

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO, HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, OCTOBER 29, 1987.

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The meeting was called to order by the presiding officer, Mayor Henry Cisneros, with the following members present: BERRIOZABAL, WEBB, DUTMER, WING, MARTINEZ, THOMPSON, VERA, WOLFF, LABATT, HASSLOCHER, CISNEROS. Absent: NONE.

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87-51 The invocation was given by Reverend Jerry Dailey, Macedonia Baptist Church.

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87-51 The members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

87-51 STATE ATTORNEY GENERAL JIM MATTOX

Mayor Cisneros introduced State Attorney General Jim Mattox, present in the audience and noted that he is in San Antonio to deliver a seminar address. Mayor Cisneros then spoke to a number of recent changes that have been made in the Open Meetings Law and of the Attorney General's interpretation of that law.

Attorney General Mattox presented each City Council member with a new manual of the Attorney General's office concerning the Open Records Law. He then spoke of the original 1972 law in Texas and of its history over the past 14 years and he addressed a series of seminars that are now being held to explain the law to Texans. He then spoke to some of the new regulations which are now enforced on executive session meetings and he noted that he favors tape recording such executive sessions. The Attorney General then spoke of the newly created computer program of the Attorney General opinions and the access available to it by all cities.

87-51 SWEARING-IN OF BOARD MEMBERS

Mayor Cisneros introduced members of a number of city Boards and Commissions due to be sworn in today and he thanked each for their willingness to serve the City of San Antonio, speaking of the new limits on terms of service by citizens on the city's Boards and Commissions.

City Clerk, Norma S. Rodriguez, then administered the formal oath of office to the appointees en masse.

Mr. Wolff spoke a recent survey proving the worth of citizen participation in local government.

Mr. Webb paid special recognition to Mrs. Lillian Sutton Taylor, present in the audience, for her many long years of civic service.

Various members of the City Council then recognized their district appointees on various city Boards and Commissions.

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KPAC ARTIST OF THE YEAR

Mayor Cisneros introduced Mr. Jeffrey Swann, present in the audience, noting that Mr. Swann is the KPAC Radio 1987 Artist of the Year and that he is an international prize winner, composer and recording artist who will be making a series of public appearances in San Antonio. He then complimented KPAC for its progress as San Antonio's classical radio station.

Mr. Swann then briefly spoke to his San Antonio plans and of his own personal background.

Representatives of Radio KPAC then briefly discussed the station's financial underwriting.

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NABISCO CHAMPIONSHIPS

Mayor Cisneros introduced Mr. Jim Wiggins, President of the San Antonio Golf Association, who was present to receive a proclamation designating "Nabisco Championship of Golf Days".

Mr. Wiggins discussed the Nabisco Golf Championship at the record amount of prizes including some \$2 million in contributions to charities. Mr. Wiggins stated that he hopes that the sponsor, Nabisco, will keep the tournament in San Antonio and he thanked the City Council for its recognition of this event.

Mayor Cisneros congratulated Mr. Wiggins and San Antonio Golf Association for staging the Championship Tournament.

87-51CONGRATULATIONS TO STAFF

Mr. Labatt singled out the work of Ms. Sylvia Rivas and Mrs. Mary Lou Rodriguez of the City Clerk's office for their diligent and hard work on the Boards and Commissions for the City Council, and their expert handling of the formal swearing-in ceremony held earlier on this date.

87-51AIR FORCE RECRUITERS

Mayor Cisneros introduced the six team members of Eagle Flight 41E from San Antonio which has been designated this year's top air force recruiting team in the world.

Master Sergeant Gregory Valdez, the Flight Supervisor, spoke of San Antonio's long history as a fertile recruiting field for the air force and he briefly discussed recruiting incentives that are available to High School graduates. He thanked San Antonio for its great support of his team's efforts.

Mayor Cisneros presented an "Alcalde" to Sergeant Valdez and official San Antonio books to remaining members of the flight and staff.

87-51DEFENSE LANGUAGE INSTITUTE STUDENTS

Mayor Cisneros noted the presence in the audience of a number of students from the Defense Language Institute, Lackland Air Force Base, and he asked each to introduce themselves.

In turn each individual member of the class stood, introduced himself and identified his nation.

87-51 The Minutes of the City Council Meeting of October 15, 1987, were approved.

87-51 CONSENT AGENDA

Ms. Vera made a motion to approve Agenda Items #8 - 36, constituting the Consent Agenda, with the exception of Items #13, 21, 22, 34, which were pulled for individual consideration. Mrs. Dutmer seconded the motion.

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

AN ORDINANCE 65,952

ACCEPTING THE LOW BID OF SOUTHWEST PUBLIC SAFETY TO FURNISH THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH VEHICLE WARNING LIGHTS AND SIREN AMPLIFIER SYSTEM FOR A TOTAL OF \$15,224.70.

\* \* \* \*

AN ORDINANCE 65,953

ACCEPTING THE PROPOSAL OF CLSI, INC. TO UPGRADE THE COMPUTER HARDWARE FOR THE CITY OF SAN ANTONIO PUBLIC LIBRARY FOR A TOTAL OF \$3,614.00 PLUS FREIGHT.

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AN ORDINANCE 65,954

ACCEPTING THE LOW BID OF SAFETRAFFIC TRAFFIC SYSTEMS, INC. AND ASI TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH TRAFFIC SIGNAL CONTROLLERS AND CABINETS ON A CONTRACT BASIS FOR AN ESTIMATED TOTAL OF \$810,998.00.

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AN ORDINANCE 65,955

ALLOWING THE CITY OF SAN ANTONIO TO PARTICIPATE IN THE STATE OF TEXAS CONTRACT FOR POLICE RADIAL PURSUIT TIRES FOR A TOTAL OF APPROXIMATELY \$81,000.00.

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AN ORDINANCE 65,956

APPROPRIATING FUNDS TO THE STONE OAK REIMBURSEMENT ACCOUNT, IN THE AMOUNT OF \$71,984.91 FOR REIMBURSEMENT OF ELIGIBLE COSTS INCURRED IN THE CONSTRUCTION OF OFF-SITE FACILITIES AS OUTLINED IN THE SEWER SERVICE CONTRACT BETWEEN THE CITY OF SAN ANTONIO AND THE STONE OAK JOINT VENTURE.

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## AN ORDINANCE 65,957

AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH THE UNIVERSITY OF TEXAS AT SAN ANTONIO CENTER FOR ARCHAEOLOGICAL RESEARCH, IN THE AMOUNT OF \$6,422.00, TO PROVIDE ARCHAEOLOGICAL MONITORING SERVICES; PROVIDING AN ADDITIONAL \$578.00 FOR MISCELLANEOUS ARCHAEOLOGICAL CONTINGENCY; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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## AN ORDINANCE 65,958

APPROVING FIELD ALTERATION NO. 7, IN THE AMOUNT OF \$110,699.99 TO THE CONTRACT WITH H.B. ZACHRY CO. FOR THE SAN ANTONIO INTERNATIONAL AIRPORT PARKING LOTS AND ROADWAY IMPROVEMENTS PROJECT; AUTHORIZING ADDITIONAL ENGINEERING FEES IN THE AMOUNT OF \$20,000.00 FOR SOMERVILLE-GONZALES & ASSOCIATES, INC.; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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## AN ORDINANCE 65,959

AUTHORIZING FIELD ALTERATION NO. 3 IN THE AMOUNT OF \$28,759.45 FOR THE HUMBOLDT/BRUNSWICK BOULEVARD RECONSTRUCTION PROJECT TO PROVIDE FOR THE RECONSTRUCTION OF APPROXIMATELY 200 FEET OF COMMERCIAL AVENUE BETWEEN HARLAN AVENUE AND IH 35 FRONTAGE ROAD NEAR BRUNSWICK BOULEVARD.

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## AN ORDINANCE 65,960

AUTHORIZING FIELD ALTERATION NO. 4 IN THE AMOUNT OF \$17,010.00 FOR THE FENFIELD FROM LINDEMAN TO LAREDO HWY. PROJECT TO PROVIDE FOR RETAINING WALLS, STEPS AND SIDEWALKS, ADJUSTMENTS TO 1 PEDESTRIAN AND 3 VEHICULAR GATES AND RELOCATION OF 20 FEET OF CHAIN LINK FENCE.

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AN ORDINANCE 65,961

ACCEPTING THE PROPOSAL FROM CHUMNEY & ASSOCIATES IN THE AMOUNT OF \$265,918.00 FOR PREPARING PLANS AND SPECIFICATIONS FOR RENOVATIONS OF THE EMERGENCY OPERATIONS CENTER (EOC), THE FIRE CHIEF'S ADMINISTRATIVE OFFICES AND THE FIRE MARSHALL'S FACILITIES; \$24,932.00 FOR MISCELLANEOUS CONTINGENCY EXPENSES AND \$150.00 FOR ADVERTISING EXPENSES.

\* \* \* \*

AN ORDINANCE 65,962

AUTHORIZING AN ADDITIONAL \$15,000.00 FOR ENGINEERING FEES PAYABLE TO GROVES ASSOCIATES, INC., IN CONNECTION WITH THE NACOGDOCHES ROAD FROM IH 41 TO NEW BRAUNFELS AVENUE PROJECT.

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AN ORDINANCE 65,963

RESCINDING ODINANCE NO. 61410 PASSED ON SEPTEMBER 12, 1985, WHICH ACCEPTED THE BID FOR THE SALE OF SURPLUS CITY-OWNED PROPERTIES, THAT ARE PART OF THE OLMOS DAM DETNTION RESERVOIR, OUT OF COUNTY BLOCK 4024, IN THE CITY OF ALAMO HEIGHTS, WHICH AUTHORIZED THE CITY MANAGER, OR HIS DESIGNEE TO EXECUTE A SPECIAL WARRANTY DED TO THE JOHN COATES COMPANY AND TUSCANY MANAGEMENT, INC., HIGH BIDDER THERETO; AND WHICH REJECTED ALL OTHER BIDS.

\* \* \* \*

AN ORDINANCE 65,964

ACCEPTING FIVE WARRANTY DEEDS FROM THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONI, CONVEYING CERTAIN PARCELS OF REAL ESTATE LOCATED IN THE AVENIDA GUADALUPE COMMUNITY DEVELOPMENT PROJECT, SAID PROPERTY BEING LOCATED IN NEW CITY BLOCKS 2437 AND 2444.

\* \* \* \*

AN ORDINANCE 65,965

GRANTING THE REQUEST OF THE CITY WATER BOARD TO

OVERSIZE AN 8-INCH APPROACH MAIN TO 12 INCHES IN ORDER TO SERVE THREE SINGLE FAMILY CUSTOMERS ALONG HIGHWAY 87 EAST BETWEEN HIGHWAY 1516 AND FOSTER ROAD.

\* \* \* \*

AN ORDINANCE 65,966

AMENDING THE UNIFORM BUILDING CODE (1985 EDITION) TO REQUIRE PLANS AND SPECIFICATIONS FOR TRENCH SAFETY SYSTEMS FOR CERTAIN CONSTRUCTION WORK; PROVIDING A PENALTY FOR EACH VIOLATION HEREOF BY FINE NOT TO EXCEED \$200.00.

\* \* \* \*

AN ORDINANCE 65,967

AUTHORIZING SUBMISSION OF AN APPLICATION TO THE TEXAS DEPARTMENT OF HEALTH FOR AN HIV SCREENING AND COUNSELING PROJECT GRANT.

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AN ORDINANCE 65,968

AUTHORIZING THE CITY MANAGER TO EXTEND FOR THREE YEARS AN AGREEMENT WITH THOMAS L. JACOBS AND ASSOCIATES TO ACT AS THIRD PARTY ADMINISTRATOR FOR LONG TERM DISABILITY CLAIMS AND AUTHORIZING FUNDS TO BE PAID FROM FUND 75, PROJECT 005000 TO CONTRACT WITH JACOBS AND ASSOCIATES IN AN AMOUNT NOT TO EXCEED \$24,000.00 FOR THE CONTRACT YEAR.

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AN ORDINANCE 65,969

AUTHORIZING THE RENEWAL OF THE ANNUAL UNEMPLOYMENT COMPENSATION MANAGEMENT AGREEMENT WITH AUTOMATIC DATA PROCESSING (ADP OF SAN ANTONIO) AT AN ESTIMATED ANNUAL COST OF \$12,642.48.

\* \* \* \*

AN ORDINANCE 65,970

AUTHORIZING THE PURCHASE OF ONE-YEAR POLICY TO RENEW

THE AIRPORT LIABILITY INSURANCE FOR COMBINED  
AVIATION ACTIVITIES OF THE CITY OF SAN ANTONIO.

\* \* \* \*

AN ORDINANCE 65,971 .

AUTHORIZING THE PURCHASE OF A ONE-YEAR POLICY TO  
RENEW THE BOILER & MACHINERY EQUIPMENT POLICY FOR  
PHYSICAL DAMAGE TO OBJECTS SCHEDULED IN POLICY NO.  
CRJ-626211.

\* \* \* \*

AN ORDINANCE 65,972 .

AUTHORIZING THE RENEWAL OF TWO INSURANCE POLICIES,  
THE COMPREHENSIVE 3-D BOND AND THE PUBLIC EMPLOYEES'  
BLANKET BOND.

\* \* \* \*

AN ORDINANCE 65,973 .

AUTHORIZING EXTENSION OF THE CITY'S PROTECTED  
SELF-INSURANCE POLICY FOR THE SECOND YEAR OF A THREE  
YEAR POLICY, AND RETAINING ARTHUR J. GALLAGHER AS  
THE SERVICING AGENT.

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AN ORDINANCE 65,974 .

AUTHORIZING THE CITY MANAGER TO UPDATE THE SERVICE  
CREDITS OF ACTIVE EMPLOYEES AND PROVIDE RETIREE WITH  
AN ANNUITY INCREASE EQUAL TO 70% OF THE CONSUMER  
PRICE INDEX.

\* \* \* \*

AN ORDINANCE 65,975 .

EXTENDING BY ADDENDUM THE TEXAS MUNICIPAL LEAGUE  
(TML) BY WORKERS' COMPENSATION SELF-INSURANCE FUND  
THREE-YEAR CONTRACT AS PASSED IN ORDINANCE NO. 63903  
ON OCTOBER 30, 1986.

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87-51 The Clerk read the following Ordinance:

AN ORDINANCE 65,976

AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT ORDER #9 IN THE AMOUNT OF \$139,158.28, PAYABLE TO PIZZAGALLI CONSTRUCTION COMPANY FOR THE DOS RIOS FACILITY, CONTRACT NO. 3.

\* \* \* \*

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

Mrs. Berriozabal voiced her concern that there has already been some \$1 million in field alterations to the Dos Rios Treatment Facility.

Mr. Gregory J. Kuchy, Assistant Director of Wastewater Management, noted that despite the field alterations the project is being brought in well within its predicted budget. He stated that city staff attempts to accumulate a number of field alterations before bringing them to City Council for approval. He noted that the project is very near to the end of the contract and that these changes represented in the ordinance today are merely "clean-up" changes.

Mrs. Berriozabal spoke to the need for project officers to more closely coordinate all construction efforts in the future.

Mrs. Dutmer spoke to several reasons for the number of change orders being made and the massive job of constructing the Dos Rios Wastewater Treatment Plant.

Mr. Labatt spoke to the monies that have been saved by change orders over the life of the contract for construction of the Dos Rios Plant.

In response to questions from the City Council, Mr. Kuchy then spoke to details of the Monday ceremonies which dedicate the Dos Rios Wastewater Treatment Plant.

Mr. Webb addressed his concerns with the City Council removing from last week's agenda a proposed ordinance and plans to rebid a certain project, when a minority firm was the low bidder on that project. Mr. Webb stated that he favors awarding a contract to the low bidder on any project and he feels further that the city will eventually run into problems as a result of rebidding this particular project.

Mr. Kuchy briefly explained the reasons why the item was removed from consideration of last week's Council meeting including the fact that

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one line item exceeded the maximum specifications required in the bid.

Mr. Webb stated that he feels it would be wrong to readvertise for bids on the project.

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

Mr. Wing noted that the low bid, if accepted, would have saved the city some \$1 million. He voiced his concern that new bids may be even more costly.

A discussion then took place concerning the costs involved in readvertising the project.

Mrs. Berriozabal noted that the city, in her opinion, should be certain it acts with equity in all bids. She spoke also on the number of protests that have been made to her office concerning the particular bid involved.

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

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87-51 The Clerk read the following Ordinance:

AN ORDINANCE 65,977

APPROVING EXTENSION OF THE LEASE CONTRACT DATED APRIL 4, 1947 APPROVED BY ORDINANCE NO. 4976 AS AMENDED BY ORDINANCE NO. 16773, DATED DECEMBER 13, 1951, BETWEEN THE CITY OF SAN ANTONIO AND THE CITY OF ALAMO HEIGHTS, TEXAS, FOR CERTAIN PROPERTY TO BE USED EXCLUSIVELY FOR PARK, PLAYGROUND AND RECREATIONAL PURPOSES, AND AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE CONTRACT EXTENSION AGREEMENT IN CONNECTION THEREWITH.

\* \* \* \*

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

In response to a question by Mr. Labatt, Mr. Ron Darner, Director of Parks and Recreation, stated that this is the area of the Olmos Basin involving the Alamo Heights Swimming Pool and nearby ball fields.

A discussion then took place concerning rumours that the Alamo Heights Swimming Pool possibly will close and the possibility of requiring these uses as part of continuation of the lease.

Mr. Labatt stated that he would like to have a long term guarantee that the Alamo Heights Pool will remain open.

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

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

87-51 The Clerk read the following Ordinance:

AN ORDINANCE 65,978

DECLARNG PORTIONS OF LOTS 1 AND 2, BLOCK 10, NEW CITY BLOCK 8965, SURPLUS TO THE CITY'S NEEDS; ACCEPTING THE BID OF \$1,500.00 FOR SAID PROPERTY AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE A SPECIAL WARRANTY DEED TO HENRY W. BENAVIDES, THE SUCCESSFUL BIDDER.

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

In response to a question by Mrs. Dutmer, Mr. David Steitle, Director of Public Works, discussed the successful bidders plans for use of the property in conjunction with his adjacent property and he noted that any use of the property must include rezoning.

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

87-51 The Clerk read the following Ordinance:

AN ORDINANCE 65,979

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AUTHORIZING THE CITY MANAGER TO ADOPT SB 505 PROVISIONS AS IT RELATES TO TMRS. (TEXAS MUNICIPAL RETIREMENT SYSTEM).

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

In response to a question by Mrs. Dutmer, Mr. Carl White, Director of Finance, discussed changes being made in the "Texas Municipal Retirement Act" in the last session of the legislature. He noted that these changes remove the age limit on membership and also changed the spouses participation in the program if a city employee member dies while still employed by the city. He noted further that these changes benefit employees at very little cost to the city of San Antonio.

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

87-51 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE - CLOSING AND ABANDONING A PORTION OF A 16.6 FOOT ALLEY.

Mayor Cisneros declared the Public Hearing open.

No citizen appeared to speak.

Mayor Cisneros declared the Public Hearing closed.

The Clerk read the following Ordinance:

AN ORDINANCE 65,980

CLOSING AND ABANDONING A PORTION OF A 16.6 FOOT ALLEY, IN NEW CITY BLOCK 2024, AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE TWO (2) QUITCLAIMS TO THE ADJACENT OWNERS, FOR A CONSIDERATION OF \$1.00.

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

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

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

87-51

APPEAL FROM HISTORIC DISTRICTS DENIAL

Mr. Gene Camargo, Director of Building Inspections, spoke to a number of recommendations made by the city staff and the Historic Review Board in relation to the matter of the painting of the home of Ms. Inez Hartley, 122 E. Gramercy.

Ms. Pat Osborne, Historic Preservation Officer, spoke to details of the case involving the request to paint Ms. Hartley's brick home. Ms. Osborne stated that the Historic Review Board and city staff feels that it would alter the character of the home to do so since the home has never been painted. She asked that the decision of the Historic Review Board be upheld and that the paint be removed. She stated further that she feels the owner violated terms of the new city ordinance involved by painting the home before the appeal was ever heard by the City Council.

Mr. Labatt stated that he feels the city has surpassed the intent of the ordinance and he spoke to his own opinion that the Historic Review Board decision should be overturned.

Mr. Labatt made a motion to overturn the decision of the Historic Review Board. Mr. Hasslocher seconded the motion.

Ms. Inez Hartley, the subject of the hearing, spoke to her own personal reasons for wanting to paint her brick home, noting that her neighbors stated that they feel it would be an improvement.

Mrs. Dutmer defended the recommendations of the Historic Review Board.

Mr. Wing spoke against the recommendation of the Board.

Mr. Webb voiced his concern that Ms. Hartley painted her house while the question yet remained whether or not the City Council would approve it.

Mr. Lloyd Jary, Chairman of the Historic Review Board, noted that his Board dealt with the historic natural brick of the house not with the color scheme of the proposed paint job. He then spoke to the Board's charge given in historic preservation.

Mrs. Berriozabal noted that the City Council has the final decision on such matters and she spoke of restraints that are present in historic districts.

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Mr. Jary discussed the advantages of homes in historic districts.

Mrs. Berriozabal discussed the pros and cons of historic districts, stating that she will support the recommendations of the Historic Review Board.

In response to a question by Mr. Thompson, Ms. Hartley discussed the circumstances of the painting of her home.

Mrs. Dutmer spoke to a number of reasons for the regulations that have been set up in historic districts and expressed concern that the Council had a history of overturning the decision of the Historic Review Board. She then made a motion to post on next week's Council agenda an ordinance to abolish the Historic Review Board. The motion died for lack of a second.

Mr. Labatt stated that he feels the Monte Vista Historical Association is in support of Ms. Hartley in this matter and that this is only the third case from the Historic Review Board ever to be appealed before the City Council. He noted that Council must use common sense in each case.

Mr. Hasslocher also spoke to the need to use common sense in each case and he spoke in support of Ms. Hartley.

Mrs. Dutmer stated that she favors upholding the city ordinance involved and if not to rescind it.

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

The decision of the Historic Review Board was overturned.

87-51 ZONING HEARINGS

37. CASE Z87197 - to rezone Lot 2, NCB 9539, 803 Gabriel Street, from "B" Residence District to "R-3" Multiple Family Residence District, located northeast of the intersection of Gabriel Street and Grimes Street, having 50' on Gabriel Street and 110' on Grimes Street.

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

Mr. Webb made a motion to approve the recommendation of the Zoning Commission, provided that off-street parking is provided and submitted for approval by the Traffic Engineering Division. Ms. Vera seconded the motion.

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

AN ORDINANCE 65,981

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 2, NCB 9539, 803 GABRIEL STREET, FROM "B" RESIDENCE DISTRICT TO "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT FOR A DAY-CARE CENTER CARING FOR TWENTY (20) CHILDREN, PROVIDED THAT OFF-STREET PARKING IS PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION. THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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38. CASE 287192 - to rezone a 0.059 acre tract of land out of Lot 16, Block 3, NCB 14687, from "B-3R" Restrictive Business District to "B-2" Business District, located southeast of the intersection of Huebner Road and Babcock Road, approximately 236' east along the south line of Lot 16, then northwest 26' to the 40' x 65' tract.

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

Mr. Andy Guerrero, Planner III, noted that nine affirmative votes of the City Council would be required to approve the rezoning since more than 20% of the area property owners are in opposition.

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

A discussion then took place concerning details of the case and of the request of the proponent.

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

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AN ORDINANCE 65,982

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 0.059 ACRE TRACT OF LAND OUT OF LOT 16, BLOCK 3, NCB 14687, FROM "B-3R" RESTRICTIVE BUSINESS DISTRICT TO "B-2" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

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87-51 The Clerk read the following Ordinance:

AN ORDINANCE 65,983

ESTABLISHING A REGIONALIZATION COMMITTEE AND MAKING APPOINTMENTS THERETO. (NORMA CANTU, LOU MILLER, LYNDIA BILLA BURKE, DIEGO BERNAL, PHIL ACOSTA, SYBIL KANE, DR. RAYMOND BAIRD, DR. THOMAS BRERETON, KEN THOMAS, DON BEERE, CATHY POWELL.)

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City Clerk Norma S. Rodriguez, read the names submitted by Council members for membership on the Regionalization Committee.

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

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

87-51 The Clerk read the following Ordinance:

AN ORDINANCE 65,984

APPROVING THE 1987-88 PROPOSED BUDGET OF CERTAIN DISTRICT IMPROVEMENT FUNDS.

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

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

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87-51 The Clerk read the following Ordinance:

AN ORDINANCE 65,985

RENAMING A PORTION OF CONVENTION WAY TO GEORGE GERVIN COURT.

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

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

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87-51 The Clerk read the following Ordinance:

AN ORDINANCE 65,986

APPOINTING RON GOSSEN TO SERVE ON THE ZONING COMMISSION FOR A TERM TO EXPIRE ON APRIL 30, 1988.

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

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

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87-51 The Clerk read the following Ordinance:

AN ORDINANCE 65,987

APPOINTING INDIVIDUALS TO SERVE ON THE OPEN SPACE DEVELOPMENT POLICY WORK GROUP. (DIXIE WATKINS, JUNE KACHTIK, LYDIA OLLERVIDEZ, BERNARD LIFSCHUTZ, ALLEN GHORMLEY, BRENT LANE.)

\* \* \* \*

Mayor Cisneros drew attention to the Council members to the list of possible nominees from which the final list of six representatives will be chosen.

The City Council then cast votes for the various individuals nominated by several interested groups and by majority votes six members were seated on the committee.

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

Mayor Cisneros spoke to the importance of this group in preserving open spaces or park areas above the Aquifer and he asked Mr. Bernard Lifschutz, who was present in the audience, to chair the groups organizing effort.

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

87-51 The Clerk read the following Ordinance:

AN ORDINANCE 65,988

APPOINTING CLARENCE MCGOWAN TO SERVE ON THE WATER WORKS BOARD OF TRUSTEES.

\* \* \* \*

Mr. Webb read from a letter nominating Mr. Clarence McGowan for appointment to the City Water Board.

Mr. Webb then submitted the name of Mr. McGowan in nomination for the City Water Board.

Mrs. Dutmer submitted the name of Chuck Andrews.

Mr. Labatt submitted the name of Douglas Jones.

Mr. Martinez voiced his concern with the Council making an appointment to the City Water Board without directly speaking to the candidates involved. He stated that he has personal concerns with some aspects of the City Water Board leadership and he stated that he is disappointed with some aspects of the City Water Board.

Mr. Thompson spoke in support of Mr. McGowan and his concern for equity.

In response to a question by Mrs. Vera, Mrs. Berriozabal and Mr. Webb both spoke to the background of Mr. Andrews.

Mr. Wolff spoke in support of of Mr. McGowan.

At this point the City Council members submitted written votes to the City Clerk for tabulation after which Mr. McGowan was declared to be the winner.

Mr. Webb made a motion to name Mr. McGowan to the Water Board. Mr. Thompson seconded the motion.

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

87-51      PUBLIC HEARING - TOWNSIDE NORTH UDAG PROJECT.

Mayor Cisneros declared the Public Hearing to be open.

Mr. Bernard Lifschutz described the project in detail and spoke to its ramifications. He noted that a similar application was approved by the City Council some seven months ago for a Housing Development Action Grant (HODAG), but that San Antonio was found not to be eligible for a HODAG grant and thus the application now being submitted as a UDAG grant application.

Mr. David Garcia, Special Projects Officer, spoke to the substantial changes that have recently been made in San Antonio's eligibility for UDAG grants, noting that the new changes make San Antonio a "depressed city", and the entire city of San Antonio is now eligible for a UDAG grant. He also noted that the projected 20% city match of funds is no longer required for a UDAG grant since San Antonio falls into the depressed city category. He then identified other Texas cities also rated as depressed cities.

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

87-51      PUBLIC HEARING - SOLANA DEL NORTE UDAG PROJECT.

Mayor Cisneros declared the Public Hearing to be open.

Ms. Maria Martinez, representing St. Jude's Communities Organized for Public Service, spoke to the details of the proposed project and stated that her group supports the general plan idea.

Mr. Martinez stated that he feels this is a good project for San Antonio and is well needed in the area involved although he still expressed concern with the UDAG application. He addressed the funding for right-of-way acquisition using grant funds when normally a developer pays for these funds phased for this part of the project himself. Mr. Martinez noted that the developer involved also is a one-third owner of the land involved and he stated that he also feels that commitments have been made in such projects must be honored by the developers. Mr. Martinez stated that he would like to have all details of the agreement in writing before this project application is finally approved.

Mr. David Garcia, Special Projects Officer, noted that such commitments are very much a part of a UDAG grant and he spoke to the timetable for the grant application.

Mr. Martinez voiced his concern that the developer involved has not fulfilled his commitments in Vista Verde South.

Mr. Thompson addressed several of his concerns with the application.

Mrs. Martinez stated that Communities Organized for Public Service, will not commit to the project until all questions have been properly answered.

Ms. Vera then addressed a number of advantages of the project concerned.

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

87-51      The Clerk read the following Resolution:

## A RESOLUTION 87-51-82

IN SUPPORT OF THE CONTINUATION OF AMTRAK SERVICE TO  
SAN ANTONIO.

\* \* \* \*

Mr. Thompson made a motion to approve the proposed Resolution.  
Mr. Wing seconded the motion.

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

The City Council then recessed at 4:10 P.M., reconvening at 5:00  
P.M. for Citizens to be Heard.

(At this point, Mayor Cisneros obliged to leave the meeting,  
Mayor Protem Wing presided.)

87-51

CITIZENS TO BE HEARD

MS. NORMA CANTU

Ms. Cantu, MALDEF, spoke to the City Council in support of a  
proposed resolution voicing the City Council's position condemning acts of  
violence and threats. The resolution has come about because residents of  
San Antonio and Bexar County have been threatened in their homes. She  
then read the proposed resolution to the City Council. She asked that the  
City Council support a similar resolution. (A copy of her statement and  
resolution is on file with the papers of this meeting.)

Mayor Protem Wing stated that the appropriate authorities should  
also be apprised of these actions.

Mrs. Berriozabal stated that she had mailed copies of similar  
materials and has forwarded complaints to the Chief of police as well as  
the City Manager and Assistant City Manager. She spoke of the specific  
instances she is most familiar with. Mrs. Berriozabal stated that it is  
appropriate for the City Council to voice its opinion on this issue and  
denounce threats against the residents of this city. She then moved that  
the Council move this resolution to "A" session. Mr. Martinez seconded  
the motion.

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In response to a question by Mr. Thompson, Ms. Cantu stated that all of the appropriate authorities have been so notified.

Mr. Thompson stated that the police department should definitely be contacted. The real issue is the policy of Council taking a position on this issue. The Council rarely speaks to an issue where they have no authority. Individually, the entire Council, he is certain, would denounce terrorist threats.

Mr. Wolff stated that there is Council policy in which they are not to get involved in issues which are not city related. He is deeply concerned about residents of this city being threatened. He would like to see the resolution changed to localize it.

Mrs. Vera reminded the City Council that two weeks ago the City Council did not take actions on a resolution because it did not include city issues.

Mrs. Berriozabal proceeded to read the last section of the resolution and is certain that the City Council agrees with this section. She stated that she feels that all of it is proper and feels that the City Council is responsible for the welfare of all its residents.

Mayor Protem Wing stated that the City Council has concerned itself with terrorist threats and action has been taken by the appropriate agencies.

Mr. Martinez stated that he feels it is appropriate for the City Council to take a position as a City Council against these types of illegal activities. He definitely feels it is the city's business.

Mr. Labatt stated that the city should not concentrate on issues which really are not city issues. He feels that it will set a bad precedent.

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

\* \* \* \*

MR. MARCOS SANCHEZ

Mr. Sanchez, representing Proyecto Hospitalidad, spoke about the many threats which many residents are expressing from death squads. He asked that the City Council take a position against these death threats, and request appropriate city agencies to do all in their power to stop said harrasment. Mr. Sanchez related similar type action which occurred in Los Angeles and the positive stance the city government took in Los

Angeles.

Mr. Wolff stated that he does not want to violate a city policy. He suggested that the City Council and the Chief of Police to look into these threats.

Mrs. Berriozabal stated she has already informed the Chief of Police.

Mr. Bill Gibson, Chief of Police, stated that this matter is presently under investigation.

\* \* \* \*

MR. ROBERT MORALES

Mr. Morales spoke to the City Council about the Cabs on Patrol concept which the City Council did not act upon on October 15, 1987. He stated that he was embarrassed because they were not provided the opportunity to speak on this issue to explain the plan. He also stated that this plan would have provided many opportunities for job enhancement.

Mayor Protem Wing stated that the item was up for discussion and the Council decided not to act on this issue in a positive manner.

Mr. Thompson stated that he brought this idea to the City Council. The City Council's main concern is that there have been too many permits granted.

\* \* \* \*

MRS. MARIA DOMINGUEZ

Mrs. Dominguez expressed her concern with the lack of police protection. She stated that the City Council's first priority should be the safety and welfare of its citizens and stated that the police department is understaffed.

\* \* \* \*

MR. DON WILKINS CASTILLO

Mr. Castillo, 1512 Jane Street, Apt. #3, stated that his rights have been violated. He spoke about the manner in which he was arrested. He related several incidents to the Council.

\* \* \* \*

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PARADE ORDINANCE

Mrs. Dutmer spoke regarding a letter she received from St. Mary's Church about the parade ordinance. She stated that she was referring the letter to the City Attorney for review of the points brought up in the letter.

\* \* \* \*

MENTAL HEALTH/MENTAL RETARDATION HOMES

Mrs. Dutmer stated that she has been receiving many complaints from area residents because of the location of Mental Health/Mental Retardation homes being set up in residential areas. She has evidence that these residences are being operated without proper supervision and there are many abuses with this program.

\* \* \* \*

CONSTRUCTION CREWS

Mr. Thompson spoke about traffic congestion due to the placing of traffic cones around construction work which are not being properly monitored.

He also expressed concern that commercial businesses are watering every day. He stated that he feels that watering by commercial establishments should be restricted.

\* \* \* \*

There being no further business to come before the City Council, the meeting was adjourned at 6:05 P.M.

A P P R O V E D

*Henry Cisneros*

M A Y O R

ATTEST: *Armando S. Rodriguez*  
C i t y C l e r k