

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

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The meeting was called to order at 1:00 P.M. by the presiding officer, Mayor Henry Cisneros, with the following members present: BERRIOZABAL, WEBB, DUTMER, WING, MARTINEZ, THOMPSON, VERA, HARRINGTON, LABATT, HASSLOCHER, CISNEROS. Absent: NONE.

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87-20 The invocation was given by Reverend Edwin Walthall, Associate Minister, First Presbyterian Church.

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87-20 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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87-20 FIESTA COMMISSION

Mayor Cisneros introduced Mr. Byron Leflore, President of the Fiesta Commission and Ms. Marleen Pedroza, Executive Vice President of the Fiesta Commission and he thanked Mr. Leflore of his many years of civic service.

Mr. Leflore spoke of fiesta as the spirit of harmony for San Antonio and of an expected 4 million fiesta visitors this year to be served by some 50,000 San Antonio volunteers.

Mr. Leflore and Ms. Pedroza then presented special fiesta medals to members of the City Council.

Mayor Cisneros noted that Councilman Labatt in 1978 served as president of the Fiesta Commission.

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87-20 REY FEO

El Rey Feo, Mr. Jose Medellin and his chief of staff and other aides then entered the City Council Chambers accompanied by mariachis.

Mr. Medellin thanked the City Council for the honor of receiving him as Rey Feo and presented the Mayor and Councilmembers with special Rey

Feo medals as well as presenting the Mayor with trophy cups. He then spoke of the upcoming Rey Feo events in San Antonio.

87-20

CONSERVATION SOCIETY POSTERS

Mayor Cisneros then introduced members of the San Antonio Conservation Society present in the audience to present special "Night in Old San Antonio" posters to City Councilmembers.

Ms. Janet Francis, President of the San Antonio Conservation Society, spoke of NIOSA and displayed the 1987 poster painted by Ms. Caroline Shelton.

Members of the San Antonio Conservation Society then presented City Councilmembers with special copies of the NIOSA poster and with special medals.

87-20

WEST BERLIN STUDENTS

Mayor Cisneros recognized a group of 25 students present in the audience from the bilingual John F. Kennedy School of West Berlin, Germany. They are on a 5 week class trip to the United States to allow German students to deepen their knowledge and understanding of the United States. This is the first time the class trip includes the journey to Texas.

A representative of the group then described the group itinerary and spoke of the special school and of its studies. He thanked the Mayor and Council for welcoming them to San Antonio and he presented the Mayor with a special plate from Berlin, a Berlin banner and a special book on West Berlin.

Mayor Cisneros presented each student present with the All-America City t-shirts from San Antonio and he spoke of the naming of the school for the late president John F. Kennedy. He then wished the group good luck on their travels through the United States.

87-20

UNITED WAY

Mayor Cisneros asked Mrs. Berriozabal to present special plaques to city departments for their outstanding contributions to the recent United Way campaign.

Mrs. Berriozabal then presented special plaques to winning city departments who excelled during the 1987 United Way drive.

Mr. Louis J. Fox, City Manager, thanked Mrs. Berriozabal for her leadership of the campaign.

87-20

MAYOR'S COMMISSION ON THE STATUS OF WOMEN

Dr. Phyllis Bowie, out-going chairperson, Mayor's Commission on the Status of Women, provided a brief update on 1986 accomplishments of the Commission and she spoke of the major issues remaining yet to be addressed. (A copy of the report from the Mayor's Commission on the Status of Women on 1986 accomplishments and featured goals is made a part of the papers of this meeting).

Dr. Bowie then reviewed some the Commission's activities over the past year and recognized various committee members who then delivered brief reports on the activities of their special area committees.

Dr. Bowie then presented copies of the program book for the recent "Women's Fair-Forum 1986" to each City Councilmember and noted that this will be the final Women's Fair and Forum to be held here in San Antonio because the event now is being discontinued. She stated that the group now will spend much of their time focusing on specific issues of concern to women.

Ms. Mary Espiritu, the in-coming chairperson then spoke of the change of emphasis by the Mayor's Commission on the Status of Women in coming years.

Mrs. Berriozabal spoke of the new emphasis on problems of disadvantaged women, heads of household, and thanked the group for their hard work.

87-20

DELEGATION FROM MONTERREY, MEXICO

Mr. Martinez welcomed to City Hall and the city of San Antonio a special delegation from the city of Monterrey, Mexico here for a fund raising bowling event to raise funds for a Monterrey organization for children.

A representative of the group briefly explained the purpose of their visit to San Antonio.

Mayor Cisneros then formally welcomed the group to San Antonio.

87-20

EL MERCADO/MARKET SQUARE T-SHIRTS

Mrs. Dutmer thanked the El Mercado/Market Square merchants for providing each City Councilmember with special fiesta commemorative t-shirts.

87-20

The minutes of the Regular City Council Meeting of April 2, 1987 were approved.

87-20

CONSENT AGENDA

Mrs. Dutmer made a motion to approve Agenda Items #8 - 39, constituting the Consent Agenda, with the exception of Items #24, 25, 35 and 37, which were pulled for individual consideration. Mr. Thompson seconded the motion.

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

AN ORDINANCE 64,867

ACCEPTING THE LOW BID OF DAVID RODRIGUEZ SALES COMPANY TO FURNISH THE CITY OF SAN ANTONIO HUMAN RESOURCES DEPARTMENT WITH DAIRY PRODUCTS FOR A TOTAL OF APPROXIMATELY \$48,608.91.

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AN ORDINANCE 64,868

ACCEPTING THE LOW BID OF HOPPSTETTLER/M&M FOOD SERVICE TO FURNISH THE CITY OF SAN ANTONIO HUMAN RESOURCES DEPARTMENT WITH GROCERY PRODUCTS, FROZEN FOODS & PAPER PRODUCTS FOR A TOTAL OF APPROXIMATELY \$88,662.80.

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AN ORDINANCE 64,869

ACCEPTING THE LOW BID OF RICHTERS BAKERY TO FURNISH

April 16, 1987
sr

THE CITY OF SAN ANTONIO HUMAN RESOURCES DEPARTMENT
WITH BAKERY PRODUCTS FOR A TOTAL OF APPROXIMATELY
\$6,237.00.

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AN ORDINANCE 64,870

ACCEPTING THE LOW BID OF ALAMO CYCLE SALES, INC., TO
FURNISH THE CITY OF SAN ANTONIO POLICE DEPARTMENT
WITH MOTORCYCLES FOR A TOTAL OF \$146,448.00.

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AN ORDINANCE 64,871

ACCEPTING THE LOW QUALIFIED BID OF METALCRAFTERS,
INC. TO FURNISH THE CITY OF SAN ANTONIO WITH FIRE
AND PUMPER BODY REPAIRS ON A CONTRACT BASIS.

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AN ORDINANCE 64,872

ACCEPTING THE LOW BID OF GRAYBAR ELECTRIC COMPANY TO
FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS
DEPARTMENT WITH TRAFFIC SIGNAL CABLE FOR A TOTAL OF
\$15,975.00.

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AN ORDINANCE 64,873

ACCEPTING THE LOW BID UNIFORMS MANUFACTURING TO
FURNISH THE CITY OF SAN ANTONIO PARKS & RECREATION
DEPARTMENT WITH KNIT SHIRTS FOR A TOTAL OF
\$3,303.57.

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AN ORDINANCE 64,874

ACCEPTING THE LOW BID OF SOUTH TEXAS STEEL
MANUFACTURING COMPANY TO FURNISH THE CITY OF SAN
ANTONIO FIRE DEPARTMENT WITH STEEL BED FRAMES FOR A
TOTAL OF \$3,100.00.

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AN ORDINANCE 64,875

ACCEPTING THE LOW BID OF SPRING AIR MATTRESS COMPANY TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH MATTRESSES AND BOX SPRINGS FOR A TOTAL OF \$4,587.50.

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AN ORDINANCE 64,876

ACCEPTING THE PROPOSALS OF TIME LIFE VIDEO, WESTON WOODS, BASS FILMS AND SOUTHWEST MEDIA TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH 16MM ESTAR BASE FILMS FOR A TOTAL OF \$21,010.80 PLUS TRANSPORTATION.

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AN ORDINANCE 64,877

ASSIGNING THE CONTRACT OF R.E. WELCH EQUIPMENT SALES, INC. TO TEXTRUCK/WELCH FOR A WRECKER BODY.

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AN ORDINANCE 64,878

APPROVING FIELD ALTERATION NO. 1, IN THE AMOUNT OF \$6,915.25, TO THE CONTRACT FOR THE ROOF & RESTROOM RENOVATIONS AT THE STINSON MUNICIPAL AIRPORT TERMINAL BUILDING; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 64,879

ACCEPTING A PROPOSAL FROM CHEN & ASSOCIATES TO CONDUCT A SOILS AND FOUNDATION INVESTIGATION IN CONNECTION WITH THE DESIGN OF THE FIRE/RESCUE STATION AT INTERNATIONAL AIRPORT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 64,880

THE CITY MANAGER TO EXECUTE CHANGE ORDER #8 IN THE

AMOUNT OF \$355,000.00 TO PROVIDE FOR THE BLOWER CONTROL SYSTEM AT LEON CREEK WASTEWATER TREATMENT PLANT.

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AN ORDINANCE 64,881

AUTHORIZING THE FINAL FIELD ALTERATION NO. 8, ON THE AVENIDA GUADALUPE PLAZA, PHASE II PROJECT IN THE AMOUNT OF \$27,671.00 TO PROVIDE FOR THE ADDITION OF A PLAYLOT, INSTALLATION OF 18 CREPE MYRTLE TREES AND INSTALLATION OF TWO PORCELAIN ENAMEL STEEL IDENTIFICATION SIGNS ON THE ARCADE BUILDING.

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AN ORDINANCE 64,882

ACCEPTING THE BID OF WAGNER CONSTRUCTION CO., IN THE AMOUNT OF \$50,190.00 FOR THE PEDESTRIAN ACCESS PROGRAM PHASE XV PROJECT, AND AUTHORIZING AN ADDITIONAL \$12,547.50 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; APPROVING A CONTRACT; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 64,883

APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A RELEASE OF EASEMENT AND CORRECTION QUITCLAIM DEED IN CONNECTION WITH THE TIENDAS DEL RIO UDAG PROJECT/RIVERCENTER PROJECT.

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AN ORDINANCE 64,884

APPROVING THE TERMS AND CONDITIONS OF A PERMANENT AND TEMPORARY CONSTRUCTION EASEMENT FOR THE CONSTRUCTION OF THE UNDERGROUND FLOODWATER DIVERSION TUNNEL FOR SAN PEDRO CREEK BETWEEN QUINCY AND GUADALUPE STREETS, SAN ANTONIO CHANNEL IMPROVEMENT PROJECT, ON, UNDER AND ACROSS THE REAL PROPERTY DESCRIBED IN THE EASEMENT ATTACHED HERETO FROM THE CITY OF SAN ANTONIO TO THE SAN ANTONIO RIVER AUTHORITY, AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAME.

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AN ORDINANCE 64,885 .

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$75,540.00
OUT OF GENERAL OBLIGATION BONDS FOR THE PURPOSE OF
ACQUIRING TITLE AND/OR EASEMENTS TO CERTAIN LANDS;
ACCEPTING THE DEDICATION OF TITLE TO CERTAIN LANDS;
ALL IN CONNECTION WITH CERTAIN RIGHT-OF-WAY
PROJECTS.

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AN ORDINANCE 64,886 .

AMENDING A LEASE WITH THE UNITED STATES
POSTAL SERVICE FOR LEASE OF SPACE IN THE AIR CARGO
BUILDING AT THE SAN ANTONIO INTERNATIONAL AIRPORT.

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AN ORDINANCE 64,887 .

AUTHORIZING AN APPLICATION FOR AN ACCEPTANCE OF A
GRANT FROM THE TEXAS DEPARTMENT OF COMMUNITY AFFAIRS
FOR CONTINUANCE OF THE JOB TRAINING PARTNERSHIP ACT
PROJECT FROM JULY 1, 1987, THROUGH JUNE 30, 1989,
ESTABLISHING A 1987-88 BUDGET AND PERSONNEL
COMPLEMENT, AUTHORIZING AGREEMENTS WITH EMPLOYER,
TRAINING AND JOB PLACEMENT SUB-CONTRACTORS, AND
AUTHORIZING LEASING OF OFFICE SPACE AND
LEASING/PURCHASING OF OFFICE/PROFESSIONAL EQUIPMENT,
REVISING THE GENERAL FUND BUDGET AND TRANSFERRING
FUNDS TO THE JOB TRAINING PARTNERSHIP ACT PROJECT
AND THE SHARED ATTENDANT CARE PROJECT.

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AN ORDINANCE 64,888 .

AUTHORIZING THE CITY MANAGER TO EXECUTE A SEWER
SERVICE CONTRACT BETWEEN THE CITY AND BANDERA JOINT
VENTURE.

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AN ORDINANCE 64,889 .

ACCEPTING THE BID OF J.R. RAMON & SONS, INC., IN THE
AMOUNT OF \$49,900.00 TO PERFORM SITE CLEARING OF

April 16, 1987
sr

APPROXIMATELY 127 ACRES AT THE NORTHWEST GOLF COURSE; AUTHORIZING A CONTINGENCY; APPROPRIATING FUNDS; APPROVING A CONTRACT; AND AUTHORIZING PAYMENT.

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AN ORDINANCE 64,890

ACCEPTING A PROPOSAL FROM MARMON, BARCLAY, SOUTER, FOSTER, HAYS, ARCHITECTS, TO PROVIDE WORKING DRAWINGS AND BID SPECIFICATIONS FOR CONSTRUCTION OF THE FIFTH FLOOR OF THE MAIN PLAZA BUILDING FOR \$7,590.00, AND AUTHORIZING PAYMENT.

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AN ORDINANCE 64,891

AMENDING THE PROFESSIONAL SERVICE CONTRACT-INTEGRATED MANAGEMENT PROGRAM, AWARDED BY ORDINANCE NO. 64010, TO INCLUDE THE SOLID WASTE DIVISION IN THE AMOUNT OF \$41,800.00.

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AN ORDINANCE 64,892

AUTHORIZING THE CITY MANAGER TO EXECUTE THE SECOND ADDENDUM TO THE PARTICIPATION AGREEMENT FOR THE MUD CREEK SEWER MAIN SYSTEM.

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AN ORDINANCE 64,893

AUTHORIZING THE CITY MANAGER TO ENTER INTO A GENERAL ADMINISTRATIVE AND TECHNICAL SERVICES AGREEMENT WITH C. THOMAS KOCH, INC., FOR NORTHSIDE WATER FACTORY IN THE AMOUNT OF \$99,200.00.

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87-20 The Clerk read the following Ordinance:

AN ORDINANCE 64,894

AUTHORIZING AN ADDITIONAL \$76,997.75 FOR ENGINEERING

FEES PAYABLE TO BROWN ENGINEERING CO., IN CONNECTION WITH THE HUEBNER ROAD FROM VANCE JACKSON TO LOCKHILL-SELMA PROJECT.

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

In response to a question by Mr. Labatt, Mr. Roy Montez, representing the Public Works Director, addressed the down-sizing of the street from 7 to 5 lanes and the resultant cost savings.

Mr. Labatt commended the city staff for the process of asking for citizen input in such cases and for honoring their wishes.

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

87-20 The Clerk read the following Ordinance:

AN ORDINANCE 64,895

AUTHORIZING AN ADDITIONAL \$185,000.00 FOR ENGINEERING FEES PAYABLE TO W.E. SIMPSON COMPANY, INC., IN CONNECTION WITH THE DRIFTWOOD DRAINAGE PROJECT #39 D, E & F NORTH.

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

In response to a question by Mr. Martinez, Mr. Roy Montez, representing the Public Works Director, briefly explained the large project involved.

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

87-20 Agenda Item #35, an ordinance authorizing the waiver of street rental charges and the temporary closure of certain streets in the down

area on Sunday, May 3, 1987, from 7:30 A.M. to 9:00 P.M., was discussed at this time.

Mr. Labatt voiced his concern with the \$7 - 9,000.00 projected cost to the city of San Antonio in tough budget times.

Mr. Louis J. Fox, City Manager, explained that the funds, in his opinion, simply are not available to pay for this item and he spoke to how the event was planned for some 500 - 700 bike riders and for the need to fully secure the downtown area during the race. He stated that he feels the city will have a problem with this because of having to secure the number of streets involved and stated that city staff did not realize the full scope of the event when it was first planned. He then asked that the matter be postponed so that further investigation can be made.

Mrs. Dutmer made a motion to table this matter for one week. Ms. Vera seconded the motion.

The vote to table this item, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Martinez, Thompson, Vera, Harrington, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: Wing.

Agenda Item #35 was tabled.

87-20 The Clerk read the following Ordinance:

AN ORDINANCE 64,896

AUTHORIZING THE EXECUTION OF AN ESCROW AGENT AGREEMENT WITH FROST NATIONAL BANK WHEREBY FROST SHALL PERFORM CERTAIN FUNCTIONS RELATED TO THE ADMINISTRATION OF THE VARIOUS MUD CREEK PARTICIPATION AGREEMENTS AND ADDENDUMS THERETO; AND FURTHER AUTHORIZING THAT STONE OAK JOINT VENTURE, THROUGH SAID ESCROW AGENT, BE REIMBURSED FOR ELIGIBLE COSTS INCURRED IN PROVIDING PROFESSIONAL SERVICES ASSOCIATED WITH THE MUD CREEK SANITARY SEWER MAIN SYSTEM.

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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. Frank Kiolbassa, Director of Environmental Management, explained the ordinance which will name an official agent for the city to handle bills and payment for sewer services. He noted that the Frost Bank will be the city's bill collector

Cisneros; NAYS: None; ABSENT: Wing.

87-20 ANNEXATION - FIRST READING - SINCLAIR ELEMENTARY SCHOOL

The Clerk read the following Ordinance for the first time:

AN ORDINANCE 64,899

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 15 ACRES OF LAND KNOWN AS THE SINCLAIR ELEMENTARY SCHOOL PROPERTY AND APPROVING A SERVICE PLAN FOR SUCH AREA.

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

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

87-20 The Clerk read the following Ordinance:

AN ORDINANCE 64,900

AGREEING TO CO-SPONSOR THE "TAKE PRIDE IN THE EASTSIDE" FESTIVAL SCHEDULED FOR JUNE 18, 19, & 20, 1987.

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

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

87-20 The Clerk read the following Ordinance:

AN ORDINANCE 64,901

AMENDING ORDINANCE NO. 64720 APPROVING STREET
CLOSURES FOR FIESTA '87.

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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, Martinez, Vera, Harrington, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: Wing, Thompson.

87-20 ZONING HEARINGS

Agenda Items 40 and 41, were temporarily bypassed at this time.

42. CASE Z87062 - to rezone Lots E, C, and D. NCB 9485, from "J" Commercial District to "B-3R" Restrictive Business District; Lots 4 thru 12, NCB 10163, In the 800 Block of S.E. Military Drive, from "C" Apartment District to "B-3NA" Non-Alcoholic Sales Business District, located on the westside of Curtis Street between S.E. Military Drive and Durr Street, having 390' on S.W. Military Drive, 550.8' on Durr Street and approximately 330' on Curtis Street.

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

In response to a question by Mrs. Dutmer, Mr. Joe Nix, representing W.F. Castella & Associates, Engineers, stated that his firm would have no problems with a proposed "B-3NA" zoning.

Mrs. Dutmer made a motion to approve "B-3NA", provided that five feet of dedication is given along Curtis Street, and that driveways and off-street parking are 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, Martinez, Vera, Harrington, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: Wing, Thompson.

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AN ORDINANCE 64,902

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 E, C, AND D, NCB 9485, AND LOTS 4 THRU 12, NCB 10163, IN THE 800 BLOCK OF SOUTHEAST MILITARY DRIVE, PROVIDED THAT FIVE FEET OF DEDICATION IS GIVEN ALONG CURTIS STREET, AND THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION. "THE PENALTY FOR VIOLATION IS A FINE NOT EXCEED \$1,000.00"

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87-20 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE - RENOVATION OF SAMP SHELTER.

Mayor Cisneros declared the Public Hearing to be open.

Mr. Walt Wilder, 1506 W. Commerce, stated that he had once lived in the SAMP Center and he spoke to the benefits to those in need of temporary shelter. He voiced his concern that the expansion of the shelter might curtail a portion of the shelter which is presently committed to single men and he also addressed the need for new shower facilities on the first floor.

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

Mr. Labatt thanked Mr. Wilder for his comments and he spoke to the need for more room in the shelter for both women and for children.

Mr. Kevin Moriarty, Director of Human Resources and Services, stated that the current plans are not to diminish the space for single men in the shelter but to increase the so-called family rooms. He then addressed the work of the St. Vincent De Paul Society in providing food to the shelter users and he stated that the St. Vincent De Paul area will soon move out of the shelter and occupy an adjacent building after the United Way pays for the renovation of that adjacent building.

Mr. Labatt noted that the SAMP Shelter is a model effort copied by many around the nation.

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

87-20 ZONING HEARINGS cont.

41. CASE Z87024 (P.P.) - to rezone a 6.609 acre tract of land out of 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 northeast corner of Blanco Road and Mission Ridge, having 277.61' on Mission Ridge and 975.29' on Blanco Road.

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

Mr. Harrington 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 an acceptable water pollution abatement plan is submitted to the Environmental Protection Office and the Texas Water Commission at the platting stage of development. Mrs. Dutmer seconded the motion.

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

AN ORDINANCE 64,904

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 6.609 ACRE TRACT OF LAND OUT OF CB 4976, FROM TEMPORARY "R-1" ERZD ONE FAMILY RESIDENTIAL EDWARDS RECHARGE ZONE DISTRICT TO "B-2" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION, AND THAT AN ACCEPTABLE WATER POLLUTION ABATEMENT PLAN IS SUBMITTED TO THE ENVIRONMENTAL PROTECTION OFFICE AND THE TEXAS WATER COMMISSION AT THE PLATTING STAGE OF DEVELOPMENT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00"

40. CASE Z86334 (P.P.) - to rezone Lots 58-60 and 62-71, Block 7, NCB 10889, Lots 16 and 32, Block 14, NCB 10896, Lots 16 and 32, Block 15, NCB

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10897, Lots 16 and 31, Block 16, NCB 10898, Lots 16, Block 17, NCB 10899, Lots 1-7, 9, 11, 12 and 14-23, Block 20, NCB 10902, Lots 1-27, Block 21, NCB 10903, Lots 1-13 and 16-28, Block 22, NCB 10904, Lots 1-16, Block 23, NCB 10905, Lots 3 and 4, Block 26, NCB 10908, Lots 1-5, Block 27, NCB 10909, Lots 1-5, Block 28, NCB 10910, from "B" Residence District to a Planned Residential Development, located on the westside of Goliad Road, 125' north of Sligo Street and adjacent to Brooks A.F.B. southern boundary line, having approximately 1100' in width and 1263' in depth.

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

Ms. Patricia Theroux, 21 Woodlake Drive, representing the Brookside Venture, spoke of the rezoning request for a Planned Residential Development at a lower cost than other single family residences in the area by the use of manufactured housing. She then outlined the lack of development on the proposed site over the past years and contrasted the PRD zoning with other southside residential areas.

Mr. Randy Streetman, 3050 Archered Hill, spoke in favor of the PRD noting that the Planned Residential Development will help solve drainage problems in the area and he spoke to VA and FHA regulations on manufactured housing.

Mr. Ken Gully, of Austin, the developer of the project, spoke in support of the Planned Residential Development.

Mr. Bill Bailey, 4150 E. Southcross, stated that he feels there is no need for a PRD zoning in San Antonio and he displayed photographs of similar manufactured housing developments in the city of Austin.

Mr. Brooks Barker, 3143 S.E. Military Drive, operator of Indian Hills Mobile Home Park, stated that he feels the plan will put mobile homes on the property and he expressed the desire for a more quality development on the property involved.

Mr. David Wasicek, 227 Sligo, noted that the opponents to the project had met with the developer and had asked for a lesser density of housing by better positioning of the homes. He stated that the opponents prefer a more conventional residential area.

Ms. Betty Burke, 4106 Pecan Valley, stated that she feels the developers do not want to compromise on this residential development.

Mr. Robert Mer, 9446 S. Presa, spoke in opposition to the PRD and spoke to the uncertainty of fully development of the property involved.

Ms. Mary Wasicek, 227 Sligo, representing the Brookside Neighborhood Association, voiced her groups concern with the drainage problems in the area as well as plans for a pond on the property.

Mr. Edward Garza, 424 Sligo, stated that he feels the PRD will adversely affect existing homes and will in fact look like mobile homes. He stated that he feels five homes per acre is too great a density.

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

Ms. Linda Billa Burke, 4414 Pecan Grove, asked that the opponents present in the audience stand to be recognized and she spoke against the Planned Residential Development.

Mr. Bob Billa, 231 Kilarney, stated that he feels it is not good to place a PRD near Brooks Air Force Base, stating that he prefers better residential housing on the property involved.

Mr. Jim F. Reed, 3138 Cato, stated that he feels all area realtors like himself are opposed to the PRD because they feel the houses will not sell.

Ms. Theroux stated that the PRD allows eight units per acre and the plan density of five per acre is well in line with the requirements. She addressed plans to solve the drainage problems on the property and noted that the homes are mounted on a permanent foundation unlike mobile homes. She stated that she feels PRD's zoning would be good development for the area, and it meets all VA and FHA regulations.

Mrs. Dutmer noted that this is a very controversial case in the area and she stated that a joint meeting of the proponents and opponents made no progress.

In response to a question by Mrs. Dutmer, Ms. Theroux stated that the development proposes 537 total homes throughout the development with a 122 being built in Phase I. She stated that the developer is not willing at this time to change the positioning of the manufactured homes because of the marketability of the property. She stated that a park is scheduled to be developed in Phase I and she addressed the cost for the proposed home and their construction.

A discussion then took place on the outcome of the vote of Brooks Air Force Base of the Brooks Air Force Base Committee members on the proposed Planned Residential Development.

Ms. Angie Garcia, 134 San Juan asked that the opponents in the audience again stand to be recognized and she spoke against the Planned Residential Development.

Ms. Barbara Bean, a resident of the area, stated that she is concerned with the impact of a sudden influx of school children from the PRD area on neighborhood schools.

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

(Mayor Cisneros returned to the meeting to preside.)

In response to a question by Mr. Labatt, Ms. Theroux spoke to plans for curbs, sidewalks, and drainage work in the Planned Residential Development and she addressed the Austin development which was depicted by photographs distributed by an opponent to the case earlier in the meeting. She then contrasted that development with this Planned Residential Development and stated that the developer is now installing underground utilities and plans 30 foot wide streets for the property. She stated tht she would plan to return to the City Council for rezoning of proposed sections 2, 3 and 4 as soon as section 1 sells out.

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

Zoning Case Z86334 P.P. was denied.

87-20 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE - CLOSING AND ABANDONING A 15 FOOT ALLEY.

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 64,905

CLOSING AND ABANDONING AN UNIMPROVED 15 FOOT ALLEY, IN NEW CITY BLOCK 2969, AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE A QUITCLAIM TO THE ADJACENT OWNER, GENERAL SERVICES ADMINISTRATION, REGION 7, FOR A CONSIDERATION OF \$1.00.

* * * *

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

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

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

87-20 The City Council recessed at 3:42 P.M., reconvening at 3:55 P.M. for the Edwards Aquifer discussion.

87-20 ZONING OVER THE EDWARDS AQUIFER

Mayor Cisneros re-stated his opposition to last week's Council approval of a rezoning case which will result in construction of a 120-acre mall over the Edwards Aquifer, noting that he opposes this matter strictly on the merits of the case. He spoke of his concern that pollution could result in the aquifer from fractures in the rock on the site and the inevitable burst of commercial growth that follows mall development. He also addressed his concern that Loop 1604 soon will resemble the present Loop 410, and directly over the aquifer. He then spoke of his concern with the intense commercial development that currently is taking place over the aquifer, and its possible adverse effect upon the city's water supply. He noted that inner-city community groups in recent years have cooperated with development of the outer areas of the city. Mayor Cisneros then denied that proposed development of another new mall along IH 10 involving United Services Automobile Association in any way affected his vote on this current mall matter. He also stated his belief that the delicate balance of consensus of the entire community that tacitly avoided any intensive development over the aquifer may now have been broken by plans for this 130-acre mall.

Mrs. Helen Ayala, Executive Director, Communities Organized for Public Service, stated the feeling of her organization that the proposed mall development at Loop 1604 and Military Highway is shortsighted, and stated that the matter of aquifer water is a matter of concern to every San Antonian.

Ms. Beatrice Gallego, former Executive Director, COPS, spoke to the 1975 effort to halt mall development over the aquifer at U.S. Highway 281 and Loop 1604, and spoke of COPS' objection to the planned new mall at Loop 1604 and Military Highway.

Ms. Margie Torres, co-chairperson, Metropolitan Congregational Alliance, stated that her group feels that last week's approval of the new mall was wrong and a danger to San Antonio's water supply.

Reverend Homer Bain, co-chairperson, MCA, stated that the water issue is matter that concerns every citizen, and he expressed concern

over the approval of last week's re-zoning case involving the new mall.

Mr. Al Jose, St. Bonaventure COPS, spoke of his concern with development over the aquifer.

Father Rosendo Urrabazo spoke about the quality of life in San Antonio and the potential dangers to the city's sole source of water.

Ms. Ayala spoke of COPS's cooperation with the business and developer community on city projects in the past, and expressed concern with the actions of a few developers.

Mr. John Grieshaber, 611 Bluff Trail, spoke concerning the decision made by the City Council last week, asking that the vote at that meeting be upheld. He further stated his opinion that the developer community has attempted to do what's right for the entire community.

Mrs. Dutmer stated that the mall-site approved at Loop 1604 and Highway 281 North is now ready to go, and she spoke of the many other projects and developments already completed over the aquifer. She then stated that the courts have ruled tht zoning cannot be determined by referendum. She spoke about the 1977 mall case and the participation by COPS in that issue. She then addressed last week's testimony entered by Dr. Carl Raba on this particulr new mall development over the aquifer, and of her previous 'no' votes concerning further developments over the aquifer, then addressed her reasons for voting in favor of this latest case.

Mr. Harrington stated that he voted for this rezoning request in good conscience, based upon reliable data and the testimony of Dr. Raba. He then spoke about previous zoning cases over the aquifer, and addressed his perception of the lack of citizen opposition to such other recent zoning cases, involving larger areas of property over the aquifer.

Mr. Thompson spoke to the sporadic nature of development over the aquifer.

In response to a question by Mr. Thompson, Dr. Raba spoke to the matter being both a political and an engineering matter, and addressed his rationale for recommending in favor of last week's rezoning case and his feelings that development is environmentally safe for that property.

Mr. Thompson stated his opinion that no evidence has been yet presented that pollution will result because of the new mall.

Mr. Wing differentiated between the present mall case and the 1977 issue at Highway 281 North and Loop 1604, and stated that he supports the City Council decision made last week. He further stated that a memorandum currently is being prepared and will be circulated among City

Council members to declare moratorium on all development over the aquifer recharge zone within the city of San Antonio. He then asked Mayor Cisneros to join him in signing that memorandum on a moratorium.

Mrs. Berriozabal stated that she has consistently opposed rezoning cases over the aquifer because of the lack of legislative safeguards to the city's water supply. She stated her belief that government presently does not have in place sufficient safeguards, and expressed her feeling that development on the city's north side is causing damage to downtown and southside areas because of increased runoff. She further stated her opinion that the case is rapidly being made for surface water, and she recommended reinstatement of the coalition of community groups to discuss the entire matter of development over the aquifer. She spoke in opposition to rezoning cases over the aquifer.

In response to a question by Mr. Labatt, Dr. Raba stated his professional opinion that 90 per cent of the runoff from the new mall property flows west into the Olmos Creek, defined as a non-recharge area, while only 10 percent flows east into Salado Creek, a recharge feature.

Mr. Labatt spoke to the rezoning of a number of larger tracts over the aquifer, over the past one and one half years, and stated his opinion that all Councilmembers are concerned with protection of the quality of San Antonio's water. He then spoke in defense of his vote of last week.

Mr. Martinez stated that he voted in favor of last week's rezoning case based upon the facts presented, but stated that he feels that further tools are necessary in this matter. He spoke in support of Mr. Wing's memorandum on a moratorium.

Mr. Webb spoke in favor of the moratorium issue, and addressed his own voting record against rezoning cases over the aquifer. He noted, however, that he voted in favor of last week's rezoning case strictly on the merits of the case, as presented.

Ms. Vera stated that she voted against a rezoning case only today because it was located over the aquifer, for fear of possible seepage from a proposed service station. She stated her opposition to locating service stations over the aquifer, but spoke against the moratorium issue because she feels that each case should be considered on its own merits. She expressed her opinion that the City currently is underestimating the damage caused by rezoning over the aquifer, especially when they involve service stations.

In response to a question by Mr. Hasslocher, Mr. Tom Fox, General Manager, Edwards Underground Water District, stated his opinion that all sites over the aquifer recharge zone are sensitive, and expressed his opinion that this site in question is no more sensitive than any other.

Dr. Raba spoke in correction of a previous statement made in answer to a question by Mr. Thompson, noting that, in hindsight, he had spoken with Mayor Cisneros about this proposed new mall, at which time the Mayor expressed his concern with the mall's possible effect upon the aquifer.

Mayor Cisneros spoke to his own personal desire that the City Council reconsider officially its rezoning action of last week, or, failing that, to call for a public hearing to brief the public on exactly where we are in relation to zoning cases over the aquifer and the steps being taken, or not taken, with respect to the Metcalf & Eddy report. He stated that in order for the Council to re-hear the zoning case concerned, someone on the prevailing side of the final vote on tht issue would have to move for reconsideration.

Following discussion, Mr. Thompson moved to ask the City Manager to place on next week's Council agenda the consideration of the calling for a briefing by City staff on what zoning currently exists over the Edwards Aquifer, a review of the guidance given by the Metcalf & Eddy study, a statement from the City's Aquifer Protection Office, and a public hearing to air the issues involved. Ms. Vera seconded the motion.

After further discussion of the motion, Mrs. Berriozabal moved that a process be included in the call for the public hearing that includes some opportunity for citizens or other experts to be heard; to develop some sort of agenda that ends in some sport of action relative to development over the Edwards Aquifer; and that the exact process of the public hearing is fully known prior to that public hearing; and that there be input from the community. Ms. Vera seconded the motion.

Mayor Cisneros stated that he understands the motion to include the setting up of a process of discussion with Council members and the community on the format and agenda for the public hearing.

Mr. Wing then offered a second amendment that the City Manager place on new week's Council agenda consideration of acting designating that no action will be taken by the City Council on zoning cases over the city of San Antonio portion of the Edwards Aquifer recharge zone until the public hearing process is completed. Mrs. Berriozabal seconded the motion.

Mr. Martinez stated that he wants City staff to propose alternatives for possible action in this matter.

Mrs. Dutmer spoke to the need for qualified professional opinions during the public hearing.

Mr. Webb spoke to the need for qualified experts to testify at the public hearing.

Ms. Ayala noted that it is up to the City Council to decide whether or not to reconsider the mall zoning case.

Mrs. Berriozabal stated that she wants to be assured that the public hearing process will end in the creation of a group to come up with process that addresses development over the aquifer.

Mr. Harrington spoke against the public hearing as a means of attacking the mall zoning case.

Mrs. Dutmer spoke in defense of the City's Aquifer Protection Office and its recommendations in this case stating that the office representatives are only tracking the applicable law in those recommendations and comments.

A discussion of Mr. Wing's proposed amendment then took place, during which City Attorney Lloyd Garza stated that he feels the motion would not be a proper one if it requires action on a matter not formally posted for action at this time, but that it would be proper if the motion requested that the matter for possible action be properly posted for next week's Council meeting.

After discussion, the motion on the second amendment, as moved by Mr. Wing and seconded by Mrs. Berriozabal, prevailed by the following vote: AYES: Berriozabal, Webb, Wing, Martinez, Vera, Cisneros; NAYS: Dutmer, Thompson, Harrington, Labatt, Hasslocher.

Mayor Cisneros, clarifying the proposed first amendment as presented by Mrs. Berriozabal and seconded by Ms. Vera, stated that in his opinion, the motion begins to set up a process of consultation with the Council and the community organizations on the format for the public hearing and presumably also would result in picking the place, time and the nature of the presentations involved.

After discussion, the motion on the first amendment as moved by Mrs. Berriozabal and seconded by Ms. Vera prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Vera, Labatt, Cisneros; NAYS: Harrington, Hasslocher.

Mayor Cisneros then restated his understanding of the main motion, as twice amended, that being that it calls for a public hearing which would cover the status of present zonings over the aquifer, and review of the requisite law and guidelines that would enhance the Council's position to perhaps strengthen its ability to protect the aquifer.

In response to a question by Mayor Cisneros, Mr. Garza stated his legal opinion that he feels the motion is legally supportable if it calls for a limited moratorium on development over the city's portion of the

aquifer for purposes of further study of the matter, within specified parameters, and is not a blanket moratorium.

Mayor Cisneros stated his opinion that this moratorium, if enacted, is only in effect until the public hearing process is completed and policy review is concluded by the City Council. He stated his belief that actual guidelines for any proposed moratorium would have to be worked out.

Mrs. Dutmer spoke to the dangers involved in calling for any blanket moratorium.

Mayor Cisneros then restated his understanding of the main motion as twice amended, stating that in his opinion, the motion calls for the setting of a public hearing on the matter of zoning over the aquifer, including a process for the format of the public hearing, and action next week that would consider delaying any further zoning matter over the aquifer until the public hearing process is completed.

At this time, Mr. Harrington made a motion to table the matter. Mr. Hasslocher seconded the motion.

The motion to table failed to carry by the following vote: AYES: Harrington, Hasslocher; NAYS: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Vera, Labatt, Cisneros.

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

87-20

CITIZENS TO BE HEARD

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

* * * *

MR. NICOLAS A. DIAZ

Mr. Diaz, 222 Humboldt, spoke to the City Council, regarding the department of Parks & Recreation's program of Feria Noche del Rio. He stated he has been unable to work out any agreement with Mr. Felipe De La Rosa to perform at the Feria del Rio. He presented recommendations from different persons on his credentials. He asked the City Council to recommend him to the department of Parks and Recreation.

Mrs. Dutmer asked that Mr. Diaz meet with the city staff to

discuss his request.

* * * *

MS. CAROLYN A. FRAZIER

Ms. Frazier, 4300 Fredericksburg Road, #59, stated that for the past three months she has to literally "fight" off street corner preachers as well as preachers distributing flyers and books on city buses. She asked if there are any city ordinances prohibiting this practice.

Mr. Michael Case stated that surely there must be a city ordinance prohibiting the practice. He himself is an ordained minister however he has never forcefully pushed his religion.

* * * *

MR. DANIEL LOPEZ ALVARADO

Mr. Alvarado congratulated the City Council on their reelection to the City Council. He then spoke to the Council about his request of last week on the need to implement metro government in San Antonio.

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87-20

CITY MANAGER'S REPORT - WESTSIDE PARISH COALITION

Mr. Louis J. Fox, City Manager, stated that he feels the city staff now is at the end of negotiations with the Department of Housing and Urban Development concerning the Westside Parish Coalition and its "Ventures in Community Improvements Program". He stated further that he feels that HUD will not require the city pay back any funds which are at issue and he stated that he would be recommending at this time that the project be cancelled even though he feels the project was a good one. He further stated that there may be another way to perform this function at a later time.

Mr. Andrew Cameron, Budget & Research Department, noted that a public hearing is scheduled in two weeks to take this formal action to cancel the program.

Mr. Wing stated that he hopes the city can find another way to restructure the program so that it somehow can continue in some manner.

Mr. Martinez stated that he wants assurances from the city staff that all loose ends are tied up in this matter especially the matters concerning funding with HUD. He also stated that he feels the program should be cleared of any financial liability matters. He noted that some

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questions remain to be answered about the houses which have been constructed but not yet sold and expressed his opinion that the VICA program was a good program in providing training and new homes in the inner city. He stated that he hopes another very similar program can take its place in the future.

Mayor Cisneros turned the proposed cancellation of the program an unfortunate matter but stated that he hopes for some future program which will be similar in nature.

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There being no further business to come before the City Council, the meeting as adjourned at 7:06 P.M.

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A P P R O V E D

Henry Cisneros
M A Y O R

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