

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, JULY 16, 1987.

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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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87-34 The invocation was given by Reverend Lyn Means, Eisenhower Road Baptist Church.

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87-34 The members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

87-34 CHOLESTEROL AWARENESS WEEK

Mayor Cisneros spoke of the new cholesterol testing sponsored by the Y.M.C.A. and KSAT Television and he read a proclamation designating the week July 10 - 19, 1987 as Cholesterol Awareness Week in San Antonio.

A representative of the sponsoring groups received the proclamation from the Mayor and thanked the Mayor and City Council for the recognition.

Individual members of the City Council then underwent cholesterol screening as part of the test program.

87-34 DELEGATION FROM KUMAMOTO, JAPAN

Mayor Cisneros spoke of the presence of a delegation from the city of Kumamoto, Japan, here to discuss the possible formation of a possible sister city formation relationship between their city and the city of San Antonio.

Mayor Cisneros then briefly described the city of Kumamoto, Japan and its surrounding area, noting that both Kumamoto and San Antonio have much in common including the drawing of their prime water supply from an underground aquifer. He then formally introduced the seven members of the

Japanese delegation and asked them to come forward to be recognized.

He identified the woman member of the delegation, as San Antonio's representative in Japan as that nation's representative to the Austin-San Antonio Corridor Council.

Mayor Cisneros then presented gifts to the members of the delegation.

Mr. Kazukuma Mikuriya, speaking through an interpreter spoke of the honor of this visit with the Mayor and City Council and the reasons for the delegations visit to San Antonio. He spoke of the many similarities of the two cities and of the pioneering spirit of San Antonio in the development of history of the city. He noted that both cities must plan now for the growth of their respective cities into the next century and he spoke in hope for a lasting friendship between the cities of Kumamoto and San Antonio.

Mr. Mikuriya presented a special message to Mrs. Dutmer from the Mayor of Kumamoto.

Mrs. Dutmer read the message speaking of the Mayor of Kumamoto's desire to strengthen the relationship between the two cities.

Mr. Mikuriya then presented the members of the City Council with individual books and special gifts from Kumamoto City.

Members of the City Council as well as members of the delegation then exchanged individual greetings.

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CITY EMPLOYEES SCHOLARSHIP PROGRAM

Mayor Cisneros introduced the four scholarship winners and their parents asking all to come forward to be recognized.

Mr. Joe Constantino, Director of Personnel, explained how the scholarship program was created last year by city employees and the fact that these are the first four scholarship winners to be given scholarships.

Each scholarship winner then spoke of their college plans.

Mayor Cisneros then formally presented the scholarship to each of the winners and congratulated them.

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87-34SWEARING-IN OF BOARD MEMBER

Mayor Cisneros asked Norma S. Rodriguez, City Clerk, to administer the Oath of Office to Mr. K.W. Houston. A member of the Convention and Visitors Bureau Advisory Committee and now being sworn in for his eleventh year as a member of that board.

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87-34 The minutes of the City Council meetings of June 25, 1987 and July 2, 1987 were approved.

87-34 CONSENT AGENDA

Mrs. Dutmer made a motion to approve Agenda Items #6 - 25, constituting the Consent Agenda, with the exception of Items #13, 18, and 23, which were pulled for individual consideration. Agenda item #19 was previously pulled by the City Manager. Mr. Wing seconded the motion.

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

AN ORDINANCE 65,332 .

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 . ACCEPTING THE LOW BID OF OMNI LIFTS, INC. TO FURNISH THE CITY OF SAN ANTONIO CONVENTION FACILITIES WITH ELEVATOR/ESCALATOR MAINTENANCE ON A CONTRACT BASIS FOR AN ESTIMATED TOTAL OF \$14,952.00 ANNUALLY.

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AN ORDINANCE 65,333 .

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 . ACCEPTING THE LOW BID OF CATO ELECTRIC COMPANY TO FURNISH THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH THE REPLACEMENT OF LIGHT POLES AT PITTMAN-SULLIVAN BASEBALL FIELD FOR A TOTAL OF \$10,500.00.

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AN ORDINANCE 65,334 .

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 . ACCEPTING THE PROPOSAL OF IBERBOOKS, COMPANY, INC., TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH SPANISH LANGUAGE BOOKS FOR A TOTAL OF

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\$17,386.22.

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AN ORDINANCE 65,335 .

ACCEPTING THE PROPOSAL OF GENERAL ELECTRIC SUPPLY COMPANY TO FURNISH THE CITY OF SAN ANTONIO ENVIRONMENTAL MANAGEMENT DEPARTMENT WITH LOAD TRAC II REPAIRS FOR A TOTAL OF \$3,261.00.

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AN ORDINANCE 65,336 .

ACCEPTING THE BID OF THE TRANE COMPANY TO MAKE EMERGENCY REPAIRS TO THE AIR CONDITIONING SYSTEM AT THE MAIN LIBRARY FOR A TOTAL OF \$5,955.00.

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AN ORDINANCE 65,337 .

ACCEPTING THE LOW QUALIFIED BIDS OF INDIAN SPRINGS MANUFACTURING COMPANY AND MOODY BROTHERS, INC., TO FURNISH THE CITY OF SAN ANTONIO TO FURNISH THE CITY OF SAN ANTONIO ENVIRONMENTAL MANAGEMENT DEPARTMENT WITH CHLORINE CYLINDER REPAIR KITS FOR A TOTAL OF \$6,870.00.

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AN ORDINANCE 65,338 .

AUTHORIZING \$7,440.00 TO BE EXPENDED FROM THE DISTRICT 8 PEDESTRIAN ACCESS FUND TO COVER COSTS TO COMPLETE INSTALLATION OF THE TRAFFIC SIGNAL LIGHT AT THE INTERSECTION OF BITTERS ROAD AND BLANCO ROAD.

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AN ORDINANCE 65,339 .

AUTHORIZING \$8,633.00 FOR PARTICIPATION WITH THE CITY OF LEON VALEY FOR RECONSTRUCTION OF THAT PORTION OF ALTHEA DRIVE WITHIN THE CITY LIMITS OF SAN ANTONIO IN RELATIONSHIP TO THE EVERS ROAD BRIDGE AT EAST FORK OF APACHE CREEK PROJECT.

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AN ORDINANCE 65,345

ACCEPTING THE FISCAL YEAR 1987 SECTION 17 RENTAL REHABILITATION PROGRAM ENTITLEMENT GRANT IN THE AMOUNT OF \$884,000.00; CERTIFYING COMPLIANCE WITH THE GRANT CONTRACT ASSURANCES; ESTABLISHING A GRANT FUND ACCOUNT AND APPROPRIATING THE TOTAL OF \$884,000.00 TO THE PROJECT.

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AN ORDINANCE 65,346

ACCEPTING THE PROPOSAL FROM FISHER HECK, INC., IN THE AMOUNT OF \$9,600.00 TO DESIGN PHASE II OF THE RIVERWALK LIGHTING IMPROVEMENTS PROJECT.

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AN ORDINANCE 65,347

APPROVING AMENDMENTS TO THE CURRENT CONTRACT OF THE SAN ANTONIO PUBLIC LIBRARY WITH THE TEXAS STATE LIBRARY.

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87-34 The Clerk read the following Ordinance:

AN ORDINANCE 65,348

AUTHORIZING AN ADDITIONAL \$10,000.00 TO THE CONTRACT OF RABA-KISTNER CONSULTANTS, INC., FOR ADDITIONAL MATERIALS TESTING DURING THE CONSTRUCTION OF THE HEMISFAIR PARKING GARAGE TO INSURE COMPLIANCE OF THE CONSTRUCTION WITH THE SPECIFICATIONS.

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Mr. Labatt voiced his concern that the city is incurring expenses on the Hemisfair Plaza Parking Garage which he feels should properly be incurred by Encore Development Corporation which was given an eighteen month hiatus by the city from construction of the Sheraton Hotel and Parking Garage.

Mr. David Garcia, Special Projects Manager, Office of the City Manager, stated that the city plans to seek to recover these expenses incurred by the city as a result of allowing the eighteen month hiatus on

the Sheraton Hotel construction.

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

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

87-34 The Clerk read the following Ordinance:

AN ORDINANCE 65,349

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT, IN THE AMOUNT OF \$327,000.00, WITH AMNER, INC. FOR ENGINEERING SERVICES IN CONNECTION WITH THE AIR CARGO FACILITY - PHASE I PROJECT AT INTERNATIONAL AIRPORT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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Mr. Louis J. Fox, City Manager, explained the background of the requested ordinance including the selection of Amner, Incorporated for engineering services involved. He stated that some two months after opening of the initial proposals the city felt the economy required certain changes to be made to the project for the air cargo facility, as a result another request for proposals was advertised and another bidder was then selected on the second round and the original selectee filed a protest as a result. He noted that the special selection committee on the air cargo facility had recommended another firm but he had overruled the selection committee's recommendation and felt that the proper award should be made to the original firm involved, that being Amner, Incorporated.

Mr. Charles Reed, Vice President of Dabney Group, Incorporated, spoke to the background of his firms projects, both public and private. He then addressed the background of the selection process to solicit statements of interest in regard to the air cargo facility and he stated that he feels his firm should have been properly selected and awarded the job. He stated that in his opinion, Amner, Incorporated was never issued a contract, and his firm on the second round of proposals was selected by the selection committee to be the contractor. He stated that he feels the change in the scope of the project which necessitated the second round of proposals thereby eliminated Amner, Incorporated because it did not call for the need for an architectural firm. He then asked the City Council to reverse the City Manager's recommendation or call a full hearing before the contract is awarded.

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Mr. Fox reexplained to the Council his decision to reject the selection committee's new recommendation and to award the job to the original selectee, Amner, Incorporated.

Mr. Reed spoke to alleged "scandals" in certain other airport jobs in other cities and stated his feeling that San Antonio cannot afford to have such allegations made about it.

Mr. Ernie Arredondo, a representative of Amner, Incorporated explained their selection on the first round of solicitations for the air cargo facility and to the problems then encountered, culminating in the cancellation of their award. He stated that as a result of notification of their selection on the first round of proposals the firm made certain commitments on behalf of the company for equipment required to fulfill that job. He stated that as a result he feels that the scope of work never changed on the project and his firm then spent some \$7,000 in expectation of receiving the contract.

In response to a question by Mr. Hasslocher, Mr. David Steitle, Director of Public Works, stated that the Capital Program Administration Division informed Amner, Incorporated that they had been selected but only informed them as a normal courtesy, noting that no written contract ever was tendered to Amner, Incorporated. He stated that Amner was selected because other firms which were ranked ahead of it in the selection process were ruled out because of their present load of work or their work track record.

Mr. Michael Kutchins, Director of Aviation, noted that a number of air cargo firms who were to lease space in the new air cargo facility had asked him to reevaluate the scope of work on the initial project. He stated that as a result of that coupled with the declining economy, the city decided to cancel its initial plans and to readvertise a new proposal.

In response to a question by Mr. Hasslocher, Mr. Steitle, described the makeup of the selection committee which reviewed the proposals and made the recommendations and also discussed how the two firms involved ranked on both selection processes. He stated that Amner, Incorporated did not make the so-called "short list" of finalists on either selection but that other considerations moved that firm up to its final selection in the first round.

Mr. Hasslocher stated that he feels this process has destroyed the city's credibility in this area.

Mr. Hasslocher made a motion to award the bid to Dabney Group, Incorporated. Mrs. Dutmer seconded the motion.

Mrs. Dutmer spoke of her concerns that the scope of work really did change in this matter since certain buildings were eliminated in the second set of plans. She stated that she feels the situation and the selection process now casts certain aspersions on the city.

In response to a question by Mr. Martinez, Mr. Steitle, spoke to the time sequence in the two selection procedures and actions taken.

In response to a question by Mr. Martinez, Mr. Arredondo, stated his opinion that it was a common practice for all architects and engineering firms to begin work before an actual contract is awarded.

Mr. Martinez stated that he feels the city was unfair in this area in both notification procedures.

Mr. Fox stated that this was a rare instance and an unusual situation and that his recommendation is a matter of equity. He further stated that he feels Amner is fully qualified to do the job.

At this point there was a substitute motion by Mr. Martinez to award the bid to Amner, Incorporated. Ms. Vera seconded the motion.

Mr. Hasslocher stated that he feels the case will eventually end up in court either way the Council rules and stated further that he feels the staff made a mistake in the handling of this case and he spoke of the support of the motion to give the contract to Dabney Group, Incorporated.

Mr. Labatt stated that he feels the city fouled up in this case and he proposed the City Council go on record supporting the process that no firm will receive a contract until it makes the so-called "short list".

Mrs. Dutmer asked that this matter be taken up a "B" session.

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

A second substitute motion was offered by Mrs. Dutmer to take no action in the matter. Mr. Hasslocher seconded the motion.

The vote on the second substitute motion, failed to carry by the following vote: AYES: Berriozabal, Dutmer, Wolff, Labatt, Hasslocher; NAYS: Webb, Wing, Martinez, Thompson, Vera, Cisneros; ABSENT: None.

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

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87-34 The Clerk read the following Ordinance:

AN ORDINANCE 65,350

CLOSING THE NORTH SIDE OF NUEVA STREET BETWEEN SOUTH ALAMO AND PRESA STREETS FROM 6:00 A.M., SUNDAY, JULY 19, 1987, UNTIL 2:00 A.M., MONDAY, JULY 20, 1987, FOR THE ANNUAL HISPANIC STATE FAIR SPONSORED BY THE DEPARTMENT OF PARKS AND RECREATION.

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

In response to a question by Mrs. Dutmer, Mr. Ron Darner, Director of Parks and Recreation, stated that nearby churches and hotels were consulted by the city staff concerning the closing of this street on a Sunday. He noted that this is a yearly event and briefly provided details to the Council.

Mrs. Berriozabal asked for consistency on city co-sponsorship of events. She noted that this matter is now under study by city staff.

A discussion then took place concerning the sale of beer near a church on Sunday.

Mrs. Berriozabal noted that at this point there is no firm City Council policy in this area for the city staff to follow.

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

87-34 The Clerk read the following Ordinance:

AN ORDINANCE 65,351

ADOPTING THE THIRTEENTH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT BUDGET; AND AUTHORIZING THE CITY MANAGER TO SUBMIT THE BUDGET APPLICATION AND CERTIFICATIONS TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR ENTITLEMENT FUNDS FOR THE FISCAL YEAR 1987-88 PROGRAM.

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Ms. Doris Taylor, President of ROBBED, asked for approval of her organizations "freedom budget" and spoke to details of that budget.

Mr. Ralph Green, also representing ROBBED, asked for \$100,000 for the Eastside Neighborhood Housing Services, and \$50,000 for work on the Martin Luther King Park.

Mr. Bob Cantu, representing Center City Concerned Citizens Association, asked for \$234,730 to construct an access road to Martinez Creek linking Magnolia to West Woodlawn Street along Martinez Creek.

Dr. Mike Zaccaria, representing the Greater St. Paul Square Association, asked for \$300,000 to \$400,000 for work the St. Paul Square area.

Ms. Sue Ann Pemberton-Haugh, representing the Dignowity Hill Neighborhood Association, asked for city support for housing support assistance in her neighborhood.

Mr. Jerry Haugh, representing the same group, spoke of the need to upgrade the historic areas such as Savannah, Georgia has done.

Ms. Cynthia Warrick, representing the same organization, asked for funds for housing rehabilitation in the Dignowity Hill area in addition to some \$300,000 to buy vacant houses for resale and an additional \$200,000 to rehabilitate those homes.

Mr. Tommy Lifester, representing the Handicapped Advisory Committee, noted that in his opinion, the handicapped community has been left out of the CDBG budget and he wants funding for completion of handicapped access programs in the downtown area.

Ms. Marcia Welch, representing Eastside Alliance and the IAF Network, spoke of San Antonio's record of achievement in spending CDBG funds.

Ms. Margie Torres, representing the Metropolitan Congregational Alliance, asked for support for the IAF Network package.

Father Rosendo Urrabazo, representing Communities Organized for Public Service, spoke to IAF package and he asked for its adoption as presented.

Mr. Lawrence Mitchell, representing the Eastside San Antonio Economic Development Council, spoke to the Council's funding request for the Eastside area near St. Paul Square, stating the group would like to have some \$200,000 for Phase I work, some \$150,000 for cemetery preservation and some \$600,000 to work on the New Braunfels Corridor

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project.

Mr. Joe Scott, representing the same organization, supported Mr. Mitchell's request for funds to the Economic Development Council.

Ms. Kathleen Stubing, representing the Presa Community Service Center, asked for \$200,000 to fund programs for work with juveniles.

Mr. Aaron Stanburg, President of the Southwest Communities Association, asked for funding of some \$500,000 for development of a community center in southwest San Antonio at Miller's Pond Park.

Ms. Frances Tillman, representing PACE, asked for continued development for a community center at Miller's Pond Park. She spoke of the need for a recreation area for children for that part of San Antonio.

Ms. Raquel Oliva, representing the Woodlawn Lake Community Association, asked for funds for a childrens playground, improvements to a bike way and certain street improvements in the Woodlawn Lake area.

Mayor Cisneros stated that Mr. Wing has as in the past worked over a recommended package and would now present this package to the City Council.

Mr. Wing made a motion to approve the package. Mr. Webb seconded the motion.

Mr. Wing the briefly outlined recommended projects in each City Council district and the funding amounts being recommended.

Mrs. Dutmer offered an amendment to take \$60,000 from the District 3 Housing Fund (Villa Coronado Fund) and give it to the "Homeowner Incentive Program" to assist in financing homes for borderline young homeowners. Mr. Wing seconded the motion.

Mrs. Dutmer then briefly outlined her plans for the homeowner incentive program.

Mr. Webb stated that he favors a slight adjustment in engineering work at the Crockett Street project.

Mr. Abraham Emerson, ROBBED, stated that his group would accept Mr. Wing's proposal.

Mr. Thompson and Mr. Labatt both spoke in support of the project.

In response to a question by Mr. Labatt, Mr. Andrew Cameron, City Manager's Office, discussed allocations for handicapped funding in the budget.

Ms. Vera stated that she would like to have Gardenia and Hermosa Streets added to the District 7 list of street projects but at a later date.

Mr. Martinez stated that he supports the citizen input in this process and also spoke in support of the mediated package.

Ms. Berriozabal spoke to the mediated budget package process as addressing the most critical needs of the city at this time and she spoke to the need for continued congressional support for the Community Development Block Grant Program.

Mr. Wolff applauded the democratic process used in the assembly of this mediated package.

Mr. Hasslocher thanked Mr. Wing for his hard work on the mediated package.

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

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

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87-34 ZONING HEARINGS

28. CASE Z87135 - to rezone Lot 23, Block 1, NCB 13572, In the 4400 Block of Roland Avenue from "A" Single Family Residence District to "B-3NA: non-Alcoholic Sales Business District, located on the southwest side of Roland Avenue, being approximately 118' northwest of Valleyfield Drive, having 99.19' on Roland Avenue, with a maximum depth of 161.70'.

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

Mrs. Dutmer made a motion to approve "B-2" Business District, provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. Mr. Hasslocher seconded the motion.

Mr. Andy Guerrero, Planner III, noted that nine affirmative votes would be needed by the City Council to approve this.

Mrs. Dutmer spoke in support of the motion, noting that the property is not residential in nature.

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Mr. Gordon Hartman, the proponent, asked to amend his request to a "B-2" as proposed to the Council and he spoke of plans to acquire the adjacent property for a day care center.

Mr. Guerrero noted that should the Council approve this, city staff is requesting that fencing be provided on the north and west property lines.

The addition of fencing to the north and south property lines were accepted by both the maker and seconder of the motion.

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

AN ORDINANCE 62,352

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 23, BLOCK 1, NCB 13572, IN THE 4400 BLOCK OF ROLAND AVENUE FROM "A" SINGLE 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. FURTHER PROVIDED THAT A SIX-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTH AND WEST PROPERTY LINES. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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29. CASE Z87073 S.R. - to rezone Lot 16, NCB 10978, 3300 Block of Linn road, from "B" Residence District to "O-1" Office District in addition City Council approval for a a day care center caring for over twenty children, located on the northside of Linn Road, 352.2' west of Goliad Road, having 75' on Linn Road, and a maximum depth of 256.4'.

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

Mrs. Dutmer made a motion to approve the recommendation of the Zoning Commission provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division.

Mr. Webb seconded the motion.

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

AN ORDINANCE 65,353

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 16, NCB 10978, IN THE 3300 BLOCK OF LINN ROAD, FROM "B" RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT WITH CITY COUNCIL APPROVAL FOR A DAY-CARE CENTER CARING FOR OVER TWENTY (20) CHILDREN, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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30. CASE Z87123 - to rezone a 32.47 acre tract of land out of CB 5129 and NCB 12887, from "I-1" Light Industry District and Temporary "R-1" One Family Residence District to "B-3" Business District; a 3.60 acre tract of land out of CB 5129, Northeast of the intersection of S.E. Loop 410 and U.S. Hwy. 87, from Temporary "R-1" One Family Residence District to "B-3NA" Non-Alcoholic Sales Business District, located approximately 200' north and east of the intersection of S.E. Loop 410 and U.S. Hwy 87 (Rigsby), having 1340.98; on S.E. Loop 410 and 782.70' U.S. Hwy. 87 (Rigsby) with a maximum depth of 1566.90' and maximum depth of 105.84'.

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

Mrs. Dutmer made a motion to approve the recommendation of the Zoning Commission provided that driveway approval is secured from the State Department of Highways and Public Transportation, and that off-street parking is provided and submitted for approval by the Traffic Engineering Division. Mr. Martinez seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Martinez, Vera, Wolff, Labatt, Hasslocher,

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

AN ORDINANCE 65,354

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 32.47 ACRE TRACT OF LAND OUT OF CB5129 AND NCB 12887 FROM "I-1" LIGHT INDUSTRY DISTRICT AND TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT AND A 3.60 ACRE TRACT OF LAND OUT OF CB 5129 FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-3NA" BUSINESS DISTRICT, NON ALCOHOLIC SALES DISTRICT, NORTHEAST OF THE INTERSECTION OF S.E. LOOP 410 AND U.S. HWY. 87, PROVIDED THAT DRIVEWAY APPROVAL IS SECURED FROM THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION, AND THAT OFF-STREET PARKING IS 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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BEXAR APPRAISAL DISTRICT

Mayor Cisneros noted that the City Council meeting had run past the time when the Council was scheduled to discuss the matter of the Bexar Appraisal District with the directors of that district and he noted that because of previous comments by one board member, the City Council would asked to reschedule this meeting with the directors at a later date.

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ZONING HEARINGS cont.

27. CASE Z87080-A - to rezone Lot 13C, Block 8, NCB 8084, 2503 El Jardin Street, from "B-3R" Restrictive Business District to "I-1" Light Industry District, located between S.W. 36th Street and El Jardin Road, being 342' south of U.S. Hwy 90 West, having 100' on El Jardin Street and 100' on S.W. 36th Street with a depth of 199'.

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

Mr. Andy Guerrero, Planner III, briefly explained the case and explained the city staff recommendation for denial.

Mr. Thompson stated that he supports the rezoning request, noting that if the proponent moves from this property and sells it he then personally will ask to have it rezoned to a "B-3" zoning.

Mr. Thompson made a motion to approve the recommendation of the Zoning Commission. Mr. Martinez seconded the motion.

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

AN ORDINANCE 65,355

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 13C, BLOCK 8, NCB 8084, 2503 EL JARDIN STREET, FROM "B-3R" RESTRICTIVE BUSINESS DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

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26. CASE Z87124 P.P. - to rezone an 8.2776 acre tract of land out of NCB 17847, from "O-1" ERZD Office Edwards Recharge Zone District to "O-1" Office District; a 0.8540 acre tract of land out of NCB 17847, from "B-2" ERZD Business Edwards Recharge Zone District to "B-2" Business District; a 3.5446 acre tract of land out of NCB 17847, from "B-3R" ERZD Restrictive Business Recharge Zone District to "B-3R" Restrictive Business District for the removal of ERZD designation, located on the southwest corner of N.W. Military Hwy., and Olmos Creek Drive having 848.72' on N.W. Military and 287.18' on Olmos Creek Drive, with an approximate depth of 1200' from N.W. Military Drive.

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

Mr. Seagal Wheatley, attorney for the proponent, noted that environmental and technical experts from Diamond Shamrock Company are present in the audience today to answer any technical questions the City Council might have relative to this case. He then briefly explained the

request to remove the ERZD designation on the property and he stated that he feels it was a mistake which was made in city staff mapping of the Edwards Recharge Zone which erroneously included this property in the zone in this first place. He then spoke to the investigations and reports made by the Edwards Underground Water District, the city's Aquifer Protection Office, and the Texas Water Commission, all of whom have given their assurances that this area is not in the Edwards Recharge Zone District.

Ms. Rita O'Brien, representing the Oak Meadows Homeowners Association, stated that her group supports the Diamond Shamrock request and she spoke to plans for safeguards which are proposed to prevent any spillage regardless.

Dr. Martin Meltz, representing the Aquifer Protection Association, stated that his group opposes rezoning which would allow the introduction of gasoline tanks over the Aquifer Recharge Zone. He stated further that he feels the Council needs an independent appraisal of the so-called "sensitive area", and stated further that he feels that the property in question drains into a sensitive area according to the Edwards Underground Water District. He then voiced concern that dynamiting to remove rock to allow introduction of the gasoline tanks underground will damage the geologic structure in the area and cause fractures which will open areas directly into the aquifer below. He also noted that gasoline tank trucks need to avoid sensitive areas near the Aquifer or at least be restricted to use of roads into sensitive areas only at certain times of the day.

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

Ms. Linda Knell, 14131 Moss Farm, stated that some 400 or more residents of the Oak Meadows Subdivision have signed petitions against this rezoning case and she asked the Council to maintain the ERZD designation to allow further and future citizen input on development of this property. She stated that she fears damage to the Aquifer by leaking gasoline and stated that a boycott has been organized against any hydrocarbon development on this subject property.

Mr. Kent Anderson, city Engineer of Shavano Park, described the proximity of the Shavano Park waterwells to the subject property and he asked that the City Council ask the City Water Board to connect pipelines into Shavano Park for contingency use in case of water well pollution because of gas tanks on this property.

Mr. Virgil Trevino, 14143 Moss Farm, stated that he feels the so-called 20% rule is unfair in zoning cases. He stated further that he feels dynamiting for gas tanks on this property will cause new faults and cracks in the limestone below. He spoke of health hazards of gasoline pollution in the human body. He spoke against any underground storage of hydrocarbons of any type.

Ms. Joann Scrivano, 14119 Moss Farm, spoke of concessions that have been agreed to between the developer and the Oak Meadow Homeowners Association and she read from a reached agreement. She then spoke of her fears that blasting for gas tank space in the rock will damage the Edwards Aquifer.

Mr. Wheatley noted that Edwards Underground Water District map is the official map by law which all must follow and he spoke to safety procedures that will be used on the gasoline tanks.

Mrs. Dutmer stated that the developer in this case must have all parts of a run off abatement plan in force and she noted that run off drains away from the Edwards Recharge Zone not towards it.

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

In response to a question by Mr. Wolff, Mr. Frederick Meyers, the Aquifer Protection Officer for the city of San Antonio, addressed geologic data of the area and noted that no significant recharge features are located on this site. He further stated that runoff flow runs away from the Edwards Recharge Zone off this property.

In response to a question by Mr. Wolff, Mr. Russell Masters, Assistant Manager of the Edwards Underground Water District, spoke to the location of this site over the so-called "transition zone", noting that it is not over the Edwards Recharge Zone itself.

In response to a question by Mr. Wolff, Mr. David Masterson, representing Diamond Shamrock, spoke to the plan for evacuation of rock to allow introduction of the gasoline tanks and of plans to bury the tanks by digging if at all possible rather than by blasting.

Mr. Wolff stated that in his opinion, all facts indicate this is not a sensitive area and that runoff from the property is away from the Edwards Aquifer and not towards it.

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

In response to a question by Mrs. Berriozabal, Mr. Meyers addressed "sensitive zones" and "transition zones". He noted that the maps in his office are reproductions of Texas Water Commission maps and he spoke to his judgment how the property came to be designated ERZD by city staff.

Mr. Roland Lozano, Director of Planning, explained the process how the property was ruled ERZD and the process needed to remove that designation.

Mrs. Berriozabal stated that she feels the City Council should not hear any zoning cases over the Edwards Aquifer until the City Council committee on the Edwards Aquifer reports its recommendations on such things as mapping of the Recharge Zone and other development recommendations. She stated that she feels the committee will recommend certain changes and she also feels that blasting could alter the geography of the area. She also stated that she feels the City Council, in her opinion, does not have enough information to act on cases over the Edwards Aquifer at this time.

In response to a question by Mr. Thompson, Mr. Ken Eaton, representing Diamond Shamrock Corporation, spoke to Diamond Shamrock's liability matters should gas leaks develop on the property.

A discussion then took place concerning the difference between the Zoning Commission recommendation and a similar Zoning Commission recommendation on a nearby case last week.

Mr. Labatt stated that to him the biggest danger to the Edwards Aquifer is transportation of hydrocarbons over the Aquifer and he encouraged Diamond Shamrock to agree not to use routes over the Aquifer if at all possible.

Mr. Eaton stated that his firm would agree not to transport hydrocarbons to this particular gas tank site over the Edwards Aquifer and he agreed to furnish a letter to the city to that effect.

Mr. Martinez addressed the degree of sensitivity of this area and its potential for pollution.

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

AN ORDINANCE 65,356

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS AN 8.2776 ACRE TRACT OF LAND OUT OF NCB 17847 FROM "O-1" ERZD OFFICE EDWARDS RECHARGE ZONE DISTRICT TO "O-1" OFFICE DISTRICT; 0.8540 ACRE TRACT OF LAND OUT OF NCB 17847 FROM "B-2" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT TO "B-2" BUSINESS DISTRICT; AND A 3.5446 ACRE TRACT OF LAND OUT OF NCB 17847 FROM "B-3R" ERZD RESTRICTIVE

BUSINESS EDWARDS RECHARGE ZONE DISTRICT TO "B-3R"
RESTRICTIVE BUSINESS DISTRICT. "THE PENALTY FOR
VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

87-34 The Clerk read the following Ordinance:

AN ORDINANCE 65,357

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

* * * *

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

87-34 The Clerk read the following Ordinance:

AN ORDINANCE 65,358

AUTHORIZING APPROPRIATING OF \$4,450,000.00 FROM THE
1987 GENERAL OBLIGATION FIRE PREVENTION BONDS FUND
BALANCE FOR THE ACQUISITION OF FIRE EQUIPMENT -
APPARATUS.

* * * *

Mrs. Dutmer voiced her concern with the aerial ladder fire trucks located at Station No. 9 and of its current state of repair. She voiced her hope that a portion of this equipment being purchased today would be scheduled for Station No. 9.

Mr. James Miller, Assistant Fire Chief, noted that a new "quint truck" is scheduled for location at Fire Station No. 29 which is in this general southeast area.

A discussion of the repair status of a piece of fire equipment now under repair took place along with the description of new equipment

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being purchased under this ordinance.

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

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

- - -
87-34 The Clerk read the following Ordinance:

AN ORDINANCE 65,359 .

.
AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH JONESKELL ARCHITECTS FOR ARCHITECTURAL DESIGN SERVICES FOR THE POLICE TRAINING AND CAREER DEVELOPMENT CENTER; APPROPRIATING \$390,000.00 FOR DESIGN FEES; AND \$22,500.00 FOR MISCELLANEOUS CONTINGENCIES.

* * * *

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

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

- - -
87-34 The Clerk read the following Resolution:

A RESOLUTION 87-34-53 .

.
REQUESTING ASSISTANCE OF THE TEXAS NATIONAL GUARD TO PROVIDE TRAFFIC AND CROWD CONTROL SERVICES DURING THE VISIT OF POPE JOHN PAUL II ON SEPTEMBER 13 AND 14, 1987.

* * * *

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

In response to a question by Mr. Hasslocher, Ms. Karen Kliever, Director of Intergovernmental Relations, discussed the costs to be incurred by the city of San Antonio in relation to the visit of Pope John Paul in September and she explained the planned use of National Guard forces and the coordination of various city services.

Mr. Louis J. Fox, City Manager, noted that costs are being pared back for city police protection and he estimates that protection now will cost the city some \$320,000 a cost which must be borne by the city's contingency fund.

Mr. Webb spoke to various citizen concerns for city expenditures on the papal visit.

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

87-34 The Clerk read the following Ordinance:

AN ORDINANCE 65,360

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.

* * * *

Mr. Labatt voiced his hope that the board of directors of the San Antonio Alliance of Business will stay on top of expenditures of these tax funds.

Mrs. Dutmer stated that no funds will be paid to the agency until it performs the required job.

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

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

87-34 DISCUSSION OF ST. PAUL SQUARE SUMMER FEST '87 FUNDING

Mr. Louis J. Fox, City Manager, noted that \$17,000 would be needed to pay the city's share of the co-sponsorship of this event and that money must come from the city's contingency fund or from District 2's public access fund, or to seek additional funds from the funds which provides monies to outside agencies.

Mr. T.C. Calvert, representing the St. Paul Square Summer Fest '87 provided details of that project.

Mr. Thompson voiced his concern with the many requests that have been made for city co-sponsorship of various events and he spoke to several events that he will propose for co-sponsorship if the City Council agrees to do so in this case.

A discussion then took place concerning earlier approval of this event by City Council ordinance.

Mr. Fox stated that he recommends using available District 2 Pedestrian Access Funds before any other city funds are committed.

Mr. Labatt asked for a list of events that are currently co-sponsored by the city and spoke of the need for the Council to get a handle on this, stating that he will assist Mr. Webb with this funding if necessary.

Mrs. Dutmer spoke against waiving any fees involved.

In response to a question by Mayor ProTem Wolff, Mr. Lloyd Garza, City Attorney, commented on the legal status on fulfilling the co-sponsorship agreement earlier made by City Council by ordinance and noted that in his opinion, the ordinance commits the city to funding this co-sponsorship.

Mr. Webb made a motion to approve and to direct staff to finance this project by the city's contingency fund and District 2 Pedestrian Access Funds. Mrs. Dutmer seconded the motion.

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

Mr. Labatt provided a written recommendation to members of the City Council, a copy of which is made a part of the papers of this meeting. Mr. Labatt's recommendations included: 1.) a monument to be directed to Debbie Moberg at the landfill site where her body is reportedly interred; 2.) establishment of a trust fund to provide funds for the surviving Moberg children. He then spoke of the need for a City Council regular "A" session discussion on this matter in order to officially approve it.

Ms. Lillian Reyes, President of the League of Women Voters, in a written statement, a copy of which is made a part of the papers of this meeting, commended the city for recommending the establishment of a trust fund and she submitted a check from the League of Women Voters as the first contribution to this trust fund.

Mr. Labatt made a motion to move this item to the "A" session for action next week. Mrs. Dutmer seconded the motion.

Mrs. Dutmer stated that she feels the city cannot erect a monument at the landfill site because that would designate then the landfill as an official cemetery.

Mr. Lloyd Garza, the City Attorney, addressed legal aspects involved in doing so and he spoke of how the trust will have to be administered.

Mr. Thompson stated that in his opinion, a plaque could be located anywhere commemorating Ms. Moberg and he voiced his concern that the city cannot fund something that is located outside the city.

Mr. Labatt stated that funds cannot be city tax funds at any rate. He then spoke of the larger scope of a possible memorial to perhaps take in all kidnapped or abused children if necessary.

Mr. Martinez spoke of the need for more refined recommendations in this matter and he addressed possible sites for a memorial.

Mayor Protem Wolff asked the City Council to approve the idea of the trust fund and asked Mr. Labatt to continue his work with city staff and with the family on a proper memorial.

Ms. Vera voiced her concern with the city management of such a trust fund and of erecting an appropriate memorial to Ms. Moberg.

Mr. Labatt then briefly restated the motion.

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

87-34 The Clerk read the following Ordinance:

AN ORDINANCE 65,361

APPOINTING BRAD BRUER TO SERVE ON THE ARTS AND
CULTURAL ADVISORY COMMITTEE FOR A TERM TO EXPIRE ON
NOVEMBER 15, 1988.

* * * *

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

87-34 The Clerk read the following Ordinance:

AN ORDINANCE 65,362

APPOINTING DIANA L. ZEPEDA AND MICHELLE STITCH TO
SERVE ON THE COMMISSION FOR CHILDREN AND FAMILIES.

* * * *

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

87-34

PARKING FOR UNIVERSITY OF MEXICO AT HEMISFAIR
PLAZA AND TEXAS A & M

Mr. David Garcia, Special Projects Manager for the City Manager's Office, stated that Mrs. Berriozabal had asked that this item be placed on today's agenda and he briefly explained the purpose of the discussion.

Ms. Pat Turner, representing Texas A & M University, spoke of the need of Texas A & M to have this item placed on today's agenda today for action. She stated that students who attend the Texas A & M facility at Hemisfair Plaza need to find parking in a nearby area in order to attend classes. She then asked for the City Council support of her request to provide free parking to the students during the interim period until permanent parking is provided.

Mrs. Eugenia Cossio, a representative from the University of Mexico at Hemisfair Plaza, also urged the City Council to approve free parking for UNAM students.

Mr. Louis J. Fox, City Manager, stated that there will be free parking available in about six weeks and he noted that the problem now is that interim six week period between now and the availability of the parking garage. He stated that his recommendation is that the City Council provide parking at the event rate for students or that a special student rate be provided. He stated further that he is not in favor of providing free parking.

Mr. Garcia stated that a \$7.50 student rate for the six week period was rejected by both Texas A & M and UNAM representatives.

After further discussion, Mr. Fox stated that the city has spent much time on this issue already and that for \$7.50 a student it is not worth the city staff time to carry it further.

A discussion then took place over the waiver of fees and the cost to the city.

Mr. Martinez moved to place this item on next week's agenda with funds to be obtained from the District 5 Pedestrian Access Fund if necessary. Mr. Wing seconded the motion.

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

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87-34 The Clerk read the following Ordinance:

AN ORDINANCE 65,363

CLOSING TREVINO ALLEY BETWEEN FLORES AND MAIN ON
JULY 19, 1987, IN CONNECTION WITH A FUND RAISER FOR
THE CATHEDRAL RESTORATION FUND.

* * * *

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

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

87-34

CITIZENS TO BE HEARD

MR. WESLEY CASE

Mr. Case, 5137 Stockman, spoke about a house in his neighborhood which was sold under the Scattered Site Housing Program. He spoke of their opposition to this program and the neighbors' concerns about many different issues, such as the loss to the tax base of the school district. He further elaborated their concerns and the proposed actions which the neighbors will be forced to take. He asked that the City Council seek a better solution to low income housing.

Mr. Robert Martinez, 5139 Stockman, also spoke of his efforts and struggles to move to a better neighborhood. He stated that his wife had to get a job in order to make their house payment. He stated that it is not fair for people who are not earning the money to pay their own house payments to live in such government-purchased housing.

Mrs. Dutmer stated that there are many citizens who feel the same way as Mr. Martinez and Mr. Case. She stated that it is not fair to use tax monies to provide houses for some people who do not care to struggle to make the house payments.

Mr. Martinez stated that this program is a new concept. He stated that he can understand their concern but many concerns exist because of a lack of understanding of the entire program. He explained the purpose of the program and the success it has had in other parts of the country.

Mr. Wing took exception to remarks made by the two speakers. He stated that no one questioned the money they paid for their homes.

Mrs. Dutmer stated that the concern is that people will not be able to maintain the upkeep of their homes.

* * * *

There being no further business to come before the City Council, the meeting was adjourned at 7:30 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

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