

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, OCTOBER 1, 1987.

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The meeting was called to order by Mayor Pro Tem Frank Wing, in the temporary absence of the Mayor Henry Cisneros, with the following members present: BERRIOZABAL, WEBB, DUTMER, WING, MARTINEZ, THOMPSON, VERA, WOLFF, LABATT, HASSLOCHER, CISNEROS; Absent: NONE.

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87-46 The invocation was given by Rev. R.B. Cooper, Minister of Christian Social Ministries, First Baptist Church of San Antonio.

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87-46 The members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

87-46 CITY RETIREES

Mayor Pro Tem Wing noted that some 100 city employees have taken advantage of an early retirement system representing some 2,723 years of service to the city. He paid special recognition to Ms. Lorraine Barksdale of the Metropolitan Health District, who was the longest in terms of service with 44 years of service to the city of San Antonio. Mayor Pro Tem Wing and the City Council members thanked and congratulated each employee for their long years of service.

87-46 DELEGATION FROM KUMAMOTO, JAPAN

Mayor Pro Tem Wing introduced members of the delegation from Kumamoto, Japan, who were then greeted by individual City Council members as they came forward.

Mrs. Dutmer welcomed the group to San Antonio and took note of their request for a sister city relationship with San Antonio.

Mr. Martinez welcomed the group in the Japanese language.

Mayor Pro Tem Wing then presented an alcalde to Deputy Mayor Seishi Kashio, and official books on San Antonio were then presented to

each delegation member.

Deputy Mayor Kashio, speaking in Japanese, stated that he was glad to visit San Antonio with four other members of the City Council of the city of Kumamoto, Japan and he spoke of the visit of an earlier delegation to San Antonio in July. He stated that his group seeks to cement its ties between these two cities and he spoke of similarity of the development plans of each city. He spoke of his hopes for a mutual basis of understanding and friendship between San Antonio and Kumamoto and he then invited a San Antonio delegation to visit Kumamoto City in the near future.

Mr. Yoshitaka Shinanaga, City Councilman of Kumamoto City, spoke of the delegations hope for a sister city relationship with San Antonio and for a warm relationship which is already developing between these two cities with an eye to the future.

Delegation members then presented personal gifts to Mayor Pro Tem Wing and individual members of the City Council.

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87-46 VISITING WEST EUROPEANS

Mayor Pro Tem Wing introduced Dr. Larry Hufford and members of a delegation involving fifteen West European nations, representing the media, politics and academic fields who are on a study tour sponsored by the Visitor Program Service of Meridian House International, a private, non-profit organization operating under a grant from the U.S. Information Agency.

Each member of the delegation then introduced himself and his country.

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87-46 SENIOR VOLUNTEERS

Mayor Pro Tem Wing read the accomplishments of each individual among the twenty-five persons who are being cited for making outstanding enhancing and and sustaining contributions to the City's elderly programs through volunteer service.

City Councilmembers then each presented volunteer pins to the twenty-five persons involved.

Senior volunteers then in turn presented gifts to the City Councilmembers.

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87-46

HIGHLAND PARK NEIGHBORHOOD ASSOCIATION

Mr. Ken Erfurth, President of the Highland Park Neighborhood Association, spoke of the redevelopment of Highland Park in recent years including installation of a Park Watch Program. He noted that his association had purchased a McGruff puppet as well as other materials for donation to the Parks and Recreation Department as part of the Parks Watch Program.

Mr. Ron Danner, Director of Parks and Recreation, thanked the group for its volunteer efforts to the parks and briefly explained the Park Watch Program.

Mrs. Dutmer thanked the group for redevelopment of Highland Park and of its recreation center.

Two city Park Rangers, Corporal Raymond Castro and Ranger James Brown then formally accepted the McGruff puppet and the allied materials on behalf of the Parks Watch Program.

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87-46 The minutes of the City Council meeting of September 10, 1987, were approved.

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87-46 CONSENT AGENDA

Mr. Martinez made a motion to approve Agenda Items #5 - 32, constituting the Consent Agenda, with the exception of Items # 12, 17, 18 and 27, which were pulled for individual consideration. Mr. Webb seconded the motion.

The City Manager had earlier removed Agenda Item #22 from consideration.

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

AN ORDINANCE 65,794

ACCEPTING THE LOW BIDS OF DOUGLAS W. KING AND CHEMICAL AND TURF SPECIALITY COMPANY TO FURNISH THE CITY OF SAN ANTONIO PARKS AND RECREATION DEPARTMENT WITH GRASS SEED FOR A TOTAL OF \$34,649.55.

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AN ORDINANCE 65,795

ACCEPTING THE PROPOSAL OF IBM CORPORATION TO RENEW THE CURRENT AGREEMENT FOR COMPUTER SYSTEM SOFTWARE FOR THE CITY OF SAN ANTONIO INFORMATION RESOURCES DEPARTMENT FOR A TOTAL OF \$174,300.00.

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AN ORDINANCE 65,796

EXERCISING AN OPTION TO RENEW THE CURRENT CONTRACT WITH HELICOPTER SPECIALISTS, INC. FOR POLICE HELICOPTER PARTS AND SERVICE ON A CONTRACT BASIS.

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AN ORDINANCE 65,797

ACCEPTING THE PROPOSAL OF FORD MOTOR CO. FOR THE LEASE OF A 1988 CITY OFFICIAL AUTOMOBILE.

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AN ORDINANCE 65,798

AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH THE DABNEY GROUP, INC. FOR ENGINEERING SERVICES IN CONNECTION WITH THE REMOTE RECEIVER RELOCATION AT SAN ANTONIO INTERNATIONAL AIRPORT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 65,799

APPROVING A REVISED BUDGET FOR THE STINSON ACCESS ROAD, APRON, DRAINAGE & RUNWAY 9-27 IMPROVEMENTS PROJECT; AND AUTHORIZING PAYMENT OF \$6,420.00 TO DANNENBAUM ENGINEERING CORPORATION FOR ADDITIONAL ENGINEERING FEES IN CONNECTION WITH SAID PROJECT.

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AN ORDINANCE 65,300

AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT CHANGE ORDER #1 IN THE AMOUNT OF \$31,176.48, PAYABLE TO INSTITUFORM GULF SOUTH, INC., FOR THE 201 CATEGORY 5, DOWNTOWN PROJECT/MANHOLE MAINLINE REHABILITATION.

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AN ORDINANCE 65,301

AUTHORIZING ADDITIONAL ENGINEERING FUNDS, PAYABLE TO PAPE-DAWSON ENGINEERS, IN THE AMOUNT OF \$10,159.28 FOR THE PANTHER SPRINGS CREEK OUTFALL SANITARY SEWER PROJECT TO PROVIDE THE REDESIGN OF THE WEST AVENUE AND BITTERS ROAD CROSSING; AND AUTHORIZING AN ADDITIONAL \$3,840.72 FOR THE ENGINEERING CONTINGENCY.

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AN ORDINANCE 65,302

ACCEPTING THE BID OF LONE STAR GUARDRAIL, INC., IN THE AMOUNT OF \$9,987.20 FOR THE FLANDERS STREET FENCE RELOCATION PROJECT BETWEEN LEONARD AND NOGALITOS PROJECT; FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; APPROVING A CONTRACT; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 65,303

AUTHORIZING AN ADDITIONAL \$20,703.49 FOR ENGINEERING FEES PAYABLE TO DANNENBAUM ENGINEERING CORPORATION, IN CONNECTION WITH THE LIVE OAK, ETC. PROJECT.

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AN ORDINANCE 65,304

ACCEPTING THE PROPOSAL FROM PAPE-DAWSON ENGINEERS IN THE AMOUNT OF \$32,250.00 FOR SURVEYING AND ENGINEERING SERVICES RELATED TO THE POLICE TRAINING CAREER DEVELOPMENT CENTER.

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AN ORDINANCE 65,805

AUTHORIZING FIELD ALTERATION NO. 30 FOR THE GOLDEN STREET DRAINAGE PROJECT NO. 250, PHASE II MODIFIED IN THE AMOUNT OF \$9,900.00 TO PROVIDE FOR AN OVERRUN OF QUANTITIES FOR COMBINATION TYPE RETAINING WALLS THAT WERE APPROVED IN FIELD ALTERATION NO. 17.

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AN ORDINANCE 65,806

ACCEPTING THE BID OF S.A. WINCO, INC., IN THE AMOUNT OF \$54,791.53 WITH AN ADDITIONAL \$5,479.00 FOR A MISCELLANEOUS CONSTRUCTION CONTINGENCY TO RECONSTRUCT SAN JACINTO FROM POPLAR TO IH 10 AND NO. BRAZOS FROM CULEBRA TO KAUFMAN.

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AN ORDINANCE 65,807

ACCEPTING THE BID OF MISSION CONTRACTORS, INC., IN THE AMOUNT OF \$114,685.58, TO RECONSTRUCT W. POPLAR FROM N.W. 26TH TO N.W. 29TH AND PROVIDING AN ADDITIONAL \$11,468.56 FOR A MISCELLANEOUS CONSTRUCTION CONTINGENCY.

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AN ORDINANCE 65,808

ACCEPTING THE BID OF MISSION CONTRACTORS, INC., IN THE AMOUNT OF \$185,929.71 TO RECONSTRUCT HARLINE FROM WALZEN ROAD TO ASHLAND, BOBBY LOU FROM HARTLINE TO AUSTIN HIGHWAY, ASHLAND FROM AMADOR TO DELL OAK, AND DELL OAK FROM ASHLAND TO 135' SOUTH OF ASHLAND.

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AN ORDINANCE 65,809

ACCEPTING THE BID OF S.A. WINCO, INC., IN THE AMOUNT OF \$107,233.04 TO RECONSTRUCT DELGADO FROM N. SABINAS TO N. SAN MARCOS, PROVIDING AN ADDITIONAL \$10,723.80 FOR A MISCELLANEOUS CONSTRUCTION CONTINGENCY; APPROVING A CONTRACT; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 65,310 .

ACCEPTING THE BID OF S.A. WINCO, INC., IN THE AMOUNT OF \$25,545.80, TO RECONSTRUCT HIRAGATHA STREET FROM NOPAL TO GEVERS; PROVIDING AN ADDITIONAL \$2,554.58 FOR A MISCELLANEOUS CONSTRUCTION CONTINGENCY; APPROVING A CONTRACT AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 65,311 .

ACCEPTING THE PROPOSAL OF CHESNEY, MORALES ARCHITECTS IN THE AMOUNT OF \$31,830.00 FOR PREPARING PLANS AND SPECIFICATIONS FOR FIRE STATION NO. 22 LOCATED AT STINSON FIELD AND AUTHORIZING ARCHITECTURAL CONTINGENCY EXPENSES FOR SITE SURVEY, TOPOGRAPHIC SURVEY AND PLATTING SERVICES NOT TO EXCEED \$2,500.00.

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AN ORDINANCE 65,312 .

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$43,815.00 OUT OF VARIOUS FUNDS FOR THE PURPOSE OF ACQUIRING TITLE AND/OR EASEMENTS TO CERTAIN LANDS; ACCEPTING THE DEDICATION OF EASEMENTS TO CERTAIN LANDS; ALL IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS.

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AN ORDINANCE 65,813 .

AUTHORIZING CONTINUATION OF THE OPERATION BY THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT OF THE SPECIAL SUPPLEMENTAL FOOD PROGRAM FOR WOMEN, INFANTS AND CHILDREN; ESTABLISHING A FUND; ADOPTING A BUDGET; AUTHORIZING PERSONNEL POSITIONS; AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE STATE DEPARTMENT OF HEALTH FOR A CONTRACT TO SUPPORT A PROGRAM COST OF \$862,009.00.

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AN ORDINANCE 65,814

AUTHORIZING THE CITY MANAGER TO DEOBLIGATE ESTIMATED CARRYOVER FUNDS IN THE AMOUNT OF \$100,000.00 FROM THE CURRENT TITLE IIB SUMMER YOUTH EMPLOYMENT AND TRAINING PROGRAM (SYETP) ENDING SEPTEMBER 30, 1987, TO THE NEW TITLE IIB SYETP COMMENCING OCTOBER 1, 1987; ALSO AUTHORIZING AND ESTABLISHING ADMINISTRATION BUDGETS AND A PERSONNEL COMPLEMENT CONSISTING OF TWO (2) FULL-TIME PROJECT MANAGEMENT SPECIALISTS IN LIEU OF THE TWO (2) TEMPORARY PROJECT MANAGEMENT SPECIALISTS AND ONE ADDITIONAL FULL TIME CLERK II POSITION.

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AN ORDINANCE 65,315

CLOSING ALAMO PLAZA EAST BETWEEN HOUSTON AND CROCKETT STREETS FROM 4:00 P.M. TO 6:30 P.M., TUESDAY, OCTOBER 13, 1987 FOR THE PURPOSE OF ERECTING A FINISH LINE WITH BANNERS AND PENDANTS FOR APPROXIMATELY 75 CARS TO PASS THROUGH CROWDS GATHERED TO CHEER THE RACERS.

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87-46 The Clerk read the following Ordinance:

AN ORDINANCE 65,816

AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH HOWARD W. GADDIS CONSULTING ENGINEERS, INC., IN THE AMOUNT OF \$21,750.36, TO PROVIDE PLANS AND SPECIFICATIONS FOR THE W. MARTIN STREET PROJECT; AND AUTHORIZING AN ADDITIONAL \$2,175.03 FOR THE ENGINEERING CONTINGENCY AND \$250.00 FOR BID ADVERTISING.

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

In response to a question by Mrs. Berriozabal, Mr. Frank Kiolbassa, Director of Environmental Management, explained that major sewer line failures necessitated emergency work as part of an already underway project.

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

87-46 The Clerk read the following Ordinance:

AN ORDINANCE 65,817

ACCEPTING THE PROPOSAL OF HESSON, ANDREWS, SOTOMAYOR ARCHITECTS, IN THE AMOUNT OF \$57,643.00 FOR PREPARING PLANS AND SPECIFICATIONS FOR A POLICE SUBSTATION LOCATED IN THE VICINITY OF PRUE ROAD AND FREDERICKSBURG ROAD; AND AUTHORIZING ARCHITECTURAL CONTINGENCY EXPENSES NOT TO EXCEED \$7,075.00 FOR PLATTING SERVICES.

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

In response to a question by Mr. Wolff, Mr. Roy Montez, representing the Public Works Department, explained the work involved in the project and the time line for completion of the project.

In response to a question by Mrs. Dutmer, Mr. Louis J. Fox, City Manager, explained the savings to be derived in officer-hours worked and how the city is addressing problems involved in downtime of police officers in changing shifts.

Mrs. Dutmer spoke to the need for more police protection in the neighborhoods.

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

87-46 The Clerk read the following Ordinance:

AN ORDINANCE 65,818

ACCEPTING THE BID OF S.A. WINCO, INC., IN THE AMOUNT

OF \$42,087.70, WITH AN ADDITIONAL \$4,208.77 FOR A MISCELLANEOUS CONSTRUCTION CONTINGENCY TO RECONSTRUCT ALTURA STREET FROM CLOVIS TO WEST VESTAL WHICH WAS DAMAGED BY THE JUNE FLOOD RAINS.

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

In response to a question by Mrs. Dutmer, Mr. Roy Montez, representing the Public Works Department, explained the firm involved in the project.

Mrs. Berriozabal stated her concern that certain small and minority business owners in San Antonio have spoken to her stating that they feel they have not been given adequate opportunity to perform small projects and instead those projects are going to major firms. She noted that she had written a memo to Mr. Steitle, the Public Works Director, in this regard.

Mr. David Steitle, Director of Public Works, noted that the winning contractor in this ordinance is a small and minority business enterprise.

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

87-46 The Clerk read the following Ordinance:

AN ORDINANCE 65,319

ACCEPTING THE BID OF V.K. KNOWLTON PAVING CONTRACTOR, INC., IN THE AMOUNT OF \$975,101.45 FOR THE S.W. 34TH STREET/BARNEY/WESCOTT STREETS RECONSTRUCTION PROJECT; PROVIDING AN ADDITIONAL \$68,257.10 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AND AUTHORIZING \$22,622.53 IN ADDITIONAL ENGINEERING FEES FOR THE CONSTRUCTION PHASE SERVICES PAYABLE TO SOMERVILLE-GONZALES & ASSOCIATES, INC.

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

Mr. Thompson voiced his concern that no map was attached to the backup data on the ordinance and he spoke to the need of such maps of projects to be supplied to City Council members so that they may be more knowledgeable about the limits of the projects involved.

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

87-46 The Clerk read the following Resolution:

A RESOLUTION 87-46-70

ACCEPTING AN AWARD OF \$500.00 FROM THE AIR TRANSPORT ASSOCIATION FOR THE MOBILE COMMAND POST AT THE SAN ANTONIO INTERNATIONAL AIRPORT.

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

Mr. Labatt congratulated the city's aviation staff on receiving the award.

Mr. Mike Kutchins, Director of Aviation, briefly described conversion of an old VIA bus into a mobile command post for the airport staff so that it might perform mobile operations if necessary.

Mr. Labatt thanked VIA for the donation of the bus and he noted that the mobile command post was first used by the city at the Papal Mass site.

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

87-46

STREET CLOSINGS FOR EVENTS

Mrs. Berriozabal spoke to the inclusion in the current city

budget of new fees to be charged to groups seeking to close city streets for various events.

Mr. Roy Montez, representing the Public Works Department, noted that the request outlined in Agenda Item #32 earlier approved by the Council was made prior to the beginning of the new fiscal year and therefore the new fee of \$45.00 for an event or parade permit was not charged to the proponent.

A discussion of the implementation of the new fees then took place.

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87-46 ZONING HEARINGS

33. CASE Z87083 - to rezone a .949 acre tract out of NCB 18341 and 6.870 acres out of NCB 18342, from Temporary "R-1" ERZD One Family Residence District to "B-2" ERZD Business District; a 2.591 acre tract out of NCB 18341 and a 2.176 acres tract out of NCB 18342, from Temporary "R-1" ERZD One Family Residence District to "B-3" ERZD Business District; properties located east and south of the intersection of Thrush Ridge and Huebner Road, having a total of 750.7' on Huebner Road and 644.64' on the northeast and 586.61' on the southwest sides of Thrush Ridge Drive.

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

In response to a question by Mr. Wolff, Mr. Frederick Meyers, Aquifer Protection Office, spoke of new aquifer recommendations now being made and noted that this zoning case was filed some time ago.

Mr. Andy Guerrero, Planner III, noted that there is currently no plan for development on this property.

Mr. Wolff made a motion to postpone this case for three weeks. Mr. Thompson seconded the motion.

Mr. Miles Presteman, representing the proponent, stated that a three week postponement would be acceptable to him.

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

Zoning Case Z87083 was postponed for three weeks.

A discussion then took place among City Council members expressing their desire that the Aquifer Protection Office bring forth its recommendations under the proposed new aquifer rules when the case is

returned to them in three weeks.

Mr. Roland Lozano, Director of Planning, noted that the Aquifer Protection Report is purely administrative in nature.

Mr. Presteman noted that the pollution abatement for this particular project already has been submitted to the proper authorities.

Mrs. Dutmer voiced her concern that the new aquifer rules may be applied to this case the next time it is considered.

Mr. Frank Kiolbassa, Director of Environmental Management, spoke to the details to be provided to City Council members under the new rules each time a zoning case is presented.

34. CASE Z87164 - to rezone a 6.1833 acre tract out of Lot 2, Block 3, NCB 18282, from Temporary "R-1" One Family Residence District to "R-3" Multiple Family Residence District; a 2.7542 acre tract out of Lot 2, Block 3, NCB 18283, from Temporary "R-1" One Family Residence District to "B-3R" Restrictive Business District; a 1.4083 acre tract out of Lot 2, Block 3, NCB 18283, from Temporary "R-1" One Family Residence District to "B-3" Business District, located on the southwest corner of Reed Road and Culebra Road, having 40.07' on the cut-back, 116.71' on Culebra Road, 705.52' on Reed Road, 804.49' on the southwest boundary along city limits line and 222.80' on Pipers Creek.

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

Ms. Vera expressed her desire that the recommended "B-3" Business District portion be zone "B-3NA" instead.

Mr. Glen Westrom, the proponent, voiced his concurrence with the "B-3NA" zoning in lieu of "B-3".

Ms. Vera made a motion to approve the recommendation of the Zoning Commission, with the exception of the recommended "B-3" Business District portion be zoned "B-3NA" instead, and further provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. 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, Dutmer, Wing, Martinez, Thompson, Vera, Wolff, Labatt, Hasslocher; NAYS: None; ABSENT: Webb, Cisneros.

AN ORDINANCE 65,820

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 6.1838 ACRE TRACT OF LAND OUT OF LOT 2, BLOCK 3, NCB 18283, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT; A 2.7542 ACRE TRACT OF LAND OUT OF LOT 2, BLOCK 3, NCB 18283, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT; A TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-3NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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87-46 The Clerk read the following Ordinance:

AN ORDINANCE 65,821

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

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

87-46 TRAVEL AUTHORIZATION - APPROVED

Travel Authorization for Mayor Henry Cisneros, Councilwoman Helen Dutmer, Councilwoman Yolanda Vera, Councilman Weir Labatt, and Councilman

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Joe Webb to attend the Texas Municipal League meeting in Fort Worth, Texas, from October 8 - 11, 1987.

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87-46 The Clerk read the following Ordinance:

AN ORDINANCE 65,822 .

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CHANGING THE DATE OF THE CITY COUNCIL MEETING FROM
OCTOBER 8, 1987 TO OCTOBER 7, 1987.

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

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

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87-46 Agenda Item #38 had earlier been pulled.

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87-46 The Clerk read the following Ordinance:

AN ORDINANCE 65,823 .

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LEVYING SPECIAL ASSESSMENTS AGAINST PROPERTY IN THE
SAN ANTONIO DOWNTOWN IMPROVEMENTS SPECIAL ASSESSMENT
DISTRICT IN ACCORDANCE WITH THE PUBLIC IMPROVEMENT
DISTRICT ASSESSMENT ACT, SPECIFYING THE METHOD OF
PAYMENT AND THE AMOUNT OF THE ANNUAL INSTALLMENT TO
BE PAID IN THE FIRST YEAR.

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

Mrs. Dutmer noted that one downtown business person has already sent a letter expressing their concern with changes in the inner loop program.

Mr. Louis J. Fox, City Manager, noted that the Inner Loop project is being done in phases.

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

87-46

BRUSH PICK-UP DISCUSSION

Mr. Martinez spoke to citizen concerns with the accumulation of brush around the city which has been compounded greatly by a recent windstorm. He stated that he feels that citizens must wait too long for pick-up because of lack of resources on the part of the city.

Mr. Frank Kiolbassa, Director of Environmental Management, referred the Council to a memorandum entitled "Brush Collection Problems", a copy of which is made a part of the papers of this meeting. He explained the reasons for the delays in brush collection and then proposed a new plan of action. Mr. Kiolbassa also stated that public service announcements will be made to advise the public of the brush pick-up schedules.

Mr. Labatt spoke about the difficulties associated with the scheduling of brush pick-ups.

Several Council members then spoke of particular circumstances in their districts with brush pick-up.

Mr. Kiolbassa stated that his staff will use special outside pick-up contracts in emergency cases and thus be able to fully maintain the current three time a year brush pick-up cycle.

Mrs. Berriozabal asked for a better grass-roots public information effort to notify citizens about the pick-up cycles.

A discussion then took place of special emergency contract measures and hopes to return brush pick-up efforts to regular four month cycles and alignment of pick-up districts.

Mr. Thompson stated that he feels the city needs so-called "on-call" brush pick-up services in order to handle cases which are outside the four month regular pick-up cycle.

Mr. Webb addressed a number of major brush pick-up problems in District 2, stating that he favors a massive one day pick-up day in which dumpsters will be located in each City Council district with citizens allowed to participate and assist the city in disposing of trash on that one day.

87-46 The Clerk read the following Ordinance:

AN ORDINANCE 65,825

APPROVING A PURCHASE CONTRACT SUBJECT TO CONDITIONS CONTAINED THEREIN WITH ASSIGNMENTS OF TWO GROUND LEASE AGREEMENTS AND APPROVING A THEATER LEASE AGREEMENT SUBJECT TO CONDITIONS CONTAINED THEREIN AND AUTHORIZING THE CITY MANAGER TO EXECUTE THOSE AGREEMENTS AND ANY AND ALL OTHER AGREEMENTS IN CONNECTION WITH THE MAJESTIC-BRADY PROJECT.

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

Mr. Frank Perry, Director of Downtown Initiatives, briefly explained the ordinance which was outlined to City Council members in "B" session recently. He then spoke to specifics of the purchase of the two buildings involved and the consequent lease to arts groups. He then discussed three major conditions which must be met: 1) the city's financing the sale of the bonds; 2) the developers obtaining the proper financing; 3) an agreement with the present theater operator.

Mr. Louis J. Fox, City Manager, discussed how refunding of old bonds provides the city with new bonding capacity and he then addressed the calculations of that additional capacity. Mr. Fox then spoke of the capital improvements obligations already made by the city with funds freed up by refunded bonds. He noted that with this new project if approved, the city will have spent about \$239 million out of an estimated \$270 million available through the refunding process without a proposed tax increase. Mr. Fox also spoke to the need for the city to retain about a \$30 million cushion in reserve to apply to the debt service fund.

Several persons then spoke in favor of the project involving Ms. Janet Francis, former president of the San Antonio Conservation Society; Mr. Patrick Hetts, downtown businessman; Ms. Clifton McNeel, a downtown retailer; and Mr. Steve Butler, representing six downtown hotels.

Mr. Russell Kyse, developer, spoke to the need for creation of a theater district in the downtown area as an economic development factor for San Antonio. He also addressed the advantages of restoration of historic facilities. Mr. Kyse then spoke of the outpouring of support for this particular project including more downtown housing. He then outlined the benefits of the city's investment in this area.

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In response to a question by Mr. Labatt, Mr. Louis J. Fox, City Manager, and Mr. Alexander Briseno, Assistant City Manager, briefly discussed the aspects of financing, noting that the bond sale will not prejudice the city's bonding rating.

In response to a question by Mr. Thompson, Mr. Fox and Mr. Perry then discussed the expected financial return to the city, noting that the city ultimately will own all of the improvements involved.

Mr. Fox explained how the city will own the ground and several involved groups then will own the buildings through their leases with a maximum of a fifty year lease.

Mr. Thompson voiced his concern the city will be pushing to the limits of its bonding capacity if it takes this action. He stated his personal feeling that District 6 taxpayers in the majority, at least, do not support restoring the Majestic Theatre in downtown San Antonio. He stated that he feels this is not truly a city wide public project and therefore he will vote against the ordinance.

Mr. Wolff spoke in support of the project especially since it produces more downtown housing.

Mrs. Dutmer spoke in support of the project for the betterment of downtown.

Mr. Webb spoke in full support of the project.

In response to a question by Ms. Vera, Mr. Fox discussed the financing outlook of the project.

Mr. Martinez spoke in support of the need to do something about downtown including bringing more people downtown to live.

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

A discussion then took place concerning the city's bonding capacity in the out years.

Mr. Thompson stated that he feels 125 new downtown housing units will not have a major impact on downtown at an annual cost of some \$700,000 in bond interest funds. He stated that he feels the risks are significant in this case.

Mrs. Berriozabal stated that she feels downtown belongs to everybody and she spoke of the many cities which have invested in publicly financed downtown housing. She then addressed the positive aspects of redevelopment of Houston Street.

Mayor Cisneros stated that this is a critical project for the development of downtown San Antonio.

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

87-46

CITY MANAGER'S REPORT - METRO MEDIA TOWER

Mr. Gene Camargo, Director of Building Inspections, spoke to the history of the Metro Media tower, a copy of his report is made a part of the papers of this meeting. Mr. Camargo also spoke to the restrictions that would apply if the tower is to be rebuilt on this present site. He noted that under current zoning regulations, the tower can be constructed to a height of 140 feet without any further action by the Board of Adjustment in relation to a possible variance to the zoning regulations.

Mr. Fox stated that he feels that Metro Media will need more than a 140 foot tower in order to restore adequate levels of service to its customers.

Mrs. Berriozabal stated that she feels it was a miracle that no one was killed when the tower collapsed during a recent storm. She asked that the city research the legality of limitations on such a tower in residential areas, stating that she feels even a 140 foot tall tower should not be allowed in a residential area. She then cited safety concerns with a collapse of such a tower and spoke the need for legal means to forbid such a new tower in residential areas.

Mr. Louis J. Fox, City Manager, stated that the city can change the zoning regulations but that it probably would not affect this particular case which would be grandfathered under any new zoning regulations by law. He stated that he will have the staff investigate and report back to the City Council.

Mr. Camargo spoke to the possibility of initiating a rezoning plan for a significant area not just for this one particular lot.

Mayor Cisneros asked Mr. Camargo to look into removing construction of tall towers such as this from present zoning classifications and to require special use permits for construction of such towers.

Mrs. Berriozabal made a motion to have the city staff come back with a staff report on zoning as it relates to construction of towers. Ms. Vera seconded the motion.

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Mrs. Dutmer voiced her concern with the possibility of possible law suits emanating from such an action should the City Council take adverse action in this case.

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

The City Council then recessed and went into Executive Session, reconvening at 5:27 P.M.

87-46

LONGHORN CEMENT COMPANY

Mr. Phil Pfeiffer was recognized by Mayor Cisneros and he briefly introduced several persons present in the audience who were developers from Italy who just recently acquired Longhorn Cement Company in San Antonio.

Mayor Cisneros spoke of the new development of the site of the old Alamo Cement Company plant and he noted that cement operations will be enhanced as a result.

Mr. Pfeiffer then introduced Mr. Bill Manning, the new President of Alamo Cement.

Mayor Cisneros commended Mr. Pfeiffer, of Fullbright and Jaworski, for that firm's efforts in enhancing the community.

87-46

CITIZENS TO BE HEARD

MRS. RUTH WOODWARD

Mrs. Woodward, 102 Bethune, spoke to the City Council about her concern with fees at community centers that are now being imposed. She asked that the City Council investigate these fees since it is economically unfeasible for her neighborhood to participate.

Mr. Ron Darner, Director of Parks and Recreation, explained the fee structure which is \$2.00 per year per participant plus extra fees for special classes.

In response to a question, Mr. Darner stated that \$51,000 is what will be generated as a result of the fee increase.

Mr. Webb stated that for the money being generated he would like to see this fee abolished.

Mrs. Dutmer stated that she would like to see the money come out of the discretionary fund. She then moved to have the discussion of the fee structure at a future "A" session, with monies possibly coming out of the Council's discretionary fund. Mr. Wing seconded the motion.

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

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

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MR. CAESAR A. CANO

Mr. Cano, President of the Amateur Boxing Federation, Region 8, spoke to the City Council regarding the circumstances of why he has not been able to obtain funding for amateur boxing, especially for a boxing festival which was to be held in San Antonio. He stated that he had been promised the money, however the money was never delivered. He stated that he now has a \$2,000 debt. He expressed concern about the attitude in the city towards amateur boxing. He stated that what he needs now is \$274.00 to send a group of boxers to Mexico City.

Mayor Protem Wing suggested that Mr. Cano attempt to find private sponsorship. At the present time there are no city funds available.

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MRS. JOHN ARNOLD

Mrs. Arnold spoke to the City Council about a zoning case which had been originally disapproved by the City Council. It was then brought back to the City Council and numerous promises were made which led the residents in the area to support the zoning. She explained some of the restrictions which were supposed to be adhered to and yet these have not been imposed. She presented a copy of these restrictions, a copy of which is on file with the papers of this meeting. She then presented a petition signed by residents of Colonial Village protesting the "Luv-n-Care" Day Center which is located in Wurzbach Plaza, Vance Jackson and Wurzbach. She asked that their loudspeakers be removed.

Mr. Wolff stated that he is familiar with this case, and he has spoken to Mr. David Cañena, Assistant Director of Building Inspections,

about the loudspeakers. He stated that where the parking lot was supposed to be the children's play ground is now located. He has not been able to get anyone to do anything about it.

Mr. Gene Camargo, Director of Building Inspection, stated that he will be reviewing these two points, that is, the use of the parking lot as a playground and the loudspeakers' location and report back to the City Council.

Mr. Thompson stated that he remembers this case and is very concerned about the promises which were made and never kept.

Mrs. Dutmer spoke about the need to amend state zoning laws in order to be able to enforce the city's zoning laws. She urged the Council to work with the state legislature on this issue.

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MR. PHILIP M. ROSS

Mr. Ross, representing South West Environmental Services, spoke about the need to monitor for leaks of underground fuel tanks. He spoke of the process which could be used to accomplish the monitoring and the importance of such monitoring.

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MR. PATRICK K. MOORE

Mr. Moore expressed concern about the new fees charged at the city's brush collection sites. He stated that the \$10.00 fee is exorbitant. He stated that the city taxes being paid should cover these services. He then asked the City Council to lower the fee.

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MS. CHERYL HOLMES

Ms. Holmes, 7403 Gallop, asked the City Council about the vicious dog ordinance.

Mayor Protem Wing stated that this item will be discussed at "B" session this evening.

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(At this point, Mayor Cisneros returned to the meeting to preside over the "B" session.

There being no further business to come before the City Council,
the meeting was adjourned at 6:47 P.M.

A P P R O V E D

Henry Cisneros

M A Y O R

Norma J. Rodriguez

ATTEST:
C i t y C l e r k