

REGULAR MEETING OF THE CITY COUNCIL,  
OF THE CITY OF SAN ANTONIO, HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, JULY 9, 1987.

\* \* \* \*

The meeting was called to order by the presiding officer, 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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87-33 The invocation was given by Reverend Ernest Lantz, Grace Lutheran Church.

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87-33 The members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

87-33 FESS PARKER

Mayor Cisneros introduced Mr. Fess Parker, movie star, and welcomed him to the City Council Chambers and to San Antonio. He noted that Mr. Parker is in the city to promote the raising of funds for the restoration and maintenance of the Alamo and he spoke of Mr. Parker's connection with the Alamo and his portrayal of Davy Crockett in a motion picture dealing with the Alamo.

Mayor Cisneros then read a proclamation designating Mr. Parker to be an Alcalde de la villita and presented it to him. He also presented Mr. Parker with a special San Antonio tie and an official book of the city. He also presented on behalf of the Remember the Alamo Foundation a special framed china plate of Davy Crockett fighting in front of the Alamo, a memento of his current campaign as national Co-Chairman of Remember the Alamo Foundation designed to preserve the Alamo.

Mr. Parker spoke of this being somewhat of a homecoming to the Alamo for him and he spoke of his pride in participating in such a worthwhile event as a fund raising event to preserve and to restore the Alamo. He then reminisced of his previous visits to San Antonio especially the visit made in 1984.

87-33SWEARING-IN OF BOARDS AND COMMISSIONS

Mayor Cisneros noted that this ceremony of swearing-in of Board and Commission members is a new innovation designed to formalize the working relationships between the Board and Commission members and the City Council. Mayor Cisneros then identified the Boards whose members were to be sworn in today and asked the members present in the audience to stand and be recognized. He then spoke of the new policies adopted by the City Council dealing with appointment to Boards and Commissions of the city.

Members of the various boards then stood to be recognized and then were administered the oath of office by City Clerk, Norma S. Rodriguez.

Members of the City Council applauded the newly appointed board members for their willingness to serve.

Individual City Council members offered their congratulations to the new board members for using of their own time in civic service to the City of San Antonio and spoke of their importance to the system.

Mayor Cisneros thanked Mr. Labatt and members of his Ad Hoc Council Committee for good work in establishing new policies for the city's boards and commissions.

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87-33 The minutes of the City Council meeting of June 11, 1987 were approved.

- - -  
87-33 CONSENT AGENDA

Mr. Hasslocher made a motion to approve Agenda Items #6 - 22, constituting the Consent Agenda, with the exception of Items #14, 15, 16 and 17, which were pulled for individual consideration. Mrs. Berriozabal seconded the motion.

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

## AN ORDINANCE 65,292

ACCEPTING THE LOW QUALIFIED BIDS OF DE LA GARZA FENCE AND SUPPLY COMPANY, DIAMOND FENCE SUPPLY, INC., AND ED'S FENCE COMPANY TO FURNISH THE CITY OF

July 9, 1987  
 sr

SAN ANTONIO AVIATION DEPARTMENT WITH GALVANIZED FENCING MATERIALS FOR A TOTAL OF \$7,342.20.

\* \* \* \*

AN ORDINANCE 65,293

ACCEPTING THE LOW BID OF TD SERVICE TO FURNISH THE CITY OF SAN ANTONIO PARKS AND RECREATION DEPARTMENT WITH REPAIRS OF THE AIR CONDITIONING SYSTEM AT THE LOU HAMILTON CENTER FOR A TOTAL OF \$6,795.00.

\* \* \* \*

AN ORDINANCE 65,294

ACCEPTING THE LOW BID OF KLEERCO, INC., TO FURNISH THE CITY OF SAN ANTONIO CONVENTION & VISITORS BUREAU WITH PLASTIC NAME BADGES FOR A TOTAL OF \$10,125.00.

\* \* \* \*

AN ORDINANCE 65,295

ACCEPTING THE LOW BID OF SO LOW ENVIRONMENTAL EQUIPMENT COMPANY TO FURNISH THE CITY OF SAN ANTONIO HEALTH DEPARTMENT WITH A LABORATORY FREEZER FOR A TOTAL OF \$3,895.00.

\* \* \* \*

AN ORDINANCE 65,296

ESTABLISHING CITY AD VALCREM TAX COLLECTION SUB--STATIONS FOR 1987 AT H.E.B. STORES, SAN ANTONIO SAVINGS ASSOCIATION AND ALBERTSON'S.

\* \* \* \*

AN ORDINANCE 65,297

APPROVING FIELD ALTERATION NO. 2, IN THE AMOUNT OF \$14,594.00, TO THE CONTRACT FOR THE TERMINAL 2 RENOVATIONS (PACKAGE 5 - TOWER DEMOLITION) AT INTERNATIONAL AIRPORT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

\* \* \* \*

AN ORDINANCE 65,298

APPROVING FIELD ALTERATION NO. 2, IN THE AMOUNT OF \$55,066.08, TO THE CONTRACT FOR THE STINSON AIRPORT ACCESS ROAD, APRON, DRAINAGE, AND RUNWAY 9-27 OVERLAY PROJECT; AUTHORIZING ADDITIONAL ENGINEERING FEES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

\* \* \* \*

AN ORDINANCE 65,299

APPROVING FIELD ALTERATION NO. 4, IN THE AMOUNT OF \$8,054.00, TO THE CONTRACT FOR THE VEHICULAR & PEDESTRIAN BRIDGES AT TERMINAL 1 AT INTERNATIONAL AIRPORT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

\* \* \* \*

AN ORDINANCE 65,300

APPROVING PRICE AND CONDITIONS OF SALE BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF CERTAIN SINGLE-FAMILY RESIDENTIAL LOTS IN COLONIA SAN ALFONSO COMMUNITY DEVELOPMENT PROJECT LOCATED WITHIN THE BOUNDARIES OF THE NEIGHBORHOOD DEVELOPMENT PROGRAM, TEX. A-8.

\* \* \* \*

AN ORDINANCE 65,301

APPROVING PRICE AND CONDITIONS OF SALE BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF CERTAIN SINGLE-FAMILY RESIDENTIAL LOTS IN FORT SAM GATEWAY COMMUNITY DEVELOPMENT PROJECT LOCATED WITHIN THE BOUNDARIES OF THE EASTSIDE NEIGHBORHOOD DEVELOPMENT PROJECT.

\* \* \* \*

AN ORDINANCE 65,302

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$990.00 OUT OF VARIOUS FUNDS FOR THE PURPOSE OF ACQUIRING TITLE 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 65,303

CLOSING AND ABANDONING A PORTION OF MORALES STREET AND TWO 12-FOOT ALLEYS, WITHIN LOTS 19 AND 20, NEW CITY BLOCKS 8272 AND 8273, AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE A QUITCLAIM TO SAN ANTONIO DEVELOPMENT AGENCY, FOR A CONSIDERATION OF \$1.00.

\* \* \* \*

AN ORDINANCE 65,304

AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT WITH HPR INVESTMENTS TO PROVIDE APPROXIMATELY 1,250 SQUARE FEET OF OFFICE SPACE AT 515 EAST HOUSTON IN THE ALBERT MAVERICK BUILDING FOR THE POLICE DEPARTMENT TO LOCATE THE PSYCHOLOGIST SERVICES OFFICE.

\* \* \* \*

87-33 The Clerk read the following Ordinance:

AN ORDINANCE 65,305

AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 1 - CONTRACT CHANGE ORDER NO. 6, DOS RIOS FACILITY CONTRACT NO. 3 WITH PIZZAGALLI CONSTRUCTION COMPANY IN THE AMOUNT OF \$39,974.99.

\* \* \* \*

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

In response to a question by Mrs. Dutmer, Mr. Frank Kiolbassa, Director of Environmental Management, explained the changes to the contract as a result of this change order being approved by the Council today.

Mrs. Dutmer spoke of the fluctuating water pressure at the Dos Rios Wastewater Treatment Plant and she asked that the City Water Board move to correct this fluctuating water problem and spoke to matters of the

law involved.

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

87-33

MAYOR PRO-TEM NELSON WOLFF

Mayor Cisneros thanked Mr. Hasslocher for serving back to back Mayor Pro-Tem terms and addressed the many jobs that Mr. Hasslocher has been called upon to perform instead of the Mayor.

Other members of the City Council then gave Mr. Hasslocher a round of applause for his service.

City Clerk, Norma S. Rodriguez, then administered the official oath of office to the newly appointed Mayor Pro-Tem, Mr. Nelson Wolff.

Members of the City Council then individually offered their congratulations to Mayor Pro-Tem Wolff and applauded his selection.

87-33 The Clerk read the following Ordinance:

AN ORDINANCE 65,306

AUTHORIZING FIELD ALTERATION NO. 1 ON THE JACKSON KELLER DRAINAGE IMPROVEMENTS PROJECT.

\* \* \* \*

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

In response to a question by Mrs. Dutmer, Mr. David Steitle, Director of Public Works, addressed the funding source for this particular project.

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

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87-33 The Clerk read the following Ordinance:

AN ORDINANCE 65,307

EXECUTING A PROFESSIONAL SERVICES CONTRACT TO K.M. NG & ASSOCIATES, INC., IN THE AMOUNT OF \$193,215.00 FOR ENGINEERING SERVICES FOR THE TAXIWAY R CONSTRUCTION AT INTERNATIONAL AIRPORT.

\* \* \* \*

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

In response to a question by Mr. Labatt, Mr. Mike Kutchins, Director of Aviation, explained the projects involved in Ordinances #16 and 17 are fundable by the federal government. He then spoke to the complexity of the engineering and construction work involved in the two projects.

Mr. Thompson spoke of some \$5 million still held in the Federal Airport Fund, and he voiced his concern with how future airport funds will be developed and used.

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

87-33 The Clerk read the following Ordinance:

AN ORDINANCE 65,308

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT, IN THE AMOUNT OF \$425,834.00, WITH W.E. SIMPSON CO, INC. FOR ENGINEERING SERVICES IN CONNECTION WITH THE TERMINAL 2 APRON RECONSTRUCTION PROJECT AT INTERNATIONAL AIRPORT; APPROPRIATING FUNDS; PROVIDING FOR A CONTINGENCY AND ADMINISTRATIVE EXPENSE ACCOUNT; AND PROVIDING FOR PAYMENT.

\* \* \* \*

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

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

87-33 The Clerk read the following Ordinance:

AN ORDINANCE 65,309

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

87-33 The Clerk read the following Ordinance:

AN ORDINANCE 65,310

BANNING THE SALE, POSSESSION, DISTRIBUTION AND CONSUMPTION OF ALCOHOLIC BEVERAGES AT LAS PALMAS PARK LOCATED AT 503 CASTROVILLE ROAD; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR A FINE NOT TO EXCEED \$200.00 FOR VIOLATION.

\* \* \* \*

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

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

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87-33 TRAVEL AUTHORIZATION - APPROVED

Travel Authorization for Mayor Henry Cisneros to travel to Denver, Colorado, from July 16, 1987 to July 18, 1987, to attend the National League of Cities Officers and Board of Directors Meeting.

Travel Authorization for Councilwoman Maria Antonietta Berriozabal to travel to Denver, Colorado, from July 16, 1987 to July 18, 1987, to attend the National League of Cities Officers and Board of Directors Meeting.

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87-33 The Clerk read the following Ordinance:

AN ORDINANCE 65,311

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$17,850.00 OUT OF GENERAL OBLIGATION BONDS FOR THE PURPOSE OF ACQUIRING TITLE TO CERTAIN LANDS IN CONNECTION WITH THE MARTIN STREET/BOWIE STREET CONNECTION PROJECT.

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

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

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87-33 Agenda Item #33, being a proposed ordinance authorizing the City Manager to execute an agreement with the San Antonio Alliance of Business under the Job Training Partnership Act Title IIA Program in the amount of \$293,832.00 for Program Year 1987-1988, was considered at this time.

Mr. Labatt spoke to the controversial nature of this particular proposed ordinance and moved that it be postponed until next week. Mrs. Dutmer seconded the motion.

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

Agenda Item #33 was postponed for one week.

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87-33 The Clerk read the following Ordinance:

AN ORDINANCE 65,312

APPROVING A MEMORANDUM OF UNDERSTANDING REGARDING THE INCORPORATION OF FAIR OAKS RANCH.

\* \* \* \*

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

87-33 Agenda Items #35 and 36 were temporarily bypassed the City Council at this time.

87-33 There were not legislative issues to be discussed at this Council Meeting, Agenda Item # 36 was pulled.

87-33 The Clerk read the following Ordinance:

AN ORDINANCE 65,313

BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS, RELATING TO THE ISSUANCE AND SALE OF \$5,000.00 "CITY OF SAN ANTONIO, TEXAS, PRIOR LIEN SEWER SYSTEM REVENUE IMPROVEMENT BONDS, SERIES, 1987" INCLUDING THE APPROVAL AND DISTRIBUTION OF AN "OFFICIAL NOTICE OF SALE" AND "PRELIMINARY OFFICIAL STATEMENT" AND THE AUTHORIZATION TO PROCEED WITH THE PUBLICATION OF A NOTICE OF INTENTION TO ISSUE SUCH BONDS AND A NOTICE OF SALE; AND DECLARING AN EMERGENCY.

\* \* \* \*

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,

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

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87-33 The Clerk read the following Ordinance:

AN ORDINANCE 65,314 .

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AWARDING CONSTRUCTION CONTRACTS FOR EMERGENCY  
REPAIRS TO DRAINAGE FACILITIES IN EIGHT (8)  
LOCATIONS THROUGHOUT THE CITY.

\* \* \* \*

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

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87-33 The Clerk read the following Ordinance:

AN ORDINANCE 65,315 .

.  
AUTHORIZING ENTRY OF JUDGMENT IN CAUSE NO.  
82-CI-18590, FEDERAL LUMBER CO., ET AL. V. CITY OF  
SAN ANTONIO, IN THE 288TH DISTRICT COURT OF BEXAR  
COUNTY, AND APPROPRIATING \$25,000 IN SATISFACTION  
THEREOF.

\* \* \* \*

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

87-33 The Clerk read the following Ordinance:

AN ORDINANCE 65,316

APPOINTING JUAN F. SOLIS, SR. TO SERVE ON THE AFFIRMATIVE ACTION ADVISORY COMMITTEE FOR A TERM TO EXPIRE ON JANUARY 31, 1988.

\* \* \* \*

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

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

87-33 The Clerk read the following Ordinance:

AN ORDINANCE 65,317

APPOINTING ROSIE ORTEGA TO SERVE ON THE ANIMAL CONTROL ADVISORY BOARD FOR A TERM TO EXPIRE ON APRIL 3, 1988.

\* \* \* \*

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

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

87-33 The Clerk read the following Ordinance:

AN ORDINANCE 65,318

APPOINTING SUEANN PEMBERTON-HAUGH TO SERVE ON THE BOARD OF REVIEW FOR HISTORIC DISTRICTS AND LANDMARKS AS AN ALTERNATIVE FOR A TERM TO EXPIRE ON NOVEMBER 24, 1988.

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

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

- - -  
87-33 The Clerk read the following Ordinance:

AN ORDINANCE 65,319

APPOINTING VIVENNE ZAMORA TO SERVE ON CENTRO-21 FOR A TERM TO EXPIRE ON DECEMBER 31, 1987.

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

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

- - -  
87-33 The Clerk read the following Ordinance:

AN ORDINANCE 65,320

APPOINTING INDIVIDUALS TO SERVE ON THE CONVENTION AND VISITOR'S BUREAU ADVISORY COMMITTEE FOR A TERM TO EXPIRE ON APRIL 30, 1989. ( MARIA A. BERRIOZABAL, JAMES HASSLOCHER.)

\* \* \* \*

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

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

87-33 The Clerk read the following Ordinance:

AN ORDINANCE 65,321

APPOINTING MRS. ELVIRA CISNEROS AND MS. BETTY FERNIZ TO SERVE ON THE DOWNTOWN IMPROVEMENT DISTRICT ADVISORY BOARD FOR A TERM TO EXPIRE ON JULY 9, 1989.

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

87-33 The Clerk read the following Ordinance:

AN ORDINANCE 65,322

APPOINTING INDIVIDUALS TO SERVE ON THE FORT SAM HOUSTON GATEWAY COMMERCIAL DISTRICT URBAN RENEWAL PLAN ADVISORY BOARD. (EMILY THUSS, RUDY DAVILA, GORDON HARTMAN)

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

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

87-33 The Clerk read the following Ordinance:

AN ORDINANCE 65,323

APPOINTING ROSIE GARCIA TO SERVE ON THE KEEP SAN ANTONIO/BEXAR COUNTY BEAUTIFUL FOR A TERM TO EXPIRE ON DECEMBER 22, 1987.

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

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

- - -  
87-33 The Clerk read the following Ordinance:

AN ORDINANCE 65,324 .

.  
APPOINTING JOHN SMALL TO SERVE ON THE PARKS & RECREATION BOARD FOR A TERM TO EXPIRE ON MARCH 31, 1990.

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

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

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87-33 The Clerk read the following Ordinance:

AN ORDINANCE 65,325 .

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CLOSING A PORTION OF URBAN LOOP IN CONNECTION WITH A SPECIAL MASS PLANNED BY IMMACULATE HEART OF MARY CHURCH TO CELEBRATE THE 75TH ANNIVERSARY OF THE PARISH.

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Mrs. Berriozabal briefly explained the street closure to celebrate the 75th anniversary of the parish and further explained that the street closure will involve no cost to the city of San Antonio.

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, Wolff, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: Webb.

87-33      ZONING CASES

23.      CASE Z87089 S.R. - to rezone a 0.740 acre tract of land out of Lot 1, Block 1, NCB 17841 N.W. corner of N.W. Military and Huebner Road, from "B-3" ERZD Business Edwards Recharge Zone District to "B-3" ERZD Business Edwards Recharge Zone District in addition City Council approval for the sale of gasoline, located west of the intersection of N.W. Military Hwy. and Huebner Road, having 162.33' on Huebner Road and 200.01' on N.W. Military Hwy.

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

Mr. Andy Guerrero, Planner III, noted that the proponent has submitted a letter to city staff asking for a postponement in this matter.

Mrs. Berriozabal made a motion to postpone this zoning case. Mr. Wing seconded the motion.

Mrs. Dutmer voiced her concern with frequent postponements of this particular type of case before the City Council and she spoke against this postponement. She noted that many persons had taken off work to be present in City Council Chambers to speak against the case.

Mr. Guerrero noted that this is the first postponement sought by the proponent on this particular case.

Mr. Thompson stated that he feels that a postponement is in order, noting that the proponent would use the postponement time in order to seek a possible agreement with opponents in the area. He stated further that he feels the matter of storing gasoline over the Aquifer Recharge Zone is of course a different matter.

Mr. Wolff noted that the special request involved in this case deals with storing gasoline over the Aquifer Recharge Zone and stated his opinion, the case should be heard as scheduled today.

Mr. Labatt stated that to him the issue is clear and he spoke in favor of taking the case under consideration today.

Mrs. Vera asked for an interim report from the Council's Aquifer Committee on recommendations on how to handle such problems as this.

Mayor Cisneros stated that the City Council Aquifer Committee has asked city staff to make an interim report later today if time permits on this particular project.

Mrs. Berriozabal stated that she feels the City Council should not take up such cases until the Committee makes that report and she also wants the Aquifer fully mapped before any further controversial zoning cases over the Edwards Aquifer are taken up.

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

Mr. David Hume, of Austin, the property manager for Exxon, stated that the developer has complied with all applicable local and state laws on this case and he stated that he would like to have a delay in order to talk the matter over with neighborhood groups concerning this issue.

Dr. Martin Meltz, representing the Aquifer Protection Association, stated that this site is very close to the sensitive recharge feature on the ground identified by city staff and he feels it will cause a risk to the city's water supply. He stated that the Aquifer Protection Association is against locating any gasoline storage tanks over the Aquifer Recharge Zone, and he spoke to the possibility of spillage of hazardous materials into the Aquifer. He also spoke against any gasoline stations being located over the Aquifer Recharge Zone.

Mr. Kent Anderson, city engineer of Shavano Park, spoke to the topography present in the area and the possibility of polluting his municipal water wells in Shavano Park should gasoline escape into the ground from this site. He urged the City Council to hear from its Aquifer Committee before acting to approve the case and that indeed if it is approved he asked that the City Water Board make emergency interconnects to his water system so that Shavano Park will have an adequate water supply should their wells become polluted as a result.

Mrs. Marcia Welch, Eastside Alliance, spoke of this being a decisive time in San Antonio's growth and she spoke against the rezoning request.

Mr. Homer Baines, representing the Metropolitan Congregational Alliance, lauded the work of the Aquifer Task Force and noted that to him this rezoning case will be a test case for development over the Aquifer Recharge Zone. He then spoke of the possibility of pollution of the Edwards Aquifer through gasoline spillage and he spoke against granting this rezoning request.

Ms. Sonia Hernandez, representing Communities Organized for Public Service, voiced her group's concern with the types of development that are scheduled to take place over the Aquifer Recharge Zone. She spoke of the need to define what constitutes a "significant threat" to the city water supply.

Ms. Lynda Harris, 2811 Bee Cave, President of the Oak Meadow Homeowners Association, stated that her group objects to the location of the gasoline station over the Aquifer Recharge Zone and she enumerated several reasons for that objection.

Mr. Humes stated that the developer of this property has abided by all rules and he again asked for a delay so that any possible new rules can be brought up by the Aquifer Task Force. He stated that he also feels this is a test case and thus is important to future development over the Aquifer Recharge Zone.

Mayor Cisneros spoke to the Aquifer Task Force discussions including the matter of discussions concerning hazardous materials storage. He noted that only this morning the Aquifer Task Force in its meeting had agreed to require "limited life tanks", and also the denial of any underground hazardous material storage in sensitive areas. He noted that the question is whether this is in a "sensitive area".

In response to a question by Mr. Wolff, Mr. Fred Meyers, Aquifer Protection Officer of the city of San Antonio, described the permeability of the rock in this area and he noted that the proponent will probably have to blast out cavities in the rock for installation of the underground gas tanks. He then briefly described the drainage ditch nearby and the possibility of hazardous materials entering the Edwards Aquifer through this drainage ditch. He then stated that he feels this is a "sensitive area".

Mr. Wolff made a motion to deny the case based on evidence presented to the City Council at this time. Mrs. Dutmer seconded the motion.

Mrs. Berriozabal stated that she feels that the case by case consideration of zoning cases over the Edwards Aquifer is not a good idea because of the cumulative effects of pollution. She stated that she feels this is a blatant abuse of location. She spoke to the need of the Task Force recommendations for mapping of the Edwards Aquifer and for a beef-up of the Aquifer Protection Office.

Mrs. Dutmer spoke to the many studies made of the Edwards Aquifer since 1931 and of the regulations that have been imposed on development over the Aquifer. She then spoke to the need for regulations where sink holes or caves are involved, and she stated further that she feels the Aquifer Protection Office has no choice but to recommend approval when the developer has met all applicable regulations and laws. She stated that

nevertheless, she will be voting to deny this case.

Mr. Thompson briefly discussed the proponents options should the case be denied today.

Mrs. Vera stated that to her it would be prudent to be very cautious in this particular case.

Mr. Wing defended the process now in place for clearance of zoning over the Edwards Aquifer.

Mr. Labatt stated that if the case is denied today he personally will cooperate in any other developments in order to grant proper usage on this property as soon as possible.

Mr. Hasslocher spoke against the rezoning on this property and recalled the gas leakage from an underground gas tank in his own district several years ago.

Mr. Wolff stated that to him this is not a good site for a gasoline station and a gasoline storage tank but he will assist with another possible use for this property if necessary.

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

Zoning Case #Z87089 S.R. was denied.

24. CASE Z86181 P.P. - to rezone a 1.48 acre tract out of Lot 40 and 41, CB 5181, 14400 Block of Blanco Road, from Temporary "R-1" One Family Residence District to "B-3" Business District, located on the northwest corner of Blanco Road and Cadillac Drive, having 237.45' on Blanco Road and 270.10' on Cadillac Drive.

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

Mr. Andy Guerrero, Planner III, stated that city staff has received a letter from the proponent amending his request to a "B-2" business classification.

In response to a question by Mayor Cisneros, Mr. Charles Whipple, 14493 Cadillac Drive, stated that he would be willing to accept a "B-2" zoning and he questioned the location of a dumpster near adjacent homes.

Mr. Ron Haggard, attorney for the proponent, noted that he would accept a "B-2" zoning.

Mr. Wolff made a motion to approve "B-2" zoning provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division, and that a six-foot solid screen fence is erected and maintained along the northwest property line. Mr. Labatt 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, Wolff, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: Webb, Thompson, Vera.

AN ORDINANCE 65,326

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 1.48 ACRE TRACT OF LAND OUT OF LOTS 40 AND 41, cb 5181, IN THE 14400 BLOCK OF BLANCO ROAD FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION, AND THAT A SIX-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTHWEST PROPERTY LINE. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

25. CASE Z87023 P.P. - to rezone a 0.455 acre tract out of NCB 3088, from "D" Apartment District to "R-6" Townhouse Residence District; a 5.725 acre tract out of NCB's 861 and 6498, from "D" Apartment District, "C" Apartment District and "F" Local Retail District to "B-2" Business District, located on the southwest corner of Huisache Avenue, Stadium Drive, N. St. Mary's and both sides of Magnolia Avenue, having a maximum depth of approximately 700' from Stadium Drive.

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

Mayor Cisneros thanked Mrs. Berriozabal for her long hours and days of work on this particular case.

Mrs. Berriozabal noted that the developer Mr. Walter Embrey Jr., had met with neighborhood groups involved and had worked out a compromise

on this rezoning request. She stated that she feels this is a model development of an inner city area.

Mr. Walter Embrey, the developer, spoke of the need for combined residential/business/office development on this property and he outlined the steps which were taken in a two year process of developing new guidelines for the use of this property.

Mr. Michael Smith, representing the Tobin Hill Neighborhood Association, provided the City Council members with a brief handout, a copy of which is made a part of the papers of this case and of this meeting. He spoke to the compromises that were made by both sides in order to reach a final agreement for this central city development and he stated that he feels that housing should be replaced in these areas on a one for one basis when the homes are removed in an inner city area.

Mr. Wolff offered his thanks to all parties concerned in this zoning matter.

A discussion then took place concerning the details of the site development.

Mrs. Berriozabal made a motion to approve subject to granting a "R-3" zoning in lieu of the requested "R-6" zoning; provided that a one-foot non-access easement is imposed along the south property line of the alley across from Lots 33 thru 38, NCB 3088; that a six-foot solid screen fence is erected and maintained along the same south property line of the alley opposite Lots 33 thru 38, NCB 3088, and along the east property line of Lot 38, NCB 3088. Further provided that five feet of dedication is given along Kings Court and 2.2 feet of dedication is given along St. Mary's Street, and 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, Martinez, Thompson, Vera, Wolff, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: Webb, Wing.

AN ORDINANCE 65,327

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 0.455 ACRE TRACT OF LAND OUT OF NCB 3088 FROM "D" APARTMENT DISTRICT TO "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT; AND A 5.725 ACRE TRACT OF LAND OUT OF NCB'S 861 AND 6498 FROM "D"

APARTMENT DISTRICT, "C" APARTMENT DISTRICT AND "F" LOCAL RETAIL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT A ONE-FOOT NON-ACCESS EASEMENT IS IMPOSED ALONG THE SOUTH PROPERTY LINE OF THE ALLEY ACROSS FROM LOTS 33 THRU 38, NCB 3088; THAT A SIX-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE SAME SOUTH PROPERTY LINE OF THE ALLEY OPPOSITE LOTS 33 THRU 38, NCB 3088, AND ALONG THE EAST PROPERTY LINE OF LOT 38, NCB 3088. FURTHER PROVIDED THAT FIVE FEET OF DEDICATION IS GIVEN ALONG KINGS COURT AND A 2.2 FEET OF DEDICATION IS GIVEN ALONG ST. MARY'S STREET, AND 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."

\* \* \* \*

26. CASE Z86330 - to rezone a 47.31 acre tract of land out of CB's 9906, 9907, 9910, 9912, 9913, 9915, and 9916, Wurzbach Road and Crystal Hill, from Temporary "R-1" One Family Residence District to "I-1" Light Industry District.

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

Mr. Andy Guerrero, Planner III, noted that the property owner has asked to amend his request to a Business Park District zoning.

Mr. Thompson made a motion to approve Business Park District zoning, provided 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: Berriozabal, Dutmer, Wing, Martinez, Thompson, Vera, Wolff, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: Webb.

AN ORDINANCE 65,328

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 47.31 ACRE TRACT OF LAND OUT

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sr

OF CB'S 9906, 9907, 9910, 9912, 9913, 9915, AND 9916, WURZBACH ROAD AND CRYSTAL HILL, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO BUSINESS PARK DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

27. CASE Z87108 - to rezone a 2.57 acre tract out of NCB 18106, from Temporary "R-1" One Family Residence District to Business Park District, located on the northwest side of Wurzbach Road, being 300' southeast of Blackberry Drive, 200' southwest of Leland Drive, having a total of 522.08' on Wurzbach Road and a maximum depth of 300.05'.

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

Mr. Wolff made a motion to approve the recommendation of the Zoning Commission provided that right-of-way is given along Wurzbach Road at the time of platting, and that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. Mr. Wing 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, Cisneros; NAYS: None; ABSENT: Webb.

AN ORDINANCE 65,329

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 2.57 ACRE TRACT OF LAND OUT OF NCB 18106 FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO BUSINESS PARK DISTRICT, PROVIDED THAT RIGHT-OF-WAY IS GIVEN ALONG WURZBACH ROAD AT THE TIME OF PLATTING, AND 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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28. CASE Z87133 - to rezone Lots 27 thru 30, Block 2, NCB 10679, In the 3400 Block of Martin Luther King Drive from "B" Residence District to "B-3" Business District, located on the northeast corner of Martin Luther King Drive and Beulah Avenue, having 200' on Martin Luther King Drive and 125' on Beulah Avenue.

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 recommendation of the Zoning Commission provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division and that a six-foot solid screen fence is erected and maintained along the north property line adjacent to the single-family residences. Ms. Vera seconded the motion.

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

AN ORDINANCE 65,330

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 27 THRU 30, BLOCK 2, NCB 10679, IN THE 3400 BLOCK OF MARTIN LUTHER KING DRIVE, FROM "B" 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, AND THAT A SIX-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTH PROPERTY LINE ADJACENT TO THE SINGLE-FAMILY RESIDENCES. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED "1,000.00".

\* \* \* \*

87-33 The Clerk read the following Ordinance:

AN ORDINANCE 65,331

ADOPTING THE CITY VOTER REGISTRATION PROJECT.

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\* \* \* \*

Mr. Martinez explained the pilot program planned for a voter registration effort involving a number of city departments making voter registration material readily available to citizens who visit those departments.

Mrs. Lilian Reyes, President of the League of Women Voters, spoke in support of the City Voter Registration Project.

Mrs. Linda Chavez-Thompson, American Federation of State, County and Municipal Employees, stated that voter registration cards have been available to citizens in many city departments over the past months and years and she stated that her union would do its own voter registration effort in areas which are not involved in the ordinance itself.

Mrs. Dutmer stated that she feels that this project is too concentrated in the downtown area and she addressed the need to expand it out into other areas of the city. She spoke in support of the program but expressed her concern with possible abuses in the voter registration program in some possible cases.

Mrs. Berriozabal noted that the special Ad-Hoc Committee appointed to look into this problem addressed many of Mrs. Dutmer's voiced concerns and she spoke then to her own feeling that eight target departments will attract a wide range of citizens for the effort, noting that this is only the beginning of the program.

In response to a question by Mr. Thompson, Mr. Martinez explained how the voter registration program would work involving the city departments.

A discussion then took place concerning how the program would work at various nutrition sites as well as possible future expansion of the program.

Mr. Labatt stated that he feels this is a commendable effort to increase voter registration in San Antonio.

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

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

87-33 Agenda Item #36, being a discussion of appropriating funds to finance the St. Paul Square Summer Fest 87, had earlier been removed from consideration by the City Manager and would be reconsidered in one week.

87-33 The City Council recessed at 3:45 P.M., reconvening in "B" session at 4:20 P.M. The City Council then recessed the "B" session to reconvene in Regular session to consider Citizens to be Heard at 6:40 P.M.

87-33

CITIZENS TO BE HEARD

MS. KAY E. FORD

Ms. Ford, 8755 Wurzbach, spoke to the Council regarding the disruption of her business. She stated that there have been several incidents of harassment lately. She received a letter from a military command that her establishment would be off-limits to military personnel.

Mayor Cisneros stated that this particular case does not involve the city but is rather a civil matter. He also stated that there are hearings available.

Ms. Ford stated that she merely wants to inform the Council of what is transpiring in the City.

Mayor Cisneros asked that Ms. Ford contact her Council representative on this issue.

\* \* \* \*

MS. PATRICIA TURNER

Ms. Turner spoke to the Council regarding the new facilities at Hemisfair for the Texas A & M Extension University. She stated that they are very pleased with the new facilities and are now planning an open house in September. However, there is a problem with parking for students and staff of both the University of Mexico and Texas A & M for the next 45 days pending the completion of the permanent parking area. She asked the City Council to direct the staff to provide for temporary parking.

Mr. Ron Darner, Director of Parks and Recreation, stated that the staff will meet with representatives from both Universities on this issue on Monday.

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### MOBERG CASE

Louis J. Fox, City Manager, stated that he has been working with his staff regarding this particular case. The attempt was to establish 1.) Probability of finding Debbie Moberg, 2.) Assessing the hazards to those searching for the body.

Mr. Fox displayed an aerial map of the landfill and the plan for an excavation. He described the layer of asbestos which has been found and will have to be removed. He also displayed an excavation work matrix on the amount of fill which would have to be removed. He then explained how landfills are actually filled.

Dr. Katherine Rathbun, Director of the Metropolitan Health District, also described the health aspects of a landfill and the health hazards to the employees who will be doing the digging, as well as the conditions facing the employees. She also stated that no one will be able to work at the landfill unless all occupational health conditions are met.

Mr. Fox stated that the staff has given this matter serious consideration, however he cannot go forward with a decision to do the excavation because of the health risks involved.

Mayor Cisneros explained to Mrs. Moberg, who was present in the Chamber, the concerns of the Council and the decision which was made by the City Manager and Mayor Cisneros.

Mrs. Moberg stated that she is certain that Debbie would not want to endanger the lives of other human beings. She asked that perhaps a monument or memorial could be erected at the site.

Mr. Labatt also expressed the concern of the Council and the citizens; he proposed that in Debbie's honor, a special fund be created in honor of Debbie Moberg, donated funds from which would be used for the education of the surviving Moberg children; also to create a memorial site for proper recognition of her resting place. Mrs. Dutmer seconded the motion.

Mrs. Bonnie Parr stated that they respect Mrs. Moberg's decision, but are concerned about the manner in which Mr. Moberg was able to take the body to the landfill.

Mr. David Autry proposed that January 9 be established as a Children's Memorial Day.

Ms. Nancy Estes asked if perhaps the search could occur in the winter.

Mayor Cisneros stated that in six months there would not be anything left.

Ms. Estes expressed concern about the dangers of those chemicals in the landfills. She also expressed concern about a subdivision being built on a landfill.

Mr. Frank Kiolbassa, Director of Environmental Management, explained what can be constructed on an abandoned landfill.

Reverend Lydia S. Martinez spoke about the devastating loss of a child. She stated that there are very few laws to protect victims of crime, in fact, criminals have more laws under the Constitution. She stated that as a member of Parents of Murdered Children, and who has personally been affected, she asked that the City Council approve the continued search for Debbie Moberg's body.

Members of the City Council expressed their concern over this particular case and the manner in which the entire community was affected, and their regrets that to proceed with the search would endanger the lives of other human beings.

Mrs. Dutmer expressed concern that asbestos was dumped in this landfill and that trip sheets were not being kept by BFI.

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

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 The City Council at this time reconvened the "B" session, then reconvened the "A" session at 9:48 P.M.

87-33

BEXAR APPRAISAL DISTRICT

Mr. Labatt asked the City Council to consider a possible resolution on next week's agenda which would ask the city's representative on the Bexar Appraisal District Board to seek the firing of Chief Appraiser, Bill Burnette.

The City Council then undertook a brief discussion of the pros and cons of such a possible resolution.

Mr. Thompson made a motion to invite the five member Bexar Appraisal District Board to come before the City Council at next week's session to make a presentation concerning the appraisal system in general. Mr. Labatt seconded the motion.

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

There being no further business to come before the City Council, the meeting was adjourned at 9:50 P.M.

A P P R O V E D

*Henry Cisneros*  
M A Y O R

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