Mayor Wolff, following the discussion, stated that it appeared to be a concensus of City Council members that members of the new San Antonio Water Systems Board should come from within the city limits of San Antonio.

Mr. Alex Briseno, City Manager, stated that the agenda for the meeting will reflect a 7:00 P.M. time for this interview process.

Mr. Lloyd Garza, City Attorney, spoke to a number of legal questions raised, the question of excluding some water users from board membership, and the role of the Public Utility Commission. He stated his opinion that the Council can avoid all these questions by restricting board membership to citizens of San Antonio.

A discussion then took place concerning the possible future of water-permitting in Texas, and the possibility of making one board position optional for appointment from within the "service area".

Mr. Thornton made a motion to direct City staff to provide that one of the six Water System board members may reside outside the city limits of the City of San Antonio but within the system's "service area". Mr. Labatt seconded the motion.

After discussion, the motion prevailed by the following vote:
AYES: Perez, Pierce, Billa Burke, Wing, Thornton, Labatt, Larson, Wolff;
NAYS: Solis, Ayala, Vera; ABSENT: None.

92-11 The Clerk read the following Ordinance:

AN ORDINANCE 75,442

AS REQUESTED BY COUNCILMEMBER THORNTON, APPROVING THE APPLICATION FOR A PARADE PERMIT FOR THE MARCH OF DIMES TO HOLD THE WALK AMERICA FUND RAISING EVENT ON APRIL 5, 1992; CLOSING A PORTION OF CERTAIN STREETS; AND AUTHORIZING THE USE OF CITY COUNCIL DISCRETIONARY FUNDS IN THE AMOUNT OF \$2,100.00 TO ASSIST THE MARCH OF DIMES IN MEETING SECURITY AND RELATED COSTS INCURRED IN CONNECTION WITH THE EVENT.

* * * *

Mr. Thornton made a motion to approve the proposed Ordinance. Mr. Solis seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Pierce, Billa Burke, Wing, Solis, Ayala, Vera, Thornton, Labatt, Larson,

Wolff; NAYS: None; ABSENT: None.

92-11 The Clerk read the following Ordinance:

AN ORDINANCE 75,443

AUTHORIZING THE TRANSFER OF DISTRICT 3 DISCRETIONARY FUNDS IN ORDER TO PAY FOR COUNCIL-RELATED OFFICIAL TRAVEL EXPENSES.

* * * *

Mr. Wing made a motion to approve the proposed Ordinance. Ms. Billa Burke seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Pierce, Billa Burke, Wing, Solis, Ayala, Vera, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: None.

92-11 The Clerk read the following Ordinance:

AN ORDINANCE 75,444

APPROVING THE APPLICATION FOR A FIREWORKS PERMIT; AND APPROPRIATING CITY COUNCIL DISCRETIONARY FUNDS TOTAL ING \$750.00 TO ASSIST THE 1992 SPECIAL OLYMPICS SPRING GAMES ORGANIZERS IN MEETING THE COST OF A CITY FIREWORKS PERMIT NEEDED TO HOLD A FIREWORKS DISPLAY IN CONNECTION WITH THE OPENING EVENTS.

* * * *

Mrs. Billa Burke 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: Perez, Pierce, Billa Burke, Wing, Solis, Ayala, Vera, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: None.

92-11 The Clerk read the following Ordinance:

AN ORDINANCE 75,445

AS REQUESTED BY COUNCILMEMBER LABATT, APPROPRIATING \$4,000.00 FROM THE DISTRICT 9 DISCRETIONARY FUND TO PAY FOR ONE HALF OF THE COST INCURRED BY ATTENDING THE PROGRAM FOR SENIOR EXECUTIVES IN STATE AND LOCAL GOVERNMENT WHICH WILL BE HELD JUNE 14, 1992, THROUGH JULY 3, 1992, AT THE JOHN F. KENNEDY SCHOOL OF GOVERNMENT, HARVARD UNIVERSITY.

* * * *

Mrs. Billa Burke made a motion to approve the proposed Ordinance. Mr. Perez seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Billa Burke, Wing, Solis, Ayala, Vera, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: Pierce.

92-11 Travel Authorization for Mayor Wolff to travel to San Francisco California on December 18, 1991, to meet with officials from Southern Pacific Railroad.

Ms. Billa Burke made a motion to approve the proposed Travel Authorization. Mr. Perez seconded the motion.

After consideration, the motion, prevailed by the following vote: AYES: Perez, Pierce, Billa Burke, Wing, Solis, Ayala, Vera, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: None.

92-11 The Clerk read the following Ordinance:

AN ORDINANCE 75,446

AUTHORIZING THE USE OF CITY COUNCIL DISCRETIONARY FUNDS TO ASSIST INCARNATE WORD COLLEGE IN PAYMENT OF COSTS ASSOCIATED WITH THE 10K RUN FOR BRAIN POWER SCHEDULED FOR MARCH 28, 1992.

* * * *

During discussion, various Council members made contributions from their individual Discretionary Fund accounts to assist payment of costs associated with the Incarnate Word College "10K Run for Brainpower".

Mrs. Billa Burke 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: Perez, Pierce, Billa Burke, Wing, Solis, Ayala, Vera, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: None.

- - -
92-11 The Clerk read the following Ordinance:

AN ORDINANCE 75,447

ACCEPTING THE PROPOSAL AND AUTHORIZING A PROFESSIONAL SERVICES CONTRACT FOR AN AMOUNT NOT TO EXCEED \$15,000.00 WITH PREMIER SPORTS MARKETING, INC. TO DEVELOP THE DESIGN CRITERIA RELATED TO THE ALAMODOME SCOREBOARD; AND PROVIDING PAYMENT FROM THE 1/2 PERCENT SALES TAX.

* * * *

Ms. Vera made a motion to approve the proposed Ordinance. Ms. Billa Burke seconded the motion.

Mr. Roland Lozano, Director of Dome Development, explained the proposed ordinance to develop design criteria related to the Alamodome scoreboard.

In response to a question by Mr. Larson, Ms. Carol Darby, Alamodome Manager, explained how this impacts the Spectator contract. She noted that Premier Sports Marketing, Inc. is the only firm that packages scoreboard design, while Spectacor is a management firm.

A discussion ensued concerning whether or not to also ask Spectacor to do this work, as a means of comparison.

Mr. Alex Briseno, City Manager, stated that he would ask Spectacor to assist the City staff in assessing the proposal of Premier Sports Marketing, Inc.

Mr. Solis made a motion to postpone action on this agenda item for one week, and to ask the Dome Development Office to come back with a comparison of proposals from Premier Sports Marketing and Spectacor. Mr. Larson seconded the motion.

After consideration, the motion, to postpone action for one week, prevailed by the following vote: AYES: Solis, Larson; NAYS: Perez, Pierce, Billa Burke, Wing, Ayala, Vera, Thornton, Labatt, Wolff; ABSENT: None.

After consideration, the main motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Pierce, Billa Burke, Wing, Ayala, Vera, Thornton, Labatt, Wolff; NAYS: None; ABSENT: Solis, Larson.

- - -
92-11 City Council recessed its Regular Meeting at 8:30 P.M. to convene in Executive Session for consultation on the following matters:

A. Staff briefing on Cause No. 89-CI-15033, styled V & L By-Products Corp. v. City of San Antonio.

B. Briefing on the proposed settlement of Cause No. 90-CI-17648, styled Alma Dee Smith and Stewart S. Smith v. City of San Antonio.

C. Briefing on the proposed settlement of Cause No. 90-CI-04748, styled Irene Flores v. City of San Antonio.

D. Briefing on the payment of legal fees in connection with a case styled Weatherly et al v. City of San Antonio, and related issues.

E. Briefing on proposed settlements in Cause No. SA-90-CA-602, styled City of San Antonio, Texas and San Antonio Development Agency v. Commerce Savings Association, the Resolution Trust Corporation, as Receiver for Commerce Savings Association, and Benjamin McCaleb, Cause No. 87-TA1-5233, State of Texas, County of Bexar, et al., v. Omni/Vanir Vista Verde South Joint Venture, et al., Cause No. 87-TA1-1344, State of Texas, County of Bexar, et al., v. Immer Vista Verde, Inc., et al., and Cause No. 87-TA1-5232, State of Texas, County of Bexar, et al. v. Omni/Vanir Vista Verde South Joint Venture, et al.

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92-11 City Council reconvened in Regular Session at 9:11 P.M., at which time Mayor Wolff noted that City staff was given direction in each matter presented during Executive Session.

92-11 The Clerk read the following Ordinance:

AN ORDINANCE 75,448

APPROPRIATING THE SUM OF \$70,156.00, TOGETHER WITH APPROPRIATE INTEREST THEREON AND AUTHORIZING DISBURSEMENT OF SUCH AMOUNT IN PAYMENT AND SATISFACTION OF JUDGMENT IN CAUSE NO. 89-CI-15033 IN THE 45TH JUDICIAL DISTRICT COURT OF BEXAR COUNTY, STYLED V & L BY-PRODUCTS CORP. VS CITY OF SAN ANTONIO.

* * * *

Mr. Wing made a motion to approve the proposed Ordinance. Ms. Billa Burke seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, Pierce, Billa Burke, Wing, Solis, Ayala, Vera, Thornton, Labatt, Larson, Wolff; NAYS: None; ABSENT: None.

92-11 There being no further business to come before the Council, the meeting was adjourned at 9:13 P.M.

A P P R O V E D
Nelson Wolff
M A Y O R

Attest: *Anna S. Rodriguez*
C i t y C l e r k