

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO, HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, OCTOBER 6, 1988.

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The meeting was called to order by Mayor Pro Tem Walter Martinez, in the temporary absence of 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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88-44 The invocation was given by Reverend J. D. Crabb, Jr., Prospect Hill Baptist Church.

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88-44 The members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

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88-44 FIRE CHIEF RAUL LOSOYA

Mayor Pro Tem Walter Martinez asked and received the City Council's informal concensus to consider Agenda Item #28 at this time.

The Clerk then read the following Ordinance:

AN ORDINANCE 68,024

CONFIRMING THE APPOINTMENT OF RAUL C. LOSOYA AS FIRE CHIEF.

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

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

Mayor Pro Tem Martinez then asked Chief Losoya and members of his family to come forward to the podium.

City Clerk Norma S. Rodriguez then administered the oath of office to the new fire chief.

City Councilmembers individually congratulated Chief Losoya and his family.

Mr. Louis J. Fox, City Manager, spoke of the selection process for the new fire chief, who is a 20 year veteran.

Mr. Martinez spoke of the high calibre of the new fire chief and of his appreciation to outgoing Fire Chief I.O. Martinez.

Chief Losoya, speaking briefly, thanked the City Council for the honor and for its continuing support of the Fire Department and the City Manager for selecting him as Fire Chief.

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88-44

JOSE GARCIA DE LARA

Mayor Pro Tem Martinez spoke of the significance of the City's Benefactor Award and of the benefits to the community of the League of United Latin American Citizens (LULAC). Mr. Martinez then read and presented a proclamation designating Mr. Jose Garcia de Lara, the incoming president of LULAC, to be a Benefactor of San Antonio.

Mr. de Lara stated that he was honored to receive this Benefactor and he commended the City Council for endorsing affirmative action for minority businesses and he cautioned against any diluting of the affirmative action plans of the City. He then lauded the City Council for its unifying efforts in San Antonio.

Mayor Pro Tem Martinez noted that Mayor Cisneros was delayed as he was opening an important conference elsewhere in San Antonio.

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88-44

PUBLIC LIBRARY FOUNDATION

Mayor Pro Tem Martinez introduced Mr. Michael Schott, President of the San Antonio Library Foundation; Mr. Jesus Huerta, Vice Chairman, San Antonio Public Library Board; Mr. Joel Reitzer, President, San Antonio Public Library Foundation; and Mr. Irwin Sexton, Director of the San Antonio Public Library.

Mr. Joel Reitzer presented the City with a check in the amount of \$125,000 representing funds raised over the past year by the Library Foundation. He also presented a second check in the amount of \$81,000 to be bestowed upon the library endowment fund.

Mayor Pro Tem Martinez thanked the Foundation members for their work in raising these contributions in an economically difficult year.

Ms. Berriozabal congratulated the Foundation for its significant efforts.

Mr. Huerta thanked the Foundation for its continued hard work in behalf of the Library and the City Council for its support and assistance to the Library Board.

88-44

PROCUREMENT OUTREACH

Mayor Pro Tem Martinez introduced Mr. Ken Strack, Associate Director of Small Business, Defense Logistics Agency, Defense Contract Administration Services Region, Dallas, Texas, as well as Trini Lara and Rosalie Manzano, City staff.

Mr. Ken Strack spoke to the background of the Procurement Outreach Program. He noted that only seven agreements were funded by the federal government this year, nationwide and of the two in Texas, one was in San Antonio. He then spoke in appreciation for San Antonio's outstanding program and presented the grant documents to City Manager Louis J. Fox.

Ms. Lorraine Salazar Bauer, Assistant Director of DEED, noted that the Procurement Outreach Program had placed more than \$140,000 worth of jobs in local businesses over the three years of the grant program in San Antonio.

88-44

MARCH OF DIMES

Mayor Pro Tem Martinez read and presented a proclamation designating October 9, 1988 as "March of Dimes Twister Day" to Ms. Roberta Maltas and other representatives of the March of Dimes' Chain Reaction Leadership Council.

Ms. Maltas thanked the Council for the proclamation and presented a special twister game to the Mayor Pro Tem and special t-shirts to City Councilmembers.

88-44

KEEP SAN ANTONIO BEAUTIFUL

Mayor Pro Tem Martinez read and presented a proclamation

declaring October 8, 1988 as "Public Lands Day" to Mr. Jerry Higginson, President, Keep San Antonio Beautiful, Mr. Stan Weik and Ms. Rhoda Philby.

Mr. Jerry Higginson thanked the Council for the proclamation and spoke to details of the project designed to have Jefferson High School recognized for its national historic significance.

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88-44

POINT OF PERSONAL PRIVILEGE

Ms. Vera reported on a recent bond trip to New York City and distributed copies of a report compiled by City Manager Louis J. Fox concerning that trip (a copy of the report is made a part of the papers of this meeting). Ms. Vera stated that she feels San Antonio will retain its high bond rating and she spoke of the meeting details with bond rating agencies. She also distributed copies of City and State Magazine and thanked the magazine for its recognition of Mr. Fox as the number one City Manager in the nation.

Mr. Fox thanked Ms. Vera for her hard work on the bond trip.

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88-44 The minutes of the City Council meeting of September 15, 1988 were approved.

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88-44 CONSENT AGENDA

Mrs. Dutmer made a motion to approve Agenda Items #6 - 29, constituting the Consent Agenda, with the exception of Item #20 which was pulled for individual consideration, Item #26, being a proposed ordinance approving the Bexar Metro 9-1-1 Network District 1989 fiscal year budget, which was previously pulled by the City Manager, and Item #28, which was considered during the ceremonial portion of the Council meeting. Mr. Hasslocher 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, Martinez, Vera, Wolff, Labatt, Hasslocher; NAYS: None; ABSENT: Wing, Thompson, Cisneros.

AN ORDINANCE 68,025

ACCEPTING THE LOW BIDS OF WATSON DISTRIBUTING COMPANY AND ESCO DISTRIBUTORS, INC. TO FURNISH THE CITY OF SAN ANTONIO PARKS AND RECREATION WITH GRASS

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SEED FOR A TOTAL OF \$69,487.90.

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AN ORDINANCE 68,026

ACCEPTING THE BID OF MERCK SHARP & DOHME TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH HEPATITUS-B VACCINE FOR EMS PERSONNEL FOR A TOTAL OF \$3,968.00.

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AN ORDINANCE 68,027

CANCELLING THE CONTRACT OF AMERICAN GUARD CORPORATION FOR SECURITY SERVICE AT NELSON GARDENS LANDFILL AND AWARDING IT TO TEXAS PROFESSIONAL SECURITY.

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AN ORDINANCE 68,028

ACCEPTING ANNUAL CONTRACTS TO FURNISH THE CITY OF SAN ANTONIO WITH VARIOUS MATERIALS AND SERVICES FOR THE 1988-89 FISCAL YEAR.

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AN ORDINANCE 68,029

AUTHORIZING THE AWARD OF A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$3,074,322.57 PLUS CONTINGENCIES TO JOHN YANTIS AND AUTHORIZING ADDITIONAL ENGINEERING FEES IN THE AMOUNT OF \$38,825.47 PAYABLE TO BROWN ENGINEERING COMPANY FOR THE HUEBNER ROAD PROJECT (FROM VANCE JACKSON TO LOCKHILL-SELMA).

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AN ORDINANCE 68,030

AUTHORIZING AN ADDITIONAL \$18,195.93 FOR ENGINEERING FEES PAYABLE TO SOMERVILLE - GONZALES & ASSOCIATES IN CONNECTION WITH MITCHELL, WELLINGTON, NOGALITOS, MARGIL AND RIPFORD STREETS PROJECT.

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AN ORDINANCE 68,031

AUTHORIZING AN ADDITIONAL \$25,000.00 FOR ENGINEERING FEES PAYABLE TO GARCIA & WRIGHT CONSULTING ENGINEERS, INC. IN CONNECTION WITH THE ENGLEWOOD AREA STREETS (PHASE I) PROJECT.

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AN ORDINANCE 68,032

AUTHORIZING AN ADDITIONAL \$15,000.00 FOR ENGINEERING FEES PAYABLE TO M.W. CUDE & ASSOCIATES, INC., IN CONNECTION WITH THE MCA MARTINEZ CREEK STREETS PROJECT.

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AN ORDINANCE 68,033

AUTHORIZING FIELD ALTERATION NO. 5 IN THE AMOUNT OF \$10,797.91 AND AUTHORIZING AN ADDITIONAL \$6,174.97 FOR ENGINEERING FEES PAYABLE TO M.W. CUDE & ASSOCIATES, INC., IN CONNECTION WITH THE DEZAVALA ROAD FROM IH10 EAST TO CITY LIMITS PROJECT.

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AN ORDINANCE 68,034

ACCEPTING THE PROPOSAL OF C.W. PFENNING, INC., IN THE AMOUNT OF \$10,647.00 FOR ENGINEERING SERVICES IN CONNECTION WITH THE GUADALUPE STREET FROM BRAZOS TO SAN JACINTO PROJECT.

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AN ORDINANCE 68,035

APPROPRIATING FUNDS AND AUTHORIZING THE CITY MANAGER TO EXECUTE FIELD ALTERATION NO. 2 IN THE AMOUNT OF \$22,205.00, PAYABLE TO MEADER CONSTRUCTION CO., INC., FOR THE MCDUGAL AVENUE SANITARY SEWER RECONSTRUCTION PROJECT.

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AN ORDINANCE 68,036

DECLARING A TRACT OF LAND, BEING THE REMAINING

PORTION OF LOT 11, BLOCK 4, NEW CITY BLOCK 2347, SAN ANTONIO, BEXAR COUNTY, TEXAS, SURPLUS TO THE CITY'S NEEDS AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE A QUITCLAIM DEED TO MARIANO LOZANO FOR A CONSIDERATION OF \$2,115.00.

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AN ORDINANCE 68,037

DESIGNATING THE FOURTH SATURDAY IN MAY IN ODD-NUMBERED YEARS AS THE DATE FOR RUN-OFF ELECTIONS HELD IN CONJUNCTION WITH THE REGULAR GENERAL ELECTIONS.

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AN ORDINANCE 68,038

RESCHEDULING CERTAIN CITY COUNCIL MEETINGS.

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AN ORDINANCE 68,039

AUTHORIZING THE PURCHASE OF A ONE-YEAR POLICY TO RENEW THE AIRPORT LIABILITY INSURANCE FOR COMBINED AVIATION ACTIVITIES OF THE CITY OF SAN ANTONIO.

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AN ORDINANCE 68,040

AUTHORIZING EXTENSION OF THE CITY'S PROTECTED SELF-INSURANCE POLICY FOR THE FINAL YEAR OF A THREE YEAR POLICY, RETAINING ARTHUR J. GALLAGHER AS THE SERVICING AGENT.

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AN ORDINANCE 68,041

AUTHORIZING THE RENEWAL OF THE CURRENT HELICOPTER LIABILITY AND HULL DAMAGE INSURANCE EFFECTIVE OCTOBER 1, 1988 TO OCTOBER 1, 1989.

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AN ORDINANCE 68,042

AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT AGREEMENTS WITH THE CITIES OF LEON VALLEY, HILL COUNTRY VILLAGE, AND HOLLYWOOD PARK FOR THE CONTINUATION OF EMERGENCY MEDICAL SERVICES FOR THE CONTRACTUAL PERIODS SET OUT IN EACH OF THE CONTRACT AGREEMENTS.

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AN ORDINANCE 68,043

AUTHORIZING THE 1988/89 COMMUNITY ACTION PROGRAM; AUTHORIZING AN APPLICATION TO THE TEXAS DEPARTMENT OF COMMUNITY AFFAIRS FOR A CONTINUATION GRANT OF \$1,129,522.00; APPROVING A BUDGET AND PERSONNEL POSITIONS; APPROVING AN IN-KIND MATCH OF \$282,381.00; AUTHORIZING THE CARRYOVER FUNDS; AUTHORIZING DELEGATE AGENCY CONTRACTS; AUTHORIZING LEASE OF SITES; APPROVING 1988/89 PROJECT W.A.R.M. PLAN; APPROVING 1988/89 COMMUNITY ACTION SENIORS PROGRAM PLAN.

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AN ORDINANCE 68,044

APPROVING A PRELIMINARY REINVESTMENT ZONE FINANCING PLAN FOR A PROPOSED TAX INCREMENT FINANCING REINVESTMENT ZONE; DIRECTING THAT A COPY OF THE PRELIMINARY FINANCING PLAN BE SENT TO EACH TAXING UNIT IN THE ZONE; SETTING A PUBLIC HEARING ON THE CREATION OF THE ZONE AND ITS BENEFITS TO THE CITY AND TO PROPERTY IN THE PROPOSED ZONE FOR 2:30 P.M. THURSDAY, DECEMBER 15, 1988; DIRECTING THE CITY CLERK TO SEND WRITTEN NOTICE TO EACH TAXING UNIT NOT LATER THAN DECEMBER 7, 1988, NOTICE OF THE PUBLIC HEARING IN A NEWSPAPER OF GENERAL CIRCULATION.

\* \* \* \*

A RESOLUTION NO. 88-44-53

ENDORING THE KARNES COUNTY SITE AND THE ATASCOSA COUNTY SITE AS THE ONLY SAN ANTONIO/AACOG SITES WHICH SHOULD BE SELECTED BY THE TEXAS DEPARTMENT OF CORRECTIONS FOR A MAXIMUM SECURITY FACILITY AND A MEDIUM-TO-MINIMUM SECURITY FACILITY RESPECTIVELY.

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88-44 The Clerk read the following Ordinance:

AN ORDINANCE 68,045

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER, DEPARTMENT OF PSYCHIATRY, FOR AN AIDS COMMUNITY OUTREACH DEMONSTRATION PROJECT; ESTABLISHING A FUND; ADOPTING A \$374,248 BUDGET; AND AUTHORIZING PERSONNEL POSITIONS.

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

Ms. Berriozabal thanked the Metropolitan Health District for its outstanding work in the AIDS Program and she wanted to be sure that the group will be utilized in any work with the University of Texas Health Science Center in this regard.

Dr. Maurine D. Porto, M.D., Metropolitan Health District, explained plans for coordinated work in this area.

Ms. Berriozabal asked that a packet of the Metropolitan Health District's AIDS information be given to City Council members for their information.

Mr. Louis J. Fox, City Manager, spoke of San Antonio's leadership among the nation's municipalities in AIDS education.

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, Hasslocher; NAYS: None; ABSENT: Wing, Thompson, Cisneros.

88-44

POINT OF PERSONAL PRIVILEGE

Mr. Hasslocher briefly explained that the 9-1-1 Emergency Network budget will be on next week's agenda for formal approval because it is a requirement of State law.

88-44 The Clerk read the following Ordinance:

AN ORDINANCE 68,046

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

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Mr. Hasslocher made a motion to approve the proposed Ordinance. 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, Martinez, Vera, Wolff, Hasslocher; NAYS: None; DISQUALIFIED: Labatt; ABSENT: Wing, Thompson, Cisneros.

88-44 The Clerk read the following Ordinance:

AN ORDINANCE 68,047

CLOSING JOHN ADAMS ST. FROM ST. CLOUD TO WILLIFORD WAY FROM 9:00 A.M. TO 10:00 P.M. ON SUNDAY, OCTOBER 9, 1988 AS REQUESTED BY ST. PAUL'S CATHOLIC CHURCH.

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

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

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

88-44 The Clerk read the following Ordinance:

AN ORDINANCE 68,048

CLOSING WOODRIDGE DR. FROM LARKWOOD TO OAKLEAF ON SUNDAY, OCTOBER 29, 1988 FROM 4:00 P.M. TO 8:00 P.M.

AS REQUESTED BY WOODRIDGE ELEMENTARY SCHOOL.

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

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

88-44 The Clerk read the following Ordinance:

AN ORDINANCE 68,049

CLOSING ST. ANN'S STREET FROM ASHBY TO FRENCH ON SUNDAY, OCTOBER 29, 1988 FROM 4:30 P.M. TO 11:00 P.M. AS REQUESTED BY ST. ANN'S SCHOOL.

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

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

88-44 The Clerk read the following Ordinance:

AN ORDINANCE 68,050

CLOSING AUDITORIUM CIRCLE FROM JEFFERSON TO RICHMOND AT 8:00 A.M., SUNDAY, OCTOBER 9, 1988, UNTIL 6:00 P.M., TUESDAY, OCTOBER 11, 1988, AS REQUESTED BY CATERING BY ROSEMARY, INC.

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

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

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

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88-44 The Clerk read the following Ordinance:

AN ORDINANCE 68,051

CLOSING TERRY COURT FROM ST. MARY'S TO VALERO ON  
FRIDAY, OCTOBER 14, SATURDAY, OCTOBER 15, AND  
SUNDAY, OCTOBER 16, 1988, FROM 11:00 A.M. TO 12:00  
MIDNIGHT AS REQUESTED BY ST. SOPHIA GREEK ORTHODOX  
CHURCH.

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

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

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88-44 The Clerk read the following Ordinance:

AN ORDINANCE 68,052

CLOSING DALLAS ST. FROM NAVARRO TO RICHMOND, AND  
SEYMOUR FROM CAMDEN ST. TO DALLAS ST. AT 5:00 A.M.  
ON FRIDAY, OCTOBER 7, 1988, UNTIL 5:00 P.M. AS  
REQUESTED BY THE BAPTIST MEMORIAL HOSPITAL SYSTEM.

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

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

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88-44 The Clerk read the following Ordinance:

AN ORDINANCE 68,053

AUTHORIZING THE TRANSFER OF \$1,000.00 FROM THE DISTRICT 1 DISCRETIONARY ACCOUNT TO THE FUND ESTABLISHED TO HANDLE THE EXPENSES OF THE SAN ANTONIO RIVER CORRIDOR WORKSHOP TO BE HELD ON OCTOBER 1.

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

Mr. Labatt congratulated Ms. Berriozabal for the Good River Corridor Workshop.

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, Hasslocher, Cisneros; NAYS: None; ABSENT: Wing, Thompson.

88-44 The Clerk read the following Ordinance:

AN ORDINANCE 68,054

AUTHORIZING THE ALLOCATION OF UP TO \$15,000 FROM THE DISTRICT 4 DISCRETIONARY AND IMPROVEMENT FUND TO THE HUMAN RESOURCES AND SERVICES DEPARTMENT-NUTRITION FUND TO ASSIST FUNDING THE ST. CLARE NUTRITION PROGRAM.

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

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

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88-44 The Clerk read the following Ordinance:

AN ORDINANCE 68,055

APPROVING BUDGETS FOR THE CITY COUNCIL DISTRICT OFFICES. (COUNCILMEMBERS VERA, MARTINEZ, BERRIOZABAL, HASSLOCHER)

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

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

Several City Councilmembers noted that there was no background information available before the meeting concerning this ordinance.

Mrs. Dutmer spoke against this matter stating that she feels it is not appropriate and creates more bureaucracy for San Antonio.

Mr. Hasslocher spoke in support of the ordinance as necessary work for the citizens of each district.

88-44 Item #40, being a proposed ordinance authorizing the City Manager to execute an agreement with the San Antonio Police Officer's Association, was postponed from consideration pending an executive session requested by City Manager Louis J. Fox.

88-44 The Clerk read the following Ordinance:

AN ORDINANCE 68,056

AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SAN ANTONIO AND VIA METROPOLITAN TRANSIT AUTHORITY CONCERNING PAYMENT DUE TO THE CITY FOR STREET MAINTENANCE.

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

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

ZONING HEARINGS

43. CASE Z87085 - to rezone Parcels P-A, P-1G, and P-1F, save and except the north 75' and the south 40', NCB 17725, from Temporary "R-1" ERZD One Family Residence Edwards Recharge Zone District to "I-1" ERZD Light Industry Edwards Recharge Zone District and the north 75' and the south 40' of Parcels P-A, P-1G, and P-1F, NCB 17725, from Temporary "R-1" ERZD One Family Residence Edwards Recharge Zone District to "B-3NA" Non-Alcoholic Sales Business District, located between FM 1604 and Jones Maltsberger Road, 1080.8' west of Bulverde Road, having 837.48' on Jones Maltsberger Road, 866.53' on FM 1604 and a maximum distance of 560.61' between these two rights-of-way.

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 recommendations of the Environmental Protection Office are complied with, and that the tanks on the property are filled with sand following completion of testing by the City of San Antonio. Mr. Labatt seconded the motion.

Mr. Wolff took note of an Environmental Protection Office report and he drew special attention to the office's uneasiness with granting "I-1" zoning over the Edward Aquifer recharge zone.

Mr. Fred Meyers, Aquifer Protection Officer for the City of San Antonio, explained the City's investigation and review of this request and voiced the office's concern with hazardous material storage over the aquifer recharge zone. He noted that new recommendations from the Environmental Protection Office are now under study by the City's Planning Department and he voiced his concern how outside storage of hazardous materials might be administered. He then addressed the problem of surface water runoff from this site which he feels is not significant.

Mr. Hasslocher noted that the Environmental Protection Office's recommendations are made a part of the motion.

Mr. Andy Guerrero, Planner III, noted that the requested change involving 75 feet of the property has now been reduced to 60 feet.

Mr. Labatt asked that all existing tanks on the property be

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removed in lieu of having their contents monitored by the Environmental Protection Office.

Mr. Carlton Simpson, representing the proponent, noted that tanks already situated on the property would be too costly to remove.

A discussion then took place concerning the possibility of filling the existing tanks with sand after they have been first tested by the Environmental Protection Office.

Following discussion, the maker and seconder of the motion agreed to an amendment to the motion which would require the filling of existing tanks with sand after testing by the Environmental Protection Office.

Mrs. Dutmer urged caution in what is being allowed to be situated over the aquifer recharge zone so as not to set a dangerous precedent.

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

AN ORDINANCE 68,057

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 PARCELS P-A, P-1G, AND P-1F, SAVE AND EXCEPT THE NORTH 60 FEET AND THE SOUTH 40 FEET, NCB 17725 FROM TEMPORARY "R-1" ERZD ONE-FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "I-1" ERZD LIGHT INDUSTRY EDWARDS RECHARGE ZONE DISTRICT AND THE NORTH 60' AND THE SOUTH 40' PARCELS P-A, P-1G AND P-1F, NCB 17725, FROM TEMPORARY "R-1" ERZD ONE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "B-3NA" ERZD BUSINESS DISTRICT, NON-ALCOHOLIC SALES EDWARDS RECHARGE ZONE DISTRICT, PROVIDED THAT RECOMMENDATIONS OF THE ENVIRONMENTAL PROTECTION OFFICE ARE COMPLIED WITH, AND THAT THE TANKS ON THE PROPERTY ARE FILLED WITH SAND FOLLOWING COMPLETION OF TESTING BY THE CITY OF SAN ANTONIO. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

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44. CASE 288148 - to rezone a 0.872 acre tract of land out of Lot 12, Block 4, NCB 13612, from "B-2" Business District to "B-3R" Restrictive

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Business District, Lavender Lane and S.W.W. White Road, located northeast of the intersection of Lavender Lane and S.W.W. White Road, having 5' on S.W.W. White Road, 250' on Lavender Lane with a maximum depth of 250'.

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 five feet of dedication is given along South W.W. White Road. Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 68,058

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 0.872 ACRE TRACT OF LAND OUT OF LOT 12, BLOCK 4, NCB 13612, LAVENDER LANE AND SOUTH W.W. WHITE ROAD, FROM "B-2" BUSINESS DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT FIVE FEET OF DEDICATION IS GIVEN ALONG SOUTH W.W. WHITE ROAD. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

\* \* \* \*

45. CASE 288156 - to rezone P-36H and P-84, NCB 15324, in the 5300 Block of Pearsall Road, from "I-1" Light Industry District to "B-3" Business District, located between Holm Drive and Pearsall Road, being 816.14' northeast of the intersection of Pearsall Road and Holm Drive, having 232' on Pearsall Road and 104.35' on Holm Drive, with a maximum depth of 610'.

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

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

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

ABSENT: Martinez, Thompson.

AN ORDINANCE 68,059

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 P-35H AND P-84, NCB 15324, IN THE 5300 BLOCK OF PEARSALL ROAD, FROM "I-1" LIGHT INDUSTRY DISTRICT TO "B-3" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

\* \* \* \*

46. CASE 288157 - to rezone a 0.171 acre tract of land out of Lot 37, NCB 8679, 514 Northeast Loop 410, from "A" Single Family Residence District to "B-3" Business District, located on the southside of Northeast Loop 410, being 320.62' southeast of the intersection of Northeast Loop 410 and Halm Blvd., having 52.57' on Northeast Loop 410, with a maximum depth of 156.66'

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

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

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

AN ORDINANCE 68,060

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 0.171 ACRE TRACT OF LAND OUT OF LOT 37, NCB 8679, 514 NORTHEAST LOOP 410, FROM "A" SINGLE-FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

\* \* \* \*

88-44 The Clerk read the following Ordinance:

AN ORDINANCE 68,061

CLOSING WASHINGTON STREET BETWEEN TURNER STREET AND KING WILLIAM STREET FROM 9:00 A.M. TO 12:00 P.M. ON SATURDAY, OCTOBER 8, 1988 AT THE REQUEST OF THE SAN ANTONIO LIEDERKRANZ.

\* \* \* \*

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

88-44 CLARIFYING COUNCIL INTENT CONCERNING VOLUNTARY PAYROLL DEDUCTION FOR INSURANCE COMPANIES

Mayor Cisneros briefly explained the request for placement upon today's agenda of a discussion to declare the legislative intent of the City Council when it enacted an ordinance at last week's Council meeting concerning voluntary payroll deduction for insurance companies.

Mrs. Dutmer made a motion to direct the City Manager to take note of the City Council's intent to return to the previous status quo concerning grandfathering action relative to payroll deduction for insurance companies. Mr. Hasslocher seconded the motion.

Mr. Hasslocher briefly explained the motion.

Mr. Wing stated he felt the latest action would destroy the intent of the ordinance and that of a study committee.

In response to a question by Mr. Wing, Mr. Lloyd Garza, City Attorney, stated that, in his legal opinion, the action creates two systems, "those already on payroll deduction, and any new companies who will be seeking payroll deductions."

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

88-44 The City Council recessed at 2:59 P.M. to Executive Session to consult with the City Attorney concerning real estate issues in connection with Market Square leases, concerning real estate issues in connection with the Emily Morgan Hotel, concerning litigation issues in connection with claim of Grace Hering and concerning personnel issues in connection with the police contract.

The City Council reconvened its regular meeting at 4:29 P.M.

88-44 The Clerk read the following Ordinance:

AN ORDINANCE 68,062

AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE SAN ANTONIO POLICE OFFICERS' ASSOCIATION PERTAINING TO WORKING CONDITIONS AND COMPENSATION FOR THE PERIOD OCTOBER 1, 1988 THROUGH SEPTEMBER 30, 1992; SAID AGREEMENT HAVING BEEN REACHED THROUGH THE COLLECTIVE BARGAINING PROCESS PURSUANT TO THE FIRE AND POLICE EMPLOYEE RELATIONS ACT; AND PROVIDING FOR CERTAIN MONETARY ADJUSTMENTS IN CONNECTION THEREWITH.

\* \* \* \*

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

Mr. Labatt stated that he feels the proposed contract with the San Antonio Police Officers' Association (SAPOA) is, in his opinion, the best that can be worked out with respect to both sides of the issue. He then spoke to his objections of the contract two years ago to paying the salary of the San Antonio Police Officers' Association president in order to allow him to be free to do union administration and association work. He stated that, as a result of his objection to that section of the contract, he will be voting against the contract today.

Mr. Wolff stated that he feels it is significant to have a four-year contract with the SAPOA with no pay increase called for until the fourth year. He also stated that he feels it is significant that the association is willing to give up some of its authority to the police chief and that, thus, he will support the contract.

Ms. Vera spoke in support of the four year contract and cited the stability that it represents.

Mr. Thompson noted that the contract gives four years of stability to the City and he spoke in support of the agreement.

Mayor Cisneros called the contract one element in the fight against crime in San Antonio and he took note of a recent drop in crime statistics. He then acknowledged Police Chief Gibson's leadership in the matter and the role of the SAPOA president in relation to City management and the association. He thanked both men for their good jobs.

Chief Gibson then briefly addressed San Antonio's recent drop in crime statistics and the community's support of the police department.

Mr. Webb spoke to the fast response time of police officers in responding to a burglar-in-action call at his eastside store recently and the subsequent capture of a burglar inside. He thanked the department for creating a new era of police protection.

In response to a question by Mayor Cisneros, Mr. Harold Flammia, SAPOA President, noted that San Antonio was once 60th in the state in relation to police officers' pay but, with the new contract, San Antonio's department becomes the best paid department in the State of Texas.

Mr. Flammia thanked City Manager Fox for the appointment of Chief Gibson and the citizens of San Antonio for supporting the police department. He also thanked the City Council for enacting the legislation necessary to construct a new police academy for the City.

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

88-44      APPEAL OF TRANSPORTATION ADVISORY BOARD RULING - BELTRAN

Mr. Roger Ibarra, Supervisor of Public Utilities, briefly outlined the case in which the Transportation Advisory Board is making a recommendation concerning Mr. David C. Beltran. He noted that the City investigation revealed that Mr. Beltran allowed his unlicensed son to operate his taxicab in violation of City regulations. He then noted that this incident coupled with a series of incidents on his record caused the City staff to recommend the maximum penalty be enacted. He noted further that the Transportation Advisory Board had reduced that recommendation to a 15-day suspension which is now being appealed by Mr. Beltran.

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

Mr. Beltran, testifying in his own behalf, stated that he was not aware that his teenage son had used his taxicab to drive a friend home and

that this use was without his permission.

Mr. Labatt noted that Mr. Beltran had appealed a driving while intoxicated conviction last December and the City Council had granted his appeal from that action. He then spoke to Mr. Beltran's record of problems over the past years and stated that he feels Mr. Beltran is not responsible enough to be allowed to drive a taxicab in the City.

In response to a question by Mr. Thompson, Mr. Beltran addressed his record of infractions.

Mr. Thompson made a motion to sustain the 15-day suspension of Mr. Beltran's permit assessed by the Transportation Advisory Board. Mr. Wing seconded the motion.

Ms. Berriozabal stated that she feels children often use their parents' cars when the parents do not know of that use.

Mr. Ibarra quoted from a police report as saying that the father allows the son to drive his taxicab often.

Mrs. Dutmer noted that in seven years, Mr. Beltran has 26 violations, eight of which are moving traffic violations. She spoke in support of the 60-day suspension recommendation.

Mrs. Dutmer made a substitute motion to assess a 60-day suspension to Mr. Beltran. Mr. Labatt seconded the motion.

A discussion, pro and con, concerning a 15- versus a 60-day suspension, was held.

The substitute motion for a 60-day suspension failed to carry by the following vote: AYES: Dutmer, Wolff, Labatt; NAYS: Berriozabal, Wing, Martinez, Thompson, Vera; ABSENT: Webb, Hasslocher, Cisneros.

The main motion for a 15-day suspension prevailed by the following vote: AYES: Berriozabal, Wing, Martinez, Thompson, Vera, Wolff, Labatt; NAYS: Dutmer; ABSENT: Webb, Hasslocher, Cisneros.

88-44

CITIZENS TO BE HEARD

LA SEMANA ALEGRE

Mr. George Mandry, President of the San Antonio Junior Chamber of Commerce, stated that he wanted to appear today to discuss the matter of a site for La Semana Alegre with City Council members. He stated that he objects to charges that La Semana Alegre attracts a raucous crowd when the San Antonio Police Department's actual reports call the crowds well under

control. He then objected to the premise that they could hold the La Semana Alegre at Fiesta Plaza and he asked to have a meeting with the Mayor in this regard.

Mr. Larry Ashworth, Past President of the Jaycees, stated that his group is planning to hold a rally at City Hall next week and he noted that La Semana Alegre earned \$54,000 for the City this past year.

Ms. Vera noted that the Mayor had referred the matter of the Jaycees' site for La Semana Alegre to the Fiesta Committee for study and she feels that the Jaycees deserve an answer. She stated further that she feels the City Council should consider the Jaycees' plan to continue La Semana Alegre in HemisFair Park and she asked the staff for a report.

In response to a question by Ms. Vera, Ms. Karen Kliever, Assistant to the City Manager, discussed the staff study on the Jaycees' plan as well as possible other sites for La Semana Alegre.

Mr. David Garcia, Special Projects Officer for the City, noted that redevelopment plans for the southwest corner of HemisFair Park to begin January, 1989 will affect the La Semana Alegre's request.

Ms. Vera stated that the staff was asked by the Fiesta Committee to work with the Jaycees on this matter and she feels this has not yet been done. Ms. Vera voiced her opinion that the staff was told by the committee to investigate ways to accommodate the Jaycees for La Semana Alegre or to recommend other alternatives.

Ms. Kliever stated that the City staff report still is under final preparation.

Mr. Mandry stated that the City staff had informed him that the Jaycees could not use HemisFair Park because of construction plans for that area of the park.

Ms. Vera stated that she feels the committee members wanted to support the Jaycees' plan.

Ms. Berriozabal stated that, in her opinion, the City's plan for development of the southwest corner of HemisFair Park will not be compatible with the Jaycees' plans to hold La Semana Alegre in the same area. She noted that the staff is still working on the matter and plans to make a formal report and she stated further that she feels the staff has apparently gotten two differing sets of directions from the Council.

Mr. Garcia noted that demolition on the site should begin in about three weeks.

Mr. Louis J. Fox, City Manager, recommended that City staff meet with representatives of the Jaycees, without slowing construction plans

for the park area, and see what can be allowed for the Jaycees somewhere in HemisFair Park.

Mr. Wolff stated, in his opinion, the City needs to seek some compromise in this matter.

Mr. Fox asked the City Council to direct City staff to do so.

A representative of the Junior Chamber of Commerce stated that his group's plans are ready to allow the Jaycees' use of part of HemisFair Park for La Semana Alegre.

Mrs. Dutmer stated that she feels the construction contract possibly could be written in such a way as to allow the Jaycees to use the area for La Semana Alegre for five days and she then briefly compared La Semana Alegre to Night in Old San Antonio, across the street at La Villita. She stated further that she would be supporting La Semana Alegre being located in HemisFair Park this year and then ask the Jaycees to consider another site for that event.

In response to a question by Ms. Berriozabal, a representative of the Jaycees stated that he feels his group needs the area in HemisFair Park and will not accept an alternate site.

Mr. Garcia stated that the City can shut down the construction of the area for five days but must be prepared, if necessary, to pay the costs involved.

A discussion then took place concerning the status of construction and how it might be halted for La Semana Alegre.

Mr. Fox stated that he will schedule a briefing and possible action item for the City Council for next week in relation to this matter, at which time the Council will decide the issue following discussion.

Mr. Labatt spoke to the three-phased priority: (1) build the park area; (2) accommodate La Semana Alegre in the remaining space of HemisFair Park; or (3) seek an alternate site for La Semana Alegre.

Mr. Martinez stated his opinion that staff must decide first if the two activities can co-exist in the same area of HemisFair Park.

Mr. Webb noted that the Fiesta Committee had asked the staff for its report and was still awaiting that report. He then briefly discussed a number of possible sites.

Ms. Berriozabal stated that she wants a discussion of all aspects of the issue next week as an agenda item, including the Jaycees' plan. She asked Mr. Garcia to meet with the Jaycees in the meantime.

Mr. Garcia stated that the City staff will have its report ready

for the Council for next week's agenda.

88-44 The Clerk read the following Letter:

September 28, 1988

Honorable Mayor and Members of the City Council of the City of San Antonio  
The following petitions were received in my office and forwarded to the City Manager for investigation and report to the City Council:

September 21, 1988

Petition submitted by Mr. and Mrs. Atlan E. Weikel, 3518 Stonehaven, San Antonio, Texas 78230, on behalf of residents of Stonehaven and the Stonehaven area, requesting the City of San Antonio to either reopen Whitewing Lane or to open Powhattan/Ladon Road to Callaghan Road for through traffic.

\* \* \* \*

September 27, 1988

Petition submitted by Mr. and Mrs. Jose Villasana, 602 S. San Felipe, San Antonio, Texas 78237, on behalf of residents of the 600 block of S. San Felipe, requesting the reconstruction of this block.

\* \* \* \*

/s/Norma S. Rodriguez  
City Clerk

October 6, 1988  
mlr

There being no further business to come before the City Council, the regular meeting was adjourned at 5:55 P.M. and a "B" Session was convened.

A P P R O V E D

*Henry Cisneros*

M A Y O R

ATTEST:

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