

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
WEDNESDAY, DECEMBER 23, 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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87-60 The invocation was given by Reverend Dan McLendon, Associate Pastor, Trinity Baptist Church.

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87-60 The members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

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87-60 SANTA CLAUS

Santa Claus, in the person of Bill Noble, entered the City Council Chamber wished the Council a Merry Christmas and a Happy New Year.

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87-60 CHRISTMAS INTERNATIONAL HOUSE DAY

Mayor Cisneros introduced Ms. Mary Holzschuher, representative of the Christmas International House Day, a representative of the nationwide ecumenical program Christmas International House, which sponsors students from foreign countries studying at American colleges and universities during the Christmas holidays.

Mayor Cisneros read the proclamation designating "Christmas International House Day" in San Antonio, Texas.

Twenty-four students representing the program stood to introduce themselves and their nation and then sang "Silent Night" in English, and then in their own language.

Mayor Cisneros welcomed the group and presented the proclamation to a representative of the student group.

City Council members then were invited to attend a special dinner December 30 for the group.

San Antonio fountain pens were then given to each student as a memento to their visit to City Hall.

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MR. PADDY COX

Mayor Cisneros introduced Mr. Paddy Cox, from Halesworth, Suffolk England and welcomed him to San Antonio, presenting him with a San Antonio book.

Mr. Cox brought Christmas greetings to City Hall and to the citizens of San Antonio from his home city in England and he spoke of several native citizens who immigrated to the United States in the past. Mr. Cox then presented a special plaque to San Antonio from the Governorship of Suffolk County.

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AEROMEXICO

Mayor Cisneros introduced Mr. Bernard Magnon whose family founded the Black and White Ball in San Antonio. Mr. Magnon spoke of a recent visit by Rodolfo Casparius, Vice President and General Manager of AeroMexico. Mr. Casparius attended the Black and White Ball last week and made the decision to display a photographed poster of the recently crowned Queen of the Black and White Ball in all AeroMexico offices throughout the USA, Canada and Mexico. The poster will feature her picture along with the history of San Antonio.

Mr. Magnon presented a plaque to the Mayor and City Council from the Chamber of Commerce of Mexico City.

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CHRISTMAS PRESENTS

Mayor Cisneros presented special video taped recordings of a montage of the Pope's visit, the visit of the King and Queen of Spain, and of the Alamo Grand Prix auto race as Christmas presents for each City Council member.

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87-60 The minutes of the Regular City Council Meeting of December 3, 1987, were approved.

87-60 CONSENT AGENDA

Mr. Hasslocher made a motion to approve the Agenda Items #7 - 69, constituting the Consent Agenda, with the exception of Items #20, 31, 32, 35, 38, 42, 54, and 68, which were pulled for individual consideration. Mr. Thompson seconded the motion.

The City staff removed Agenda Items #40, 46 and 62, from consideration.

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

AN ORDINANCE 66,250

ACCEPTING THE PROPOSAL OF THE AMERICAN AUTOMOBILE ASSOCIATION TO FURNISH THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH PATROL BADGES FOR A TOTAL OF \$4,582.50.

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AN ORDINANCE 66,251

ACCEPTING THE PROPOSAL OF INFORMATION ACCESS COMPANY TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH GOVERNMENT PUBLICATIONS AND MAGAZINE INDEX FOR A TOTAL OF \$4,264.00.

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AN ORDINANCE 66,252

ACCEPTING THE PROPOSAL OF H.W. WILSON CO. FOR THE RENEWAL OF SUBSCRIPTIONS FOR THE CITY OF SAN ANTONIO PUBLIC LIBRARY FOR A TOTAL OF \$11,252.00.

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AN ORDINANCE 66,253

ACCEPTING THE LOW BID OF INGRAM DISTRIBUTION GROUP TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH VIDEOCASSETTES ON AN ANNUAL CONTRACT BASIS FOR A TOTAL OF APPROXIMATELY \$25,000.00.

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AN ORDINANCE 66,254 .

ACCEPTING THE PROPOSAL OF FACTS ON FILE, INC., FOR REFERENCE MATERIALS FOR THE CITY OF SAN ANTONIO PUBLIC LIBRARY FOR A TOTAL OF \$6,720.00.

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AN ORDINANCE 66,255 .

ACCEPTING THE PROPOSAL OF PRENTICE HALL INFORMATION SERVICES FOR THE RENEWAL OF BOOKS FOR THE CITY OF SAN ANTONIO PUBLIC LIBRARY FOR A TOTAL OF \$7,095.00.

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AN ORDINANCE 66,256 .

ACCEPTING THE PROPOSAL OF COLE PUBLICATIONS TO FURNISH THE CITY OF SAN ANTONIO WITH CRISS CROSS DIRECTORIES FOR A TOTAL OF \$10,660.36.

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AN ORDINANCE 66,257 .

ACCEPTING THE PROPOSAL OF MANAGEMENT SCIENCE AMERICA, INC., FOR THE RENEWAL OF A COMPUTER FIXED ASSET SOFTWARE CONTRACT FOR THE CITY OF SAN ANTONIO INFORMATION RESOURCES DEPARTMENT FOR A TOTAL OF \$14,600.00.

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AN ORDINANCE 66,258 .

ACCEPTING THE PROPOSAL OF MOTOROLA TO FURNISH THE CITY OF SAN ANTONIO INFORMATION RESOURCES WITH A MAINTENANCE CONTRACT FOR THE MDT COMPUTER FOR A TOTAL OF \$21,192.00.

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AN ORDINANCE 66,259 .

ACCEPTING THE LOW BID OF MEDICAL RESEARCH LABS TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH DEFIBRILLATORS FOR A TOTAL OF \$58,023.00.

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AN ORDINANCE 66,260

ACCEPTING THE LOW BID OF BAILEY'S HOUSE OF GUNS TO FURNISH THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH POLICE REVOLVERS FOR A TOTAL OF \$19,185.00.

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AN ORDINANCE 66,261

ACCEPTING THE LOW BIDS OF PRESTON DAIRY PRODUCTS, INC., AND DAIRY RICH, INC., TO FURNISH THE CITY OF SAN ANTONIO HUMAN RESOURCES DEPARTMENT WITH DAIRY PRODUCTS FOR A TOTAL OF APPROXIMATELY \$57,840.00 FOR A THREE MONTH PERIOD.

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AN ORDINANCE 66,262

ACCEPTING THE BID OF RICHTER'S BAKERY TO FURNISH THE CITY OF SAN ANTONIO HUMAN RESOURCES DEPARTMENT WITH BAKERY PRODUCTS FOR A TOTAL OF APPROXIMATELY \$7,097.0 FOR A THREE MONTH PERIOD.

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AN ORDINANCE 66,263

ACCEPTING THE LOW QUALIFIED BID OF CASCO INDUSTRIES, INC. TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH COMPRESSED AIR CYLINDERS FOR A TOTAL OF \$16,335.36.

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AN ORDINANCE 66,264

ACCEPTING THE LOW QUALIFIED BID OF CASCO INDUSTRIES, INC., TO FURNISH THE CITY OF SAN ANTONIO WITH SURVIVAIR REPAIR PARTS FOR A TOTAL OF APPROXIMATELY \$16,000.00.

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AN ORDINANCE 66,265

ACCEPTING THE LOW QUALIFIED BID OF MINE SAFETY APPLIANCE COMPANY TO FURNISH THE CITY OF SAN ANTONIO ENVIRONMENTAL MANAGEMENT DEPARTMENT WITH GAS MONITORS FOR A TOTAL OF \$20,826.00.

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AN ORDINANCE 66,266

ACCEPTING THE LOW BID OF DRAGO SUPPLY, INC., TO FURNISH THE CITY OF SAN ANTONIO ENVIRONMENTAL MANAGEMENT DEPARTMENT WITH WIND RESISTANT STANDS AND SIGNS FOR A TOTAL OF \$9,054.00.

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AN ORDINANCE 66,267

ACCEPTING THE LOW QUALIFIED BID OF PATTERSON DENTAL COMPANY TO FURNISH THE CITY OF SAN ANTONIO HEALTH DEPARTMENT WITH DENTAL CLINIC EQUIPMENT FOR A TOTAL OF \$4,115.00.

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AN ORDINANCE 66,268

ACCEPTING THE LOW BID OF VANIER GRAPHICS CORPORATION TO FURNISH THE CITY OF SAN ANTONIO MUNICIPAL COURTS WITH PARKING TICKETS FOR A TOTAL OF \$4,697.00.

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AN ORDINANCE 66,269

ACCEPTING THE LOW BIDS OF DECIBEL PRODUCTS, INC., ELECTROTEX, INC., AND JAN INDUSTRIAL ELECTRONICS TO FURNISH THE CITY OF SAN ANTONIO WITH RADIO ANTENNAS AND ACCESSORIES ON A CONTRACT BASIS FOR A TOTAL OF APPROXIMATELY \$14,500.00.

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AN ORDINANCE 66,270

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH L.L. RODRIGUEZ & ASSOCIATES, INC., IN THE AMOUNT OF \$40,000.00 FOR ENGINEERING SERVICES RELATING TO THE

TRAFFIC SIGNALIZATION FY 1987-88 PROJECT; AND
\$250.00 FOR ADVERTISING EXPENSES.

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AN ORDINANCE 66,271 .

AUTHORIZING AN ADDITIONAL \$15,000.00 FOR ENGINEERING
FEES RELATED TO THE HUEBNER ROAD, FROM VANCE JACKSON
TO LOCKHILL SELMA ROAD, PROJECT.

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AN ORDINANCE 66,272 .

ACCEPTING THE BID OF S.H. TOLLIVER COMPANY, IN THE
AMOUNT OF \$13,850.00; PROVIDING AN ADDITIONAL
\$3,000.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY
EXPENSES RELATING TO INGRAM ROAD SPECIAL
CONSTRUCTION PROJECT; APPROVING THE CONTRACTS, AND
PROVIDING FOR PAYMENT.

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AN ORDINANCE 66,273 .

AUTHORIZING THE CITY MANAGER TO EXECUTE A
"CONSTRUCTION AND MAINTENANCE AGREEMENT FOR BRIDGE
REPLACEMENT OR REHABILITATION OFF THE STATE SYSTEM"
WITH THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC
TRANSPORTATION TO REPLACE THE BRIDGE ON GRAHAM
STREET AT SAN PEDRO CREEK; APPROPRIATING FUNDS, AND
AUTHORIZING PAYMENT OF \$16,400.00 AS THE CITY'S
SHARE OF ESTIMATED COST.

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AN ORDINANCE 66,274 .

AUTHORIZING CITY WATER BOARD FIELD ALTERATION NO. 3,
IN THE AMOUNT OF \$106,185.00, TO ADJUST MAINS AND
SERVICES WITHIN THE BUFFALO STREET DRAINAGE PROJECT
#44 ON CARNOT & BUFFALO BETWEEN W. MALONE AND
COTTONWOOD, ON SURREY WEST OF BUFFALO, AND ON THE
500 BLOCK OF SIMS.

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POST CONSTRUCTION PHASE PROFESSIONAL DESIGN ENGINEERING SERVICES IN THE AMOUNT OF \$89,659.00; A PROFESSIONAL SERVICES CONTRACT WITH THE PDVA GROUP, A JOINT VENTURE OF PAPE-DAWSON, INC., AND VICKREY & ASSOCIATES, INC., FOR CONSTRUCTION MANAGEMENT SERVICES IN THE AMOUNT OF \$40,000.00; AUTHORIZING AN ADDITIONAL \$12,966.00 FOR A MISCELLANEOUS PROFESSIONAL SERVICES CONTINGENCY; AWARDING A CONSTRUCTION CONTRACT TO UTILITIES CONSOLIDATED, INC. IN THE AMOUNT OF \$903,075.00 AND PROVIDING AN ADDITIONAL \$90,308.00 FOR A CONSTRUCTION CONTINGENCY, ALL IN CONNECTION WITH SAWFIP, CATEGORY 4, PACKAGE "E-1", RILLING AND SALADO CREEK COLLECTION SYSTEM RELIEF LINE PROJECT.

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AN ORDINANCE 66,281 .

APPROPRIATING FUNDS AND AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT CHANGE ORDER #4, IN THE AMOUNT OF \$01,841.43, PAYABLE TO SOUTH TEXAS CONSTRUCTION CO., FOR THE COMMERCIAL AVENUE - CLOVIS TO W. FORMOSA SANITARY SEWER REHABILITATION PROJECT.

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AN ORDINANCE 66,282 .

APPROPRIATING FUNDS AND AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT CHANGE ORDER #5 IN THE AMOUNT OF \$53,733.00, PAYABLE TO FRU-CON CONSTRUCTION, CONTRACTOR, FOR THE DOS RIOS FACILITY CONTRACT 4A.

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AN ORDINANCE 66,283 .

AUTHORIZING THE CONTINUATION OF THE INTEGRATED MANAGEMENT PROGRAM (IMP) AND ASSOCIATED AGREEMENTS WITH PEAT MARWICK & MAIN AND LAYTON AND ASSOCIATES INTERNATIONAL, IN THE TOTAL AMOUNT OF \$1,581,925.00 FOR A ONE YEAR PERIOD, AND APPROPRIATING FUNDS.

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AN ORDINANCE 66,284 .

AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH CH2M HILL FOR

THE MITCHELL BURN SITE CLOSURE PLAN IN THE AMOUNT OF \$5,850.00; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 66,285

ACCEPTING THE LOW QUALIFIED BID OF INCORE, INC., IN THE AMOUNT OF \$1,591,240.00, TO CONSTRUCT THE FIRE/RESCUE STATION AT INTERNATIONAL AIRPORT; APPROVING A CONTRACT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 66,286

APPROVING FIELD ALTERATION NO. 8, IN THE AMOUNT OF \$187,115.03 TO THE CONTRACT WITH H.B. ZACHRY CO. FOR THE SAN ANTONIO INTERNATIONAL AIRPORT PARKING LOTS AND ROADWAY IMPROVEMENTS PROJECT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 66,287

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT, IN THE AMOUNT OF \$99,224.00, WITH MARMON BARCLAY SOUTER FOSTER HAYS FOR ARCHITECTURAL SERVICES IN CONNECTION WITH THE TERMINAL IMPROVEMENTS PROJECT AT SAN ANTONIO INTERNATIONAL AIRPORT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 66,288

ACCEPTING THE BID OF SHAVANO RESTORATIONS CONSTRUCTION IN THE AMOUNT OF \$24,668.00 FOR THE JAPANESE GARDENS WALL AND PEDESTRIAN BRIDGE REPAIRS; ESTABLISHING A \$4,167.00 CONSTRUCTION CONTINGENCY; APPROPRIATING FUNDS; AUTHORIZING PAYMENTS TO THE CONTRACTOR FOR CONSTRUCTION AND CONTINGENCIES; AND AUTHORIZING AN ADDITIONAL \$900.00 PAYABLE TO THE ENGINEER.

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AN ORDINANCE 66,289 .

APPROPRIATING AND AUTHORIZING PAYMENT OF AN
ADDITIONAL \$2,500.00 TO RICHARD H. MYCUE FOR
ARCHITECTURAL DESIGN SERVICES FOR THE MASONRY ARCHED
RIVERWALK FRONT IMPROVEMENTS PROJECT.

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AN ORDINANCE 66,290 .

AUTHORIZING \$15,000.00 FROM COUNCIL DISTRICT 10
DISTRICT IMPROVEMENT AND DISCRETIONARY FUND AS A
CONTRIBUTION PAYABLE TO RAMSEUR INCORPORATE FOR
DRAINAGE IMPROVEMENTS WITHIN THE RIGHT-OF-WAY OF
NACOGDOCHES ROAD SOUTH OF THOUSAND OAKS DRIVE.

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AN ORDINANCE 66,291 .

APPROPRIATING FUNDS AND AUTHORIZING THE CITY MANAGER
TO EXECUTE CONTRACT CHANGE ORDER #35 (FINAL) IN THE
AMOUNT OF \$82,000.00, PAYABLE TO SANDERS INDUSTRIES,
LTD., FOR THE LEON CREEK WASTEWATER TREATMENT PLANT
EXPANSION, CATEGORY II, STEP 3; AND PROVIDING FOR
FULL AND FINAL SETTLEMENT OF ANY AND ALL CLAIMS BY
SANDERS COMPANY AGAINST THE CITY OR ANY OTHER
PARTIES ARISING OUT OF SANDERS COMPANY'S WORK ON THE
LEON CREEK WASTEWATER TREATMENT PLANT EXPANSION,
CATEGORY II, STEP 3.

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AN ORDINANCE 66,292 .

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$10,886.00
OUT OF GENERAL OBLIGATION BONDS FOR THE PURPOSE OF
ACQUIRING TITLE AND/OR EASEMENT TO CERTAIN LANDS;
ACCEPTING THE DEEDICATION OF EASEMENTS TO CERTAIN
LANDS; ALL IN CONNECTION WITH CERTAIN RIGHT-OF-WAY
PROJECTS.

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AN ORDINANCE 66,293 .

DECLARING A TRACT OF LAND, BEING LOT 26, BLOCK 1,
NEW CITY BLOCK 6490, SURPLUS TO THE CITY'S NEEDS,

AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE A QUITCLAIM DED TO JOSE A. VALDEZ, ET UX, ABUTTING OWNERS, FOR A CONSIDERATION OF \$298.00.

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AN ORDINANCE 66,294

AUTHORIZING PAYMENT OF REFUNDS TO PERSONS MAKING A DOUBLE PAYMENT, OVERPAYMENT OR AS A RESULT OF A VALUE CHANGE ON 23 TAX ACCOUNTS.

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AN ORDINANCE 66,295

APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND THE MEXICAN AMERICAN UNITY COUNCIL, INC. TO PROVIDE 7,785 SQUARE FEET OF SPACE IN THE MEXICAN AMERICAN UNITY COUNCIL CENTER, A BUILDING LOCATED AT 2300 WEST COMMERCE STREET, FOR THE BAZAN BRANCH LIBRARY, AND AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT IN CONNECTION THEREWITH.

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AN ORDINANCE 66,296

AUTHORIZING THE CITY MANAGER TO ACCEPT A GRANT OF \$245,000.00 FROM H.U.D. FOR PHASE II RENOVATION OF THE S.A.M.M. SHELTER ANNEX BUILDING; APPROPRIATING \$20,000.00 FOR ARCHITECTURAL FEES; ACCEPTING ADDITIONAL FUNDS OF \$10,000.00 FOR ARCHITECTURAL FEES; APPROPRIATING AN IN-KIND MATCH OF \$245,000.00; AND ADOPTING A BUDGET.

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AN ORDINANCE 66,297

SETTING A PUBLIC HEARING ON JANUARY 7 AND JANUARY 14, 1988, AT 3:00 P.M. IN THE COUNCIL CHAMBER REGARDING THE ANNEXATION OF RAY ELLISON DRIVE ALONG THE PERIMETER OF THE SEA WORLD DEVELOPMENT.

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AN ORDINANCE 66,298

ACCEPTING THE SUM OF \$400.00 FROM TRAMMELL CROW

CORPORATION TO COVER THE COST OF THE TRAFFIC SENSORS OUTSIDE OF THE PUBLIC RIGHT-OF-WAY FOR A NEW TRAFFIC SIGNAL ON S.W. MILITARY AT THE ENTRANCE TO SOUTH PARK MALL.

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AN ORDINANCE 66,299

AUTHORIZING THE TRANSFER OF SIX (6) TAXICAB OPERATING PERMITS FROM MR. JACINTO C. SENIZAIZ, OWNER OF ACE CAB COMPANY TO HIS WIFE, MRS. MARIA ELENA P. SENIZAIZ.

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AN ORDINANCE 66,300

AUTHORIZING THE CITY MANAGER TO SUBMIT MODIFICATIONS TO THE JOB TRAINING PARTNERSHIP ACT (JTPA) TITLE IIA PLAN FOR PROGRAM YEAR 1987, COMMENCING JULY , 1987 TO JUNE 30, 1988; AND AUTHORIZING THE CITY MANAGER TO ACCEPT THE JTPA MODIFICATION OF THE GRANT FOR PROGRAM YEAR 1987 IN THE SUM OF \$1,209,175.00.

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87-60 The Clerk read the following Ordinance:

AN ORDINANCE 66,301

ACCEPTING THE LOW BID OF LABATT FOOD SERVICE, INC TO FURNISH THE CITY OF SAN ANTONIO HUMAN RESOURCES DEPARTMENT WITH GROCERY PRODUCTS, FROZEN FOODS, PAPER PRODUCTS, AND JANITORIAL SUPPLIES FOR THE NUTRITION CENTERS FOR A TOTAL OF APPROXIMATELY \$138,983.60 FOR A PERIOD OF THREE MONTHS.

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

Mr. Labatt noted that he would be abstaining from this vote although he no longer owns any portion of Labatt Food Service, Inc.

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

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

87-60 The Clerk read the following Ordinance:

AN ORDINANCE 66,302

ACCEPTING THE LOW BID OF E-Z BEL CONSTRUCTION CO.,
 IN THE AMOUNT O \$384,041.22 FOR RECONSTRUCTION OF
 KOEHLER COURT FROM S. NEW BRAUNFELS TO S. PRESA;
 PROVIDING AN ADDITIONAL \$38,404.12 FOR MISCELLANEOUS
 CONSTRUCTION CONTINGENCY EXPENSES; APPROVING A
 CONTRACT; AND PROVIDING FOR PAYMENT.

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

In response to a question by Mrs. Dutmer, Mr. Roy Montez, Public
 Works Department, briefly explained the details of the ordinance.

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

87-60 The Clerk read the following Ordinance:

AN ORDINANCE 66,303

ACCEPTING THE BID OF HEATH CONSTRUCTORS, INC., IN
 THE AMOUNT OF \$3,237,777.77 FOR RECONSTRUCTION OF
 CERTAIN STREETS; PROVIDING A MISCELLANEOUS
 CONSTRUCTION CONTINGENCY IN THE AMOUNT OF
 \$161,888.89; PROVIDING ADDITIONAL ENGINEERING FEES
 PAYABLE TO CIVIL ENGINEERING CONSULTANTS IN THE
 AMOUNT OF \$11,736.94; APPROVING THE CONTRACTS AND
 PROVIDING FOR PAYMENT.

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

Mr. Karl Wurz, citizen, voiced his concern with awarding this contract to Heath Constructors. He then noted that the same firm has had problems with a drainage project at the Durango Street overpass and he also addressed other problems he feels are associated with construction of the Durango overpass by the firm. Mr. Wurz also voiced his concern with awarding a new contract to this contractor before he has completed another project already underway. Mr. Wurz stated that he feels the contractor removed equipment from the Durango overpass project before it was completed.

Mayor Cisneros spoke of a number of problems associated with the overpass project and voiced his own concern that project coordinators must be on top of all city projects.

Mr. Louis J. Fox, City Manager, noted the problem concerns possible alignment problems with the overpass.

Mr. Martinez noted that contractors are supposed to be evaluated for future projects on the basis of the projects they already have completed for the city, and he voiced his concern with completion of the Buffalo street project which is now underway on which the contractor involved has done timely work.

Mr. Montez spoke to how Heath Constructors was evaluated by City staff for award of this project.

Mrs. Berriozabal stated that she would like the city staff to divide large projects such as this into several smaller projects and stated as a result she would not vote for this ordinance.

Mr. Montez briefly explained the process of bidding this project as one unit since it was described that way in the bond issue which provided funds for the project.

Mr. David Steitle, Director of Public Works, noted that this project was packaged as a single item mainly because of utility relocation problems and is clearly to the public's advantage to do so. Mr. Steitle noted that he had considered at one time dividing this project into several projects but had decided not to do so.

Mr. Hasslocher made a motion to limit City Council members to three minutes in comments on Agenda items today because of the length of the Agenda. The motion died for lack of a second.

Mr. Webb voiced his concern that Agenda Item #35 is for the twelfth field alteration on a certain project and he voiced his concern that any project has so many field alterations made to it.

Mr. Steitle noted that this particular field alteration wraps up a number of items in the project changes.

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.

87-60 The Clerk read the following Ordinance:

AN ORDINANCE 66,304

AUTHORIZING FIELD ALTERATION NO. 12, IN THE AMOUNT OF \$446,000.80, RELATING TO THE S. PINE/S. PALMETTO/RIGSBY STREET RECONSTRUCTION PROJECT.

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Mrs. Dutmer stated that she faults the engineer not the contractor on this particular project for the drainage problems which have been encountered in the S. Pine/S. Palmetto/Rigsby street reconstruction project, which is now underway. Mrs. Dutmer then addressed a number of the drainage problems involved.

Mr. David Steitle, Director of Public Works, spoke to the number of changes made in standard design of that project in order to eliminate such problems in the future.

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

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

87-60 The Clerk read the following Ordinance:

AN ORDINANCE 66,305

AUTHORIZING FIELD ALTERATION NO. 3, IN THE AMOUNT OF \$38,269.00, TO THE PACIFIC DRAINAGE PROJECT NO. 66A, PHASE II (PLEASANTON ROAD) PROJECT, PROVIDING FOR REVISING CONSTRUCTION PHASING AND REIMBURSEMENT OF IDLE EQUIPMENT COSTS OF THE CONTRACTOR DUE TO THE PHASING REVISION.

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

Mrs. Berriozabal spoke in favor of how the city coordinated this construction work with area businesses in limiting the construction period involved. She further stated that she feels this is a good investment to keep businesses from being adversely impacted by a construction project to the greatest extent possible.

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.

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87-60 The Clerk read the following Ordinance:

AN ORDINANCE 66,306

AUTHORIZING AN ADDITIONAL \$15,000.00 FOR ENGINEERING FEES RELATED TO THE TILLIE DRIVE DRAINAGE OUTFALL #114A.

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

Mrs. Dutmer briefly explained the need for these additional engineering fees.

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.

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87-60 The Clerk read the following Ordinance:

AN ORDINANCE 66,307

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT, IN THE AMOUNT OF \$75,220.00, WITH BAIN MCCRARY BAIN, FOR ENGINEERING SERVICES IN CONNECTION WITH THE NORTH APRON RECONSTRUCTION PROJECT AT STINSON MUNICIPAL AIRPORT; APPROPRIATING FUNDS;

APPROVING A BUDGET; AND PROVIDING FOR PAYMENT.

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

In response to a question by Mrs. Dutmer, Mr. Mike Kutchins, Director of Aviation, noted that the engineer involved is a local firm.

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.

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87-60 The Clerk read the following Ordinance:

AN ORDINANCE 66,308 .

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 AUTHORIZING THE EXTENSION OF THE JOB TRAINING PARTNERSHIP ACT TITLE III PROGRAM BY ORDINANCE NO. 65129, DATED JUNE 4, 1987, COVERING THE PERIOD DECEMBER 15, 1986 TO DECEMBER 14, 1987; AND AUTHORIZING THE CITY MANAGER TO EXTEND CONTRACTS FROM DECEMBER 15, 1987 TO MARCH 31, 1988; AND EXTENDING THE CONTRACTS WITH PRESENT SERVICE PROVIDING ALAMO AREA COUNCIL OF GOVERNMENTS, THE WOMEN'S EMPLOYMENT NETWORK, AND BEXAR COUNTY WOMEN'S CENTER.

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

In response to a question by Mrs. Dutmer, Mr. Stuart Summers, Director of the Department of Economic and Employment Development, addressed quorum problems of the Private Industry Council in the past months and stated that he feels this problem now has been resolved.

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.

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87-60 ZONING HEARINGS

70. CASE Z872261 (P.P.) - to rezone a 28.836 acre tract of land, being Lot 2, Block 7, CB 4977, CB 4978, and CB 4976, from Temporary "R-1" ERZD One Family Residence Edwards Recharge Zone District to "R-3" ERZD Multiple Family Residence Edwards Recharge Zone District; a 0.681 acre tract of land being Lot 3, Block 7, CB 4976, from Temporary "R-1" ERZD One Family Residence Edwards Recharge Zone District to "B-2" ERZD Business Edwards Recharge Zone District, located on the westside of Blanco Road, being 338' south of the intersection of Blanco Road and Brookstone Drive, having 170' on Blanco Road and extending northwest a maximum distance of 3850'.

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

Mayor Cisneros briefly laid down the standard ground rules for a hearing by both sides on this zoning case.

Mr. Nelson Clare, attorney representing the proponents, noted that the proponent had purchased this property for residential development some four years ago and that the land was granted non-conforming rights after its annexation into the City of San Antonio. He spoke of some three meetings that had been held between the proponent and the homeowners association involved over last spring and summer and noted that the main questions dealt principally with density of population. He stated further that the proponent must begin developing the land within one year under non-conforming rights, and he noted that they do not wish to develop the property for residential uses at this immediate time so the proponent is now seeking a zoning change. Mr. Clare spoke to plans to exchange parts of this property with the developers of Deerfield Subdivision but this exchange has thus far not been approved by both parties. He then addressed certain restrictions now being looked into including the possibility of new setbacks, height restrictions, and other such restrictions. Mr. Clare noted that the proponent now is willing to dedicate 40% percent of the property, or some 11 acres in all to a greenscape and to limit development to 10 living units per acre in density, figured on the gross acreage.

Mr. Park Pearson, 1502 Fox Haven, stated that he feels this rezoning makes too abrupt a change in residential zoning from single family to multi-family housing. He noted that the property involved is completely surrounded by single family homes.

Mr. Henry Bonilla, 15643 Cloud Top, spoke to the single family nature of this area.

Mr. Mark Allyn, 16923 Hidden Oaks Woods, President of the Blanco Woods Homeowners Association, spoke to "cluster housing" nature of the planned development and he handed to City Council copies of petitions

signed by residents in opposition to the rezoning request. He also asked that the non-conforming rights given on this property be rescinded by the City Council.

Mr. Max Landman, 16935 Hidden Oaks Woods, stated that he is opposed to high density housing in this area and spoke to the flood plain that cuts through this area and possible adverse impact of this development on area flooding.

Mr. Chuck Pennell, 16922 Hidden Oaks Woods, stated that he feels the proposed rezoning is not correct for this area and he spoke to statistics siting over building of multi-family housing in San Antonio. He then addressed the alleged adverse impact of multi-family housing on single family areas.

Mr. Bart Palm, developer of the Deerfield Subdivision, stated that he developed his property as single family development not as multi-family and stated that he feels it is not proper for the City Council to bail out a developer because of his error in purchasing the property in question for development.

Mr. Clare stated that the proponent wants permanent zoning in order to delay development of the land and he spoke to concessions being offered by the proponent.

In response to a question by Mr. Thompson, Mr. Andy Guerrero, Planner III, spoke to the development time table under non-conforming rights under which the property owner can construct some 362 dwelling units. He stated that City staff favors a compromise on this issue.

Mr. Wolff spoke in disagreement with a possible compromise on the issue and described the property characteristics speaking against "clustering" because of the large amount of unusable property within the development. He stated that he feels this development is wrong for the neighborhood.

Mr. Wolff then offered a motion to rezone the property "R-1" ERZD for 28 acres and "B-2" ERZD for a 0.681 acre tract, provided that maximum density is limited to 350 dwelling units; that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division; that a 1.5 acre parking spaces-per-unit ratio is applied to the "R-1" zoning and submitted for approval by the Traffic Engineering Division; that the recommendation of the Environmental Protection Office is adhered to and a greenbelt in the form of a setback, set by metes and bounds and submitted to the Environmental Protection Office for approval, is provided; and that a six-foot solid screen fence is erected and maintained adjacent to the single-family subdivisions. Ms. Vera seconded the motion.

Mr. Hasslocher spoke in support of the motion.

Mrs. Dutmer stated that she feels the City cannot deny a person the use of his property and she spoke against the motion.

Mrs. Berriozabal spoke in support of the motion, noting that a downtown housing grant request was recently rejected by the Department of Housing and Urban Development because San Antonio currently has a glut of multi-family housing.

Mrs. Dutmer offered a first substitute motion to deny the rezoning completely.

The substitute motion made by Mrs. Dutmer to deny the requested rezoning died for lack of a second.

Mr. Thompson offered a second substitute motion to approve the rezoning request with certain stipulations about amenities. Mr. Martinez seconded the motion.

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

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

AN ORDINANCE 66,309

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 28.836 ACRE TRACT OF LAND BEING LOT 2, BLOCK 7, CB 4977, 4978 AND 4976 FROM TEMPORARY "R-1" ERZD ONE-FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "R-1" ERZD ONE-FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT; AND A 0.681 ACRE TRACT OF LAND BEING LOT 3, BLOCK 7, CB 4976, 16525 BLANCO ROAD, FROM TEMPORARY "R-1" ERZD ONE-FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "B-2" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT, PROVIDED THAT MAXIMUM DENSITY IS LIMITED TO 350 DWELLING UNITS; THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION; THAT A 1.5 PARKING SPACES-PER-UNIT RATIO IS APPLIED TO THE "R-3" ZONING

AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION; THAT THE RECOMMENDATION OF THE ENVIRONMENTAL PROTECTION OFFICE IS ADHERED TO A GREENBELT IN THE FORM OF A SETBACK, SET BY METES AND BOUNDS AND SUBMITTED TO THE ENVIRONMENTAL PROTECTION OFFICE FOR APPROVAL, IS PROVIDED; AND THAT A SIX-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ADJACENT TO THE SINGLE-FAMILY SUBDIVISIONS. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

Zoning Case Z87231, was temporarily bypassed.

72. CASE Z87238 - to rezone Lots 33 and 34, Block 18, NCB 7504, 3942 Culebra Road, from "C" Apartment District to "B-3NA" Non-Alcoholic Sales Business District, located southeast of the intersection of Culebra Road and Consuelo Avenue, having 61.25' on Culebra Road and 166.30' on Consuelo Avenue.

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

Ms. Vera made a motion to approve the requested "B-3NA", provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division; and a six-foot solid screen fence is erected and maintained along the south property line and the east property line until such time as the adjacent lots transition to non-residential use. Mr. Hasslocher seconded the motion.

Mrs. Vera asked the proponent to agree to certain concessions that had been made in earlier discussions between both sides.

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

AN ORDINANCE 66,310

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY

DESCRIBED HEREIN AS LOTS 33 AND 34, BLOCK 18, NCB 7504, 3942 CULEBRA ROAD, FROM "C" APARTMENT DISTRICT TO "B-3NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION; AND THAT A SIX-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE SOUTH PROPERTY LINE AND THE EAST PROPERTY LINE UNTIL SUCH TIME AS THE ADJACENT LOTS TRANSITION TO NON-RESIDENTIAL USE. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

73. CASE Z87235 - to rezone Lots 1 and 2, Block 3, NCB 10047, 6231 San Pedro Avenue, from "F" Local Retail District to "B-3R" Restrictive Business District, located northwest of the intersection of San Pedro Avenue and Ave Maria Drive, having 206.5' on San Pedro Avenue and 214.5' on Ave Maria Drive.

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 a six-foot solid screen fence is erected and maintained along the west property line and the northwest property line adjacent to the single-family homes; and that parking requirements are adhered to. Mr. Wing seconded the motion.

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

AN ORDINANCE 66,311

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 1 AND 2, BLOCK 3, NCB 10047, 6231 SAN PEDRO AVENUE, FROM "F" LOCAL RETAIL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT A SIX-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE WEST PROPERTY LINE AND THE NORTHWEST PROPERTY LINE ADJACENT TO THE SINGLE-FAMILY HOMES; AND THAT PARKING REQUIREMENTS ARE ADHERED TO. "THE PENALTY FOR VIOLATION IS A

FINE NOT TO EXCEED \$1,000.00."

* * * *

74. CASE Z87222 - to rezone Lot 47, Block 2, NCB 1399, In the 6600 Block of Southpoint Drive, from "E" Office District to "B-2" Business District, located on the southside of Southpoint Drive, being 325' northeast of the intersection of Babcock Drive and Southpoint Drive, having 241.28' on Southpoint Drive, with a depth of 156.44'.

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 driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division; and that a six-foot solid screen fence is erected and maintained along the east property line. Ms. Vera seconded the motion.

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

AN ORDINANCE 66,312

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 47, BLOCK 2, NCB 13399, IN THE 6600 BLOCK OF SOUTHPOINT DRIVE FROM "E" OFFICE DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION; AND THAT A SIX-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE EAST PROPERTY LINE. "THE PENALTY FOR VIOLATION IS FINE NOT TO EXCEED \$1,000.00."

* * * *

75. CASE Z87233 - to rezone the east 350' of Lot 47, Block 3, NCB 11714, In the 7000 Block of Blanco Road, from "B-2" Business District to "B-3NA" Non-Alcoholic Sales Business District, located 386' east of Blanco

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Road, being 608.86' north of the intersection of Lockhill-Selma Road and Blanco Road, with a depth of 350' and a width of 145.2'.

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 off-street parking are provided and submitted for approval by the Traffic Engineering Division. Mr. Wing seconded the motion.

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

AN ORDINANCE 66,313

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 THE EAST 350 FEET OF LOT 47, BLOCK 3, NCB 11714, IN THE 7000 BLOCK OF BLANCO ROAD, FROM "B-2" BUSINESS DISTRICT TO "B-3NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES, PROVIDED 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."

* * * *

76. CASE 287234 - to rezone the south 145.2' of the east 100' of Lot 5, Block 3, NCB 11714, 7242 Blanco Road, (rear 100'), from "B-2" Business District to "B-3NA" Non-Alcoholic Sales Business District, located 636' east of Blanco Road, being 535.86' north of the intersection of Lockhill-Selma Road and Blanco Road, with a depth of 100' and a width of 145.2'.

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 off-street parking is provided and submitted for approval by the Traffic Engineering Division. Mr. Hasslocher 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, Wing, Martinez, Thompson, Vera, Wolff, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: None.

AN ORDINANCE 66,314

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 THE SOUTH 145.2 FEET OF THE EAST 100 FEET OF LOT 5, BLOCK 3, NCB 11714, 7242 BLANCO ROAD (REAR 100 FEET), FROM "B-2" BUSINESS DISTRICT TO "B-3NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES, PROVIDED 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."

* * * *

77. CASE Z87243 (S.U.P.) - to rezone Lots 86 and 87, Block 1, NCB 11508, 1067 Bandera Road, from "F" Local Retail District and "B" Residence District to "B-3NA" S.U.P. Non-Alcoholic Sales Business District for an electronic fabrication and parking facility, located south of the intersection of Bandera Road and 320.34' on Cheryl Drive.

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

Ms. Vera 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; and that a six-foot solid screen fence is erected and maintained adjacent to the residential-zoned lots; and that a one-foot non-access easement is imposed along Embassy Drive. Mr. Hasslocher 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, Wing, Martinez, Thompson, Vera, Wolff, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: None.

AN ORDINANCE 66,315

AMENDING CHAPTER 35 OF THE CITY CODE THAT

CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 86 AND 87, BLOCK 1, NCB 11508, 1067 BANDERA ROAD, FROM "F" LOCAL RETAIL DISTRICT AND "B" RESIDENCE DISTRICT TO "B-3NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES WITH SPECIAL USE PERMIT FOR AN ELECTRONIC FABRICATION AND PARKING FACILITY, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION; THAT A SIX-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ADJACENT TO THE RESIDENTIAL-ZONED LOTS; AND THAT A ONE-FOOT NON-ACCESS EASEMENT IS IMPOSED ALONG EMBASSY DRIVE. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

78. CASE Z87244 - to rezone a 4.814 acre tract of land being a portion of Lot 7, Block 1, NCB 12164, from "A" Single Family Residence District to "P-1(R-1)" Planned Unit Development One Family Residence District; a 26.729 acre tract of land being a portion of Lot 7, Block 1, NCB 12164, 3316 Oakwell Court, from "A" Single Family Residence District and "P-1(R-1)" Planned Unit Development One Family Residence District to "P-1(B-2)" Planned United Development Business District, located southeast of the intersection of Harry Wurzbach Road and Oakwell Court, having 782.37' on Oakwell Court and 924.64' on Harry Wurzbach Road.

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

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

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

AN ORDINANCE 66,316

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 4.814 ACRE TRACT OF LAND BEING A PORTION OF LOT 7, BLOCK 1, NCB 12164 FROM "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "P-1(R-1)" PLANNED UNIT DEVELOPMENT ONE-FAMILY RESIDENCE DISTRICT; AND 26.729 ACRE TRACT OF LAND BEING A PORTION OF LOT 7, BLOCK 1, NCB 12164, 3316 OAKWELL COURT, FROM "A" SINGLE FAMILY RESIDENCE DISTRICT AND "P-1(R-1)" PLANNED UNIT DEVELOPMENT ONE-FAMILY RESIDENCE DISTRICT TO "P-1(B-2)" PLANNED UNIT DEVELOPMENT BUSINESS DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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- - -
Zoning Case Z87250, Agenda Item #79, was temporarily bypassed.
- - -

80. CASE Z87253 - to rezone Lot 5, Block 2, NCB 14275, 4242 Piedras Drive East, from "B-2" Business District to "B-3NA" Non-Alcoholic Sales Business District, located between Piedras Drive East and Woodcock Drive, approximately 277' northwest of Piedras Drive West, having 270' on both Woodcock Drive and Piedras Drive East and a distance of 360' between these two drives.

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

Mr. Labatt made a motion to approve the recommendation of the Zoning Commission provided that parking ratios are complied with. Mr. Hasslocher 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, Wing, Martinez, Thompson, Vera, Wolff, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: None.

AN ORDINANCE 66,317

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

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DESCRIBED HEREIN AS LOT 5, BLOCK 2, NCB 14275, 4242
PIEDRAS DRIVE EAST, FROM "B-2" BUSINESS DISTRICT TO
"B-3NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES,
PROVIDED THAT PARKING RATIOS ARE COMPLIED WITH.
"THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED
\$1,000.00."

* * * *

81. CASE Z87076 - to rezone Lot 14, Block 1, NCB 16511, 2046 Pinn
Road, from Temporary "R-1" One Family Residence District to "B-3R"
Restrictive Business District, located on the northeast corner of Pinn
Road and Marcum Drive, having 16.8' on Pinn Road and 164.1' on Marcus
Drive.

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

Mr. Andy Guerrero, Planner III, noted that City staff has asked
that this case be postponed because of mis-advertising.

Mr. Thompson made a motion to postpone this case for
re-advertising. Mrs. Dutmer seconded the motion.

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

Zoning Case Z87076 was postponed for re-advertising.

87-60 The Clerk read the following Ordinance:

AN ORDINANCE 66,318

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

* * * *

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: Berriozabal, Webb,
Dutmer, Wing, Martinez, Thompson, Vera, Hasslocher, Cisneros; NAYS: None;

ABSENT: None; ABSTAIN: Wolff, Labatt.

Agenda Items #83 and 84 were temporarily bypassed.

87-60 The Clerk read the following Ordinance:

AN ORDINANCE 66,319

APPROVING EXPENDITURE OF \$5,000.00 FROM THE DISTRICT
10 IMPROVEMENT & DISCRETIONARY FUND FOR POLICE
OFFICER CHOLESTEROL SCREENING.

* * * *

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

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

87-60 The Clerk read the following Resolution:

A RESOLUTION 87-60-92

ESTABLISHING A SISTER CITY RELATIONSHIP WITH
KUMAMOTO, JAPAN.

* * * *

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

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

87-60 TRAVEL AUTHORIZATION - GRANTED

Travel Authorization for Mayor Henry Cisneros to travel to
Kumamoto, Japan on a sister-city trip, from December 26, 1987 to December

31, 1987.

87-60 The Clerk read the following Ordinance:

AN ORDINANCE 66,320

MAKING APPOINTMENTS TO THE ADVISORY BOARD OF HEALTH FOR THE SAN ANTONIO, METROPOLITAN HEALTH DISTRICT AND CREATING STAGGERED TERMS OF OFFICE. (DR. HARMON W. KELLEY, DR. GLEN MCCRELESS, DR. J.L. GUERRA, NORMA PARTIDA, DR. TOM VICE, DR. ROBERT SCHNITZLER, MARY ANN MOTE)

* * * *

Following a brief explanation by City staff, City Council members then drew for staggered terms for representatives on the San Antonio Metropolitan Health District Advisory Board.

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

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

87-60 The Clerk read the following Ordinance:

AN ORDINANCE 66,321

APPOINTING PAULINE RUHNKE TO SERVE ON THE HANDICAPPED ACCESS ADVISORY BOARD FOR A TERM TO EXPIRE ON JUNE 30, 1988.

* * * *

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

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

87-60 The Clerk read the following Ordinance:

AN ORDINANCE 66,322

APPROVING EXPENDITURE OF \$50,800.00 FOR THE Y.W.C.A. TEEN VOLUNTEER PROGRAM, SAID SUM TO COME FROM THE CONTINGENCY FUNDS OF THE MAYOR AND DISTRICTS 1, 4, 5, 6, 7, AND 8.

* * * *

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

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

87-60 The Clerk read the following Ordinance:

AN ORDINANCE 66,323

PROVIDING \$15,000.00 FROM THE MAYOR'S CONTINGENCY FUND FOR THE AVANCE LINCOLN HEIGHTS COURTS PROJECT.

* * * *

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

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

87-60 The Clerk read the following Ordinance:

AN ORDINANCE 66,324

AUTHORIZING THE SETTLEMENT OF THE CLAIM OF NEAL AND CHERYL MILLER IN THE AMOUNT OF \$8,000.00.

* * * *

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

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

- - -
87-60 The Clerk read the following Ordinance:

AN ORDINANCE 66,325 .

.
AUTHORIZING THE SETTLEMENT OF THE CLAIM OF JAMES C. BURCH IN THE AMOUNT OF \$10,808.73.

* * * *

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

- - -
87-60 The Clerk read the following Ordinance:

AN ORDINANCE 66,326 .

.
AUTHORIZING SETTLEMENT OF THE CLAIM OF SCOTT STEWART IN THE AMOUNT OF \$5,600.00.

* * * *

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

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

87-60 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE - CLOSING AND ABANDONING VOTAW STREET.

Mayor Cisneros declared the Public Hearing to be open.

No citizen appeared to speak.

Mayor Cisneros declared the Public Hearing to be closed.

The Clerk read the following Ordinance:

AN ORDINANCE 66,327

CLOSING AND ABANDONING AN UNIMPROVED PORTION OF VOTAW STREET, BETWEEN NEW CITY BLOCKS 7962 AND 7963, AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE FOUR (4) QUITCLAIM DEEDS TO JOSE M. VILLANUEVA, ET AL, ABUTTING OWNERS, FOR A CONSIDERATION OF \$1.00.

* * * *

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

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

87-60 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE - HISTORIC FACADE LOAN PROGRAM AND URBAN HOMESTEADING PROGRAM

Mayor Cisneros declared the Public Hearing to be open.

Mr. Andrew Cameron, City Manager's Office, briefly explained the reprogramming necessary and the need for this ordinance.

There being no citizens to speak, the Mayor declared the Public Hearing to be closed.

The Clerk read the following Ordinance:

AN ORDINANCE 66,328

AUTHORIZING THE CITY MANAGER TO CANCEL THE 7TH YEAR CDBG FUNDED HISTORIC FACADE LOAN PROGRAM AND REPROGRAMMING REMAINING PROJECTS FUNDS TO SUPPORT

THE URBAN HOMESTEADING PROGRAM AND THE PURCHASE OF
LEAD-BASED PAINT ANALYZER EQUIPMENT REQUIRED TO TEST
RESIDENTIAL STRUCTURES OF CLIENTS PARTICIPATING IN
ALL HUD FUNDED HOUSING PROGRAMS.

* * * *

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

- - -
87-60 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE - AMENDMENTS TO
THE UNIFIED DEVELOPMENT CODE

Mayor Cisneros declared the Public Hearing to be open.

Mr. Labatt briefly explained the changes being made to sewer
regulations, noting that this is a major step in non-degradation of San
Antonio's water.

There being no citizens to speak, Mayor Cisneros declared the
Public Hearing to be closed.

The Clerk read the following Ordinance:

AN ORDINANCE 66,329 .

.
APPROVING FOUR AMENDMENTS TO THE UNIFIED DEVELOPMENT
CODE CONCERNING INFORMATION TO BE PROVIDED FOR PLATS
INVOLVING SANITARY LANDFILL SITES, PROCEDURES FOR
SUBDIVIDING DUPLEX LOTS, INCREASING WIDTH
REQUIREMENTS FOR CERTAIN STREETS, AND CLARIFYING
PROVISIONS OF THE FLOOD PLAIN ORDINANCE, AND
AMENDING THE STANDARD SPECIFICATIONS FOR PUBLIC
WORKS CONSTRUCTION BY ADOPTING NEW CONSTRUCTION
REQUIREMENTS FOR SANITARY SEWERS OVER THE EDWARDS
AQUIFER RECHARGE ZONE.

* * * *

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

87-60

LAST MINUTE AGENDA ITEMS

Mrs. Dutmer asked that last minute Agenda Items such as were scheduled today not be scheduled for the last meeting of the year, stating that she feels this creates a certain amount of confusion.

Mr. Thompson explained that many of the items being undertaken today are the result of postponed meetings in the last few weeks not year end loading of Agenda Items.

87-60 ZONING HEARING - (continued)

71. CASE Z87231 - to rezone a 138.38 acre tract out of NCB 14859, CB 4762 and CB 4724, from "R-A" ERZD Residence-Agriculture Edwards Recharge Zone District and Temporary "R-1" ERZD One Family Edwards Recharge Zone District to "R-1" ERZD One Family Edwards Recharge Zone District; an 87.42 acre tract out of NCB 14859, CB 4724 and CB 4762, from "R-A" ERZD Residence-Agriculture Edwards Recharge Zone District and Temporary "R-1" ERZD One Family Edwards Recharge Zone District to "R-6" ERZD Townhouse Residence Edwards Recharge Zone District; a 54.907 acre tract out of NCB 14859, from "R-A" ERZD Residence-Agriculture Edwards Recharge Zone District to "R-3" ERZD Multiple Family Residence Edwards Recharge Zone District; a 127.01 acre tract out of CB 4780A, 4763, 4778, 4779 and 4761, from Temporary "R-1" One Family Residence District to "O-1" Office District; a 3.90 acre tract out of CB 4762, from Temporary "R-1" One Family Residence District to "B-2" Business District; a 115.76 acre tract out of NCB 14859, CB 4724 and 4762, from Temporary "R-1" ERZD One Family Edwards Recharge Zone District and "R-A" Residence-Agriculture District to "B-2" ERZD Business Edwards Recharge Zone District; a 216.68 acre tract out of NCB 14859, CB 4762, 4724, 4763, 4777 and 4778, from Temporary "R-1" ERZD One Family Edwards Recharge Zone District and "R-A" ERZD Residence Agriculture Edwards Recharge Zone District to "B-3" ERZD Business Edwards Recharge Zone District; a 101.19 acre tract out of CB 4762, 4763, and CB 4778, from Temporary "R-1" One Family Residence District to "B-3" Business District, property located on the east and west of I.H. 10 Expressway and on the westside of Fredericksburg Road. The are on the east of I.H. 10 is located south of the intersection of Old Camp Bullis Road and I.H. 10 having approximately 6880' on the eastside of I.H. 10 Expressway. The area on the westside is located 1150' north of the intersection of Fredericksburg Road and I.H. 10, having approximately 2672' on the westside of I.H. 10 Expressway. The area on the westside of

Fredericksburg Road is located 1340' south of I.H. 10, having 78.92' on Fredericksburg Road.

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

Mayor Cisneros drew attention to the city's Aquifer report beginning on page 125 as it applies to the zoning case now under consideration by the City Council including changes that can be made to the land, etc. He noted that these proposed restrictions were imposed by the proponents plans in order to protect the Edwards Aquifer and he noted that this will be the first case to test these new Aquifer rules of zoning over the Edwards Aquifer.

Mr. Doug Leonhard, representing United Services Automobile Association, described the mixed use land development, La Cantera, to be located on some 1600 acres of land flanking I.H. 10 north of Loop 1604 on the site of an old limestone quarry.

Mr. Ed Kagy, representing SWA Group, Physical Land Planners, briefly explained the land use plan in detail.

Mr. Jim Overby, Vice President, Pape Dawson Engineers, spoke of the plans which have been approved by the appropriate agencies. He described the master plan for the subject property and he also described the area to be rezone and the requested rezoning for each parcel of land. He noted that the land is some 845 acres in size and he also stated that there is no know opposition to the rezoning.

Dr. Carl Raba, Jr., Raba-Kistner Consultants, stated that his firm has been employed by La Cantera Development to explore the recharge characteristics of the land and how the proposed development would not affect ground water quality. He spoke to the methods used to study this region and he also spoke to the new guidelines adopted by the City Council with respect to the Edwards Aquifer. Dr. Raba further stated that no sink holes are present in the entire area of the La Cantera Development. He then described the property in question and the different geological formations. He then addressed the matter of the 100 year flood plain of the Leon Creek. Dr. Raba then spoke to the significant recharge features found on the property and he valuated its sensitivity. He then stated that his firm has developed a comprehensive study on the geology as it exists in the ground involved and the sub-surface area in question.

Mr. Gene Dawson, Pape Dawson and Associates, spoke of the water pollution plan they have developed for the La Cantera Development.

Mr. Dawson then spoke to two large charts involving an assessment of significant recharge features on the property and levels of concern and site evaluation and judgment of abatement. He then spoke to the many meetings with the City's Aquifer Protection Office as well as the Edwards

Underground Water District.

Mr. Jay Gwin, attorney, noted that attention has been given to the environmental concerns especially water pollution abatement plans and he noted that approval of rezoning will allow rehabilitation of the old quarry site.

In response to a question by Mayor Cisneros, Mr. Dawson discussed the water pollution abatement facilities planned for the mall area including provision for first-flush runoff and catchment of torrential rainfall runoff. In addition Mr. Dawson outlined a regional abatement plan for the area west of I.H. 10.

Mayor Cisneros asked Mr. Frederick Meyers, City's Aquifer Protection Officer, to take to the Texas Water Commission the request for tough pollution control measures on this property in order to insure that no major pollution could occur over the Edwards Aquifer from this development.

Mr. Thompson stated that he feels that pollution abatement will be a trial and error thing at first. He spoke in support of the project with certain reservations.

Mr. Wolff described the character of the land involved and the degree to which the developers have gone to control water pollution on the site.

Mr. Wolff made a motion to approve the recommendation of the Zoning Commission provided that street development is provided in accordance with City of San Antonio construction requirements; and that prior to construction of each tract of land, a water pollution abatement plan is submitted for approval by the Aquifer Protection Office as to site-specific review, addressing all considerations for sewer lines, hazardous materials and contamination of surface water runoff. Mr. Thompson seconded the motion.

A discussion then took place concerning the effective date of the ordinance and the question of continued blasting in the quarry area east of I.H. 10.

Mr. Martinez voiced his concern with the size of the development.

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

Mr. Labatt stated that he and others walked through the entire site recently and stated that he feels that the developers are doing all possible to protect the Aquifer.

Mrs. Berriozabal stated that she has reservations and certain questions about this case. She voiced her concern with the pollution abatement plan and the size of the development. She further stated that this mall will generate future growth in the area. She stated she will support the motion, though, she still has questions about it.

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

Mayor Cisneros stated that he wants assurances that no polluted runoff will be released and he wants this to be included in the approval gathered from the Texas Water Commission for the project.

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

AN ORDINANCE 66,330

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 138.38 ACRE TRACT OF LAND OUT OF NCB 14859, CB 4762 AND CB 4724 FROM "R-A" ERZD RESIDENCE-AGRICULTURE EDWARDS RECHARGE ZONE DISTRICT TO TEMPORARY "R-1" ERZD ONE-FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT; AN 87.42 ACRE TRACT OF LAND OUT OF NCB 14859, CB 4724 AND CB 4762 FROM "R-A" ERZD RESIDENCE-AGRICULTURE EDWARDS RECHARGE ZONE DISTRICT TO "R-6" ERZD TOWNHOUSE EDWARDS RECHARGE ZONE DISTRICT; 54.07 ACRE TRACT OF LAND OUT OF NCB 14859 AND CB 4724 FROM "R-A" ERZD RESIDENCE-AGRICULTURE EDWARDS RECHARGE ZONE DISTRICT TO "R-3" ERZD MULTIPLE-FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT; A 127.01 ACRE TRACT OF LAND OUT OF CB 4780A, CB 4763, CB 4778, CB 4779 AND CB 4761 FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT; A 3.90 ACRE TRACT OF LAND OUT OF CB 4762 FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT; A 115.76 ACRE TRACT OF LAND OUT OF NCB 14859, CB 4724 AND CB 4762 FROM TEMPORARY "R-1" ERZD ONE-FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT AND "R-A" RESIDENCE-AGRICULTURE DISTRICT TO "B-2" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT; A 216.68 ACRE TRACT OF LAND OUT OF NCB 14859, CB 4762,

CB 4724, CB 4763, CB 4777 AND CB 4778 FROM TEMPORARY "R-1" ERZD ONE-FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT AND "R-A" ERZD RESIDENCE-AGRICULTURE EDWARDS RECHARGE ZONE DISTRICT TO "B-3" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT; AND A 101.19 ACRE TRACT OF LAND OUT OF CB 4762, CB 4763 AND CB 4778 FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT STREET DEVELOPMENT IS PROVIDED IN ACCORDANCE WITH CITY OF SAN ANTONIO CONSTRUCTION REQUIREMENTS; AND THAT PRIOR TO CONSTRUCTION OF EACH TRACT OF LAND, A WATER POLLUTION ABATEMENT PLAN IS SUBMITTED FOR APPROVAL BY THE AQUIFER PROTECTION OFFICE AS TO SITE-SPECIFIC REVIEW, ADDRESSING ALL CONSIDERATIONS FOR SEWER LINES, HAZARDOUS MATERIALS AND CONTAMINATION OF SURFACE WATER RUNOFF. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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79. CASE Z87250 - to rezone Lot 15, save and except the northeast 100' and the northwest 100' of the northeast 356.5', NCB 14191, 3463 Magic Court Drive, from "B-2" Business District to "B-3" Business District, located northwest of Magic Drive, being 690' northeast of the intersection of Magic Drive and Fredericksburg Road, having 449.70' on Magic Drive with a depth of 297.84'.

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

There being opposition registered to this zoning case a call was given for the proponent to come forward, no representative of the proponent was available in the City Council Chambers.

Mr. Marvin M. Kline, speaking in opposition to the case, stated that he represents the owner of some 208 units known as Lafayette Place, which is located adjacent to this property and is opposed to "B-3" zoning. He noted that they are definitely against the use of the property for such uses as dance halls and the sale of alcoholic beverages. He described the area in question as tranquil in nature.

In response to a question by Mr. Wolff, Mr. Andy Guerrero, Planner III, noted that a business school such as being requested for this site can be operated in "B-3NA" zoning or in "B-3R" zoning, and does not necessarily have a "B-2" zoning.

In response to a question by Mr. Wolff, Mr. Kline noted that a "B-3NA" zoning would help appreciably but would still allow such uses as a funeral home next to a residential development.

Mr. Wolff made a motion to deny this case. Mr. Thompson seconded the motion.

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

Zoning Case Z87250 was denied.

87-60

REPORT FROM THE MHMR BOARD CHAIRMAN
CONCERNING THE DETOXIFICATION CONTRACT

Mr. Wing, as chairman of the City/County Task Force on Detoxification of Public Inebriates, addressed the fact that Mental Health/Mental Retardation has not, in his opinion, fulfilled its contract in giving the City the detoxification center as required and the number of beds agreed to. He then spoke to details of the MHMR contract, stating that he feels the city wants a full detoxification center and some rehabilitation services.

Mr. John R. Heard, chairman of the MHMR Board, introduced the MHMR staff officers available in the audience as well as Board officials on hand. He then spoke in disagreement with the City's stand that MHMR does not detoxify the patients. He stated further that he feels the San Antonio Police Department does not fully understand the process of detoxification and also feels the City owes MHMR some \$250,000. He then recited events under the public inebriate contract between the City and MHMR. (A copy of his remarks are made a part of the papers of this meeting.)

Ms. Karen Kliever, Intergovernmental Relations for the City of San Antonio, stated that she will be returning to the Council on January 7, 1988, with a plan on how to develop a program as needed. She stated that she feels the City has been only getting a holding facility for its money. She stated, in her opinion, the City needs to look at a possible "in-house" holding facility as well as other matters involved.

Ms. Kliever stated that MHMR, in her opinion, does not provide the city with adequate bed space during peak periods.

In response to a question by Mr. Thompson, Ms. Kliever stated that the City is getting 36 bed spaces for \$91,000 a month and sometimes even less. She stated further that this does not meet the City's needs and she feels MHMR is thus not meeting the requirements of its contract

with the City.

Mr. Thompson voiced his concern the City is not receiving full value for the more than \$1 million paid to MHMR each year for this service.

Ms. Vera voiced her concern with audit matters which need to be resolved, in her opinion.

Mrs. Berriozabal spoke in concern with the recedivism of public inebriates from the detoxification center.

The chief psychiatrist for MHMR noted that some 83% of the public inebriates are treated only once in the facility. He noted also that statistics show that 4% of those treated are treated 4 times or more and that 28 have been treated 25 or more times at the center. He then spoke to the magistrating process for public inebriates, stating that he feels that municipal court judges should commit chronic inebriates to longer terms in the detoxification center longer than the usual 3 day stay.

A discussion then took place concerning the City's legal limits to incarcerate public inebriates and the need to change the State law on this matter.

Mrs. Berriozabal stated that she feels that the City needs to go to the State Legislature to remedy this matter.

Ms. Kliever stated that she will bring to the Council a short range plan on January 7, 1988 to allow time to work out long range plans in this matter.

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87-60

RIVERBOATS AND BARGES CONCESSION

Mr. Ron Darner, Director of Parks and Recreation spoke to the history of the River Barge concession contract which paid some \$327,000 to the City last year. He spoke to the bid process involved and of the review of all four bids opened for the current projected contract. He noted that the City's Concession Committee then determined two deviations in the bid procedure by Riverboats Del Rio, deviations from the specifications of the proposed contract including lack of a signature on the document. He stated further that the City's Legal Department feels that the bid should be considered non-responsive as a result. He spoke to the point system used to evaluate the remaining three bids.

Mr. Narciso Cano, representing Riverboats Del Rio, provided the City Council with a handout, (a copy of which is made a part of the papers of this meeting). He asked that his firm be allowed to sign the proposal

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at this time before the City Council acts on this matter. He stated further that he feels that his firm's proposal will return to the City some \$828,000 more over the 7 year contract period over and above that from the next best competitor.

Mr. Ricardo Cedillo, attorney, discussed the legal matters concerning the proposal and the City Attorney's legal opinion declaring his firm's proposal to be non-responsive. He asked the City Council to direct City staff to review the proposal submitted by Riverboats Del Rio along with the other three proposals.

Mr. Rick Grinnan, representing Lanchas de Excursion, spoke to the aesthetic aspects of his firm's proposal, and he noted that there is only a \$5,000 difference in the best two bids received by the City.

Mr. Bill Lyons, representing Paseo del Rio Boats, discussed the history of the river boats concession on the San Antonio river and noted that his firm has had that concession for the past 15 years. He noted that last year he provided some 900,000 boat rides in the riverbend area and the payment to the city thus increased more than 14% over the previous year. He noted further that there has been no serious injury and no law suit filed while he has had that concession in operation, and he urged the City Council to accept the staff's recommendation.

Mr. Lloyd Garza, City Attorney, stated that, in his opinion, there are significant issues involved and he urged that the City Council recess to an Executive Session before it acts on this matter.

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The City Council then recessed at 6:52 P.M. into Executive Session, reconvening in Regular Session at 7:11 P.M.

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Mr. Labatt stated that he feels the bid specifications were agreed to by all involved at the pre-bid conference, and he spoke to the good track record by the current concessionaire.

Mr. Labatt made a motion to grant the award to Paseo del Rio Boats.

The motion died for lack of a second.

Mr. Wing stated that to him it is important to protect the integrity of the process involved.

Ms. Vera stated that she feels the process used was not valid.

In response to a question by Ms. Vera, Mr. Darner spoke to the differences in the minimum annual guarantees which represented some \$118,000 per year between the two top bidders.

Ms. Vera made a motion to re-bid the concession. Mrs. Dutmer seconded the motion.

Mr. Darner spoke to areas of the Riverboats Del Rio proposal that he feels were vague.

Mr. Cano addressed specifics of his firm's proposal that guarantees a greater percentage of return to the City at the lower end of the contract in lieu of how the City had requested it in the bid specifications.

A discussion then took place concerning the differences between the proposal request and the response by Riverboats Del Rio.

Mr. Martinez stated that he is in favor of re-bidding the entire matter.

Mr. Wolff asked that the maker and seconder of the motion include in that motion the provision that City staff will accept verbal proposals.

Ms. Vera and the seconder of the motion, Mrs. Dutmer, then accepted the amendment.

Mrs. Dutmer addressed the difference between a bid and a proposal and spoke in support of re-bidding the entire matter.

In response to a question by Ms. Vera, Mr. Labatt stated that, in his opinion, the re-bidding would be by "Request for Proposal".

Mayor Cisneros spoke in defense of the City staff on its actions on this matter and he commended the staff for their work.

Mr. Hasslocher spoke in support of re-bidding the matter.

Ms. Vera stated that she feels the City mixed the bid process with a Request for Proposal process.

Mr. Louis J. Fox, City Manager, recommended that the bid process be used.

Mr. Thompson made a motion that the City use the bid process in this matter. Mr. Labatt seconded the motion.

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

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

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87-60

PRIVATE INDUSTRY COUNCIL

Mrs. Berriozabal noted that her representative on the Private Industry Council has stated she feels she was not properly notified about an Agenda Item appearing before City Council today, that being Agenda Item #68.

Stuart Summers, Director of the Department of Economic and Employment Development, stated that the PIC Executive Director had informed him that all board members were fully aware that this matter was on the agenda today and that in fact the PIC Board had voted on this matter. He stated that he would take responsibility for the entire matter and he would look into it.

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87-60 The City Council recessed at 8:00 P.M. for a "B" Session, reconvening at 8:05 P.M.

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87-60

ARTS COORDINATION WORK GROUP

Mayor Cisneros spoke to the special City Council work sessions coming up over the next several months and he then circulated to members of the City Council a proposed list of names for possible inclusion on a work group to design the city's role in arts coordination, (a copy of which is made a part of the papers of this meeting). Mayor Cisneros stated that he would give the group time to prepare its recommendations for a January 23 proposed work session.

Mrs. Berriozabal then recommended that Sister Maria Carolina Flores, of Our Lady of the Lake University, also be included on that list.

The City Council granted its informal concensus to form this work group.

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87-60

CAPITAL IMPROVEMENTS PROGRAM

Mayor Cisneros asked that at the January 4 City Council special session on Long Range Capital Improvements matters that the staff compile all City Council submissions to the Capital Improvements Program and that

the staff determine the amount of total money that would be available for Capital Improvements each year by exercising certain options.

87-60

CITIZENS TO BE HEARD

MR. DON WILKINS CASTILLO

Mr. Castillo spoke of the need to have the City Council do something about all the corruption and eliminate the coverups at City Hall. He then quoted several passages from the Bible.

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There being no further business to come before the City Council, the meeting was adjourned at 8:15 P.M.

A P P R O V E D

Henry Cisneros

M A Y O R

ATTEST *Anna J. Rodriguez*
C i t y C l e r k