

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, JULY 17, 1986.

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The meeting was called to order at 1:00 P.M. by the presiding officer, Mayor Pro Tem Dutmer, with the following members present: BERRIOZABAL, WEBB, DUTMER, WING, MARTINEZ, THOMPSON, VERA, LABATT, HASSLOCHER. Absent: HARRINGTON, CISNEROS.

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86-33 The invocation was given by Reverend James Dudley, Divine Providence Catholic Church.

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86-33 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

86-33 BELGIAN PAINTER

Mayor Pro Tem Dutmer introduced Mr. Pros Colpaert, the noted Belgian artist presently displaying his work at the UT Health Science Center as part of the Texas Sesquicentennial activities here and she read a proclamation designating him an "Alcalde de La Villita" and presented the alcalde proclamation to him. Mrs. Dutmer spoke of his fine artistic work now on display at the Health Science Center and also presented him with a special official book on the City of San Antonio.

Mr. Colpaert presented to the City of San Antonio one of his own paintings and thanked the Mayor Pro Tem for the honor.

The Mayor Pro Tem and other members of the City Council then offered their individual congratulations to Mr. Colpaert.

86-33 YARD OF THE MONTH

Mayor Pro Tem Dutmer briefly explained the presentation of certificates to take place for Yard of the Month award winners for the months of May and June, 1986 and individually introduced the winners from each district asking them and their City Council district members to come forward. The Mayor Pro Tem and other members of the City Council then

presented special certificates to the winners of the Yard of the Month award and congratulated each individually.

Mayor Pro Tem Dutmer then introduced members of the San Antonio Clean and Beautiful Committee present in the audience for today's ceremony.

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DEFENSE LANGUAGE INSTITUTE

Mayor Pro Tem Dutmer introduced students from the Defense Language Institute, Lackland Air Force Base. Each student then introduced himself and his nation. Mayor Pro Tem Dutmer welcomed each to City Hall.

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The minutes of the City Council Meeting of July 3, 1986 were approved.

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CONSENT AGENDA

Mr. Hasslocher moved to approve Agenda Items #7 - 28 constituting the consent agenda to be approved with the exception of items #18 & 26 to be pulled for individual consideration. Mr. Wing seconded the motion.

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

AN ORDINANCE 63,243

ACCEPTING THE LOW BID OF MCKENZIE AIR INDUSTRIES TO FURNISH THE CITY OF SAN ANTONIO WASTEWATER MANAGEMENT DEPARTMENT WITH AN AIR COMPRESSOR FOR A TOTAL OF \$5,464.00.

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AN ORDINANCE 63,244

ACCEPTING THE LOW BID OF NCR CORPORATION TO FURNISH THE CITY OF SAN ANTONIO MUNICIPAL COURTS WITH THE PRINTING OF PARKING TICKETS FOR A TOTAL OF \$11,050.00.

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AN ORDINANCE 63,245

ACCEPTING THE LOW QUALIFIED BID OF BLAUER MANUFACTURING COMPANY TO FURNISH THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH BODY ARMOR FOR A TOTAL OF \$3,770.00

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AN ORDINANCE 63,246

ACCEPTING THE LOW BID OF CENTRAL DISTRIBUTING TO FURNISH THE CITY OF SAN ANTONIO CONVENTION FACILITIES WITH BANQUET TABLES FOR A TOTAL OF \$87,849.00 AND APPROPRIATING FUNDS FROM THE HEMISFAIR RENOVATIONS AND IMPROVEMENTS FUND TO THE CONVENTION CENTER EXPANSION PROJECT.

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AN ORDINANCE 63,247

ACCEPTING THE LOW BID OF OSHKOSH TRUCK CORPORATION TO FURNISH THE CITY OF SAN ANTONIO AVIATION DEPARTMENT WITH A CRASH FIRE RESCUE VEHICLE FOR A TOTAL OF \$326,969.00

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AN ORDINANCE 63,248

ACCEPTING THE BID OF INCORE, INC., IN THE AMOUNT OF \$387,320.00 FOR THE INTERNATIONAL AIRPORT TERMINAL 2 RENOVATIONS, PACKAGE 5 (TOWER DEMOLITION/RENOVATIONS); APPROVING A CONTRACT; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 63,249

AMENDING THE PROFESSIONAL SERVICES CONTRACT WITH JOSE LUIS HERNANDEZ ARCHITECTS, INC., FOR ARCHITECTURAL SERVICES IN CONNECTION WITH THE STINSON TERMINAL RESTROOMS REMODELING BY INCREASING THE SCOPE OF WORK AND THE FEE PAYABLE.

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AN ORDINANCE 63,250

ACCEPTING THE BID OF QUEST UTILITY CORPORATION, IN THE AMOUNT OF \$1,369,639.96, FOR THE ALL WEATHER ACCESS ROADWAY AND UTILITY UPGRADING & MODIFICATIONS AT INTERNATIONAL AIRPORT; APPROVING A CONTRACT; ACCEPTING A PROPOSAL FROM CHEN & ASSOCIATES FOR TESTING SERVICES; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 63,251

ACCEPTING THE BID OF H.B. ZACHRY COMPANY, IN THE AMOUNT OF \$314,210.40 FOR THE CONSTRUCTION OF THE REGENTS R.O.W. SUBDIVISION OFF-SITE SEWER PROJECT; PROVIDING AN ADDITIONAL \$31,421.04 FOR A CONSTRUCTION CONTINGENCY AND \$10,000.00 PAYABLE TO CIVIL ENGINEERING CONSULTANTS FOR CONSTRUCTION SUPERVISION SERVICES; APPROVING THE CONTRACTS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 63,252

ACCEPTING THE BID OF JOHN YANTIS COMPANY, IN THE AMOUNT OF \$216,747.00 FOR THE CONSTRUCTION OF THE ELM CREEK SANITARY SEWER OUTFALL PHASE IB; PROVIDING AN ADDITIONAL \$32,512.00 FOR A CONSTRUCTION CONTINGENCY AND \$45,000.00 PAYABLE TO J.W. FRENCH & ASSOCIATES, INC., FOR CONSTRUCTION SUPERVISION SERVICES; APPROVING THE CONTRACTS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 63,253

ACCEPTING THE BID OF V.K. KNOWLTON PAVING CONTRACTOR, INC. FOR THE CONSTRUCTION OF THE NACOGDOCHES ROAD SANITARY SEWER RELOCATION PROJECT IN THE AMOUNT OF \$144,847.55; PROVIDING AN ADDITIONAL \$21,727.45 FOR A CONSTRUCTION CONTINGENCY; APPROVING A CONTRACT; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 63,254

APPROPRIATING AND AUTHORIZING ADDITIONAL ENGINEERING MONEY, PAYABLE TO AMNER INCORPORATED, TO PROVIDE FINAL DESIGN ENGINEERING FOR THE BELMEADE SEWER REHABILITATION PROJECT IN THE AMOUNT OF \$43,950.00.

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AN ORDINANCE 63,255

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$11,400.00 OUT OF VARIOUS FUNDS FOR THE PURPOSE OF ACQUIRING TITLE AND/OR EASEMENTS TO CERTAIN LANDS; ACCEPTING THE DEDICATION OF EASEMENTS TO CERTAIN LANDS; ALL IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS.

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AN ORDINANCE 63,256

AUTHORIZING SUBMISSION OF A PROPOSAL TO AACOG FOR CONTINUATION OF A HOMEMAKER PROGRAM; PROVIDING FOR ACCEPTANCE OF A GRANT OF \$141,379.00; AUTHORIZING AN IN-KIND MATCH OF \$15,709.00; APPROVING A BUDGET AND A PERSONNEL SCHEDULE; APPROVING A LEASE FOR OFFICE SPACE; AUTHORIZING TRANSFER, DEPOSIT AND EXPENDITURE OF FUNDS RECEIVED FOR REIMBURSEMENT FOR PROVISION OF TITLE XIX SERVICES; AND APPROVING A BUDGET AND PERSONNEL SCHEDULE FOR PRIMARY HOME CARE.

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AN ORDINANCE 63,257

AUTHORIZING THE APPLICATION FOR AND ACCEPTANCE OF A GRANT OF \$400,000.00 FROM THE TEXAS DEPARTMENT OF HUMAN SERVICES FOR THE CITY HOMEMAKER PROGRAM TO OPERATE A SHARED ATTENDANT CARE DEMONSTRATION PROJECT FROM SEPTEMBER 1, 1986 THROUGH AUGUST 31, 1987; APPROVING A BUDGET; APPROVING A PERSONNEL SCHEDULE; AUTHORIZING A LEASE AS NECESSARY.

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AN ORDINANCE 63,258

AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE AREA AGENCY ON AGING, ALAMO AREA COUNCIL OF GOVERNMENTS, IN RESPONSE TO A REQUEST FOR PROPOSAL,

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FOR A TWELVE MONTH CONTINUATION OF THE METRO SAN ANTONIO COMPREHENSIVE NUTRITION PROJECT FOR FY86-87; APPROVING A BUDGET AND PERSONNEL COMPLEMENT; APPROPRIATING FUNDS; AUTHORIZING THE CITY MANAGER TO ACCEPT THE GRANT IF AWARDED; AUTHORIZING EXECUTION OF CONTRACTS WITH PRIVATE AGENCIES FOR OPERATION OF SERVICE SITES; AND AUTHORIZING THE ALLOCATION OF CARRY-OVER SURPLUS FUNDS.

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AN ORDINANCE 63,259

AUTHORIZING AN APPLICATION FOR CONTINUATION OF THE SUPPORTIVE SERVICES FOR THE ELDERLY PROJECT FOR FY 86/87 OCTOBER 1, 1986 - SEPTEMBER 30, 1987 AND ACCEPTING THE GRANT.

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AN ORDINANCE 63,260

AUTHORIZING ACCEPTANCE OF A CONTRIBUTION FROM SOUTHWESTERN BELL TELEPHONE FOR THE COMMISSION FOR CHILDREN AND FAMILIES; AUTHORIZING A POSITION; ESTABLISHING A FUND; AND ADOPTING A BUDGET.

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AN ORDINANCE 63,261

AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROVIDER AGREEMENT WITH TEXAS DEPARTMENT OF HUMAN SERVICES FOR AN EMPLOYMENT SERVICES PROGRAM FOR WELFARE RECIPIENTS TO CONTINUE THE SERVICES OF THE FAMILY RESOURCES DIVISION, DEPARTMENT OF HUMAN RESOURCES AND SERVICES; DESIGNATING A FUND; AND AUTHORIZING THE CITY MANAGER TO MAKE MODIFICATION IF REQUIRED BY TEXAS DEPARTMENT OF HUMAN SERVICES.

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AN ORDINANCE 63,262

AUTHORIZING THE CITY WATER BOARD TO OVERSIZE A SIXTEEN (16) INCH APPROACH MAIN ALONG CULEBRA ROAD TO TWENTY (20) INCHES IN ORDER TO SERVE A 31.64 ACRE TRACT NEAR THE INTERSECTION OF CULEBRA AND TEZEL ROADS.

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86-33 The Clerk read the following Ordinance:

AN ORDINANCE 63,263

ACCEPTING A PROPOSAL IN THE AMOUNT OF \$146,755.00 FROM DAY & ZIMMERMAN, INC. FOR PROJECT MANAGEMENT SERVICES ON SIX FIRE STATIONS AND TWO POLICE SUBSTATIONS LIMITED TO FIELD CONSTRUCTION COORDINATION AND SCHEDULING FOR AN ELEVEN (11) MONTH PERIOD TO ASSURE COMPLETION AND OPERATION BY MARCH, 1987; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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Mr. Hasslocher moved to approve the Ordinance. Mrs. Berriozabal seconded the motion.

Mr. Frank Kiolbassa, Director of Public Works, briefly spoke to the fire station locations involved in this ordinance.

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

86-33 The Clerk read the following Ordinance:

AN ORDINANCE 63,264

AUTHORIZING THE DEPARTMENT OF PARKS AND RECREATION TO CLOSE THE NORTHSIDE OF NUEVA STREET BETWEEN PRESA AND ALAMO FROM 6:00 A.M. UNTIL 12:00 MIDNIGHT ON JULY 20, 1986, IN CONNECTION WITH THE HISPANIC ART FAIR.

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Mr. Hasslocher moved to approve the proposed Ordinance. Mr. Webb seconded the motion.

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Mr. Ron Darner, Director of Parks and Recreation, offered a brief explanation of the ordinance.

Mayor Pro Tem Dutmer voiced her concern with the possible impact of this ordinance on area property owners.

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

ZONING HEARINGS

29. CASE Z86158 - to rezone Parcel 101, NCB 13837, In the 2500 Block of Thousand Oaks Drive, from "B-2" Business District to "B-3" Business District, located on the southwest of Thousand Oaks Drive, being 810' southeast of the intersection of Henderson Pass Drive and Thousand Oaks Drive, having 540' on Thousand Oaks Drive and a maximum depth of 700'.

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

Ms. Edna Ortega, Planner II, noted that the city has received a petition containing 465 names of area property owners in opposition to the requested rezoning.

Mr. David Person, 700 N. St. Mary's, representing the Oxford Group, the proponents, briefly described the rezoning request and he asked that a two part amendment be considered to his rezoning request: (1) that a 142 foot area across the northeast portion of the subject property to a depth of 175 feet remain "B-2" in zoning; (2) that the rest of the subject area be rezoned "B-3NA". Mr. Person stated that the proponents plan to erect a mini storage and other commercial uses for the property and he stated that certain portions of the property are being dedicated to the City of San Antonio and are to straighten out a dangerous curve on Thousand Oaks Blvd.

Ms. Maggie Gravender, 2642 Pebble Breeze, President of the Pebble Forest Homeowners Association, asked that a large group of citizens present in the audience in opposition to the zoning case to stand and be recognized. She then submitted a copy of the groups petition in opposition to the rezoning and voiced her groups concern that the petition was not forwarded to the City Council from the Planning Commission after a hearing before that body. She then spoke against the rezoning request which she stated would bring more commercialization into a residential area. She stated further her concern that zoning notices sent to area homeowners were misdated.

Mr. Jim Beard, 15326 Pebble Path, spoke of the adverse possible impact of zoning matters in other cities where he has lived over the past 25 years. He spoke against erection of mini storage warehouses near this residential area.

Mr. Larry Brown, 2610 Pebble Dawn, spoke against erection of a carwash across the street from his own backyard. He noted that the city Zoning staff and the Zoning Commission both have come out against this.

Mr. Gil Lopez, 2622 Pebble Oak, noted that many "B-2" zoning areas in the immediate vicinity remain vacant and spoke against the proposed rezoning to "B-3".

Mr. John Worthington, 2614 Pebble Dawn, voiced his concern with the effects of rezoning on property values in the area stating that he feels the request is in contradiction to City Code provisions dealing with zoning.

Mr. Person, in rebuttal, stated that he feels this area already is commercial in nature, and he addressed specific objections raised by opponents.

In response to a question by Mr. Hasslocher, Mr. Andy Guerrero, Planner III, briefly discussed the amended petition.

In response to another question by Mr. Hasslocher, Mr. David Steitle, Assistant Director of Public Works, noted that Thousand Oaks Blvd. is on the major thoroughfare plan of the City of San Antonio scheduled to become 86 feet wide with 4 lanes of traffic later this year.

Mr. Hasslocher spoke to apartment development in this area and spoke in support of the amendment as presented by the proponents. At this point, Mr. Hasslocher made a motion to approve the amended petition as presented by the proponents. Mr. Martinez seconded the motion.

Mr. Thompson voiced his concern with the impact of "B-3" zoning pushing further east from the Thousand Oaks-Henderson Pass intersection and he spoke in support of "B-3NA" for the area to be used for mini storage construction.

Mr. Thompson moved with the first amendment to rezone to "B-3NA" on a segment of the south and west portions of the subject property according to field notes attached to this case, also provided that a 6 foot solid screen fence is erected on the south property line. Ms. Vera seconded the motion.

Mr. Martinez stated that he favors leaving "B-2" on the property directly across from the residential area across Thousand Oaks Blvd.

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Mr. Martinez moved with the second amendment that the area to remain "B-2" should be immediately across from the residential area across Thousand Oaks Blvd. and the remainder of the property as spelled out in Mr. Thompson's previous amendment to "B-3NA" which will allow a carwash and mini storage on that property. Mr. Wing seconded the motion.

In response to a question by Mrs. Berriozabal, Ms. Ortega stated that city staff would support these amendments.

Mrs. Berriozabal noted that the proponent had purchased the property knowing full well that it had an existing "B-2" zoning at the time. She stated that she would support the amendments with the least change to the neighborhood.

In response to a question by Mr. Wing, Mr. Brown stated that he prefers the least damaging change in any rezoning move.

Mr. Wing stated that he prefers "B-2NA" in lieu of "B-2" zoning in order to further protect the neighborhood.

Mr. Person, representing the proponent stated that he would agree to certain deed restrictions to "B-2NA" as necessary.

Mr. Wing moved with the third amendment that the proponent agree to deed restrict from "B-2" to "B-2NA" on the affected property. Mr. Labatt seconded the motion.

Mrs. Dutmer stated that overall she feels that with the amendments this is a good compromise.

The vote on third amendment, prevailed as follows: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Vera, Labatt, Hasslocher; NAYS: None; ABSENT: Harrington, Cisneros.

The vote on the second amendment, prevailed as follows: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Vera, Labatt, Hasslocher; NAYS: None; ABSENT: Harrington, Cisneros.

The vote on the first amendment, prevailed as follows: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Vera, Labatt, Hasslocher; NAYS: None; ABSENT: Harrington, Cisneros.

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

(Final publication of Zoning Case 286158 has not yet been made, pending receipt of new field notes to be provided by the petitioner. Proper publication and insertion of correct caption of this Ordinance into these Minutes will take place upon receipt of said field notes.)

86-33

HONORABLE JOSEPH-CHARLES DOUMBA

Mayor Pro Tem Dutmer recognized the presence in the audience today of the Honorable Joseph-Charles Doumba, the Minister in charge of Special Duties for the Presidency of the Republic, Republic of Cameroon. She then asked Mr. Webb to join her at the podium where they joined in presenting a special book on San Antonio to Mr. Doumba.

Mr. Doumba in turn then presented several books to the City of San Antonio as mementos of the Republic of Cameroon.

ZONING HEARINGS cont.

30. CASE Z86175 - to rezone Lots 3, 4, and 5, Block 19, NCB 16529, 2400 Block of Suzette, from Temporary "R-1" One Family Residence District and "R-2" Two Family Residence District to "I-1" Light Industry District, located on the east side of Suzette Avenue being 100' south of the intersection of Westfield Drive and Suzette Avenue, being 150' on Suzette Avenue, with a depth of 150'.

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

Mr. Thompson made a motion to approve the requested rezoning. 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, Dutmer, Wing, Martinez, Thompson, Vera, Labatt, Hasslocher; NAYS: None; ABSENT: Webb, Harrington, Cisneros.

AN ORDINANCE 63,266

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 3, 4, AND 5, BLOCK 19, NCB 16529, 2400 BLOCK OF SUZETTE, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT AND "R-2" TWO FAMILY RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT.

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31. CASE Z86180 - to rezone Lots 17 and 18, save and except the northeast and northwest 25', NCB 15689, 12500 Block of Nacogdoches Road, from Temporary "R-1" One Family Residence District and "B-3R" Restrictive Business District to "B-3" Business District, located on the northwest side of Nacogdoches Road, being 100' southwest of the cut-back of Ronald Drive and Nacogdoches Road, having 276.14' on Nacogdoches Road and a depth of 275'.

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

Mr. Tom Bagley, 7227 Hidden Hills, stated that he has managed to reach an agreement with the three previous opponents registered in this case.

Mrs. Dutmer made a motion to approve the recommendation of the Zoning Commission provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. Mr. 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, Labatt, Hasslocher; NAYS: None; ABSENT: Harrington, Cisneros.

AN ORDINANCE 63,267

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 17 AND 18, SAVE AND EXCEPT THE NORTHEAST AND NORTHWEST 25', NCB 15689, 12500 BLOCK OF NACOGDOCHES ROAD, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT AND "B-3R" RESTRICTIVE BUSINESS DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

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86-33 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE - CLOSING & ABANDONING A PORTION OF DENNY STREET.

Mayor Pro Tem Dutmer declared the Public Hearing to be open.

No citizen appeared to speak on this matter.

Mayor Pro Tem Dutmer declared the Public Hearing to be closed.

The Clerk read the following Ordinance:

AN ORDINANCE 63,268

CLOSING AND ABANDONING AN UNIMPROVED PORTION OF DENNY STREET, BETWEEN NEW CITY BLOCKS 7761 AND 7762, AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE FOUR (4) QUITCLAIMS TO THE ADJACENT OWNERS, FOR A CONSIDERATION OF \$1.00.

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

86-33 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE - CLOSING & ABANDONING AN ALLEY, WEST OF W.W. WHITE ROAD.

Mayor Pro Tem Dutmer declared the Public Hearing to be open.

No citizen appeared to speak on this matter.

Mayor Pro Tem Dutmer declared the Public Hearing to be closed.

The Clerk read the following Ordinance:

AN ORDINANCE 63,269

CLOSING AND ABANDONING A PORTION OF AN UNIMPROVED 15-FOOT ALLEY, ADJACENT TO LOTS 12 AND 14, NEW CITY BLOCK 10671, AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE A QUITCLAIM TO MILTON H. NIPPER, ADJACENT OWNER, FOR A CONSIDERATION OF \$1.00.

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Mr. Thompson moved to approve the proposed Ordinance. Mr. Martinez seconded the motion.

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

86-33

TAXICAB APPEAL OF MR. BIJAN HABIBI

Mayor Pro Tem Dutmer declared the Public Hearing on the matter of an appeal from the Taxicab Advisory Board to be open.

Mr. Roger Ibarra, Supervisor of Public Utilities, noted that the appellant is not present in the audience and he briefly explained the appellants driving while intoxicated record as the reason for staff denial of his taxicab license.

Mr. Wing made a motion to sustain staffs recommendation. Mr. Webb seconded the motion.

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

86-33

PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE - HODAG GRANT - 737 MAYFIELD.

Mayor Pro Tem Dutmer declared the Public Hearing to be open.

No citizen appeared to speak on this matter.

Mayor Pro Tem Dutmer declared the Public Hearing to be closed.

The Clerk read the following Ordinance:

AN ORDINANCE 63,270

APPROVING SUBMISSION TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, OF A HOUSING DEVELOPMENT ACTION GRANT (HODAG) APPLICATION FOR \$1,047,586.00 IN HODAG FUNDS TO SUPPORT THE NEW CONSTRUCTION OF A 52 UNIT MULTI-FAMILY PROJECT AT 737 MAYFIELD.

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Mr. Wing moved to approve the proposed Ordinance. Mr. Webb seconded the motion.

Mr. Wing spoke in support of the HODAG grant application, in order to bring more housing to the southside of San Antonio. He stated further that the location of the proposed project will be very near the location of the new city police substation on the southside.

Mr. Martinez spoke in support of the motion noting the lack of good housing in this area.

Mr. Drew Cameron, Acting Director of Neighborhood Initiatives, stated that this is a long term loan process.

Mrs. Berriozabal spoke in support of the motion and asked that the city staff work with another group which is seeking a HODAG grant application in the next round.

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

86-33 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE - FY 1986 RENTAL REHABILITATION ENTITLEMENT PROGRAM.

Mayor Pro Tem Dutmer declared the Public Hearing to be open.

No citizen appeared to speak on this matter.

Mayor Pro Tem Dutmer declared the Public Hearing to be closed.

The Clerk read the following Ordinance:

AN ORDINANCE 63,271

AUTHORIZING THE SUBMISSION OF THE FY 1986 RENTAL REHABILITATION ENTITLEMENT PROGRAM APPLICATION TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; AND AUTHORIZING THE CITY MANAGER TO ACT IN CONNECTION WITH THE SUBMISSION OF THE APPLICATION AND TO PROVIDE ADDITIONAL INFORMATION AS MAY BE REQUIRED.

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Mr. Labatt moved 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, Labatt, Hasslocher; NAYS: None; ABSENT: Harrington, Cisneros.

86-33 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE - CDBG/HOUSING EMERGENCY REPAIR PROGRAM.

Mayor Pro Tem Dutmer declared the Public Hearing to be open.

No citizen appeared to speak on this matter.

Mayor Pro Tem Dutmer declared the Public Hearing to be closed.

The Clerk read the following Ordinance:

AN ORDINANCE 63,272

AN ORDINANCE AUTHORIZING A SUPPLEMENTAL ALLOCATION OF \$30,000.00 FROM THE 11TH YEAR CDBG CONTINGENCY ACCOUNT TO THE 11TH YEAR HOUSING EMERGENCY REPAIR PROGRAM (28-01131), TO ADDRESS THE ANTICIPATED HOUSING EMERGENCY REPAIR CASELOAD THROUGH SEPTEMBER 30, 1986.

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Mr. Webb moved 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, Labatt, Hasslocher; NAYS: None; ABSENT: Harrington, Cisneros.

86-33 The Clerk read the following Ordinance:

AN ORDINANCE 63,273

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

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Mr. Thompson moved 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, Hasslocher; NAYS: None; ABSENT: Harrington, Cisneros; ABSTAIN: Labatt.

86-33 The Clerk read the following Ordinance:

AN ORDINANCE 63,274

DESIGNATING AN INDUSTRIAL DISTRICT AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT BETWEEN THE CITY OF SAN ANTONIO AND JOHN V. FELTER INTERESTS GUARANTEEING THE CONTINUATION OF THE EXTRATERRITORIAL STATUS OF THE PROPERTY WITHIN THE DISTRICT AND ITS IMMUNITY FROM ANNEXATION BY THE CITY; AND AUTHORIZING A CONTRACT FOR FIRE PROTECTION SERVICES.

* * * *

Mr. Wing moved 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, Labatt, Hasslocher; NAYS: None; ABSENT: Harrington, Cisneros.

86-33 The Clerk read the following Ordinance:

AN ORDINANCE 63,275

REIMBURSING THE FIREFIGHTERS AND POLICE OFFICERS ONE WEEK OF PAY AT SIX PERCENT BACK TO MARCH 15, 1986.

* * * *

Mr. Wing moved 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, Labatt, Hasslocher; NAYS: None; ABSENT: Harrington, Cisneros.

86-33 The Clerk read the following Ordinance:

AN ORDINANCE 63,276

AUTHORIZING THE CITY MANAGER TO ACCEPT A FEDERAL ECONOMIC DEVELOPMENT ADMINISTRATION (EDA) GRANT IN THE AMOUNT OF \$600,000.00 WHICH, WITH \$150,000.00 LOCAL MATCHING FUNDS, WILL TOTAL \$750,000.00 TO BE USED TO DESIGN AND CONSTRUCT THE ORIGINAL ROBERT HUGMAN DESIGN CONCEPT OF BLIND ARCHES AND A RIVERWALK CONNECTION WITH COMMERCIAL SPACE UNDER CROCKETT STREET ADJACENT TO THE AZTEC AND KAROTKIN BUILDINGS.

* * * *

Mr. Webb moved to approve the proposed Ordinance. Mr. Wing seconded the motion.

In response to a question by Ms. Berriozabal, Mr. Frank Perry, Director of Downtown Initiatives, stated that this project can interface with another project designed to renovate the Aztec Theatre which still is pending a grant funding.

Ms. Berriozabal voiced the concern raised by La Mansion del Rio hotel officials that they ask to be assured that no security problems will arise along the Riverwalk from the construction of this archway which goes back into the retaining wall that provides a recess at that point. She asked that the city staff work with the hotel officials to assure them that there will be no problems in this regard.

Mr. Perry stated that the San Antonio Conservation Society has agreed to put up \$150,000.00 of the local matching funds necessary to secure this grant.

Ms. Janet Francis, President of the San Antonio Conservation Society, displayed a 1929 newspaper story with the original Robert Hugman plan for the arches to be erected at this point. She stated further that the San Antonio Conservation Society has Mr. Hugman's original plans for the entire project and intends to utilize them as much as possible.

Mr. Louis J. Fox, City Manager, stated that Mr. Perry has secured a \$600,000.00 grant from the Economic Development Administration for this

project and that San Antonio has benefited from EDA funds on a number of major projects including the renovation of La Villita and the renovation of Olmos Dam.

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

86-33 The Clerk read the following Ordinance:

AN ORDINANCE 63,277

APPROVING THE ALLOCATION OF FUNDS TO PAY ATTORNEY'S FEES OF UP TO \$14,000.00 REGARDING THE CASE OF GRANATA V. CITY OF SAN ANTONIO.

* * * *

Mr. Thompson moved to approve the proposed Ordinance. Mr. Wing seconded the motion.

Mr. Lowell Denton, explained the need for outside legal counsel in this case and he provided full details to the City Council. He stated that no federal income tax legal expertise is available on the City Attorney's staff at this time.

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

86-33 The Clerk read the following Ordinance:

AN ORDINANCE 63,278

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS, RELATING TO THE ISSUANCE AND SALE OF "CITY OF SAN ANTONIO, TEXAS, GENERAL IMPROVEMENT BONDS, SERIES 1986" AND "CITY OF SAN ANTONIO, TEXAS, COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 1986", INCLUDING THE APPROVAL AND DISTRIBUTION OF A NOTICE OF SALE AND OFFICIAL STATEMENT IN CONNECTION WITH THE ISSUANCE AND SALE OF SAID BONDS AND CERTIFICATES OF OBLIGATION AND THE AUTHORIZATION TO PROCEED WITH THE GIVING OF NOTICE

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OF INTENTION TO ISSUE SAID CERTIFICATES OF OBLIGATION AND PUBLIC ADVERTISEMENT FOR THE SALE OF THE BONDS AND CERTIFICATES; AND DECLARING AN EMERGENCY.

* * * *

Mr. Webb moved to approve the proposed Ordinance. Mr. Wing seconded the motion.

Mr. Karl Wurz, citizen of San Antonio, voiced his concern the city is mortgaging its future by selling additional bonds. He noted that some \$40 million in newly budget funds is designed to pay for the city's bonded indebtedness.

Mr. Wing spoke to the number of improvements made by the sale of bonds in San Antonio and he noted that an average 73% of voters have approved San Antonio's bonds since 1980.

Mr. Webb stated that the voters of San Antonio already have approved these bonds being approved by City Council today.

Mr. Thompson thanked Mr. Wing for representing San Antonio in New York City recently at a number of bond houses where the city visited to secure a better interest rate.

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

86-33 The Clerk read the following Ordinance:

AN ORDINANCE 63,279

APPOINTING MEMBERS TO SERVE ON THE COMMISSION FOR CHILDREN AND FAMILIES. (DR. BELINDA PADILLA (7), DR. NORMAN CHARLTON (10).)

* * * *

Ms. Vera moved 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, Labatt; NAYS: None; ABSENT:

86-33 The Clerk read the following Ordinance:

AN ORDINANCE 63,280

ESTABLISHING A STANDING DAVIS CUP COMMITTEE AND APPOINTING MEMBERS. (JOHN H. BRAUBACH, PETE HENNESSEY, JOHN MCFARLIN, TOM FROST, SUSIE WILLERSON, JIMMIE STOVALL, ERNESTO ANCIRA, SUE BAKER, BRAD CAMP, NORB COLE, JOHN DALTON, GEORGE FISCHER, BILL GREEHEY, TOM JOHNSON, CAROL KELLY, ELLEN LEONE, LEE MCGOVERN, JEAN MCPHERSON, CARL MERTENS, CLAUDE NABORS, BUTCH NEWMAN, RUDY SANDOVAL, LAWRENCE SEARCY, PETE TREVINO, RICHARD WALTHALL, ELDEN WINSHIP, THAD ZIEGLER, MARIA BERRIOZABAL, ANGELO DROSSOS, NANCY ALFANO, RICHARD BELA, MIKE CLAYPOOL, VIVIAN CRAIG, RON DARNER, BOB GRAMMEN, ROGER HEMINGHOUSE, DALE KANE, VINCE KERSEY, JUDY MCCARTER, BOB MCKINLEY, JOE MEDELLIN, JOHN MOSTY, MALCOM NEAL, DENNIS O'MALLEY, JOHN SANTIKOS, HARRY STRAUPP, RALPH VELASCO, MARTY WENDER, KEITH WOODS, RUDY SOTELO, BILL CAVENDER, SR., ROBERT BRAUBACH.

* * * *

Mr. Thompson moved 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, Labatt; NAYS: None; ABSENT: Harrington, Hasslocher, Cisneros.

86-33 The Clerk read the following Ordinance:

AN ORDINANCE 63,281

AMENDING ORDINANCE NO. 62,969 BY MAKING CHANGES TO THE LIST OF POLLING PLACES FOR THE AUGUST 9, 1986 ELECTION.

* * * *

Mayor Pro Tem Dutmer briefly explained the ordinance which makes certain changes to the list of polling places for the August 9 election.

Mrs. Norma Rodriguez, City Clerk, spelled out in detail the changes to the regular and absentee polling places as well as the reasons necessitating those changes.

Mr. Thompson moved to approve the proposed Ordinance. Mr. Labatt seconded the motion.

Mr. Martinez spoke to the need to keep polling places in the same location as much as possible in order to facilitate the voting. He noted that some polling places in primary elections were changed in order to meet requirements for full accessibility to the handicapped. He stated that he would be willing to work the Bexar County Elections Center to seek common polling sites for the city and county.

A discussion then took place concerning the two paid publications that are made of all polling places for the upcoming election.

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

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CITIZENS TO BE HEARD

MR. GORDON E. CLEMENTS

Mr. Clements, 406 Oak Knoll, voiced his concern to the Council regarding a 1984 roofing job which was not done correctly. He stated that the Justice of the Peace court would not take his complaint. He further stated that the Building Inspections department advised him to file his complaint but no action has been taken to correct the problem. He stated that he feels that he is not receiving a fair hearing on the matter.

Mr. David Cadena, Assistant Director of Building Inspections, stated that there are two contractors with the same name. The Better Business Bureau and the State Attorney General's office has been advised to bring Mr. Clements and the contractor to arbitration. Mr. Clements has complaints on file with the Better Business Bureau and the Attorney General's office. The contractor has not applied for a new license. The contractor has responded to the complaint.

Mr. Marcus Jahns, Assistant City Attorney, stated that this matter is now a civil matter.

At this time a discussion of the possibility of filing a civil lawsuit or going to Bexar County Legal Aid was taken up.

Mr. Denton stated that he would discuss this matter with Mr. Clements the following day.

* * * *

At this time, City Council recessed at 3:50 P.M. and reconvened at 5:00 P.M. for the remainder of Citizens to be Heard.

CITIZENS TO BE HEARD cont.

COMFORT INN

A group of citizens appeared to speak to the Council regarding their employment at the Comfort Inn.

Mrs. Maria R. Gamez stated that employees are being fired because of their ethnic origin and persons are being turned away because of their ethnic origin.

Mrs. Gamez stated that they have been to EEOC to file their complaints.

Mr. Elliott Wheelan, Director of the Equal Employment Opportunity Department, stated that the appropriate agency to contact is the Justice Department's Civil Rights Division. If the question is employment it would be EEOC.

Mayor Pro Tem Dutmer stated that this matter is not within their jurisdiction but would direct these citizens to the appropriate agencies.

Several Councilmembers also thanked the citizens for making these statements to the City Council and again spoke to the agencies to which any discriminatory action can be reported.

Mrs. Patricia O'Donnell, 9815 Meadow Lark, also related instances of discrimination at the Comfort Inn even though Comfort Inn has a contract with military agencies to house military personnel.

Mayor Pro Tem Dutmer stated that the City Council has given their best advice to this group of citizens.

In response to Mr. Martinez, Mrs. O'Donnell stated that EEOC has spoken to them about the procedures that will now be followed since the complaint was filed.

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Mr. Wheelan spoke of the different types of complaints which can be made to the EEOC.

Mr. Martinez suggested that Congressmen also can be advised of this matter.

In response to Mr. Martinez, Mr. Denton stated that the alternatives which have been suggested are the proper ones. He also asked that Mr. James Harrington of the Texas Civil Liberties Union in Austin also be contacted.

* * * *

MR. LEO LIRA

Mr. Lira, 439 Clovis, spoke of a letter he received in the mail about his mother's property which will be sold if monies are not paid to compensate the City for cleaning up these lots. He stated that the City cleaning crews made the area look worse than before. He spoke of his concern with the number of letters he received to clean up these lots.

Mr. Wing stated that Mr. Lira lives in this district and he has spoken to Mr. Lira about this matter a number of times. However, weedy lots must be kept clean, and if the property owner does not do it then a process must be followed and in this instance the City must take the initiative to clean these lots because of health and sanitary problems. He stated that he will be glad to assist Mr. Lira in claiming an extension to enable him to clean these lots.

* * * *

MR. E. L. RICHEY

Mr. Richey, 1118 W. Craig Place, read passages to the City Council from The Uncrowned King, written by Harold Bell Wright.

* * * *

There being no further business to come before the City Council, the meeting was adjourned at 5:30 P.M.

A P P R O V E D

Henry Cisneros

M A Y O R

ATTEST: *Norma J. Rodriguez*
C i t Y C l e r k

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