

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, FEBRUARY 19, 1987.

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

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87-09 The invocation was given by Bishop Designate Charles E. Herzig.

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87-09 The members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

Mayor Cisneros stated that the person who led today's invocation, Bishop Designate, Charles E. Herzig also is on hand to receive a special citation today from the City Council. He then read the following citation:

CHARLES E. HERZIG

IN RECOGNITION OF HIS MORE THAN THIRTY YEARS OF PASTORAL SERVICE IN THE SAN ANTONIO COMMUNITY. BISHOP DESIGNATE CHARLES E. HERZIG HAS DEDICATED A LIFETIME OF SERVICE TO HIS FELLOWMAN. HIS SPIRITUAL GUIDANCE AND CONTINUED WHOLE-HEARTED SUPPORT OF CHURCH AND CIVIC PROJECTS HAVE PLAYED AN IMPORTANT ROLE IN THE GROWTH AND PROGRESS OF SAN ANTONIO.

ON BEHALF OF A GRATEFUL CITIZENRY, THE CITY COUNCIL COMMENDS BISHOP CHARLES E. HERZIG FOR HIS FINE WORK AND EXTENDS BEST WISHES TO HIM AS HE TAKES OVER HIS NEW OFFICE IN TYLER, TEXAS.

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Mayor Cisneros and members of the City Council then jointly presented the citation to Bishop Designate Herzig and congratulated him.

Bishop Herzig spoke of his thirty-two year history as a priest of the Catholic church in San Antonio and described his new thirty-two county diocese in Tyler. He thanked the city of San Antonio and its officials

for the citation.

87-09

GED SCHOLARSHIPS

Mayor Cisneros introduced Dr. Louis Agnese, president of Incarnate Word College, and spoke of his innovations in marketing his school. He explained that Dr. Agnese has organized the program to provide college scholarships for GED graduates and he also noted that Mr. Lionel Sosa and Mr. Mike Kelly of Rainbo Baking Co., each had provided gifts of \$25,000 to fund this scholarship program. He then read the following citations:

DR. LOUIS AGNESE

IN RECOGNITION OF ORGINATING THE CONCEPT OF SCHOLARSHIP AWARD TO GED GRADUATES. ON JULY 21, 1986, SAN ANTONIO MADE HISTORY BY HAVING THE FIRST TWO GED GRADUATES AS RECIPIENTS OF FULL FOUR-YEAR SCHOLARSHIPS, THE FIRST IN THE WORLD. THROUGH DR. AGNESE'S EFFORTS AND YEARS OF HARD WORK, MANY OF OUR YOUNG PEOPLE WHO HAVE PASSED THE GED TEST WILL NOW HAVE AN OPPORTUNITY TO GO TO COLLEGE AND DEVELOP THEIR FULLEST POTENTIAL. DR. AGNESE HAS LED THE CITY OF SAN ANTONIO IN TAKING A GIANT STEP IN THE EFFORTS TO ERADICATE THE ILLITERACY PROBLEM OF OUR CITY AND NATION.

ON BEHLF OF A GRATEFUL CITIZENRY, THE CITY COUNCIL COMMENDS DR, AGNESE FOR HIS FINE WORK AND ACCOMPLISHMENTS, AND EXTENDS BEST WISHES FOR HIS CONTINUED SUCCESS.

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LIONEL SOSA AND ASSOCIATES

IN GRATEFUL APPRECIATION OF THEIR GENEROUS CONTRIBUTION OF \$20,000 FOR THE FIRST GED SCHOLARSHIP RECIPIENTS IN SAN ANTONIO. LIONEL SOSA AND ASSOCIATES HAVE TAKEN A LEAD IN COMMUNITY EDUCATION, THEY HAVE OPENED THE DOORS TO HUNDREDS OF YOUNG PEOPLE, GIVING THEM THE OPPORTUNITY TO CONTINUE THEIR HIGHER EDUCATION.

THE CITY COUNCIL COMMENDS LIONEL SOSA AND ASSOCIATES FOR THEIR UNSELFISH COMMUNITY ENDEAVOR, AND EXTENDS BEST WISHES FOR THEIR CONTINUED SUCCESS.

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MIKE KELLY, RAINBO BAKING CO.

IN GRATEFUL APPRECIATION OF THEIR GENEROUS CONTRIBUTION OF \$20,000 FOR THE FIRST GED SCHOLARSHIP RECIPIENTS IN SAN ANTONIO. RAINBO BAKING COMPANY HAS TAKEN A LEAD IN COMMUNITY EDUCATION, THEY HAVE OPENED THE DOORS TO HUNDREDS OF YOUNG PEOPLE, GIVING THEM THE OPPORTUNITY TO CONTINUE THEIR HIGHER EDUCATION.

THE CITY COUNCIL COMMENDS MR. KELLY AND RAINBO BAKING COMPANY FOR THEIR UNSELFISH COMMUNITY ENDEAVOR, AND EXTENDS BEST WISHES FOR THEIR CONTINUED SUCCESS.

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Mayor Cisneros presented the special citation to Dr. Agnese and asked him to in turn present the special citations to Mr. Sosa and Mr. Kelly in appropriate ceremonies to be held at a later date. He then spoke of the physical assets of Incarnate Word College.

President Agnese thanked the City Council for the awards and to Mr. Lionel Sosa and to Rainbo Baking Co. for providing the scholarship grants to combat lack of education in San Antonio.

87-09PRESENTATION OF PLAQUE TO MR. FRANK KIOLBASSA

Mayor Cisneros noted that Southside Independent School District wishes at this time to make a special presentation to former city Public Works Director, Mr. Frank Kiolbassa.

A representative of the Southside Independent School District then spoke of Mr. Kiolbassa's excellent work in agreeing to meet with area residents where a portable wastewater treatment plant was to be located ahead of construction of the Dos Rios Wastewater Treatment Plant in the same area. He thanked Mr. Kiolbassa for his understanding and that understanding of a team of San Antonio Public Works employees who came together to meet with the citizens and work with them for the common good. He then presented the special plaque to Mr. Kiolbassa. Members of the City Council and members of the audience then joined in a round of applause for Mr. Kiolbassa.

Mayor Cisneros thanked the Southside Independent School District community leaders for their recognition of Mr. Kiolbassa for a job well

February 19, 1987
sr

done and he thanked Mr. Kiolbassa and his special team for its good work in community service in this effort.

87-09

LULAC

Mayor Cisneros noted that LULAC Council #2 had provided the noon meal for City Councilmembers on the occasion of the 58th anniversary of that organization. He then read a special proclamation designating February 15 - 21, 1987 as LULAC week in San Antonio and spoke to the history of the League of United Latin American Citizens and its struggle to bring about positive changes over the past 58 years. Mayor Cisneros and members of the City Council then presented the proclamation to a LULAC delegation and offered their individual congratulations.

Mr. Leon Hernandez, president of LULAC Council #2 thanked the city for the proclamation and spoke to the history of LULAC in San Antonio.

87-09

CONSENT AGENDA

Mrs. Dutmer made a motion to approve Agenda Items #4 - 35, constituting the Consent Agenda, with the exceptions of Items #14, 18, and 22. 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, Cisneros; NAYS: None; ABSENT: Thompson, Hasslocher.

AN ORDINANCE 64,547

ACCEPTING THE LOW BID OF FOREMOST DAIRIES, INC. TO FURNISH THE CITY OF SAN ANTONIO HUMAN RESOURCES DEPARTMENT WITH DAIRY PRODUCTS FOR A TOTAL OF \$56,276.40.

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AN ORDINANCE 64,548

ACCEPTING THE LOW BID OF RICHTER'S BAKERY TO FURNISH THE CITY OF SAN ANTONIO HUMAN RESOURCES DEPARTMENT WITH BAKERY PRODUCTS FOR A TOTAL OF \$11,369.50.

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AN ORDINANCE 64,549

ACCEPTING THE LOW BID OF HOPPSTETTER/M & M FOOD SERVICE TO FURNISH THE CITY OF SAN ANTONIO HUMAN RESOURCES DEPARTMENT WITH GROCERY PRODUCTS, FROZEN FOODS AND PAPER PRODUCTS FOR 34 NUTRITION CENTERS FOR AN ESTIMATED TOTAL OF \$155,103.85.

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AN ORDINANCE 64,550

ACCEPTING THE PROPOSAL OF UCCEL CORPORATION TO FURNISH THE CITY OF SAN ANTONIO INFORMATION RESOURCES DEPARTMENT WITH A MAINTENANCE AGREEMENT FOR THE TAPE MANAGEMENT SYSTEM FOR A TOTAL OF \$3,700.00.

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AN ORDINANCE 64,551

ACCEPTING THE PROPOSAL OF STANDARD AND POOR'S TO RENEW THE SUBSCRIPTION CONTRACT FOR FINANCIAL AND REFERENCE MATERIALS FOR THE CITY OF SAN ANTONIO PUBLIC LIBRARY FOR A TOTAL OF \$6,975.00.

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AN ORDINANCE 64,552

ACCEPTING THE LOW QUALIFIED BID OF JENDRY CONSTRUCTION TO FURNISH THE CITY OF SAN ANTONIO AVIATION DEPARTMENT WITH RECESSED CARPET MATTING FOR A TOTAL OF \$16,100.00.

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AN ORDINANCE 64,553

ACCEPTING THE LOW QUALIFIED BID OF DAVIS/EMU TO FURNISH THE CITY OF SAN ANTONIO ENVIRONMENTAL MANAGEMENT DEPARTMENT WITH PORTABLE SUBMERSIBLE PUMPS FOR A TOTAL OF \$16,081.35.

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AN ORDINANCE 64,554

ACCEPTING THE LOW BID OF DUB ACTKINSON EQUIPMENT

COMPANY TO FURNISH THE CITY OF SAN ANTONIO
AUTOMOTIVE OPERATIONS DIVISION AND ENVIRONMENTAL
MANAGEMENT DEPARTMENT WITH AIR COMPRESSORS FOR A
TOTAL OF \$9,433.50

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AN ORDINANCE 64,555 .

AUTHORIZING THE CITY MANAGER TO EXECUTE FIELD
ALTERATION NO. 3 IN THE AMOUNT OF \$19,780.00 TO THE
CONTRACT FOR THE JOHN CAPE ROAD STREET AND DRAINAGE
IMPROVEMENTS AT THE INTERNATIONAL AIRPORT;
AUTHORIZING ADDITIONAL ENGINEERING FEES;
APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 64,556 .

APPROVING FIELD ALTERATION NO. 3, IN THE AMOUNT OF
\$104,228.00 TO THE CONTRACT FOR THE ALL WEATHER
ACCESS ROAD, UTILITY UPGRADING & MODIFICATIONS AT
INTERNATIONAL AIRPORT; AUTHORIZING ADDITIONAL
ENGINEERING FEES; APPROPRIATING FUNDS AND PROVIDING
FOR PAYMENT.

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AN ORDINANCE 64,557 .

AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER
#3 IN THE AMOUNT OF \$46,164.37 TO THE CONTRACT WITH
FRU-CON CONSTRUCTION FOR THE DOS RIOS FACILITY
CONTRACT 4A.

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AN ORDINANCE 64,558 .

AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER
#6 IN THE AMOUNT OF \$34,400.00 TO THE CONTRACT WITH
BASIC CONSTRUCTORS, INC., FOR CONSTRUCTION WORK AT
THE LEON CREEK ADVANCED SECONDARY TREATMENT PLANT.

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AN ORDINANCE 64,559 .

AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER
#7 IN THE AMOUNT OF \$34,505.00 TO THE CONTRACT WITH

BASIC CONSTRUCTORS, INC., FOR A BELT FILTER PRESS AND CONSTRUCTION WORK AT THE LEON AND SALADO CREEK TREATMENT PLANT.

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AN ORDINANCE 64,560

ACCEPTING THE PROPOSAL OF FISK ELECTRIC COMPANY IN THE AMOUNT OF \$11,915.00 TO UPGRADE INCOMING ELECTRICAL SERVICE TO THE CITY HALL ANNEX.

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AN ORDINANCE 64,561

AUTHORIZING PAYMENT OF \$1,300.00 TO PROFESSIONAL INDUSTRIES, INC., FOR ADDITIONAL MATERIALS TESTING DURING CONSTRUCTION OF FIVE FIRE STATIONS AND TWO POLICE SUBSTATIONS.

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AN ORDINANCE 64,562

ACCEPTING THE PROPOSAL OF THE UTSA CENTER OF ARCHAEOLOGICAL RESEARCH IN THE AMOUNT OF \$18,542.00 FOR ARCHAEOLOGICAL INVESTIGATION SERVICES RELATED TO THE MARTIN STREET/BOWIE STREET CONNECTION PROJECT.

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AN ORDINANCE 64,563

ACCEPTING THE LOW QUALIFIED BID OF QUEST UTILITY CORPORATION TO RECONSTRUCT N.W. 25TH, N.W. 26TH AND POPLAR STREETS IN CONNECTION WITH THE ROSEDALE AREA STREETS AND DRAINAGE PROJECT IN THE AMOUNT OF \$825,173.32 AUTHORIZING A MISCELLANEOUS CONSTRUCTION CONTINGENCY; AND AMENDING THE PROFESSIONAL SERVICES CONTRACT WITH VICKREY & ASSOCIATES TO PROVIDE A LUMP SUM PAYMENTS IN CONNECTION WITH SAID PROJECT.

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AN ORDINANCE 64,564

AUTHORIZING THE CITY MANAGER TO EXECUTE FIELD ALTERATION NO. 7 TO THE CONTRACT WITH KUNZ CONSTRUCTION COMPANY, INC. IN THE AMOUNT OF

\$17,647.00 FOR CONSTRUCTION WORK RELATED TO THE
HEMISFAIR PARK HARDSCAPE PROJECT.

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AN ORDINANCE 64,565 .

AUTHORIZING THE CITY MANAGER TO EXECUTE FIELD
ALTERATION NO. 6 TO THE CONTRACT WITH UTILITIES
CONSOLIDATED, INC., IN THE AMOUNT OF \$18,566.25 TO
RELOCATE FENCING IN CONNECTION WITH THE WESTSIDE
EXPRESSWAY RIGHT-OF-WAY CLEARANCE PROJECT, PHASE I.

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AN ORDINANCE 64,566 .

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$21,700.00
OUT OF GENERAL OBLIGATION BONDS FOR THE PURPOSE OF
ACQUIRING TITLE AND/OR EASEMENTS TO CERTAIN LANDS IN
CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS.

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AN ORDINANCE 64,567 .

GRANTING AND MANIFESTING A LICENSE TO HALO
DISTRIBUTING COMPANY AND MISSOURI PACIFIC RAILROAD,
TO USE PUBLIC STREET RIGHT OF WAY TO CONSTRUCT
AND/OR RELOCATE A RAILROAD SPUR, FENCE AND RETAINING
WALL, ACROSS SAN MARCOS AND LOMBRANO STREETS, IN NEW
CITY BLOCKS 207,208,1014 AND 2080.

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AN ORDINANCE 64,568 .

AMENDING AND EXTENDING FOR ONE YEAR THAT LICENSE
AGREEMENT WITH RIVER ART GROUP FOR CONDUCT OF THE
1987 RIVER ART SHOW.

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AN ORDINANCE 64,569 .

AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT
WITH THE U.S. CONFERENCE OF MAYORS TO ESTABLISH A
DEFERRED COMPENSATION PLAN.

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AN ORDINANCE 64,570

AUTHORIZING PAYMENT OF REFUNDS TO PERSONS MAKING OVERPAYMENTS OR DOUBLEPAYMENTS ON 244 TAX ACCOUNTS.

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AN ORDINANCE 64,571

AMENDING LEASE NO. 122022 WITH BEECH HOLDINGS, INC. FOR LEASE OF GROUND SPACE AT SAN ANTONIO INTERNATIONAL AIRPORT.

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AN ORDINANCE 64,572

APPROVING THE ASSIGNMENT OF CERTAIN AGREEMENTS AT SAN ANTONIO INTERNATIONAL AIRPORT FROM CONINE RENTALS, INC. DBA BUDGET RENT A CAR OF SAN ANTONIO TO SATRAC, INC. AND AMENDING LEASE NO. 12055 THEREWITH FOR LEASE OF GROUND SPACE AT THE AIRPORT.

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AN ORDINANCE 64,573

AMENDING LEASE NO. 111125 WITH TEXAS NATIONAL AIRLINES, INC. FOR LEASE OF SPACE IN TERMINAL 2 AT SAN ANTONIO INTERNATIONAL AIRPORT.

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AN ORDINANCE 64,574

AUTHORIZING REIMBURSEMENT OF \$5,191.20 TO MORTON SOUTHWEST FOR SEWER PLATTING FEES PAID ON THE NEW TERRITORIES COMMERCIAL UNIT I SUBDIVISION.

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AN ORDINANCE 64,575

CLOSING THE AUDITORIUM CIRCLE, THE CONNECTOR RIGHT-OF-WAY BETWEEN MUNICIPAL AUDITORIUM AND THE PLAZA FROM 10:00 A.M. TO 12:00 NOON ON MAY 11, 1987, IN CONNECTION WITH THE ARMED FORCES WEEK ACTIVITIES; AND GRANTING PERMISSION TO PARK V.I.P. VEHICLES

ALONG THE NORTH CURB LINE OF E. MARTIN STREET
BETWEEN NAVARRO AND AVENUE A.

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87-09 The Clerk read the following Ordinance:

AN ORDINANCE 64,576

AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER
#1 IN THE AMOUNT OF \$34,922.75 TO THE CONTRACT WITH
DACOM COMPANY FOR THE LANDA RECONSTRUCTION PROJECT.

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

In response to a question by Mrs. Berriozabal, Mr. Frank
Kiolbassa, Director of Environmental Management, briefly explained the
need for this change order in the Landa Reconstruction Project.

Mrs. Berriozabal stated that she would like to have a citizens
meeting held in areas involved in Agenda Items #14, 18 and 22 in order to
better explain the projects and their impact to area citizens. She then
explained the resurgence of business activity on N. St. Mary's Street and
the consequent influx of automobiles into the area. She stated that
neighbors in that vicinity want to work with the city staff and with area
contractors working on public works projects in the area and to discuss
what inconveniences will be caused by this construction because of the
advent of the construction and the heavy traffic.

Mr. David Steitle, Director of Public Works, stated that city
staff would be happy to work with all parties to ease the burden of
construction in this area.

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

87-09 The Clerk read the following Ordinance:

AN ORDINANCE 64,577

ACCEPTING THE LOW QUALIFIED BID OF H.B. ZACHRY

COMPANY TO CONSTRUCT THE ASHBY STREET DRAINAGE PROJECT 30 & 31 IN THE AMOUNT OF \$2,775,772.50; AUTHORIZING A CONSTRUCTION CONTINGENCY ACCOUNT; AND AUTHORIZING PAYMENT OF \$35,000.00 TO OZUNA & ASSOCIATES, INC., FOR CONSTRUCTION SUPERVISION ENGINEERING SERVICES IN CONNECTION WITH SAID PROJECT.

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

87-09 The Clerk read the following Ordinance:

AN ORDINANCE 64,578

ACCEPTING THE LOW QUALIFIED BID OF R.L. JONES CO., INC., IN THE AMOUNT OF \$2,049,087.14 TO CONSTRUCT THE PEREZ/W. MARTIN/BLUERIDGE STREETS PROJECT; AND AUTHORIZING A MISCELLANEOUS CONSTRUCTION CONTINGENCY ACCOUNT.

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

87-09 ZONING HEARINGS

36. CASE Z87019 - to rezone Lot 1, Block 17, NCB 16527, Corner of Suzette Avenue and Orr Drive, from Temporary "R-1" One Family Residence District to "B-2" Business District, located south of the intersection of Suzette Avenue and Orr Drive, having 175' on Suzette Avenue, 200' on Orr Drive and 50' on the cut back at this intersection.

February 19, 1987
sr

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

Mr. Andy Guerrero, Planner III, spoke to the reasons for city staff opposition to the requested rezoning including the predominant development of single family homes in this area.

In response to a question by Mr. Thompson, the proponent, Mr. Cesario Ordonez explained his plan to operate a grocery store on the site.

Mr. Thompson made a motion to approve the rezoning request. Mrs. Dutmer seconded the motion.

Mr. Thompson stated that he feels this will actually upgrade the area and many persons in the area had signed petitions in support of this grocery store project.

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

AN ORDINANCE 64,579

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 1, BLOCK 17, NCB 16527, CORNER OF SUZETTE AVENUE AND ORR DRIVE, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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37. CASE 287016 - to rezone the west 125' of Lots 1 and 2, Block 10, NCB 12877, from "A" Single Family Residence District to "I-1" Light Industry District, located on the southeast corner of Eunice Street and S.E. Loop 410, having 41.7' on S.E. Loop 410, 90' on Eunice Street and 58.56' on the cutback at this intersection.

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

Mrs. Dutmer made a motion to approve rezoning to "B-3NA" Business District, Non-Alcoholic Sales District, in lieu of the requested "I-1"

Light Industry District. Ms. Vera seconded the motion.

Mr. Tom Evans, the proponent, displayed photographs of the outside display of tubs and sinks plan for this project.

Mr. Andy Guerrero, Planner III, stated that the outside display that he requests can be accomplished under "B-3NA".

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

AN ORDINANCE 64,580

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 WEST 125' OF LOTS 1 AND 2, BLOCK 10, NCB 12877, FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES DISTRICT, PROVIDED THAT ACCESS FROM EUNICE STREET IS SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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38. CASE Z87009 - to rezone a 17.54 acre tract of land out of CB 4782 from Temporary "R-1" ERZD One Family Residence Edwards Recharge Zone District to "B-3" ERZD Business Edwards Recharge Zone District; a 16.14 acre tract of land out of CB 4782, from Temporary "R-1" ERZD One Family Residence Edwards Recharge Zone District to "I-1" ERZD Light Industry Edwards Recharge Zone District, 18600 Block of N.W. Military Hwy., located between N.W. Military Hwy. (F.M. 1535) and San Antonio City Limits line, having a maximum width of 500' and a length of 3408.95'.

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

Mr. Harrington made a motion to approve the recommendation of the Zoning Commission provided that driveway approval is secured from the State Department of Highway and Public Transportation, and that off-street parking is provided and submitted for approval by the Traffic Engineering

February 19, 1987
sr

Division. Further provided that the applicant work with the Aquifer Protection Office on development plan requests. Ms. Vera seconded the motion.

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

AN ORDINANCE 64,581

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 17.54 ACRE TRACT OF LAND OUT OF CB 4782, FROM TEMPORARY "R-1" ERZD ONE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "B-3" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT; A 16.14 ACRE TRACT OF LAND OUT OF CB 4782, FROM TEMPORARY "R-1" ERZD ONE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "I-1" ERZD LIGHT INDUSTRY EDWARDS RECHARGE ZONE DISTRICT, IN THE 18600 BLOCK OF NORTHWEST MILITARY HIGHWAY, PROVIDED THAT DRIVEWAY APPROVAL IS SECURED FROM THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION, AND THAT OFF-STREET PARKING IS PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION. FURTHER PROVIDED THAT THE APPLICANT WORK WITH THE AQUIFER PROTECTION OFFICE ON DEVELOPMENT PLAN REQUESTS. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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39. CASE 287015 - to rezone an 11.160 acre tract of land out of CB 4786, from Temporary "R-1" ERZD One Family Residence Edwards Recharge Zone District to "B-3" ERZD Business Edwards Recharge Zone District, located on the northwest corner of Bitters Road and Huebner Road, having 620.86' on Huebner Road and 728.33' on Bitters Road.

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

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

Further provided that the applicant work with the Aquifer Protection Office on development plan requests. Ms. Vera seconded the motion.

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

AN ORDINANCE 64,582

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 AN 11.160 ACRE TRACT OF LAND OUT OF CB 4786, FROM TEMPORARY "R-1" ERZD ONE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "B-3" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION. FURTHER PROVIDED THAT THE APPLICANT WORK WITH THE AQUIFER PROTECTION OFFICE ON DEVELOPMENT PLAN REQUESTS. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00"

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40. CASE Z87017 - to rezone the east 150' of Lots 1 and 2, Block 3, NCB 12155, from "A" Single Family Residence District to "B-2" Business Distict; Lots 1 and 2, save and except the east 150', Block 3, NCB 12159, from "A" Single Family Residence District to "R-4" Mobile Home Residence District, 2713 S.W.W. White Road, located on the southwest corner of Rachel Drive and S.W.W. White Road, having 337.7' on Rachel Drive and 257.0' on S.W.W. White Road.

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

In response to a question by Mrs. Dutmer, Mr. Andy Guerrero, Planner III, stated that city staff is recommending "R-4" for the property because part of the property already has mobile homes located on it. He also stated that staff feels it will provide an adequate buffer between business and nearby residential areas.

Mrs. Dutmer spoke against "R-4" on the property noting that the mobile homes are located on property which is zoned "A" even though they have non-conforming uses.

Mrs. Dutmer made a motion to approve Lots 1 and 2, save and except the east 150', Block 3, NCB 12159, 2713 S.W.W. White Road to "R-2" Two Family Residence District, in lieu of the requested "R-4" Mobile Home Residence District. Mr. Wing seconded the motion.

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

AN ORDINANCE 64,583

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE EAST 150' OF LOTS 1 AND 2, BLOCK 3, NCB 12159, FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT; LOTS 1 AND 2, SAVE AND EXCEPT THE EAST 150', BLOCK 3, NCB 12159, 2713 SOUTH W.W. WHITE ROAD, FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "R-2" TWO FAMILY RESIDENCE DISTRICT, PROVIDED THAT OFF-STREET PARKING IS PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION, AND THAT SUFFICIENT STREET DEDICATION IS GIVEN, IF NECESSARY. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

41. CASE Z87018 - to rezone a 2.883 acre tract of land out of CB 4433, from Temporary "R-1" One Family Residence District to "B-2NA" Non-Alcoholic Sales Business District; a 0.709 acre tract of land out of CB 4433, from Temporary "R-1" One Family Residence District to "B-3R" Restrictive Business District, located on the northwest side of VanNess Drive between Culebra Road and Stedwick Drive, having 677.39' on VanNess Drive 300' on Culebra Road and 166.99' on Stedwick Drive.

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

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

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

AN ORDINANCE 64,584

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 2.883 ACRE TRACT OF LAND OUT OF CB 4433 FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-2NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES; AND A 0.709 ACRE TRACT OF LAND OUT OF CB 4433 FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00"

* * * *

42. CASE Z87020 - to rezone Lots 5 and 6, Block 14, NCB 808, 419 Camden, from "R-3" Multiple Family Residence District to "O-1" Office District, located on the northwest side of Camden Street, being 47.7' southwest of Baltimore Avenue, having 95.2' on Camden and a depth of 112'.

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

Mrs. Berriozabal made a motion to approve the recommendation of the Zoning Commission provided that proper parking ratios 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: Berriozabal, Dutmer, Wing, Martinez, Vera, Harrington, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: Webb, Thompson.

AN ORDINANCE 64,585

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF

THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 5 AND 6, BLOCK 14, NCB 808, 419 CAMDEN STREET, FROM "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT, PROVIDED THAT PROPER PARKING RATIOS ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00"

* * * *

87-09 The Clerk read the following Ordinance:

AN ORDINANCE 64,586 .

.
ACCEPTING THE HIGH BID(S) RECEIVED IN CONNECTION WITH CITY FUNDS AVAILABLE FOR DEPOSIT IN INTEREST-BEARING CERTIFICATES OF DEPOSIT.

* * * *

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

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

87-09 The Clerk read the following Ordinance:

AN ORDINANCE 64,587 .

.
AUTHORIZING THE CITY MANAGER TO ACCEPT PROGRAM YEAR 1986 CARRYOVER FUNDS IN THE AMOUNT OF \$583,129.00 UNDER TITLE II-A OF THE JOB TRAINING PARTNERSHIP ACT (JTPA) FOR THE PERIOD OF JULY 1, 1986 TO JUNE 30, 1987; ACCEPTING BONUS INCENTIVE FUNDS GIVEN TO THE ALAMO SERVICE DELIVERY AREA (SDA)/PRIVATE INDUSTRY COUNCIL (PIC) IN THE AMOUNT OF \$288,251.00 FOR THE SAME PERIOD; AND AUTHORIZING THE CITY MANAGER TO AMEND THE CURRENT BUDGET TO REFLECT THE CHANGES IN ALLOCATION AND ENTER INTO CONTRACTS WITH SERVICE

00063

PROVIDERS WHO HAVE BEEN IDENTIFIED BY THE ALAMO PIC.

* * * *

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

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

- - -
87-09 The Clerk read the following Ordinance:

AN ORDINANCE 64,588 .

.
AUTHORIZING PAYMENT OF THE JUDGMENT IN CITY OF SAN ANTONIO V. HAMILTON, ET AL., CAUSE NO. 84-CI-3738.

* * * *

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

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

- - -
87-09 The Clerk read the following Ordinance:

AN ORDINANCE 64,589 .

.
AUTHORIZING THE INSTALLATION OF A TRAFFIC SIGNAL AT THE INTERSECTION OF SAN PEDRO AND W. WILDWOOD AND AUTHORIZING THE EXPENDITURE OF \$12,993.53 FOR SAID INSTALLATION.

* * * *

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

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

NAYS: None; ABSENT: Webb, Thompson.

87-09 The Clerk read the following Ordinance:

AN ORDINANCE 64,590

APPROPRIATING FUNDS NECESSARY TO PAY FOR SEWER FACILITIES AND SYSTEMS ACQUIRED AS A RESULT OF ANNEXATION OF ENCINO PARK MUNICIPAL UTILITY DISTRICTS TWO AND THREE AND PURSUANT TO JUDGMENT IN CAUSE NO. 85-CI-20260 IN THE 57TH JUDICIAL DISTRICT COURT OF BEXAR COUNTY, TEXAS.

* * * *

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

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

87-09 The Clerk read the following Ordinance:

AN ORDINANCE 64,591

APPOINTING MARIA WATSON TO SERVE ON THE RIVERWALK COMMISSION FOR A TERM TO EXPIRE ON OCTOBER 31, 1987.

* * * *

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

87-09 The Clerk read the following Ordinance:

AN ORDINANCE 64,592

APPOINTING DON STOOPS TO SERVE ON THE INDUSTRIAL WASTEWATER REVIEW BOARD FOR A TERM TO EXPIRE ON JANUARY 17, 1989.

* * * *

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

87-09 The Clerk read the following Resolution:

A RESOLUTION 87-09-10

REQUESTING THE CITY WATER BOARD TO INCLUDE FUNDING FOR MAIN EXTENSIONS TO EAST COMMERCE ESTATES IN THE NEXT BOND ISSUE AS PART OF THE HARDSHIP PROGRAM.

* * * *

Mayor Cisneros spoke to details of the proposed agreement worked out over the past weekend which would allow needed water to be supplied to East Commerce Estates. He stated that City Water Board would agree to put onto its next bond issue the matter of supplying approach mains in this area as a hardship matter.

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

Mr. Louis J. Fox, City Manager, asked for Council approval also to oversize the water mains into this area as requested by city staff.

Following discussion the maker and seconder of the motion agreed to include that amendment in their original motion.

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

87-09 The Clerk read the following Resolution:

A RESOLUTION 87-09-11

REQUESTING THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION TO TEMPORARILY DELAY THE LETTING OF BIDS ON THE BUENA VISTA STREET OVERPASS TO ALLOW FOR EVALUATION OF THE RESULTS OF A TRANSPORTATION STUDY OF CATTLEMAN'S SQUARE.

* * * *

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

Mr. Martinez explained the need to delay repair of the Buena Vista overpass at this time and he spoke to new development of this area and the need for a full traffic plan and transportation study of traffic in the area. He stated that a delay, in his opinion, would not cause any loss of money on this project.

Mr. David Steitle, Director of Public Works, discussed all traffic and transportation issues must be explored in this area and spoke to the impact of any possible delays.

Mr. Fox stated that if the City Council desires he will ask the Highway Department to delay the construction project on the Buena Vista overpass and to come back next week with recommendations on how to handle this.

Mr. Steitle spoke to the delapidated condition of the overpass and noted that is a factor to be considered in any possible delay.

In response to a question by Mrs. Dutmer, Mr. Steitle estimated a \$25,000 to \$35,000 cost figure for an outside traffic and transportation study of that entire area.

Mrs. Dutmer voiced her concern with any plan to remove the overpass and to return to surface transportation and crossings of the many railroad tracks in the area since future use of the railroads in the area still is unknown. She spoke against the resolution requesting the temporary delay.

Mr. Thompson stated that he feels the city can do without the overpass as recommended by the Council's Railroad Task Force. He stated further that he feels the overpass can be shortened to fit into a new traffic pattern for this newly developed area if necessary. He spoke in favor of a delay at this time in the repair of the overpass and the implementation of a full traffic and transportation study for the area.

Mr. Martinez reiterated his own assessment of the need for a delay at this time.

Mrs. Berriozabal spoke in support of the motion for the delay to allow the Railroad Task Force time to see and investigate the matter fully.

Mr. Labatt spoke in support of the delay, stating that he feels the Cattleman's Square organization perhaps should pay for a portion of a transportation study in this area.

Mr. Tim Haegelin, General Manager, San Antonio City Employees Federal Credit Union, and Vice President of the Cattleman's Square association spoke in support of the plan to look at a transportation plan for the area and stated that he would commit funds of this organization to help fund this study.

Mrs. Dutmer then spoke against the plan until the funds are finally identified.

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

87-09

VICI PROGRAM

Mr. Louis J. Fox, City Manager, spoke to the city's current disagreement with the department of Housing and Urban Development concerning definitions involved in the "Ventures in Community Improvements Program", as well as the city's feeling that the VICI program while it has its shortcomings is still a sound program in his opinion and he feels that HUD is wrong in its stance in this matter.

Mr. Drew Cameron, Budget and Research Department, spoke of the city facing two possible alternatives at this time; 1. to dismantle the program. 2. to continue working with HUD to seek a favorable determination or a restructure in and scale down of the VICI program so that it can be administered within existing program income requirements.

Mr. Wing made a motion in support of recommendations #2 and #3, being continuing to seek a favorable determination from HUD on the program income issue and to work with the VICI program administrators in attempt to restructure and or scale down the VICI program so that it can be effectively administered within the existing program income requirements. Mrs. Berriozabal seconded the motion.

Mr. Wing stated that it perhaps would be a good idea for city officials who will be in Washington, D.C. for National League of Cities

February 19, 1987
sr

meeting shortly to seek to work out a possible solution to the program question while they are in Washington.

Mrs. Dutmer stated that she would like to hear HUD's response to and reasoning in this matter.

Mr. Fox noted that the disagreement is over how you calculate the cost to train each participant, noting that HUD representatives have not agreed to come before City Council in order to explain their stance in this matter.

Mrs. Dutmer stated that she feels the cost to train each participant is too high but she would support allowing San Antonio representatives to work with HUD in Washington to perhaps reverse their current stand. She stated further that, in her opinion, if this is not changed by that time, then she will support termination of the program.

In response to a question by Mrs. Berriozabal, Mr. Alex Briseno, Assistant City Manager, stated that the program has been stopped for lack of funds at this time.

Father Curry, the Director of the program, explained the shut-down of the program at present, noting that there are two similar sessions being administered through Palo Alto College at this time that eight women are enrolled in the October class, twelve are enrolled in the December class, and that, in his opinion, there is no problem with attracting applicants to this area.

A discussion then took place on the number of women in the program and the type of training received by the participants.

Mrs. Dutmer expressed concern about continuation of the funding to this particular program.

After further discussion, the motion, prevailed by the following vote: AYES: Berriozabal, Webb, Wing, Martinez, Thompson, Vera, Labatt, Cisneros; NAYS: Dutmer; ABSENT: Harrington, Hasslocher.

The City Council adjourned at 3:10 P.M. in order to convene a Special Meeting, reconvening at 5:19 P.M. for Citizens to be Heard.

87-09

CITIZENS TO BE HEARD

MR. JESUS CASTILLO

Mr. Castillo, Farmers Market Tenant Association, read a prepared statement to City Council asking that his association be allowed to conduct Fiesta Week activities in the Farmers Market this year with 70% of the proceeds going to the city and 30% to the association, (a copy of his statement is made a part of the papers of this meeting). Mr. Castillo asked that the current contract with the Market Square Association and the El Mercado Merchants Association be amended to allow the Farmers Market Tenants Association to take part in this and he spoke to how 30% of the proceeds would be spent.

Mr. Robert Tagle, Market Square Manager, distributed copies of a memorandum to the City Council, (a copy of which is made a part of the papers of this meeting). He spoke to the motivation of the Farmers Market Tenants Association and of Mr. Castillo and spoke of the five year contract currently held with the Market Square Association and the El Mercado Merchants Association to conduct Fiesta Week activities and the negotiations on a new contract which are now underway with those two groups. He noted that the Market Advisory Board next meets on March the 3rd.

Mr. Wing stated that, in his opinion, the City Council needs to let the Market Advisory Board study this and make recommendation of actions to the City Council. He stated further that he feels that there is no conflict involved with other groups and he wants to help the Farmers Market Tenants Association in this matter. He stated that he personally would agree to appear before the Market Advisory Board in support of this request.

In response to a question by Mrs. Berriozabal, Mr. Tagle stated that this matter is on the agenda for the March 3rd Advisory Board meeting.

Mrs. Berriozabal stated that she wants the Market Advisory Board to discuss the matter and make recommendations to the Council in this matter. She noted that the task force has been assembled to look at all aspects of this matter.

* * * *

MS. LUCILLE DYESS

Ms. Dyess noted that the Bexar Appraisal District has notified flea market operators that it will begin collecting so called "commercial personal property" taxes from flea market operators. She stated at this time no one at the Bexar Appraisal District will discuss this matter with her and she has been informed that a mailout notice will be sent to those in May concerned and to those who wish to make appeal to the Bexar Appraisal District. She stated her opinion that if inside flea market operators such as her are going to be taxed then outside flea market operators also need to be taxed.

February 19, 1987
sr

Mr. Louis J. Fox, City Manager, stated that he would direct Ms. Dyess to the Bexar Appraisal District and he noted that state law governs appraisals and involves appraisal districts by law and the City Council has no input in this matter. He noted that Bexar Appraisal District sets property values and the city then from that value sets its own taxes.

Ms. Dyess stated that she feels Bexar Appraisal District is going to tax her flea market which is inside a building while not taxing open air flea markets at the same time.

* * * *

MR. JEFF JACKSON

Mr. Jackson stated that he is a sub-lessee of Cable channel 17 on the Rogers Cable Systems and noted that Channel 17 programming has been cut back in its available prime time air time by Rogers and he would like to have it restored. He stated that he has been informed that Rogers Cablevision will terminate his access completely on March 5th. He spoke to the spanish language service to the community provided by his organization. He wants the City Council to intercede with Rogers Cablevision and especially with Mr. Cipriano Guerra, a consultant with Rogers Cablevision.

Mr. Wing stated that he has spoken with several persons involved in the matter and it was a question of default on the contract by the main lessee of the channel according to Mr. Guerra.

Mr. Jackson stated that Roger's plans to put Galavision on channel 17 24 hours a day in lieu of allowing current local programming. He stated that he has just taken over the channel as a sub-lessee from Reverend Valenzuela who holds the prime lease to channel 17 and that he plans to offer quality spanish language programs.

Mr. Wing and Mr. Webb both offered to meet and to talk with Mr. Guerra to discuss this matter.

In response to a question by Mr. Thompson, Mr. Jackson noted that the Cable Television Advisory Board is in support of his stance in this matter.

In response to a question by Mrs. Berriozabal, Mr. Jackson discussed his plans for new spanish language programming if allowed.

Mr. Martinez stated that he would assist in solving this matter if possible.

* * * *

MR. RAYMOND A. DESCH

Mr. Desch provided a one page handout to members of the City Council and spoke to his concern that the city is planning to hire two new Municipal Court judges. He stated that he personally feels that some judges and prosecutors in Municipal Court are not now doing an effective job and stated that he had written this to Mr. Fox, the City Manager, but has yet received no reply, (copy of the handout as provided by Mr. Desch, is made a part of the papers of this meeting).

Mr. Hasslocher stated that he would see that Mr. Wing's committee sees copies of this particular handout.

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There being no further business to come before the City Council, the meeting was adjourned at 6:02 P.M.

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A P P R O V E D

Henry Cisneros
M A Y O R

ATTEST: *Norma S. Rodriguez*
C i t y C l e r k