

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, NOVEMBER 29, 1990.

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The meeting was called to order by the Presiding Officer, Mayor Lila Cockrell, with the following members present: BERRIOZABAL, WEBB, DUTMER, WING, MARTINEZ, THOMPSON, VERA, WOLFF, LABATT, HASSLOCHER, COCKRELL. Absent: NONE.

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90-52 Invocation - Reverend Roberto De La Rosa, First Chinese Baptist Church.

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90-52 Pledge of Allegiance to the flag of the United States.

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90-52 Minutes of the October 18, 1990 Regular meeting approved as read.

90-52 LIBRARY FOUNDATION

Mayor Cockrell spoke to the bequest of some \$150,000 from the estate of the late Ms. Hattie Lee Merrick, left to the Library Foundation for use in the City's public library system, and introduced Mr. Joe Dawson, President of the Library Foundation, present in the audience.

Mr. Dawson spoke to details of the bequest, left by Ms. Merrick, a former U. S. Army nurse and San Antonio resident, and presented the City with a check in the amount of \$150,000 for delivery to the library system.

Mayor Cockrell accepted the check and passed it on to Ms. Marie Swartz, Chairman of the Library System Board of Trustees.

Ms. Swartz formally accepted the check for the library system.

Mr. Dawson reported on the status of the current drive to raise some \$750,000 in order to attract a \$250,000 grant to the library system, noting that the drive is well on-track to reach the desired level by next summer.

90-52

GOVERNMENT FINANCE OFFICERS ASSOCIATION AWARD

Mayor Cockrell noted that the Government Finance Officers Association has presented the City's Finance Department with a Certificate of Achievement for Excellence in Financial Reporting for the City's 1989 Comprehensive Annual Financial Report, and presented the accompanying plaque to City Finance Director Nora Chavez and Mr. Joe Ximenes, Assistant Controller. She congratulated Ms. Chavez, Mr. Ximenes and others in the Finance Department for the achievement.

Ms. Chavez spoke to details of the award, and recognized the presence in the audience of a number of Finance Department employees who had a hand in the preparation of the Annual Financial Report.

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90-52

AWARD OF FINANCIAL REPORTING ACHIEVEMENT

Mayor Cockrell spoke of the "Award of Financial Reporting Achievement" being awarded today to Mr. Joe Ximenes, Assistant Controller of the City of San Antonio, by the Government Finance Officers Association of the United States and Canada, and reported that Mr. Ximenes would be retiring on December 31, 1990 after some 20 years of service to the City of San Antonio.

Mr. Alex Briseno, City Manager, joined Mayor Cockrell in making the presentation of the award to Mr. Ximenes, congratulating him on his achievements.

Mr. Ximenes thanked the Mayor and City Council members for the honor, and accepted the award with special thanks to members of his own division of the Finance Department.

Mr. Briseno and Ms. Nora Chavez, Finance Director, congratulated the entire General Accounting Division for its work in earning the two major awards being made by MFOA today.

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90-52

"HOME FOR THE HOLIDAYS" SEASON

Mayor Cockrell introduced Ms. Christine Ortega, Area Marketing Manager and Ms. Camille Keith, representing Southwest Airlines, then read a Proclamation designating "Home for the Holidays" Season in San Antonio. She then briefly explained the 11-year-old program of Southwest Airlines to provide free tickets to any destination on the airlines' route system during the holiday season for a group of senior citizens.

Mr. Al Notzon, Executive Director, Alamo Area Council of Governments, stated that his Agency on the Aging has worked with Southwest

Airlines each year since 1979 on this endeavor, and addressed details of the selection of the 45 ticket winners.

Mayor Cockrell then distributed the free tickets to some 16 of the 45 senior citizens chosen to receive them this year.

Ms. Keith presented the Mayor with a special tee-shirt to mark the occasion.

90-52 CONSENT AGENDA

Mrs. Dutmer made a motion to approve Agenda Items 8 through 31, constituting the Consent Agenda, with Item 29 to be pulled for individual consideration. Mr. Martinez seconded the motion.

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

AN ORDINANCE 72,695

ACCEPTING THE PROPOSAL OF FACTS ON FILE, INC. FOR SUBSCRIPTION RENEWAL TO FACTS ON FILE FOR THE CITY OF SAN ANTONIO PUBLIC LIBRARY FOR A TOTAL OF \$8,820.00.

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AN ORDINANCE 72,696

ACCEPTING THE PROPOSAL OF FREYMAN & ASSOCIATES, INC. TO FURNISH THE CITY OF SAN ANTONIO WITH BOOKS ENTITLED "ASI ES SAN ANTONIO" FOR A TOTAL OF \$15,750.00.

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AN ORDINANCE 72,697

ACCEPTING THE PROPOSAL OF CLSI, INC. FOR BAR CODE READERS FOR THE CITY OF SAN ANTONIO PUBLIC LIBRARY AND INFORMATION RESOURCES DEPARTMENT FOR A TOTAL OF \$24,000.00.

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AN ORDINANCE 72,698

ACCEPTING THE LOW QUALIFIED BIDS OF BSN SPORTS AND
HEST FITNESS PRODUCTS TO FURNISH THE CITY OF SAN
ANTONIO PARKS & RECREATION DEPARTMENT WITH EXERCISE
EQUIPMENT FOR THE ALAMO BRANCH YMCA FOR A TOTAL OF
\$29,344.50.

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AN ORDINANCE 72,699

ACCEPTING THE LOW QUALIFIED BID OF RUSH AMERICAN
PRINTING, IN THE AMOUNT OF \$9,587.50 TO PRINT 2000
COPIES OF THE GENERAL MANUAL AND RULES AND
REGULATIONS OF THE POLICE DEPARTMENT FOR
DISTRIBUTION TO ALL MEMBERS OF THE DEPARTMENT BY
DECEMBER 31, 1990.

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AN ORDINANCE 72,700

ACCEPTING THE LOW QUALIFIED BID OF INTERSTATE SYSTEM
OF ALAMO CITY TO FURNISH THE CITY OF SAN ANTONIO
FIRE DEPARTMENT WITH AUTOMOTIVE BATTERIES FOR EMS
MODULAR AMBULANCE ON AN ANNUAL CONTRACT BASIS FOR A
TOTAL OF APPROXIMATELY \$3,000.00 TO \$4,000.00 FOR
THE REMAINDER OF THE FISCAL YEAR.

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AN ORDINANCE 72,701

ACCEPTING THE LOW QUALIFIED BID OF SAN ANTONIO FOAM
FABRICATORS TO FURNISH THE CITY OF SAN ANTONIO EMS
WITH FOAM CONTOURED HEAD BLOCKS ON AN ANNUAL
CONTRACT BASIS FOR A TOTAL OF APPROXIMATELY
\$18,000.00.

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AN ORDINANCE 72,702

ACCEPTING THE BID OF RIDER CAR WASH SYSTEM TO
FURNISH THE CITY OF SAN ANTONIO WITH LRC CAR WASH
WATER RECOVERY PARTS & SERVICE ON AN ANNUAL CONTRACT
BASIS FOR A TOTAL OF APPROXIMATELY \$3,000.00.

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AN ORDINANCE 72,703

CANCELLING THE CONTRACT OF WESCO ON ITEM 38 FOR ELECTRICAL PARTS & FIXTURES AND AWARING IT TO GRAYBAR ELECTRIC COMPANY.

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AN ORDINANCE 72,704

ACCEPTING THE LOW QUALIFIED BID OF ROSEL-GONZABA SECURITY, TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH SECURITY GUARD SERVICE FOR CITY HALL AND CITY HALL ANNEX FOR A TOTAL OF APPROXIMATELY \$72,390.00 FOR THE REMAINDER OF THE FY 1990-91.

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AN ORDINANCE 72,705

ACCEPTING THE LOW BID OF ROSEL-GONZABA SECURITY TO FURNISH THE CITY OF SAN ANTONIO ENVIRONMENTAL MANAGEMENT DEPARTMENT WITH SECURITY GUARD SERVICE FOR THE WASTEWATER TREATMENT PLANTS FOR A TOTAL OF APPROXIMATELY \$146,276.00 FOR THE REMAINDER OF THE FY 1990-91.

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AN ORDINANCE 72,706

ACCEPTING THE LOW BID OF ROSEL-GONZABA SECURITY TO FURNISH THE CITY OF SAN ANTONIO WITH SECURITY GUARD SERVICE FOR THE NELSON GARDENS LANDFILL, NORTHEAST TRANSFER STATION AND BITTERS BURN SITE FOR A TOTAL OF APPROXIMATELY \$49,996.00 FOR THE REMAINDER OF THE FY 1990-91.

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AN ORDINANCE 72,707

ACCEPTING THE LOW BID OF MAHONE ROOFING & SHEET METAL COMPANY, INC. IN THE AMOUNT OF \$24,370.00 FOR CONSTRUCTION SERVICES IN CONNECTION WITH THE MCCRELESS BRANCH LIBRARY REROOFING PROJECT; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$6,902.50 FOR THE CONSTRUCTION

CONTINGENCY; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 72,708

AUTHORIZING PAYMENT OF AN ADDITIONAL \$1,550.00 TO MENDOZA & ASSOCIATES, A.I.A. FOR ARCHITECTURAL SERVICES IN CONNECTION WITH THE FIRE STATION REMODELING & REHABILITATION (PHASE II) PROJECT.

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AN ORDINANCE 72,709

ACCEPTING THE LOW BID OF HOGAN MECHANICAL CONSTRUCTION COMPANY, INC. IN THE AMOUNT OF \$242,000.00 FOR CONSTRUCTION SERVICES IN CONNECTION WITH THE DOS RIOS WASTEWATER TREATMENT PLANT DISTRIBUTED CONTROLS SYSTEMS (DCS) PROJECT; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$24,200.00 FOR THE CONSTRUCTION CONTINGENCY; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 72,710

AUTHORIZING THE EXECUTION OF CONTRACT AMENDMENT NO. 1 IN THE AMOUNT OF \$85,849.00 TO THE CONTRACT WITH MALCOLM PIRNIE, INC., IN CONNECTION WITH THE DOS RIOS ODOR CONTROL EXPANSION AND MODIFICATIONS PROJECT; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 72,711

ACCEPTING THE LOW BID OF PATE & PATE ENTERPRISES, INC., IN THE AMOUNT OF \$471,233.18 FOR CONSTRUCTION SERVICES IN CONNECTION WITH THE TERRELL HILLS OUTFALL PROJECT; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$47,123.32 FOR THE CONSTRUCTION CONTINGENCY; AUTHORIZING \$6,891.78 PAYABLE TO M. W. CUDE & ASSOCIATES, INC., FOR CONSTRUCTION SUPERVISION; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 72,712

ACCEPTING THE LOW BID OF UTILITIES CONSOLIDATED, INC., IN THE AMOUNT OF \$237,720.60 FOR CONSTRUCTION SERVICES IN CONNECTION WITH THE BRACKENRIDGE PARK RELIEF LINE; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AUTHORIZING \$23,772.06 FOR THE CONSTRUCTION CONTINGENCY; AUTHORIZING \$4,457.26 PAYABLE TO SUN BELT ENGINEERS, INC., FOR CONSTRUCTION SUPERVISION; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 72,713

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH HILL COUNTRY WATERWORKS COMPANY (HCWC) FOR THE COLLECTION, ON BEHALF OF THE CITY, OF SANITARY SEWER CHARGES DUE TO THE CITY BY CUSTOMERS OF THE WATER PURVEYOR.

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AN ORDINANCE 72,714

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH W. E. SIMPSON, INC. IN THE AMOUNT OF \$295,155.00 FOR PLANS AND SPECIFICATIONS IN CONNECTION WITH THE MITCHELL LAKE DAM INVESTIGATION PROJECT; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 72,715

AUTHORIZING PAYMENT IN THE AMOUNT OF \$8,645.00 TO THE ASSOCIATION OF METROPOLITAN SEWERAGE AGENCIES FOR SERVICES PROVIDED TO THE WASTEWATER MANAGEMENT DEPARTMENT FOR THE YEAR ENDING DECEMBER 31, 1991.

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AN ORDINANCE 72,716

ACCEPTING DEDICATION OF EASEMENTS ON CERTAIN LANDS IN CONNECTION WITH WASTEWATER PROJECTS INCLUDING STANDARD ELECTRIC OFF-SITE SANITARY SEWER PROJECT AND NORTHSIDE LIFT STATION ELIMINATION PROJECT.

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AN ORDINANCE 72,717

AUTHORIZING PAYMENT IN THE AMOUNT OF \$3,950.00 FOR APPRAISAL FEES INVOLVING THE WOLLER CREEK SUBDIVISION OFF-SITE SANITARY SEWER PROJECT, BRAUNIG LAKE INDUSTRIAL PARK SEWER OUTFALL PROJECT, NORTHSIDE LIFT STATION ELIMINATION #68, #141 AND #142, MIDDLE SIX MILE CREEK SEWER PROJECT, AND DOS RIOS SEWER PLANT (VALLEY AND WRIGHT CARPENTER ROADS) PROJECT AND APPROPRIATING FUNDS.

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90-52 The Clerk read the following Ordinance:

AN ORDINANCE 72,718

AUTHORIZING THE CITY MANAGER OR ASSISTANT CITY MANAGER TO EXECUTE A CONTRACT WITH RALPH ANDERSEN AND ASSOCIATES TO PROVIDE PROFESSIONAL SERVICES ASSOCIATED WITH THE CONDUCT OF A COMPREHENSIVE CLASSIFICATION, JOB EVALUATION AND COMPENSATION STUDY FOR AN AMOUNT NOT TO EXCEED \$136,400.00 PLUS REIMBURSEMENT OF OUT-OF-POCKET EXPENSES FOR AN ESTIMATED AMOUNT OF \$23,425.00 BRINGING THE TOTAL COST OF THE PROJECT TO APPROXIMATELY \$159,825.00.

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

In response to a question by Ms. Vera, Mr. George K. Noe, Director of Management Services, spoke to how this personnel study will dovetail with the Loaned Executive Program involving private businesses, as recommended by the ad hoc Budget Review Committee. He addressed what this study will encompass and discussed the difficulty of estimating any possible changes in job classifications, prior to completion of the study.

Mr. Alex Briseno, City Manager, explained certain past personnel studies performed for the City, and addressed plans to implement any recommendations coming from the newest study.

Ms. Rosa Rosales, representing the National Association of Government Employees, spoke in support of the concept for the study, but questioned its need when a similar job study was performed in 1986. She also spoke of another such study performed back in 1984 which highlighted

a lack of women in responsible positions in City government in San Antonio, especially minority employees of the City. She spoke in support for an action plan which implements changes in classification disparities among the City's non-uniformed employees.

Ms. Angie Garcia, also representing NAGE, addressed the need to upgrade City employees' pay and positions.

Mr. Noe and Mr. Briseno briefly explained the status of implementation of the 1986 study which was a diagnostic study which called for this proposed personnel study being sought today. They also addressed why portions of the 1986 study were not implemented, due to financial problems.

Mr. Briseno noted that the "1984 study", alluded to by the first speaker, was actually an internal study performed by a Personnel Department intern. He then reviewed some of the suggestions made in that report which have been further studied and some implemented.

In response to a question by Ms. Berriozabal, Mr. Noe noted that only about 6,800 non-uniformed City employees will be affected by this new proposed personnel study. He then spoke to the sampling of employees by job classification.

Mr. David Eisenlohr, representing Ralph Andersen and Company, Dallas, explained plans of his firm to interview City employees.

Ms. Berriozabal spoke to problems with low pay for such jobs as librarians and nurses, both areas that are dominated by women, and suggested that the City implement a plan to target certain of these job classifications and categories where problems are known to exist.

Mr. Briseno spoke of certain job upgrades already performed with librarians.

Mrs. Dutmer spoke of other governmental entities which already have, or are in process of performing, job classification studies on their employees. She asked for reevaluation of the matter of set automobile allowances versus a per-mile compensation for automobile usage.

Mr. Wolff voiced his concern with the timing of this study and stated that he would vote against the measure.

Mr. Thompson spoke to his concern with the City having any funds with which to implement any changes recommended by this study, and spoke against comparing the local labor market with job markets of Dallas, for instance.

Mr. Briseno noted that the Council must decide what level of employee the City wants to attract, and to pay them accordingly. He then

spoke to the current City employee turnover rates because of pay levels for City employees at the present time.

In response to a question by Mayor Cockrell, Mr. Noe noted that the last comprehensive job study performed on City employees was the Kansas Denver study in the mid-1970's.

Mr. Labatt stated that he feels that the economic situation will not get better in the near-term, and addressed his fears of raising false expectations among City employees. He spoke in favor of looking at certain target job classifications in lieu of an overall study of all classifications.

Mayor Cockrell stated that she would support the City Manager's recommendations, noting that the City has not studied job classifications since the mid-1970's.

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

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90-52 ZONING HEARINGS

4. CASE 290147 - to rezone LOT 19, NCB 14595, 8122 DATA POINT DRIVE, FROM "B-2" BUSINESS DISTRICT TO "B-3" BUSINESS DISTRICT, LOCATED ON THE SOUTHEAST SIDE OF DATAPOINT DRIVE BEING 432.65 FEET NORTHEAST OF THE INTERSECTION OF FREDERICKSBURG ROAD ON DATAPOINT DRIVE AND 444.69 FEET IN DEPTH.

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

AN ORDINANCE 72,719

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 19, NCB 14595, 8122 DATA

POINT DRIVE, FROM "B-2" BUSINESS DISTRICT TO "B-3" BUSINESS DISTRICT, LOCATED ON THE SOUTHEAST SIDE OF DATAPOINT DRIVE BEING 432.65 FEET NORTHEAST OF THE INTERSECTION OF FREDERICKSBURG ROAD ON DATAPOINT DRIVE AND 444.69 FEET IN DEPTH. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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90-52 PUBLIC HEARING AND ORDINANCE CLOSING TWIN OAKS DRIVE AND UNIMPROVED ALLEY.

Mayor Cockrell declared the Public Hearing to be open.

No citizen appeared to speak on this issue.

Mayor Cockrell declared the Public Hearing to be closed.

The Clerk read a proposed ordinance closing Twin Oaks Drive and an unimproved alley.

Mr. Wolff made a motion that the matter be postponed for one week, allowing time for all involved to reach agreement on certain restrictions. Mrs. Dutmer seconded the motion.

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

Agenda Item 5 was postponed for one week.

90-52 The Clerk read the following Ordinance:

AN ORDINANCE 72,720

AUTHORIZING THE APPROPRIATION OF \$60,000.00 AND AUTHORIZING PAYMENT IN THE AMOUNT OF \$37,709.25 TO THE LAW FIRM OF GROCE, LOCKE & HEBDON AND \$3,271.17 TO THE SPORTS CONSULTANT FIRM OF DAKOTA ENTERPRISES IN CONJUNCTION WITH CONTRACT NEGOTIATIONS WITH SAN ANTONIO SPURS, INC., USING THE VIA 1/2 CENT SALES TAX; AND AUTHORIZING THE ENCUMBRANCE OF THE REMAINING PORTION FOR FUTURE LEGAL AND SPORTS CONSULTING SERVICES REGARDING THE MULTIPURPOSE DOME FACILITY.

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

In response to a question by Mrs. Dutmer, Mr. Roland Lozano, Director of Dome Development, spoke to the funding of legal matters dealing with the domed stadium construction. He stated his opinion that this is a valid expense, to be funded by the one-half-cent VIA sales tax.

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

90-52 The Clerk read the following Ordinance:

AN ORDINANCE 72,721

ACCEPTING A PROPOSAL FROM THE UNIVERSITY OF TEXAS AT SAN ANTONIO - CENTER FOR ARCHAEOLOGICAL RESEARCH TO CONDUCT PHASE III: CONSTRUCTION MONITORING FOR THE FOOTPRINT AND LAYDOWN AREAS AND DEMOLITION MONITORING FOR SITES OTHER THAN MITIGATION EXCAVATIONS OF ALL CULTURAL RESOURCES FOR THE MULTIPURPOSE DOME FACILITY PROJECT IN THE AMOUNT OF \$194,494.00; AND PROVIDING FOR PAYMENT FROM THE VIA 1/2 CENT SALES TAX.

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

In response to a question by Mrs. Dutmer, Mr. Roland Lozano, Director of Dome Development, explained the need for archeological monitoring during the dome stadium construction by the University of Texas at San Antonio, and spoke of UTSA monitors having discovered a well on the site, already.

A discussion then took place concerning the need for this monitoring, by law, and its cost. Mr. Lozano also spoke of other universities, other than UTSA, that have the capability of archeological monitoring.

Mr. Labatt noted that archeological monitoring of the domed stadium site already is up to some \$340,000, even if it was planned in the budget.

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jd/alh

Mrs. Dutmer questioned the legality of using the one-half-cent VIA sales tax funds for non-transportation matters.

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, Cockrell; NAYS: None; ABSENT: Webb, Hasslocher.

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90-52 The Clerk read the following Ordinance:

AN ORDINANCE 72,722

AUTHORIZING PAYMENT OF THE JUDGMENT IN THE AMOUNT OF \$92,428.46 IN A SUIT BY FIREFIGHTERS FOR OVERTIME DUE IN CAUSE NO. SA-88-CA-0354, GILBERT ZEPEDA ET AL. VS. CITY OF SAN ANTONIO, TEXAS; AND DECLARING AN EMERGENCY.

* * * *

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

Mrs. Dutmer questioned why this case was so long in resolution.

In response, Mr. Lloyd Garza, City Attorney, explained how the case was abbreviated by the City, in lieu of exhausting all appeals.

Mrs. Dutmer noted the relative small amounts of money being paid to the fire-fighters concerned.

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, Cockrell; NAYS: None; ABSENT: Webb.

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90-52 The Clerk read the following Ordinance:

AN ORDINANCE 72,723

AUTHORIZING THE DESIGNATION OF THE CHILD CARE MANAGEMENT SERVICES PROJECT (CCMS) OF THE DEPARTMENT OF HUMAN RESOURCES AS THE OFFICIAL ALAMO SERVICE DELIVERY AREA DAYCARE BROKER FOR PROGRAM YEAR 1990 AND DECLINING THE BIDS FROM BOTH THE YWCA AND

DEPENDENT CARE MANAGEMENT FOR THIS SERVICE, CONTINGENT UPON THE APPROVAL OF THE ALAMO SERVICE DELIVERY AREA PARTNERS; AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR SAID BROKERAGE SERVICES; AND REVISING THE BUDGET UPON FINAL SELECTION OF DAYCARE BROKER.

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Mr. Kevin Moriarty, Acting Director, Department of Economic and Employment Development, briefly explained the background of the proposed ordinance, and the three options for designation as 'daycare broker'. He noted that, because of lengthy delays in enactment of an ordinance to designate the 'daycare broker', only 32 persons per month are being assisted by the program, compared to more than 200 per month last year. He noted that, ultimately, the entire matter will go to the governor's office for a final decision. He noted further that only some \$250,000 is at stake here.

Mr. Labatt made a motion to approve the staff recommendation of CCMS as the 'daycare broker'. Mr. Hasslocher seconded the motion.

Ms. Berriozabal spoke of the pending Job Training Partnership Act allocations of millions of dollars for day care funding in the future, and the importance of the Council's decision on this matter today. She stated her belief that all the confusion surrounding this issue came about because the City staff and the Private Industry Council had no set plan for handling this.

Mr. Moriarty stated that his department would draft such a plan as part of its ongoing program in this area. He stated his belief that the currently-appointed PIC board will arrive at a different recommendation than that of the previous board, last summer. He briefly explained the remaining steps to be taken, in order to secure final approval of this recommendation.

In response to a question by Mr. Martinez, Mr. Erick Akins, Executive Director, Private Industry Council, addressed the actions and recommendations of the PIC board on this matter, to approve Dependent Care Management Group as 'daycare broker'.

Ms. Berriozabal spoke in favor of the City staff recommendation, to move this issue toward resolution.

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, Cockrell; NAYS: None; ABSENT: Webb.

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jd/alh

90-52 PUBLIC HEARING AND CONSIDERATION OF ORDINANCE RELATIVE TO
RV'S AND OVERSIZED VEHICLES

Mayor Cockrell declared that there would be a 30-minute time limit on major groups speaking to this issue, including those representing the recreational vehicle industry and viewpoint, and representatives of the neighborhood groups. She noted that, for non-affiliated persons, appropriate time would be given for them to be heard, as well.

Mayor Cockrell then declared the Public Hearing to be open.

Mr. Tom Finlay, Assistant City Attorney, reviewed the history of the RV ordinance and its enforcement, the proposed new amendments and legal matters involved. He spoke to negotiations that took place preceding recent Zoning Commission action on the proposed amendments, and detailed those proposed amendments, including the change of the title of the ordinance to reflect "oversized vehicles" instead of "recreational vehicles", by name. He then addressed the major proposed changes to the ordinance.

A videotape recording was presented, narrated by Code Compliance Director Martin Rodriguez, outlining by example the proposed new amendments and their effects upon oversized vehicles.

Mr. Rodriguez noted that the proposed amendments envision measurements being taken from the curb-line, as a convenience to all concerned.

A group of speakers representing the San Antonio Coalition of Neighborhood Organizations (SACNA) then presented their cases.

Ms. Rita O'Brien, representing SACNA, addressed her group's major objections to the proposed amendments.

Mr. Benny Newman, chairman of a coalition of some 15 northside neighborhood organizations, refuted major spoken arguments in favor of allowing unlimited oversized vehicle parking in residential areas.

Ms. Anne Leonard, representing SACNA, spoke to the obscuration of vision by parked oversized vehicles in residential areas, as a safety matter.

Ms. Jo Ann Holcomb, president, Hunters Creek Neighborhood Association, spoke against parking of oversized vehicles in residential areas.

Mr. Jimmy Tucker, representing SACNA, spoke of the hazards of

oversized vehicles in neighborhoods, noting his feeling that what City staff recommends cannot be enforced.

Mr. Russell Lindley, 422 Hathaway Drive, stated his belief that most oversized vehicles don't park in residential areas.

Mr. David Shannon, representing the Oak Park Neighborhood Association, addressed his group's concerns for parking oversized vehicles in residential areas.

Ms. Virginia Cooper, representing the same organization, read from a letter written by a senior citizen and speaking of that citizen's experiences with having an oversized vehicle parked next door, and the adverse impact it had on the sale of her home. The letter is made a part of the papers of this meeting.

Ms. Billie Godsey, 1623 Cincinnati Avenue, distributed to the Council a set of photographs showing an oversized vehicle in her neighborhood and its impact upon her property. She spoke to various problems with oversized vehicles parked in the neighborhood.

Ms. June Kachtik, chairman of the Executive Committee of SACNA, noted that this is a complicated issue, and spoke to the preservation of peace in residential neighborhoods, stating her group's preference that the present ordinance be kept in place.

A group of citizens from the recreational vehicle industry and persuasion then spoke.

Mr. Bill Gamble, 7411 Green Glen, president of the Association to Protect the Constitutional Rights of RV'ers, spoke to the safety of recreational vehicles which use propane as fuel, and addressed the large number of persons surveyed who favored RV's and oversized vehicles.

Mr. Al Rohde, 7300 Blanco Road, stated that he has been in the KOA system for some 23 years, and spoke of the large group of RV supporters in the audience today. He noted that RV campground business has been down in San Antonio this year, and spoke of the need to reach a compromise in this matter. He also noted that the newer RVs are being manufactured 8 1/2 feet in width, so they automatically would conflict with the proposed ordinance amendments. He stated his belief that oversized vehicles should be allowed to park in residential areas, as far toward the street as the front sidewalk. He further stated that he fears more legal action may be forthcoming over the new revised ordinance.

Mr. Fred Grohman noted that, under the law, aesthetics alone cannot prohibit the parking of RV's and other oversized vehicles in residential areas, and asked that the ordinance provisions be reconsidered. He also spoke to other argument points against the oversized vehicle ordinance.

Mr. Charles Rose, 5801 Royal Ridge, spoke to problems encountered by parking his recreational vehicle at his home and at other locations in the city.

Mr. F. C. Dohrman, representing Family Motor Coach Association, Weslaco, Texas, stated that San Antonio would be dropped from his association's rotating convention site list if the oversized vehicle ordinance is not agreeable to him.

Mr. Mark Skinner, 2211 Austin Highway, representing the Texas Recreational Vehicle Association, spoke in support of the views held by those representing oversized vehicles, such as RV's.

Mr. Perry Van Osdol, representing the International Good Sam Auto Clubs, spoke to the various uses for oversized vehicles, other than purely recreational uses.

There being no further citizens to speak on this matter, Mayor Cockrell declared the Public Hearing to be closed.

The Clerk read the following Ordinance:

AN ORDINANCE 72,724

AMENDING SECTION 19-194 OF THE CITY CODE AND CERTAIN SECTIONS OF CHAPTER 35 OF THE CITY CODE, TO PROHIBIT PARKING OF OVERSIZED VEHICLES ON RESIDENTIAL STREETS DURING CERTAIN HOURS, TO REGULATE PARKING OVERSIZED VEHICLES ON PRIVATE PROPERTY IN VIOLATION OF PROVISIONS HEREOF PERTAINING TO PARKING ON CITY STREETS SHALL BE A CIVIL OFFENSE PUNISHABLE BY A CIVIL PENALTY NOT TO EXCEED \$200.00 AND VIOLATION OF PROVISIONS HEREOF PERTAINING TO PARKING ON PRIVATE PROPERTY SHALL BE A MISDEMEANOR, PUNISHABLE BY A FINE NOT TO EXCEED \$2,000.00.

* * * *

Mr. Hasslocher spoke to the need for a fair compromise in this matter, and stated that he cannot vote for a harsh ordinance that forces economic hardships upon those with oversized vehicles. He spoke in favor of some form of 'grandfathering' for currently-owned oversized vehicles in the City.

Mr. Labatt addressed several options, including his own proposal which differs from the City staff recommendation. He spoke to his desire to see a 25-foot setback from the curb-line, with 15 visit-days per year allowed for oversized vehicles in residential areas. He stated his belief that the matter of visibility and safety is a major concern in this

matter.

Mr. Thompson spoke against limiting or restricting the number of days allowed, and stated his belief that the law should work, given exceptions.

(At this point, Mayor Cockrell was obliged to leave the meeting. Mayor Pro Tem Martinez presided.)

Ms. Vera stated her belief that oversized vehicles such as RV's fall within the category of attractive nuisances and explained why she will support the compromise, or alternative, plan offered.

In response to a question by Ms. Berriozabal, Mr. Finlay explained that the SACNA position is that oversized vehicles should be restricted to parking in back of the building setback line, parked on the side-yard in the rear, behind a screen fence. He then explained the City staff's compromise recommendations.

A discussion then took place concerning the various alternatives and variables of the issue.

Ms. Berriozabal spoke to her concern for allowing the parking of oversized vehicles in residential areas, and the impact it would have on different neighborhoods. She spoke in favor of a compromise that is legally-enforceable.

(Mayor Cockrell returned to preside over the meeting.)

Mr. Wolff quoted from correspondence handed out by the recreational vehicle association, asking for a compromise on setback lines for parking of oversized vehicles, and spoke to the safety issue of blocking views in residential areas, similar to other City regulations that do not allow fences or hedges all the way to the street. He spoke in favor of the staff alternative, favoring a 25-foot setback from the curb-line.

Mrs. Dutmer noted that the City will react to complaints of violations of the ordinance, and spoke in favor of the 25-foot setback from the property line, not the curb-line, because of driveway depth problems in many neighborhoods. She spoke in objection to threats made to boycott San Antonio by recreational vehicle groups.

Mr. Thompson spoke in favor of the 15-foot curb-line setback rule.

Mr. Wing stated his belief that owners of oversized vehicles have the right to do as they wish on their own property, and stated that the City must 'grandfather' current oversized-vehicle owners, if it enacts new restrictions.

In response to a question by Mr. Hasslocher, Mr. Steve Worley, Fire Marshal, stated that his records reflect little experience with fires in recreational vehicles, and research shows it not to be a major problem. He urged the 'grandfathering' of current oversized-vehicle owners, should new, more restrictive regulations be approved by the Council, including a 15-foot setback from the curb-line.

A discussion then took place concerning possible registration for 'grandfathering' of current owners of oversized vehicles in the city.

Mr. Webb stated his opinion that the City staff cannot effectively regulate more laws such as this, and stated further that he cannot support the ordinance.

Mr. Labatt made a motion to approve the proposed Ordinance with the staff-recommended alternative. Ms. Berriozabal seconded the motion.

Mr. Thompson made an Amendment to substitute a 15-foot setback from the curb-line, in lieu of a recommended 25-foot setback. Mr. Hasslocher seconded the motion.

The amendment to the main motion, to substitute a 15-foot setback from the curb-line, in lieu of a recommended 25-foot setback, carried by the following vote: AYES: Webb, Dutmer, Wing, Martinez, Thompson, Hasslocher, Cockrell; NAYS: Berriozabal, Vera, Wolff, Labatt.

A brief discussion then took place concerning possible time limits for visits by oversized vehicles into residential areas.

Mrs. Dutmer made a second amendment to the main motion to allow parking of oversized vehicles in residential areas only in unrestricted areas; and that no habitation or occupancy of a parked oversized vehicle be allowed in residential areas. Ms. Vera seconded the motion.

Following discussion, the maker and seconder of the second amendment withdrew their motion from consideration.

Mr. Labatt made a new second amendment to allow parking of oversized vehicles in residential areas only in unrestricted areas; and that no habitation or occupancy of a parked oversized vehicle be allowed in residential areas. Mrs. Dutmer seconded the motion.

A discussion then took place concerning the matter of inconvenience for visitors taking oversized vehicles into residential areas for extended stays.

Mr. Thompson then made an amendment to the second amendment that a 10-day maximum occupancy limit be established, per oversized vehicle, per stay in a residential area. Mr. Hasslocher seconded the

motion.

The amendment to the second amendment failed by the following vote: AYES: Thompson, Hasslocher; NAYS: Berriozabal, Webb, Dutmer, Wing, Martinez, Vera, Wolff, Labatt, Cockrell; ABSENT: None.

Mr. Thompson then made a new amendment to the second amendment that occupancy of oversized vehicles parked in residential areas be restricted to a maximum of 10 consecutive days, with a maximum of three such 10-day stays allowed per year. Mr. Wolff seconded the motion.

The vote on the new amendment to the second amendment prevailed by the following vote: AYES: Dutmer, Thompson, Vera, Wolff, Labatt, Hasslocher; NAYS: Berriozabal, Webb, Wing, Martinez, Cockrell; ABSENT: None.

The second amendment, as amended, prevailed by the following vote: AYES: Webb, Dutmer, Thompson, Vera, Wolff, Labatt, Hasslocher, Cockrell; NAYS: Berriozabal, Wing, Martinez; ABSENT: None.

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

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90-52 The City Council recessed its regular meeting at 7:00 P.M., reconvening at 7:12 P.M.

- - -
90-52 The Clerk read the following Resolution:

A RESOLUTION NO. 90-52-61 .

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OPPOSING THE RELOCATION OF THE CRESTHAVEN CHILDREN
AND ADULT CENTER TO 3700 BELGIUM LANE.

* * * *

Mayor Cockrell stated that each side of this issue would be allowed up to 30 minutes to speak.

A group of citizens spoke at this time in favor of a City Council Resolution opposing construction of the facility.

Mr. Calvin R. Kennedy, representing the United Homeowners Improvement Association, spoke in opposition to the relocation of this home into a proposed new site at 3700 Belgium Lane, and addressed a brief

history of development of the affected area.

Mr. Raymond Murphy, representing the same organization, spoke to the three levels of mental retardation, and noted that the Center has a population in excess of 200 persons. He then spoke to their various illnesses and treatments.

Ms. Beth Taylor, representing the same organization, noted that Senator Frank Tejada, with whom she works, would be sending a letter to Beverly Enterprises, opposing this relocation. She asked for rezoning of the surrounding area and denial of building permits for the facility construction, voicing her concerns for crime, increased traffic, the matter of accessibility to homes in the area, and the single-family residential nature of the area. She stated her belief that the site of the new Center should be one of the 15 other possible sites studied by the owners, including several on the City's east side, but in other sectors.

Ms. Ernestine Pierce, representing the same organization, reiterated statements made by previous speakers, and asked the Council to halt construction of the facility.

Mr. Gerald K. Epps, 3607 Willowood, president of the organization, took exception to the manner in which this project was introduced into the new location. He asked the City to initiate rezoning of the vacant property to uses more compatible with existing uses.

Mr. Leon Thomas reiterated previous statements on the matter and urged the Council to consider the neighborhood and impact on the area, should the proposed project be built.

Ms. Sharon Flippen, representing Beverly Enterprises, owner of the Center, spoke to the level of concern expressed by area residents, and expressed pride in the facility to be built on the site in question. She spoke of the facility as housing a special segment of the community and spoke to the dialogue which should have taken place. She also addressed the number of jobs provided to the east side community of San Antonio and presented a written fact-sheet on the facility, a copy of which is made a part of the papers of this meeting. She also noted that 98 per cent of the residents of the facility do not come from state schools, but rather from families who cannot handle them.

Mr. Vince Shepherd, Director of Cresthaven, spoke to the procedures by which they employ persons for the facility, noting that they do not hire anyone with a criminal record

Ms. Flippen spoke to the planned facility itself, noting that the company is willing to work with the neighborhood representatives to address their concerns.

Ms. Annette Davis, Cresthaven employee, spoke of the clients

served at the Center and noted that she is looking forward to working in the new facility.

Mr. Jack Petry, representing the Association of Retarded Citizens, stated that persons who are mentally retarded are discriminated against because people do not understand them.

Mr. Lawrence Harris, resident of Cresthaven and also an employee of the firm, stated that there is no crime problem in the facility because of the screening process used during the application procedure.

Ms. Nancy Cunningham, Director of the Retired Senior Volunteer Program (RSVP), stated that Cresthaven has been an excellent facility which has served her family, and asked the City Council to recognize the need for this facility.

Large contingents of persons were on hand in the audience, representing both sides of this issue.

Mayor Cockrell read, for the record, a letter received from State Rep. Karyn Conley, opposing the proposed relocation of Cresthaven to 3700 Belgium Lane. A copy of the letter is made a part of the papers of this meeting.

Mr. Webb noted that VIPs normally are notified of such important groundbreaking, which was not done in this case. He stated his opinion that Beverly Enterprises appeared to 'sneak into the area' and onto a location only 75 yards from an elementary school. He spoke of his concern for the two per cent of the Center's residents who might adversely impact the school, and stated his belief that other areas of the city are available for location of Cresthaven, other than this site, areas which are not in the midst of three residential subdivisions and near an elementary school. He stated that he is not opposed to the clients served by Cresthaven, only this location, and asked that a new location be found for the facility.

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

Mr. Lloyd Garza, City Attorney, spoke to Cresthaven's conformance with City zoning laws and noted that the only thing the City Council can do is to ask that a new location be found for this facility.

Ms. Berriozabal stated that she would support the Resolution because residents of the area were not properly notified in advance of the groundbreaking. She stated her opinion that neighborhood opposition will cause the Center to be relocated to another area, and spoke to the vulnerability of neighborhoods. She asked that the City's Department of Human Resources and Services undertake to work with Cresthaven representatives and assist them in locating a new site for the facility.

Mr. Wolff stated his opinion that it is the responsibility of the state to notify affected jurisdictions of any such changes by like facilities, and that neighborhoods should be aware of what is being located in their areas. He further noted that old zoning laws were at fault, in this case, and expressed his opinion that it may be a problem if Beverly Enterprises already has closed on the property in question, legally.

Mr. Hasslocher noted that the property is zoned LL Manufacturing, meaning that a manufacturing plant can be located here, as well. He stated his opinion that this proposed use for the site is not worse than a manufacturing plant would be to the neighborhood. He also noted that the City cannot legally forbid the firm from locating this facility on this site.

Mrs. Dutmer spoke in support for the Resolution, but noted that the state needs to enact legislation to take care of the mentally retarded, itself.

Mayor Cockrell also spoke in support for the Resolution, though she empathizes with the mentally-retarded. She stated that the Council must be concerned for the City's neighborhoods, and stated that she would be willing to work with Beverly Enterprises in this matter at hand.

Mr. Thompson stated that he cannot support the Resolution.

Mr. Labatt spoke of the quandry this places him in, given his background as the first director of the SAMM Shelter, but that he cannot in good conscience say "no", in this case at hand.

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

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90-52 The Clerk read the following Ordinance:

AN ORDINANCE 72,725 .

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BANNING ALCOHOLIC BEVERAGES AND GLASS CONTAINERS AT WESTWOOD VILLAGE PARK LOCATED AT 1300 MILITARY DRIVE, ESTABLISHING A DECEMBER 15, 1990, EFFECTIVE DATE FOR SAID BANS, AND SETTING A FINE NOT TO EXCEED \$500.00 UPON CONVICTION OF ANY VIOLATION OF THOSE BANS.

* * * *

Mr. Wing 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, Thompson, Wolff, Labatt, Hasslocher, Cockrell; NAYS: None; ABSENT: Martinez, Vera.

90-52 The Clerk read the following Ordinance:

AN ORDINANCE 72,726

APPROVING AND RATIFYING CHANGE ORDER NO. 22 TO CITY OF SAN ANTONIO/CLEARWATER CONSTRUCTORS, INC./TRIPARTY DOWNTOWN TRANSPORTATION IMPROVEMENTS CONTRACT IN THE NET INCREASE AMOUNT OF \$32,705.42 AND TRANSFERRING AND APPROPRIATING FUNDS AND AUTHORIZING PAYMENT.

* * * *

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

90-52 The Clerk read the following Ordinance:

AN ORDINANCE 72,727

APPROVING THE REQUEST OF THE ARTHRITIS FOUNDATION - SOUTH CENTRAL TEXAS CHAPTER FOR A PERMIT TO CONDUCT THE JINGLE BELL RUN FOR ARTHRITIS TO BE HELD ON DECEMBER 15, 1990, FROM 8:00 A. M. UNTIL 11:00 A. M. IN PART OF DOWNTOWN SAN ANTONIO, AUTHORIZING THE ISSUANCE OF A PERMIT AND TEMPORARY PARTIAL CLOSURE OF CERTAIN STREETS.

* * * *

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

A discussion took place concerning negotiations that have taken place to solve the problems involved and allow the run to take place.

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

90-52 The Clerk read the following Ordinance:

AN ORDINANCE 72,728

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH C. THOMAS KOCH, INC. IN AN AMOUNT NOT TO EXCEED \$95,000.00 FOR THE PROVISION OF TECHNICAL ASSISTANCE SERVICES RELATING TO WASTEWATER ISSUES DURING THE FY 1990-91; AND PROVIDING FOR PAYMENT.

* * * *

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

In response to a question by Mr. Thompson, Mr. Joe Aceves, Director of Public Works, noted that Thomas Koch is being hired for his expertise in environmental engineering, and briefly explained this expertise. He then spoke of the complexity of the permitting process.

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

90-52

CITIZENS TO BE HEARD

MR. JESSE E. WRIGHT

Mr. Jesse E. Wright, 4403 Chesapeake Drive, spoke to the just-concluded neighborhood protest over location in their neighborhood of a facility for the mentally-retarded, and addressed what happened to his brother. He spoke to the need for such a facility and voiced his concern for objections to a permit over such a need.

* * * *

MR. MARIO G. BRAVO

Mr. Mario G. Bravo, representing the North St. Mary's Merchant Association, spoke to the upcoming MTV Block Party along the North St. Mary's strip and noted that the recent agreement signed in relation to this event has prohibited attendance by anyone under the age of 21. He suggested that the age-limit be lowered to 18.

Mr. Joe Aceves, Director of Public Works, stated that his staff was advised during negotiations that this event would have the same stipulations as the Halloween Party event in the same location, an event which dictated an age restriction to those 21 and over. He stated further that the agreement was drafted in this manner and for this reason.

Mr. Lloyd Garza, City Attorney, explained that, in order to make the requested change, the enabling ordinance enacted by the City Council would have to be rewritten and amended. He then stated that state law requires a minimum amount of time between the posting of such an amended ordinance consideration, and any actual action by the City Council, some 72 hours, and that this could not be complied with, given the starting time of the MTV party event this coming weekend.

Mr. Bravo expressed his concern that limiting the event to those over the age of 21 would be difficult to enforce and may cause problems by sponsors having to turn away those under that age-limit.

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90-52

CITY MANAGER'S REPORT

"ALAMO CITY HEAT"

Police Chief William Gibson spoke to the background of the "Alamo City Heat" police rock band, and noted that H. E. Butt Grocery Company wants the program to continue, and has produced a videotape recording of an "Alamo City Heat" performance recently that the grocery chain desires to sell in their retail outlets, with part of the proceeds going to the support of the band.

A brief VTR segment of the performance was shown to the City Council, as a sample of the soon-to-be-retailed recording by HEB.

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NEW POLICE CADET CLASS

Mr. Alex Briseno, City Manager, distributed to Council members a memorandum concerning his answer to Mayor Cockrell's request that a new 40-person cadet class be started in the Police Academy as soon as practicable. He stated that he has asked the Fire and Police Civil

November 29, 1990

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.

- November 14, 1990 Petition submitted by Mr. James Bibbs, on behalf of residents of the 2400 block of Wyoming Street requesting that the City Council consider the improvement of Wyoming Street.
- November 19, 1990 Petition submitted by Mr. Patricio S. Perez, Jr., 203 Joe Blanks, San Antonio, Texas 78237 requesting permission to transfer his cab permits to Theresa S. Perez.
- November 19, 1990 Petition submitted by Mr. Robert Cervantes, Mobile City, Route 2, Box 424 (IH 10 at Camp Bullis Road) San Antonio, Texas 78249, requesting the annexation of his property at 19830 Shady Lane by the City of San Antonio.

Service Commission to extend the current Police Officer list for some 60 days past its normal expiration date, in order to draw probationary cadets from that list for the new cadet class. He stated that, as a result, he would be ordering cancellation of the proposed new testing for an eligibility list for new applicants for Police Officer, scheduled to be held December 10, 1990. He noted that he expected to have a new police cadet class of about 40 persons begin at the Police Academy in late January 1991.

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90-52 There being no further business to come before Council, the meeting was adjourned at 9:15 P.M.

A P P R O V E D

Lila Cockrill

M A Y O R

ATTEST

Thomas S. Rodriguez
C i t y C l e r k

November 29, 1990
jd/alh

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