

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, NOVEMBER 5, 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.

87-52 The invocation was given by Reverend Carlos Berger, St. Paul's Lutheran Church.

87-52 The members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

87-52 RETIREMENT OF CECIL HENNE

Mayor Cisneros introduced Mr. Cecil Henne, long time employee of City Public Service Board and spoke of the importance of CPS customer relations. He then read the following citation:

CECIL J. HENNE

IN RECOGNITION OF ALMOST FORTY YEARS OF CONTINUOUS PUBLIC SERVICE WITH CITY PUBLIC SERVICE IN POSITIONS OF INCREASING RESPONSIBILITY, CULMINATING WITH HIS EIGHT-YEAR TENURE AS CUSTOMER SERVICES DEPARTMENT MANAGER, RESPONSIBLE FOR ALL CUSTOMER SERVICE ACTIVITIES. JOINING CPS SHORTLY AFTER GRADUATION FROM THE UNIVERSITY OF TEXAS IN AUSTIN, MR. HENNE DEVOTED HIS PROFESSIONAL LIFE TO CITY PUBLIC SERVICE AS BOTH ENGINEER AND EXECUTIVE IN POWER PRODUCTION, GENERATING UNIT DESIGN AND FUNCTIONING, DISTRIBUTION FACILITIES AND CUSTOMER SERVICES, SUPERVISING THE VITAL CITIZEN CONTACT FUNCTION OF SOME 460 EMPLOYEES.

THE CITY COUNCIL COMMENDS MR. HENNE ON HIS SIGNAL ACHIEVEMENTS IN PUBLIC SERVICE FOR ALMOST FOUR DECADES, AND EXTENDS BEST WISHES FOR CONTINUED SUCCESS.

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Mayor Cisneros then thanked Mr. Henne for his professionalism and his civic spirit, and presented the citation to him.

Mr. Henne thanked the Mayor and Council for the honors bestowed upon him today and spoke of his close relationship with the city as well as the City Council.

87-52

JOE JIMENEZ GOLF TOURNAMENT

Mayor Cisneros introduced Mr. Richard Teniente, Mr. Bob Billa, Mr. Joe Jimenez, Mr. John Baines and Mr. John Arriaga.

Mr. Bob Billa thanked the City Council for its consideration and the city staff for its assistance in this benefit golf event.

Mr. Richard Teniente noted that some 28 golf professionals from the Professional Golf Association will play in the tournament Sunday and he paid special compliments to the City's Park's and Recreation staff for its hard work in assisting the volunteers in this event.

Representatives of the tournament sponsors then presented the Mayor and members of the City Council special t-shirts to mark the occasion.

87-52

BILBREY LUMBER BASEBALL TEAM

Mayor Cisneros read a special citation to the Bilbrey Lumber Company Baseball team in honor of their being declared the winners of the Stan Musial World Series held recently in Battle Creek, Michigan.

BILBREY LUMBER COMPANY BASEBALL TEAM

IN RECOGNITION OF ITS SUCCESS IN CAPTURING THE 52ND STAN MUSIAL WORLD SERIES IN BATTLE CREEK, MICHIGAN ON SEPTEMBER 1, 1987. THE BILBREY LUMBER TEAM COMPILED A RECORD OF 38 WINS AND ONLY EIGHT LOSSES AS IT PROGRESSED THROUGH A SEASON OF PLAY IN THE SPANISH-AMERICAN BASEBALL LEAGUE CAPPED BY CITY, STATE AND REGIONAL PLAYOFFS ENROUTE TO THE SIX-GAME WORLD SERIES, THE PINNACLE FOR TEAMS IN THE AMERICAN AMATEUR BASEBALL CONGRESS. THE BILBREY TEAM SET REGIONAL RECORDS IN SHUTOUTS, LEAST RUNS ALLOWED, AND TOTAL RUNS SCORED ENROUTE TO THE CHAMPIONSHIP GAME, A 9 - 7 VICTORY OVER BIRMINGHAM

LYNCH & SONS TO BECOME THE FIRST SOUTH PLAINS REGIONAL TEAM TO WIN THE TITLE IN 11 YEARS.

THE CITY COUNCIL COMMENDS TEAM MANAGER PAT SIGMON, COACH FRANK RODRIGUEZ AND THE MEMBERS OF THE BILBREY LUMBER TEAM AND EXTENDS BEST WISHES FOR FUTURE SUCCESS.

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Mr. Pat Sigmon, Manager of the team, spoke to the details of the recently completed season and the various playoffs leading up to the World Series title.

Mayor Cisneros then quoted from the citation and presented it to representatives of the team.

87-52

EAST CENTRAL HIGH SCHOOL GOVERNMENT CLASS

Mayor Cisneros took note of the presence in the audience today of some 16 students from the East Central High School Government class with their instructor, Terence Littlefield.

Members of the City Council then joined in the applause for the members of the Government class and their recognition.

Mayor Cisneros noted that the East Central Independent School District Board recently was recognized before the City Council for its outstanding achievements to education over the past year.

87-52

JUNIOR LEAGUE

Mayor Cisneros introduced representatives from the Junior League, present in the audience, noting that the representatives are here to present the Council with a special "Flavors" gift box. Proceeds from the sale of such gift boxes by the Junior League in a fund raising event will be returned to the community through various Junior League projects.

Ms. Susanna Stiles, representing the Junior League, spoke to the creation of the Junior League gift box with San Antonio produced products inside. She then introduced students from the Northeast Independent School District who helped to assemble the gift boxes.

The students then presented special chef's hats to members of the City Council and in returned received special San Antonio pens.

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Ms. Stiles spoke to where the funds will be spent which are generated by the sale of the gift boxes.

Mayor Cisneros then drew the name of Mrs. Berriozabal to receive a special gift box from the Junior League and the students and he thanked the Junior League for this worthwhile community project.

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87-52

SPECIAL RECOGNITION

Sgt. Harold Flammia, President of the San Antonio Police Officers' Association presented Mayor Cisneros with a special certificate of appreciation for the Mayor's role in the recent apprehension of a hit and run driver that struck the Mayor's car.

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The minutes of the City Council meeting of October 7, 1987, were approved.

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87-52

CONSENT AGENDA

Mrs. Dutmer made a motion to approve Agenda Items #5 - 28, constituting the Consent Agenda, with the exception of Items #5, 15, 16, and 19, which were pulled for individual consideration. Mrs. Berriozabal seconded the motion.

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

AN ORDINANCE 65,989

ACCEPTING THE LOW BIDS OF HERTZ CORPORATION AND GRANDE FORD TO FURNISH THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH TASK FORCE VEHICLES FOR AN ESTIMATED TOTAL OF \$400,000.

* * * *

AN ORDINANCE 65,990

ACCEPTING THE PROPOSAL OF GROLIER EDUCATIONAL CORPORATION TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH FIFTEEN ENCYCLOPEDIA AMERICANA FOR A TOTAL OF \$8,502.00.

AN ORDINANCE 65,996

APPROPRIATING ADDITIONAL ENGINEERING EXPENSES TO THE PRECONSTRUCTION SERVICES CONTRACT FOR THE DESIGN OF CATEGORY 4, PACKAGE "J", WITH CURTIS NEAL AND ASSOCIATES, INC., IN THE AMOUNT OF \$2,646.00.

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AN ORDINANCE 65,997

ACCEPTING THE PROPOSAL OF PHELPS, GARZA, BOMBERGER, IN THE AMOUNT OF \$32,000.00 TO DESIGN PLANS AND SPECIFICATIONS FOR IMPROVEMENTS TO THE MUNICIPAL AUDITORIUM AND \$8,000.00 FOR MISCELLANEOUS ARCHITECTURAL CONTINGENCY EXPENSES.

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AN ORDINANCE 65,998

AUTHORIZING FIELD ALTERATION NO. 5 IN THE AMOUNT OF \$26,000 FOR LA GLORIA/ALLSUP/PARK PLAZA RECONSTRUCTION PROJECT TO PROVIDE FOR THE INVESTIGATION, VERIFICATION, RELOCATION AND EXTENSION OF THE SANITARY SEWER SERVICE LATERAL SERVING THE ROOSEVELT ELEMENTARY SCHOOL LOCATED AT 3923 FORTUNA STREET.

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AN ORDINANCE 65,999

AUTHORIZING FIELD ALTERATION NO. 2 IN THE AMOUNT OF \$20,203.08 FOR THE MAIN AVENUE FROM LAUREL TO FRENCH PROJECT TO PROVIDE FOR COMMERCIAL SIZED DRIVEWAYS, ADJUSTMENT OF LOCATIONS TO SUIT PRESENT ENTRANCE/EXIT AND PARKING LOT CONFIGURATIONS OF THE 111 CHANTS.

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AN ORDINANCE 66,000

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$16,963.00 OUT OF VARIOUS FUNDS FOR THE PURPOSE OF ACQUIRING TITLE AND/OR EASEMENTS TO CERTAIN LANDS; ACCEPTING THE DEDICATION OF EASEMENTS TO CERTAIN LANDS; ALL IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS.

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AN ORDINANCE 66,001

CLOSING AND VACATING A PORTION OF KICASTER ALLEY,
BETWEEN GUADALUPE AND EL PASO STREETS IN NEW CITY
BLOCK 2437, LOCATED IN THE PLAZA GUADALUPE
DEVELOPMENT TO URBAN RENEWAL AGENCY OF THE CITY OF
SAN ANTONIO.

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AN ORDINANCE 66,002

AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO
EXECUTE A LEASE AGREEMENT WITH HERITAGE BUILDING
LTD., TO PROVIDE 4,445 SQUARE FEET OF OFFICE SPACE
AT THE HERITAGE PLAZA BUILDING FOR THE OLDER WORKER
PROGRAMS OF THE DEPARTMENT OF HUMAN RESOURCES.

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AN ORDINANCE 66,003

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH EXEC
EXPRESS, INC., FOR LEASE OF SPACE IN TERMINAL 2 AT
THE SAN ANTONIO INTERNATIONAL AIRPORT.

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AN ORDINANCE 66,004

APPROVING A LICENSE AGREEMENT BETWEEN THE CITY OF
SAN ANTONIO AND PARK TEN/NEL LAND JOINT VENTURE, FOR
A LICENSE TO INSTALL A WATER SPRINKLER SYSTEM AND
PLANT FRESH LANDSCAPING WITHIN THE MEDIAN INSIDE OF
THE RIGHT OF WAY OF FIRST PARK TEN BOULEVARD,
BETWEEN NEW CITY BLOCK 14987 AND 16502, AND
AUTHORIZING THE CITY MANAGER, TO EXECUTE A LICENSE
AGREEMENT IN CONNECTION THEREWITH.

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AN ORDINANCE 66,005

AUTHORIZING PAYMENT OUT OF THE GENERAL FUND FOR THE
MEMBERSHIP DUES TO THE NATIONAL LEAGUE OF CITIES FOR
THE PERIOD OF OCTOBER 1, 1987 THROUGH SEPTEMBER 30,
1988 IN THE AMOUNT OF \$12,680.00.

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AN ORDINANCE 66,006 .

AUTHORIZING THE CITY MANAGER OR HIS DESIGNATED REPRESENTATIVE TO EXECUTE A CONTRACT BETWEEN THE CITY AND HOLMES AND SHAW, INCORPORATED, FOR ACCESS TO REAL ESTATE OWNERSHIP AND SALES DATA MAINTAINED BY HOLMES AND SHAW, INCORPORATED; APPROPRIATING FUNDS AND AUTHORIZING PAYMENT.

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AN ORDINANCE 66,007 .

APPROVING A CONTRACT WITH SOUTHERN BUILDING CODE CONGRESS INTERNATIONAL INC. (SBCCI), TO ADMINISTER THE MASTER AND MASTER SIGN ELECTRICIAN EXAMINATIONS.

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AN ORDINANCE 66,008 .

AUTHORIZING CITY WATER BOARD TO OVERSIZE AN 8-INCH APPROACH AND BORDER MAIN TO 12 INCHES ON TWO COMMERCIAL LOTS IN THE BANDERA CENTER SUBDIVISION UNIT 3.

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87-52 The Clerk read the following Ordinance:

AN ORDINANCE 66,009 .

ACCEPTING THE LOW BIDS OF CASCO INDUSTRIES AND ALAMO IRON WORKS TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH UNIFORMS-PROTECTIVE CLOTHING FOR FIREFIGHTING FOR A TOTAL OF \$7,334.40.

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

In response to a question by Mrs. Dutmer, Mr. John Brooks, Director of Purchasing and General Services, outlined details of the ordinance.

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

87-52 The Clerk read the following Ordinance:

AN ORDINANCE 66,010

AUTHORIZING FIELD ALTERATION NO. 16 IN THE AMOUNT OF \$62,834.00 FOR THE ASHBY STREET DRAINAGE PROJECT NO. 30 & 31 TO PROVIDE FOR TRAFFIC SIGNALIZATION AT THE INTERSECTION OF N. ST. MARY'S AND DEWEY, AND N. ST. MARY'S AND JOSEPHINE STREETS AND \$50,000 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES.

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

Mrs. Dutmer voiced her concern that a series of field alterations up for Council approval today total a substantial amount of money and she spoke of her hope that no contractor is intentionally pushing total bid amounts higher than their actual bid in an inordinate manner.

Mr. David Steitle, Director of Public Works, spoke to the number of safeguards in place by the city which are designed to prevent this possible occurrence and he briefly explained the reason for the field alterations.

Mrs. Berriozabal voiced her concern for several of the field alterations involving a single contractor and she spoke to the large amount of field alterations that have been made on a particular project. She then addressed her concerns about the instance of newly renovated W. Martin Street being torn up to replace a sewer line shortly after the street was put in place and she questioned why street renovation and sewer line replacements were not fully coordinated.

Mr. Steitle explained the failure of the 8-inch sewer line beneath W. Martin Street after the street had been in place and he noted that at the time the street work was planned replacement of the small sewer mains was not deemed necessary.

Mrs. Berriozabal stated that she feels the decision was ill advised and she will provide the Public Works Department with a list of streets to determine if new work is planned on them after the streets are

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completed.

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

87-52 The Clerk read the following Ordinance:

AN ORDINANCE 66,011

AUTHORIZING FIELD ALTERATION NO. 3 IN THE AMOUNT OF \$410,558.00 FOR THE JONES MALTSBERGER/NORTH LOOP ROAD, PHASE I PROJECT TO PROVIDE FOR AN ALL WEATHER BRIDGE AT THE JONES MALTSBERGER ROAD CROSSING OF THE SALADO CREEK.

* * * *

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

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

87-52 The Clerk read the following Ordinance:

AN ORDINANCE 66,012

AUTHORIZING FIELD ALTERATION NO. 12 IN THE AMOUNT OF \$14,803.89 FOR THE ASHEY STREET DRAINAGE PROJECT NO. 30 & 31 TO PROVIDE FOR LOWERING AND REPLACING THE EXISTING SANITARY SEWER LINE IN E. PARK AVENUE FROM N. ST. MARY'S STREET AND GOING EAST APPROXIMATELY 330 FEET.

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

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

None; ABSENT: Martinez.

87-52

ANNEXATIONS

The Clerk read the following Ordinance:

AN ORDINANCE 66,013

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 555 ACRES OF LAND KNOWN AS THE LAKESIDE SOUTH PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

* * * *

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

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

AN ORDINANCE 66,014

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 220 ACRES OF LAND KNOWN AS THE IH-10 NORTH #1 PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

* * * *

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

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

87-52 The Clerk read the following Ordinance:

AN ORDINANCE 66,015

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 325 ACRES OF LAND KNOWN AS THE IH-10 NORTH #2 PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

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

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

87-52 The Clerk read the following Ordinance:

AN ORDINANCE 66,016

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 1130 ACRES OF LAND KNOWN AS THE IH-10 NORTH #3 PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

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

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

87-52 The Clerk read the following Ordinances:

AN ORDINANCE 66,017

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 1950 ACRES OF LAND KNOWN AS THE MITCHELL LAKE PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

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

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

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AN ORDINANCE 66,018

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 25 ACRES OF LAND KNOWN AS THE SALADO/DOS RIOS #1 PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

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

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

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AN ORDINANCE 66,019

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 5800 ACRES OF LAND KNOWN AS THE SALADO/DOS RIOS #2 PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

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

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

AN ORDINANCE 66,020

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 550 ACRES OF LAND KNOWN AS THE BANDERA WEST PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

* * * *

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

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

AN ORDINANCE 66,021

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 560 ACRES OF LAND KNOWN AS THE DEZAVALA ROAD PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

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

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

AN ORDINANCE 66,022

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 378 ACRES OF LAND KNOWN AS THE NACOGDOCHES #1 PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

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

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

AN ORDINANCE 66,023

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 886 ACRES OF LAND KNOWN AS THE NACOGDOCHES #2 PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

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

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

AN ORDINANCE 66,024

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 17 ACRES OF LAND KNOWN AS THE NACOGDOCHES #3 PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

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

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

AN ORDINANCE 66,025

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 12 ACRES

OF LAND KNOWN AS THE MONTE ROBLES PROPERTY AND
APPROVING A SERVICE PLAN FOR SUCH AREA.

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

Mrs. Berriozabal spoke to the reasons to her objections to
annexation because of her fear for dilution of city services in the inner
city areas as a result.

Mr. Hasslocher, Chairman of the City Council Annexation
Committee, spoke to the reasons why the Council Annexation Committee
recommends these annexations being approved today.

Mrs. Dutmer asked that certain areas along highways south of San
Antonio be considered for future annexations in order for the City Council
to exercise jurisdiction over uses along those highways.

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

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The City Council at this time, temporarily bypassed the zoning
cases.

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87-52 The Clerk read the following Ordinance:

AN ORDINANCE 66,026

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

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Mr. Hasslocher 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, Hasslocher, Cisneros;

^NAYS: None; ABSENT: None; ABSTAIN: Labatt.

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Agenda Item #33 was set for a 3:30 P.M. time certain.

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Agenda Item #34 was temporarily bypassed at this time.

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87-52 The Clerk read the following Resolution:

A RESOLUTION 87-52-83 .

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CASTING THE CITY'S VOTES FOR MEMBERS OF THE BEXAR
COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS.

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Mrs. Dutmer noted that she had previously asked to withdraw her name from nomination to the Board of Directors for the Bexar County Appraisal District but has been advised of the difficulties involved should she do so and she asked that her withdrawal request be rescinded.

Mr. Louis J. Fox, City Manager, spoke to a breakout of the nominees and the estimated makeup of the new board, in view of the amount of votes available to each entity.

Each nominee then was identified as to the area of city or county in which they live and the entity which they represent.

Mrs. Dutmer spoke to the importance of having a southside representative on the board.

A discussion then took place concerning how the city should split up its votes and the amount of the city's voting total during which it was noted that the city has a total of 1,245 votes.

Mayor Cisneros spoke in favor of the election of Mrs. Dutmer to receive enough votes for assured placement on the board and then splitting up the remaining votes to the two hispanic representatives on the board, Mr. Rudy Garza and Mr. Herman Galaviz.

Mr. Carl White, Director of Finance, stated that he understands that Mr. Garza already has already enough votes to be elected to the board.

Mr. Wing made a motion to allot 834 votes for Mrs. Dutmer and the remainder to Mr. Galaviz. Mrs. Berriozabal seconded the motion.

Mr. Louis J. Fox, City Manager, noted that with the amount of votes, Mr. Galaviz will receive from the San Antonio Independent School District he will not require the total remaining votes from the city of San Antonio after allocation of 834 to Mrs. Dutmer.

Ms. Vera made an amendment to the motion to allocate sufficient votes to Mr. Galaviz to assure his seating on the board and to then allocate the remainder of the city's votes to Mr. Labatt. Mrs. Dutmer seconded the motion.

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

The main motion, as amended, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Vera, Wolf, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: None.

87-52 The Clerk read the following Ordinance:

AN ORDINANCE 66,027

BANNING ALCOHOLIC BEVERAGES AND GLASS CONTAINERS AT FRIESENHAHN PARK, AND PROVIDING FOR A FINE OF NOT MORE THAN \$200 FOR VIOLATION OF THESE BANS.

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In response to a question by Mayor Cisneros, Mr. Ron Darner, Director of Parks and Recreation, noted that some fifty city parks currently allow consumption of alcoholic beverages in that park. He noted that the only way alcoholic beverages can be consumed in parks which presently prohibited it is through special approval by the Parks and Recreation Department.

Mr. Hasslocher noted that Friesenhahn Park adjacent to Roosevelt High School is an area where alcoholic beverages and drugs are known to be consumed at this time. He noted that the park is rather isolated and mostly undeveloped and he then discussed the forty city parks which do not allow alcoholic beverages and spoke to the matters of enforcement in these parks.

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

Cisneros; NAYS: None; ABSENT: None.

87-52 The Clerk read the following Resolution:

A RESOLUTION 87-52-84

STATING THE COUNCIL'S DETERMINATION THAT THE PROPOSED LOCATION FOR A LANDFILL IS NOT SUITABLE.

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Mrs. Dutmer made a motion to approve the proposed Resolution. Mr. Wolff 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.

87-52 The Clerk read the following Ordinance:

AN ORDINANCE 66,028

ACCEPTING THE BIDS OF ROBERT'S TREE SERVICE COMPANY AND OMAR'S BRUSH & TRASH FOR BRUSH AND RUBBISH CLEAN-UP.

* * * *

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

In response to a question by Mr. Webb, Mr. John Brooks, Director of Purchasing and General Services, spoke to details of the trash and brush pickup by independent contractors in order to assist the city brush pickup efforts. He then identified the areas involved and noted that two of these areas will be re-bid next week.

Mr. Frank Kiolbassa, Director of Environmental Management, explained the use of individual contractors and the deadline for completion of their pickups under these contracts to be approved today.

Mr. Webb voiced his concern for the lack of information contained by the backup material provided for City Council members concerning identification of the areas involved.

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Mr. Martinez spoke to his own concerns of about a month ago about the large piles of brush that are accumulating around the city as a result of several storms. He stated that he wants to be sure that adequate pickup will take place promptly in all areas of the city.

Mr. Thompson asked for better definitions of the areas involved and noted that no maps were included in City Council backup reference data. He then identified major brush collection problems within his own District 6 and he spoke to the pile up of brush alongside the roadways leading to city landfills.

Mr. Brooks addressed the disparities in the amounts of the bids submitted by various independent contractors and noted that payment will not be made until the jobs are completed and inspected by the city.

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

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87-52 ZONING HEARINGS

29. CASE 287198 - to rezone Parcel 5-B, NCB 17634, 3651 F.M. 1604 North, from Temporary "R-1" One Family Residence District to "B-3" Business District, located on the westside of F.M. 1604 N., being 824' south of the intersection of F.M. 1604 N., and Misty Woods, having 210' on F.M. 1604 N., with a depth of 468.58'.

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 the proponent has asked for a three week postponement on this case.

Ms. Vera made a motion for a three week postponement of this case. Mr. Webb seconded the motion.

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

Zoning Case 287198 was postponed for three weeks.

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30. CASE 287199 - to rezone a 0.502 acre tract of land, NCB 15723, In the 13600 Block of O'Connor Road, from "B-2" Business District to "B-3" Business District, located on the northeast side of O'Connor Road, being

400' southeast of the intersection of Nacogdoches Road and O'Connor Road, having 111.11' on O'Connor Road and a depth of 190.71'.

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

Mr. Hasslocher made a motion to approve the recommendation of the Zoning Commission. Mrs. Dutmer seconded the motion.

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

AN ORDINANCE 66,029

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 0.502 ACRE TRACT OF LAND OUT OF NCB 15723, IN THE 13600 BLOCK OF O'CONNOR ROAD, FROM "B-2" BUSINESS DISTRICT TO "B-3" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

31. CASE 287203 - to rezone an 8.348 acre tract of land out NCB 11148 and NCB 14977, In the 700 Block of W. Chavaneaux Road, from "B-3NA" Non-Alcoholic Sales Business District S.U.P. for a flea market with a two year time to "B-3NA" Non-Alcoholic Sales Business District S.U.P. for a flea market.

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

Mayor Cisneros stated that because of the large number of persons registered to speak in this case, thirty minutes would be allotted to both sides of the issue.

Ms. Yolanda Gonzales, attorney for the proponent, spoke to the history of the flea market and noted that the client has asked for a jury trial on each of the citations issued them by the city.

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

Mr. Jay Dawley, 207 W. Chavaneaux Road, noted that he has been issued Certificates of Occupancy to indicate that he has done everything necessary in order to legally operate his flea market. He stated further that he feels that he has done everything to comply with the city's regulations and noted that traffic is a major problem concerning the area neighbors and he spoke to a number of traffic matters and coordination with the city Traffic representatives seeking to solve those problems. Mr. Dawley stated that he feels the traffic problem involves the nearby expressway not the immediate area of the flea market itself. He then presented special graphs depicting peaks in traffic at the flea market and noted that his proposal to help alleviate the traffic congestion would include installation of a flashing red light and crosswalk near an area church during church hours these to be installed at his own expense; special turning regulations at special times; and closing of the flea market entrance on the freeway access road from 11:30 A.M. to 1:30 P.M. on Sundays. Mr. Dawley stated further that he feels the city staff supports the flea market usage of the property and he addressed the advantages of having a flea market on the site.

Mr. Norby Martinez spoke to the need for a flea market operation on this site in order for vendors to supplement their incomes.

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GEORGE GERVIN WAY

Mayor Cisneros asked for a moment of the Council's time to make a special presentation. He noted that the City Council had recently named the short street near the Convention Center in honor of former San Antonio Spur George Gerwin, who now works in the front office with the basketball team. Mayor Cisneros noted that Mr. Gerwin was out of town last week when the Council passed the ordinance but is present today in City Council Chambers. He then introduced Mr. Gerwin and spoke of his long record with the Spurs.

Mayor Cisneros stated that the city is pleased to name this short street area near the new parking garage, George Gerwin Way.

Mr. Gerwin thanked the Mayor and City Council for the honor and also thanked San Antonio fans on behalf of his family.

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87-52 ZONING CASES continued:

31. CASE 287203 -

Mr. Jose Loreda, representative of the flea market vendors, spoke to the need for a flea market where people can make their livings.

Mr. Joe Begley, 12912 Hwy 181S, spoke to the history of the flea market.

At this point proponents of the case stood in the audience to be identified.

Father Albert Snyder, Vicker of the Church at 460 Kopplow, addressed the fact that problems do exist with the flea market.

Ms. Johnnie Davis, 734 Bernard, spoke to traffic problems in the flea market area, stating that she feels the flea market cannot install its own flashing traffic lights. She then addressed certain promises allegedly made by flea market operators in the past but not kept.

Mr. Albert Koenig, 4535 Pleasanton Road, noted that there are three flea markets in one area affecting market values of all area properties. He asked for control of the flea markets in the area, stating that he feels this flea market should not operate in a residential area.

Mr. Rene Neira, 235 Felps, spoke to the new growth of the city's southside.

Ms. Linda Pressley, 9710 Clamp, spoke to the history of the flea market case and stated her efforts to meet with flea market operators in order to seek a solution to the case. She noted that the city has cited the flea market some 45 times for violations and she asked the Council to close the flea market.

Speaking in rebuttal, Mr. Dawley spoke of contact made with Ms. Pressley and the lack of an agreement between the two during those talks. He stated that he feels the flea market is not a blight on the city's southside but a blessing in something that is really needed.

(At this point, Mr. Wing relinquished the chair to Mayor Protem Berriozabal.)

Mr. Wing noted that petitions containing more than 8,000 signatures have persuaded him to reopen the flea market case and he noted that two other flea markets in this area are operating outside the city of San Antonio. He then recognized that the flea market did not cause the entire traffic problem in this area. He stated that he sees no immediate development of this area to replace a flea market operation on that property. He asked that the flea market be allowed to operate up to a limit of another 2 year permit then the flea market will leave.

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Mr. Wing made a motion to grant a new two year special use permit to the flea market with the proviso that no further extension be granted past that two year time period. Mr. Martinez seconded the motion.

Mrs. Dutmer spoke in opposition to several points made by Mr. Dawley, including alleged improvements made in the area as well as ingress and egress restrictions to the flea market. She spoke to the major traffic congestion and parking problems in the flea market area.

Mr. Labatt made a substitute motion to deny the zoning case. Mrs. Dutmer seconded the motion.

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

Mr. Martinez stated that he would support Mr. Wing's motion to allow time for a wind-down of flea market operations in order to allow vendors time to make future plans.

In response to a question by Mr. Labatt, Mr. Dawley and City Building Inspection Director, Mr. Gene Camargo, discussed the number of citations issued against the flea market operation.

In response to a question by Mr. Thompson, Mr. Dawley stated that the flea market remained in operation after denial of zoning requests to allow it.

Ms. Vera spoke in favor of giving vendors time to relocate.

Mrs. Dutmer stated that she favors immediate termination of the flea market operation.

Mr. Hasslocher spoke in favor of allowing the flea market to remain in operation.

Mrs. Berriozabal stated that she understands the stance and the plight of the vendors but, in her opinion, the flea market has had an adverse impact upon the area homeowners.

Mrs. Dutmer noted that the City Council under the law must enforce city ordinances or else cancel them.

At this time there was a vote on the substitute motion to deny, and the vote failed by the following vote: AYES: Berriozabal, Dutmer, Thompson, Wolff, Cisneros; NAYS: Webb, Wing, Martinez, Vera, Labatt, Hasslocher; ABSENT: None.

Mr. Labatt made a second substitute motion to deny the zoning but to allow the operation of the flea market until August 6, 1988. Mr. Martinez seconded the motion.

Mr. Andy Guerrero, planner III, noted that a three-quarters vote of the City Council must be present to approve this without the case having to go back before the Zoning Commission for rehearing.

In response to a question by Mr. Hasslochcr, Mr. Lloyd Garza, City Attorney, stated that he would be prepared to dismiss the citations in Municipal Court brought against the flea market unless instructed by the Council to do otherwise.

The new substitute motion, prevailed by the following vote:
 AYES: Berriozabal, Dutmer, Wing, Martinez, Thompson, Vera, Wolff, Labatt, Hasslochcr, Cisneros; NAYS: None; ABSENT: Webb.

The main motion, as substituted, prevailed by the following vote:
 AYES: Berriozabal, Dutmer, Wing, Martinez, Thompson, Vera, Wolff, Labatt, Hasslochcr, Cisneros; NAYS: None; ABSENT: Webb.

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FLOWER VENDING
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Mr. Rudolph Obregon, 3313 West Avenue, spoke to the City ordinance which was approved by the City Council concerning flower vending. He stated that although this ordinance was approved it has not been enforced and he asked that Section D of the ordinance be deleted. He also spoke against any changes to the ordinance.

Mrs. Rosemary Caceres, 926 Vermont, spoke in favor of the proposed ordinance which would permit flower vending to five specified times during the year.

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VISITING COUNCIL MEMBER FROM MICHIGAN
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Mayor Cisneros at this point recognized the presence in the audience of Councilman Jose Benavides from Sterling Heights, Michigan and welcomed him to the City Council meeting.

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FLOWER VENDORS (continued)
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Mr. Obregon again appeared to speak to the City Council on behalf of the florists and stated that the flower vendors are obstructing the florist's business.

Ms. Rebecca G. Gonzales, 223 Milvid, stated that she has been a vendor for more than 20 years and does not see any harm from itinerant

flower vendors to the established businesses in the area. She stated that she too had a business establishment which burned five years ago. She stated further that everyone should have an equal opportunity to make an honest living.

Mr. Tony Paiz spoke in favor of the proposed ordinance.

Ms. Irene Ledesma spoke to the differences in quality of flowers offered and of competition from major grocery stores as well.

Mr. Floyd Morgan, 767 Mission Road, stated that permanent businesses cannot compete with the mobile vendors because of the overhead they have to pay.

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

Ms. Tillie Persyn, Rt. 38, Box 547, stated that she has supplied flowers to vendors and to businesses for more than 52 years. She spoke to the history of flower growing in San Antonio including the sale to the mobile vendors who operated years ago in the area. She stated further that he feels there is plenty of business for all on three major holidays.

Mr. Daniel R. Lopez, Tiny Box Flower Shop, stated that flower shops pay sales tax and city taxes and he distributed photographs of roadway vendors in the area to illustrate the extent of their operation. He stated further his opinion that there is no way flower shops can compete with mobile vendor pricing.

Ms. Olga E. Perez, owner of Elizondo's Flowers, stated that she has been in business for some 64 years and spoke to the proliferation of vendors in the area with which she cannot compete.

Ms. Rosemary Caceres spoke to the differences in flower wholesaling stating that vendors do not want to sell flowers everyday.

Mr. Guadalupe Gutierrez, 223 Milvid, stated that he needs to sell flowers in order to support his family.

Mr. Tony Paz, 327 Artego, stated that he feels that vendors need the money earned from roadside flower sales.

Mr. Oscar Pena, Jr. spoke of his concern with the adverse impact of the mobile vendors on parking around neighborhood flower shops and the problems with traffic control as a result.

Mr. Pete Rangel, 501 W. Magnolia, stated that he feels that everyone should have an opportunity to support themselves and he noted that all vendors are not alike and most sell around the holidays only. He noted also that vendors offer a cheaper alternative to the permanent

flower shops.

Ms. Rosemary Alejandro, 127 Gentry, stated that she feels that vendors have gotten out of hand and have crowded cemetery areas.

Ms. Lois Montalvo spoke against allowing vendors to peddle flowers in front of flower shops. She noted that vendors do not pay any overhead like flower shops do and she stated that, in her opinion, the city needs to limit what vendors can peddle. She stated that she feels vendors should be limited to the area where they can operate.

Mr. Rangel spoke again stating that he feels the biggest competition to a flower shop is from other flower shops not mobile vendors and he spoke to the matter of parking around the vendors.

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

Mr. Tom Finlay, Assistant City Attorney, compared the existing ordinances with the proposed new ordinance now before the Council which would amend the original ordinance to limit peddling within 1,000 feet of a cemetery to five annual occasions.

Mr. Martinez noted that the first city ordinance involving this topic allowed flower vending in the public right-of-way 365 days a year and that the amendment restricted peddling to within 1,000 feet of a cemetery. He stated further that he has met with both sides recently and he recognizes the problems inherent to both sides. He stated further that he does not favor eliminating mobile flower vendors completely. He noted that a proposed agreement is acceptable to most vendors while flower shop owners want to eliminate vendors entirely. He briefly explained the compromise ordinance, stating that he feels one vendor in particular took advantage of the opportunity and abused the right to vend flowers in the area.

Mr. Hasslocher made a motion to table consideration of the ordinance. The motion died for lack of a second.

Mr. Thompson made a motion for a four week postponement in this matter. Mr. Hasslocher seconded the motion.

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

Agenda Item #33 was postponed for four weeks.

87-52 The Clerk read the following Resolution:

A RESOLUTION 87-52-85

ADOPTING A POSITION STATEMENT FOR THE CITY OF SAN ANTONIO ON THE STANDARD INDUSTRIES PERMIT AMENDMENT AND EXPANSION APPLICATION FOR HAZARDOUS WASTE DISPOSAL.

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Mr. Frank Kiolbassa, Director of Environmental Management, spoke to the history of Standard Industries' application for a permit to construct two hazardous waste disposal landfills which are needed by the company to dispose of hazardous materials produced. He then briefly outlined details of the request and noted that city staff feels the permit is alright but that the matter of the permit does not address the matter of rainfall runoff and several alleged violations of the present permit. He noted that city staff fears that there could be some ground water contamination as a result and he recommended the city address hazardous material disposal problems involved. Mr. Kiolbassa then recommended that the city support granting of the permit and work with the firm on these problem areas. He stated that if the staff feels it cannot work these problems out with the firm then staff will come back to the City Council for possible further action. He also stated that should the firm move out of San Antonio as a result of not being granted these permits it could cost San Antonio some 400 jobs.

Mayor Cisneros briefly summarized the issue facing both sides and the recommendation presented by city staff.

Mr. Gerald Dubinski, President of Standard Industries, stated that he welcomed the city's participation in this hazardous materials permit process and he agreed to full city monitoring of the landfill and briefly described the process which had been agreed to with city staff concerning this monitoring.

Mr. Robert Gosnell, representing PACE, stated that he is against the firm policing itself and he agrees that the city should monitor the firm.

Mr. Thompson voiced his concern with daily operations of the landfill and of the need to watch closely to prevent pollution of waterwells in the area.

In response to a question by Mrs. Dutmer, Mr. Kiolbassa spoke to unidentified leachate found in the area. He stated that he feels it came from the previous tenant on the property and not from Standard Industries.

In response to a question by Mrs. Dutmer, Mr. Lloyd Garza, City Attorney, rendered an opinion that although Mrs. Dutmer's private firm purchased batteries from the firm in question she has no conflict of interest in voting on this matter.

In response to a question by Mr. Wing, Mr. Kiolbassa stated his staff will fully protect the public interest in this case.

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

87-52

VALIDATION OF PETITION SIGNATURES ON DOME STADIUM

Mrs. Dutmer briefly discussed the procedures involved in checking petitions by the Secretary of State for possible referendum on whether the Transit Authority should construct a dome stadium in San Antonio. She noted that the Secretary of State must act within 30 days of the submission of those petitions or else the election is automatically called. She stated further that the law allows "statistical sampling", and she voiced her concern that the election must be called if the validation process is not completed within 30 days of submission of the petitions. Mrs. Dutmer stated that she feels each signer of the petitions must be validated as a resident of the VIA area. She stated further that she wants the City Council to request the Texas Secretary of State to allow entities within the VIA area to validate all signatures.

Mrs. Dutmer made a motion to place on the "A" session agenda an item to request the Texas Secretary of State to agree to allow entities in the VIA area to validate petitions on the dome stadium. Mr. Hasslocher seconded the motion.

Mayor Cisneros spoke to the petitioning process and of his confidence that the requisite 47,000 signatures will be validated. He noted that plans are to reach some 70,000 signatures by the month of December and to have them validated during the succeeding 30 days so that in March an election must be called in order to hold a formal referendum on the process during the month of May. He then spoke to the various options that are available to the Secretary of State concerning the validation of the petitions, stating that he feels the Secretary of State cannot delegate the validating process but may contract it out. He stated further his opinion that he feels Mrs. Dutmer is opposed to constructing the stadium.

Mrs. Dutmer stated that she is opposed to paying for such a stadium with VIA taxes but is not against the stadium itself.

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Mayor Cisneros spoke to the law involved in this matter, stating that he feels the motion is designed to undermine the stadium proposal itself. Mayor Cisneros spoke in favor of going along with the law as it is presently written, noting that people have the right to voice their opinions on this stadium issue and that he will abstain from voting on this matter.

Mrs. Dutmer stated that she feels the Mayor had a major part in pushing the stadium proposal issue through the recent State Legislature and she wants the matter done in a legal manner regardless, concerning the validation of the petitions. Mrs. Dutmer voiced her concern with the economic impact of the proposed increase in VIA taxes to finance the stadium.

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

Mrs. Dutmer spoke further of the information she has in hand concerning alleged improprieties in the gathering of signatures on the stadium petition.

Ms. Vera spoke in support of the Mrs. Dutmer's motion although she feels the petitions contain the requisite number of valid signatures.

Mr. Wolff stated that he will support the stadium issue but he favors Mrs. Dutmer's motion concerning the validation of the signatures noting that he will also help the stadium proposal.

Mrs. Berriozabal stated that she feels that Mrs. Dutmer's request is reasonable and she will support it.

Mayor Cisneros stated that he feels the motion will seek to adversely affect the petition proposal. He stated further that he feels this is only a sideshow over the petition process and that he feels the Secretary of State will not approve it. He further stated that he feels this action would raise some three weeks worth of questions about the petition process.

Mr. Lloyd Garza, City Attorney, spoke to the law involved noting that the validation process is controlled by the State Election Code. He noted that random sampling can be used to validate these petitions. Mr. Garza quoted from Section 141.068 of the State Election Code which notes that the Secretary of State may request a local registrar to validate those petitions. Mr. Garza stated that he further feels the Secretary of State cannot delegate the responsibility of this process but can contract it out. He noted that the election law was changed in the last legislature because of two conflicting provisions in that law.

A discussion then took place concerning the possible costs of validating 70,000 signatures.

City Clerk Norma S. Rodriguez then noted that it cost the city some \$20,000 in order to validate 20,000 signatures in the fluoride referendum matter.

Mayor Cisneros discussed the current turmoil in the Election Administrator's office concerning the November 3rd elections and of his belief that it would question the validity of the signatures as a result should the local Elections Administrator be given the responsibility of certifying the signatures.

Mrs. Dutmer noted that she has no organized opposition to the stadium proposal itself and would desire none. She then discussed changes in the election law in the last legislature and reiterated her motion currently before the Council.

Mr. Webb stated that he favors the Mayor's side of this issue on the matter of validating petitions.

Mayor Cisneros addressed the choices facing voters on a multi-use stadium matter and questions of financing.

Mr. Labatt spoke in favor of the request to be made to the Secretary of State concerning validating of the petitions. He stated further that he will support Mrs. Dutmer's motion although he seeks no roadblock to the stadium issue as a result.

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

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

87-52

CITIZENS TO BE HEARD

MS. VIRGINIA FOWLER

Ms. Virginia Fowler, resident and member of the Lincoln Heights Court Residents Association, spoke to the City Council requesting a store front police substation in their housing area. She spoke of the many recurring incidents in their area and concern with the safety of their children and senior citizens in the area.

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Mrs. Lupe Torres Venema, Chairperson of the San Antonio Housing Authority, reiterated the statements made by Mrs. Fowler. She spoke of the need to establish a police storefront operation in the Lincoln Heights area. She stated that if the Council favorably considers the Lincoln Heights area, the San Antonio Housing Authority can save the city money by providing the office space.

Mayor Cisneros stated that the request is timely since the City Council will be discussing this issue during the "B" session tonight.

Mr. Dan Justice, The Guild, spoke in favor of the request made by the residents of the Lincoln Heights Courts residents.

Mr. Michael Garcia, Board member of the San Antonio Housing Authority, reiterated the statements made by the previous speakers.

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Mrs. Berriozabal thanked the San Antonio Housing Authority representatives and the members of the Lincoln Heights Court Residents Association. She stated that she is very much in favor of this request and feels it is a good investment for the city to have this type of operation.

Mr. Webb stated that a similar request was made by the Sutton Homes residents at a meeting held last week. He stated that he would want this request considered favorably also if the request of the Lincoln Courts area is granted.

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MR. JACK DE VAULT

Mr. De Vault, Life Support Services, stated that he and his wife were arrested last Saturday night. He spoke about this arrest while exercising their First Amendment Constitutional rights. He spoke about what had occurred at the Reproductive Services office and the type of assistance they are offering the women visiting the clinic, (a copy of his statement is on file with the papers of this meeting).

Mr. Howard Van Winkle, attorney representing the De Vault's reiterated the statements made by Mr. De Vault. He stated that their basis freedom of speech and freedom of religion were violated. He stated that they were not trespassing.

Mr. Lloyd Garza, City Attorney, stated there are many constitutional rights involved and he will be glad to meet with the parties concerned.

Mr. Bill Gibson, Chief of Police, spoke to the matter of trespassing versus constitutional rights.

Mr. Wing asked for a copy of the police report on this particular incident.

Mayor Cisneros spoke about the current procedures used by the police in these instances.

* * * *

MR. C. ELIZONDO

Mr. C. Elizondo, 943 San Angelo, spoke to the City Council expressing his concern with the safety hazards being created by the garbage collectors because of the large garbage cans blocking the mail boxes.

He stated that he does not believe that the dome stadium will be accepted by the voters of the city if the proposal is not modified. He suggested the relocation of the dome to the Willow Springs Golf Course.

Mr. Webb stated tha the Willow Springs Golf Course is in the flood plain.

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MR. DON WILKINS CASTILLO

Mr. Castillo, 1512 Jane Street, Apt. #3, spoke to the City Council about Veterans Day. He asked the City Council to write letters to federal officials asking them not to forget the POW/MIA and to bring them home.

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There being no further business to come before the City Council, the meeting was adjourned at 7:45 P.M.
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A P P R O V E D

Henry Cisneros

M A Y O R

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