

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, OCTOBER 2, 1986.

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The meeting was called to order at 1:00 P.M. by the presiding officer, Mayor Henry Cisneros, with the following members present: BERRIOZABAL, WEBB, DUTMER, WING, MARTINEZ, THOMPSON, VERA, HARRINGTON, LABATT, HASSLOCHER, CISNEROS. Absent: NONE.

86-48 The invocation was given by Reverend Louis Jaspers, St. Gabriel's Catholic Church.

86-48 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

86-48 MENTAL ILLNESS AWARENESS WEEK

Mayor Cisneros read a proclamation designating "Mental Illness Awareness Week" in San Antonio; he then spoke of the need to fully publicize the serious problems of mental health because of the problems caused by current fund cuts, stress of modern life and substance abuse. He also spoke of the good work by Mental Health/Mental Retardation Society of Bexar County and other groups who seek to raise the level of awareness concerning mental health. Mayor Cisneros then presented the proclamation to Dr. John Walker.

Mr. Labatt spoke of having attended a recent national workshop on mental problems of the homeless.

86-48 The Clerk read the following Resolution:

RESOLUTION NO. 86-48-48

SUPPORTING THE POSITION PAPER "THE BROOKE ARMY MEDICAL CENTER ISSUE", DATED SEPTEMBER, 1986, AS SPONSORED BY CHAPTER 53 OF THE RESERVE OFFICERS ASSOCIATION OF THE UNITED STATES.

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Mayor Cisneros briefly explained the substance of the Resolution pending before the City Council at this time.

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

Mr. Webb spoke of the matter of cuts in size projected for the Brooke Army Medical Center and stated that he feels that such cuts are not necessary.

Mayor Cisneros noted that this is a long time local issue of concern.

Mr. Donald T. Betz, Chairman of the Ad Hoc Committee on the BAMC issue, spoke of the many organizations and military individuals who support this pending resolution and noted that this House-Senate Conference Committee has approved a 200 bed hospital to be constructed at Brooke Army Medical Center to replace the current larger facility. He stated further that his group feels that this and other proposed changes in military health will adversely affect San Antonio. He spoke of a study now underway to farm out medical services at Brooke Army Medical Center to health maintenance organizations through the "Champus Pride Program".

Mr. Thompson noted that Wilford Hall Hospital already is crowded and will be even more so in the future as the projected over flow from the smaller Brooke Army Medical Center Hospital seeks medical services there also. He stated that he feels personally that the Champus Pride Program will not work.

Mrs. Dutmer stated that she feels all citizens of Bexar County should protest this entire matter to Washington.

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

Mayor Cisneros then asked Mr. Betz to deliver the Resolution to the proper authorities.

86-48

VIETNAM MEMORIAL

Mayor Cisneros spoke of the background of the Vietnam Memorial for San Antonio and of the approaching deadline for constructing that memorial in front of the Municipal Auditorium and the consequent need to raise private funds to finance the \$400,000 project. He asked Ms. Berriozabal and perhaps other members of the City Council to accompany Mr. John Baines and others to the site outside Municipal Auditorium later

today for a news event to publicize the need for private donations.

86-48 The minutes of the Regular and Special Meetings of September 11, 1986 were approved.

CONSENT AGENDA

Mrs. Dutmer moved to approve Agenda Items #5 - 27, constituting the Consent Agenda, with the exception of Items #11, 21, 23, & 25, 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, Dutmer, Wing, Martinez, Thompson, Vera, Harrington, Labatt, Cisneros; NAYS: None; ABSENT: Hasslocher.

AN ORDINANCE 63,749

ACCEPTING THE LOW BID OF CENTURY DATA FORMS TO FURNISH THE CITY OF SAN ANTONIO MUNICIPAL COURTS WITH TRAFFIC VIOLATION TICKETS FOR A TOTAL OF \$5,340.00.

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AN ORDINANCE 63,750

ACCEPTING THE PROPOSAL OF FERGUSON MAP CO., INC./FERGUSON'S MAP TRAVEL & LUGGAGE TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH METRO MAPS FOR A TOTAL OF \$4,168.95.

AN ORDINANCE 63,751

ACCEPTING THE PROPOSAL OF KW MAINTENANCE SERVICE, INC. TO MAINTAIN THE MOTOR GENERATOR FOR THE CITY OF SAN ANTONIO INFORMATION RESOURCES DEPARTMENT FOR A TOTAL OF \$6,648.00.

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AN ORDINANCE 63,752

ACCEPTING THE LOW QUALIFIED BIDS OF STRAIT'S JANITORIAL COMPANY, WESTERN SERVICE COMPANY AND MAIN BUILDING MAINTENANCE, INC., TO FURNISH THE CITY OF

SAN ANTONIO WITH JANITORIAL SERVICE ON AN ANNUAL CONTRACT BASIS FOR A TOTAL OF APPROXIMATELY \$18,511.00.

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AN ORDINANCE 63,753

ACCEPTING THE PROPOSAL OF DIGITAL EQUIPMENT CORPORATION TO RENEW THE MAINTENANCE AGREEMENT FOR THE MDT PROCESSOR FOR THE CITY OF SAN ANTONIO INFORMATION RESOURCES DEPARTMENT FOR A TOTAL OF \$13,488.00 ANNUALLY.

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AN ORDINANCE 63,754

ACCEPTING THE LOW QUALIFIED BIDS OF MISSION CHEVROLET, INC., TOM BENSON CHEVROLET AND ANCIRA WINTON CHEVROLET, TO FURNISH THE CITY OF SAN ANTONIO AUTOMOTIVE OPERATIONS DIVISION WITH AUTOMOBILES FOR A TOTAL OF \$864,620.11.

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AN ORDINANCE 63,755

ACCEPTING ANNUAL CONTRACTS TO FURNISH THE CITY OF SAN ANTONIO WITH VARIOUS MATERIALS AND SERVICES FOR THE 1986-87 FISCAL YEAR.

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AN ORDINANCE 63,756

ACCEPTING THE LOW BID OF U-HAUL/MOVERS WORLD TO MOVE THE PUBLIC WORKS DEPARTMENT ADMINISTRATIVE OFFICES TO THE MAIN PLAZA BUILDING FOR A TOTAL OF \$3,148.00.

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AN ORDINANCE 63,757

ACCEPTING THE BID OF HEATH CONSTRUCTORS, INC., IN THE AMOUNT OF \$400,976.03 FOR THE WESTSIDE EXPRESSWAY RIGHT-OF-WAY CLEARANCE, SOUTH PORTION PROJECT; PROVIDING AN ADDITIONAL \$40,097.60 FOR A CONSTRUCTION CONTINGENCY; AND AUTHORIZING \$7,461.13 FOR ENGINEERING FEES FOR THE CONSTRUCTION PHASE

PAYABLE TO AMNER INCORPORATED.

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AN ORDINANCE 63,758

AUTHORIZING AN ADDITIONAL \$22,000.00 FOR ENGINEERING FEES PAYABLE TO CRG CONSULTING ENGINEERS, INC., IN CONNECTION WITH THE KOEHLER COURT RECONSTRUCTION PROJECT.

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AN ORDINANCE 63,759

AUTHORIZING AN ADDITIONAL \$26,770.87 FOR ENGINEERING FEES PAYABLE TO OZUNA & ASSOCIATES, INC., IN CONNECTION WITH THE ELMENDORF STREET DRAINAGE PROJECT NO. 38.

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AN ORDINANCE 63,760

AUTHORIZING AN ADDITIONAL \$60,990.87 FOR ENGINEERING FEES PAYABLE TO AMNER INCORPORATED, IN CONNECTION WITH THE NOLAN/BURLESON RECONSTRUCTION PROJECT.

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AN ORDINANCE 63,761

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH WALTER P. MOORE & ASSOCIATES, INC., IN THE AMOUNT OF \$15,074.15 FOR ENGINEERING DESIGN SERVICES ON N. OLIVE STREET/WINSLOW STREET RECONSTRUCTION PROJECT.

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AN ORDINANCE 63,762

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH K.M. NG & ASSOCIATES, INC., IN THE AMOUNT OF \$33,254.26 TO PROVIDE ENGINEERING DESIGN SERVICES FOR THE FRANK STREET/HOOD STREET RECONSTRUCTION PROJECT.

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AN ORDINANCE 63,763

AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH SINCLAIR ENGINEERING CO, IN THE AMOUNT OF \$41,500.00 TO PROVIDE PLANS AND SPECIFICATIONS FOR THE DOGWOOD SANITARY SEWER RELIEF PROJECT; AUTHORIZING AN ADDITIONAL \$4,200.00 FOR THE ENGINEERING CONTINGENCY; AND \$125.00 FOR BID ADVERTISING.

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AN ORDINANCE 63,764

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$15,700.00 OUT OF GENERAL OBLIGATION BONDS FOR THE PURPOSE OF ACQUIRING EASEMENTS TO CERTAIN LANDS; ACCEPTING THE DEDICATION OF TITLE AND/OR EASEMENTS TO CERTAIN LANDS; AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE A MEMORANDUM OF AGREEMENT AND A SPECIAL WARRANTY DEED; ALL IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS.

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AN ORDINANCE 63,765

AUTHORIZING THE RENEWAL OF THE SLUDGE INJECTION CONTRACT WITH ENVIRO-GRO, INC., AND APPROPRIATING FUNDS IN THE AMOUNT OF \$2,029,400.00; PROVIDING AN ADDITIONAL \$100,000.00 FOR A CONTINGENCY TO PROVIDE FOR THE INJECTION OF SLUDGES FROM THE RILLING, LEON CREEK AND SALADO CREEK TREATMENT PLANTS.

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AN ORDINANCE 63,766

AUTHORIZING THE BAPTIST MEMORIAL HOSPITAL SYSTEM TO CLOSE SEYMOUR STREET BETWEEN CAMDEN AND NAVARRO AND PARTIALLY BLOCK DALLAS STREET IN FRONT OF THE BAPTIST MEDICAL CENTER FROM THE INTERSECTION OF DALLAS AND SEYMOUR TO THE ENTRANCE TO DALLAS STREET PARKING ON OCTOBER 3, 1986 FROM 5:00 A.M. UNTIL 5:00 P.M. IN CONNECTION WITH THE BAPTIST MEMORIAL HOSPITAL SYSTEM'S TENTH ANNUAL FESTIVAL.

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AN ORDINANCE 63,767

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION IN FEE SIMPLE OF CERTAIN PRIVATELY OWNED REAL PROPERTY FOR THE CAGNON ROAD ELECTRICAL TRANSFORMER SUBSTATION SITE, FOR THE ACQUISITION OF AN INGRESS AND EGRESS EASEMENT OVER, ACROSS AND UPON CERTAIN PRIVATELY OWNED REAL PROPERTY TO AND FROM SUCH SUBSTATION SITE, AND FOR THE ACQUISITION OF ELECTRICAL TRANSMISSION AND DISTRIBUTION LINE EASEMENTS OVER, ACROSS AND UPON CERTAIN PRIVATELY OWNED REAL PROPERTY TO SUCH SUBSTATION SITE FOR THE CITY OF SAN ANTONIO ELECTRIC SYSTEM, FOR THE PUBLIC PURPOSES OF CONSTRUCTION, OPERATION AND MAINTENANCE OF THE CAGNON ROAD ELECTRICAL TRANSFORMER SUBSTATION, INGRESS AND EGRESS TO SUCH SUBSTATION AND CONSTRUCTION, OPERATION AND MAINTENANCE OF THE CAGNON ROAD ELECTRICAL SUBSTATION 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 SUBSTATION SITE IN FEE SIMPLE, ANY SUCH NEEDED INGRESS AND EGRESS EASEMENTS AND ANY SUCH ELECTRICAL TRANSMISSION AND DISTRIBUTION LINE EASEMENTS THAT CANNOT BE ACQUIRED THROUGH NEGOTIATION; RATIFYING AND AFFIRMING ALL ACTS AND PROCEEDINGS HERETOFORE DONE OR INITIATED BY ATTORNEYS, AGENTS AND EMPLOYEES OF THE CITY PUBLIC SERVICE BOARD TO ACQUIRE SUCH SITE IN FEE SIMPLE AND SUCH EASEMENTS; AUTHORIZING ALL OTHER LAWFUL ACTION NECESSARY AND INCIDENTAL TO SUCH ACQUISITIONS OR EMINENT DOMAIN PROCEEDINGS TO SECURE THE NECESSARY FEE SIMPLE TITLE AND EASEMENT RIGHTS; 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.

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86-48

The Clerk read the following Ordinance:

AN ORDINANCE 63,768

ACCEPTING THE LOW BIDS OF HERTZ CORPORATION AND GRANDE FORD TO FURNISH THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH TASK FORCE VEHICLES FOR A TOTAL OF APPROXIMATELY \$500,000.00.

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

In response to a question by Mrs. Dutmer, Mr. John Brooks, Director of Purchasing and General Services, explained that these vehicles to be purchased for the Police Task Force are all one year old.

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, Harrington, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: None.

86-48 The Clerk read the following Ordinance:

AN ORDINANCE 63,769

RESCINDING PREVIOUS ORDINANCE NO. 63366 OF AUGUST 7, 1986, REGARDING THE ACCEPTANCE OF THE BID BY SURFACE COATINGS SPECIALISTS OF AMERICA, INC. AND ACCEPTING THE SECOND LOW QUALIFIED BID OF YOUNG BROTHERS, INCORPORATED, CONTRACTORS, IN THE AMOUNT OF \$209,126.40 FOR APPLICATION OF THE SINGLE COURSE BITUMINOUS SLURRY SEAL - 1986 PROJECT; AND PROVIDING AN ADDITIONAL \$20,912.00 FOR A CONSTRUCTION CONTINGENCY.

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

Mrs. Berriozabal spoke of a recent petition from citizens complaining of problems with their streets caused by default of the original contractor involved.

Mr. David Steitle, Acting Director of Public Works, stated that the contractor on the particular project involved is in default because he cannot be bonded in Texas. He explained that the streets already have begun preparation by city work forces for the seal coating process and will have to be finished by a new contractor. He then briefly explained the process and how streets are selected for treatment. He spoke of the problems of pebble damage to windshields caused by this seal coating process and noted that work is underway in an attempt to perfect the process to eliminate the damage problems.

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Mr. Thompson spoke of certain problems caused by seal coating process on streets in District 6 and stated that many citizens would rather forego sealcoating on their streets rather than sustain the problems of damage caused by the process.

Mr. Steitle addressed new construction techniques that are being used to help solve the problems with penetrating seal coating and he stated that the city may eventually need to go to another method to accomplish this without problems.

Ms. Vera stated that she feels the Public Information Office needs to explain this project to the citizens of San Antonio.

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

86-48 The Clerk read the following Ordinance:

AN ORDINANCE 63,770

AUTHORIZING THE CITY MANAGER OR HIS DESIGNATED REPRESENTATIVE TO EXECUTE A CONTRACT BETWEEN THE CITY AND BEXAR COUNTY, FOR THE SALE OF COMPUTER TERMINALS BY THE INFORMATION RESOURCES FUND TO BEXAR COUNTY.

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

In response to a question by Mrs. Dutmer, Mr. Bob Kay, Director of Information Resources, briefly explained the details of the proposed contract of sale for computer terminals to Bexar County.

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

86-48 The Clerk read the following Ordinance:

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AN ORDINANCE 63,771

AUTHORIZING THE ARCHDIOCESE OF SAN ANTONIO TO CLOSE S. MAIN AVENUE BETWEEN COMMERCE AND DOLOROSA AND TREVINO STREET BETWEEN FLORES AND S. MAIN AVENUE IN CONNECTION WITH THE SAN FERNANDO CATHEDRAL ANNUAL FESTIVAL.

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

In response to a question by Mr. Labatt, Mr. David Steitle, Acting Director of Public Works, addressed the concerns expressed that the business community be informed of these proposed changes or proposed closings of certain city streets especially in the downtown area. Mr. Labatt then spoke of the importance of local businesses being fully and early informed of proposed street closures so as to cause minimum impact upon their businesses.

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, Harrington, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: None.

86-48 At this point, at the request of Councilman Webb, it was the informal consensus of the City Council to consider Agenda Items #38 & 39 at this time.

86-48 The Clerk read the following Ordinance:

AN ORDINANCE 63,772

DESIGNATING A 233.476 ACRE TRACT OF LAND IN BEXAR COUNTY LOCATED ON FOSTER ROAD BETWEEN IH-10 EAST AND FM 1346 AN INDUSTRIAL DISTRICT, AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT BETWEEN THE CITY OF SAN ANTONIO AND NINETEEN SIXTY DEVELOPMENT CORPORATION GUARANTEEING THE CONTINUATION OF THE EXTRATERRITORIAL STATUS OF THE PROPERTY WITHIN THE DISTRICT AND ITS IMMUNITY FROM ANNEXATION BY THE CITY AND A CONTRACT FOR FIRE PROTECTION SERVICES.

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

Mayor Cisneros briefly explained the details of the proposed designation of eastside area as an industrial district.

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, Harrington, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: None.

86-48 The Clerk read the following Ordinance:

AN ORDINANCE 63,773

DESIGNATING A 40-ACRE TRACT OF LAND LOCATED ADJACENT TO FOSTER RIDGE PARK ON FOSTER ROAD BETWEEN IH-10 EAST AND FM 1346 AN INDUSTRIAL DISTRICT, AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT BETWEEN THE CITY OF SAN ANTONIO AND THE LANCER CORPORATION GUARANTEEING THE CONTINUATION OF THE EXTRATERRITORIAL STATUS OF THE PROPERTY WITHIN THE DISTRICT AND ITS IMMUNITY FROM ANNEXATION BY THE CITY AND A CONTRACT FOR FIRE PROTECTION SERVICES.

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

Mr. Webb and Mayor Cisneros both spoke to pertinent details of plans for improvements to the property involved in this 40 acre industrial district.

Mr. Wayne Harwell, developer, briefly explained that some 1500 jobs will be created as a result of this industrial district.

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, Harrington, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: None.

ZONING HEARINGS

28. CASE Z86230 - to rezone the south 150' of east 62.5' of Lot 6, Block 13, NCB 9348, In the 1000 Block of Clovis Place, from "C" Apartment

District to "R-4" Mobile Home Residence District, located on the northside of Clovis Place, being approximately 162' west of Escalon, having 62.5' on Clovis Place with a depth of 150'.

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

Mr. Trinidad Soto Lopez, the proponent, stated that he has been cited for being in violation of city ordinances for living in a mobile home on the property, even though he has been living there for a number of years and most of his neighbors do not object.

In response to a question by Mr. Wing, Mr. Andy Guerrero, Planner III, stated that it was possible to rezone this property to an "R-3" Special Use Permit Zoning in order to allow the proponent to continue to live there and he briefly explained the matter to the proponent.

Mr. Wing made a motion to approve an "R-3" Multi-Family Residence District with a Special Use Permit for one mobile home. Mr. Thompson 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, Harrington, Hasslocher, Cisneros; NAYS: None; ABSENT: Labatt.

AN ORDINANCE 63,774

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE SOUTH 150' OF EAST 62.5' OF LOT 6, BLOCK 13, NCB 9348, IN THE 1000 BLOCK OF CLOVIS PLACE, FROM "C" APARTMENT DISTRICT TO "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT, WITH A SPECIAL USE PERMIT FOR ONE (1) MOBILE HOME.

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29. CASE Z86249 P.P. - to rezone a 2.475 acre tract of land out of Lots 15, 16, 18, & 20, Block 17, NCB 8991, from "C" Apartment District to "B-1" Business District; a 4.265 acre tract of land out of Lots 15, 16, 17, 18, & 20, Block 17, NCB 8991, save and except Lot 19 and the south 30' of the east 200' of Lot 20, from "C" Apartment District and "JJ" Commercial District to "I-1" Light Industry District, located on the north R.O.W. of Castroville Road, between S.W 40th Street and S.W. 39th Street,

having 502.74' on S.W. 40th Street, 100' on S.W. 39th Street and 465' on Castroville Road.

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 13' of dedication is given along Castroville Road and 10' of dedication is given along both 40th and 39th Streets; also that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division; also that a 6' solid screen fence is erected and maintained along the property adjacent to the single family residences. Mrs. Dutmer seconded the motion.

Mr. Thompson stated that the City Council had postponed this issue some weeks ago to allow him time to mediate the matter and he spoke to plans that had been agreed to now by both sides concerned.

Mr. Victor Deleon stated that he wants to be assured that his property is not adversely affected by the rezoning and if so he supports it.

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

AN ORDINANCE 63,775

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 2.475 ACRE TRACT OF LAND OUT OF LOTS 15, 16, 18 AND 20, BLOCK 17, NCB 8991, FROM "C" APARTMENT DISTRICT TO "B-1" BUSINESS DISTRICT; A 4.265 ACRE TRACT OF LAND OUT OF LOTS 15, 16, 17, 18 AND 20, BLOCK 17, NCB 8991 SAVE AND EXCEPT LOT 19 AND THE SOUTH 30' OF THE EAST 200' OF LOT 20, FROM "C" APARTMENT DISTRICT AND "JJ" COMMERCIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT 13' OF DEDICATION IS GIVEN ALONG CASTROVILLE ROAD AND 10' OF DEDICATION IS GIVEN ALONG BOTH 40TH AND 39TH STREETS; ALSO THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION; ALSO THAT A 6' SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE PROPERTY ADJACENT TO THE SINGLE FAMILY RESIDENCES.

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30. CASE Z86242 - to rezone a 2.3069 acre tract of NCB 15673, from "P-1(B-2)" ERZD, Planned Unit Development Business District ERZD and Temporary "R-1" ERZD One Family Residence District ERZD to "B-1" ERZD Business District ERZD; a 27.8341 acre tract out of NCB 15673, from P-1(B-2)" ERZD Planned Unit Development Business District ERZD, "R-1" ERZD One Family Residence District ERZD and Temporary "R-1" ERZD One Family Residence District ERZD to "B-2" ERZD Business District ERZD; a 122.5622 acre tract of NCB 15673 from "P-1(B-2)" ERZD Planned Unit Development Business District ERZD, "R-1" ERZD One Family Residence District ERZD and Temporary "R-1" ERZD One Family Residence District ERZD to "B-3" ERZD Business District ERZD, located on the southeast corner of F.M. 1604 and U.S. Hwy. 281 North, with Gold Canyon on the east and Oak Haven Heights Unit 1 for a southern boundary.

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

Mrs. Dutmer commended the developers of the property and spoke to the past history of this property that resulted in City Councilmembers being sued at one time. She then thanked the developers for taking care of the matter of sensitive sink holes on the property.

Mr. Hasslocher made a motion to approve the recommendation of the Zoning Commission, provided that approval for driveways from U.S. 281 and F. M. 1604 are secured from the State Department of Highways and Public Transportation; also that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. Ms. Vera seconded the motion.

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

AN ORDINANCE 63,776

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 2.3069 ACRE TRACT OF NCB 15673, FROM "P-1(B-2)" ERZD PLANNED UNIT DEVELOPMENT BUSINESS DISTRICT ERZD, "R-1" ERZD ONE FAMILY RESIDENCE DISTRICT ERZD & TEMPORARY "R-1" ERZD ONE FAMILY RESIDENCE DISTRICT ERZD TO "B-1" ERZD

BUSINESS DISTRICT ERZD; A 27.8341 ACRE TRACT OUT OF NCB 15673, FROM "P-1(B-2)" ERZD PLANNED UNIT DEVELOPMENT BUSINESS DISTRICT ERZD, "R-1" ERZD ONE FAMILY RESIDENCE DISTRICT & TEMPORARY "R-1" ERZD ONE FAMILY RESIDENCE DISTRICT ERZD TO "B-2" ERZD BUSINESS DISTRICT ERZD, PROVIDED THAT APPROVAL FOR DRIVEWAYS FROM U.S. 281 AND FM 1604 ARE SECURED FROM THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION; ALSO THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

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31. CASE Z86170 - to rezone a 5.11 acre tract out of Lots 2, 3, and 4, Block 7, NCB 17332, on Lakeside Parkway, from Temporary "R-1" One Family Residence District to "B-3" Business District, located on the southwest side of Lakeside Parkway, being approximately 706.98' northwest of the intersection of N.W. Loop 410, having 231.58' on Lakeside Parkway, with a depth of 993.51'.

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 provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 63,777

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 5.11 ACRE TRACT OUT OF LOTS 2, 3, AND 4, BLOCK 7, NCB 17332, ON LAKESIDE PARKWAY, 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.

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32. CASE Z86254 - to rezone a 16.242 acre tract of land out of CB 5021, from Temporary "R-1" One Family Residence District to "B-3" Business District; a 1.281 acre tract of land out of CB 5021, from Temporary "R-1" One Family Residence District to "B-2" Business District, located on the northeast corner of Stahl Road and Nacogdoches Road, having 517.63' on Nacogdoches Road, 857.12' on Stahl Road and 108.34' on the cut-back.

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 13' of dedication is given along Stahl Road; also 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, Harrington, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: None.

AN ORDINANCE 63,778

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 16.242 ACRE TRACT OF LAND OUT OF CB 5021, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT; A 1.281 ACRE TRACT OF LAND OUT OF CB 5021, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT 13' OF DEDICATION IS GIVEN ALONG STAHL ROAD; ALSO THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

* * * *

33. CASE Z86276 - to rezone Lots 20, 19; and the west 28' of Lot 18, Block 229, NCCB 3956, 600 Block of West Avenue, from "B" Residence District to "B-2" Business District, located on the northeast corner of

West Avenue, and-Ridgewood Court, having 120' on West Avenue and 128' on Ridgewood Court.

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 provided that 5' of dedication is given along West Avenue and 2.5' of dedication is given along Ridgewood; also that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. 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, Dutmer, Wing, Martinez, Thompson, Vera, Harrington, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: None.

AN ORDINANCE 63,779

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 20, 19; AND THE WEST 28' OF LOT 18, BLOCK 229, NCB 3956, 600 BLOCK OF WEST AVENUE, FROM "B" RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT 5' OF DEDICATION IS GIVEN ALONG WEST AVENUE AND 2.5' OF DEDICATION IS GIVEN ALONG RIDGEWOOD; ALSO THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

* * * *

34. CASE Z86278 - to rezone an 8.666 acre tract out of NCB 17980, from Temporary "R-1" One Family Residence District to "I-1" Light Industry District, located on the eastside of Ackerman Road, being 360' north of Ackerman Road and Dietrich Road cut back, having 400' on Ackerman Road with a depth of 944.42.

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

Mrs. Dutmer made a motion to approve the recommendation of the Zoning Commission provided that 3' of dedication is given along Ackerman Road; also that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. Mr. Webb seconded the motion.

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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, Harrington, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: None.

AN ORDINANCE 63,780

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 AN 8.666 ACRE TRACT OUT OF NCB 17980, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT 3' OF DEDICATION IS GIVEN ALONG ACKERMAN ROAD; ALSO THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

* * * *

35. CASE Z86270 - to rezone a 0.751 acre tract of land out of NCB 12867, from Temporary "R-1" One Family Residence to "B-3" Business District; a 0.076 acre tract of land out of NCB 12867, from Temporary "R-1" One Family Residence District to "B-3NA" Non-Alcoholic Sales Business District, located on the eastside Loop 410, being approximately 50' north of Old St. Hedwig Road, having 1063.55' on Loop 410, 68' on the northern boundary with 1059.97' along City of San Antonio limits.

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

Mr. Webb made a motion to approve the recommendation of the Zoning Commission provided that 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, Harrington, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: None.

AN ORDINANCE 63,781

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 0.751 ACRE TRACT OF LAND OUT OF NCB 12867, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT, TO "B-3" BUSINESS DISTRICT; A 0.076 ACRE TRACT OF LAND OUT OF NCB 12867, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

* * * *

86-48 The Clerk read the following Ordinance:

AN ORDINANCE 63,782

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. Dutmer seconded the motion.

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

86-48 The Clerk read the following Ordinance:

AN ORDINANCE 63,783

AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE VISTA VERDE SOUTH LEASE AGREEMENT AND CITY OF SAN ANTONIO UDAG GRANT PARTICIPATION AGREEMENT WITH CONTROL DATA CORPORATION.

* * * *

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

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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, Harrington, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: None.

86-48 Agenda Item #40, was earlier removed from Council consideration.

86-48 At the request of Mayor Cisneros it was informally approved by the City Council to temporarily bypass Agenda Item #41 at this time.

86-48 The Clerk read the following Ordinance:

AN ORDINANCE 63,784

APPOINTING ISRAEL PENA TO SERVE ON THE BOARD OF APPEALS.

* * * *

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

86-48 The Clerk read the following Ordinance:

AN ORDINANCE 63,785

APPOINTING ADDITIONAL MEMBERS TO SERVE ON THE BROOKS AIR FORCE BASE COMMITTEE AND NAMING REPLACEMENTS TO SAME. (MR. E.J. BRADBURY, RENE GONZALES, DOUGH PARTAIN, LARRY NORMAN, H.K. MINTEN, ROBERT W. OPITZ, BROOKS BARKER, WAYNE LAXSON, HARRY SMITH, COMMISSIONER BOB LEE, BETTY BUECHE, MARIO HERNANDEZ, CHARLES EBROM, MARK SCHWARZ, HERB QUIROGA, DOTTYE WILLIAMS)

* * * *

Mrs. Dufmer moved to approve the proposed Ordinance. Ms. Vera seconded the motion.

Mayor Cisneros spoke of the importance of this Brooks Air Force Base Committee and he invited City Councilmembers to attend the first meeting, asking Ms. Yolanda Ledesma, of the City Clerk's Office to formally notify City Councilmembers of the time and place of the first meeting.

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

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86-48 TRAVEL AUTHORIZATION - GRANTED

Mayor Henry G. Cisneros, Councilman Joe Webb, Councilman Robert S. Thompson, Councilwoman Maria Antonietta Berriozabal, Councilwoman Yolanda Vera and Councilwoman Helen Dufmer to travel to Houston, Texas from differing dates between the period of October 8 - 13, 1986, to attend the Texas Municipal League Meeting.

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86-48 At the request of Mayor Cisneros it was agreed to temporarily bypass Agenda Item #45 at this time.

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86-48 DISCUSSION OF NITROUS OXIDE

Ms. Vera spoke of a recent television news item concerning the use of Nitrous Oxide by certain persons in San Antonio to cause intoxication and stated that she would like to refer an investigation of this matter to city staff for a report.

Mr. Louis J. Fox, City Manager, stated that the Metropolitan Health Director, Dr. Katherine Rathbun, has some recommendations to make in this regard.

Ms. Vera briefly explained the uses of Nitrous Oxide and where this commodity can be purchased including the matter of intoxicating effects of inhaling the gas.

Dr. Rathbun then briefly explained the current ordinance concerning the inhalant abuse and her department's recommendations for controlling and regulating the sale of Nitrous Oxide in San Antonio. She also stated that the sale of Nitrous Oxide is not controlled or regulated

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by the city at present.

Ms. Vera made a motion asking the City Manager to direct the Metropolitan Health District to prepare a report for the City Council concerning its recommendations for regulation of Nitrous Oxide sale in San Antonio as well as addressing the legal ramifications of such regulation.

Mr. Thompson stated that those who use Nitrous Oxide should be contacted to determine what effect that any action that the City Council might take would have upon them.

Mrs. Dutmer stated that like any other substance abuse this matter of Nitrous Oxide will be hard to enforce as well.

Ms. Vera stated that the city needs to make every effort to make it difficult for potential abusers to procure anything that can be harmful to their health.

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

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86-48 City Council, at this point, recessed at 2:30 P.M. for an Executive Session, reconvening at 3:40 P.M. for a news conference on the Vietnam Memorial fund raising drive.

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86-48 VIETNAM MEMORIAL FUND RAISING DRIVE

Mayor Cisneros then presided at a news conference with Mr. John Baines, the proponent of the Vietnam Memorial concerning fund raising efforts for that endeavor.

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86-48 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE - CLOSING & ABANDONING KAW, SHAWNEE AND QUIHI STREETS.

Mayor Cisneros declared the Public Hearing to be open.

No citizen appeared to speak.

Mayor Cisneros declared the Public Hearing to be closed.

The Clerk read the following Ordinance:

AN ORDINANCE 63,786

CLOSING AND ABANDONING UNIMPROVED STREETS, BEING KAW, SHAWNEE AND A PORTION OF QUIHI STREETS, ADJACENT TO NEW CITY BLOCKS 12670, 12671 AND 12672, AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE TO EXECUTE A QUITCLAIM TO THE ADJACENT OWNER, JOHN M. SCHAEFER, FOR A CONSIDERATION OF \$1.00.

* * * *

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

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

86-48

WORK ON O'CONNOR ROAD

Mr. Hasslocher spoke to details of the work currently underway on O'Connor Road between Stahl Road and Nacogdoches Road, noting that the project has been idle some 45 days because of problems concerning utility relocation specifically dealing with Southwestern Bell Telephone Co. He voiced his concern with such stoppages, noting that O'Connor is a major traffic artery and should not be down longer than necessary. He spoke of the need to get the attention of major executives of the various utilities involved in order to solve such utility relocation matters without undue delay. He noted that the city has originally planned to have O'Connor Road completed and open by the beginning of school, however now the projected completion date on the project is not until December. He stated that the city cannot, in his opinion, put together a good viable bond issue when certain bond projects are being delayed by such utility relocation stoppages. He stated further that the city has no control over the movement of utilities by law, and stated that he would be trying personally to meet with representatives of the major utilities next week in order to try to resolve this recurring problem.

Mr. Louis J. Fox, City Manager, stated the problem is relocation of utilities concerning the O'Connor Road project and he noted that such relocation is at the cost of the utilities involved. It is thus subject to their own schedules.

Mr. Hasslocher spoke of the need for close coordination of such utility relocation work as part of a major construction project and to hold these utilities accountable for any delays. He stated that he plans to seek some sort of reimbursement for the delays caused on the O'Connor

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project.

86-48

WESTSIDE PARISH COALITION

Mr. Louis J. Fox, City Manager, stated that he is currently preparing a response to a letter received from the Department of Housing & Urban Development concerning withholding of grant funds, particularly those for the Westside Parish Coalition. He stated that he is concerned with how this letter was delivered to the city in the first place noting that normally the city is given time to research problem findings and to respond before the matter is officially brought to their attention. He noted however, that this time the letter came directly to the city and he would take up this matter with the HUD director at the proper time. He stated further that he is concerned about how the matter was handled overall but will move swiftly to respond to the requirements of the letter, he noted that the letter has informed the city that it must cease any funding immediately to the Westside Parish Coalition.

86-48

DELINQUENT TAXES

(The discussions held concerning the matter of delinquent taxes occurred at several points during the meeting. The discussion is being consolidated in the interest of subject continuity.)

Mrs. Dutmer expressed her concern with her understanding of a Public Information news release that seems to indicate that partial payments of delinquent taxes will not be accepted by the city.

Mr. Carl White, Director of Finance, stated that he would work out this matter with anyone involved and he feels that that interpretation is in error.

Mayor Cisneros spoke of his concern that letters are being sent to property owners delinquent with their city taxes from the Oliver Heard Law Firm threatening to take their houses for non payment of delinquent taxes. He stated that he feels that the City Council made it clear when discussions were held with Mr. Heard concerning this contract that no homes would be taken for taxes.

Mr. Martinez stated that he feels that a possible error was made in the PIO news release concerning the payment of delinquent taxes.

Mayor Cisneros asked if the matter of a one year renewal of the Oliver Heard contract has yet been brought before the City Council for discussion.

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Mr. White stated that to his knowledge this matter has not been brought before the City Council for discussion.

Mayor Cisneros spoke to the details of the alleged eviction of one person from their home for non payment of delinquent city taxes and asked that the city staff set up a review of the matter. He also voiced his concern for any possible breach of City Council direction in this matter concerning the collection of delinquent taxes.

Mr. White after consulting with city staff, noted that the PIO news release only states that substations cannot take partial payments of city taxes. He stated that he feels that this matter was apparently misinterpreted since the city does accept partial payment for taxes but only at the Tax Office.

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86-48

MAINTENANCE OF RAILROAD CROSSINGS

Mr. Martinez voiced his concern with the condition of a number of railroad crossings around the city of San Antonio and the apparent lack of maintenance of those crossings as well as some tracks involved. He stated that he is working with Mr. David Steitle, Acting Director of Public Works, concerning a number of situations involved.

Mr. Hasslocher spoke of the condition of railroad tracks in a recent derailment matter on the northside of San Antonio. A discussion then took place concerning the lack of a final settlement with the Union Pacific Railroad over the derailment matter that occurred alongside Wetmore Road several months ago.

Mr. Hasslocher stated that the railroad owes San Antonio some \$400,000 because of that derailment.

A discussion then took place concerning City Councilmembers attending the special Railroad Task Force meetings involved.

Mr. Wing then asked that a special "B" session concerning railroad problems be set up for a future date with the railroad people involved also in attendance.

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86-48 City Council recessed at 4:25 P.M., reconvening at 4:40 P.M. for continuation of the regular agenda.

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86-48 The Clerk read the following Resolution:

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A RESOLUTION 86-48-49

ACCEPTING AND SUPPORTING A CENTRO 21 RESOLUTION WHICH ENDORSES THE REPORT OF THE CENTRALIZED RETAIL MANAGEMENT TASK FORCE ESTABLISHING A NON-PROFIT CORPORATION DEDICATED TO CREATING A VIBRANT, MIXED USED MARKET PLACE FOR DOWNTOWN SAN ANTONIO.

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Mayor Cisneros spoke of the importance of creating a "mixed use" Market Place for downtown San Antonio.

Ms. Virginia Van Steenburg, spoke of the cooperation of many downtown interests in this project and she named several who are involved in the "Centralized Retail Management Task Force". She then briefly explained its purposes and plans and spoke to the many facets needed to make such a downtown retailing venture a success. She also spoke to the objectives of the effort and addressed the development of a Centralized Retail Plan for Houston Street between Alamo Plaza and Main Avenue as a demonstration project. Ms. Van Steenburg noted that only 15 of the 61 retail spaces in this particular area are now unoccupied and she spoke of the many long time downtown area businesses as well as the newly established firms and of the plans for sponsoring along with the city of San Antonio a special promotion November 28 and 29 for a "Downtown Marketplace".

Mayor Cisneros spoke of the innovative downtown projects in the cities of Pittsburgh and Tulsa among others. He stated further that he feels this will be one of the most important downtown projects for San Antonio.

Ms. Van Steenburg spoke to the possible financing of this particular effort including cooperative efforts between public and private areas. She stated that project will be a software type effort and involving both cleanup and security of the area.

Mayor Cisneros stated his opinion that the downtown area lacks a central coordination of efforts such as is present in shopping malls and this possibly could be the answer to that short fall.

Ms. Van Steenburg displayed a copy of tabloid newspaper which she said is the first coordinated effort of the joint advertising program of downtown stores.

Mrs. Berriozabal stated that the City Council will discuss the issue of downtown rest rooms next week, which is one major area of concern in this particular effort.

Mrs. Berriozabal made a motion to approve the Resolution and also

to cosponsor the November 28 - 29 event with "Downtown Marketplace". Mrs. Dutmer seconded the motion.

Mrs. Dutmer spoke of Seattle's downtown program of filling and dressing its windows of all the downtown stores in time for Christmas and the need to do the same thing in San Antonio.

Mr. Labatt spoke about housing needs in the downtown area and stated that for instance, San Francisco has a vibrant downtown because of the many housing units in the area.

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

86-48

KNIGHTS OF COLUMBUS SOLICITATION REQUEST

A representative of the Knights of Columbus addressed the City Council requesting waiver of the city ordinance prohibiting solicitation of funds upon city streets. He stated that they had been informed that such action is illegal without permission from the City Council and explained the purpose of the need for his organizations solicitations and their efforts.

Mayor Cisneros briefly explained why the City Council has not granted any more waivers of this ordinance upon the advice of the City Attorney.

Mr. Wing stated that he brought this matter to the City Council for discussion because the Knights of Columbus were told that it was against the law to solicit however, other people are selling flowers, candied apples and soliciting funds in other areas of the city and are being allowed to do so. He stated that the ordinance should be enforced throughout the city.

Mr. Wing made a motion to approve the ordinance waiving the city code provisions concerning solicitations. Mr. Martinez seconded the motion.

Mr. Hasslocher asked Mr. Tom Finlay, Acting City Attorney, to investigate the details of the ordinance to see if it can be modified, perhaps by age exclusion. He spoke of the possible age limit of 21 or above for use of city streets for solicitation purposes.

Mr. Finlay stated that the ordinance itself can be modified and he included certain stipulations that could apply.

Mayor Cisneros spoke of the confusion involved by the Police

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Department caused by these types of exemptions.

Mr. Thompson stated that he also has been approached to bring this type of waiver to the City Council, he has told these citizens that it is no longer being waived, however there are numerous people who continue to apparently violate this ordinance.

A discussion then took place on the enforceability of the ordinance in question.

Mrs. Berriozabal spoke against any waiver.

Ms. Vera stated that this is a good ordinance and was designed for the protection of all citizens.

Mr. Martinez spoke in favor of the motion stating that he feels that street solicitations is not a priority matter for enforcement by the Police Department.

Mr. Harrington stated that it would be difficult for him to vote against the many worthwhile organizations seeking to collect funds in this way but he feels he must support the ordinance in effect.

Mrs. Dutmer spoke in favor of enforcement of the ordinance.

The motion to waive the ordinance concerning solicitations, failed to carry by the following vote: AYES: Wing, Martinez; NAYS: Berriozabal, Dutmer, Thompson, Vera, Harrington, Labatt, Hasslocher, Cisneros; ABSENT: None.

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86-48

ST. PHILLIPS COLLEGE GOVERNMENT CLASS

Mayor Cisneros recognized the presence in the audience today of a government class from St. Phillips College, accompanied by Professor Frank Pierce. He welcomed the group to City Hall.

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CITIZENS TO BE HEARD

MS. EDITH MOLNAR

Ms. Molnar, representing Alamo Carriage Service, spoke to the current restricted hours of operation for horse drawn carriages in San Antonio. She asked for a meeting with the City Council to more fully explain the need for expanding operating hours for her horse drawn carriages. She addressed the matter of a trade school that her firm operates for carriage operators and noted also that New York City has a

board and regulations on horse drawn carriages. She also stated that she feels her trade needs to be better represented on the Transportation Advisory Board.

Mayor Cisneros asked Mr. Roger Ibarra, Supervisor of Public Utilities, to meet with Ms. Molnar and discuss the points she has raised and then return a report to the City Council at a later date.

Mr. Thompson addressed the many problems inherent with the carriage industry and stated that he would be in favor of abolishing this service.

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There being no further business to come before the City Council, the meeting was adjourned at 5:44 P.M.

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A P P R O V E D

Henry Cisneros
M A Y O R

ATTEST: *Norma J. Rodriguez*
C I T Y C L E R K

