

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, SEPTEMBER 17, 1987.

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

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87-44 The invocation was given by Reverend Donovan Houdeshell, North Minster Presbyterian.

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87-44 The members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

87-44 U.S. CONSTITUTION DAY

Mayor Cisneros read a proclamation declaring September 17, 1987, as U.S. Constitution Day.

Ms. Judy Taylor, Head of the Legal Task Force for the San Antonio/Bexar County Military Salute to the Bicentennial of the U.S. Constitution thanked the Mayor for the proclamation.

Mayor Cisneros spoke of many events celebrated throughout the United States in commemoration of U.S. Constitution Day.

87-44 SAN ANTONIO PUBLIC LIBRARY FOUNDATION

Mayor Cisneros introduced members of the San Antonio Public Library Foundation who were in the audience to present their annual contribution to the Library.

Mr. Joel Reitzer, President of the San Antonio Public Library Foundation members, stated that the goal for 1987 is \$150,000, to date they have raised \$131,000. He stated that they are presenting a check for \$100,000 today. He stated that the Library Foundation was founded to raise funds for the enhancement of the system and he asked that the monies contributed today not go to offset cuts in the library system but

rather for enhancement of the library system.

Mayor Cisneros stated that in the 1988-89 budget he would like to make more funds available for the library. He also spoke of the possibility of making the main library more accessible to the general public and stated that he would like to see the main library moved to the Romana Plaza Building.

Mayor Cisneros then thanked Mr. Reitzer for his leadership and efforts towards enhancement of the library system.

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87-44

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911 EMERGENCY NUMBER SYSTEM

Mr. Hasslocher spoke of the tremendous responsibility of the 911 system. He spoke of the efforts of Mr. Jerry Marshall and all the city staff members who have worked with the city's 911 system.

Mr. Jerry Marshall then gave a brief update on the 911 system. He then introduced 911 Clerk Supervisors, Ms. Jean Bennett and Ms. Gladys Zinsmiester.

Mayor Cisneros then read the proclamation in honor of the 911 Emergency Number System.

In response to a question by Mr. Hasslocher, Mr. Marshall stated that an average of 18,000 calls come into the 911 system per week.

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87-44

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ROTARY INTERNATIONAL GROUP STUDY EXCHANGE

Mayor Cisneros introduced four businesswomen from Mexico City, who are visiting San Antonio as part of the Rotary International Group Study Exchange Program; Mrs. Laura Zarazosa, a journalist; Ms. Rosalia Velazquez, a chemist; Dr. Amanda Galvan, a dentist; Ms. Adriana Gutierrez, a pharmacist, accompanying them were Mr. Leon Sanchez, Rotarian from Mexico City, and his wife; and Mr. Tom Carter, representing the San Antonio Northwest Rotary Club.

Mr. Carter explained that the group is here for four weeks in a learning experience with individuals in their own profession. He stated that four women from San Antonio will be visiting Mexico as part of their exchange program.

Mayor Cisneros then presented official books of the City of San Antonio to each member of the group.

87-44

CHARLES SCHULTZ EXHIBIT

Mayor Cisneros acknowledged the presence in the audience today of Snoopy, a character from the Charles Schultz collection. A representative of the San Antonio Museum of Art, stated that the Charles Schultz show gets underway next week at the Museum of Art.

Invitation were issued to all members of the City Council to attend the exhibition.

87-44

RECOGNITION FOR CITY EMPLOYEE

Mayor Cisneros read a proclamation in recognition of the efforts of Mrs. Karen Kliwer, Director of Intergovernmental Relations. He spoke of the various events Mrs. Kliwer has coordinated and most recently, the visit of His Holiness Pope John Paul, II.

Mrs. Berriozabal thanked Mrs. Kliwer for her sensitivity of dealing with so many people in the coordination of the Papal visit.

Mrs. Dutmer also commended Mrs. Kliwer on her work.

Mrs. Kliwer stated that the community should also be thanked and recognized for their efforts in working together in the Papal visit.

Mr. Alex Briseno, Assistant City Manager, also thanked Mrs. Kliwer for her leadership.

87-44 The minutes of the Regular City Council Meeting of September 3, 1987, were approved.

87-44 CONSENT AGENDA

Mr. Wing made a motion to approve Agenda Items #5 - 34, constituting the Consent Agenda, with the exception of Items #23 and 24. Agenda Item #24 had earlier been removed by the City Manager. Mrs. Dutmer seconded the motion.

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

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AN ORDINANCE 65,703 .

ACCEPTING THE PROPOSAL OF GALE RESEARCH COMPANY TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH BOOKS OF CONTEMPORARY AUTHORS FOR A TOTAL OF \$18,468.00 PLUS FREIGHT.

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AN ORDINANCE 65,704 .

ACCEPTING THE BID OF H. MCCOY, INC. FOR REPLACEMENT PARTS FOR AIRPORT SEATING FOR THE CITY OF SAN ANTONIO AVIATION DEPARTMENT FOR A TOTAL OF \$4,512.00.

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AN ORDINANCE 65,705 .

ACCEPTING THE LOW BID OF THE PLANK COMPANY TO FURNISH THE CITY OF SAN ANTONIO ENVIRONMENTAL MANAGEMENT DEPARTMENT WITH SHORING EQUIPMENT FOR A TOTAL OF \$8,205.30.

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AN ORDINANCE 65,706 .

ACCEPTING THE LOW BID OF REFRIGERATION SERVICE COMPANY FOR EMERGENCY REPLACEMENT OF A CONDENSING UNIT AT CENTRO DE ARTES BUILDING FOR A TOTAL OF \$3,900.00.

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AN ORDINANCE 65,707 .

ACCEPTING THE LOW QUALIFIED BID OF SUMMERS ELECTRIC COMPANY TO FURNISH THE CITY OF SAN ANTONIO PARKS AND RECREATION WITH FLOOD LIGHT FIXTURES FOR A TOTAL OF \$5,400.00.

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AN ORDINANCE 65,708 .

ACCEPTING ANNUAL CONTRACTS TO FURNISH THE CITY OF

SAN ANTONIO WITH VARIOUS MATERIALS AND SERVICES FOR
THE 1987-88 FISCAL YEAR.

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AN ORDINANCE 65,709 .

AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT
CHANGE ORDERS #9 AND 10 IN THE AMOUNT OF \$41,904.00,
PAYABLE TO CLEARWATER CONSTRUCTORS, INC.,
CONTRACTOR, FOR THE SAWFIP LEON AND SALADO WWTPS
DIGESTER REHABILITATION.

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AN ORDINANCE 65,710 .

AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT
CHANGE ORDER #3 IN THE AMOUNT OF \$13,932.20, PAYABLE
TO JOHN YANTIS COMPANY, CONTRACTOR, FOR THE HIDDEN
OAKS UNIT I SUBDIVISION OFF-SITE SANITARY SEWER
MAIN, PHASE "B"; PROVIDING FOR THE REMOVAL OF TWO
EXISTING 10,000 GALLON, STEEL HOLDING TANKS; AND
APPROPRIATING FUNDS.

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AN ORDINANCE 65,711 .

ACCEPTING AN AIRPORT IMPROVEMENT PROGRAM GRANT FROM
THE FEDERAL AVIATION ADMINISTRATION FOR STINSON
MUNICIPAL AIRPORT IMPROVEMENTS AND AUTHORIZING
EXECUTION OF THE GRANT AGREEMENT.

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AN ORDINANCE 65,712 .

AMENDING THE AGREEMENT WITH DAY & ZIMMERMANN, INC.,
TO PROVIDE PROJECT MANAGEMENT SERVICES IN THE
TERMINAL AREA EXPANSION PROGRAM AT THE INTERNATIONAL
AIRPORT; EXTENDING THE DURATION OF THE CONTRACT; AND
INCREASING THE MAXIMUM FEES PAYABLE; APPROPRIATING
FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 65,713 .

CONSTITUTING THE FINAL CLOSE OUT OF THE SAN ANTONIO

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CONVENTION CENTER EXPANSION PROJECT AND AUTHORIZING REPROGRAMMING OF PROJECT FUNDS, FIELD ALTERATION NO. 33 ON THE CONVENTION CENTER EXPANSION 2A FOR CODE COMPLIANCE ISSUES AND STRUCTURAL STEEL MODIFICATIONS; AND FIELD ALTERATION NO. 5 ON THE CONVENTION CENTER EXPANSION 3A FOR FIESTA ROOM MODIFICATIONS AND CODE COMPLIANCE ISSUES.

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AN ORDINANCE 65,714

REPEALING SECTION 6, SUB-SECTION "B" OF ORDINANCE NO. 65491, DATED AUGUST 13, 1987, WHICH APPROPRIATED THE SUM OF \$12,000 IN CONNECTION WITH THE HUEBNER ROAD - VANCE JACKSON TO LOCKHILL SELMA PROJECT.

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AN ORDINANCE 65,715

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$110,980.00 OUT OF VARIOUS FUNDS FOR THE PURPOSE OF ACQUIRING TITLE TO CERTAIN LANDS; ALL IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS. (\$700.00 TO MORRIS M. HERSHMAN, TRUSTEE FOR DAMACIO FERNANDEZ AND WIFE, JULIA FERNANDEZ, FOR PART OF LOTS 32 AND 33, BLOCK 17, NCB 7939 - PARCEL 10453; \$200.00 TO RICHARD S. MONCIVAIZ, 1223 FLANDERS STREET, FOR LOTS 50, 51, AND 52, BLOCK 16, NCB 7938 - PARCELS 10457 AND 10458; \$370.00 TO ANGELITA C. MABE, JESUS C. LOPEZ AND MARIA B. LOPEZ, 317 HUMBOLDT, FOR THE WEST 50 FEET OF LOT 6, BLOCK 4, NCB 8968 - PARCEL 10482; \$260.00 TO JORGE A. MARTINEZ AND WIFE, ANNA MARTINEZ, 1220 FLANDERS STREET, JOINED BY TRAVIS SAVINGS AND LOAN ASSOCIATION FOR EAST 50 FEET OF LOT 6, BLOCK 4, NCB 8968 - PARCEL 10483; \$450.00, MITCHELL/WELLINGTON/NOGALITOS/MARGIL AND RIPFORD STREET RECONSTRUCTION PROJECT PAYABLE TO SAUCEDA AIR CONDITIONING COMPANY, 630 W. MITCHELL, JOINED BY SMALL BUSINESS ADMINISTRATION, LOTS 1 AND 2, BLOCK 3, NCB 6082 - PARCEL 11784; \$28,500.00 TO ALAMO TITLE AS ESCROW AGENT FOR VERNON SERVICE CORPORATION, NCB 13833; \$3,500.00 TO ALAMO TITLE COMPANY AS ESCROW AGENT FOR VERNON SERVICE CORPORATION FOR A CONSTRUCTION EASEMENT, NCB 13833-PARCEL 11264; \$45,000.00 TO FIRST AMERICAN TITLE COMPANY FOR GREGORY HINOJOSA AND WIFE, HORTENSE HINOJOSA, LOT 8 AND ALL OF LOT 9, BLOCK 1, NCB 1174; \$32,000.00 SOUTH SAN RECREATION CENTER, PAYABLE TO

JUAN R. SANCHEZ, III, SOUTHWEST PORTION OF LOT 55,
NCB 11304 - S.P. #538.)

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AN ORDINANCE 65,716

APPROPRIATING \$7,150.00 IN PAYMENT FOR EXPENSES
INCURRED IN GOLDEN STREET DRAINAGE PROJECT #250,
PHASE II; FITCH AVENUE RECONSTRUCTION; CASTILLO
DRAINAGE PROJECT #20C; PACIFIC DRAINAGE #66A, PHASE
II; #69 RIP RAP, PHASE II; MARTINEZ CREEK SMALL
CULVERT STRUCTURE; LIVE OAK/E CROCKETT/CENTER/
POTOMAC/DAWSON/S. PINE STREET PROJECT; BABCOCK ROAD
- HUEBNER ROAD TO DE ZAVALA DRAINAGE PROJECT;
MITCHELL/WELLINGTON/NOGALITOS/MARGIL/RIPFORD STREET
RECONSTRUCTION; THOUSAND OAKS - U.S. 281 TO
HENDERSON PASS; GROFF/HORTENCIA/CARLOTA/FLORENCIA/
CONSUELO/ALICIA & DOLORES STREET PROJECT; MARTIN
STREET/BOWIE STREET CONNECTION; HENDERSON PASS -
THOUSAND OAKS TO BROOK HOLLOW; HUEBNER ROAD - VANCE
JACKSON TO LOCKHILL SELMA; HUEBNER ROAD - VANCE
JACKSON TO FREDERICKSBURG AND MEDINA BASE ROAD.

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AN ORDINANCE 65,717

ACCEPTING THE BID OF \$521.00 FROM C.C. VAN ZANDT FOR
THE SALE OF CITY-OWNED IMPROVEMENTS LOCATED AT 239
EAST MALONE, MAKING AND MANIFESTING A BILL OF SALE
TO C.C. VAN ZANDT, THE SUCCESSFUL BIDDER, AND
REJECTING ALL OTHER OFFERS.

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AN ORDINANCE 65,718

DECLARING A TRACT OF LAND BEING THE REMAINING WEST
25 FEET OF LOT 4, BLOCK 1, NEW CITY BLOCK 1775,
SURPLUS TO THE CITY'S NEEDS AND AUTHORIZING THE CITY
MANAGER, OR HIS DESIGNEE, TO EXECUTE A SPECIAL
WARRANTY DEED TO THE ADJACENT OWNERS, FOR A
CONSIDERATION OF \$5,000.00.

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AN ORDINANCE 65,719

AUTHORIZING THE EXECUTION OF AN AGREEMENT CONSENTING

TO THE ASSIGNMENT OF A LEASE AT SAN ANTONIO INTERNATIONAL AIRPORT FROM PAGE AVJET CORPORATION TO CHAPARRAL AVIATION, INC.

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AN ORDINANCE 65,720 .

ACCEPTING THE BID OF SNAPPY SACK VENDING, DIVISION OF COCA-COLA BOTTLING COMPANY OF THE SOUTHWEST AND AUTHORIZING THE EXECUTION OF AN AGREEMENT PURSUANT THERETO FOR THE VENDING CONCESSION AT THE SAN ANTONIO INTERNATIONAL AIRPORT.

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AN ORDINANCE 65,721 .

CLOSING KENTUCKY AVENUE BETWEEN ELMENDORF AND ZARZAMORA STREETS FROM 6:00 A.M. SATURDAY, OCTOBER 3, TO 11:00 P.M. SUNDAY, OCTOBER 4, 1987 IN CONNECTION WITH THE FESTIVAL OF OUR LADY OF MT. CARMEL AND ST. THERESE CHURCH.

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AN ORDINANCE 65,722 .

PROVIDING FOR CITY PUBLIC SERVICE VEHICLES THAT ROUTINELY RESPOND TO POLICE AND FIRE DEPARTMENT'S REQUEST FOR EMERGENCY ASSISTANCE TO BE DESIGNATED AS EMERGENCY VEHICLES.

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AN ORDINANCE 65,723 .

AUTHORIZING THE RENEWAL OF A PUBLIC OFFICIALS BOND FOR THE CITY'S FINANCE DIRECTOR, CARL L. WHITE.

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87-44 The Clerk read the following Ordinance:

AN ORDINANCE 65,724 .

AMENDING ORDINANCE NO. 65512, DATED AUGUST 13, 1987, BY ALLOCATING THE APPROVED \$25,000.00 FOR A TRAFFIC

SIGNAL AT FORTUNA AND N.W. 36TH FOR LABOR, MATERIALS
AND EQUIPMENT.

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

In response to a question by Ms. Vera, Mr. David Steitle, Director of Public Works, stated that this transaction is a transfer of funds from the District 7 Pedestrian Access Funds.

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

87-44 The Clerk read the following Ordinance:

AN ORDINANCE 65,725

APPROPRIATING FUNDS AND AUTHORIZING PAYMENT OF AN
ADDITIONAL \$65,000.00 TO K.M. NG & ASSOCIATES, INC.,
FOR ADDITIONAL ENGINEERING FEES IN CONNECTION WITH
THE CHERRY STREET DRAINAGE PROJECT #15B.

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

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Mr. Karl Wurz stated that the city should hold up on authorization of this payment. He stated that he has been a resident of this area since 1967. He stated that many citizens were inconvenienced by drainage problems and poor engineering. He stated that only a partial reconstruction should be authorized on Cherry Street.

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Mr. Webb stated that a constituent in his district who resides at 123 Rungie does not have a driveway anymore because of this project, and a curve has been constructed where a corner should be. He stated that the city needs to replace this driveway. He also stated that Mr. Steitle look into Mr. Wurz's suggestion.

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

87-44 ZONING HEARINGS

35. CASE Z87159 - to rezone a 4.515 acre tract of land out of Lot 28, Block 8, NCB 17919, South corner of Bandera Road and Ford Landing, from Temporary "R-1" One Family Residence District to "B-3" Business District, located on the south corner of Fords Landing and Bandera Road, having 420' on Bandera Road and 306.33' on Fords Landing, with an approximate depth of 660'.

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

Mr. George Gutierrez, Tri-Tech Engineering, representing Mr. Bob Turner, the proponent, stated that they are requested a change of zoning for an existing retail center and mini-storage facility.

In response to a question by Mr. Wolff, Mr. Andy Guerrero, Planner III, stated that all uses around this area are "B-2".

Mr. Wolff made a motion to approve staff recommendation of approval of "B-2" with a special use permit for a min-storage facility. Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 65,726

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 4.515 ACRE TRACT OF LAND OUT OF LOT 28, BLOCK 8, NCB 17919, SOUTH CORNER OF BANDERA ROAD AND FORDS LANDING, FROM TEMPORARY "R-1" ONE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, FOR A SPECIAL USE PERMIT FOR A MINI-STORAGE FACILITY, PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE SINGLE-FAMILY RESIDENTIAL AREA. "THE PENALTY

FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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36. CASE Z87154 - to rezone the north 150' of the east 630' of Lot 4, NCB 11003, from "F" Local Retail District to "B-3NA" Non-Alcoholic Sales Business District; Lot 4, save and except the north 150' of the east 630', NCB 11003, from "F" Local Retail District to "B-3" Business District, 1003 Rittiman Road, bounded on the north by Brettonwood Drive, Andover Drive on the east, Rittiman Road on the south and Corinne Drive on the west, having 870.62' on Brettonwood Drive, 426' on Andover Drive, 707' on Rittiman Road and 120' on Corinne Drive.

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

Mr. Frank Jones, the proponent, stated that entire project will be internalized.

Mr. Hasslocher made a motion to approve the recommendation of the Zoning Commission. Mr. Wing seconded the motion.

Brig. General Lillian Dunlap stated that she is concerned with the backside of the property in question being developed undesirably. She stated that the residents had met with the developer and they agreed on some provisions in the development of the subject property.

Mr. Hasslocher made an amendment to his motion to include the stipulations 1) approval of B-3 for present development; 2) approval of B-3NA for proposed development bounded by Brettonwood Drive on the North; 3) development of property as presented by Mr. Frank Jones to homeowners on July 27, 1987 - mini storage with fence and lighting 4) access to new area be at Corrine-Brettonwood and on Andover 5) present cedar trees be retained and enhanced with appropriate landscaping. Ms. Vera seconded the motion.

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

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

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AN ORDINANCE 65,727

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE NORTH 150' OF THE EAST 630' OF LOT 4, NCB 11003, FROM "F" LOCAL RETAIL DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT; LOT 4, SAVE AND EXCEPT THE NORTH 150' OF THE EAST 630', NCB 11003, FROM "F" LOCAL RETAIL DISTRICT TO "B-3" BUSINESS DISTRICT, 1003 RITTIMAN ROAD, PROVIDED THAT OFF-STREET PARKING AND DRIVEWAYS ARE SUBMITTED TO THE TRAFFIC SECTION OF THE PUBLIC WORKS DEPARTMENT FOR APPROVAL AND COMPLIANCE WITH THE PROVISIONS FOR MINI-WAREHOUSES IN SECTION 35-3306 OF THE UNIFIED DEVELOPMENT CODE; AND FURTHER PROVIDED THAT THE STIPULATIONS AS SET OUT IN THE MINUTES ARE IMPOSED. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

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37. CASE 287165 - to rezone the south 60' of Lot 3, Block 2, NCB 15514, in the 2400 Block of Observation Drive, from Temporary "R-1" One Family Residence District to "R-4" Mobile Home Residence District, located on the eastside of Observation Drive, being 300' south of Airlift Avenue, having 60' on Observation Drive, with a depth of 198.92'.

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

Mr. Hasslocher made a motion to approve the recommendation of the Zoning Commission. Ms. Vera seconded the motion.

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

AN ORDINANCE 65,728

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE SOUTH 60' OF LOT 3, BLOCK 2,

NCB 15514, IN THE 2400 BLOCK OF OBSERVATION DRIVE, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "R-4" MOBILE HOME RESIDENCE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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38. CASE Z87152 - to rezone a 3.428 acre tract out of Block 6, NCB 17376, 6100 Block of Exchange Parkway, from Temporary "R-1" One Family Residence District to "B-3" Business District, located on the northeast side of Exchange Parkway, being 305' southeast of Wurzbach Road, having 238.17' on Exchange Parkway with a maximum depth of 530.57'.

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

Mr. Wolff made a motion to approve the recommendation of the Zoning Commission provided that driveways and off-street parking is approved by the Traffic Engineering Section of the Public Works Department. Ms. Vera seconded the motion.

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

AN ORDINANCE 65,729

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 3.428 ACRE TRACT OF LAND OUT OF BLOCK 6, NCB 17376, 6100 BLOCK OF EXCHANGE PARKWAY, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING IS APPROVED BY THE TRAFFIC ENGINEERING SECTION OF THE PUBLIC WORKS DEPARTMENT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

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87-44 The Clerk read the following Ordinance:

AN ORDINANCE 65,730

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

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Mrs. Dutmer made a motion to approve the proposed Ordinance. 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, Vera, Hasslocher, Cisneros; NAYS: None; ABSENT: Martinez, Thompson; ABSTAIN: Wolff, Labatt.

87-44 The Clerk read the following Ordinance:

AN ORDINANCE 65,731

AMENDING PRIOR APPROPRIATIONS; CLOSING ACCOUNTING RECORDS IN CERTAIN FUNDS; CARRYING FORWARD CERTAIN APPROPRIATIONS; APPROPRIATING FUNDS FOR REQUIREMENTS IN CITY PROJECTS AND DEPARTMENTS; AND APPROPRIATING CERTAIN CAPITAL PROJECT FUNDS. (LEGAL SERVICES PROVIDED BY FULBRIGHT AND JAWORSKI, CONSULTING SERVICES PROVIDED BY P.E. LAMOREAUX AND ASSOCIATES).

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

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

87-44 The Clerk read the following Ordinance:

AN ORDINANCE 65,732

APPOINTING B.J. LUNSFORD TO SERVE ON THE CABLE TELEVISION ADVISORY COMMITTEE FOR A TERM TO EXPIRE

ON DECEMBER 31, 1987.

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

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87-44 The Clerk read the following Ordinance:

AN ORDINANCE 65,733

CLOSING SHOOK AVENUE BETWEEN ROSEWOOD AND MULBERRY ON SEPTEMBER 19, 1987, IN CONNECTION WITH A FOOTRACE SPONSORED BY TRINITY BAPTIST CHURCH.

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

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

- - -
87-44 The Clerk read the following Ordinance:

AN ORDINANCE 65,734

APPROVING THE EXERCISE BY VIA METROPOLITAN TRANSIT OF ITS RENEWAL OPTION AND AMENDING THE AGREEMENT FOR THE LIMOUSINE SERVICE AT THE SAN ANTONIO INTERNATIONAL AIRPORT.

* * * *

Mayor Cisneros stated that the last company who had the contract for the limousine service at the airport walked off the job. He stated that it was then that the city asked VIA to step in and take over which they did. He stated that now VIA is in need of some provisions to run

this service efficiently.

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

Mrs. Dutmer stated that when the former privately owned company needed these same provisions the city did not provide them. She stated that the city needs to have a limousine service available for people who do not want to ride a taxicab or a bus.

In response to a question by Mrs. Dutmer, Mr. Alex Briseno, Assistant City Manager, stated that the question of fares was not being brought up today. The only matter in question today is the contract itself.

Mrs. Dutmer stated that she will be having to vote no on this issue because in her opinion, this is a situation where public monies are in competition with private enterprise.

Mr. Bobby Smith, representing Super Van Shuttles, stated that he would like to submit a bid for this type of service. He stated that they have 20 vans ready to operate. He then described what in his opinion would make up a successful bidder for limousine service. He stated that he is asking the City Council to vote no on this request and to request that this service be put out for bid. He stated that he does not question that VIA is doing a good job, but he also wants the opportunity to supply the best cost effective service available. He stated that Super Van has 15 years of experience in the limousine service. He then submitted a petition from area hotel and motel managers who would like to see this service open to the bidding process.

Mr. Don Rullo, Super Van Shuttles, supplied a comparison of services that Super Van provides in comparison to VIA.

Mr. Robert Gonzales, San Antonio Professional Cabdrivers Union, stated Super Van Shuttle advertises in the yellow pages of the telephone book under the section "Taxis". He stated that these type of companies are allowed to pay commission to hotel employees to encourage ridership with their company. He stated that taxicabs can provide the same type of service. He stated that he is asking the City Council to deny VIA's request and to review all requests for proposal.

Mr. Wayne Cook, General Manager of VIA, stated that their current contract expires on October 1, 1987. He stated that they are asking for service provisions to be changed including 1) electronic signage to be placed at each terminal; 2) an automatic ticket machine or a representative inside to sell tickets; 3) a bench and sign to identify limousine service at designated stop; 4) the use of vans after 6:00 P.M. He further stated that they do have a limited departure as included in the contract.

Ms. Vera stated that the private business should be given the opportunity to bid. She then made a motion to to send this contract out for bid. Mrs. Berriozabal seconded the motion.

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

In response to a question by Mr. Wolff, Mr. Briseno, stated that VIA would continue with the contract for 30 days until the bidding process was established.

Mayor Cisneros stated that the bidding process has been utilized before and has not been successful. He stated that private corporations who had been awarded the bid had complaints that they did not have enough drivers or vehicles. He stated that one private company quit and the city had to then rebid. He stated that the main form of transportation in larger cities are buses.

Mr. Mike Kutchins, Director of Aviation, stated that VIA has been in operation with the contract for three years.

Mayor Cisneros stated that there is much at stake with this contract. He stated that he feels that it would be of the best interest of the city to go with a limousine service like VIA.

Mr. Labatt stated his concern that a conflict will arise between the taxicab companies and private companies.

In response to a question by Mr. Labatt, Mr. Rullo stated that Super Van Shuttle advertises under the "Taxicab" section of the yellow pages because there are no listings for "Limousines".

In response to a question by Mr. Webb, Mr. Cook stated that VIA is asking for these provisions to be able to cover the operating costs.

Mrs. Dutmer stated that there were no problems when the city only had one cab company. She stated that the former contract holder had the same problems and wanted the same amenities as VIA does now.

Mr. Wolff stated that he would like to see this contract sent out to bid.

In response to a question by Mr. Martinez, Mr. Cook stated that there is basic signage at the terminals indicating that there is a bus stop.

Mayor Cisneros stated that in the future he would like to see a booth placed inside with an expert on general transportation to act as an information and referral station for all modes of transportation.

Mr. Kutchins stated that there are monies allotted in this years budget to provide for electronic signage for both terminals.

In response to a question by Mr. Martinez, Mr. Cook stated that in his opinion, the city would not receive a favorable response if this contract is put out for bids without providing the changes that they are requesting.

Mrs. Vera stated that there are other groups interested in bidding on this contract. She stated that she will continue to support the small businessman.

Mayor Cisneros that it is not profitable for the small businessman to talk over this contract. He further stated that San Antonio needs a bus, van-oriented service.

Mr. Wolff offered an amendment to approve staff recommendations and to prepare the bid option at the end of the contract year. Mr. Hasslocher seconded the motion.

Mr. Martinez stated that he cannot support this amendment, he stated that are certain changes in the contract that will change the vehicle size and solicitation that would have an impact upon taxicabs.

Mr. Martinez offered an amendment to disallow VIA to use vans at any time. Mrs. Dutmer seconded the motion.

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

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

87-44

3:00 P.M. REPORT (DETAILED DATA ON PROPOSED STADIUM)

Mayor Cisneros stated that a report had been prepared with detailed data on the proposed stadium (a copy of which is filed with the papers of this meeting) and asked Stuart Summers, Director of DEED, to conduct the presentation to the Council.

Mr. Summers stated that a committee of VIA and City staff had studied the stadium proposal and made the following recommendations:

1. Build a 65,000 seat, domed multi-use complex;
2. VIA be the operator of the facility;
3. VIA establish advisory board of 3 representatives appointed by San Antonio City Council; 3 representatives appointed by Bexar County Council of Mayors; 3 representatives appointed by VIA Board; and 2 representatives appointed by Bexar County Commissioner's Court;
4. Alamo Iron Works be named as the site of the Alamodome.

He added that the petitions requesting this item be brought before the electorate are being circulated and that no actual statutory requirement for action by either VIA or the City exists until the petitions are turned in. The City Council and VIA both will then be required to hold separate public hearings to decide whether to call an election to raise the local sales and use tax by 1/2 cent for a period of five years in order to pay for the stadium.

Mayor Cisneros noted that capital construction data as well as revenue and expense assumptions had been worked up on three proposed sites: Mitchell Lake, Freeman Coliseum and Alamo Iron Works. He asked that the data on the Alamo Iron Works site be presented as this was VIA's recommended site.

Mr. Ed Sanii, Day & Zimmerman representative, explained the twelve items that were considered when compiling the capital construction data. He gave a brief explanation on the criteria used to arrive at each of the figures.

Ms. Frances Gonzalez, Economic Development Planner, reviewed and explained the revenue and expense assumptions. She also reviewed the fact sheets, randomly addressing projected revenues on several first year events.

Mayor Cisneros spoke to enhancing the convention capabilities and attracting business that the City is presently losing because of the lack of adequate facilities to accommodate the larger conventions. He stated that the stadium is being built for the future.

Mrs. Dutmer expressed her concern that the electorate is not getting a true picture of the stadium proposal. She spoke to her determination that voters receive both the positive and negative sides of the issue to enable them to make their own decisions. She cited problems other cities are experiencing with their stadiums and noted that the Dodge report had recently stated that were the stadium to be built, its cost would be at the very least \$200,000,000 and not the \$160,000,000 that is being reported. She spoke to the forthcoming debate she and Mayor Cisneros were scheduled to have on a television station.

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In response to a question by Ms. Vera, Mayor Cisneros stated that there were thirty sites originally considered and that of these, numbers were run on seven sites.

Ms. Vera expressed concern with the lack of private sector participation in construction of the stadium. She stated that this factor could be very pivotal and would like to see this type of participation incorporated into this proposal.

Mayor Cisneros agreed that Ms. Vera's suggestion should be investigated further.

Mr. Martinez stated that further discussion was needed as the stadium is a very important issue that has the potential of having a tremendous impact on the City. He stated that he wanted it thoroughly discussed and full disclosure be provided to the public. He expressed the need to include not only projections but also potential risks.

In response to numerous questions by Mr. Martinez, Mr. Wayne Cook, VIA's General Manager, explained VIA's position and jurisdiction on the stadium issue.

Mayor Cisneros noted that the proposed structure was a multi-purpose facility not just a stadium. He added that once the petitions were turned in, VIA would have to decide if it wanted to be the operator of the facility and, should they decide against it, the City Council would then have to decide if they want to operate the stadium. He stated that the success of the stadium depends on marketing.

Mr. Cook then responded to questions by Mr. Martinez on VIA's responsibility with regard to deficits.

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

Mr. Martinez continued by expressing his concern that VIA buses cause much wear and tear on the streets of San Antonio and repairs go unattended. He stated that his constituents complain about the potholes made by buses and he does not feel VIA adequately addresses this problem. He added that he did not want this project to hurt the present system in any way.

Mr. Martinez then requested data on the land acquisition price and questioned whether the figure had been locked-in or if land prices could go higher.

Mr. Lloyd Garza, City Attorney, stated that there was an option that had not been fully executed; however, there was a "gentlemen's agreement" to hold the price for a certain amount of time. He added that further questions by the Council along this line would have to be taken up

in Executive Session.

In response to a question by Mr. Martinez, Mr. Ray Doyle, San Antonio Development Agency, stated that land appraisals were not made on all the properties and that only one appraisal had been made per tract of land. He then responded to other questions raised by Mr. Martinez on appraisals.

Mr. Martinez spoke to his concurrence of Ms. Vera's statement that the private sector should participate in the project. He suggested that the Council consider requesting that private businesses, who will benefit from the stadium, build a fund to cover any possible deficits.

In conclusion, Mr. Martinez stated that more analysis was need and the public should be made aware that this issue is not final and decisions still need to be made. He stressed the need for thorough discussions and dissemination of pertinent information to the voters.

Ms. Berriozabal stated that approval of the stadium issue, in her opinion, is a major decision for the whole city. She noted that she needs time to let her constituents know of her reservations. She then spoke to her concerns with the wording of the bill approving the 1/2 cent tax as it was passed by the legislature.

In response to a question by Ms. Berriozabal, Mr. Summers spoke to the number of families to be relocated and to the monies allocated to carry out this process.

Ms. Berriozabal spoke to other concerns she had including the failure to provide complete information to the citizens. She stated that the issue is a lot more complex than people are led to believe.

Mr. Webb expressed his opinion that many people who are signing the petitions are supporting the site and stated that San Antonio is really on the "grow." He spoke of his support of the Alamo Iron Works site.

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

In response to questions by Mrs. Dutmer, Mr. Summers explained the difference in the tax bases between VIA, which includes Bexar County and a major mall and the City which only includes the area inside the City limits. He also addressed the issue of placing responsibility should a shortfall occur.

Mrs. Dutmer spoke to the procedure to be used for verification of signatures on the petitions.

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(Mayor Pro Tem Wolff returned to the meeting and presided.

87-44

CITIZENS TO BE HEARD

MISSION OPEN AIR MARKET

Mr. E. D. Spear, Mission Open Air Market, stated that he had invited Archbishop Flores to tour their facilities and the Archbishop authorized him to quote him as stating that he had found nothing objectionable with his operation. He showed Council petitions signed by over 8,000 residents in favor of the Mission Open Air Market and then asked the City Council for a reinstatement of the Special Use Permit for their operation.

Mr. Wing stated that he has received support from six other Council members to waive the one-year requirement and re-hear the Swap-A-Rama zoning case. He will continue working with Metropolitan Congregational Alliance and the Swap-A-Rama owners to try to reach a negotiated agreement.

Mrs. Dutmer stated that although the market is in Mr. Wing's district, this operation affects her district. She also stated that she is very much opposed to this operation.

Mr. Wing stated that it would be fair to attempt to reach a compromise. He asked that cases of non-conformance be held in abeyance until this issue is resolved.

Council concurred that this issue be brought to Council in 45 to 60 days and that the cases of non-conformance be held in abeyance until this is settled.

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PAPAL VISIT COMMENTS BY FIREFIGHTERS

Mr. Buddy Mass, President of the San Antonio Firefighters Association, spoke to the City Council about their concern with the rope detail duties they were assigned during the Papal Visit. He stated that ten firefighting units were taken out of service to supervise the roping and, in some instances, firefighters were actually doing the work themselves. As a result, firefighting service was depleted and, in fact, de-activated for six to eight hours. This was a non-firefighting service and these units would not have been available to respond to any real emergency. He asked the City Council to instruct the firefighting management not to reduce fire services by using firefighters in non-firefighting services in the future.

Mr. Fernando Rodriguez, 1st. Vice President of the San Antonio AFL-CIO Council, also expressed concern over this issue and spoke in support of the position of the firefighters as stated by Mr. Mass.

Ms. Rosa Rosales spoke in support of the statements made by Mr. Mass.

Mr. Wing stated that thousands of people participated in this endeavor, and he is concerned that the only City element complaining are the firefighters. He personally stayed at the Emergency Operations Center 14 to 16 hours and never heard that any firefighting units were de-activated. He supports and will continue to support the four man units, but is concerned that the firefighters chose this occasion to complain.

Mr. Hasslocher stated that many City departments were called upon to work on different details with the Papal visit. He also expressed concern that the firefighters are complaining about this issue.

Assistant City Manager Briseno stated that the Papal visit was unprecedented and the City is charged with the responsibility of taking care of the public safety. They had to get the job done. They appreciated the offer of volunteers but the offer came too late and training had already taken place.

Ms. Karen Kliever, Director of Intergovernmental Relations, stated that every consideration was given to secure the safety of San Antonio residents as well as visitors to our City. She stated that the offer of volunteers was made at 4:11 P.M. on Friday and training had already taken place. She stressed that integrity of neighborhood safety was an integral part of their planning effort.

Mr. Curtis Franz, Deputy Fire Chief, explained the manner in which the roping activity occurred. He also explained the role of firefighters in this endeavor as well as other employees, be it city, county or secret service. He also explained the manner and procedures to be used to respond to any fire-related activity to assure that any emergency could be adequately handled. He stated that 12 alarms occurred during this period and all alarms were responded. Every request for fire service was answered by the companies who would normally have responded at any other time. He explained that the Fair-Labor Standards Act does not allow the City to hire off-duty firefighters as volunteers.

Mr. Bill Donahue, Assistant City Manager, spoke to what had occurred in relation to the firefighters' offer to use volunteers. He felt that one million people were protected as well as the Pope.

Ms. Berriozabal stated that this is a once in a lifetime occurrence, and it was a very special occasion for her. She spoke about

the working role of different people in preparing for the Papal visit. She does not agree with the decision which was made. She would have preferred paying extra to get the job done. She stated that she is concerned that she was not kept apprised of this decision. She is very concerned about de-activation of any firefighting units and would not be in favor of repeating this decision.

Mr. Webb also expressed concern with what had transpired and commended the firefighters for the work they did during this occurrence.

Mr. Wolff stated that management has already indicated that this practice will not be repeated and stated that management had to make several critical decisions.

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WADE GORDON

Mr. Wade Gordon stated that he was denied a license to drive a carriage by the Public Utilities Director because he was arrested for a Class C Misdemeanor. He asked why this was the case since other convicted felons are driving carriages. He has already filed an appeal with the Transportation Advisory Board.

The issue of securing the safety of visitors to our city as well as its citizens was discussed.

Mr. Webb expressed concern with the statements made by Mr. Gordon about convicted felons driving carriages.

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EDITH MOLNAR

Mrs. Edith Molnar spoke about the illegal activities of carriage drivers. She stated that she has been complaining about this situation for the past ten years. She asked for a complete investigation.

Mr. Wolff asked that the City Manager follow up on Mrs. Molnar's statements.

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There being no further business to come before the City Council, the meeting was adjourned at 7:20 P.M.
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A P P R O V E D

Henry Cisneros

M A Y O R

Norma J. Rodriguez
A T T E S T City Clerk

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