

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, OCTOBER 22, 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, BILLA BURKE, WING, SOLIS, AYALA, VERA, THORNTON, LABATT, LARSON, WOLFF; Absent: PIERCE.

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92-43 Invocation - Reverend F. C. Crawford, New Hope Church of God In Christ Church.

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92-43 Pledge of Allegiance to the flag of the United States.

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92-43 Minutes of the September 3, 1992 Regular City Council Meeting were approved.

92-43 ENERGY AWARENESS WEEK

Mayor Wolff read and presented a proclamation to Arthur Von Rosenberg, General Manager of City Public Service, proclaiming the week of October 19 - 25, 1992 to be "Energy Awareness Week".

Mr. Labatt recognized the J. K. Spruce Power Plant as an investment in our future.

Dr. Thornton stated the city's utility rates are extremely competitive.

Mr. Perez spoke of diversification being good for the future of our community.

Mayor Wolff noted that one of the key factors businesses look into when considering a move into a City is availability of energy and cost factors.

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"WALKFEST '92 DAY"

Mayor Wolff read a proclamation proclaiming "Walkfest '92 Day" on October 25, 1992, and presented the proclamation to Ms. Susan Schneider, Executive Director of the American Diabetes Association in San Antonio.

Ms. Schneider thanked Mayor Wolff and spoke of the seriousness of this disease in San Antonio.

Mayor Wolff introduced the "Walkfest" Co-Chairs, Alex and Mary Briseno.

Mr. Briseno informed the public that the "Walkfest" purpose was twofold: not only to bring public awareness, but also to raise money to fight diabetes. He stated that \$8.6 million was needed for research, and that Hispanics have a three-times higher possibility of getting the disease.

Mayor Wolff stated that exercise and diet help control the disease, and that last year there were 96 employees on the City "Walkfest" team.

At this time, Ms. Susan Schneider introduced their new sponsor, Mr. Tom Adams, President and founder of Retama Sports Shoes. Each Councilmember was presented a pair of Retama Sports Shoes.

Mr. Adams stated these shoes held a new concept that would revolutionize the shoe world and that they were going to open a manufacturing plant in San Antonio, and would soon expand their market to include both Mexico and Japan.

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92-43 At the request of Councilman Perez, City Council, by concensus, agreed to take up Agenda Item 45 at this time.

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92-43 The Clerk read the following Ordinance:

AN ORDINANCE 76,700

CLOSING NORTH ST. MARY'S STREET AND ADJACENT STREETS WITHIN THE BOUNDARIES OF E. MULBERRY ON THE NORTH, MCCULLOUGH AVENUE ON THE WEST, ASHBY ON THE SOUTH AND HIGHWAY 281 ON THE EAST FROM 4:00 P.M., SATURDAY, OCTOBER 31, 1992 UNTIL 5:00 A.M., SUNDAY, NOVEMBER 1, 1992 IN CONNECTION WITH THE NORTH ST. MARY'S STREET MERCHANTS ASSOCIATION ANNUAL HALLOWEEN BASH; AUTHORIZING THE EXECUTION OF AN AGREEMENT IN

CONNECTION THEREWITH; AND DECLARING AN EMERGENCY.

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

Mr. Perez spoke on behalf of the merchants of St. Mary's Street, stating their efforts to improve the neighborhood.

Mr. Bill Sanchez, Whacky's, stated they would have twelve different bands playing. His Halloween-dressed entourage then presented each Councilmember with a painted pumpkin.

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.

92-43 CONSENT AGENDA

Ms. Billa Burke made a motion to approve Agenda Items 9 through 31U, constituting the Consent Agenda with Items 27, 31Q and 31T being pulled for individual consideration. Mr. Solis seconded the motion.

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

AN ORDINANCE 76,701

ACCEPTING THE PROPOSAL OF INFORMATION ACCESS COMPANY FOR RENEWAL OF BUSINESS COLLECTION AND BUSINESS INDEX FOR THE CITY OF SAN ANTONIO PUBLIC LIBRARY FOR A TOTAL OF \$11,200.00.

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AN ORDINANCE 76,702

EXTENDING THE CONTRACTS OF MCCLINTOCK ASSOCIATES, AMDAHL CORPORATION, TELOS FIELD ENGINEERING, SAGE COMPUTER RESOURCES, DIGITAL REPAIR CORPORATION AND ALAMO DATA SYSTEMS, INC. FOR MAINTENANCE OF DATA PROCESSING EQUIPMENT FOR A TOTAL OF APPROXIMATELY \$22,600.00 MONTHLY.

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AN ORDINANCE 76,703

ACCEPTING THE LOW BID OF UNDERGROUND, INC. TO FURNISH THE CITY OF SAN ANTONIO WITH A COMBINATION VACUUM AND HIGH VELOCITY HYDRAULIC CATCH BASIN CLEANER FOR A TOTAL OF \$102,200.00.

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AN ORDINANCE 76,704

ACCEPTING THE LOW BID OF GLOCK, INC. TO FURNISH THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH SEMI-AUTOMATIC PISTOLS FOR A TOTAL OF APPROXIMATELY \$556,449.20, INCLUDING TRADE-IN OF CITY-OWNED REVOLVERS.

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AN ORDINANCE 76,705

ACCEPTING THE PROPOSAL OF FORD MOTOR COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH A 1993 OFFICIAL CITY AUTOMOBILE ON A LEASE BASIS FOR A TOTAL OF \$6,168.00 FOR A ONE-YEAR PERIOD.

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AN ORDINANCE 76,706

APPROPRIATING \$5,000.00 TO FUND AN EXISTING ANNUAL CONTRACT WITH SERVICE STATION TESTING, INC. FOR UNDERGROUND TANK/LINE TIGHTNESS TESTING.

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AN ORDINANCE 76,707

ACCEPTING THE LOW BIDS OF VARIOUS VENDORS TO FURNISH THE CITY OF SAN ANTONIO WITH VARIOUS MATERIALS AND SERVICES, INCLUDING AUTO PARTS AND COMPUTER SYSTEM MAINTENANCE AGREEMENTS, FOR THE 1992-93 FISCAL YEAR FOR APPROXIMATELY \$30,000.00.

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AN ORDINANCE 76,708

ACCEPTING THE PROPOSAL OF STEWART B. LAMBERT, A.I.A. & ASSOCIATES FOR THE PROVISION OF CERTAIN STRUCTURAL ENGINEERING AND ARCHITECTURAL SERVICES IN CONNECTION WITH THE HERTZBERG CIRCUS MUSEUM HANDICAPPED ACCESS RAMP PROJECT; AUTHORIZING A PROFESSIONAL SERVICES

CONTRACT IN THE AMOUNT OF \$5,000.00; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 76,709 .

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$20,971.00 WITH MACINA, BOSE, COPELAND AND ASSOCIATES, INC. FOR THE PROVISION OF CERTAIN ENGINEERING SERVICES RELATED TO THE ELDRIDGE FROM HWY 90 TO ACME ROAD RECONSTRUCTION PROJECT; REVISING THE PROJECT BUDGET; AUTHORIZING \$4,194.20 FOR ENGINEERING CONTINGENCIES; AUTHORIZING \$250.00 FOR ADVERTISING EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 76,710 .

ACCEPTING THE LOW, QUALIFIED BID OF E-Z BEL CONSTRUCTION CO. IN THE AMOUNT OF \$178,124.65 IN CONNECTION WITH THE SANTA MONICA/FLANN ALLEY STREETS RECONSTRUCTION PROJECT; AUTHORIZING A CONTRACT; REVISING THE PROJECT BUDGET; AUTHORIZING \$17,812.47 FOR CONSTRUCTION CONTINGENCIES, \$3,945.02 FOR PROJECT OVERSIGHT COSTS, AND \$4,117.75 FOR ENGINEERING EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 76,711 .

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$22,453.43 WITH FORD ENGINEERING, INC. FOR THE PROVISION OF CERTAIN ENGINEERING SERVICES RELATED TO THE VILLA CORONADO STREETS, PHASE II PROJECT; REVISING THE PROJECT BUDGET; AUTHORIZING \$7,500.00 FOR ENGINEERING CONTINGENCIES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 76,712 .

ACCEPTING THE LOW, QUALIFIED BID OF SAN ANTONIO CONSTRUCTORS, INC. IN THE AMOUNT OF \$188,207.41 IN CONNECTION WITH THE CASSIANO STREET FROM S. FLORES WEST TO DEAD-END RECONSTRUCTION PROJECT; AUTHORIZING A CONTRACT; REVISING THE PROJECT BUDGET; AUTHORIZING \$18,820.74 FOR CONSTRUCTION CONTINGENCIES, \$13,239.29 FOR PROJECT OVERSIGHT COSTS, \$1,160.52 FOR ENGINEERING EXPENSES AND

\$225.68 FOR BID ADVERTISING FEES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 76,713

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$11,600.00 WITH REYNA & ASSOCIATES ARCHITECTS FOR THE PROVISION OF CERTAIN ARCHITECTURAL SERVICES RELATED TO THE HEALY MURPHY CENTER REHABILITATION - PHASE II PROJECT; REVISING THE PROJECT BUDGET; AUTHORIZING \$1,400.00 FOR MISCELLANEOUS ARCHITECTURAL CONTINGENCIES; AUTHORIZING \$250.00 FOR ADVERTISING EXPENSES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 76,714

AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$9,735.00 WITH FERNANDEZ, FRAZER, WHITE & ASSOCIATES, INC. FOR SOIL TESTING SERVICES IN CONNECTION WITH THE QUINTANA ROAD DRAINAGE PROJECT #64B (KING STREET); AUTHORIZING A CONTINGENCY ACCOUNT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 76,715

AUTHORIZING A PRIVATELY FUNDED FIELD ALTERATION NO. 2 TO THE CONTRACT WITH E-Z BEL CONSTRUCTION CO., INC. IN THE AMOUNT OF \$1,513.70 FOR ADDITIONAL SERVICES IN CONNECTION WITH THE COLLEGE STREET, NAVARRO TO PRESA IMPROVEMENT PROJECT; ACCEPTING A CONTRIBUTION FROM THE NIX MEDICAL CENTER; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 76,716

APPROVING THE PRICE, TERMS AND CONDITIONS OF SALE BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF CERTAIN PARCELS OF LAND LOCATED WITHIN THE AVENIDA GUADALUPE NEIGHBORHOOD REVITALIZATION COMMUNITY DEVELOPMENT PROJECT FOR A SALE AMOUNT OF \$36,525.00 TO THE AVENIDA GUADALUPE ASSOCIATION.

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AN ORDINANCE 76,717

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$13,828.25 OUT OF GENERAL OBLIGATION BONDS; ACQUIRING TITLE TO TWO PARCELS IN CONNECTION WITH THE SOUTH FLORES DRAINAGE PROJECT #70-70A, PHASE II; ACQUIRING TITLE TO ONE PARCEL AND PAYING FOR TITLE CHARGES IN CONNECTION WITH THE 34TH STREET RECONSTRUCTION PROJECT - CULEBRA TO WEST COMMERCE; ACQUIRING TITLE TO ONE PARCEL AND ACQUIRING A TEMPORARY EASEMENT IN CONNECTION WITH THE SCIENCE PARK DRAINAGE PROJECT #58H, I & J; AND, ACQUIRING TITLE TO TWO PARCELS AND ACQUIRING A TEMPORARY CONSTRUCTION AND GRADING EASEMENT IN CONNECTION WITH THE 39TH STREET DRAINAGE PROJECT #58M, PHASE II.

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AN ORDINANCE 76,718

AUTHORIZING PAYMENT IN THE AMOUNT OF \$4,310.75 FOR TITLE CHARGES ON THE BABCOCK ROAD PROJECT - HUEBNER TO HAMILTON WOLFE (UTILITY EASEMENTS), SOUTH FLORES DRAINAGE PROJECT #70-70A, PHASE II, ASHLEY ROAD RECONSTRUCTION PROJECT - BASCUM BLVD. TO S. FLORES, 34TH STREET RECONSTRUCTION PROJECT - CULEBRA ROAD TO WEST COMMERCE STREET, SCIENCE PARK DRAINAGE PROJECT #58H, I & J AND F.M. 1517 (ECKHERT ROAD) - S.H. 16 TO HUEBNER ROAD PROJECT; AND RELOCATION EXPENSES ON F.M. 1517 (ECKHERT ROAD) - S.H. 16 TO HUEBNER ROAD PROJECT; AND APPROPRIATING FUNDS.

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AN ORDINANCE 76,719

AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH JUSTEX SYSTEMS, INC., IN THE AMOUNT OF \$32,500.00 FOR THE PREPARATION AND ADMINISTRATION OF A POLICE LIEUTENANT'S ASSESSMENT CENTER EXAMINATION AND AUTHORIZING PAYMENT OF LODGING AND RELATED EXPENSES FOR FOUR ASSESSORS NOT TO EXCEED \$6,800.00 FOR A TOTAL EXPENDITURE OF \$39,300.00.

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AN ORDINANCE 76,720

AUTHORIZING PAYMENT OF THE ANNUAL MEMBERSHIP DUES FOR THE CITY OF SAN ANTONIO TO THE TEXAS MUNICIPAL LEAGUE (TML) IN THE AMOUNT OF \$29,180.00 FOR THE

PERIOD OF AUGUST 1, 1992 TO JULY 31, 1993.

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AN ORDINANCE 76,721

AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE CONTRACT WITH CITY TOWING ASSOCIATES (CTA) FOR TOWING SERVICES TO ADD VEHICLES STORAGE SERVICES AT THE CTA BUSINESS HEADQUARTERS FOR VEHICLES TOWED FROM THE DOWNTOWN AREA IN CONNECTION WITH PARKING VIOLATIONS; AND DECLARING AN EMERGENCY.

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AN ORDINANCE 76,722

REAPPOINTING JOHN AGATHER, PHIL FRYBERGER, AND COL. MAURICE L. MCFANN, JR. TO THE AIRPORT ADVISORY COMMITTEE FOR TERMS OF OFFICE TO EXPIRE DECEMBER 15, 1994.

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AN ORDINANCE 76,723

APPOINTING HARRIET O. KELLEY AND REAPPOINTING CLAUDIA LADENSOHN TO THE ARTS AND CULTURAL ADVISORY COMMITTEE FOR TERMS OF OFFICE TO EXPIRE NOVEMBER 15, 1994.

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AN ORDINANCE 76,724

APPOINTING ED GLOSSON AND REAPPOINTING CHRISTINE ORTEGA TO THE CABLE TELEVISION ADVISORY COMMITTEE FOR TERMS OF OFFICE TO EXPIRE DECEMBER 31, 1994.

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AN ORDINANCE 76,725

REAPPOINTING WILLIAM H. MULLINS TO THE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE OCTOBER 25, 1994.

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AN ORDINANCE 76,726

APPOINTING DELIA SALDANA, PHD TO REPLACE DR. PHYLLIS BOWIE ON THE COMMISSION FOR CHILDREN AND

FAMILIES FOR A TERM OF OFFICE TO EXPIRE JUNE 27,
1994.

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AN ORDINANCE 76,727

APPOINTING DIXIE KINGSTON AND REAPPOINTING JOHN PAUL
GIOLMA TO THE HIGHER EDUCATION AUTHORITY.

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AN ORDINANCE 76,728

APPOINTING TEODORO T. ZAMORA, JR. TO REPLACE LIZ
TREVINO ROMERO ON THE HOME IMPROVEMENT ADVISORY
BOARD FOR A TERM OF OFFICE TO EXPIRE ON JUNE 23,
1993.

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AN ORDINANCE 76,729

REAPPOINTING EVELYN MORTOLA AND BERTHA WINBORNE TO
THE KEEP SAN ANTONIO/BEXAR COUNTY BEAUTIFUL
COMMITTEE FOR TERMS OF OFFICE TO EXPIRE DECEMBER 22,
1994.

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AN ORDINANCE 76,730

APPOINTING NAOMI BOLES AND MARLENE MARTIN TO THE
MAYOR'S COMMISSION ON THE STATUS OF WOMEN FOR TERMS
OF OFFICE TO EXPIRE DECEMBER 15, 1994.

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AN ORDINANCE 76,731

APPOINTING DON CRUMRINE AND REAPPOINTING JOSE
MEDELLIN AND DIANE VAUGHAN TO THE SAN ANTONIO CENTRO
21 TASK FORCE FOR TERMS OF OFFICE TO EXPIRE DECEMBER
31, 1994.

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AN ORDINANCE 76,732

REAPPOINTING GILBERTO RAMON TO THE SAN ANTONIO

COMMISSION ON LITERACY FOR A TERM OF OFFICE
SEPTEMBER 15, 1994.

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AN ORDINANCE 76,733

APPOINTING DANIEL GOSTYLO TO REPLACE QUINCY BARNES
ON THE SAN ANTONIO LOCAL DEVELOPMENT COMPANY FOR A
TERM OF OFFICE TO EXPIRE MAY 9, 1995.

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AN ORDINANCE 76,734

APPOINTING MEMBERS TO THE HISTORIC AND DESIGN REVIEW
COMMISSION.

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AN ORDINANCE 76,735

REAPPOINTING DR. ROBERT SCHNITLZER TO THE ADVISORY
BOARD OF HEALTH OF SAN ANTONIO METROPOLITAN DISTRICT
FOR A TERM OF OFFICE TO EXPIRE DECEMBER 31, 1995.

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AN ORDINANCE 76,736

REAPPOINTING PEDRO MOLINA AND FRANK MANUPELLI TO THE
FIREMEN'S AND POLICEMEN'S CIVIL SERVICE COMMISSION.

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AN ORDINANCE 76,737

APPOINTING MEMBERS TO THE FORT SAM HOUSTON GATEWAY
COMMERCIAL DISTRICT ADVISORY BOARD FOR TERMS OF
OFFICE TO EXPIRE UPON COMPLETION OF THE PROJECT.

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AN ORDINANCE 76,738

APPOINTING AND REAPPOINTING MEMBERS TO THE SAN
ANTONIO AIDS/HIV COMMISSION.

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AN ORDINANCE 76,739

APPOINTING SAMUEL C. LOPEZ AND REAPPOINTING PAUL SILBER, JR., LOUIS P. TERRAZAS, AND ROBERT MCKINLEY TO THE SMALL AND MINORITY BUSINESS ADVOCACY ADVISORY COMMITTEE FOR TERMS OF OFFICE TO EXPIRE NOVEMBER 20, 1994.

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AN ORDINANCE 76,740

APPOINTING MICHAEL GARCIA AND REAPPOINTING DIAN RATH, CARLOS MADRID, JR., AND KATHERINE HOPKINS TO THE URBAN RENEWAL AGENCY FOR TERMS OF OFFICE TO EXPIRE SEPTEMBER 18, 1994.

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92-43 The Clerk read the following Ordinance:

AN ORDINANCE 76,741

AUTHORIZING A THREE-MONTH EXTENSION OF THAT CERTAIN CONTRACT WITH ADMIRALTY MANAGEMENT COMPANY FOR LEASING, CONSULTING AND MANAGEMENT SERVICES IN CONNECTION WITH VACANT BUILDINGS IN HEMISFAIR PARK IN AN AMOUNT NOT TO EXCEED \$6,500, AUTHORIZING A BUDGET ADJUSTMENT IN GENERAL FUND ACTIVITY 26-11-05 (HEMISFAIR PARK), AND AUTHORIZING PAYMENT TO THE CONSULTANT.

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

Mr. Ron Darner, Director, Parks and Recreation, explained details of the Ordinance, in particular with prospective tenants.

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, Labatt, Larson, Wolff; NAYS: None; ABSENT: Pierce, Thornton.

92-43 The Clerk read the proposed ordinance reappointing Dan Hernandez and Rudolph F. Rodriguez to the Metropolitan Transit Authority for terms of office to expire December 31, 1994.

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

Ms. Ayala made a substitute motion to replace Mr. Rudolph F. Rodriguez with Ms. Minnie Abrego Sanchez. Ms. Billa Burke seconded the motion.

Mr. Labatt asked for a Point of Clarification on the rules for deciding on members of the different Boards.

Ms. Yolanda Ledesma, Boards and Commissions Coordinator, Office of the City Clerk, responded that the current policy, Council members can either choose to interview or select individuals from a resume.

Ms. Ayala spoke of the qualifications of Minnie Sanchez for appointment to the VIA Board, stating that appointing a third woman would bring a more balance to the eleven member Board.

Mr. Solis suggested a strong rotation on Boards. He also stated that he would support the appointment of Mr. Rudolph F. Rodriguez to another board.

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

After consideration, the main motion, as substituted, 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.

AN ORDINANCE 76,742

APPOINTING MINNIE ABREGO SANCHEZ AND REAPPOINTING DAN HERNANDEZ TO THE METROPOLITAN TRANSIT AUTHORITY.

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92-43 The Clerk read a proposed ordinance reappointing Charles F. Rodriguez to the 201 Area Wastewater Advisory Committee for a term of office to expire March 6, 1994.

Mr. Solis made a motion to delay action pending further discussion. Ms. Billa Burke seconded the motion.

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

92-43

TAXABLE CONSIDERATION TAX AND STADIUM AGREEMENT REVENUE
REFUNDING OBLIGATION SERIES 1992.

Mayor Wolff stated that even though Agenda Item 32 was pulled from today's Agenda, City Staff wished to comment.

Mr. Alexander Briseno, City Manager, clarified that Council is not voting on this Ordinance today, but simply being given updated information.

Ms. Nora Chavez, Director of Finance, explained that VIA needs to officially post this matter for formal Board consideration by Monday, October 26, 1992, in order for VIA to vote on a Resolution before the Council can formally consider it. She noted that it is most critical that this issue be passed by next week.

(At this time, Mayor Wolff left the Chambers and Mayor Pro Tem Perez presided.)

92-43 The Clerk read the following Ordinance:

AN ORDINANCE 76,743

AUTHORIZING THE TEMPORARY CLOSURE OF W. MULBERRY AVE., BETWEEN BLANCO AND GRANT, FROM 6:00 P.M. TO 10:00 P.M. ON SATURDAY, OCTOBER 31, 1992, FOR THE PURPOSE OF HOLDING A HALLOWEEN BLOCK PARTY; AND DECLARING AN EMERGENCY.

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

92-43 The Clerk read the following Ordinance:

AN ORDINANCE 76,744

CLOSING A PORTION OF S. SAN AUGUSTINE BETWEEN BUENA VISTA AND W. COMMERCE, ON SATURDAY, OCTOBER 24, 1992, STARTING AT 9:00 A.M. UNTIL MIDNIGHT SUNDAY, OCTOBER 25, 1992, FOR THE PURPOSE OF HOLDING THE ST. JUDE'S CATHOLIC CHURCH ANNUAL FALL FESTIVAL; AND DECLARING AN EMERGENCY.

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

92-42 The Clerk read the following Ordinance:

AN ORDINANCE 76,745

AUTHORIZING PAYMENTS OF REFUNDS TOTALING \$35,622.25, TO PERSONS MAKING A DOUBLE PAYMENT, OVERPAYMENT, OR AS A RESULT OF A VALUE CHANGE ON 28 TAX ACCOUNTS.

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

92-43 The Clerk read the following Ordinance:

AN ORDINANCE 76,746

AUTHORIZING THE CITY MANAGER AND THE CITY ATTORNEY TO COMPROMISE AND SETTLE A CASE STYLED SYLVIA FLORES BROWN V. HUMBERTO GALLEGOS AND THE CITY OF SAN ANTONIO IN THE TOTAL AMOUNT OF \$25,000.00.

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

92-43 The Clerk read the following Ordinance:

AN ORDINANCE 76,747

AUTHORIZING THE CITY MANAGER AND THE CITY ATTORNEY TO COMPROMISE AND SETTLE A CASE STYLED FRANCES G. HIDALGO V. THE CITY OF SAN ANTONIO IN THE TOTAL AMOUNT OF \$10,000.00 PLUS COURT COSTS.

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

92-43 The Clerk read the following Ordinance:

AN ORDINANCE 76,748

AUTHORIZING THE CITY MANAGER AND THE CITY ATTORNEY TO COMPROMISE AND SETTLE A CASE STYLED ANGELO AND ROSA GONZALEZ V. THE CITY OF SAN ANTONIO IN THE TOTAL AMOUNT OF \$12,500.00.

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Mr. Labatt 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, Billa Burke, Wing, Solis, Ayala, Vera, Thornton, Labatt; NAYS: Larson; ABSENT: Pierce, Wolff.

92-43 (Agenda Item 39 was postponed for consideration to a later time in the meeting.)

92-43 The Clerk read the following Ordinance:

AN ORDINANCE 76 749

AUTHORIZING THE USE OF DISTRICT 4 DISCRETIONARY FUNDS IN THE AMOUNT OF \$1,200.00 TO ASSIST BLESSED SACRAMENT NON-TRADITIONAL SCHOOL IN PURCHASING BASKETBALL UNIFORMS.

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

92-43 The Clerk read the following Ordinance:

AN ORDINANCE 76,750

AUTHORIZING THE TEMPORARY CLOSURE OF CAMARGO STREET, BETWEEN S. PRESA AND MATAGORDA, FROM 5:00 P.M. TO 10:00 P.M. ON SATURDAY, OCTOBER 31, 1992, IN ORDER FOR THE GATEWAY TO SOUTH HEMISFAIR NEIGHBORHOOD ASSOCIATION TO HOLD ITS ANNUAL HALLOWEEN BLOCK PARTY; AUTHORIZING THE USE OF DISTRICT 1 DISCRETIONARY FUNDS IN THE AMOUNT OF \$45.00 TO DEFRAY THE COST OF THE STREET CLOSURE FEE; AUTHORIZING THE USE OF DISTRICT 1 DISCRETIONARY FUNDS IN THE AMOUNT OF \$90.00 TO DEFRAY THE COST OF THE STREET CLOSURE FEE REQUIRED FOR THE TEMPORARY STREET CLOSURES, WHICH WERE AUTHORIZED BY ORDINANCE NO. 76507, NECESSARY TO HOLD THE OCTOBER 3, 1992, SAN FERNANDO CATHEDRAL HEALTH FAIR; AND DECLARING AN EMERGENCY.

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

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92-43 The Clerk read the following Ordinance:

AN ORDINANCE 76,751

AUTHORIZING THE USE OF DISCRETIONARY FUNDS IN THE AMOUNT OF \$485.00 EACH TO ASSIST IN MEETING THE COST OF ADVERTISING RELATED TO THE BLACK BUSINESS EXPO ON OCTOBER 31, 1992.

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

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92-42 TRAVEL AUTHORIZATION - Granted:

Mayor Nelson W. Wolff to travel to Monterrey, Mexico from October 20, 1992 to open Casa San Antonio in Monterrey, Mexico.

Councilwoman Yolanda Vera to travel to Monterrey, Mexico from October 19, 1992 to October 20, 1992 to open Casa San Antonio in Monterrey, Mexico.

* * * *

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

Ms. Vera gave details of the trip and stated that the Governor of Nuevo Leon was present for the opening of Casa San Antonio in Monterrey, Mexico.

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

- - -
92-43 The Clerk read the following Ordinance:

October 22, 1992
alh/jd

AN ORDINANCE 76,752

AUTHORIZING THE USE OF DISTRICT 3 DISCRETIONARY FUNDS IN THE AMOUNT OF \$400.00 FOR THE USE OF THE SHOWMOBILE IN CONNECTION WITH THE BROOKS AIR FORCE BASE 75TH ANNIVERSARY CELEBRATION ON NOVEMBER 8, 1992.

* * * *

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

92-43 The Clerk read the following Ordinance:

AN ORDINANCE 76,753

TEMPORARILY CLOSING NORTH NEW BRAUNFELS AVENUE, BETWEEN EAST HOUSTON AND CANTON STREETS, FROM 11:00 A.M. TO 1:00 P.M., OCTOBER 24, 1992, IN ORDER TO HOLD A VOTING RALLY AT THE EASTSIDE DEMOCRATIC HEADQUARTERS; AND DECLARING AN EMERGENCY.

* * * *

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

92-43 ZONING HEARINGS

4A. CASE Z92129 - to rezone Lots 23, 24, 35 and 36, Block 5, NCB 8952 from "B" Residence District to "B-3NA" Non-Alcoholic Sales District, 6130 IH-35 South located 64 feet south of the intersection of IH-35 South and Macdonna Street, and located between these two streets; having 70 feet on IH-35 South, 64 feet on Macdonna Street and 150 feet between these two streets.

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

Mr. Andy Guerrero, Planning Department, clarified details of the Ordinance.

Mr. Wing stated he wanted no access to Macdonna and also wants fencing along Macdonna, as well.

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

AN ORDINANCE 76,754

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 23, 24, 35 AND 36, BLOCK NCB 8952 FROM "B" RESIDENCE DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES DISTRICT PROVIDED THAT A NON-ACCESS EASEMENT AND A SIX (6) FOOT SCREEN FENCE IS IMPOSED ALONG MACDONNA STREET, 6130 IH-35 SOUTH. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4B. CASE Z92150 (CC) - to rezone 5.288 acres out of Lot 6, Block 2, NCB 15054 from "B-3" Business District to "B-3" CC Business District with City Council approval for a Go-Cart Track, 5026 N.W. Loop 410 located on the southeast side of N.W. Loop 410 Expressway, 160 feet southwest of the intersection of Zangs Road and N.W. Loop 410 Expressway, having 914.50 feet on N.W. Loop 410 and a maximum depth of 433.02 feet.

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

The following citizens spoke:

Mr. Bob Ashcroft, 117 W. Craig, representing the applicant, requested approval of zoning for a go-cart track. He stated that the site will be used as a family entertainment center and there will be no on-premise sale of alcoholic beverages.

He noted that neighbors to the south were concerned regarding noise, drainage and operation of the go-cart facility.

Mr. Lars Ivorson, manager of the property, 5788 N. W. Loop 410, spoke of the family entertainment being offered at the park with no alcohol, smoking or video games permitted on the premises. He stated they would have 24 hour security and handicapped accessibility. He then presented the overall site plan.

Mr. Joe Nunnely, Project Architect, talked of a buffer against noise for nearby Thunderbird Hills. He indicated they were considering a six foot wooden fence and hedgerow to guard against go-cart noise. He presented an asthetics chart, showing where they took advantage of building on knolls and saving trees.

The following citizens spoke in opposition:

Mr. Kevin Burton, 4609 Warpath, representing about 100 residents, spoke of their concerns regarding pollution and traffic, and indicated he had met with Mr. Bob Ashcroft who had not addressed all the issues.

Mr. Franklin Sullivan, 138 Jeanie Riley, mobile home owner, stated they were given only short notice about vacating the property on which their mobile homes are located, and that it was a hardship on families to move in just six short weeks. He stated the cost of moving and setting up in another trailer park would be at least \$3,353.00. He feels the Company is anti-community and thus anti-family.

Ms. Beatrice Simpson, 4606 Warpath, a senior citizen, expressed concern with noise and crime.

Ms. Mary Carmel Kelley, 104 Jeanie Riley, mother of five children, spoke on behalf of all school children, speaking of the possibility of increased truancy. She then submitted a petition bearing signatures in opposition.

Ms. Stella Lindsay, 142 Jeanie Riley, spoke against establishment of the park with Go-Carts.

Proponents replied to concerns of the residents regarding non-access easement at the back of Thunderbird Hills, stating no traffic can enter from there.

In response to questions by Dr. Thornton, Mr. Ashcroft explained details of the development of the project, reiterating how many trees they were saving throughout the proposed park.

Mr. Iverson answered Dr. Thornton's question regarding their high-quality equipment which would be utilized.

Dr. Thornton stated the property was already zoned as B-3 business, and that, certainly, allowing Go-Carts would be a better

choice for business near their neighborhood, rather than businesses such as a bar, nurseries, welding shops, tune-up facilities, or auto repairs.

Mr. Ashcroft spoke to the expediency necessary in order to be able to open the Park by next April, and that the October 13 eviction notices were mailed the same day the purchase was completed.

Dr. Thornton spoke to Mr. Nunnally, architect, regarding the easement, fencing and hedgerow as visual and sound barriers.

Ms. Simpson, whose home is on an adjacent cul-de-sac, stated that wood fencing would not be a detriment to crime.

Mr. Ashcroft spoke to the possibility of chain link fencing plus a hedgerow for safety and sound buffer.

Dr. Thornton then asked that Mr. Ashcroft and the citizens come to a written agreement and requested restrictions on the entire 1,319 feet of the south property line to have fencing and hedgerow.

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

In response to Mr. Solis, Mr. Andy Guerrero spoke to the timing in notifying residents.

Mr. Ashcroft stated that once McMarr Properties, Inc. received permission from the Resolution Trust Corporation to notify citizens, they did so.

In response to Mr. Solis, Mr. Ivorson spoke to the fact that the new full-year rotation schedule in schools will give them a constant stream of customers for the go-carts.

Mr. Ashcroft stated that all lighting on-site will be shielded from the surrounding neighborhood, and that security and visual and sound are high priorities with their Company. He spoke to one way access to the front of the property.

Mr. Solis complemented Dr. Thornton on the compromise.

Ms. Vera stated she will not be supporting the Ordinance, and spoke to problems such as the ones being experienced by Embassy Suites Hotel at IH-10 and Loop 410, arising from Malibu Grand Prix noise and all night parties being allowed for different groups. She expressed concern regarding the hours of operation being from 11:00 A.M. to 11:00 P.M. every day.

Mr. Ashcroft asked that the facility be allowed to be open until midnight Friday and Saturday.

Dr. Thornton then made a motion to amend the proposed Ordinance to limit time of operation of the go-cart area to be 11:00

A.M. to 11:00 P.M. daily. Mr. Solis seconded the motion.

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

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

AN ORDINANCE 76,755

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 5.288 ACRES OUT OF LOT 6, BLOCK 2, NCB 15054 FROM "B-3" BUSINESS DISTRICT TO "B-3" CC BUSINESS DISTRICT WITH CITY COUNCIL APPROVAL FOR A GO-CART TRACK PROVIDED THAT THE HOURS OF OPERATION BE LIMITED FROM 11:00 A.M. TO 11:00 P.M., 5026 N.W. LOOP 410. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4C. CASE Z92136 - to rezone all of NCB 406 from "I" Business District to "B-4" Central Business District, 200 Block of Houston Street bounded by four streets, having 469.9 feet on Houston Street, 164.15 feet on N. St. Mary's Street, 470.9 feet on College Street and 166.85 feet on Navarro Street.

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

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

AN ORDINANCE 76,756

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 ALL OF NCB 406 FROM "I" BUSINESS

DISTRICT TO "B-4" CENTRAL BUSINESS DISTRICT, 200
BLOCK OF HOUSTON STREET. "THE PENALTY FOR VIOLATION
IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

4D. CASE Z92137 - to rezone The east 55 feet of the south 109 feet of Lot 13, Block 14, NCB 403 "I" Historic Landmark to "B-4" Historic Landmark and Lots 8 and 9; Lots 11, 12, and 13, save and except the east 55 feet of the south 109 feet, Block 14, NCB 403 "I" to "B-4", 400 Block of North St. Mary's Street located on the west side of North St. Mary's Street, between East Pecan Street and East Travis Street, having 325 feet on North St. Mary's Street, 81 feet on Pecan Street and 262 feet on Travis Street.

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

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

AN ORDINANCE 76,757

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 55 FEET OF THE SOUTH 109 FEET OF LOT 13, BLOCK 14, NCB 403 "I" HISTORIC LANDMARK TO "B-4" HISTORIC LANDMARK AND LOTS 8 AND 9; LOTS 11, 12, AND 13, SAVE AND EXCEPT THE EAST 55 FEET OF THE SOUTH 109 FEET, BLOCK 14, NCB 403 "I" TO "B-4" FROM "I" BUSINESS DISTRICT AND "I" HISTORIC LANDMARK BUSINESS DISTRICT TO "B-4" CENTRAL BUSINESS DISTRICT AND "B-4" HISTORIC LANDMARK BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

92-43 The Clerk read the following Ordinance:

AN ORDINANCE 76,758

APPROPRIATING FUNDS REQUIRED ACCORDING TO THE TERMS OF THE PROFESSIONAL SERVICES CONTRACT WITH THE SPECTACOR MANAGEMENT GROUP FOR THE PURPOSE OF PROVIDING MARKETING AND PROMOTION SERVICES, WITH LIMITED RELATED CONSULTING SERVICES FOR THE ALAMODOME AND ADDITIONAL FACILITIES, AS APPROVED BY ORDINANCE NO. 73656.

* * * *

Mr. Eddie Garcia, Director of Convention Facilities, explained details of the Ordinance.

Mr. Solis inquired about as to the success ratio of Spectacor Management Group in attracting business for the Alamodome.

Mr. Garcia spoke to the benchmarks established.

In response to Mr. Solis, Mr. Roland Lozano, Director of Dome Development, clarified the time-frame involved before opening of the Dome, and spoke to the incentive for Spectacor booking the Dome. He ensured that Spectacor must meet the expectations, outlined by Mr. Garcia.

Mr. Garcia spoke to the fact that Spectacor could either book many small events, or one large event in order to bring in money for the same time-frame.

In response to Ms. Ayala's question regarding losing events, Mr. Garcia reminded Council of the competition of being underbid by the surrounding theme parks.

Mr. Garcia outlined marketing of the Dome to be handled as follows:

The Convention Bureau handles the offices.
The Sports Foundation books Amateur Sports.
Spectacor books Entertainment events.

Ms. Carol Darby, Manager of the Dome, spoke of her role and her expertise to negotiating contracts and overseeing operation of the Dome.

Mr. Alexander Briseno, City Manager, spoke to how the marketing package is broken down, and that if the Ordinance allowing cash-flow is not approved, the City will be in breach of the contract. He then offered to set up a "B" Session when the Spectacor representative can attend in order to make a detail presentation.

Mr. Wing spoke to the two-year window with local contractors having every opportunity to participate.

Ms. Vera 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, Billa Burke, Wing, Ayala, Vera, Thornton, Labatt, Larson; NAYS: Solis; ABSENT: Pierce, Wolff.

92-43 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE

Mayor Pro Tem Perez opened the Public Hearing.

Mr. Andrew Cameron, Director of Community Development, reiterated circumstances occurring three weeks ago when Council discussed the Westside Boys and Girls Capital Improvements Project.

In response to a question by Mr. Labatt, Mr. Cameron stated the monies had been redirected to be used in the hiring of two swimming teachers.

No citizens were registered to speak on the matter.

Mayor Pro Tem Perez declared the Public Hearing closed.

The City Clerk read the following Ordinance:

AN ORDINANCE 76,759

CANCELLING THE WESTSIDE BOYS AND GIRLS CLUB CAPITAL IMPROVEMENTS PROJECT; REPROGRAMMING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS IN THE AMOUNT OF \$40,000.00 MADE AVAILABLE FROM THE CANCELLATION OF SAID PROJECT TO CREATE THE WESTSIDE BOYS AND GIRLS CLUB RECREATION PROGRAM; REVISING THE APPROPRIATE CDBG BUDGETS; AND AUTHORIZING THE EXECUTION AND SUBMISSION OF CONTRACTS AND OTHER DOCUMENTS AS NECESSARY IN CONNECTION THEREWITH.

* * * *

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

SECOND PUBLIC HEARING - ANNEXATION OF FOUR AREAS:
COVEL ROAD, SEA WORLD, MAINLAND DRIVE, INWOOD

Mayor Pro Tem Perez opened the Public Hearing and announced this was the second of two required Public Hearings before consideration of the annexation can take place.

The following citizens were registered to speak on the matter:

Ms. Patsy Verstuyft, Rt. 38, Box 549, representing land owners near Covell Road, stated they object to the annexation of the land near Covell and asked to be deleted from the annexation.

Ms. Nancy Pederson, 8934 Chilliwick, spoke in opposition to the annexation, stating taxes would be too great for the return.

Mr. Kerry Benedict, #2 Sugarwood, stated he represents 93% of the Inwood Area, and had asked the Mayor of Shavano Park to work with Mayor Wolff to have them annexed into Shavano Park rather than into San Antonio.

Mr. Craig Odanovich, 6 Inwood Oaks, spoke against the annexation, stating San Antonio cannot offer the Inwood community as much as Shavano Park. He asked that the choice be left to the citizens of the Inwood community.

Mr. Harvey Najim, #2 Vintage Oaks, spoke to the fire and police services offered by Shavano Park, compared to the same services being offered by San Antonio. He expressed concern about due process and asked that the people of the community be allowed to vote on it. He then asked for a deferment on annexation of Inwood.

Mr. Bill Rodriguez, 8646 Silent Oaks, asked for a deferment, stating they have adequate protection now.

Mr. Mark Newman, 7677 Nelson Road #2, stated the area's volunteer fire department protects them well, and that taxes would be harsh on them if they were annexed.

Mayor Pro Tem Perez declared the Public Hearing closed.

Mr. Labatt explained to the citizens that unincorporated areas are almost always incorporated by some entity, and that cities must expand their tax base and grow rather than die. He stated that he will not vote to exchange extra territorial jurisdiction (ETJ) with Shavano Park.

In response to a question by Mr. Labatt, Mr. David Pasley, Acting Director of Planning, stated he met with the Inwood group on October 21st and will have another meeting on November 4, 1992.

Mr. Labatt spoke of a letter dated October 17, 1992, addressed to City Council expressing displeasure about annexation, and also spoke of a copy of a letter sent to the Justice Department.

Dr. Thornton queried Mr. Pasley on the statement that ten or more City Council members attended the meeting. He also clarified that Mr. Najim, who originated the petition, was not in attendance at the October 21st meeting, and that others involved from their community were encouraged not to attend this particular meeting.

Dr. Thornton stated he will vote in favor of the annexation of Inwood.

Dr. Wing stated that the City had to have a reasonable annexation program in an orderly progression.

(At this time Mayor Wolff returned and presided.)

Mayor Wolff stated that the Council would not be voting on this item today, but that rather is holding the second public hearing on this matter.

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92-42 At 4:55 P.M., Council recessed to "B" Session to discuss a report and recommendations from the Henry B. Gonzalez Convention Center Expansion Citizens' Committee.

- - -
92-43 SWEARING IN OF NEW MAYOR PRO TEM

Assistant City Clerk Dick Porter administered the oath of office to incoming Mayor Pro Tem Larson.

- - -
92-43 CITIZENS TO BE HEARD
CITY CURFEW ORDINANCE
MR. MICHAEL BERNARD

Mr. Michael Bernard, representing the San Antonio Chapter of the American Civil Liberties Union, stated that his board had voted to accept an offer of representation for a group of curfew-age and older teenagers and other persons in order to challenge in court the constitutionality of San Antonio's curfew ordinance. He stated his opinion that, in light of the pending opinion to be delivered by the Court of Appeals in New Orleans relative to the City of Dallas' curfew law, which he felt would be held unconstitutional, he would ask the City of San Antonio to suspend enforcement of its curfew ordinance, pending that opinion. He asked that the City Council consider either suspending

or repealing that curfew ordinance until the Court of Appeals decides the issue relative to the Dallas ordinance.

Mr. Wing spoke of his earlier concerns with the local curfew law, but stated that he now feels that San Antonio's curfew ordinance is not punitive in its enforcement, and that it truly is enforced across-the-board in all sections of the city. He noted that San Antonio's curfew ordinance is different from Dallas' law, and is not punitive, but rather is designed to protect children from other children.

Ms. Billa Burke spoke to the contents of a letter from a parent whose child was found in violation of the curfew law, and noted that the parent was glad that it happened. She spoke to the need for children to have some limitations, and is supportive of the curfew ordinance.

Mr. Solis noted that the curfew law is only one component of an overall strategy of the City toward its youth.

Ms. Ayala spoke in support of the curfew, stating her belief that it also helps single parents in their efforts to keep their children from outside influences. She noted that she is concerned with the rights of the victim, and stated her belief that the City of San Antonio is doing something about youth, now. She further stated her belief that the ACLU is wrong in this case.

Mr. Perez asked to have a full report of the accomplishments of the curfew ordinance sent to the ACLU, and he spoke to some of its reasonable restrictions, in his opinion. He stated his opinion that the City of San Antonio is having a positive effect upon its youth through several programs, and asked the ACLU board to further study its stance in this matter.

Mr. Bernard stated his belief that the curfew, though good in some respects, violates the youths' constitutional rights in several areas.

Mayor Wolff spoke to specifics of San Antonio's curfew ordinance and the results of the program, thus far. He addressed specific statistics of just what the curfew "followup" has found, and the social services help provided by the City to many families, as a result of that curfew ordinance followup. He spoke to the positive results of the curfew and the COalition Program, noting that crime overall is down in San Antonio since the curfew was instituted.

* * * *

ADANJESUS QUAVES

Mr. Adanjesus Quaves stated his opinion that the City is placing too many restrictions on its youth, and feels that the City thus

is contributing to fascism.

* * * *

DON WILKINS CASTILLO

Mr. Castillo stated his opinion that the youth curfew has both good and bad aspects, and he spoke to several examples.

* * * *

MANUEL V. VALLEJO JR.

Mr. Manuel V. Vallejo, Jr. thanked the Mayor and City Council for installing the youth curfew.

* * * *

HENRY RODRIGUEZ

Mr. Henry Rodriguez, President, LULAC Council 4493, stated his belief that the youth curfew is wrong, but hopes that the discussion of the issue will open up good dialogue on youth in San Antonio. He stated that his LULAC Council will support the youths who have challenged the curfew, and stated his opinion that the resources being expended in enforcement of the youth curfew could be put to better use.

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MARY BETH DUERLER

Ms. Mary Beth Duerler stated that persons who show their pets in pet shows, and pet breeders, both oppose the City's proposed new animal control ordinance. She stated her belief that it reflects the feelings only of the animal rights activists. She stated that she would shortly be sending the Mayor and City Council an alternative ordinance for its consideration.

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92-43 There being no further business to come before the City Council, the meeting was declared adjourned at 6:50 P.M.

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

Attest: *Korma S. Rodriguez*
C I T Y C L E R K



October 22, 1992

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

The following petitions were received in my office and forwarded to the City Manager for investigation and report to the City Council:

October 6, 1992 Petition submitted by Mr. Ernest C. Hernandez, 126 Coyle, San Antonio, Texas 78201, requesting the City of San Antonio's permission to retain the flagstone walls erected in front of his residence, and approval of the fences along the east and west boundaries of his property, which presently encroach on the city's right-of-way.

* * * *

October 9, 1992 Petition submitted by Mr. and Mrs. Adrian Vasquez, 6007 Sandwick, San Antonio, Texas 78238, requesting permission from the City of San Antonio to retain the fence he has erected across his front yard.

* * * *

October 9, 1992 Petition submitted by Mr. Juan S. Flores and other residents in the area, requesting that the City of San Antonio reduce the speed limit on Cupples, Colima and Barclay to 10 miles per hour, instead of 30 miles, install stop signs on Apperson and "Do Not Enter", "One Way signs" on Colima streets. In addition they request speed limit signs or speed bumps on the following streets: Colima St. off Cupples, Castroville and Sandy Ct., Apperson and Sandy Ct., Colima and Barclay.

/s/ Norma S. Rodriguez
City Clerk