

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, NOVEMBER 12, 1987.

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The meeting was called to order by the presiding officer, Mayor Pro Tem Frank Wing, in the absence of Mayor Henry Cisneros, with the following members present: BERRIOZABAL, WEBB, DUTMER, WING, MARTINEZ, THOMPSON, VERA, LABATT, WOLFF, HASSLOCHER; Absent: CISNEROS.

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87-54 The invocation was given by Reverend Frank Flores, Templo Baptist Church.

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87-54 The members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

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87-54 At the request of Mayor Pro Tem Wing the members of the City Council and the audience stood in a moment of silent prayer for the loss of Councilman Wolff's mother.

87-54 NATIONAL FAMILY WEEK

Mayor Pro Tem Wing introduced the Target '90 representatives, Dr. Paul Mohl, Chairman, Target 90 Health & Human Services Council; Marjorie Fortner, Chair, Family Services Task Force; Mary Ann Miklas, Family Services Task Force. Also present were the the Commanders of the five Military Installations: Col. Robert J. Milne, Lackland AFB; Col. Henry U.B. Brummett, Ft. Sam Houston; Col. Leslie Hobgood, Kelly AFB; Col. Herbert Klein, Brooks AFB; and Col. Ronnie K. Morrow, Randolph, AFB. He then read a proclamation designating "National Family Week" in San Antonio.

Mayor Pro Tem Wing and other members of the City Council jointly presented the proclamation to Ms. Marjorie Fortner, and to the Commanders of San Antonio's five Military Installations.

Ms. Fortner asked representatives of the twenty family service organizations present in the audience to stand and be recognized. She spoke of the many activities to take place during Family Week.

Several Council members thanked representatives of the military for being on hand today and spoke of the importance of supporting the family unit.

87-54

NATIONAL ARTS WEEK

Mayor Pro Tem Wing read a proclamation designating National Arts Week in San Antonio and asked Dr. Robert Cardinale, member of the Arts and Cultural Council to come forward and receive the proclamation.

Dr. Cardinale thanked the Mayor Pro Tem and City Councilmembers for the proclamation and asked representatives of the various arts organizations present in the audience today to stand and be recognized.

87-54

DEFENSE LANGUAGE INSTITUTE

Mayor Pro Tem Wing noted the presence in the audience of a class from the Defense Language Institute at Lackland, AFB.

At this point each individual member of the class stood and identified himself and his nation.

Mayor Pro Tem Wing on behalf of the City Council welcomed each to City Hall.

87-54

The Clerk read the following Ordinance:

AN ORDINANCE 66,031

AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$5,870,000, "CITY OF SAN ANTONIO, TEXAS, SPECIAL ASSESSMENT BONDS, SERIES 1987 (DOWNTOWN IMPROVEMENT DISTRICT PROJECT)"; PROVIDING FOR THE PAYMENT OF SAID BONDS BY A PLEDGE OF REVENUES DERIVED FROM SPECIAL ASSESSMENTS LEVIED AGAINST ALL PROPERTIES IN A PUBLIC IMPROVEMENT DISTRICT IN AMOUNTS SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON SUCH BONDS, TO FUND A RESERVE FUND, AND TO PAY VARIOUS ADMINISTRATIVE COSTS ASSOCIATED WITH THE OPERATION OF THE PUBLIC IMPROVEMENT DISTRICT; PROVIDING THE TERMS AND CONDITIONS OF SUCH BONDS; RESOLVING OTHER MATTERS INCIDENT AND RELATING THE ISSUANCE, PAYMENT, SECURITY, SALE AND DELIVERY OF SAID BONDS; INCLUDING THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL

STATEMENT PERTAINING THERETO; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT; AND DECLARING AN EMERGENCY. (PRUDENTIAL BACHE).

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

Mr. Carl White, Director of Finance, spoke to the six bids received earlier today concerning these bonds, and noted that the lowest bid was submitted by Prudential Bache. He also noted that this is the first time San Antonio has ever sold Special Assessment Bonds which incidentally are the first ever sold in the state of Texas as well. Mr. White stated that the interest rate received is substantially below the rate which is expected with the sale of General Obligation Bonds.

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Mr. Karl Wurz, citizen of San Antonio, spoke against the bond sale and in favor of a "pay as you go" program to finance downtown improvements. He spoke to the interest cost to be paid over the term of the bonds and stated that he feels that taxes will support these bonds and he spoke against downtown improvements for tourists alone.

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

87-54 CONSENT AGENDA

Mr. Hasslocher made a motion to approve Agenda Items #7 - 46, constituting the Consent Agenda, with the exception of Items #16, 18, 24, 26, 27, 28, 29, 31 and 46, which were pulled for individual consideration. Mrs. Dutmer seconded the motion.

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

AN ORDINANCE 66,032

ACCEPTING THE LOW BID OF GLOBE TICKET AND LABEL COMPANY TO FURNISH THE CITY OF SAN ANTONIO AVIATION DEPARTMENT WITH PARKING TICKETS FOR A TOTAL OF \$10,620.60.

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AN ORDINANCE 66,033

ACCEPTING THE LOW BID OF MAGNATRON SALES COMPANY TO FURNISH THE CITY OF SAN ANTONIO INFORMATION RESOURCES DEPARTMENT WITH MAGNETIC TAPES FOR AN ESTIMATED TOTAL OF \$4,200.00.

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AN ORDINANCE 66,034

ACCEPTING THE PROPOSAL OF COMPUWARE TO RENEW THE CURRENT AGREEMENT FOR ABEND AID MAINTENANCE FOR THE CITY OF SAN ANTONIO INFORMATION RESOURCES DEPARTMENT FOR A TOTAL OF APPROXIMATELY \$3,120.00.

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AN ORDINANCE 66,035

ACCEPTING THE LOW BID OF T.A. OFFICE SUPPLY TO FURNISH THE CITY OF SAN ANTONIO VARIOUS DEPARTMENTS WITH THE MAINTENANCE AND SERVICE OF IBM TYPEWRITERS FOR A TOTAL OF \$17.25 PER UNIT.

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AN ORDINANCE 66,036

ACCEPTING THE LOW BID OF MLC TO FURNISH THE CITY OF SAN ANTONIO VARIOUS DEPARTMENTS WITH THE MAINTENANCE AND SERVICE OF BROTHER TYPEWRITERS FOR A TOTAL OF \$30 PER UNIT.

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AN ORDINANCE 66,037

ACCEPTING THE LOW BID OF ALDERMAN CONSTRUCTION COMPANY, TO FURNISH THE CITY OF SAN ANTONIO PARKS AND RECREATION DEPARTMENT WITH REFINISHING THE GYM FLOOR AT ROSEDALE WESTSIDE YMCA FOR A TOTAL OF \$11,685.00.

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AN ORDINANCE 66,038 .

CANCELLING THE CONTRACT WITH 3-D FIRE APPARATUS FOR A HAZARD MATERIALS RESCUE VEHICLE AND AWARDING IT TO COLLINS AMBULANCE SALES FOR A TOTAL OF \$217,790.00.

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AN ORDINANCE 66,039 .

ACCEPTING THE ANNUAL CONTRACTS TO FURNISH THE CITY OF SAN ANTONIO WITH VARIOUS MATERIALS AND SERVICES FOR THE 1987-88 FISCAL YEAR.

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AN ORDINANCE 66,040 .

ACCEPTING THE BID OF V.K. KNOWLTON PAVING CONTRACTOR, INC., FOR THE THOUSAND OAKS - U.S. 281 TO HENDERSON PASS PROJECT IN THE AMOUNT OF \$1,270,525.38; PROVIDING A MISCELLANEOUS CONSTRUCTION CONTINGENCY IN THE AMOUNT OF \$63,526.27; AUTHORIZING \$24,458.46 PAYABLE TO PAPE-DAWSON ENGINEERS FOR CONSTRUCTION PHASE SERVICES; APPROVING THE CONTRACTS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 66,041 .

ACCEPTING THE PROPOSAL DATED OCTOBER 22, 1987 FROM RABA-KISTNER CONSULTANTS, INC., FOR PRELIMINARY ENVIRONMENTAL ASSESSMENT OF THE SITE OF THE PROPOSED POLICE TRAINING & CAREER DEVELOPMENT CENTER IN AN AMOUNT NOT TO EXCEED \$32,000.00; AND ACCEPTING THE PROPOSAL DATED OCTOBER 22, 1987 FROM RABA-KISTNER CONSULTANTS, INC. FOR SOIL AND FOUNDATION STUDY OF THE PROPOSED POLICE TRAINING AND CAREER DEVELOPMENT CENTER IN THE AMOUNT NOT TO EXCEED \$13,370.00 PLUS \$4,537.00 HANDING CHARGE FOR BOTH PROPOSALS.

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AN ORDINANCE 66,042 .

AUTHORIZING FIELD ALTERATION NO. 28 IN THE AMOUNT OF \$31,017.30 FOR THE E. COMMERCE STREET DRAINAGE PROJECT NO. 13A & 13B TO PROVIDE FOR INCREASES OF

LIME STABILIZATION FOR THE SUBGRADE ON PORTIONS OF EAST COMMERCE, GRIMES AND CENTER STREETS TO COMPLETE THEIR CONSTRUCTION , THE CONSTRUCTION OF A NEW DRIVEWAY AT 2322 WYOMING STREET, AND RELOCATION OF A METER BOX AND 3/4" WATER SERVICE AS A RESULT OF CONSTRUCTING THE NEW DRIVEWAY.

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AN ORDINANCE 66,043

AUTHORIZING FIELD ALTERATION NO. 8 IN THE AMOUNT OF \$55,455.25 FOR THE VANCE JACKSON ROAD BRIDGE NORTH OF I.H. 410 TO PROVIDE FOR A COMMERCIAL DRIVEWAY IN LIEU OF A TYPICAL DRIVEWAY, CONCRETE CHUTES TO DRAIN EXISTING PARKING LOTS, RIP-RAP ON SLOPE THAT EXCEEDS 4 TO 1 SLOPE AT COMET CLEANERS, RETAINING WALL TO SATISFY 4 TO 1 SLOPE AND INSTALLATION OF METAL GUARD RAILING FOR SAFETY OF THE GENERAL PUBLIC.

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AN ORDINANCE 66,044

AUTHORIZING FIELD ALTERATION NO. 6 IN THE AMOUNT OF \$48,956.00 FOR THE EAST COMMERCE STREET DRAINAGE PROJECT NO. 13A & 13B TO PROVIDE FOR AN ADDITIONAL 261 FEET OF 10" SANITARY SEWER PIPE, AND THE RECONSTRUCTION OF 20 EXISTING MANHOLES.

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AN ORDINANCE 66,045

AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH C.W. PFENNING, INC., IN THE AMOUNT OF \$15,000.00 FOR ENGINEERING SERVICES RELATING TO THE CAVALIER STREET DRAINAGE PROJECT AND \$3,250.00 FOR MISCELLANEOUS CONTINGENCY EXPENSES AND \$250.00 FOR ADVERTISING EXPENSES.

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AN ORDINANCE 66,046

AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH J.W. FRENCH AND ASSOCIATES, INC., IN THE AMOUNT OF \$9,840.00 FOR ENGINEERING SERVICES RELATING TO THE COMAL - TAMPICO TO RAILROAD TRACKS PROJECT AND \$3,000.00 FOR MISCELLANEOUS CONTINGENCY

EXPENSES.

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AN ORDINANCE 66,047 .

AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH WEYMAN & ASSOCIATES, INC., IN THE AMOUNT OF \$54,757.50 FOR ENGINEERING SERVICES RELATING TO THE EDISON, FRESNO, GARDINA, ETC. PROJECT AND \$6,000.00 FOR MISCELLANEOUS CONTINGENCY EXPENSES.

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AN ORDINANCE 66,048 .

AUTHORIZING AN ADDITIONAL \$65,350.00 FOR ENGINEERING FEES PAYABLE TO K.M. NG & ASSOCIATES, IN CONNECTION WITH THE PENTAGON STREETS RECONSTRUCTION - PHASE I PROJECT.

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AN ORDINANCE 66,049 .

AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH K.M. NG & ASSOCIATES, INC., IN THE AMOUNT OF \$48,230.00 FOR ENGINEERING SERVICES RELATING THE "F" AND "G" STREETS PROJECT AND \$4,750.00 FOR MISCELLANEOUS CONTINGENCY EXPENSES AND \$250.00 FOR ADVERTISING EXPENSES.

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AN ORDINANCE 66,050 .

AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH GARCIA & WRIGHT CONSULTING ENGINEERS, INC., IN THE AMOUNT OF \$34,164.00 FOR ENGINEERING SERVICES RELATING TO THE CROCKETT FROM WALTERS TO NEW BRAUNFELS PROJECT \$4,750.00 FOR MISCELLANEOUS CONTINGENCY EXPENSES AND \$250.00 FOR ADVERTISING EXPENSES.

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AN ORDINANCE 66,051 .

AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES

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CONTRACT WITH FLORES AND COMPANY CONSULTING ENGINEERS, INC., IN THE AMOUNT OF \$31,122.00 FOR ENGINEERING SERVICES RELATING TO THE DAHLGREEN - HIGHWAY 90 TO GROWDEN PROJECT AND \$5,100 FOR MISCELLANEOUS CONTINGENCY EXPENSES.

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AN ORDINANCE 66,052 .

AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT CHANGE ORDER NO. 10 IN THE AMOUNT OF \$44,750.00 PAYABLE TO BASIC CONSTRUCTORS, INC., FOR THE LEON CREEK ADVANCED SECONDARY TREATMENT PLANTS UNITS, CATEGORY NO. 2.

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AN ORDINANCE 66,053 .

APPROPRIATING ADDITIONAL FUNDS AND AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT CHANGE ORDER NO. 3 IN THE AMOUNT OF \$30,672.39 REGARDING THE DOS RIOS TREATMENT PLANT PROJECT, 4B-1.

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AN ORDINANCE 66,054 .

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$189,740.00 OUT OF VARIOUS FUNDS FOR THE PURPOSE OF ACQUIRING TITLE AND/OR EASEMENTS TO CERTAIN LANDS; ACCEPTING THE DEDICATION OF TITLE AND/OR EASEMENTS TO CERTAIN LANDS; ALL IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS.

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AN ORDINANCE 66,055 .

APPROPRIATING \$19,070.59 IN PAYMENT FOR EXPENSES INCURRED IN THE RICE ROAD - SALADO CREEK TO W.W. WHITE ROAD; JONES-MALTSBERGER/NORTH LOOP RECONSTRUCTION; BABCOCK ROAD - HUEBNER TO DEZABALA DRAINAGE PROJECT; HI-LIONS DRAINAGE PROJECT; MITCHELL/WELLINGTON/NOGALITOS/MARGIL/RIP FORD STREET RECONSTRUCTION PROJECT; THOUSAND OAKS - U.S. 281 TO HENDERSON PASS; WEST AVENUE - BITTERS TO LOCKHILL SELMA; GROFF/HORTENCIA/CARLOTA/FLORENCIA/CONSUELO/ALICIA & DOLORES STREET PROJECT; NACOGDOCHES -

BITTERS TO NACO-PERRIN; MARTIN STREET/BOWIE STREET CONNECTION; DEZAVALA ROAD - I.H. 10 WEST EAST TO CITY LIMITS; HUEBNER ROAD - VANCE JACKSON TO LOCKHILL SELMA; CHICAGO/FAIR/S. PRESA STREET PROJECT; WESTERN AVENUE DRAINAGE PROJECT #74; AND FIRE STATION #29.

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AN ORDINANCE 66,056

APPROVING AND AUTHORIZING THE EXPENDITURE OF \$129,000.00 OUT OF SEWER FUNDS FOR THE ACQUISITION OF EASEMENTS ON CERTAIN LANDS; ACCEPTING THE DEDICATION OF TITLE TO CERTAIN LANDS; ALL IN CONNECTION WITH WASTEWATER PROJECTS.

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AN ORDINANCE 66,057

AUTHORIZING EXECUTION OF AN AMENDMENT TO THE PURCHASE AGREEMENT WITH HSI, INC. IN CONNECTION WITH THE PARKING LOT OPERATION MONITORING SYSTEM AT SAN ANTONIO INTERNATIONAL AIRPORT AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 66,058

THE SUBMISSION AND ACCEPTANCE OF A GRANT IN THE AMOUNT OF \$15,000.00 FROM THE CRIMINAL JUSTICE DIVISION OF THE GOVERNOR'S OFFICE TO FUND THE 1987 SOUTHERN LEGISLATORS CONFERENCE ON CHILDREN AND YOUTH; ESTABLISHING A FUND, APPROVING A BUDGET AND AUTHORIZING A SUB-CONTRACT.

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AN ORDINANCE 66,059

ACCEPTING THE PROPOSAL OF ALEXANDER & ALEXANDER OF TEXAS, INC., INSURANCE CONSULTANTS, TO PROVIDE THE CITY DURING THE CONTRACT YEAR FROM OCTOBER 1, 1987 TO SEPTEMBER 30, 1988, RISK MANAGEMENT AND ADVISORY SERVICES FOR A FEE OF \$23,000.00 AND DEVELOPMENT OF AN UPGRADED THIRD-PARTY LIABILITY AND WORKMEN'S COMPENSATION CLAIMS CONTROL PROGRAM FOR A REMUNERATION UP TO \$250,000.00.

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AN ORDINANCE 66,060

AUTHORIZING PAYMENT OF ANNUAL MEMBERSHIP DUES FOR THE CITY OF SAN ANTONIO TO THE TEXAS MUNICIPAL LEAGUE.

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AN ORDINANCE 66,061

AUTHORIZING CITY PUBLIC SERVICE TO INSTALL, OPERATE AND MAINTAIN 1035 FEET OF FOUR (4) INCH GAS MAIN AND 1087 FEET OF UNDERGROUND ELECTRIC CABLE WITHIN THE SAN ANTONIO INTERNATIONAL AIRPORT PROPERTY.

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AN ORDINANCE 66,062

CLOSING ALAMO PLAZA EAST FROM HOUSTON STREET TO CROCKETT STREET BEGINNING AT 7:00 A.M., NOVEMBER 18, 1987, AND ENDING AT 6:00 A.M., JANUARY 2, 1988, AND CLOSING SOUTH ALAMO STREET FROM HOUSTON STREET TO COMMERCE STREET BETWEEN THE HOURS OF 5:00 P.M. AND 8:00 P.M. ON NOVEMBER 27, 1987; BOTH CLOSINGS BEING RELATED TO THE ALAMO PLAZA CHRISTMAS TREE LIGHTING AND ASSOCIATED EVENTS DURING THE HOLIDAY SEASON.

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87-54 The Clerk read the following Ordinance:

AN ORDINANCE 66,063

ACCEPTING THE BID OF UNIVERSAL CITY CONSTRUCTION INC., FOR THE INGRAM BRANCH LIBRARY IN THE AMOUNT OF \$608,090.00; PROVIDING A MISCELLANEOUS CONSTRUCTION CONTINGENCY IN THE AMOUNT OF \$42,566.30; APPROVING THE CONTRACT; AND PROVIDING FOR PAYMENT.

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

Mrs. Vera took note that the construction contract grant to be awarded on the Ingram Branch Library is a long awaited project in District 7.

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

87-54 The Clerk read the following Ordinance:

AN ORDINANCE 66,064

ACCEPTING THE BID OF V.C. HUFF, INC., IN THE AMOUNT OF \$354,555.75 FOR TRAFFIC SIGNALIZATION AT CERTAIN LOCATIONS; AUTHORIZING A MISCELLANEOUS CONSTRUCTION CONTINGENCY IN THE AMOUNT OF \$35,455.58; APPROVING A CONTRACT; AND PROVIDING FOR PAYMENT.

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

In response to a question by Mr. Martinez, Mr. David Steitle, Director of Public Works, briefly outlined the details of the project.

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

87-54 The Clerk read the following Ordinance:

AN ORDINANCE 66,065

AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH CIVIL ENGINEERING CONSULTANTS, IN THE AMOUNT OF \$75,702.00 FOR ENGINEERING SERVICES RELATING TO THE DELGADO/23RD STREETS PROJECT AND \$7,000 FOR MISCELLANEOUS CONTINGENCY EXPENSES.

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

Mrs. Berriozabal voiced her concern that so many projects in her district do not include smaller minority firms. She then spoke to a memorandum she had sent to the Public Works Department a number of months ago inquiring as to the process used to award such contracts. Mrs. Berriozabal spoke in favor of awarding some of these smaller projects to smaller minority firms and noted that so far she has not received a reply to her memorandum.

Mr. Steitle stated that he is now responding in person to that memorandum and he spoke to the criteria used to judge firms for city jobs. He noted that the City Public Works Department has a goal of 32 to 35% of its projects going to small and minority firms and that at present city staff has about a 33% figure going to small minority firms.

A discussion then took place concerning small and minority business enterprise goals of the city's Affirmative Action Plan.

Mrs. Berriozabal voiced her concern with the rating criteria used in the selection of the firms and stated that she wants the City Council's SMBE Committee to look over the criteria used in order to bring more work to the small minority business firms within state law guidelines.

Ms. Vera noted that that committee report will be coming out soon and she stated that the committee is working on a broader definition of SMBE goals, among other things.

Mrs. Berriozabal stated that she feels the City Council should change the EEO, SMBE guidelines.

Mr. Wing spoke to the need to address the use of local firms for such projects.

Ms. Vera noted that the committee is studying the possibility of fragmenting a number of city contracts in order to allow more local minority firms to qualify for them.

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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87-54 The Clerk read the following Ordinance:

AN ORDINANCE 66,066

AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES

CONTRACT WITH WALTER P. MOORE & ASSOCIATES, INC., IN THE AMOUNT OF \$24,400.00 FOR ENGINEERING SERVICES RELATING TO THE KNOKE STREET PROJECT AND \$4,500 FOR MISCELLANEOUS CONTINGENCY EXPENSES.

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

87-54 The Clerk read the following Ordinance:

AN ORDINANCE 66,067

AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH STEPHEN J. CANTY AND ASSOCIATES, IN THE AMOUNT OF \$24,000.00 FOR ENGINEERING SERVICES RELATING TO PEDESTRIAN BRIDGE AT ARBOR AND TRINITY PROJECT AND \$4,000.00 FOR MISCELLANEOUS CONTINGENCY EXPENSES.

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

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

87-54 The Clerk read the following Ordinance:

AN ORDINANCE 66,068

AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH BROWN ENGINEERING COMPANY, IN THE AMOUNT OF \$48,661.37 FOR ENGINEERING SERVICES RELATING THE MCA STREETS, PHASE II PROJECT; AND \$6,750.00 FOR MISCELLANEOUS CONTINGENCY EXPENSES AND \$250.00 FOR ADVERTISING EXPENSES.

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Mr. Thompson 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; NAYS: None; ABSENT: Martinez, Cisneros.

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87-54 The Clerk read the following Ordinance:

AN ORDINANCE 66,069

AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH M.W. CUDE & ASSOCIATES, INC., IN THE AMOUNT OF \$17,121.00 FOR ENGINEERING SERVICES RELATING TO THE MCA MARTINEZ CREEK STREETS PROJECT; AND \$4,879.00 FOR MISCELLANEOUS CONTINGENCY EXPENSES.

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

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

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87-54 The Clerk read the following Ordinance:

AN ORDINANCE 66,070

AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTACT WITH SOMERVILLE-GONZALES & ASSOCIATES IN THE AMOUNT OF \$17,675.00 FOR ENGINEERING SERVICES RELATING TO THE BAYLOR FROM PARK ROW TO DEAD-END PROJECT AND \$3,250.00 FOR MISCELLANEOUS CONTINGENCY EXPENSES AND \$250.00 FOR ADVERTISING EXPENSES.

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Mrs. Berriozabal 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, Thompson, Vera, Wolff, Labatt, Hasslocher; NAYS: None; ABSENT: Martinez, Cisneros.

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87-54 The Clerk read the following Ordinance:

AN ORDINANCE 66,071

AUTHORIZING THE TRANSFER OF ONE (1) TAXICAB OPERATING PERMIT FROM MR. MARCELINO LOPEZ, OWNER OF AIRLINE CAB COMPANY TO MR. SOLOMON TORRES, JR.

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In response to a question by Mr. Labatt, Mr. Roger Ibarra, Supervisor of Public Utilities, spoke to the Transportation Advisory Board's objection to the transfer of this permit from one cab owner to another.

In response to a question by Mr. Hasslocher, Mr. Ibarra noted that some 471 taxicab permits are in service and active in San Antonio.

Mr. Thompson, chairman of the Transportation Advisory Committee, stated that this is only a transfer of a single permit not issuance of a new permit.

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; NAYS: None; ABSENT: Webb, Martinez, Cisneros.

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87-54 ZONING HEARINGS

47. CASE Z87183 - to rezone Lot 5, Block 13, NCB 716, 122 Barrera Street, from "D" Apartment District to "O-1" Office District, located on the southwest side of Barrera Street, being 53.2' northeast of the intersection of Matagorda Street and Barrera Street, having 53.2' on Barrera Street with a depth of 115'.

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

Mr. J. Anthony Guajardo, asked that this case be postponed. He stated that he had met with the homeowners association recently and needs further time to talk over the matters concerning this case with them.

Mrs. Berriozabal stated that she feels she needs to help work out this matter and she favors postponing this case if necessary.

Mr. Daniel Meza, representing the Homeowners Association involved, stated that his group favors hearing the case today.

Mr. Guajardo spoke to the history of the immediate area and he addressed some of the concerns of the Homeowners Association such as increased traffic, etc. He then distributed to the City Council photographs of the area and explained plans to convert the house on the property to his own personal law office. He then displayed an artist rendering of the proposed renovation of the house involved.

Ms. Rozie Guajardo, speaking on behalf of the applicant, addressed plans for use of the property.

Mr. Daniel Meza, representing the Hemisfair South Homeowners Association, asked for denial of the rezoning request stating that the property has been residential in nature until recently purchased by Mr. Guajardo. He noted that the Homeowners Association feels it would be an encroachment into a residential area.

Ms. Mary Jane Alvarado, 120 Camargo, distributed photographs of the area properties and of restored structures in the area and spoke against the zoning change on the subject property. She recalled that the rezoning was denied last June; she then described traffic problems in the area.

Ms. Elizabeth T. Romero, 219 Barrera, stated that she wants what is best for the neighborhood and spoke to the need to rezone the neighborhood into an historic district.

Mr. Guajardo stated that he plans to restore the property and to renovate the house into his law office. He stated that the area is good for mixed uses.

Mr. Thompson noted that there has been no new construction in the past several years in the immediate area and he spoke in favor of the "O-1" proposal as an improvement to the neighborhood.

In response to a question by Mrs. Dutmer, Mrs. Pat Osborne, the city's Historic Preservation Officer, identified the historic status of the homes depicted in the photographs distributed with this case.

Mrs. Berriozabal spoke to the stress placed on this downtown neighborhood and the extensive renovation of neighborhood homes by area

residents. She voiced her concern with the loss of more downtown housing. She spoke in support of the neighborhood association in opposition to the rezoning.

Mrs. Berriozabal made a motion to deny the rezoning request. Ms. Vera seconded the motion.

Mr. Wing stated that he supports the rezoning request and spoke to the renovation of the property.

Mr. Webb stated that he feels the property will not remain residential. He spoke in support of the restoration of the house coupled with "O-1" zoning.

Mrs. Berriozabal spoke to the instability of neighborhoods where other uses replace residential uses in the neighborhood.

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

Zoning Case Z87183 was denied.

48. CASE Z87211 - to rezone Lots 5 and 6, Block 30, NCB 18080, 8047 thru 8099 Culebra Road, from Temporary "R-1" One Family Residence District to "B-2" Business District, located east of the intersection of Culebra Road and Pipers Lane, having 328.74' on Culebra Road and 208.13' on Pipers Lane.

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

Mr. Wolff made a motion to approve staff recommendation, provided that a six-foot solid screen fence is erected and maintained along the northeast and southeast property lines adjacent to the apartment development. 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, Labatt, Hasslocher; NAYS: None; ABSENT: Martinez, Cisneros.

AN ORDINANCE 66,072

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

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DESCRIBED HEREIN AS LOTS 5 AND 6, BLOCK 30, NCB 18080, 8047 THRU 8099 CULEBRA ROAD, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT A SIX-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTHEAST AND SOUTHEAST PROPERTY LINES ADJACENT TO THE APARTMENT DEVELOPMENT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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49. CASE 287214 - to rezone Lot G, NCB 11168, In the 600 Block of Chavaneaux Road, from "R-1" One Family Residence District to "B-3NA" Non-Alcoholic Sales Business District, located between Chavaneaux Road and S.E. Loop 410, being 1574.29' east of Roosevelt Avenue, having 100' on Chavaneaux and 99.88' on S.E. Loop 410 and a distance of 181.05' between these two right-of-ways.

The Zoning Commission has recommended that this area be rezoned "B-2" by the City Council.

Mr. Rudy Hettler, representing the proponent, spoke to the request for an auto sales lot on the property with no alcoholic beverage consumption allowed.

Mrs. Dutmer voiced her concern with the depth of the property and she asked that a number of trees be retained on the site as well as cathedral cedars planted to screen the property use from the expressway. She also asked that the front 50 feet back from Chavaneaux Road remain in a natural state.

Mrs. Dutmer made a motion to approve "B-3NA" Business District, Non-Alcoholic Sales District zoning on the property, provided that a six-foot solid screen fence is erected and maintained adjacent to the single-family dwellings until such time as a transition to business zoning occurs on the adjacent lots. Further provided that driveway approval from S.E. Loop 410 is secured from the State Department of Highways and Public Transportation; that driveway approval and off-street parking are provided from Chavaneaux Road and submitted for approval by the Traffic Engineering Division; and that 10-feet of dedication is given along Chavaneaux Road. Further provided that the front 50-foot fronting onto Chavaneaux Road remain in a natural state, and that cathedral cedars be planted and maintained along the north property line as a screen to the expressway. Mr. Hasslocher 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, Labatt,

Hasslocher; NAYS: None; ABSENT: Martinez, Cisneros.

AN ORDINANCE 66,073

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 G, NCB 11168, IN THE 600 BLOCK OF CHAVANEUX ROAD, FROM "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-3NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES DISTRICT, PROVIDED THAT A SIX-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ADJACENT TO THE SINGLE-FAMILY DWELLINGS UNTIL SUCH TIME AS A TRANSITION TO BUSINESS ZONING OCCURS ON THE ADJACENT LOTS. FURTHER PROVIDED THAT DRIVEWAY APPROVAL FROM S.E. LOOP 410 IS SECURED FROM THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION; THAT DRIVEWAY APPROVAL AND OFF-STREET PARKING ARE PROVIDED FROM CHAVANEUX ROAD AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION; AND THAT 10-FEET OF DEDICATION IS GIVEN ALONG CHAVANEUX ROAD. FURTHER PROVIDED THAT THE FRONT 50-FEET FRONTING ONTO CHAVANEUX REMAIN IN A NATURAL STATE, AND THAT CATHEDRAL CEDARS BE PLANTED AND MAINTAINED ALONG THE NORTH PROPERTY LINE AS A SCREEN TO THE EXPRESSWAY. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

50. CASE Z87194 - to rezone Lot 22, Block 17, NCB 17845, 13409 N.W. Military Hwy., from Temporary "R-1" One Family Residence District to "B-2" S.U.P. Business District Special Use Permit for a contractor's operation, located on the southwest of N.W. Military Hwy. (FM 1535) being 617.57' north of the intersection of George Road and N.W. Military Hwy (FM 1535), having 294.24' on N.W. Military Hwy. (FM 1535) and a maximum depth of 462.83'.

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

Mr. Wolff made a motion to approve the recommendation of the Zoning Commission. Mr. Hasslocher 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, Labatt,

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Hasslocher; NAYS: None; ABSENT: Martinez, Cisneros.

AN ORDINANCE 66,074

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 22, BLOCK 17, NCB 17845, 13409 N.W. MILITARY HWY., FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-2" S.U.P. BUSINESS DISTRICT SPECIAL USE PERMIT FOR A CONTRACTOR'S OPERATION. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

51. CASE 287210 - to rezone Lot 1, Block 18, NCB 17723, 1005 Bitters Road, from Temporary "R-1" One Family Residence District to "B-2" Business District, located on the northwest corner of Partridge Trail Drive and Bitters Road, having approximately 112.01' on Bitters Road and 88.97' on Partridge Trail Drive.

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

Mr. Wolff made a motion to approve the recommendation of the Zoning Commission, provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division, and that a six-foot solid screen fence is erected and maintained along the northeast and northwest property lines. Mr. Hasslocher 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, Labatt, Hasslocher; NAYS: None; ABSENT: Martinez, Cisneros.

AN ORDINANCE 66,075

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 1, BLOCK 18, NCB 17723, 105 BITTERS ROAD, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION, AND THAT A SIX-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTHEAST AND NORTHWEST PROPERTY LINES. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

52. CASE Z87215 - to rezone a 0.0574 acre tract of land out of Lot 36, Block 3, NCB 13765, from "B-3" Business District to "B-3R" Restrictive Business District; a 0.2296 acre tract of land out of Lot 36, Block 3, NCB 13765, from "B-3" Business District to "I-1" Light Industry District, to the (rear of 10606 I.H. 35 North, located northwest of the intersection of Eveningway Drive and Shadowlight Terrace, having 100' on Eveningway Drive and a depth of 125'.

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

Mr. Andy Guerrero, Planner III, spoke to the city staff's recommended changes concerning the fencing requirements, asking that the Council also impose fencing restrictions on the northeast and southwest property lines of the area to be rezoned "B-3R".

Mr. Vernon Rogers, representing Kyse and Associates, owners of the property, spoke to the planned usage for storage of equipment, noting that only two area property owners are not registered in favor of the rezoning.

Mr. Hasslocher made a motion to approve the recommendation of the Zoning Commission provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division; that a six-foot solid screen fence is erected and maintained along Eveningway Drive; that a one-foot non-access easement is imposed along the same property line; that a 14.8-foot landscaped area is provided between the curb and the proposed fence along Eveningway Drive; and that a six-foot solid screen fence is erected and maintained along both the northeast and southwest property lines of the property zoned "B-3R". 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, Thompson, Vera, Wolff, Labatt,

Hasslocher; NAYS: None; ABSENT: Martinez, Cisneros.

AN ORDINANCE 66,076

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 0.0574 ACRE TRACT OF LAND OUT OF LOT 36, BLOCK 3, NCB 13765, FROM "B-3" BUSINESS DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT; A 0.2296 ACRE TRACT OF LAND OUT OF LOT 36, BLOCK 3, NCB 13765, TO THE REAR OF 10604 I.H. 35 NORTH, FROM "B-3" BUSINESS DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION; THAT A SIX-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG EVENINGWAY DRIVE; THAT A ONE-FOOT NON-ACCESS EASEMENT IS IMPOSED ALONG THE SAME PROPERTY LINE; THAT A 14.8-FOOT LANDSCAPED AREA IS PROVIDED BETWEEN THE CURB AND THE PROPOSED FENCE ALONG EVENING DRIVE; AND THAT A SIX-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG BOTH THE NORTHEAST AND SOUTHWEST PROPERTY LINES OF THE PROPERTY ZONED "B-3R". "THE PENALTY FOR VIOLATION IS FINE NOT TO EXCEED \$1,000.00."

* * * *

53. CASE 287143 C.C. - to rezone a 0.965 acre tract of land out of NCB 9292, from "D" Apartment District to "O-1" S.U.P. Office District Special Use Permit for the sale and consumption of alcohol, selling of food and souvenir products in conjunction with the baseball park facility and "R-3" Multiple Family Residence District in addition to City Council approval for the baseball park; a 3.495 acre tract of land out of NCB 9292, at N.W. 36th Street/Culebra Road, from "D" Apartment District to "R-3" C.C. Multiple Family Residence District in addition to City Council approval for the baseball park, located 221.73' east and 1403.05' north of Culebra Road, having an approximate width of 475' and a depth of 583'.

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

Ms. Vera made a motion to approve the recommendation of the Zoning Commission. Mr. Hasslocher 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, Labatt, Hasslocher; NAYS: None; ABSENT: Martinez, Cisneros.

AN ORDINANCE 66,077

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 0.965 ACRE TRACT OF LAND OUT OF NCB 9292, FROM "D" APARTMENT DISTRICT TO "O-1" S.U.P. OFFICE DISTRICT SPECIAL USE PERMIT FOR THE SALE AND CONSUMPTION OF ALCOHOL, SELLING OF FOOD AND SOUVENIR PRODUCTS IN CONJUNCTION WITH THE BASEBALL PARK FACILITY; A 3.495 ACRE TRACT OF LAND OUT OF NCB 9292, NORTHWEST 36TH STREET AND CULEBRA ROAD, FROM "D" APARTMENT DISTRICT TO "R-3" C.C. MULTIPLE-FAMILY RESIDENCE DISTRICT IN ADDITION TO CITY COUNCIL APPROVAL FOR THE BASEBALL PARK. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

54. CASE 287209 - to rezone the north 141' of Lot 15, Block 10, NCB 10644, In the 700 Block of S.W.W. White Road, from "A" Single Family Residence District to "B-3NA" Non-Alcoholic Sales Business District, located on the west side of S.W.W. White Road, being approximately 123' south of Shelburn Drive, 141' on S.W.W. White Road and a depth of 217.48'.

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

Mr. Richard Contra, representing the proponent, spoke to the rezoning request for a tire shop.

Mr. Webb spoke against having a used tire shop on the property, stating that he feels this will not be a profitable business.

Mr. Andy Guerrero, Planner III, noted that all storage must be enclosed in the building.

Mr. Webb made a motion to deny the rezoning request. Mrs. Berriozabal seconded the motion.

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

Zoning Case Z87209 was denied.

55. CASE Z87212 - to rezone a 0.465 acre tract of land out of Lot 2, Block 1, NCB 18303, 7990 Tezel Road, from Temporary "R-1" One Family Residence District to "B-3" Business District, located on the westside of Tezel Road, being approximately 150' south of Old Tezel Road, having 88' on Tezel Road and a depth of 236.43'.

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

Mr. Thompson made a motion to approve the recommendation of the Zoning Commission provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. 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; NAYS: None; ABSENT: Hasslocher, Cisneros.

AN ORDINANCE 66,078

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 0.465 ACRE TRACT OF LAND OUT OF LOT 2, BLOCK 1, NCB 18303, 7990 TEZEL ROAD, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE 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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87-54 The appeal of Mohammad Sarramif from the decision of the Transportation Advisory Board denying his application for a taxicab license, Agenda Item #3, was postponed.

87-54 PUBLIC HEARING - UDAG APPLICATION FOR ROBERT E. LEE HOTEL PROJECT.

Mayor Pro Tem Wing declared the Public Hearing to be open.

No citizen appeared to speak.

Mayor Pro Tem Wing declared the Public Hearing to be closed.

A brief discussion then took place concerning the application presented by city staff concerning the UDAG application for the Robert E. Lee Hotel project.

87-54 PUBLIC HEARING - CROWNHILL PARK BARRICADES

The Clerk read the following Ordinance:

AN ORDINANCE 66,079

CLOSING MCCULLOUGH, PLYMOUTH AND CONTESSA STREETS TO THROUGH TRAFFIC AT CERTAIN POINTS IN THE CROWNHILL PARK UNIT 8 SUBDIVISION, AND PROVIDING FOR BARRICADES TO BE ERECTED ACROSS THESE STREETS.

* * * *

Mayor Pro Tem declared the Public Hearing to be open.

Mr. David Steitle, Director of Public Works, reviewed the case history of the street closures in Crownhill Park in order to cut down on through traffic through a residential area. He noted that the city closed three streets on the northern edge of Crownhill Park earlier this year and that city staff is currently divided pro and con on this issue with the fire department and police department against closing of the street. He noted that some 400 mailouts were made to residents in this area with 180 returned in favor of retaining the closed streets and 133 returned against the closures. He stated that further that traffic through the area now has been registered as being down 40% as a result of the barricades and said that the city plans to reroute McCullough Avenue west of Crownhill Park as part of a future development of that area. He then addressed certain comparative statistics developed by city staff.

The following people spoke in favor of retaining the barricades: Brooks White, Richard Williamson, Cecil Reynolds, Georganne Freund, Pat Heatly, J.J. McEwen, Ray Coen, Roberta Wilhem (presented by written

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statement), Nocole Beavin, Charles Stern, Garry Manitzas, Mary Ann Williamson, Robert Opitz, Nancy Talbott, Ernest Rodriguez, Ralph Bender.

The following people spoke against retaining the barricades: Robert Moore, E. Robert Allyn, Ed Vera, Jean Lieska, J. Harper, Frances Ingmire, Jim McDonald, Roger Barker, Ileana Esparza, Donna Liska, Carlos Yarritu, D. Lee, Patrick Ney, Jackie Horton, Emil Liska, Shaun McChesney, Robert Ingmire, Ronald Olson.

Mr. Frank Fawcett spoke in favor of a partial reopening of the barricades including one barricade in placement of stop sign.

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

Mr. Labatt spoke to the citizen reaction in regards to the streets barricades that have been made directly to him. He then spoke to plans to widen Jones Maltsberger and he addressed the comparisons of the polls conducted before the closure and those most recently held.

Mr. Labatt made a motion to maintain the barricades. Mrs. Berriozabal seconded the motion.

Mrs. Dutmer spoke against maintaining the barricades, stating that she favors erecting barricades at McCullough near Marquis and then opening the current barricade on Plymouth Drive. She stated further that she feels this would be fair to all and would give access to both ends of the subdivision. She spoke of the need to erect proper signage against any through truck traffic in the neighborhood if that north barricade on Plymouth Drive is removed.

In response to a question by Mrs. Vera, Fire Chief I.O. Martinez, noted that the City Fire Department always has been against street closures but that if they must be closed then gate barricades that can be unlocked should be erected.

Ms. Vera spoke in favor of Mrs. Dutmer's proposal to maintain restricted traffic in the area and at the same time allowing traffic to move in and out on the north end and southsides of the subdivision.

Chief Martinez then noted that no EMS vehicle is permanently stationed at Fire Station #31 on Jones Maltsberger to the south of the subdivision whereas the primary EMS response comes from the north of the subdivision, an area now blocked off by the barricades.

Mr. Thompson spoke in favor of Mr. Labatt's motion.

In response to a question by Mr. Labatt, Mr. Steitle noted that all three barricades are lock-swinging gates with the keys available to emergency vehicles.

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

A discussion took place on a possible confusion of the motion, afterwhich Ms. Vera made a motion to reconsider the case. Mrs. Dutmer seconded the motion.

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

Mr. Hasslocher then made a main motion to maintain the barricades. Mrs. Berriozabal seconded the motion.

Mrs. Dutmer made a substitute motion to erect a swing gate at McCullough south of Marquis and to remove the barricade on Plymouth Drive. Ms. Vera seconded the motion.

Mr. David Steitle, Director of Public Works, briefly explained the options and alternatives available to the Council at this point.

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

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

87-54 The Clerk read the following Ordinance:

AN ORDINANCE 66,080

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

* * * *

Mr. Hasslocher 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, Wing,

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

87-54 The Clerk read the following Ordinance:

AN ORDINANCE 66,081

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF ELECTRIC TRANSMISSION AND DISTRIBUTION LINE EASEMENTS AND RIGHTS-OF-WAY OVER, ACROSS, UPON AND UNDER CERTAIN PRIVATELY OWNED PROPERTY IN BEXAR COUNTY, TEXAS, BETWEEN THE CPS SKYLINE SUBSTATION PROPERTY AND CLASSEN ROAD FOR THE CITY OF SAN ANTONIO ELECTRIC SYSTEM, FOR THE PURPOSE OF CONSTRUCTION, OPERATION AND MAINTENANCE OF THE SKYLINE SUBSTATION OVERHEAD AND UNDERGROUND ELECTRIC TRANSMISSION AND DISTRIBUTION LINES; AUTHORIZING ALL APPROPRIATE ACTION OF THE CITY PUBLIC SERVICE BOARD OF SAN ANTONIO IN THE INSTITUTION AND PROSECUTION OF CONDEMNATION PROCEEDINGS TO ACQUIRE ANY SUCH NEEDED PROPERTY INTERESTS AND RELATED RIGHTS OF INGRESS AND EGRESS THAT CANNOT BE ACQUIRED THROUGH NEGOTIATION; RATIFYING AND AFFIRMING ALL ACTS AND PROCEEDINGS HERETOFORE DONE OF INITIATED BY ATTORNEYS, AGENTS AND EMPLOYEES OF THE CITY PUBLIC SERVICE BOARD TO ACQUIRE SUCH PROPERTY INTERESTS; AUTHORIZING ALL OTHER LAWFUL ACTION NECESSARY AND INCIDENTAL TO SUCH ACQUISITIONS OR EMINENT DOMAIN PROCEEDINGS TO SURVEY, SPECIFY, DEFINE AND SECURE THE NECESSARY PROPERTY INTERESTS; DECLARING THE SECTIONS OF THE ORDINANCE TO BE SEVERABLE ONE FROM THE OTHER IN THE EVENT ANY SECTION OF THIS ORDINANCE IS DETERMINED TO BE INVALID; AND DECLARING AN EMERGENCY.

* * * *

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

87-54 The Clerk read the following Ordinance:

AN ORDINANCE 66,082

TO ESTABLISH A SPECIAL AGENCY FUND ACCOUNT, TO AUTHORIZE ACCEPTANCE OF CONTRIBUTIONS, AND TO AUTHORIZE EXPENDITURES FOR ACTIVITIES RELATED TO THE GOALS AND OBJECTIVES OF THE SAN ANTONIO COMMISSION ON LITERACY.

* * * *

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

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

87-54 The Clerk read the following Ordinance:

AN ORDINANCE 66,083

APPROVING THE ALLOCATION OF DISCRETIONARY FUNDS IN THE AMOUNT OF \$4,000 FOR PARENT EARLY EDUCATION INTERVENTION PROGRAM (P.E.E.I.P.).

* * * *

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

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

87-54 TRAVEL AUTHORIZATION - GRANTED

Travel Authorization for Councilman Walter Martinez and Councilwoman Yolanda Vera to travel to Japan and Korea, from November 13 - 23, 1987.

87-54 Agenda Item #61 had earlier been pulled from consideration at this meeting.

87-54 The Clerk read the following Ordinance:

AN ORDINANCE 66,084

APPROVING BUDGETS FOR CERTAIN DISTRICT IMPROVEMENT FUNDS. (WOLFF, WEBB, BERRIOZABAL, VERA.)

* * * *

Mr. Lloyd Garza, City Attorney, briefly explained the need for a new Ordinance approving budgets for certain Council District Improvement Funds.

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

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

87-54 Agenda Item #65 was temporarily bypassed.

87-54 The Clerk read the following Resolution:

A RESOLUTION 87-54-86

REQUESTING HE SECRETARY OF STATE TO CONTRACT WITH CITIES IN THE VIA SERVICE AREA TO VALIDATE SIGNATURES ON THE PETITION FOR AN ECONOMIC DEVELOPMENT FACILITY INCLUDING A DOMED STADIUM AND REQUESTING THAT EACH SIGNATURE BE VALIDATED.

* * * *

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

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

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

87-54

CITIZENS TO BE HEARD

MR. DONALD H. HOPPE

Mr. Hoppe, owner of Galaxy Billiards, 8245 Vicar Drive, spoke to the City Council regarding a billiards tournament he had organized to begin on Thursday, November 19 through November 22, 1987. He has been advised that they will not be allowed to exceed a 2:00 A.M. curfew because of a city ordinance. He then asked for a special dispensation from the ordinance for the duration of the tournament.

Mr. Hasslocher stated that he had spoken to the Police Department's Vice Squad Division and they prefer that the ordinance not be waived. He had asked Mr. Hoppe to come to the City Council to discuss this issue because he feels that this is a worthwhile activity.

Mr. Wolff stated that he has an office across the street, and there have been problems in the past with the previous owner.

Mr. Hoppe stated that he has personally attempted to correct the problems mentioned by Councilman Wolff.

Mr. Thompson made a motion to place this item on next week's agenda to waive the ordinance on the 2:00 A.M. curfew. Mrs. Dutmer seconded the motion.

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

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MS. EDITH MOLNAR

Ms. Molnar asked the City Council to properly supervise the granting of horse drawn carriage licenses. She stated that she had been to the Transportation Office, but has not received a satisfactory answer. She stated that many carriage drivers are dealing drugs. She stated that she operates a professional carriage service while the other carriage companies hire unprofessional untrained drivers. She asked that the City Council investigate these charges.

Mr. Thompson stated that these allegations should be investigated.

Mr. Martinez then moved to refer these allegations to the Council's Transportation Committee. Mrs. Vera seconded the motion.

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

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87-54

DISCUSSION OF DEAD ANIMAL PICKUP FEES

Mr. Marcus Jahns, Assistant City Manager, spoke of a compromise being proposed by city staff, (a copy of which is made a part of the papers of the meeting), on this issue.

Mr. Hasslocher spoke of local veterinarians concerns with the cost of paying for pickup of dead animals by the city at a cost of \$5.00 per animal. He noted that veterinarians favor installation of a monthly fee set up for pickup of dead animals rather than the per animal charge. He stated that he would like to work with the city staff and the veterinarians on a compromise.

Mr. Thompson spoke against altering the present program of pickup from veterinarians, stating that he favors veterinarians passing that \$5.00 per animal pickup charge cost along to citizens who leave their animals to be disposed.

Mr. Hasslocher again spoke to a possible compromise for a monthly fee in lieu of a charge per animal. He then read from a letter from Ms. Kathleen Walthall, thanking the City Council for working with the Humane Society of Bexar County on this particular matter.

87-54

CABLEVISION

Mr. Hasslocher asked the city staff to research the current cable television franchise and to bring back recommendations to the Council on the possibility of the city taking over the cable system in San Antonio.

Mr. Louis J. Fox, City Manager, stated his opinion that it is good business to look into the purchase, perhaps on a lease-back basis on the cable television franchise, noting that it has potential for good revenue for the City of San Antonio.

87-54CAPITAL IMPROVEMENT PROGRAM

Mr. Martinez voiced his concern with the proposed December 1 deadline for Councilmembers submitting their Capital Improvement Programs to the Public Works staff for inclusion in the 5-year Capital Improvement Program. He spoke to the need to meet with all of his constituents and he wants the December 1 deadline to be loosely observed if at all.

Mrs. Berriozabal also spoke about the December 1 deadline as being an informal deadline.

87-54HEMISFAIR GARAGE PARKING

Mr. Hasslocher spoke to the many complaints he has received about the parking at the new Hemisfair garage. He asked for a copy of the parking agreement with the Spurs.

Mr. Labatt stated that the contract was written to allocate a certain number of spaces to the Spurs for their home games and he noted that the contract is for a 10-year period. He then stated that he will be meeting with Mr. Drossos on this particular issue.

87-54CITY TOWING CONTRACT

Mr. Thompson stated that he has asked for a city staff report on the possibility of establishment of a rotating system for the towing of wrecked vehicles and also a new system for the towing of abandoned vehicles.

Mr. Thompson made a motion to have the staff make a report to the City Council on the possible establishment of a new rotation system for towing of wrecked vehicles and towing of abandoned vehicles. Mr. Wolff seconded the motion.

Mrs. Dutmer spoke against installation of a rotation system, stating that she favors making the towing operation a division under the San Antonio Police Department which she feels will make the city a certain amount of revenue.

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

Mr. Wolff stated that he favors the city staff appraisal of both ideas in case the City Council needs to act after completion of the current investigation of City Towing Associates.

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87-54

HEMISFAIR PARKING GARAGE - (continued)

Mr. Wolff voiced his concern that Spurs fans are still having parking problems in the new city parking garage for home games.

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87-54 There being no further business to come before the City Council, the meeting was adjourned at 6:25 P.M.

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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