

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, FEBRUARY 6, 1986.

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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, VERA, HARRINGTON, LABATT, HASSLOCHER, CISNEROS. Absent: THOMPSON.

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86-06 The invocation was given by Reverend Hugo Van Den Bussche, San Juan de Los Lagos Catholic Church.

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86-06 The City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

86-06 MISS TEXAS USA

Mayor Cisneros introduced Miss Texas USA, Christy Fichtner, and noted that she was crowned at ceremonies here in San Antonio. Mayor Cisneros then read a proclamation designating her an Alcalde de La Villita and presented her with the proclamation as well as a book on San Antonio.

Miss Fichtner spoke of her association with San Antonio and with the Miss Texas USA pageant and noted that the national pageant will be held in Miami. She thanked the Mayor and the City Council for the honor.

86-06 U.S. CENSUS BUREAU OFFICIALS

Mayor Cisneros recognized the presence in the audience today of three visiting officials of the U.S. Bureau of the Census and introduced Mr. Peter VonPaine, official in charge of the 1990 decennial census; Mr. Frederick Ruth; and Ms. Emma Moreno. Mayor Cisneros presented each with an official book on San Antonio and spoke of the importance of the census results to Texas.

Mr. Paine lauded San Antonio for its cooperative efforts in the census taking of 1980 which was headed by Ms. Berriozabal and he spoke of the importance of the upcoming 1990 census.

Mayor Cisneros pledged San Antonio's full assistance in the census effort.

Ms. Berriozabal spoke of the difficulty of census taking in San Antonio and the need for skilled census takers.

Mayor Cisneros noted that San Antonio may have a population approaching one million by the year 1990.

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SANTIAGO JIMENEZ, JR.

Mayor Cisneros spoke briefly of the accomplishments of Mr. Santiago Jimenez, Jr. and of his recent nomination for a Grammy Award. He then introduced Mr. Jimenez who was present in the audience.

Mr. Santiago Jimenez thanked the City Council for the recognition and briefly described his nomination for Album of the Year for polka (conjunto) music. He then invited members of the City Council to a special dance to be held here in San Antonio later in the month.

Mayor Cisneros presented Mr. Jimenez with a tie and a belt buckle as well as a scarf for his companion.

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MS. DIANNA VIGIL

Mayor Cisneros introduced Ms. Dianna Vigil, marketing representative for Coors, who is in San Antonio to make a brief presentation on a display entitled, "Gallery of Women" to be exhibited at San Antonio College for a four day period next week.

Ms. Vigil briefly described the exhibit which depicts women's history and the honoring of twenty-one outstanding women of America, including Ms. Lupe Anguiano of San Antonio, who now lives in New York City.

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OFFICER MCGRUFF

Ms. Vera introduced Officer McGruff who is the representative of the program of crime prevention and safety for children in San Antonio. She briefly explained the major points of the program, including scheduled visits to schools and the use of hand puppets to instruct young school children on crime prevention and safety.

Mayor Cisneros thanked the police department for the excellent program designed to teach children safety and crime prevention.

Ms. Berriozabal thanked Ms. Vera and the police department officers involved and spoke of their appearance before a citizens' meeting in District 1 last night.

Mrs. Dutmer urged the team to visit private schools as well as public schools.

Mr. Martinez commended the San Antonio Police Department for the program.

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CHALLENGER PLAZA

Mayor Cisneros asked that the Council take Agenda Item 43 out of sequence on the agenda and to undertake its discussion at this time. A consensus of the City Council then concurred and Agenda Item 43 was brought up for discussion.

Mayor Cisneros then introduced local architect Larry Travis, who designed the flag plaza at International Airport, and he also noted that Mr. Ed Cheviot, President and General Manager of KMOL TV, had suggested the idea of naming the flag plaza at International Airport for the Challenger crew which was lost in a launch takeoff accident several weeks ago. He then spoke of how he envisions the layout of the memorial at International Airport and asked the City Council to approve the concept of the project.

Mrs. Dutmer made a motion that the City Council place an item on a future week's agenda naming the flag plaza at International Airport, "Challenger Memorial Plaza" in honor of the memory of the Space Shuttle Challenger and its seven astronauts. Ms. Berriozabal seconded the motion.

Mr. Travis briefly explained his concept for modifying the current plan for the flag plaza in order to accommodate the Challenger Plaza concept.

Mr. Mike Kutchins, Director of Aviation, then spoke to the possible financing measures involved.

Mr. Hasslocher spoke in endorsement of the concept.

Mr. Travis then spoke to the possible costs involved estimating it would cost approximately \$20,000 to complete.

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Mr. Hasslocher urged that a local bank be encouraged to set up a system to accept donations from the public to finance this matter. He stated that he would be willing to work on the project in order to raise funds for the memorial.

Mr. Labatt and Ms. Vera both spoke in support of the project.

Mr. Harrington then voiced his support for the project favoring citizen participation in assuming the costs involved. He also stated that he would like to broaden the memorial in order to honor the spirit exemplified by the Challenger crew but shown by many others as well.

Mayor Cisneros supported the idea to broaden the commemoration of the memorial if the Council desires.

Mr. Webb stated that his firm, Americhem, had just volunteered to assist in funding for the project.

Mayor Cisneros asked Mr. Labatt, whose district encompasses San Antonio International Airport, to co-chair the committee along with Mr. Ed Cheviot and four other City Council members who also will be asked to serve. He then asked that the construction proceed on this memorial as rapidly as possible.

Mr. Travis stated that Mr. Dan Frazier, consulting engineer, was actually the individual who designed the current flag plaza.

Mr. Louis J. Fox, City Manager, stated that the City staff will begin work on the project immediately.

Mr. Hasslocher stated that he would like to have the project fully funded by private donations.

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

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MURALS ON CITY FACILITIES

Mayor Cisneros spoke of artwork that was done recently by Mr. Daniel Mireles and stated that he would like for the City Council to consider having Mr. Mireles do a mural at a City facility as yet unnamed. He then asked Mr. Larry Travis, local architect, to work with Mr. Mireles to select a good location for such a mural.

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86-06 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE - AURELIA AVENUE  
(STONEHILL ENTERPRISES, INC.)

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 then read the following Ordinance:

AN ORDINANCE 62,257

CLOSING AND ABANDONING A PORTION OF AURELIA AVENUE (UNIMPROVED) IN NEW CITY BLOCKS 10293 AND 10294, AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE, TO EXECUTE A QUITCLAIM DEED TO STONEHILL ENTERPRISES, INC., FOR A CONSIDERATION OF \$1.00.

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

86-06 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE - AURELIA AVENUE  
(ADJACENT LANDOWNERS)

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 then read the following Ordinance.

AN ORDINANCE 62,258

CLOSING AND ABANDONING A PORTION OF AURELIA AVENUE (UNIMPROVED) FROM "J" STREET TO "K" BETWEEN NEW CITY BLOCKS 10295 AND 10296, AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE TO EXECUTE QUITCLAIM DEEDS

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TO THE ADJACENT OWNERS, FOR A CONSIDERATION OF \$1.00.

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

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

86-06      CONSENT AGENDA

Mr. Hasslocher made a motion to approve Agenda Items 5 - 26, constituting the Consent Agenda, with Items 9, 21, 23, 25, and 26 to be pulled for individual consideration. Mr. Harrington 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, Harrington, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: Thompson.

AN ORDINANCE 62,259

ACCEPTING THE LOW BID OF J & D MECHANICAL SERVICE TO FURNISH THE CITY OF SAN ANTONIO WASTEWATER MANAGEMENT DEPARTMENT WITH A COOLING TOWER FOR A TOTAL OF \$9,600.

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AN ORDINANCE 62,260

ACCEPTING THE PROPOSALS OF MEDICAL RESEARCH LABS AND PIONEER MEDICAL SYSTEMS TO FURNISH THE CITY OF SAN ANTONIO WITH DEFIBRILLATORS FOR A TOTAL OF \$35,450.

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AN ORDINANCE 62,261

ACCEPTING THE LOW QUALIFIED BID OF HEFFERNAN SCHOOL SUPPLY TO FURNISH THE CITY OF SAN ANTONIO WITH FILE CABINETS FOR AN APPROXIMATE TOTAL OF \$9,269.86.

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## AN ORDINANCE 62,262 .

ACCEPTING THE BID OF STEWART & STEVENSON SERVICES, INC. TO FURNISH THE CITY OF SAN ANTONIO WITH THE REPLACEMENT OF TRANSMISSIONS ON TWO AMERICAN LA FRANCE PUMPER TRUCKS FOR A TOTAL OF \$18,700.

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## AN ORDINANCE 62,263 .

ACCEPTING THE LOW BID OF CUSTOM TRAILER MFG. OF ATLANTA TO FURNISH THE CITY OF SAN ANTONIO WASTEWATER MANAGEMENT DEPARTMENT WITH TRAILERS FOR A TOTAL OF \$16,936.

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## AN ORDINANCE 62,264 .

ACCEPTING THE LOW QUALIFIED BIDS OF VAN WATERS & ROGERS AND CHEMICAL & TURF TO FURNISH THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH HERBICIDES FOR A TOTAL OF \$12,192.75.

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## AN ORDINANCE 62,265 .

ACCEPTING THE BID OF TROXLER ELECTRONIC LABORATORIES, INC. TO FURNISH THE CITY OF SAN ANTONIO WITH A NUCLEAR MOISTURE DENSITY GAUGE FOR A TOTAL OF \$3,950.

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## AN ORDINANCE 62,266 .

ACCEPTING THE LOW BIDS OF T W COMMUNICATION CORPORATION, ANIXTER-AUSTIN AND KING WIRE AND CABLE TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH TRAFFIC SIGNAL WIRE & CABLE FOR A TOTAL OF \$24,798.06.

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AN ORDINANCE 62,267

ACCEPTING THE LOW BID OF ADEPT WASTE SYSTEMS, INC. TO FURNISH THE CITY OF SAN ANTONIO WITH A CONTRACT FOR DUMPSTER SERVICE AT VARIOUS LOCATIONS FOR AN APPROXIMATE TOTAL OF \$12,000.

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AN ORDINANCE 62,268

APPROVING AN AMENDMENT TO AN FAA GRANT AGREEMENT, AUTHORIZING EXECUTION OF SAID AMENDMENT, AND APPROVING A REVISED BUDGET FOR THE AFFECTED CONSTRUCTION PROJECT.

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AN ORDINANCE 62,269

APPROVING FIELD ALTERATION NO. 8 IN THE AMOUNT OF \$16,020.00, TO THE CONTRACT FOR THE INTERNATIONAL AIRPORT TERMINAL 2 RENOVATIONS (PACKAGE 2 - ELECTRICAL & DEMOLITION)

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AN ORDINANCE 62,270

AUTHORIZING THE CITY MANAGER TO EXECUTE A MUNICIPAL CONSTRUCTION AND MAINTENANCE AGREEMENT WITH THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION TO PROVIDE FOR THE WIDENING AND IMPROVEMENT OF NACOGDOCHES ROAD (FM 2252) FROM O'CONNOR ROAD TO LOOP 1604 AND AUTHORIZING A FORCE ACCOUNT OF \$40,000.00 FROM WHICH TO PURCHASE, AND REMOVE AND/OR INSTALL CERTAIN TRAFFIC CONTROL DEVICES WITHIN THE LIMITS OF THIS IMPROVEMENT PROJECT.

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AN ORDINANCE 62,271

DECLARING AN EMERGENCY AND ACCEPTING A PROPOSAL FROM FEIGENSPAN & PINNELL CONSULTING ENGINEERS, TO PROVIDE ENGINEERING SERVICES BY INVESTIGATING THE LEVEL OF DISTRESS OF THE BRIDGES AT MILITARY AND

LEON CREEK AND AT HOUSTON STREET AND SAN PEDRO CREEK  
IN THE AMOUNT OF \$10,500.00.

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AN ORDINANCE 62,272

AUTHORIZING FIELD ALTERATION NO. 11 ON THE PINE  
STREET DRAINAGE PROJECT IN THE AMOUNT OF \$32,452.28  
FOR THE USE OF CLASS D CONCRETE FOR THE SUBGRADE ON  
NEVADA STREET.

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AN ORDINANCE 62,273

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$31,175.00  
OUT OF VARIOUS FUNDS FOR THE PURPOSE OF ACQUIRING  
TITLE AND/OR EASEMENTS TO CERTAIN LANDS; ACCEPTING  
THE DEDICATION OF TITLE AND/OR EASEMENTS TO CERTAIN  
LANDS; ALL IN CONNECTION WITH CERTAIN RIGHT-OF-WAY  
PROJECTS. (ROTARY/HAMEL STREET RECONSTRUCTION  
PROJECT; NORTHWEST EXPRESSWAY (S.H. 151); O'CONNOR  
ROAD - NACOGDOCHES ROAD TO STAHL ROAD PROJECT;  
QUINCY LEE AND ROGERS TRACT (ROGERS RANCH) OFF-SITE  
SANITARY SEWER PROJECT; TUPELO LANE SANITARY SEWER  
PROJECT; ZONING CASE Z85048 WEST AVENUE AND PINETUM  
STREET)

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AN ORDINANCE 62,274

AUTHORIZING PAYMENTS OF REFUNDS TO PERSONS MAKING  
OVERPAYMENTS OR DOUBLEPAYMENTS ON 254 TAX ACCOUNTS.

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AN ORDINANCE 62,275

AUTHORIZING THE SUBMISSION OF THREE (3)  
ENVIRONMENTAL PROTECTION AGENCY (E.P.A.) GRANT  
APPLICATIONS THROUGH THE TEXAS WATER DEVELOPMENT  
BOARD (T.W.D.B.) FOR FEDERAL GRANT FUNDS AVAILABLE  
TO THE CITY OF SAN ANTONIO.

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86-06 The Clerk read the following Ordinance:

AN ORDINANCE 62,276

ACCEPTING THE PROPOSAL OF TELEX COMPUTER PRODUCTS, INC. FOR BUYOUT OF THE TELEX PRINTERS CURRENTLY ON LINE AT INFORMATION RESOURCES DEPARTMENT FOR AN APPROXIMATE COST OF \$1,430 PER MONTH.

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

In response to a question by Mr. Labatt, Mr. Robert Kay, Director of Information Resources, briefly explained the lease purchase provision for the computer products involved.

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

86-06 The Clerk read the following Ordinance:

AN ORDINANCE 62,277

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

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

86-06 The Clerk read the following Ordinance:

## AN ORDINANCE 62,278

APPROVING THE TERMINATION OF THE CONTRACT WITH BIO-NOMIC RESOURCES FOR THE RENTAL AND OPERATION OF BELT FILTER PRESS SLUDGE DEWATERING EQUIPMENT AT THE LEON AND SALADO CREEK WASTEWATER TREATMENT PLANTS, APPROVED BY ORDINANCE NO. 61278, DATED AUGUST 22, 1985; AND AUTHORIZING A NEW CONTRACT WITH ENVIRO-GRO/SPRINT FOR THE ABOVE EQUIPMENT AND SERVICES.

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

In response to a question by Mrs. Dutmer, Mr. Joe Aceves, Director of Wastewater Management, explained the details of non-compliance by the current contractor involved.

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

86-06 The Clerk read the following Ordinance:

## AN ORDINANCE 62,279

AUTHORIZING PAYMENT OF THE SUM OF \$36,851.65 OUT OF VARIOUS FUNDS FOR LEGAL SERVICES PROVIDED TO THE CITY OF SAN ANTONIO. (FIRMS: COX AND SMITH; GROCE, LOCKE AND HEBDON; FOSTER, LEWIS, LANGLEY, GARDNER AND BANACK)

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

Mr. Lowell Denton, City Attorney, briefly explained the reasons for the need for outside legal services because the City staff has no technical expertise in these critical areas.

In response to a question by Mr. Hasslocher, Mr. Denton spoke to details of the lawsuit involving copyright law and litigation over a City-owned logo.

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

86-06 The Clerk read the following Ordinance:

AN ORDINANCE 62,280

AUTHORIZING THE PAYMENT OF APPROXIMATELY \$40,000 FOR LEGAL SERVICES BEING PROVIDED BY THE FIRM OF HOLBROOK, KAUFMAN AND BECKER. (NELSON CLARE)

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Mr. Wing 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, Wing, Martinez, Vera, Harrington, Labatt, Cisneros; NAYS: Hasslocher; ABSENT: Thompson.

#### ZONING HEARINGS

27. CASE Z85399 P.P. - to rezone Tract J and 0.7143 acre tract out of NCB 11668, 11000 Block of Wurzbach Road, from Temporary "R-1" One Family Residence District to "O-1" Office District, located on the southwest side of Wurzbach Road, being approximately 400' and 900' northeast of the intersection of Vance Jackson Road and Wurzbach Road, having a total of 283.17' on Wurzbach Road, with a depth of 401.4'.

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

Dr. Sam S. Miller, M.D., briefly explained the planned use for the property and noted that he had agreed to certain restrictions with area property owners except for the requirement for a six foot fence in the rear of the property. He stated that he feels that a fifty-foot drainage area located in the rear of the property is enough of a buffer if left in its natural state which he intends to do. He further stated that he feels the problems evidenced by the area homeowners now have been resolved and he asked that the City Council consider removing the fence

requirement as recommended by the Zoning Commission but if the fence requirement is left in, that the Council also require him to plant ivy along the fence in order to beautify it. He then displayed photographs of business development in the area to show the area is in transition.

Mr. Rick Evans, 10414 Mount Hope, an adjoining property owner, spoke to the need for a green belt buffer with trees in the rear of the property and he also spoke to several meetings held with Dr. Miller on the matter of rezoning. He noted that homeowners all agree, in a joint letter, to certain stipulations which he then outlined for the City Council members and he handed a copy of the letter to the City Council and asked the Council to enact those stipulations as outlined in that letter (a copy of which is attached to the papers of this meeting).

Mr. Daniel D. Kana, 10410 Mount Hope, spoke to the nearby concreting of a rear drainage ditch near another development and the need to maintain the greenbelt on this property between the homes in the area and the proposed businesses.

Dr. Miller agreed to the terms of Mr. Evan's letter and to Mr. Kana's points and he spelled out certain stipulations in the letter that he would fully agree to.

Mr. Harrington moved that the recommendation of the Zoning Commission be approved provided that 9' of dedication is given along Wurzbach Road and that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division; that a 50' greenbelt is maintained; that the structure is of masonry which would be compatible with the surrounding buildings; lighting is directed away from the neighborhood and face towards Wurzbach Road. 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, Vera, Harrington, Labatt, Cisneros; NAYS: None; ABSENT: Berriozabal, Thompson, Hasslocher.

AN ORDINANCE 62,281

AMENDING CHAPTER 42 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 TRACT J AND 0.7143 ACRE TRACT OUT OF NCB 11668, 11000 BLOCK OF WURZBACH ROAD, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT, PROVIDED THAT 9' OF DEDICATION IS GIVEN ALONG WURZBACH ROAD AND THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING

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DIVISION; THAT A 50' GREENBELT IS MAINTAINED; THAT THE STRUCTURE IS OF MASONRY WHICH WOULD BE COMPATIBLE WITH THE SURROUNDING BUILDINGS; LIGHTING IS DIRECTED AWAY FROM THE NEIGHBORHOOD AND FACE TOWARDS WURZBACH ROAD.

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28. CASE Z85462 - to rezone a 2.0212 acre tract out of NCB 11609, being further described by field notes filed in the Office of the City Clerk, 2400 Block of Babcock Road, from "O-1" Office District and "B-1" Business District to "B-3NA" Non-Alcoholic Sales District, located on the southwest side of Babcock Road, being 424.53' northwest of the intersection of Snowden and Babcock Road, having 301.53' on Babcock Road, with a depth of 290.16'.

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

Mr. Harrington moved that the recommendation of the Zoning Commission be approved provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. Ms. Vera 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, Vera, Harrington, Labatt, Cisneros; NAYS: None; ABSENT: Berriozabal, Thompson, Hasslocher.

AN ORDINANCE 62,282

AMENDING CHAPTER 42 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 2.0212 ACRE TRACT OUT OF NCB 11609, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 2400 BLOCK OF BABCOCK ROAD, FROM "O-1" OFFICE DISTRICT AND "B-1" BUSINESS DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

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29. CASE Z86009 - to rezone a 3.344 acre tract of land out of NCB 15676, being further described by field notes filed in the Office of the City Clerk, in the 16000 Block of Henderson Pass, from "R-6" ERZD Townhouse Residence Edwards Recharge Zone District to "P-1(O-1)" ERZD Planned Unit Development Office Edwards Recharge Zone District, located on the south corner of Turkey Point and Henderson Pass, having approximately 220' on Turkey Point and 710' on Henderson Pass.

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

In response to a question by Mr. Hasslocher, Mr. Andy Guerrero, Planner III, spoke to the reasons why the City staff is against this rezoning case.

In response to a question by Mr. Hasslocher, Mr. Larry Thomas, the developer, displayed a plat plan and explained the plan for a small office development including the agreements with area homeowners in the form of recordable deed restrictions that have been agreed to. He stated further that the homeowners had agreed to the rezoning and their attorney now has the draft deed restrictions in hand.

In response to a question by Mr. Hasslocher, Mr. John W. Guilbeau, representing the homeowners' association, spoke to the agreements with the developer after several discussions and stated that he feels this is the best rezoning plan for all involved.

Mr. Hasslocher moved that the recommendation of the Zoning Commission be approved provided that dedication is given on both Turkey Point and Henderson Pass; that access dedication is given; that parking is provided and submitted for approval by the Traffic Engineering Division; a 6' solid screen fence is erected and maintained along the residential area and that a 1' non-access easement is imposed along Turkey Point. Mrs. Dutmer seconded the motion.

Mrs. Dutmer addressed the matter of a pollution abatement plan for the property.

Mr. Thomas stated that the plan will be part of the final plat plan on the property.

Mrs. Dutmer noted that the new State Water Commission plans to place new regulations dealing with the matter of run-off into caves and sinkholes over the Edwards Aquifer.

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

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

AN ORDINANCE 62,283

AMENDING CHAPTER 42 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 3.344 ACRE TRACT OF LAND OUT OF NCB 15676, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 16000 BLOCK OF HENDERSON PASS, FROM "R-6" ERZD TOWNHOUSE RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "P-1(O-1)" PLANNED UNIT DEVELOPMENT OFFICE EDWARDS RECHARGE ZONE DISTRICT, PROVIDED THAT DEDICATION IS GIVEN ON BOTH TURKEY POINT AND HENDERSON PASS; THAT ACCESS DEDICATION IS GIVEN; THAT PARKING IS PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION; A 6' SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE RESIDENTIAL AREA AND THAT A 1' NON-ACCESS EASEMENT IS IMPOSED ALONG TURKEY POINT.

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30. CASE Z86010 - to rezone a 0.6 and 0.5 acre tract of land out of CB 5022, being further described by field notes filed in the Office of the City Clerk, from Temporary "R-1" One Family Residence District to "B-2" Business District, the 0.6 acre tract of land is located on the southeast side and the 0.5 acre tract of land is located on the northeast side of Fox Knoll Drive, both being approximately 250' northwest of the intersection of Fox Knoll Drive and Nacogdoches Road, the 0.6 acres having 167.45' of frontage on Fox Knoll Drive and a depth of 167' and the 0.5 acres having 147.67' on Fox Knoll and a depth of 150'.

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

Mr. Hasslocher moved that the recommendation of the Zoning Commission be approved provided that access and parking are provided and submitted for approval by the Traffic Engineering Division; that a 6' solid screen fence is erected and maintained along the single family residential area. 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, Vera, Labatt, Hasslocher, Cisneros; NAYS: None;  
 ABSENT: Berriozabal, Thompson, Harrington.

AN ORDINANCE 62,284

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 0.6 AND 0.5 ACRE TRACT OF LAND OUT OF CB 5022, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT ACCESS AND PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION; THAT A 6' SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE SINGLE FAMILY RESIDENTIAL AREA.

\* \* \* \*

31. CASE Z86001 - to rezone Lot 12, Block 2, NCB 14948, in the 5700 Block of Randolph Blvd., from Temporary "R-1" One Family Residence District to "B-3NA" Non-Alcoholic Sales Business District, located on the northwest side of Randolph Blvd., being 800' northeast of the cut-back of Bledsoe Drive and Randolph Blvd., having 91.4' on Randolph Blvd., with a depth of 195.57'.

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

Mr. Hasslocher moved that the recommendation of the Zoning Commission be approved provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. 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, Vera, Harrington, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: Berriozabal, Martinez, Thompson.

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AN ORDINANCE 62,285

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 12, BLOCK 2, NCB 14948, IN THE 5700 BLOCK OF RANDOLPH BOULEVARD, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

\* \* \* \*

86-06

WESTSIDE PARISH COALITION

Mayor Cisneros stated that Mr. Ruben Escobedo, the auditor of the Westside Parish Coalition, asked for a definite time setting for any discussion the City Council might wish to make relative to last week's action concerning the Westside Parish Coalition.

A discussion then took place concerning possible future discussions on the Westside Parish Coalition action. At the conclusion of the discussion, it was determined by Council concensus to set a 4:30 P.M. time certain to discuss the matter.

86-06

The Clerk read the following Ordinance:

AN ORDINANCE 62,286

APPROVING A MODIFICATION TO THE CITY'S RENTAL REHABILITATION ENTITLEMENT PROGRAM, TO PROVIDE RENTAL REHABILITATION FUNDS (PUBLIC SUBSIDY) IN THE FORM OF A FORGIVEABLE DEFERRED PAYMENT LOAN, TO THE SAN ANTONIO HOUSING FACILITY CORPORATION, A NON-PROFIT SUBSIDIARY OF THE SAN ANTONIO HOUSING AUTHORITY.

\* \* \* \*

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

86-06 The Clerk read the following Ordinance:

AN ORDINANCE 62,287

APPROVING A MODIFICATION TO THE CITY'S RENTAL REHABILITATION ENTITLEMENT PROGRAM TO PROVIDE PUBLIC SUBSIDY DEFERRED PAYMENT LOANS AT NO INTEREST, TO REHABILITATE RENTAL UNITS FOR LOWER INCOME FAMILIES.

\* \* \* \*

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

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

86-06 The Clerk read the following Ordinance:

AN ORDINANCE 62,288

ACCEPTING THE BID OF FRU-CON CONSTRUCTION CORP. IN THE AMOUNT OF \$42,498,000.00 FOR THE CONSTRUCTION OF THE DOS RIOS WASTEWATER TREATMENT PLANT CONTRACT NO. 4-A; PROVIDING A CONTINGENCY; APPROPRIATING FUNDS; APPROVING A CONTRACT; AND PROVIDING A CONTRACT.

\* \* \* \*

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

Mr. Joe Aceves, Director of Wastewater Management, explained the work involved in the advanced secondary treatment project and noted that only one more contract remains to be let before the work begins on the

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project at the Dos Rio Wastewater Treatment Plant. He then spoke to the proposed federal grants involved in the financing.

Mrs. Dutmer noted that the federal budget proposes a cutting out of grants for new wastewater treatment plants as a result of the Gramm-Rudmann Bill.

Mayor Cisneros asked that the Council receive the latest information to be updated on that particular line item of the federal budget.

Mr. Aceves noted that he is planning to go ahead with the project even without a \$20,000,000 federal grant involved.

Mr. Stuart Summers, Director of Budget and Research, noted that the federal budget proposal currently proposes a 33% reduction in grants for wastewater treatment plants each year for a three year period until it finally phases out. He noted that the Gramm-Rudmann Bill if it goes into effect would cut only 13% a year for most projects as opposed to the 33%.

Mr. Louis J. Fox, City Manager, then spoke to the uncertainties of the federal budget matter at present.

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

86-06 The Clerk read the following Ordinance:

AN ORDINANCE 62,289

ACCEPTING CONTRIBUTIONS TOTALLING \$245,000 TO SUPPORT CERTAIN SESQUICENTENNIAL PROJECTS AND ACTIVITIES; ACCEPTING BIDS FOR CERTAIN SESQUICENTENNIAL-RELATED PROJECTS AT ALAMO PLAZA; AUTHORIZING CONTRACTS AND AUTHORIZING PAYMENTS TO THE CONTRACTORS.

\* \* \* \*

In response to a question by Mr. Hasslocher, Ms. Karen Kliever, Director of Intergovernmental Relations, spoke to the several contributions to be received in support of Sesquicentennial project activities for the City of San Antonio.

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

86-06 The Clerk read the following Ordinance:

AN ORDINANCE 62,290

DISCONTINUING A PORTION OF THE RANDOLPH SOUTH AREA AND RELEASE SOME OF THE CITY OF SAN ANTONIO'S EXTRATERRITORIAL JURISDICTION IN ORDER THAT THE TERRITORY CAN BE ANNEXED BY THE CITY OF SCHERTZ.

\* \* \* \*

Mrs. Dutmer made a motion to approve the staff recommendation. Mr. Wing seconded the motion.

Mr. Roland Lozano, Director of Planning, displayed a map of the area concerned and briefly explained the proposed ordinance including the plans to annex a narrow portion of land south of this particular area in order to maintain an extension of San Antonio's extra-territorial jurisdiction. He stated that the City of Schertz also wants I.H. 10 frontage in additional land or they may not accept this proposal for dis-annexation by the City of San Antonio and annexation to the City of Schertz. He also stated that the City of Schertz also wants the area between Weichold and Greytown Roads.

Mr. Webb proposed an amendment to the motion to include a 1200 foot strip of property along Interstate 10 as requested by the City of Schertz. Ms. Berriozabal seconded the motion.

Ms. Coralee Fenner, representing the Southeast Randolph property owners, stated that fifty-seven families reside in this area, of which some thirty-eight have no water service at present. She then presented her group's own plan for dis-annexation by the City of San Antonio as sanctioned by the City of Schertz as well as several attachments, all of which are filed with the papers of this meeting.

Ms. Cynthia Boeck, Rt. 1, Box 136A, Converse, TX, spoke to the need to include the new area in dis-annexation all the way west to Weichold Road.

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Mr. Chuck Sharpe, City Councilman, City of Schertz, spoke to his City's acceptable proposal and Schertz has pledged to provide full services to the property owners in this area. He then spoke to reasons why Schertz wants all of the property north of Interstate 10 back to Weichold Road.

A discussion then took place concerning the possibility of holding San Antonio's proposed Spoke annexation, south of Interstate 10 as well as discussion of its future ramifications.

Mr. Sharpe stated that Schertz would enact the necessary paperwork to assure the City of San Antonio that Schertz officially recognizes San Antonio's right to incorporate in this area.

Mayor Cisneros spoke in support of the proposal by the City of Schertz.

Major General William P. Acker, Retired, U.S. Air Force, spoke of plans to build his own home in the area in question.

Mrs. Dutmer stated that she as the maker of the main motion would be willing to incorporate the Schertz proposal, including the small area involved in Interstate 10 and FM 1518 in the main motion as well as also including dis-annexation of the area west to Weichold Road, as outlined by the City of Schertz.

Mr. Wing stated that he as seconder of the main motion would concur to the above changes.

Mr. Webb stated that that being the case, he as maker of the amended motion would be willing to withdraw the amended motion.

Mayor Cisneros thanked the Council's Annexation Committee for its hard work on this area.

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

86-06 The Clerk read the following Ordinance:

AN ORDINANCE 62,291

SETTING DATES, TIMES AND LOCATIONS FOR PUBLIC HEARINGS ON PROPOSED ANNEXATIONS AND DIRECTING THE PREPARATION OF SERVICE PLANS.

\* \* \* \*

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

Mr. Roland Lozano, Director of Planning, briefly explained the new annexation package proposed by City staff.

Mr. Hasslocher noted that a fire works firm in the proposed annexation area fears that annexation will cause them to be put out of business.

Mr. H. H. Girdley, President of Alamo Fireworks, Inc., 10192 I.H. 10 East, stated that he is the distributor and importer of fireworks in that area and he fears annexation will put him out of business since he would not be in compliance with the City Fire Code. He stated that his firm is a \$1,000,000 a year corporation and he wants the City not to annex his property.

Mr. Lowell Denton, City Attorney, stated that the attorney's staff must research this issue first but he feels reasonably certain that Alamo Fireworks could operate as a non-conforming use if it did not fall under the nuisance statutes.

Mayor Cisneros stated that he is against changing the City Council's annexation policy for a single use such as this.

Mr. Hasslocher voiced his concern with the issue.

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

- - -  
86-06 By common concensus, it was agreed to temporarily bypass Items 38 and 39 on the Agenda.

- - -  
86-06 The Clerk read the following Ordinance:

AN ORDINANCE 62,292

DESIGNATING THE DATE ON WHICH THE CITY OF SAN ANTONIO SHALL TAKE OVER THE CONCORD PUBLIC UTILITY DISTRICT IN ACCORDANCE WITH ARTICLE 1182C-1 REVISED TEXAS CIVIL STATUTES.

\* \* \* \*

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

86-06 The Clerk read the following Ordinance:

AN ORDINANCE 62,293

CLOSING MARTINEZ STREET BETWEEN S. PRESA AND ALAMO STREETS ON FEBRUARY 7, 1986 FROM 4:00 P.M. TO 9:00 P.M. IN CONNECTION WITH A FUND RAISER FOR IRENE CANALES DE JANSSEN.

\* \* \* \*

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

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

The City Council recessed at 3:45 P.M. to convene an Executive Session, reconvening at 4:20 P.M. to their regular session to consider Agenda Item 38.

86-06 The Clerk read the following Ordinance:

AN ORDINANCE 62,294

DESIGNATING THE TIME AND DATE ON WHICH THE CITY OF SAN ANTONIO SHALL TAKE OVER ENCINO PARK MUNICIPAL UTILITY DISTRICT NUMBER TWO IN ACCORDANCE WITH ARTICLE 1182C-1 REVISED TEXAS CIVIL STATUTES.

\* \* \* \*

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

Mr. Scott Worthen, representing the Denton Utility Corporation, spoke against the proposed Ordinance action to dissolve the utility district involved. He noted the matter will be resolved in court, probably in March, and he stated that he and the firm all are uncertain as to what happens if the utility districts are dissolved and then the court ultimately upholds them in court.

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

- - -  
86-06 The Clerk read the following Ordinance:

AN ORDINANCE 62,295

DESIGNATING THE TIME AND DATE ON WHICH THE CITY OF SAN ANTONIO SHALL TAKE OVER ENCINO PARK MUNICIPAL UTILITY DISTRICT NUMBER THREE IN ACCORDANCE WITH ARTICLE 1182C-1 REVISED TEXAS CIVIL STATUTES.

\* \* \* \*

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

- - -  
86-06 SHEARER HILLS PEEP SHOW

Mayor Cisneros noted that a City task force has undertaken policing of the Shearer Hills area in the vicinity of a peep show and the City has elected to push its charges of obscenity in the matter, while the City is studying possible future litigation against the firm and its officers on violations of the zoning laws of San Antonio. He noted that police patrols have been most effective in controlling some of the past incidents that have been of concern to area homeowners.

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Mr. Lowell Denton, City Attorney, spoke of the Municipal Court presentations that have already been held concerning this matter and stated that tomorrow or Monday, his office plans to file a lawsuit for cessation of that business because of alleged violation of zoning laws. He noted that the District Attorney has stated that he will prosecute these cases on appeal now to the County Court at Law and he feels reasonably confident the City will be able to obtain an injunction within some sixty days.

Mayor Cisneros stated that in his opinion this is the worst case of intrusion of obscenity into a residential area he has yet seen.

Ms. Berriozabal stated that there is another firm located on Main Avenue which also is near Crockett Park and may have the same problems in conflict with the zoning laws.

Mr. Denton stated that the police department has agreed to notify the City Attorney's office of any cases that it finds of this nature and stated that he will file lawsuits against any that fall within the 500' of a residential area restriction.

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86-06

DAY LABORERS

Mr. Rolando Bono, Assistant City Manager, stated that he has been meeting and surveying potential areas off Interstate 35 for location of a permanent facility from which day laborers can operate but stated that he needs permission from the Texas Highway Department to use one site at the Interstate 35 cutoff to Interstate 10. He noted that the day laborers involved do not, as expected, want a structured environment from which to locate themselves but he stated that the City is continuing to work on this and he provided the City Council with a written report, a copy of which is attached to the papers of this meeting.

Mr. Martinez noted that several sites are under study by the City for location of this facility for day laborers.

Ms. Berriozabal voiced her concern with the first site mentioned and noted that this is a high crime area and the City needs to work closely in this regard.

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86-06

REORGANIZATION OF DOWNTOWN POLICE

Mayor Cisneros stated that he feels that reorganization of the police department operations in the downtown area may be a major budget issue in the upcoming budget discussions. He spoke to the possibility

that downtown police might utilize separate uniforms, locate themselves in guard boxes strategically located throughout the downtown area as well as several other possible suggestions. He added that this would provide a high visibility for police in the downtown area if adopted.

86-06

FIRE DEPARTMENT PERSONNEL

Mr. Martinez voiced his concern with the possible dilution of fire department personnel in the inner city. He asked City Manager Fox to study the problem and to report back to the City Council.

Mr. Louis J. Fox, City Manager, noted that the Firefighters' Union president has asked for a meeting with him concerning this issue and stated that he would provide all necessary information to the City Council when it is available. He stated further that he feels that the Fire Chief needs to provide him with the latest information on the matter first.

Mr. Martinez stated that he feels the fire department's slots in the inner city are not being filled by personnel on overtime as previously agreed to during the annexation discussions.

Mr. Bill Donahue, Assistant City Manager, stated that he has asked the Firefighters' Union to give the City their problems in this matter and then there will be a meeting of all parties concerned in order to discuss it. He stated that the Fire Chief feels there has been no dilution in strength in the inner city and he will answer Mr. Martinez next week.

Ms. Berriozabal feels there is a need for the staff to review the agreements made during the annexation discussions relative to inner city firefighters.

Mr. Donahue stated that he will follow the dictates of the City Council regardless and will resolve this matter by next Thursday.

86-06

WESTSIDE PARISH COALITION

Mr. Lowell Denton, City Attorney, stated that it was his legal opinion that the proposed use of funds for the Westside Parish Coalition for assistance with marketing houses in the Vista Verde South area is legal provided those funds are used in the "administration" of the program involved. He then presented members of the City Council with his written opinion to Councilman Ed Harrington through the City Manager.

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Mayor Cisneros stated that the Westside Parish Coalition is doing work in an area that no one else currently is doing which is building single family residences in the inner city. He then spoke to similar programs underway in cities such as New York City and stated that he feels the publicity of the past week concerning this matter has caused some financial pull-back of financial backers of the Westside Parish Coalition Homebuilding Program. He urged the City Council not to change its course on this matter unless allegations of wrongdoing are proven.

Mr. Louis J. Fox, City Manager, stated that he has reviewed the City's actions in freezing the \$60,000 grant awarded to the Westside Parish Coalition last week as a result of program monitor input. He stated that the problems discovered by the staff are programmatic and not fiscal in nature. He then asked Mr. Drew Cameron, the Acting Director of the Department of Neighborhood Initiatives, to present his memorandum to the City Council on this matter. Mr. Cameron then distributed copies of his memo to members of the City Council. Mr. Fox spoke in support of the Westside Parish Coalition efforts toward inner city housing and he asked for an expedited audit after which he will make fully public the findings of that audit. He stated further that he feels the audit will be over within two weeks.

Mr. Martinez voiced his concern with the City Manager's action of freezing \$60,000 to the Westside Parish Coalition when the City Council had voted to spend that money.

Mr. Fox explained that he acted to freeze funds before ever meeting with Mr. Harrington concerning the issue.

Mr. Webb voiced his concern with comments made on this issue on a radio program involving Mr. Harrington.

Mr. Wing stated that he feels the City Manager cannot freeze the \$60,000 if the Council has already formally approved that expenditure by vote. He further stated that the issue has damaged this project and that \$60,000 issue is separate from the proposed audit involved.

Mrs. Dutmer stated that she feels the City Manager had a Charter right to withhold funds from any agency under these conditions but nevertheless she spoke in support of the Westside Parish Coalition program but against subsidizing competition to the private sector.

Mr. Harrington stated that he is fully accountable for his actions as a City Council representative and further stated that he feels that he is entitled to his own opinion in this issue. He agreed with the spirit of the inner city housing development but stated that he has problems with the expenditure of the \$60,000 for that program. He also stated that he has concerns about the manner in which this item was placed

on the agenda as an add-on item. He said the City's contingency fund from which the \$60,000 was taken was originally set up in the budget for use during emergencies not for funding of outside agencies. He further stated that there has been discussion among Council members about how tight money is so he does not consider funding of this agency in this manner an emergency. Mr. Harrington then spoke to his memorandum which asked for a freeze on these funds but noted that Mr. Fox already had taken action to freeze the funds pending the outcome of the staff audit. He also asked for a legal opinion as to the use of these funds stating that he is of the opinion that this is not proper funding. He stated that the City Attorney has given him an informal verbal opinion that these monies must, in the opinion of the City Attorney, be used in the Urban Renewal area involved. He also stated that he had not had an opportunity to review the background information on this request. Mr. Harrington then spoke to the funds previously received from the City by this particular agency and stated that he did not demand that the City Manager freeze these funds and he spoke of the City staff memorandum on problem areas concerning that agency.

Mr. Ruben Escobedo, Senior Partner of the auditing firm that audits the Westside Parish Coalition, noted that his firm had audited the Coalition's 1984/85 books and that had subsequently lost computer equipment in a recent burglary. He stated that auditors found no major deficiencies with the Coalition's books. He spoke of having heard that the City auditors were being pressured to find something wrong during the audit. He then spoke in explanation of the allegation of unreported program income from the sale of fifteen homes by the Coalition.

Mayor Cisneros voiced his concern with having City auditors involved in the Coalition audit stating that he fears the whole process may severely damage the program. He favors an outside audit firm.

Mr. Labatt spoke to the need for tight bookkeeping when handling grant funds by any City-funded agency and noted that to him the problem with the Coalition is poor bookkeeping. He then spoke in support of City staff's concerns in the matter.

Mayor Cisneros summarized the sequence of events that will take place in the matter and asked the City Manager to contact local financial institutions in order to assure them that there is no impropriety being alleged in the audit.

In response to a question by Ms. Berriozabal, Father Don Curry spoke to the meeting with the City Manager as well as the others on a possible waiver of some of the permits and fees for the Vista Verde South home sales. Ms. Berriozabal spoke to the need for inner city housing and the benefits of hiring head-of-household women in that effort. She stated that she feels the City's agency-monitoring efforts should be 'beefed-up'.

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Ms. Vera questioned the entire process involved noting that she feels the City Council should have been informed earlier and not have heard details of the matter through the news media.

In response to a question by Mrs. Dutmer, Mr. Escobedo reiterated his contention that pressure has been put on City auditors to find something wrong in the audit of the Westside Parish Coalition.

A discussion then took place concerning meetings with Westside Parish Coalition representatives dealing with possible permit fee waivers by the City.

Father Charles Pugh, representing the Archdiocese, spoke to the need for trust in this matter and noted that the Archdiocese supports low-income housing in San Antonio as provided by the Westside Parish Coalition.

A discussion then took place concerning the rules that apply to City Council members and their right to ask for an investigation versus the need to obtain a majority of City Council signatures on a memorandum in order to do so.

Another discussion then took place concerning providing the entire City Council with data on requests for the \$60,000 for the Westside Parish Coalition.

Mr. Fox stated that if it is determined during the course of the audit that problems are being found or not found he will fully inform City Council members and will take other actions as necessary.

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86-06

BOY SCOUTS

Mayor Cisneros recognized the presence of a group of boy scouts and their scout master, Mr. Pittman, present in the audience today. He noted further that the scouts were fulfilling the requirements to earn a merit badge by their attendance at City Council meeting today.

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86-06

CITIZENS TO BE HEARD

ROBERT AGUIRRE

Mr. Robert Aguirre spoke to the City Council stating that he had been president and executive officer of the Concord P.U.D. which was dissolved by the City Council earlier during this meeting. He appreciated

the actions taken by the City Council for their assistance in annexing their property.

\* \* \* \*

HAROLD FLAMMIA

Mr. Harold Flammia, President of the San Antonio Police Association, commended the City Council for the actions taken earlier in connection with the Challenger Plaza and stated that on behalf of the San Antonio Police Officers' Association, he presented a \$200.00 donation.

\* \* \* \*

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86-06 The City Council recessed at 7:20 P.M. to convene a "B" Session, reconvening the regular meeting at 8:40 P.M.  
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86-06 CONVENTION CENTER

Mr. Hasslocher spoke of the need for dividers on Market Street to help the traffic in the Convention Center area.

Mr. Louis J. Fox, City Manager, stated that he would investigate this issue.

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86-06 ANNEXATION

Mr. Wing asked about a flea market in the area south of Loop 410 where many cars have been towed away. This area was recently annexed and people should be alerted to the fact that they will be towed away. He asked for a traffic study at the intersection of Loop 410S and Moursund Blvd. He spoke to the traffic in the area and the possible need for traffic signals.

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86-06 OUTSIDE LEGAL COUNSEL

Mr. Wing asked for a report by the staff on the practice of hiring outside lawyers to represent the City. He spoke to the need for

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the City Council to be briefed on these hirings before they are called to approve the costs involved.

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86-06

CAB STANDS

Mayor Cisneros spoke of the need for a cab stand on the east side of El Mercado. He stated that the cab drivers have brought this need to his attention and he feels it is warranted. He added that the cab stands at the Marriott and Hilton Hotels are not long enough.

City Manager Louis J. Fox stated that there is definitely a problem at the Marriott.

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86-06

BRIDGE AT JACKSON KELLER

Mrs. Dutmer spoke to the fact that the owner of Frenchie's Restaurant is almost bankrupt because of the bridge work at Jackson Keller bridge. He cannot pay his taxes.

Mr. Denton stated that there are several claims in this instance. He recommended that the cases be brought to the court in order to then determine merits of each case.

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86-06

STREET ADDRESSES

Several Council members spoke of the need to have an ordinance requiring addresses on City buildings.

- - -  
86-06

SIDEWALKS

City Manager Louis J. Fox noted that as a general rule many City sidewalks are in bad shape and spoke of the possibility of creating a program for citizens or neighborhoods in order to sign up citizens who are willing to contribute towards paying for the construction of new sidewalks. He stated that the sidewalks are a major liability matter in the City of San Antonio.

A discussion then took place concerning sidewalk repair.

There being no further business to come before the City Council,  
the meeting was adjourned at 8:55 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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