

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO, HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, JULY 28, 1988.

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

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88-32 The invocation was given by Councilman Bob Thompson.

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88-32 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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88-32 SAN ANTONIO TEACHERS' COUNCIL

Mayor Cisneros introduced Ms. Bennye E. Frazier, President of the San Antonio Teachers' Council, present in the audience to present Councilwoman Yolanda Vera with the "Friend of Education" award for her efforts in helping the Teachers' Council to obtain business sponsors for their school.

Ms. Bennye Frazier, and other members of the San Antonio Teachers' Council, then stood to be recognized and Ms. Frazier spoke of Ms. Vera's hard work in finding business sponsors for schools and briefly outlined those efforts. She then read and formally presented the "Friend of Education" award to Ms. Vera.

Ms. Vera thanked the San Antonio Teachers' Council for the award.

Mayor Cisneros spoke of the positive impact of teachers on today's world.

Ms. Vera then addressed the work of various businesses in conjunction with San Antonio schools.

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88-32 KARATE KIDS

Mayor Cisneros introduced Mr. Eli Guerra and the Karate Kids of

San Antonio, who were present in the audience to make a presentation to Mayor Cisneros in appreciation of his efforts in the "Just Say No to Drugs" campaign for the youth of San Antonio.

Coach Eli Guerra spoke of the Mayor's role in the "Just Say No to Drugs" campaign. He then presented the Mayor with a karate gi representing a first degree blue belt in karate and a "Just Say No" medallion.

The youth karate group then greeted the Mayor in unison and several young students demonstrated karate moves for the audience.

Mayor Cisneros thanked the students for their stand on the "Just Say No to Drugs" campaign.

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88-32

EXPORT NOW WEEK

Mayor Cisneros read a proclamation designating the week of August 1 - 5, 1988 as "Export Now Week" and presented it to Mr. Stuart Summers, Director of Economic and Employment Development. He encouraged Mr. Summers to make maximum use of the City's new Export Assistance Center.

Mr. Summers then introduced his staff members for the new Export Assistance Center and spoke of the staff's hard work assisting businesses in San Antonio.

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88-32

TROOP 285

Mayor Cisneros introduced members of Boy Scouts Troop 285, present in the audience, from Coker United Methodist Church.

Mr. Ted Lee, their adult leader, spoke of the group's work toward a citizenship merit badge.

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88-32

DEFENSE LANGUAGE INSTITUTE

Mayor Cisneros noted the presence in the audience today of a group of students from the Defense Language Institute at Lackland, AFB and welcomed them to City Hall.

The students each identified themselves and their nation.

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Several students from Portugal came forward to present a memento to Mayor Cisneros on behalf of their country.

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88-32 The minutes of the City Council meeting of July 7, 1988 were approved.

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88-32 POINT OF PERSONAL PRIVILEGE

Mr. Hasslocher, on a point of personal privilege, introduced Mr. John Baines, present in the audience, and asked him to come forward for a brief comment.

Mr. Baines spoke of the 6:00 P.M., Saturday afternoon, ceremony to be held at the Vietnam Veterans Memorial and he noted that the Commandant of the United States Marine Corps as well as the Marine Corps Sergeant Major would be there to speak. He invited the Mayor and Council to attend the event.

Mr. Louis J. Fox, City Manager, noted that the Sergeant Major of the Marine Corps was a fellow high school student of his in St. Louis.

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88-32 CONSENT AGENDA

Mr. Hasslocher made a motion to approve Agenda Items 5 - 29, constituting the Consent Agenda, with Items 11, 20 and 27 to be pulled for individual consideration. Mr. Thompson seconded the motion.

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

AN ORDINANCE 67,567

ACCEPTING THE LOW BID OF ESSEX FIRE AND SAFETY COMPANY, INC. TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH HYDROCARBON DISPERSANT FOR A TOTAL OF \$3,600.

\* \* \* \*

## AN ORDINANCE 67,568

ACCEPTING THE LOW QUALIFIED BIDS OF MONTGOMERY MUNICIPAL SUPPLY AND INDUSTRIAL DISPOSAL SUPPLY TO FURNISH THE CITY OF SAN ANTONIO WITH SEWER MAINTENANCE EQUIPMENT FOR A TOTAL OF \$92,939.

\* \* \* \*

## AN ORDINANCE 67,569

ACCEPTING THE LOW BID OF FELCO OFFICE SYSTEMS TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH A COPIER ON A RENTAL BASIS FOR A TOTAL OF APPROXIMATELY \$530 MONTHLY.

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## AN ORDINANCE 67,570

ACCEPTING THE LOW BID OF SICO INCORPORATED TO FURNISH THE CITY OF SAN ANTONIO CONVENTION FACILITIES WITH AN ORCHESTRA PIT FILLER WITH HYDRAULIC LIFT ASSIST FOR A TOTAL OF \$59,400.

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## AN ORDINANCE 67,571

ACCEPTING THE LOW QUALIFIED BIDS OF LINEAR DYNAMICS, INC. AND WASTE SYSTEMS EQUIPMENT INC. TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS AND AVIATION DEPARTMENTS WITH PAINT STRIPING MACHINES FOR A TOTAL OF \$130,940.77.

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## AN ORDINANCE 67,572

ACCEPTING THE LOW BID OF PAUL E. ALLEN COMPANY, INC. TO FURNISH THE CITY OF SAN ANTONIO PARKS AND RECREATION DEPARTMENT WITH PLAYGROUND EQUIPMENT FOR WOODLAWN LAKE FOR A TOTAL OF \$23,412.00.

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## AN ORDINANCE 67,573

AWARDING A CONSTRUCTION CONTRACT TO SACC INC., FOR THE PEARSALL ROAD LANDFILL SANITARY SEWER SUBDRAIN

PROJECT IN THE AMOUNT OF \$47,300.00 WITH AN  
ADDITIONAL \$5,000.00 FOR CONSTRUCTION CONTINGENCY.

\* \* \* \*

AN ORDINANCE 67,574 .

AUTHORIZING THE CITY MANAGER TO EXECUTE FIELD  
ALTERATION NO. 10 IN THE AMOUNT OF \$20,920.75  
PAYABLE TO S.H. TOLLIVER COMPANY FOR THE NACOGDOCHES  
ROAD-BITTERS TO NACO-PERRIN PROJECT.

\* \* \* \*

AN ORDINANCE 67,575 .

AUTHORIZING ADDITIONAL ARCHITECTURAL FEES, IN THE  
AMOUNT OF \$2,974.35, PAYABLE TO DONOUGHUE &  
ASSOCIATES, INC., FOR THE TERMINAL 2 IMPROVEMENT  
PROJECT AT INTERNATIONAL AIRPORT; APPROPRIATING  
FUNDS; AND PROVIDING FOR PAYMENT.

\* \* \* \*

AN ORDINANCE 67,576 .

AUTHORIZING PAYMENT OF \$15,000.00 TO MR. N.D.  
MITCHELL (OWNER) OF 1517 GIBBS STREET FOR DRIVEWAY  
REPAIRS IN CONNECTION WITH THE E. COMMERCE STREET  
DRAINAGE PROJECT NO. 13A & 13B.

\* \* \* \*

AN ORDINANCE 67,577 .

AUTHORIZING FIELD ALTERATION NO. 33 PAYABLE TO  
HOUSTON BRIDGE COMPANY IN THE AMOUNT OF \$19,724.30  
IN CONNECTION WITH THE E. COMMERCE STREET DRAINAGE  
PROJECT NO. 13A & 13B.

\* \* \* \*

AN ORDINANCE 67,578 .

AUTHORIZING A REFUND PAYMENT TO THE SAN ANTONIO  
MEDICAL FOUNDATION IN THE AMOUNT OF \$27,933.49 AS IT  
RELATES TO THE FLOYD CURL DRIVE FROM WURZBACH ROAD  
TO HAMILTON WOLFE ROAD PROJECT.

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AN ORDINANCE 67,579

AUTHORIZING FIELD ALTERATION NO. 3 IN THE AMOUNT OF \$13,652.00 TO THE CONTRACT OF M.J. BOYLE GENERAL CONTRACTOR, INC. FOR THE CONSTRUCTION OF STORM DRAINAGE AT THE TOWER OF THE AMERICAS DURING THE ADDITIONAL IMPROVEMENTS AT HEMISFAIR PLAZA CONSTRUCTION PACKAGE FOR THE HEMISFAIR REDEVELOPMENT PROJECT.

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AN ORDINANCE 67,580

AWARDING A \$50,800.00 CONSTRUCTION CONTRACT TO KROSCHER PUMP & SUPPLY, INC. AND AUTHORIZING \$5,080.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES IN CONNECTION WITH THE FIRE STATION NO. 21-FUEL TANK RELOCATION, PARKING, AND DRAINAGE IMPROVEMENTS.

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AN ORDINANCE 67,581

AUTHORIZING EXECUTION OF A DESIGN SERVICES CONTRACT WITH CIVIL ENGINEERING CONSULTANTS IN THE AMOUNT OF \$460,162.50 ON THE HUEBNER ROAD, FREDERICKSBURG ROAD TO LEON VALLEY PROJECT, AND PROVIDING FOR PAYMENT.

\* \* \* \*

AN ORDINANCE 67,582

AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH JACKIE E. HINSON AT THE SAN ANTONIO INTERNATIONAL AIRPORT AND SUPERCEDING A PRE-EXISTING LEASE WITH SAID LESSEE.

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AN ORDINANCE 67,583

ACCEPTING THE PROVISIONS OF THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION MINUTE ORDER NOS. 87542 RELATED TO HUEBNER ROAD FROM FREDERICKSBURG ROAD TO THE LEON VALLEY EASTERN CITY LIMITS, 87544 RELATED TO WURZBACH ROAD FROM 0.6 MILES EAST OF INGRAM ROAD TO THE LEON VALLEY WESTERN CITY LIMITS,

AND 87549 RELATED TO A ROAD ON NEW LOCATION  
(EAST-WEST CONNECTOR) FROM LOCKHILL - SELMA ROAD TO  
IH 35.

\* \* \* \*

AN ORDINANCE 67,584

APPROVING CONTINUATION OF THE FAMILY PLANNING  
PROJECT BY THE SAN ANTONIO METROPOLITAN HEALTH  
DISTRICT; AUTHORIZING EXECUTION OF A CONTRACT WITH  
THE TEXAS DEPARTMENT OF HUMAN RESOURCES FOR A GRANT  
TO SUPPORT PROJECT COSTS UP TO \$101,250.00;  
ESTABLISHING A FUND; ADOPTING A BUDGET; AND  
AUTHORIZING PERSONNEL POSITIONS.

\* \* \* \*

AN ORDINANCE 67,585

AUTHORIZING THE ASSIGNMENT OF THE AGREEMENT FOR THE  
APPAREL CONCESSION AT SAN ANTONIO INTERNATIONAL  
AIRPORT FROM KATHERINE A. GRIFFIN TO THE CLOTHES  
HANGAR, INC.

\* \* \* \*

AN ORDINANCE 67,586

AUTHORIZING THE CITY MANAGER TO ENTER INTO A  
CONTRACT AGREEMENT BETWEEN THE TEXAS STATE LIBRARY -  
ARCHIVES COMMISSION AND THE CITY OF SAN ANTONIO, SAN  
ANTONIO PUBLIC LIBRARY TO PROVIDE PUBLIC LIBRARY  
SERVICES AND MATERIALS AS STIPULATED IN THE GRANT  
APPLICATION.

\* \* \* \*

AN ORDINANCE 67,587

ACCEPTING ADDITIONAL FUNDS AND AUTHORIZING CHANGES  
MADE BY THE TEXAS STATE LIBRARY TO CONTRACT 344.6,  
PROJECT 018053, 26/04-01-15.

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## AN ORDINANCE 67,588

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF FEE TITLE TO LOT 13, BLOCK 2, NCB 2207, AND LOT 30, BLOCK 2, NCB 2207, BOTH IN SAN ANTONIO, BEXAR COUNTY, TEXAS, AND BEING NEEDED FOR A PUBLIC USE TO WIT: THE DEVELOPMENT OF FARIAS PARK.

\* \* \* \*

88-32 The Clerk read the following Ordinance:

## AN ORDINANCE 67,589

AMENDING ORDINANCE NO. 65185 FOR CATEGORY 4, PACKAGE "H", AND AWARDING A CONSTRUCTION CONTRACT TO MARTIN K. EBY CONSTRUCTION CO., INC., FOR THE CATEGORY 4, PACKAGE "H", COLLECTION SYSTEM IMPROVEMENTS, PHASE III PROJECT IN THE AMOUNT OF \$820,292.00 WITH AN ADDITIONAL \$82,029.20 FOR A CONSTRUCTION CONTINGENCY FUND; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR CONSTRUCTION AND POST-CONSTRUCTION PHASE PROFESSIONAL DESIGN CONSULTANT SERVICES WITH THE FIRMS OF PAPE-DAWSON, INC. AND VICKREY & ASSOCIATES, INC., THE PDVA GROUP IN THE AMOUNT OF \$87,900.00, \$8,790.00 FOR PROFESSIONAL SERVICES CONTINGENCY AND AN ADDITIONAL \$698.88 FOR BID ADVERTISING.

\* \* \* \*

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

In response to a question by Mr. Labatt, Mr. Frank Kiolbassa, Director of Environmental Management, briefly explained details of the project.

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

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The Clerk read the following Ordinance:

AN ORDINANCE 67,590

AWARDING A CONSTRUCTION CONTRACT FOR THE LAS  
TIENDAS-PUBLIC MARKET PROJECT.

\* \* \* \*

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

Mr. Martinez noted that this represents a major project in District 5 and that the contract is being awarded to a minority firm. He spoke of the City staff's efforts to make all minority contractors aware of the work to be performed and he thanked the staff members involved and addressed their own individual efforts.

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

88-32

The Clerk read the following Ordinance:

AN ORDINANCE 67,591

AUTHORIZING THE CITY MANAGER TO ENGAGE A CONSULTANT  
FOR PROFESSIONAL SERVICES IN CONNECTION WITH  
ON-GOING NEGOTIATIONS BETWEEN THE CITY OF SAN  
ANTONIO AND VARIOUS JAPANESE BUSINESS INTERESTS  
ABROAD.

\* \* \* \*

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

In response to questions by Mr. Thompson and Mr. Martinez, Ms. Beth Costello, Director of International Relations, addressed the scope of the contract involved and the work to be performed. She noted that a news conference would be held the following Monday to announce a major economic boost for San Antonio.

Mayor Cisneros especially thanked Mr. and Mrs. Shirane for their hard work on behalf of securing businesses for San Antonio and Texas.

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

ZONING HEARINGS

30. CASE Z88112 - to rezone Lot 6, Block 30, NCB 18071, 7750 Pipers Lane, from Temporary "R-1" One Family Residence District to "R-3" Multiple Family Residence District, located southeast of Pipers Lane, being 497' northeast of the intersection of Pipers Lane and Culebra Road, having 213.53' on Pipers Lane with a depth of 602.87'.

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 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 north property line adjacent to the single-family dwellings. 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, Wing, Martinez, Thompson, Vera, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: Dutmer, Wolff.

AN ORDINANCE 67,592

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 6, BLOCK 30, NCB 18071, 7750 PIPERS LANE, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "R-3" MULTIPLE-FAMILY RESIDENCE 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 NORTH PROPERTY LINE ADJACENT TO THE SINGLE-FAMILY DWELLINGS. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

31. CASE 288110 - to rezone Lot 6, Block 4, NCB 18284, 7870 Culebra Road, from Temporary "R-1" One Family Residence District to "B-3" Business District.

Mr. Andy Guerrero, Planner III, noted that the proponent in this case has asked for a three week postponement.

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

Case 288110 was postponed for three weeks.

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32. CASE 288108 was temporarily bypassed for consideration later in the meeting.

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88-32 The Clerk read the following Ordinance:

AN ORDINANCE 67,593

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

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88-32 The Clerk read the following Ordinance:

AN ORDINANCE 67,594

AUTHORIZING PAYMENT OF THE ANNUAL MEMBERSHIP DUES IN THE AMOUNT OF \$24,549.00 FOR THE CITY OF SAN ANTONIO TO THE TEXAS MUNICIPAL LEAGUE.

\* \* \* \*

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

88-32 The Clerk read the following Ordinance:

AN ORDINANCE 67,595

AUTHORIZING PAYMENT FOR THE 1987-88 MEMBERSHIP DUES OF \$10,450.00 AND THE 1988-89 MEMBERSHIP DUES OF \$10,450.00 TO THE U.S. CONFERENCE OF MAYORS.

\* \* \* \*

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

88-32 The Clerk read the following Ordinance:

AN ORDINANCE 67,596

AUTHORIZING PAYMENT IN SETTLEMENT OF CAUSE NO. 85-CI-13692, STYLED ANNA BELLE DUDLEY, ET AL VS. CITY OF SAN ANTONIO, ET AL; IN THE 37TH JUDICIAL DISTRICT COURT, BEXAR COUNTY, TEXAS.

\* \* \* \*

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

88-32 The Clerk read the following Ordinance:

AN ORDINANCE 67,597

AUTHORIZING SETTLEMENT OF THE CLAIM OF THE ESTATE OF  
EVANGELINA SOTELO IN THE AMOUNT OF \$125,000.00.

\* \* \* \*

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

88-32 The Clerk read the following Ordinance:

AN ORDINANCE 67,598

AUTHORIZING SETTLEMENT OF THE CLAIM OF JULIA M.  
GUTIERREZ IN THE AMOUNT OF \$6,500.00.

\* \* \* \*

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

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

88-32 The Clerk read the following Ordinance:

AN ORDINANCE 67,599

CLOSING AUDITORIUM CIRCLE DRIVE FROM 5:00 P.M. TO  
7:00 P.M. ON SATURDAY, JULY 30, 1988 AS REQUESTED BY  
THE VIETNAM VETERANS MEMORIAL OF SAN ANTONIO, INC.

\* \* \* \*

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

88-32 The Clerk read the following Ordinance:

AN ORDINANCE 67,600

CLOSING CAMINO SANTA MARIA FROM COLGATE TO CULEBRA ROAD FOR THE CAMINO SANTA MARIA STREET FESTIVAL FROM 12:00 NOON ON SATURDAY, SEPTEMBER 3, UNTIL SUNDAY MIDNIGHT, SEPTEMBER 4, 1988.

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

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

88-32 The Clerk read the following Ordinance:

AN ORDINANCE 67,601

CLOSING EL PASO STREET FROM 19TH STREET TO MINTER FOR THE ARRIVAL OF THE VIRGEN DE SAN JUAN STATUE FROM JALISCO, MEXICO FROM 12:00 NOON ON MONDAY, AUGUST 1, 1988 TO SUNDAY MIDNIGHT, AUGUST 7, 1988.

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

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

88-32 The Clerk read the following Ordinance:

AN ORDINANCE 67,602

APPROPRIATING AND AUTHORIZING THE EXPENDITURE OF \$15,000.00 IN CONNECTION WITH THE JAPAN TEXAS CONFERENCE TO BE HELD OCTOBER 4 - 6, 1988.

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

88-32 Agenda Item No. 43, being a discussion on a proposed garage sale ordinance, was temporarily bypassed for discussion later in the meeting.

88-32 The Clerk read the following Ordinance:

AN ORDINANCE 67,603

APPOINTING LOUIS E. ROWE TO SERVE ON THE ELECTRICAL EXAMINING AND SUPERVISORY BOARD FOR A TERM TO EXPIRE ON JULY 31, 1990.

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

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

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## AN ORDINANCE 67,604

PROVIDING FOR EXPENDITURE OF \$15,000.00 FROM THE DISTRICT 4 DISCRETIONARY FUND FOR IMPROVEMENTS TO CERTAIN BASEBALL FIELDS PREPARATORY TO THE VISIT FROM THE KUMAMOTO YOUTH BASEBALL TEAM.

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

88-32REGIONAL WATER RESOURCES PLAN

The Clerk read the following Ordinance:

## AN ORDINANCE 67,605

ACCEPTING THE REGIONAL WATER RESOURCES PLAN COMPONENTS OUTLINING A PLAN OF ACTION FOR A COMPREHENSIVE PROGRAM OF CONSERVATION, WASTEWATER REUSE, GROUNDWATER WITHDRAWAL, AND SURFACE WATER AND AUTHORIZING IMPLEMENTATION.

\* \* \* \*

Mayor Cisneros introduced the Regional Water Resources Plan (RWRP) speakers on this project and asked for City Council concurrence on the proposed Ordinance. He then spoke to the matter of delicate "give and take" by all parties to water in this region.

Ms. Jeri Martin, Hays County, Member of the Edwards Underground Water District Board of Directors, noted that the RWRP is not perfect but feels it will work. Ms. Martin briefly addressed the spring flow and its importance to downstream river flow and to the cities of New Braunfels and San Marcos.

Mayor Cisneros spoke to the economic importance of spring flow and the adverse effects of "drawing down" the Edwards Aquifer as suggested by some citizens.

Mr. Con Mims, representing the Nueces River Authority, thanked the City Council members and the members of the joint water committee for

helping to develop a regional water plan for this area. He stated that he feels the plan is fair to all and he addressed the limitations on the use of aquifer water and the development of surface water.

Mr. Rene Aelvoit, a Medina County irrigation farmer, described his irrigation operations in Medina County and spoke in support of the Applewhite Reservoir as part of the Regional Water Resources Plan. He emphasized the equality of the plan and he recalled the drought of the 1950's in this area, which brought the "bad water line" into his water wells.

Ms. Mary Kelly, Attorney from Fulbright and Jaworski, addressed the legal aspects of the Regional Water Resources Plan as well as plans for future legislation for the next session of the state legislature. She spoke to how water usage should be handled under the water plan and also addressed conservation and reuse of water.

Mr. Bobby Hasslocher, Chairman of the Edwards Underground Water District Board of Directors, noted that the drought management plan would be submitted to the Texas Water Commission as part of the overall water resources plan.

Mr. Tom Fox, General Manager, Edwards Underground Water District, spoke of the work that remains to be accomplished in this area and he stated that the Regional Water Resources Plan has been in the works since 1983 and he feels the plan will be recognized as significant.

Ms. Fay Sinkin, member of the Edwards Underground Water District Board of Directors, stated that she feels more time is needed to study the plan and she spoke of areas where she has questions including the matter of the Applewhite Reservoir. Ms. Sinkin stated that she also feels more study is needed on water conservation, including innovative irrigation methods. Ms. Sinkin stated further that she feels water conservation could delay the need for surface water, and she spoke against the adoption of the Regional Water Resources Plan.

Mayor Cisneros thanked Ms. Sinkin for her work and her contributions despite her reservations to the water plan.

Mr. Carl Norris, representing the Greater San Antonio Builders Association, noted that his group supports the regional plan despite having a number of concerns.

Mr. Charles Cheever, Greater San Antonio Chamber of Commerce, addressed the importance of the regional plan and stated that his group feels that San Antonio needs to address wastewater reuse and conservation. He spoke against the \$1,000 water hookup fee for new water users as being proposed in the plan, stating that he feels the cost should be spread equitably.

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Mr. Carl Raba, Jr. spoke in support of the plan as a first step in bringing discipline to water use within a five county area around San Antonio. He then recited the steps leading up to this regional plan.

Mr. Karl Wurz, citizen of San Antonio, asked the City Council to postpone action on the Regional Water Resources Plan and he addressed legislation enacted by H.B. 1942. Mr. Wurz stated that he feels the Edwards Underground Water District has not held regional public hearings on this matter and must first do so.

Mr. E. L. Richey, citizen of San Antonio, stated that he feels the Council should not act on this until the Edwards Underground Water District has held public hearings.

Mr. Ken Vickrey, chairman of the North San Antonio Chamber of Commerce, stated that his group is on record in support of conservation, reuse, proper water allocation, and surface water for San Antonio. He then read the North San Antonio Chamber of Commerce's message of support even though the group feels that the drought management plan leaves something to be desired. Mr. Vickrey spoke to several areas of concern to the plan and he asked that these be addressed before legislation is enacted.

Ms. Kathy Powell, speaking for the Aquifer Protection Association, spoke in support of the plan as a first step in a regional control of water. She stated that she feels much work remains to be done including a 10% conservation goal which she feels is too low; her belief that the City Council must make the maximum use of non-potable water; the inclusion of military bases in water planning; and the use of the Applewhite Reservoir as a storage reservoir for the moment.

Mr. Phillip M. Ross, representing the Association to Stop the Applewhite Project (ASAP), noted that petitions now are in circulation seeking a citizens' referendum on the Applewhite Reservoir matter. He stated that he feels the Regional Water Resources Plan is not based on scientific fact, and he feels the Edwards Aquifer is an infinite source of water which recharges annually. Mr. Ross further stated that he feels the Edwards Aquifer should be San Antonio's sole source of water well into the next century and he feels that to add surface reservoirs is not needed at this time. He asked the City Council not to enact this regional plan until more study is performed and he spoke to several recommendations for supplying water to San Antonio.

Mr. Tom Culbertson, Hydrologist, stated that he feels that planning ahead 25 years is sufficient. He spoke in support of maximum water conservation. He then presented a text of his remarks (a copy of which is made a part of the papers of this meeting).

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

Ms. Vera addressed a proposed amendment which would allow the City Council to consider alternatives to funding proposals for such things as the \$1,000 hookup fee for all new water users. She then offered an amendment that any new fees or assessments not be considered as a regional or local financial alternative until it is reviewed for its impacts or specific population segments, economies and plan components. Also that any reference in the Plan to new funding sources should delineate that each was considered as an alternative only, but must come under extensive review and approval by the City Council and the Edwards Board prior to any legislative action and that the City Council recommends to the Joint Committee that the water availability charge in the Plan be replaced with other financing alternatives for new water supply projects. Mr. Wolff seconded the motion.

Ms. Vera further explained that she is concerned that the \$1,000 water hookup fee will adversely affect new San Antonio homeowners, and she feels that a more equitable method should be considered.

Mayor Cisneros spoke in support of Ms. Vera's amendment.

In response to a question by Mr. Thompson, Mayor Cisneros noted that the joint committee is about three meetings away from a recommended drought management plan for the Edwards Underground Water District.

Mr. Thompson stated that he would feel more comfortable knowing the details of the drought management plan before agreeing to a regional water resources plan. He stated that he feels that this is an integral part of the regional plan and a conservation plan should begin immediately.

Mr. Wolff addressed the long-range flexibility of the RWRP including the matter of equitable distribution of assessments and development of surface water on a regional basis.

Mr. Labatt addressed the overall importance of votes on the Applewhite Reservoir and the RWRP. He stated that the conservation plan should be back before the City Council on November 1st and then spoke to pages 104 - 112 of the plan. He added that the plan includes all the financial estimates on page 36 and expressed his support of the plan.

Ms. Berriozabal spoke to Table E1 of the Regional Water Resources Plan as a summary of the plan and the 450,000 acre feet being the key to this plan.

Mr. Fox stated that there is legislation proposed that will change these numbers.

A discussion then took place concerning the "bad water line".

Ms. Berriozabal read into the record certain comments made by Dr. Jay H. Lehr, Ph.D., remarks made on July 11, 1988 (a copy of which is made a part of the papers of this meeting). Dr. Lehr dealt with the Edwards Aquifer, its yield, overpumping, spring flow, the bad water line, artificial recharge, and his contention that there is no need for surface water at this time.

(At this point Mayor Cisneros was obliged to leave the meeting.)

Ms. Berriozabal then made reference to a report No. 86-4032 of the U.S. Geological Survey, a report entitled "Potential for Updip Movement of Saline Water in the Edwards Aquifer, San Antonio, Texas." (A copy of this report is on file with the papers of this meeting.)

Ms. Berriozabal voiced her concern that citizens will have to begin paying almost immediately for the Applewhite Reservoir even though its water will not be needed for years. She stated further that she feels a 75% limitation on pumping is not realistic and that the fluctuating nature of the Applewhite Reservoir prohibits its usage for any recreational purposes. Ms. Berriozabal also voiced her concern that the Regional Water Resources Plan was not made public to the full City Council until about three weeks ago and she stated that she would be voting against the plan.

Mr. Martinez spoke in support of the regional plan even though he opposed the Applewhite Reservoir matter. He stated that he supports the other three main features of the regional plan, those being conservation, water reuse and water allocation rules.

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

Mr. Martinez stated that he feels it is important to ensure adequate water for this region in the future and he noted that we all must have a regional consensus in order to achieve the state legislature's approval for this plan.

A discussion then took place concerning the matter of abstention on the final vote on the RWRP by some representatives of western counties.

Mayor Cisneros and Mr. Martinez then thanked Ms. Becky Cedillo, Assistant Director of Planning, for her hard work on water-related matters.

Mayor Cisneros further stated that he feels Ms. Cedillo would make a good department head or assistant city manager.

Mr. Louis J. Fox, City Manager, thanked Mr. Roland Lozano, Director of Planning, and Ms. Cedillo whom he said both deserved much

congratulations for their hard work.

Mr. Webb spoke of the delicate balance of the regional plan and the need to proceed with it.

Mayor Cisneros took the occasion to note that the South Texas Nuclear Project at Bay City now is operating at 90% of capacity and providing 14% of San Antonio's power needs.

Mr. Wing spoke in support of the Regional Water Resources Plan.

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

The main motion, as amended, was approved by the following vote:  
AYES: Webb, Wing, Martinez, Thompson, Vera, Wolff, Labatt, Hasslocher, Cisneros; NAYS: Berriozabal; ABSENT: Dutmer.

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ZONING HEARINGS (Continued)

32. CASE Z88109 - to rezone Lot 47, NCB 11287, 2506 and 2508 Clara Lane, from "B" Residence District to "R-3" Multiple Family Residence District, located on the southside of Clara Lane, being 465.32' east of the intersection of Clara Lane and Vance Jackson Road, having 67.09' on Clara Lane with a depth of 111.50'.

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

Mr. Andy Guerrero, Planner III, noted that the proponent is willing to accept an R-2 zoning which is the City staff's recommendation.

Mr. Labatt made a motion to approve R-2 zoning for the subject property. Mr. Webb seconded the motion.

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

AN ORDINANCE 67,606

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 LOT 47, NCB 11287, 2506 AND 2508

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CLARA LANE, FROM "B" RESIDENCE DISTRICT TO "R-2"  
TWO-FAMILY RESIDENCE DISTRICT. "THE PENALTY FOR  
VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

(At this point, Mayor Cisneros was obliged to leave the meeting  
and Mr. Thompson presided.)

88-32

GARAGE SALES

Mr. Louis J. Fox, City Manger, spoke of the City having received many calls concerning the matter of garage sales and the City's recent crack down on them in the past week. He then recommended regulation of garage sales to only two per residence per year with a small administrative fee. He noted that, in his opinion, this would dissuade persons from carrying on a garage sale business under the guise of a garage sale.

Mr. Roland Lozano, Director of Planning, spoke to specifics of the City staff's recommendations and he noted that the staff intends to come back to the City Council at next week's meeting with an ordinance which would amend Chapter 16 making it effective August 15th. He noted that the City then would be in a position to enact an ordinance which would amend certain zoning ordinances to allow garage sales in residential areas.

Mr. Wing spoke in support of allowing any church or charitable organization to hold such events without hinderance from the City until the zoning ordinance is amended, and also wants approval for 12 garage sale permits per year per residences.

Mayor Cisneros stated that he feels Mr. Wing's request is reasonable.

Mr. Wing then made a motion that direction be given to staff to place on a future agenda that churches or charitable non-profit organizations will be exempted from enforcement of the ordinance until a new zoning amendment is enacted and also to be exempt from any administrative fee; and to allow 12 garage sale permits per residences per year or one per month. Mr. Wolff seconded the motion.

Ms. Vera spoke in support of the motion.

Mr. Hasslocher stated that he opposes the idea of a permit and he favors four garage sales per year and no permit fee.

Mr. Hasslocher offered an amendment to the motion to allow four garage sales per year with no fee. Ms. Berriozabal seconded the motion.

Mr. Fox defended the charging of a small administrative fee in order to recover costs of enforcement.

Ms. Vera spoke in support of the permitting process and of favoring a \$2.50 fee.

Ms. Vera then made a motion to amend Mr. Hasslocher's motion to include a \$2.50 fee. Mr. Wolff seconded the motion.

Mr. Martinez stated that he favors Ms. Vera's motion concerning the lower fee and of having four garage sales per residence per year.

In response to a question by Mr. Wing, Mr. Lloyd Garza, City Attorney, noted that any one sale approved by the City can span two days.

Mr. Wing spoke in opposition to the pending motion.

Mr. Lozano explained the possible process for issuing the permits including perhaps allowing call-in processing as well as a mail-out program for permits to allow residents to apply for and receive permits without having to come to City Hall. He noted that currently City staff recommends allowing the permitting process at the City Hall area as well as the North Loop and the Zarzamora Service Centers.

Mr. Labatt stated that he favors only two garage sales per year and a \$2.50 permit fee.

Mr. Thompson spoke in favor of only two garage sales per year.

Ms. Vera's amendment to Mr. Hasslocher's motion to charge a \$2.50 fee prevailed by the following vote: AYES: Berriozabal, Webb, Martinez, Vera, Wolff, Hasslocher; NAYS: Wing, Thompson, Labatt, Cisneros; ABSENT: Dutmer.

The substitute motion as amended by Ms. Vera that four garage sales per year per residence be allowed prevailed by the following vote: AYES: Berriozabal, Webb, Wing, Martinez, Vera, Wolff, Labatt, Hasslocher, Cisneros; NAYS: Thompson; ABSENT: Dutmer.

The main motion, as substituted and amended, which placed this item on a future agenda, prevailed by the following vote: AYES: Berriozabal, Webb, Wing, Martinez, Thompson, Vera, Wolff, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: Dutmer.

Mr. Hasslocher asked for a staff analysis of the costs involved to enforce such an ordinance.

A discussion then took place on the effect passage of these regulations would have on churches in R-1 zones that serve meals to Church members.

Mr. Webb stated that he feels the City should not get involved at what goes on at a church on its own property, and he spoke against home garage sales in principle.

Mr. Martinez voiced his concern that staff is now enforcing the garage sales ban after years of not doing so. He stated that he feels more urgent needs exist for the Code Compliance Department.

Ms. Vera thanked the Code Compliance staff for enforcing City law and the manner in which they are doing their job.

Mr. Wing noted that City staff is simply reacting to complaints of individuals conducting businesses in residential areas.

In response to a question by Ms. Berriozabal, a representative from the Metropolitan Health District noted that any church preparing food is liable for licensing by the Metropolitan Health District.

At this point, Mayor Cisneros called on Ms. Monica LaFleur, citizen, who had previously signed up to speak, stated that she feels the Code Compliance crack downs are unfair to citizens and are infringing on their rights.

88-32

CITIZENS TO BE HEARD

LIBRARY PATRONS

Mr. Ed Torres, 131 E. Mayfield, spoke to the City Council about the need to provide adequate funding for the library system. He also spoke in favor of leaving the main library at its present location and not moving it to Fiesta Plaza or the old Sears Building.

Mr. Willis Perino, 1616 San Pedro, Pan American Library Association, also spoke to the Council about their preference in having the Main Library stay at its present location instead of re-locating to any other location. He also expressed concern about continued funding for the library. He stated that the funding should come from the entire county not just the city. A county-wide library system should be implemented.

Janis Lindquist, 130 Grapeland, also spoke in favor of adequate funding for the library system.

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Mayor Cisneros stated that he would like to see a major city facility named after the late Willie Velasquez. He felt that a library would be an appropriate facility and suggested the Pan American branch library.

\* \* \* \*

88-32

RECOGNITION OF JOYCE & DON GREEN

Mr. Thompson recognized in the audience Joyce and Don Green. Ms. Green, in turn, introduced a group of South West Texas students accompanying them.

88-32

STADIUM PRESENTATION

Mr. Alex Briseno, Assistant City Manager, presented a stadium status report to the Council (a copy of which is on file with the papers of this meeting).

In summary the recommendations are:

a. If the Public Financial Management, Inc. proposal will likely require 2 - 3 years of VIA sales tax any way, then public option (5 years of VIA sales tax) should be pursued which maintains public ownership.

b. Schedule City Council action that will direct staff to re-initiate negotiations with VIA to finalize proposal that can be presented to voters in January, 1989.

c. Continue role of Citizens' Negotiating Advisory Committee.

d. Review need for independent studies on the stadium operating expenses/revenues and economic impact analysis with VIA.

Mayor Cisneros detailed the course of the plan as outlined by Mr. Briseno. He suggested using some of the monies originally appropriated for other feasibility studies and economic impact studies.

A discussion took place on the role of Samuel Katz, Co-Chief Executive Officer of Public Financial Management, Inc.

In response to Mr. Labatt, Mr. Briseno stated that the City has spent \$60,000 - \$70,000 of the original allocated funds.

Mr. Labatt stated that the City Council would have to re-authorize monies for feasibility studies.

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Mr. Webb spoke in favor of the original 1/2 cent sales tax.

The City Council discussed and concurred to take this matter up for formal action in two weeks on August 11, 1988.

88-32 The City Clerk read the following letter:

July 19, 1988

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

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

July 13, 1988

Petition submitted by Mr. & Mrs. Raymond Garcia, 417 Robert E. Lee, San Antonio, TX 78214, and other residents in the area, requesting the installation of street security lights in their area.

\* \* \* \*

July 13, 1988

Petition submitted by Mr. Pete Flores, 331 Victor, San Antonio, TX 78209, requesting that the Mahncke Park area be supplied with drainage, streets and sidewalk improvements as outlined in their petition.

\* \* \* \*

July 15, 1988

Petition submitted by Ms. Kim Alexander, 3322 Falcon Grove, San Antonio, TX 78247, and other residents in the area requesting that the City lower the speed limit to 20 m.p.h. in their area and place "Caution: Children at Play" signs at the locations outlined in their petition.

\* \* \* \*

/s/Norma S. Rodriguez  
City Clerk

July 28, 1988  
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At 6:30 P.M. the City Council recessed to convene their "B" Session. An Executive Session followed at 6:50 P.M. held for the purpose of discussing with the City Attorney, certain matters relating to litigation and real estate in connection with the Vista Verde Project. The "A" Session was then reconvened.

There being no further business to come before the City Council, the meeting was adjourned at 7:10 P.M.

A P P R O V E D

*Henry Cisneros*

M A Y O R

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