

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO, HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, AUGUST 4, 1988.

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The meeting was called to order by the presiding officer, Mayor Henry Cisneros, with the following members present: BERRIOZABAL, DUTMER, WING, MARTINEZ, THOMPSON, VERA, WOLFF, HASSLOCHER, CISNEROS. Absent: WEBB, LABATT.

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88-33 The invocation was given by Reverend Tom Henderson, Marbach Christian Church.

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88-33 The members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

88-33                    BENEFACTOR OF THE COMMUNITY & PROCLAMATION

Mayor Cisneros introduced Dr. Manual Berriozabal, present in the audience, and congratulated him on the 10th anniversary of the Pre-Freshmen Engineering Program (PREP) at the University of Texas at San Antonio (UTSA).

Dr. Berriozabal, in turn, introduced Dr. James Wagner, President of UTSA, Dean James Tracy, College of Engineering; and Dr. Leonard Valverde, Vice President of Academic Affairs.

Mayor Cisneros spoke of the proposed UTSA Engineering Building which, when built, will be a major asset to the city.

He then read and presented the Benefactor of the Community award to Dr. Manual Berriozabal and the Proclamation in recognition of the tenth anniversary of PREP to Dr. James Wagner.

Two students spoke of their personal experiences in PREP and their future plans.

Dr. Berriozabal credited both the former and present members of the PREP staff for the program's success as well as UTSA's administration. He also thanked the Council for the award.

Dr. Wagner spoke to PREP's success and its recognition throughout the country.

Mrs. Dutmer and Mrs. Berriozabal congratulated Dr. Berriozabal and thanked the school administrators for their support.

88-33 MEETINGS AND CONVENTIONS MAGAZINE'S GOLD SERVICE AWARD PRESENTATION

Mayor Cisneros spoke to the recent publication of a survey conducted by the Texas Public Safety Department which ranked San Antonio as the No. 1 Texas tourist attraction state-wide, nationally and internationally. He then introduced Mr. Alan K. Fleschner, representative of Meetings and Conventions Magazine, New York, N.Y.

Mr. Fleschner stated that he was in town to present the San Antonio Convention and Visitors Bureau with his magazine's Gold Service Award for outstanding service.

Members of the Convention and Visitors Bureau were present to accept the award.

88-33

EGYPTIAN VISITORS

Mayor Cisneros introduced a group of Egyptian visitors training in San Antonio under the sponsorship of the U.S. Agency for International Development (AID), and Layton and Associates International, Inc. He identified the visitors and representatives from Layton and Associates International and the Integrated Management Program. He spoke briefly to the group and welcomed them to San Antonio.

Mayor Cisneros then noted that the exhibit "The Glories of Egypt," will be in San Antonio in 1990. He spoke of staff's work in securing this exhibit for San Antonio.

88-33 The minutes of the Regular City Council meeting of July 14, 1988 were approved.

88-33 CONSENT AGENDA

Ms. Vera made a motion to approve Agenda Items 6 - 70, constituting the Consent Agenda, with Items 62 and 68 to be pulled for

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

AN ORDINANCE 67,607

ACCEPTING THE LOW BID OF ROBERT SANTOS CONSTRUCTION COMPANY TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH ROOFING OF THE OAKWELL BRANCH LIBRARY FOR A TOTAL OF \$8,713.

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AN ORDINANCE 67,608

ACCEPTING THE LOW BID OF CHEMGUARD, INC. TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH FIREFIGHTING FOAM FOR A TOTAL OF \$4,406.25.

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AN ORDINANCE 67,609

ACCEPTING THE LOW BID OF DAVIS TRUCK & EQUIPMENT COMPANY TO FURNISH THE CITY OF SAN ANTONIO AUTOMOTIVE OPERATIONS WITH HYDRAULIC CRANE LOADERS FOR A TOTAL OF \$98,217.60.

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AN ORDINANCE 67,610

ACCEPTING THE LOW BID OF RAINMAKER, INC. FOR THE INSTALLATION OF ELECTRIC CONTROLLERS AND METER BOXES AT ROSEDALE PARK FOR THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT FOR A TOTAL OF \$9,124.

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AN ORDINANCE 67,611

ACCEPTING THE BID OF R.L. POLK AND CO. TO FURNISH THE CITY OF SAN ANTONIO WITH CITY DIRECTORIES FOR A TOTAL OF \$11,040.

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AN ORDINANCE 67,612

RATIFYING THE ACTION OF THE CITY MANAGER AND ACCEPTING THE PROPOSAL OF TEZEL & COTTER AIR CONDITIONING COMPANY FOR THE EMERGENCY REPLACEMENT OF AN AIR CONDITIONING COMPRESSOR FOR THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT FOR A TOTAL OF \$10,227.

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AN ORDINANCE 67,613

APPROVING AND AUTHORIZING CHANGE ORDER NO. 3 TO THE CITY OF SAN ANTONIO CONSTRUCTION CONTRACT WITH CLEARWATER CONSTRUCTORS, INC. IN THE AMOUNT OF \$107,030.00 FOR TRIPARTY DOWNTOWN TRANSPORTATION IMPROVEMENTS.

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AN ORDINANCE 67,614

ACCEPTING THE LOW BID FROM TEZEL & COTTER AIR CONDITIONING COMPANY IN THE AMOUNT OF \$18,895.00 TO INSTALL A HEATING, VENTILATING, AND AIR CONDITION SYSTEM IN THE BRACKENRIDGE GOLF COURSE CLUBHOUSE, ESTABLISHING A \$3,770.00 CONSTRUCTION CONTINGENCY AND AUTHORIZING PAYMENTS TO THE CONTRACTOR FOR CONSTRUCTION AND CONTINGENCIES.

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AN ORDINANCE 67,615

AUTHORIZING \$7,500.00 FOR ENGINEERING SERVICES PAYABLE TO P.H.I. SERVICE AGENCY, INC., IN CONNECTION WITH THE RENOVATION OF THE POLICE HEADQUARTERS BUILDING.

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AN ORDINANCE 67,616

AWARDING A \$12,490.00 CONSTRUCTION CONTRACT TO GILLETT CONSTRUCTION CO., AND AUTHORIZING \$1,249.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCIES FOR

CONSTRUCTION OF A LOADING DOCK CANOPY FOR THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT BUILDING LOCATED AT 322 W. COMMERCE.

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AN ORDINANCE 67,617

AUTHORIZING FIELD ALTERATION NO. 2 IN THE AMOUNT OF \$15,898.00 PAYABLE TO DYNA CONSTRUCTION, INC. IN CONNECTION WITH THE SAMM SHELTER ANNEX AND RENOVATION PROJECT.

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AN ORDINANCE 67,618

ACCEPTING A PROPOSAL IN THE AMOUNT OF \$11,319.00 FROM THE UNIVERSITY OF TEXAS AT SAN ANTONIO, CENTER FOR ARCHAEOLOGICAL RESEARCH IN CONNECTION WITH THE MISSION ROAD REALIGNMENT, PHASE II FROM THEO TO MITCHELL.

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AN ORDINANCE 67,619

AWARDING A \$1,631,121.44 CONSTRUCTION CONTRACT TO R.L. JONES CO., INC., AUTHORIZING \$81,556.07 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES, AND \$37,729.93 FOR ADDITIONAL ENGINEERING FEES, ALL IN CONNECTION WITH THE 34TH STREET DRAINAGE PROJECT 61H (II) AND 61J PROJECT.

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AN ORDINANCE 67,620

APPROVING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$26,617.50 WITH GRANT ENGINEERING, FOR DESIGN SERVICES RELATED TO THE VALLEY HI FROM IH 410 TO LACKLAND AFB PROJECT.

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AN ORDINANCE 67,621

APPROVING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$22,181.25 WITH SINCLAIR ENGINEERING COMPANY, FOR DESIGN SERVICES RELATED TO THE FIVE

PALMS FROM PEARSALL ROAD TO KIM VALLEY PROJECT.

\* \* \* \*

AN ORDINANCE 67,622

APPROVING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$65,487.00 WITH FLORES & COMPANY CONSULTING ENGINEERS, INC. FOR DESIGN SERVICES RELATED TO THE LEAL STREET FROM N.W. 26TH TO MARTINEZ CREEK PROJECT.

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AN ORDINANCE 67,623

APPROVING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$291,525.00 WITH LOCKWOOD, ANDRES & NEWNAM, INC., FOR DESIGN SERVICES RELATED TO THE STORM DRAINAGE PROJECT NO. 35, PHASE I 35Y.

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AN ORDINANCE 67,624

APPROVING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$45,125.00 WITH ANIBAL GUTIERREZ, CONSULTING ENGINEER, FOR DESIGN SERVICES RELATED TO THE TERESA FROM IH 35 TO PLEASANTON ROAD PROJECT.

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AN ORDINANCE 67,625

APPROVING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$308,000.00 WITH SLAY ENGINEERING COMPANY, INC., FOR DESIGN SERVICES RELATED TO THE FREDERICKSBURG ROAD FROM FIVE POINTS TO WOODLAWN AVENUE PROJECT.

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AN ORDINANCE 67,626

APPROVING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$84,000.00 WITH HALLENBERGER/TELFORD, INC. FOR DESIGN SERVICES RELATED TO THE ST. HEDWIG DRAINAGE PROJECT NO. 114B, PHASE II.

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## AN ORDINANCE 67,627

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$109,200.00 WITH C.A. BOLNER & ASSOCIATES, INC., FOR DESIGN SERVICES RELATED TO THE WETMORE ROAD FROM THOUSAND OAKS TO CITY LIMITS PROJECT.

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## AN ORDINANCE 67,628

APPROVING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$69,265.63 WITH SEDA CONSULTING ENGINEERS, INC., FOR DESIGN SERVICES RELATED TO THE GOLIAD ROAD FROM S.E. MILITARY TO I.H. 410 PROJECT.

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## AN ORDINANCE 67,629

APPROVING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$284,765.00 WITH W.H. MULLINS, INC., FOR DESIGN SERVICES RELATED TO THE OCTAVIA DRAINAGE PROJECT NO. 63.

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## AN ORDINANCE 67,630

APPROVING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$313,917.50 WITH WEYMAN & ASSOCIATES, INC., FOR DESIGN SERVICES RELATED TO THE RIP RAP NO. 69, PHASE II PROJECT.

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## AN ORDINANCE 67,631

APPROVING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$52,284.38 WITH W. M. CUDE & ASSOCIATES, INC., FOR DESIGN SERVICES RELATED TO THE CANTRELL FROM HILTON TO PLEASANTON ROAD PROJECT.

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AN ORDINANCE 67,632

APPROVING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$147,946.50 WITH BAIN, McCRARY, BAIN, FOR DESIGN SERVICES RELATED TO THE SIX MILE CREEK DRAINAGE PROJECT NO. 83F (UPPER).

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AN ORDINANCE 67,633

APPROVING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$45,125.00 WITH FISHER ENGINEERING, INC., FOR DESIGN SERVICES RELATED TO THE LA CHAPELLE FROM NOGALITOS TO S. FLORES PROJECT.

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AN ORDINANCE 67,634

APPROVING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$34,135.00 WITH W. F. CASTELLA & ASSOCIATES, INC., FOR DESIGN SERVICES RELATED TO THE SIMS AND GLADSTONE FROM COLLINGSWORTH TO IH 35 PROJECT.

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AN ORDINANCE 67,635

APPROVING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$22,181.25 WITH THE ROSIN GROUP, INC., FOR DESIGN SERVICES RELATED TO THE RAY ELLISON DRIVE AT HIGH SCHOOL PROJECT.

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AN ORDINANCE 67,636

APPROVING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$26,617.50 WITH WALTER P. MOORE & ASSOCIATES, INC., FOR DESIGN SERVICES RELATED TO THE W. MARTIN FROM 26TH STREET TO GENERAL McMULLEN PROJECT.

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AN ORDINANCE 67,637

APPROVING A PROFESSIONAL SERVICES CONTRACT IN THE

AMOUNT OF \$95,712.50 WITH W. E. SIMPSON COMPANY,  
INC., FOR DESIGN SERVICES RELATED TO THE WEST AVENUE  
FROM FREDERICKSBURG ROAD TO IH 10 PROJECT.

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AN ORDINANCE 67,638

APPROVING A PROFESSIONAL SERVICES CONTRACT IN THE  
AMOUNT OF \$189,000.00 WITH GROVES AND ASSOCIATES,  
FOR DESIGN SERVICES RELATED TO THE ACME ROAD FROM US  
90 TO OLD HWY. 90 PROJECT.

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AN ORDINANCE 67,639

APPROVING A PROFESSIONAL SERVICES CONTRACT IN THE  
AMOUNT OF \$141,375.00 WITH VICKREY AND ASSOCIATES,  
INC., FOR DESIGN SERVICES RELATED TO THE MILITARY  
DITCH NO. 65 DRAINAGE PROJECT.

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AN ORDINANCE 67,640

APPROVING A PROFESSIONAL SERVICES CONTRACT IN THE  
AMOUNT OF \$63,850.00 WITH G. E. REAVES ENGINEERING,  
INC., FOR DESIGN SERVICES RELATED TO THE 36TH STREET  
AND OLD HIGHWAY 90 INTERSECTION PROJECT.

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AN ORDINANCE 67,641

APPROVING A PROFESSIONAL SERVICES CONTRACT IN THE  
AMOUNT OF \$22,181.25 WITH PI ENGINEERING, INC., FOR  
DESIGN SERVICES RELATED TO THE E. CRAIG FROM  
McCULLOUGH TO N. ST. MARY'S PROJECT.

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AN ORDINANCE 67,642

APPROVING A PROFESSIONAL SERVICES CONTRACT IN THE  
AMOUNT OF \$11,375.00 WITH L. L. RODRIGUEZ &  
ASSOCIATES, INC., FOR DESIGN SERVICES RELATED TO THE  
BARNEY FROM ELDRIDGE TO DEAD-END PROJECT.

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AN ORDINANCE 67,643

APPROVING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$34,125.00 WITH JPR, INC. ENGINEERING & CONSTRUCTION CO., FOR DESIGN SERVICES RELATED TO THE WHITEWOOD FROM MEDINA BASE ROAD TO S.W. MILITARY DRIVE PROJECT.

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AN ORDINANCE 67,644

APPROVING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$384,475.00 WITH K. M. Ng & ASSOCIATES, INC., FOR DESIGN SERVICES RELATED TO THE SCIENCE PARK DRAINAGE PROJECT NO. 58H, I & J PROJECT.

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AN ORDINANCE 67,645

APPROVING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$63,850.00 WITH G.A. PRATT & ASSOCIATES, INC., FOR DESIGN SERVICES RELATED TO THE MILITARY DRIVE WEST FROM SHADY GROVE TO IH 410 PROJECT.

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AN ORDINANCE 67,646

APPROVING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$101,318.75 WITH GARCIA & WRIGHT CONSULTING ENGINEERS, INC., FOR DESIGN SERVICES RELATED TO THE PINN ROAD FROM W. COMMERCE TO U.S. 90 PROJECT.

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AN ORDINANCE 67,647

APPROVING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$145,600.00 WITH S. M. GALINDO ENGINEERS, INC., FOR DESIGN SERVICES RELATED TO THE BABCOCK ROAD FROM FREDERICKSBURG ROAD TO ST. CLOUD PROJECT.

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## AN ORDINANCE 67,648

APPROVING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$78,825.00 WITH RONNFELDT/ARANDA JOINT VENTURE, FOR DESIGN SERVICES RELATED TO THE 34TH STREET FROM CULEBRA TO W. COMMERCE PROJECT.

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## AN ORDINANCE 67,649

APPROVING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$257,006.75 WITH MACINA, BOSE, COPELAND & ASSOCIATES, INC., FOR DESIGN SERVICES RELATED TO THE CULEBRA DRAINAGE PROJECT NO. 58.

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## AN ORDINANCE 67,650

APPROVING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$36,700.00 WITH TERRAZAS & ASSOCIATES, INC., FOR DESIGN SERVICES RELATED TO THE GROFF FROM 36TH TO HORTENSIA PROJECT.

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## AN ORDINANCE 67,651

APPROVING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$95,712.50 WITH DANNENBAUM ENGINEERING CORPORATION, FOR DESIGN SERVICES RELATED TO THE CASTROVILLE ROAD FROM GENERAL MCMULLEN TO ACME ROAD PROJECT.

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## AN ORDINANCE 67,652

APPROVING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$182,000.00 WITH STEPHEN J. CANTY & ASSOCIATES, FOR DESIGN SERVICES RELATED TO THE HAUSMAN ROAD BRIDGE AT LEON CREEK PROJECT.

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## AN ORDINANCE 67,653

APPROVING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$229,810.00 WITH BROWN ENGINEERING

COMPANY, FOR DESIGN SERVICES RELATED TO THE BABCOCK ROAD FROM HUEBNER TO HAMILTON WOLFE ROAD PROJECT.

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AN ORDINANCE 67,654

APPROVING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$88,156.25 WITH SOMERVILLE-GONZALES & ASSOCIATES, FOR DESIGN SERVICES RELATED TO THE BITTERS ROAD FROM WEST AVENUE TO TREASURE TRAIL PROJECT.

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AN ORDINANCE 67,655

APPROVING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$114,000.00 WITH C. W. PFENNIG, INC., FOR DESIGN SERVICES RELATED TO THE MCCULLOUGH, NORTH OF BASSE ROAD - LOW WATER CROSSING PROJECT.

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AN ORDINANCE 67,656

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$32,703.13 WITH FORD ENGINEERING, INC., FOR DESIGN SERVICES RELATED TO THE ISOM ROAD FROM SAN PEDRO TO RAMSEY PROJECT; AND AUTHORIZING \$250.00 FOR BID ADVERTISING.

\* \* \* \*

AN ORDINANCE 67,657

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$131,243.13 WITH FERNANDEZ, FRAZER, WHITE & ASSOCIATES, INC., FOR DESIGN SERVICES RELATED TO THE LANARK DRAINAGE PROJECT #92A.

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AN ORDINANCE 67,658

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$42,656.25 WITH HOWARD W. GADDIS CONSULTING ENGINEER, INC., FOR DESIGN SERVICES RELATED TO THE RITTIMAN ROAD FROM IH 35 TO RITTIMAN PLAZA PROJECT; AND AUTHORIZING \$250.00 FOR BID

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## ADVERTISING.

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## AN ORDINANCE 67,659

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$17,745.00 WITH EDMUND O. SEIDEL & ASSOCIATES, INC., FOR DESIGN SERVICES RELATED TO THE NACO-PERRIN AND PERRIN-BEITEL INTERSECTION PROJECT; AND AUTHORIZING \$250.00 FOR BID ADVERTISING.

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## AN ORDINANCE 67,660

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$252,000.00 WITH HOWARD W. GADDIS CONSULTING ENGINEER, INC. FOR DESIGN SERVICES RELATED TO THE RITTIMAN ROAD FROM THORNWOOD TO GIBBS-SPRAWL PROJECT; AND AUTHORIZING \$250.00 FOR BID ADVERTISING.

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## AN ORDINANCE 67,661

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$109,200.00 WITH SCOTT-WALKER & ASSOCIATES FOR DESIGN SERVICES RELATED TO THE ASHLEY ROAD FROM BASCUM TO SOUTH FLORES PROJECT; AND AUTHORIZING \$250.00 FOR BID ADVERTISING.

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## AN ORDINANCE 67,662

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$84,378.13 WITH POZNECKI-CAMARILLO & ASSOCIATES, INC., FOR DESIGN SERVICES RELATED TO THE BULVERDE ROAD FROM NACOGDOCHES TO THOUSAND OAKS PROJECT; AND AUTHORIZING \$250.00 FOR BID ADVERTISING.

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## AN ORDINANCE 67,663

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$49,705.00 OUT OF VARIOUS FUNDS FOR THE PURPOSE OF ACQUIRING

TITLE AND/OR EASEMENTS TO CERTAIN LANDS; ACCEPTING  
LICENSE AGREEMENTS WITH THE MISSOURI PACIFIC  
RAILROAD COMPANY AND AUTHORIZING THE CITY MANAGER OR  
HIS DESIGNEE TO EXECUTE SAME; ALL IN CONNECTION WITH  
CERTAIN RIGHT-OF-WAY PROJECTS.

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AN ORDINANCE 67,664

AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH  
T & M AVIATION, INC. FOR FUEL STORAGE AND  
DISTRIBUTION AT STINSON MUNICIPAL AIRPORT AND  
SUPERSEDING PREEXISTING LEASE AUTHORIZED BY  
ORDINANCE NO. 36914 OF OCTOBER 10, 1968.

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AN ORDINANCE 67,665

AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH  
SAN ANTONIO AVIATION, INC., FOR FUEL STORAGE AND  
DISTRIBUTION AT STINSON MUNICIPAL AIRPORT AND  
SUPERSEDING A PREEXISTING LEASE AUTHORIZED BY  
ORDINANCE NO. 51130 OF AUGUST 23, 1979.

\* \* \* \*

AN ORDINANCE 67,666

AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH  
STINSON AVIATION CORPORATION FOR FUEL STORAGE AND  
DISTRIBUTION AT STINSON MUNICIPAL AIRPORT.

\* \* \* \*

AN ORDINANCE 67,667

AUTHORIZING SUBMISSION OF AN APPLICATION TO THE  
PUBLIC HEALTH SERVICE, DEPARTMENT OF HEALTH AND  
HUMAN SERVICES TO FUND A DEMONSTRATION PROJECT ON  
THE COST EFFECTIVENESS OF MEDICARE REIMBURSEMENT FOR  
INFLUENZA VACCINATION.

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AN ORDINANCE 67,668

CONTINUING THE FUEL FLOWAGE FEES FOR AVIATION FUEL  
DELIVERED INTO STORAGE FACILITIES OR DISPENSING

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EQUIPMENT AT STINSON MUNICIPAL AIRPORT.

\* \* \* \*

AN ORDINANCE 67,669

AUTHORIZING PAYMENT OF \$6,231.33 BACKPAY, INCLUDING CERTIFICATION PAY AND CLOTHING ALLOWANCE TO SERGEANT BILLY ANDERS FOR THE PERIOD OF HIS TEMPORARY SUSPENSION, MARCH 23, 1988 THROUGH MAY 17, 1988.

\* \* \* \*

88-33 The Clerk read the following Ordinance:

AN ORDINANCE 67,670

APPROVING A LICENSE AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND MARRIOTT CORPORATION TO ENCROACH ON CITY STREET RIGHT-OF-WAY, SPECIFICALLY AT THE INTERSECTION OF EAST COMMERCE AND BOWIE STREETS TO CONSTRUCT TWO SIDEWALK PLANTERS AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE SAID LICENSE AGREEMENT.

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

In response to a question by Mrs. Dutmer, Mr. Bill Wood, Assistant City Attorney, explained that the subject planters will be placed on the sidewalk, not on the street.

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

88-33 The Clerk read the following Ordinance:

AN ORDINANCE 67,671

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF FEE TITLE TO CERTAIN PRIVATELY OWNED REAL PROPERTY AS WELL AS FOR A TEMPORARY CONSTRUCTION EASEMENT ON

ADJOINING LANDS, SAID PROPERTY BEING SITUATED IN NEW CITY BLOCK 11817, SAN ANTONIO, BEXAR COUNTY, TEXAS, AND BEING NEEDED FOR A PUBLIC PURPOSE, TO WIT: THE HARRY WURZBACH DRAINAGE PROJECT NO. 75.

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

A brief discussion followed on the necessity to proceed with condemnation proceedings and the proposed use of the land.

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

88-33 The Clerk read the following Ordinance:

AN ORDINANCE 67,672

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

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

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

88-33 The Clerk read the following Ordinance:

AN ORDINANCE 67,673

AUTHORIZING PAYMENT IN SETTLEMENT OF CAUSE NO. 86-CI-19396, STYLED MARIA VICTORIA DELEON AND OSCAR DELEON vs. ANTONIO ARREDONDO VELA AND CITY OF SAN ANTONIO; IN THE 73RD JUDICIAL DISTRICT COURT, BEXAR

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COUNTY, TEXAS.

\* \* \* \*

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

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

88-33 The Clerk read the following Ordinance:

AN ORDINANCE 67,674

APPROVING A REQUEST SUBMITTED BY THE UTSA ATHLETIC DEPARTMENT FOR CITY CO-SPONSORSHIP WITH GENERAL FUNDS OF THE ANNUAL CITY CHAMPIONSHIP 10K, 5K, AND 1 MILE FUN RUN TO BE HELD ON OCTOBER 1, 1988; AND AUTHORIZING CLOSURE OF CERTAIN STREETS FOR THE EVENT.

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

In response to questions by Mrs. Dutmer, Karen Kliever, Assistant to the City Manager, stated that Agenda Items 77, 78 and 79 were all City co-sponsorship requests for fund raising events. She added that staff was recommending approval of Agenda Items 77 and 78 but not Item 79. She explained that the San Antonio Fire Fighters, Local 624's Athletic Club did not meet the 45-day deadline for submission of the co-sponsorship application; therefore, staff did not have sufficient time to study the application.

A brief discussion by several Council members and Mrs. Kliever followed on cost of co-sponsorships for the various events and possible legal conflicts with City co-sponsorship of church-sponsored events.

In response to a question by Mr. Martinez, Mrs. Kliever spoke to cost-saving actions taken prior to submission of this request, i.e. moving the event to UTSA to reduce cost of sponsoring the event.

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

88-33 The Clerk read the following Ordinance:

AN ORDINANCE 67,675

APPROVING A REQUEST FOR CO-SPONSORSHIP WITH GENERAL FUNDS SUBMITTED BY THE SAN ANTONIO HISPANIC JOURNALISTS FOR THE EXPRESS-NEWS VS. THE LIGHT CHARITY SOFTBALL GAME TO BE HELD SEPTEMBER 10, 1988.

\* \* \* \*

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

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

88-33 The Clerk read the following Ordinance:

AN ORDINANCE 67,676

APPROVING A REQUEST FOR CITY CO-SPONSORSHIP SUBMITTED BY THE SAN ANTONIO FIRE FIGHTERS, LOCAL 624'S ATHLETIC CLUB FOR THE LABOR DAY 10K RUN TO BE HELD SEPTEMBER 5, 1988.

\* \* \* \*

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

In response to a question by Mr. Hasslocher, Mrs. Kliever stated that staff has recommended denial of co-sponsorship to all organizations that do not meet the time deadline for submitting the applications.

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Mrs. Kliever, responding to questions by Mr. Wing, noted that the missed deadline was the only reason for staff's denial recommendation and spoke of the cost to the City for co-sponsorship.

City Manager Louis J. Fox noted that this request is a good example of the event costing more money than the revenues it is expected to generate. He noted that the cost to the city for co-sponsorship will be \$1,800 for barricades and \$2,000 for traffic control and the organization anticipates \$1,000 to \$1,500 in revenues.

Mr. Martinez made a substitute motion that the City approve co-sponsorship but not grant the fee waiver. Mr. Wing seconded the motion.

Mr. Hasslocher and Mrs. Dutmer spoke to on Mr. Martinez's motion and Mr. Fox's comments.

In response to a question by Ms. Vera, Mrs. Kliever stated, that due to the large volume of traffic in the downtown area, the police department is hesitant to approve downtown runs as streets have to be closed and traffic rerouted.

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

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

88-33 The Clerk read the following Ordinance:

AN ORDINANCE 67,677

GRANTING CITY CO-SPONSORSHIP WITH GENERAL FUNDS  
SUBMITTED BY INCARNATE WORD COLLEGE FOR THE "ALAMO  
BRAINPOWER 10K" SCHEDULED FOR OCTOBER 22, 1988.

\* \* \* \*

Mrs. Dutmer made a motion to approve the proposed Ordinance with a provision that the City's portion for co-sponsorship be capped at \$5,000. Ms. Berriozabal seconded the motion.

In response to comments by Mrs. Berriozabal, Karen Kliever, Assistant to the City Manager, stated that staff will be coming back to the Council with recommendations which will facilitate the co-sponsorship

process.

Mrs. Berriozabal spoke to her concerns with runs in the downtown area and the lack of accessibility to downtown businesses when streets are closed and barricades are in place.

In response to a question by Mr. Wing, Mrs. Kliever stated that staff recommended a maximum expense to the City of \$5,000.

Dr. Louis Agnese, President, Incarnate Word College, noted that his group had been working with downtown businesses in the area of the proposed run for the last six months. He spoke to the purpose of the run and the anticipated route.

Mrs. Kliever stated that the route and the financial cost will be submitted for Council approval after some details are resolved. She also stated that staff is recommending that a cap on City liability for co-sponsorship events be placed at \$5,000.

A brief discussion was held on placing a \$5,000 cap for the City's portion of co-sponsorship events.

Mrs. Dutmer stated that she would favor staff bringing back an ordinance for Council consideration that would place a \$5,000 expense cap to the City on all co-sponsorship events. She further requested that the Legal Department assure the City does not give monies for construction or repair of permanent buildings.

City Attorney Lloyd Garza then spoke to established guidelines on monies given for the upgrading of permanent buildings. He explained the criteria and stated that two of the items that must be satisfied are that a public purpose be served with the monies spent and an assurance, either in the form of a contract or deed covenant, be given that the facility will be accessible to the public for the expected life of the improvements.

Mrs. Dutmer cautioned staff to carefully scrutinize requests by religious organizations to avoid conflicts with the laws that regulate separation of church and state.

Dr. Louis Agnese, President, Incarnate Word College, noted that, contrary to what had been originally requested, all proceeds from the event would go to endowed scholarships instead of only 50% as had originally been proposed.

Mrs. Kliever, responding to questions by Ms. Vera, stated that approximately 10,000 runners are anticipated for participation in this event.

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Ms. Vera requested that staff, in the future, include this type of information in the package presented to Council.

Mrs. Berriozabal spoke to: the proposed route, which includes running in front of the Alamo; to the safety of the runners; and to inclusion of representatives of the King William and Arsenal areas in route selection.

Mrs. Kliewer stated that the Council will have an opportunity to see the final route of the run when it is brought back to the Council for consideration.

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

#### ZONING HEARINGS

71. CASE Z87182 - to rezone a 0.230 acre tract of land out of Block 5, NCB 10318, from "B" Residence District to "R-4" Mobile Home Residence District and a 3.390 acre tract of land out of Block 5, NCB 10318, from "B" Residence District to "R-2" Two-Family Residence District, 1406 Pecan Valley Drive, located 340' north of the intersection of Drexel Street and Pecan Valley Drive, having 20' on Pecan Valley Drive and a depth of 1292.80'.

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

Mr. Thompson made a motion to approve the recommendation of the Zoning Commission provided that 22-feet of dedication is given along Pecan Valley Drive; that off-street parking is provided and submitted for approval by the Traffic Engineering Division; that a six-foot solid screen fence is erected and maintained along the south and north property lines; and that a one-foot non-access easement is imposed along the south and north property lines. Ms. Vera seconded the motion.

Mr. Louis Thompson, the applicant, requested that Council consider imposing a fence along the north and south property lines of the R-4 area only.

Mr. Andy Guerrero, Planner III, stated that the Zoning Commission's recommendation was that the fence be erected along the entire north and south property lines.

A brief discussion among Mrs. Dutmer, the applicant and Mr. Guerrero followed on the applicant's request.

Mr. Guerrero, in response to a question by Mrs. Dutmer, noted the differences between a mobile home and a manufactured home.

(Mayor Cisneros was obliged to leave the meeting. Mayor Pro Tem Thompson presided.)

In response to a question by Mr. Wing, Mr. Guerrero explained the zoning of the property.

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

AN ORDINANCE 67,678

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 0.230 ACRE TRACT OF LAND OUT OF BLOCK 5, NCB 10318 FROM "B" RESIDENCE DISTRICT TO "R-4" MOBILE HOME RESIDENCE DISTRICT; AND A 3.390 ACRE TRACT OF LAND OUT OF BLOCK 5, NCB 10318, 1406 PECAN VALLEY DRIVE, FROM "B" RESIDENCE DISTRICT TO "R-2" TWO-FAMILY RESIDENCE DISTRICT, PROVIDED THAT 22-Feet OF DEDICATION IS GIVEN ALONG PECAN VALLEY DRIVE; THAT OFF-STREET PARKING IS PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION; THAT A SIX-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE SOUTH AND NORTH PROPERTY LINES; AND THAT A ONE-FOOT NON-ACCESS EASEMENT IS IMPOSED ALONG THE SOUTH AND NORTH PROPERTY LINES. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

\* \* \* \*

72. CASE Z87085(SUP) - to rezone Parcels P-1A, P-1B and P-1F, NCB 17724, 3520, 3530 and 3540 North F.M. 1604 East, from Temporary "R-1" ERZD One-Family Residence Edwards Recharge Zone District to "B-3" S.U.P. ERZD Business Edwards Recharge Zone District with Special Use Permit for a contractor with outside storage for a heating and air-conditioning company.

Mr. Andy Guerrero, Planner III, stated that the applicant has requested this case be referred back to the Zoning Commission for reconsideration.

Mr. Hasslocher spoke to a list of acceptable uses for development over the aquifer prepared by Frederick J. Meyer, Environmental Protection Program, and to the request for returning this case to the Zoning Commission.

Mrs. Dutmer made a motion to refer this zoning request back to the Zoning Commission for consideration of both "I-1" zoning and the list of permitted uses prepared by the Environmental Protection Office. Mr. Hasslocher seconded the motion.

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

Zoning Case Z87085(S.U.P.) was referred back to the Zoning Commission.

73. CASE Z88116 - to rezone Lot 13, NCB 11608 (1.541 acres), from "F" Local Retail District to "B-3" Business District, 6100 Callaghan Road, located between Callaghan Road and Interstate Highway Loop 410, being 173.38' southwest of the intersection of Callaghan Road and Interstate Highway Loop 410, having 157.06' on Callaghan Road and 150.62' on Interstate Highway Loop 410 with a depth of 291.47'.

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. Mrs. Dutmer seconded the motion.

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

AN ORDINANCE 67,679

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 13, NCB 11608 (1.541 ACRES), 6100 CALLAGHAN ROAD, FROM "F" LOCAL RETAIL DISTRICT

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

\* \* \* \*

74. CASE Z87252-D - to rezone Lot 27, save and except the southeast 200', Block 32, NCB 17022, from Temporary "R-1" ERZD One Family Residence Edwards Recharge Zone District to "B-2" ERZD Business Edwards Recharge Zone District; the southeast 200' of Lot 27, save and except the northeast 150', Block 32, NCB 17022, from Temporary "R-1" ERZD One Family Residence Edwards Recharge Zone District to "B-3" ERZD Business Edwards Recharge Zone District and the southeast 200' of the northeast 150' of Lot 27, Block 32, NCB 17022, from Temporary "R-1" ERZD One Family Residence Edwards Recharge Zone District to "B-3R" ERZD Restrictive Business Edwards Recharge Zone District, in the 4500 Block of DeZavala Road, located west of the intersection of Parksite Woods and DeZavala Road, having 290' on Parksite Woods and 760' on DeZavala Road.

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

Mr. Wolff made a motion to approve the recommendation of the Zoning Commission provided that the Environmental Protection Office's recommendations are complied with and further provided that a six-foot solid screen fence is erected and maintained along the north property line adjacent to the R-6 zoned area. Mrs. Dutmer seconded the motion.

In response to a question by Mrs. Dutmer, Mr. Frederick J. Meyers, from the Environmental Protection Program, stated that his office did not object to the requested zoning.

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

AN ORDINANCE 67,680

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 27, SAVE AND EXCEPT THE SOUTHEAST 200 FEET, BLOCK 32, NCB 17022 FROM TEMPORARY "R-1" ERZD ONE-FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "B-2" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT; THE SOUTHEAST 200

FEET OF LOT 27, BLOCK 32, NCB 17022 FROM TEMPORARY "R-1" ERZD ONE-FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "B-3" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT; AND THE SOUTHEAST 200 FEET OF THE NORTHEAST 150 FEET OF LOT 27, BLOCK 32, NCB 17022 FROM TEMPORARY "R-1" ERZD ONE-FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "B-3R" ERZD RESTRICTIVE BUSINESS EDWARDS RECHARGE ZONE DISTRICT, PROVIDED THAT THE ENVIRONMENTAL PROTECTION OFFICE RECOMMENDATIONS ARE COMPLIED WITH. FURTHER PROVIDED THAT A SIX-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTH PROPERTY LINE ADJACENT TO THE R-6 ZONED AREA. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

\* \* \* \*

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

88-33 The Clerk read the following Ordinance:

AN ORDINANCE 67,681

AMENDING CHAPTER 16 ARTICLE XII OF THE CITY CODE PROVIDING A DECLARATION OF PURPOSE; PROVIDING A DEFINITION OF GARAGE SALES; PROVIDING FOR A REQUIREMENT AND DISPLAY OF A PERMIT; ESTABLISHING A PERMIT APPLICATION FEE; LIMITING THE NUMBER OF GARAGE SALES PER RESIDENCE PER YEAR; LIMITING DURATION OF EACH GARAGE SALE; REGULATING SIGNAGE, HOURS OF OPERATION AND THE SALE OF PREPARED FOOD ITEMS; PROVIDING A CIVIL REMEDY AND A PENALTY FOR EACH VIOLATION THEREOF; AND PROVIDING FOR SEVERABILITY.

\* \* \* \*

Mr. Roland Lozano, Director of Planning, gave a staff presentation on the proposed Ordinance and outlined its stipulations.

Mrs. Maria Dominguez, citizen, spoke to the need to define the words "non-profit" and spoke to personal experiences with so-called "non-profit" organizations.

Mr. Lloyd Garza, City Attorney, referred to that portion of the Ordinance which addresses non-profit organizations.

Mrs. Dutmer stated that if individuals hold more than two residential garage sales per year, state law mandates they purchase a \$25 permit and charge state sales tax. She added that charitable organizations can only have one tax-exempt sale per year.

Mr. Garza explained that it is merely a matter of policy that the state allows two tax-exempt residential sales per year.

Mrs. Dutmer made a motion to approve the proposed Ordinance which allows four garage sales per residence per year and 12 for non-profit organizations. Mr. Martinez seconded the motion.

Mrs. Dutmer then proposed an amendment to track state law that allows two tax-exempt garage sales of the residential-type during any 12 month period and that a \$2.50 fee be imposed and further that non-profit organizations have no more than one sale in a twelve month period that is tax-exempt unless they have a sales tax permit. Mr. Wolff seconded the motion.

Mrs. Dutmer then quoted state law and referred to specific passages in the state code.

Mr. Wing noted that state law does not restrict the number of garage sales but rather the number that are allowed before sales tax must be collected.

Mr. Martinez expressed his concern that the Council might be making more of this situation than is warranted. He noted that he had never received any complaints from his constituents on garage sales and does not believe sales are a problem. He spoke of other problems in the neighborhoods that he felt should take priority.

In response to questions by Mr. Martinez, Mr. Martin Rodriguez, Code Compliance Supervisor, stated that his staff consists of 28 inspectors; that nine different ordinances are enforced by Code Compliance; 1,047 structures in the City need to be demolished; 20,500 complaints were received in his department; and that 25 additional inspectors had been requested prior to enforcement of garage sales.

Mr. Martinez then offered a substitute to the amendment proposed by Mrs. Dutmer to delete the permit fee requirements from the ordinance and permit two sales per year. Mr. Thompson seconded the motion.

Mr. Wolff spoke to his concern that the public could possibly misunderstand if the Council votes to allow four garage sales per year and the state allows only two tax-exempt sales.

Ms. Vera spoke to stabilization of chronic violators who have garage sales every day or every week. She added that people that have legitimate garage sales will not have a problem.

Mayor Cisneros expressed his support of two residential garage sales per year and 12 for non-profit organizations and stated his opinion of the impact of garage sales on neighborhoods.

In response to questions by Mr. Thompson, Mr. Rodriguez stated his opinion that some type of permit is necessary to facilitate enforcement of the ordinance.

Mr. Thompson then spoke in favor of a permit fee.

Mrs. Berriozabal spoke of drinking establishments in her District that disturb the neighborhood with loud music. She spoke to the noise ordinance the Council had passed and the noise meters that had been purchased to help enforce the ordinance. She added that the police department has chosen not to enforce the noise ordinance.

City Manager Louis J. Fox advised the Council that staff is working on a process where Code Compliance staff and the police department will work together to assure enforcement of the ordinance.

Mrs. Berriozabal spoke of other problems in her neighborhood.

In response to questions from Mr. Thompson, Mr. Marcus Jahns, Assistant City Manager, noted that permits would be available at the North Loop Service Center, the Zarzamora Service Center and the downtown area. He noted that permits will also be available by mail for an additional fifty cent mailing charge.

The substitute motion to the amendment to eliminate the permit fee failed to carry by the following vote: AYES: Berriozabal, Martinez; NAYS: Dutmer, Wing, Thompson, Vera, Wolff, Cisneros; ABSENT: Webb, Labatt, Hasslocher.

Ms. Vera then offered a second amendment to allow two garage sales in residents per year and 12 for non-profit organizations. Mr. Thompson seconded the motion.

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

No vote was required on amendment No. 1 because its provisions, except for the 1 per year allowance for non-profit organizations were covered in the main motion. That provision had already been amended to 12 by a previous amendment.

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

88-33 The Clerk read the following Ordinance:

AN ORDINANCE 67,682

AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH THE ALAMO COMMUNITY COLLEGE DISTRICT RELATED TO THE CITY OF SAN ANTONIO'S FINANCIAL PARTICIPATION IN THE CONSTRUCTION OF A NATATORIUM ON THE PALO ALTO COMMUNITY COLLEGE CAMPUS OF THE ALAMO COMMUNITY COLLEGE DISTRICT AND FURTHER RELATED TO THE JOINT USE OF SAID FACILITY BY THE COLLEGE DISTRICT AND THE CITY OF SAN ANTONIO; THE EXECUTION OF SAID CONTRACT BEING CONTINGENT UPON DEVELOPMENT OF A FINANCING PLAN FOR THE CITY'S SHARE OF CONSTRUCTION COSTS WHICH ADDRESSES THE ISSUES OF NATATORIUM OWNERSHIP TO THE SATISFACTION OF BOTH THE CITY OF SAN ANTONIO AND THE ALAMO COMMUNITY COLLEGE DISTRICT.

\* \* \* \*

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

Mr. Ron Darner, Director of Parks and Recreation, gave a brief staff presentation on the proposed Palo Alto Natatorium and terms of a contract. He noted that recommendations include authorizing issuance of certificates of obligation and authorizing the City Manager to proceed with negotiations between the City and the Alamo Community College District. He then spoke to twelve principles and guidelines that the ordinance mandates should be embodied in the agreement (a copy of these stipulations are on file with the papers of this meeting).

Mr. Gerardo Gonzales, Chairman of the Board of Trustees for the ACCD, spoke to his negotiations with the City Manager and City staff to bring the construction of the natatorium on the Palo Alto Community College campus to fruition.

Mr. Joe Krier thanked the City staff, Mr. Fox and Rolando Bono, Assistant City Manager, for the work that has been accomplished with the college district. He stated that the Chamber supports this type of facility and encourages passage of this ordinance by the City Council. He added that, as a result of this proposed natatorium, the possibility of hosting the Pan Pacific games in 1991 is realistic.

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Mr. Bob Coleman expressed his support for this natatorium and noted that it would not only be good for the southside but for the City as a whole in promoting sports in all of the City's neighborhoods.

Mayor Cisneros spoke of the upcoming baseball games that will be played in the southside by students from San Antonio and from Kumamoto, Japan.

City Manager Louis J. Fox noted that passage of this ordinance will only authorize him to execute a contract with the Alamo Community College District and that the sale of certificates of obligation will come before the Council at a later date.

Mr. Wing spoke of his support for the natatorium and the possible benefits it will generate for the college, i.e. better students, more youngsters involved in the sport of swimming, etc.

Mrs. Berriozabal, Mr. Thompson and Mr. Wolff spoke in support of the proposed Ordinance.

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

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88-33

XC-99 AIRPLANE DISPLAY

Mr. Thompson, on a point of personal privilege, spoke to the static display at Kelly Air Force Base of the XC-99 and other small airplanes. He noted that according to the numbers reported approximately 22,000 persons tour the display per year and there are no amenities, i.e. water, sewerage, available to the public. He requested information on any possible action the City might take to remedy this problem.

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88-33 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE - CLOSING ALLEY OFF OF HELENA STREET

Mayor Cisneros declared the Public Hearing to be opened.

No citizen appeared to speak on the subject.

Mayor Cisneros declared the Public Hearing to be closed.

The Clerk read the following Ordinance:

AN ORDINANCE 67,683

CLOSING ABANDONING AND QUITCLAIMING AN UNIMPROVED ALLEY 25 FEET IN WIDTH AND 212 FEET IN LENGTH (5,318 SQUARE FEET) OFF HELENA STREET; PARTICULARLY BETWEEN LOTS 1 THRU 5, AND LOT 6, NEW CITY BLOCK 2588 AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE QUITCLAIM DEEDS TO CLYDE B. GOLDSMITH AND WIFE, MARION GOLDSMITH AND TO LINDA R. MATA.

\* \* \* \*

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

Mrs. Berriozabal, addressing Mr. Phil Garay, who was representing the owner, stated that the owners need to be advised to keep their lot clean.

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

88-33

COUNCIL CHAMBER

Mayor Cisneros spoke to the need to have someone on staff responsible for the upkeep of the Council Chamber. He noted that at one time installation of television sets in the Chamber had been discussed so that citizens in the audience could view the speakers at the podium and the proceedings on television should their views be obstructed. He also pointed out that slide projector was in need of repair, that the Council microphones were too low and that the fan noise was too loud.

City Manager Louis J. Fox spoke to the various issues raised by Mayor Cisneros.

88-33

ALLEYS

Mr. Thompson stated that alleys, as related to their upkeep and maintenance, is an issue that needs to be addressed.

88-33 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE - AMENDING THE  
MAJOR THOROUGHFARE PLAN

Mayor Cisneros opened the public hearing.

No citizen appeared to speak on this issue.

Mayor Cisneros closed the public hearing.

The Clerk read the following Ordinance:

AN ORDINANCE 67,684

AMENDING THE MAJOR THOROUGHFARE PLAN.

\* \* \* \*

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

Mrs. Dutmer spoke to Sulphur Springs Road being declared a major thoroughfare.

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

The Regular Session of the City Council was recessed at 5:11 P.M. to convene a "B" Session, reconvening the Regular Session at 5:34 P.M. for Citizens to be Heard.

88-33

CITIZENS TO BE HEARD

DR. MARIAN SOKOL

Dr. Marian Sokol, Executive Director, Project Any Baby Can (ABC), expressed concern with the lack of facilities and assistance for chronically ill children. She further spoke to the lack of current legislation to meet the health needs of these children. She asked for Council support of a new group being formed to lobby for children's needs called the Texas Coalition of Children with Unmet Health Needs.

Mayor Cisneros thanked Dr. Sokol for her work with Project Any Baby Can and to Dr. Fernando Guerra, Director of the Metropolitan Health District, for his part in assuring that these children are helped.

Dr. Guerra noted upcoming changes in the medicaid program and spoke to the problems caused when catastrophic illnesses occur.

\* \* \* \*

TOM HENDERSON

Mr. Tom Henderson, Helping Hands Lifeline, spoke to the present \$35.00 cap imposed when assisting individuals to pay their utility bills. He requested that the cap be raised to \$75.00.

Mr. Kevin Moriarty, Director of Human Resources, stated that the cap is imposed by the City and that this type of cash assistance has been awarded to approximately 10,000 families.

In response to a question by Ms. Vera, Mr. Moriarty stated that the demand for this assistance is not being met and that all monies budgeted have been used every year.

\* \* \* \*

MARIA DOMINGUEZ

Mrs. Maria Dominguez, citizen, spoke of inability to pay her overdue utility bills as a result of her husband's illness. She also complimented the City Council on Dr. Fernando Guerra's appointment as the Metropolitan Health District's Director.

\* \* \* \*

USE OF DISCRETIONARY FUNDS

Mr. Jeffrey Levan, Freethought Forum, 999 E. Basse Road, Suite 180, Ms. Terrellita Maverick, Maverick Video, Ms. Anna M. Jimenez, citizen, and Ms. Catherine Fahringer, Freethought Forum, expressed concern and spoke against using City funds to upgrade two softball fields that belong to the Catholic Archdiocese of San Antonio for the upcoming softball games against the Kumamoto, Japan players. They noted that, in their opinion, City facilities could have been used.

Ms. Vera spoke to the importance of strengthening the ties with sister cities. She noted that volunteers had begun work on upgrading the fields prior to the City funds being made available. She added that as the time approached for the games, it became evident that the volunteers needed help if the fields were to be ready in time for the games.

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Mayor Cisneros stated that it was his belief that the legal requirements for providing these funds had been addressed.

Lloyd Garza, City Attorney, noted that a set of guidelines is in place to handle these sort of situations. He noted that one of the stipulations requires that the facilities to be improved be made available to the public.

Mr. Wing noted that all of the citizens who had expressed concern about using discretionary funds for this purpose were not aware of all of the facts.

Mr. Wolff spoke of his own family's use of CYO facilities.

\* \* \* \*

88-33 The Clerk read the following Letter:

July 27, 1988

Honorable Mayor and Members of the City Council of the City of San Antonio

The following petition was received in my office and forwarded to the City Manager for investigation and report to the City Council.

July 26, 1988

Petition submitted by Mr. James Kelly, President, Community Workers Council, 227 S. Acme Road, San Antonio, TX 78237, and other residents in the area, requesting that the city have certain repairs done at the locations outlined in their letter.

\* \* \* \*

/s/Norma S. Rodriguez  
City Clerk

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mlr

There being no further business to come before the City Council,  
the meeting was adjourned at 6:27 P.M.

A P P R O V E D

*Henry Cisneros*

M A Y O R

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

## "B" SESSION ITEM

ENTERPRISE ZONES: 1. THE MILITARY AIRCRAFT OVERLAY DISTRICT (CITY COUNCIL DISTRICTS 4, 5, 6 AND 7); AND 2. THE CHERRY STREET AREA (COUNCIL DISTRICT 2). DOCUMENT PRESENTED FROM STUART D. SUMMERS, DIRECTOR OF ECONOMIC AND EMPLOYMENT DEVELOPMENT, IS ON FILE WITH THE PAPERS OF THIS MEETING.

\* \* \* \*

## "B" SESSION ITEM

PAPER ON DESIGNATION OF THE TEXAS ENTERPRISE PROGRAM.

\* \* \* \*

## "B" SESSION ITEM

EDUCATION ACCORDS REPORT BY MAYOR CISNEROS.  
TITLE: THE SAN ANTONIO EDUCATION PARTNERSHIP.

\* \* \* \*