

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, JANUARY 29, 1987.

* * * *

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.

* * * *

87-05 The invocation was given by Reverend Jim Singleton, First Presbyterian Church.

87-05 The members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

87-05 CITATION - BYRON LEFLORE

Mayor Henry Cisneros spoke of the structure of Centro 21. He spoke to the revitalization of downtown. He spoke of the workings and Accomplishments of Mr. Byron Leflore, outgoing chairman of Centro 21. He then presented the following citation to Mr. Leflore:

Mr. Leflore spoke of Mr. Randy Harig the new chairman of Centro 21, present in the audience today. He spoke of his accomplishments and congratulated him for his appointment as the new chairman of Centro 21.

Mr. Labatt stated that Mr. Leflore will be the new chairman of the Fiesta Committee this year.

Individual Councilmembers congratulated Mr. Leflore.

Mr. Leflore thanked the City Council for the citation and expressed his appreciation for the Council's cooperation and the opportunity to serve on Centro 21. Mr. Leflore then presented a report on the progress of the Centro 21 Task Force, (a copy of which is made a part of the papers of this meeting).

Mayor Cisneros stated that without Mr. Leflore's dedication, and the support of the Councilmembers the downtown area would not be revitalized. He then introduced Mr. Randy Harig, the new chairman for

Centro 21.

Mr. Harig spoke of working with Centro 21 for two and one half years. He spoke of working with the downtown merchants and of his hopes and expectations to revitalize the area.

87-05

GO WESTERN, GO RODEO DAYS

Mayor Cisneros spoke of the upcoming Rodeo in San Antonio. He then introduced Ms. Kay Floyd, of Kay Floyd & Associates.

She spoke of the Cowboy Breakfast to be held this year on February 6 at Central Park Mall. She and members of her delegation presented gifts to the City Councilmembers in commemoration of Go Western, Go Rodeo Days.

Mayor Cisneros read the proclamation designating Go Western, Go Rodeo Days in San Antonio. He then welcomed Ms. Mary Nan West, present in the audience today.

Ms. Mary Nan West invited the Councilmembers and the citizens of San Antonio to the Stock Show and Rodeo. She noted that a change this in this year's festivities will be the date for the Rodeo parade which will be held on Thursday at 1:00 P.M. instead of the usual Friday. She then spoke of the many outstanding performers who are scheduled for the Stock Show & Rodeo this year.

87-05

CLEAN AND BEAUTIFUL AWARD

Ms. Bonita Turner, Executive Director of San Antonio Clean and Beautiful, Inc. spoke of the background of the award and of the merits for receiving this award.

Mayor Cisneros then presented the 1986 Clean and Beautiful Apartment Award for outstanding achievements in property maintenance to Mr. Walter Embrey, Developer and Builder of Altamonte Apartments and Mr. Barry Gillingwater, President of Gillingwater Management and representatives of Altamonte Apartments. Mayor Cisneros congratulated Mr. Embrey and spoke of his accomplishments as a developer in the San Antonio area.

Mrs. Berriozabal thanked Mr. Embrey, the San Antonio Apartment Association and San Antonio Clean & Beautiful, Inc. for the care and consideration they have extended to the tenants who live in the various apartment complexes in San Antonio.

87-05 The approval of the minutes of Regular City Council Meetings of January 8, 1987 and January 15, 1987 were approved.

87-05 CONSENT AGENDA

Mr. Harrington made a motion to approve Agenda Items #6 - 31, constituting the Consent Agenda, with the exception of Items 11, 12, 16, 21, 29, and 31. Mr. Hasslocher seconded the motion.

Agenda Items #26, 27 and 28 were previously pulled by the City Manager.

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

AN ORDINANCE 64,411

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH TRAFFIC ENGINEERS, INC., IN THE AMOUNT OF \$75,000.00 TO PROVIDE ENGINEERING DESIGN AND CONSTRUCTION SUPERVISION SERVICES FOR 16 INTERSECTIONS THROUGHOUT THE CITY AS PART OF THE TRAFFIC SIGNALIZATION PROGRAM, FY 86-87.

* * * *

AN ORDINANCE 64,412

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH WALTER P. MOORE & ASSOCIATES IN THE AMOUNT OF \$70,000.00 TO PROVIDE ENGINEERING DESIGN AND CONSTRUCTION SUPERVISION FOR 15 INTERSECTIONS THROUGHOUT THE CITY AS PART OF THE TRAFFIC SIGNALIZATION FY 86-87.

* * * *

AN ORDINANCE 64,413

AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH GARCIA AND WRIGHT CONSULTING ENGINEERS, INC., IN THE AMOUNT OF \$56,000.00 TO PROVIDE PLANS AND SPECIFICATIONS FOR THE ORTS SANITARY SEWER REHABILITATION PROJECT;

AUTHORIZING AN ADDITIONAL \$5,600.00 FOR THE
ENGINEERING CONTINGENCY; AND \$250.00 FOR BID
ADVERTISING.

* * * *

AN ORDINANCE 64,414 .

AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT
ORDER NO. 10 IN THE AMOUNT OF \$66,177.00 FOR THE DOS
RIOS WASTEWATER TREATMENT FACILITY, CONTRACT 2.

* * * *

AN ORDINANCE 64,415 .

AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT
CHANGE ORDER NO. 2, IN THE AMOUNT OF \$20,720.00, FOR
THE SALADO CREEK WASTEWATER TREATMENT PLANT ADVANCED
SECONDARY TREATMENT FACILITIES.

* * * *

AN ORDINANCE 64,416 .

APPROPRIATING FUNDS AND AUTHORIZING EXECUTION OF
FIELD ALTERATION NO. 3 TO THE O'CONNOR ROAD -
NACOGDOCHES TO STAHL PROJECT IN THE AMOUNT OF
\$45,000.00.

* * * *

AN ORDINANCE 64,417 .

AUTHORIZING EXECUTION OF FIELD ALTERATION NO. 14 TO
THE E. COMMERCE STREET DRAINAGE 13A & 13B PROJECT IN
THE AMOUNT OF \$103,337.92.

* * * *

AN ORDINANCE 64,418 .

ACCEPTING A CONTRIBUTION IN THE AMOUNT OF \$31,917.16
FROM THE SAN ANTONIC PEDIATRICS CENTER VENTURE AND
AWARDING A CONSTRUCTION CONTRACT FOR THE EAST
BEVERLY MAE DRAINAGE PROJECT TO ROSS EXCAVATING AND
HAULING, INC. IN THE AMOUNT OF \$29,015.60; AND
PROVIDING AN ADDITIONAL \$2,901.56 FOR A
MISCELLANEOUS CONSTRUCTION CONTINGENCY.

* * * *

AN ORDINANCE 64,419

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$62,800.00 OUT OF SEWER FUNDS FOR THE PURPOSE OF ACQUIRING FEE TITLE AND/OR EASEMENTS TO CERTAIN LANDS; ACCEPTING THE DEDICATION OF EASEMENTS TO CERTAIN LANDS; ALL IN CONNECTION WITH CERTAIN WASTEWATER PROJECTS.

* * * *

AN ORDINANCE 64,420

GRANTING AND MANIFESTING A LICENSE TO PARAGON PROPERTIES, INC. (CANYON OAKS), TO OCCUPY SPACE FOR AN ENTRY SIGN, WHICH INCLUDES THE INSTALLATION OF ELECTRICAL SERVICE, ON THE CITY RIGHT-OF-WAY, BEING ON GOLD CANYON AT F.M. 1604 IN NEW CITY BLOCKS 15673.

* * * *

AN ORDINANCE 64,421

GRANTING AND MANIFESTING A LICENSE TO PARAGON PROPERTIES, INC. (CANYON OAKS), TO OCCUPY SPACE FOR AN ENTRY SIGN, WHICH INCLUDES THE INSTALLATION OF ELECTRICAL SERVICE, ON THE CITY RIGHT-OF-WAY, BEING ON HENDERSON PASS AT GOLD CANYON IN NEW CITY BLOCK 15673.

* * * *

AN ORDINANCE 64,422

GRANTING AND MANIFESTING A LICENSE TO PARAGON PROPERTIES, INC. (CANYON OAKS) TO OCCUPY SPACE FOR AN ENTRY SIGN, WHICH INCLUDES THE INSTALLATION OF ELECTRICAL SERVICE, ON THE CITY RIGHT-OF-WAY, BEING ON HENDERSON PASS BETWEEN CEDAR RIDGE AND AN EXISTING 60 FOOT RIGHT OF WAY BETWEEN NEW CITY BLOCKS 17325 AND 17330.

* * * *

AN ORDINANCE 64,423

AUTHORIZING A LEASE AGREEMENT WITH THE YMCA ON PORTIONS OF SOUTHCROSS PARK TO PERMIT YMCA TO

DEVELOP AND OPERATE CERTAIN FACILITIES FOR RECREATIONAL AND OTHER SERVICE PROGRAMS.

* * * *

AN ORDINANCE 64,424 .

AUTHORIZING AN ADDITIONAL \$1,000.00 TO THE CONTRACT OF RABA-KISTNER CONSULTANTS, INC. FOR ADDITIONAL MATERIALS TESTING DURING THE CONSTRUCTION OF THE TEXAS A & M EXTENSION SERVICES FACILITY TO INSURE COMPLIANCE OF THE CONSTRUCTION WITH THE SPECIFICATIONS.

* * * *

AN ORDINANCE 64,425 .

AUTHORIZING EXECUTION OF AN AGREEMENT WITH BEXAR COUNTY FOR LEASE OF VOTING MACHINES FOR THE UPCOMING CITY ELECTION.

* * * *

AN ORDINANCE 64,426 .

AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING AND A LEASE AGREEMENT WITH PALACIO DEL RIO, INC., FOR THE LEASE OF CERTAIN SPACE IN THE RIVER BEND PARKING GARAGE.

* * * *

AN ORDINANCE 64,427 .

AUTHORIZING THE CITY MANAGER TO APPROVE AND ACCEPT AMENDMENT ONE TO CONTRACT 086038 BETWEEN THE TEXAS DEPARTMENT OF COMMUNITY AFFAIRS (TDCA) AND THE CITY OF SAN ANTONIO FOR THE JOB TRAINING PARTNERSHIP ACT (JTPA) TITLE IIA, SECTION 123 STATE EDUCATION COORDINATION AND GRANTS PROGRAM.

* * * *

87-05 The Clerk read the following Ordinance:

AN ORDINANCE 64,428 .

00802

00803

AUTHORIZING THE CITY MANAGER TO EXECUTE A FINANCIAL AGREEMENT WITH THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION TO PROVIDE FOR THE RECONSTRUCTION OF SOUTHCROSS BOULEVARD FROM STRINGFELLOW EAST TO PECAN VALLEY, AND GITTINGER EAST TO IH 410; AND AUTHORIZING \$90,005.00 TO PAY THE CITY'S SHARE OF THE \$776,005.00 ESTIMATED TOTAL COST OF THE PROJECT.

* * * *

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

In response to a question by Mrs. Dutmer, Mr. David Steitle, Director of Public Works, stated that these funds will cover the open drainage ditch area.

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

87-05 The Clerk read the following Ordinance:

AN ORDINANCE 64,429

AUTHORIZING AN ADDITIONAL \$5,473.50 FOR ENGINEERING FEES PAYABLE TO GARCIA ENGINEERING ASSOCIATES, IN CONNECTION WITH CEVALLOS, FURNISH, GOODWIN, SOUTHOLME, MERIDA, KECK, "A", "B" STREETS RECONSTRUCTION PROJECT.

* * * *

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

In response to a question by Mr. Martinez, Mr. David Steitle, Director of Public Works, stated that this ordinance does cover drainage and the sanitary sewer system.

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

January 29, 1987
sr

87-05 The Clerk read the following Ordinance:

AN ORDINANCE 64,430

ACCEPTING THE BID OF MEADER CONSTRUCTION CO, INC. IN THE AMOUNT OF \$1,038,517.30 FOR THE CONSTRUCTION OF THE RICE ROAD - W.W. WHITE ROAD TO SALADO CREEK PROJECT; PROVIDING AN ADDITIONAL \$51,925.86 AS A MISCELLANEOUS CONSTRUCTION CONTINGENCY; AND AUTHORIZING AN ADDITIONAL \$22,015.46 FOR ENGINEERING FEES FOR THE CONSTRUCTION PHASE PAYABLE TO TRAVIS-BRAUN & ASSOCIATES, INC.

* * * *

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

Mr. Hasslocher stated that he hopes that Mrs. Dutmer does not have any problems with this project which will be in her district.

Mayor Cisneros stated that Meader Construction Co. has had a disreputable record in the past. He stated that he would like in the future any ordinance awarding a bid to Meader Construction to be made a discussion item and not on the consent portion of the agenda.

Mrs. Dutmer stated that she has not had any problems with Meader Construction and expresses no opposition to them.

In response to a question by Mrs. Dutmer, Mr. David Steitle, Director of Public Works, stated that underground drainage will be included in this project. He stated that they will have tighter performance standards on future contracts.

Mr. Martinez stated his opposition to Meader Construction. He stated that he is not happy with Meader's insensitivity to the neighborhoods. He stated that he has seen first hand the unsatisfactory work by Meader Construction. He stated that a look at the previous performance of each company should be one of the criteria looked at for awarding bids.

In response to a question by Mr. Martinez, Mr. David Steitle, Director of Public Works, stated that new criteria for awarding bids will be worked on by staff and will be presented to City Council for approval.

Mayor Cisneros spoke of the need for tougher standards to be a part of the bidding process.

Mrs. Berriozabal spoke of the Saunders Street project and her dissatisfaction with that project. She stated that she would like each neighborhood informed of what contractor will be working in their particular area.

In response to a question by Mayor Cisneros, Mr. David Steitle, Director of Public Works, stated that staff is recommending the low bidder, being Meader Construction.

Mr. Hasslocher stated that he received a call from a citizen notifying him that barricades were improperly posted on a project in his district. He stated that he should not have to go to a construction site to check on a project.

In response to a question by Mr. Thompson, Mr. David Steitle, stated under the new contract to be presented to bidders the contractor will be required to name a person responsible for all aspects of the project and a number where he can be reached 24 hours a day.

Mr. Thompson stated that the contract wording should be clear and concise as to what is to be expected from the contractors.

Mrs. Berriozabal made an amendment to the motion that a staff report be brought to City Council in two weeks. Mrs. Dutmer seconded the motion.

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

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

87-05 The Clerk read the following Ordinance:

AN ORDINANCE 64,431

ACCEPTING SPECIAL WARRANTY DEEDS FROM P.F. FLORES, ARCHBISHOP OF SAN ANTONIO AND THE PATRICIAN MOVEMENT, A NON-PROFIT TEXAS CORPORATION, TRUSTEE, DEDICATING PUBLIC RIGHT-OF-WAY NECESSARY FOR THE REALIGNMENT OF MISSION ROAD IN NEW CITY BLOCK A-20 AND N.C.B. 3975 AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE TO EXECUTE A DEED WITHOUT WARRANTY TO P.F. FLORES, ARCHBISHOP OF SAN ANTONIO AND HIS SUCCESSORS IN OFFICE, CLOSING, VACATING, ABANDONING,

QUITCLAIMING, AND CONVEYING PORTIONS OF THE EXISTING MISSION ROAD PUBLIC RIGHT-OF-WAY AT THE THEO AVENUE INTERSECTION, TOGETHER WITH A PORTION OF THE EXISTING THEO AVENUE PUBLIC RIGHT-OF-WAY, ALSO IN NEW CITY BLOCK A-20 AND N.C.B. 3975, IN EXCHANGE FOR SAID DEDICATION.

* * * *

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

In response to a question by Mrs. Dutmer, Mr. Warner Fassnidge, Assistant City Attorney, stated that the deed had been signed with the Patrician Movement and the Archbishop.

Mrs. Dutmer stated that she was concerned with the legalities of the deed. She voiced her concern with the past problems she has had with the Patrician Movement.

Mr. Wing stated that the Ordinance was an exchange of property between the City and the Archdiocese to realign Mission Road.

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

- - -
87-05 The Clerk read the following Ordinance:

AN ORDINANCE 64,432

AUTHORIZING A USE AGREEMENT WITH SAN ANTONIO SPORTSPLEX, INC. PROVIDING FOR CITY'S USE OF SOFTBALL FIELDS TO BE CONSTRUCTED BY SAN ANTONIO SPORTSPLEX, INC.

* * * *

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

Mr. Martinez stated that there is a need for this type of facility in San Antonio. She stated that admission and concession prices will be similar to what the San Antonio Parks and Recreation department charges.

Mr. Wing stated that the city's interest in softball has grown in

the past years. He also spoke of the need for the fees to be charged to remain the same or similar to what the city presently charges.

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

87-05 The Clerk read the following Ordinance:

AN ORDINANCE 64,433

APPROPRIATING \$100,000.00 FINISH-OUT EXPENSES
NECESSARY BECAUSE OF RECENT RELOCATIONS OF CITY
DEPARTMENTS.

* * * *

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

In response to a question by Mrs. Dutmer, Mr. David Garcia, Special Projects, stated the funds were needed for construction charges and moving expenses of city departments.

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

87-05 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE - CLOSING AND ABANDONING HORACE STREET.

Mayor Cisneros declared the Public Hearing to be open.

No citizen appeared to speak.

Mayor Cisneros declared the Public Hearing to be closed.

The Clerk read the following Ordinance:

AN ORDINANCE 64,434

CLOSING AND ABANDONING AN UNIMPROVED PORTION OF
HORACE STREET, BETWEEN NEW CITY BLOCK 7291 AND 7292,

January 29, 1987
sr

AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE TO EXECUTE A QUITCLAIM TO THE ADJACENT OWNER, ST. JOHN'S THE EVANGELIST CATHOLIC CHURCH, FOR A CONSIDERATION OF \$7,690.00.

* * * *

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

Mayor Cisneros commended Father Berchmann, St. Johns Catholic Church for staying in the neighborhood despite all the changes that were being made in that area.

- - -
87-05 Mayor Cisneros recognized Mr. Vernon Grams, President of the San Antonio Fire Fighters Association, present in the audience today. He thanked him for his help and the associations support in the 911 issue and the spending cap, and stated that he looks forward to the association's support in the upcoming bond issue.

- - -
87-05 The Clerk read the following Ordinance:

AN ORDINANCE 64,435

ACCEPTING THE HIGH BIDS 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: Webb, Dutmer, Wing, Martinez, Thompson, Vera, Harrington, Hasslocher, Cisneros; NAYS: None; ABSENT: Berriozabal; ABSTAIN: Labatt.

87-05 The Clerk read the following Resolution:

A RESOLUTION 87-05-03

SETTING TIMES, DATES AND LOCATIONS FOR SIXTEEN NEIGHBORHOOD CITIZEN PARTICIPATION MEETINGS, AND THREE CITY COUNCIL PUBLIC HEARINGS FOR THE CITY'S ANNUAL COORDINATED BUDGETING PROCESS OF CDBG, CAPITAL PROJECTS, GENERAL FUND AND OTHER REVENUES.

* * * *

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

87-05 Agenda Item #40 was previously pulled from consideration.

87-05 At this time, by concensus of the City Council, Agenda Items #42 and 43 were temporarily bypassed.

87-05 The Clerk read the following Ordinance:

AN ORDINANCE 64,436

APPOINTING HOWARD FORSYTH TO SERVE ON THE CABLE TELEVISION ADVISORY COMMITTEE FOR A TERM TO EXPIRE ON DECEMBER 31,1987.

* * * *

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

- - -
87-05 ZONING HEARINGS

32. Zoning Case Z86357, Agenda Item #32, was temporarily bypassed at this time.

- - -
33. CASE Z87003 - to rezone Lot 97, Block 1, NCB 16993, In the 6300 Block of De Zavala Road, from "O-1" Office District to "B-1" Business District, located on the northside of De Zavala Road, being approximately 350' west of Bristlewood Drive, having 223.5' on De Zavala Road, with a depth of 240'.

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 three feet of dedication is given along De Zavala Road, and that off-street parking is provided and submitted for approval by the Traffic Engineering Division. Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 64,437

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 97, BLOCK 1, NCB 16993, IN THE 6300 BLOCK OF DEZAVALA ROAD, FROM "O-1" OFFICE DISTRICT TO "B-1" BUSINESS DISTRICT, PROVIDED THAT THREE FEET OF DEDICATION IS GIVEN ALONG DEZAVALA ROAD, AND THAT OFF-STREET PARKING IS PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

34. CASE 286298 - to rezone a 3.38 acre tract out of NCB 10777, from Temporary "R-1" One Family Residence District to "I-1" Light Industry district, located on the southside of Winneway Drive, being 1134.40' east of S.E. Loop 410, having 300' on Winneway Drive, with Rosillo Creek for a southern boundary and a depth of 397.82'.

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

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

AN ORDINANCE 64,438

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 3.38 ACRE TRACT OF LAND OUT OF NCB 10777 FROM "R-1" ONE FAMILY RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY 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"

* * * *

35. CASE 286344 - to rezone a 2.000 acre tract of land out of CB 4978, from Temporary "R-1" ERZD One Family Residence Edwards Recharge Zone District to "O-1" ERZD Office Edwards Recharge Zone District; a 3.000 acre tract of land out of CB 4978, from Temporary "R-1" ERZD One Family Residence Edwards Recharge Zone District to "B-2" ERZD Business Edwards Recharge Zone District, located on the southwest side of Bitters Road, being 738.39' southeast of Huebner Road, having 1015.84' on Bitters Road, with a maximum depth of 230.35'.

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

AN ORDINANCE 64,439

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 2.000 ACRE TRACT OF LAND OUT OF CB 4978 FROM TEMPORARY "R-1" ERZD ONE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "O-1" ERZD OFFICE EDWARDS RECHARGE ZONE DISTRICT; AND A 3.000 ACRE TRACT OF LAND OUT OF CB 4978 FROM TEMPORARY "R-1" ERZD ONE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "B-2" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT TO "B-2" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

36. CASE Z86368 - to rezone a .257 acre tract of land out of Lot 19, Block 1, NCB 12822, Salk Drive and Louis Pasteur Drive, from "A" Single Family Residence District to "B-1" Business District, located on the westside of Salk Drive, being approximately 116' southeast of Louis Pasteur Drive, having 114' on Salk Drive with a maximum depth of 166.88'.

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. Harrington, Mr. C. Almand, the applicant stated that the property in question would be used to build a small office building.

Mr. Harrington made a motion to approve the recommendation of the

Zoning Commission provided that off-street parking is provided and submitted for approval by the Traffic Engineering Division. Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 64,440

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 .257 ACRE TRACT OF LAND OUT OF LOT 19, BLOCK 1, NCB 12822, SALK DRIVE AND LOUIS PASTEUR DRIVE, FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "B-1" BUSINESS DISTRICT, PROVIDED THAT OFF-STREET PARKING IS PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

37. CASE 287001 - to rezone Lot 10, Block 7, NCB 18057, In the 9700 Block of Culebra Road, from Temporary "R-1" One Family Residence District to "B-3" Business District, located on the northeast side of Culebra Road, being 82.37' northwest of Pipers Creek, having 163.90' on Culebra Road, with a maximum depth of 110.02'.

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. Mr. Hasslocher 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, Hasslocher, Cisneros; NAYS: None; ABSENT: Berriozabal, Thompson.

AN ORDINANCE 64,441

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 10, BLOCK 7, NCB 18057, IN THE 9700 BLOCK OF CULEBRA ROAD, FROM "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

32. CASE Z86357 - to rezone a 0.677 acre tract located on the N.E. corner of Lost Creek and Judson Road, having 231.38' on Lost Creek and 105.02' on Judson Road. A 4.4 acre tract tract located on the S.E. corner of Judson Road and Lost Creek Drive, having 200.0' on Lost Creek Drive, 765.89' on Judson Road and 110' on Stahl Road. The "R-3" (6.4 acre) located south of the intersection of Cypress Park and Lost Creek between Stahl Road and Lost Creek, having 190' on Stahl Road and 216.16' on Lost Creek and 300' on Cypress Creek.

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

Mr. Sam Parnes, representing Morton Southwest, stated that this land was annexed in 1985. He stated that they did not have any plans for the usage of the land and only wanted to obtain the zoning that was now available for that property.

(This zoning case was temporarily postponed in order to take up the Honorarium which was set for a time certain of 3:00 P.M.)

87-05

CANARY ISLAND VISITORS

Mayor Cisneros welcomed Mayor Manuel Hermosos Rojas of Santa Cruz de Tenerife and his delegation who are present in the audience today. He stated that this is a very special occasion for San Antonio and that it is a privilege to have the delegation from the Canary Islands here today. He spoke of the Canary Island descendants early history in San Antonio. He spoke of the various sites in San Antonio such as the Plaza de las Islas, San Fernando Cathedral, and Plaza de Armas which were originated by Canary Islanders.

Mrs. Dutmer stated that she has ancestors of Canary Island descent.

Mayor Cisneros spoke of the many contributions of the Canary Islanders. He extended a warm welcome to them and stated that they have a

home here in San Antonio. Mayor Cisneros presented an official City of San Antonio book and an official tie to Mr. Rojas. He introduced individual Councilmembers and the City Manager to the delegation.

The Councilmembers individually welcomed the delegation to San Antonio.

Mr. Manuel Hermoso Rojas, Mayor of Santa Cruz de Tenerife, Canary Island, stated his pleasure in visiting San Antonio. He thanked the Mayor and Councilmembers and staff for the warm welcome and hospitality extended to their delegation. He introduced individual members of his delegation present in the audience. He spoke of the vast history of the Canary Islands and the economic and cultural benefits found in the Canary Islands. He then presented a miniature replica of a statue dedicated to immigrants to Mayor Cisneros. A 20 foot tall version of this statue will be displayed in New York. He also presented a set of books on the history of the Canary Islands to be placed in the public library for use by the citizens of San Antonio. He then presented medals with the official symbol of Santa Cruz de Tenerife to the Mayor and Councilmembers.

Mayor Cisneros thanked Mr. Rojas for the gifts. He spoke of a mass to be held tomorrow at 12:00 noon at San Fernando Cathedral in honor of the visit of the Canary Islanders. He noted that a singing group from the Canary Islands will be performing during that mass and at designated areas throughout the city.

- - -
ZONING HEARINGS cont.

32. CASE Z86357 cont. -

Mr. Don Cleary, 16303 Puma Pass, stated his opposition to the rezoning.

Mr. Leo Sleight, 5819 Lost Creek, stated his concern with the problems associated with the annexation of this area.

Mr. Hasslocher stated that this land was brought in by the annexation of December 1985. He stated that he will work with Mr. Parnes and the developers on the use of the property.

Mr. Hasslocher made a motion to approve the recommendation of the Zoning Commission provided that a one-foot non-access easement is imposed along Cypress Park, Cypress Bend and the northeast 104 feet of Lost Creek; that a six foot solid screen fence is erected and maintained along the property line abutting the single family residences; that an elbow is constructed at Cypress Park and Cypress Bend, said elbow may have the 50 foot radius point off set from the center line street intersection by as much as 15 feet; that 18 feet of dedication is given along Stahl Road; and

that driveways and off street parking are provided and submitted for approval by the Traffic Engineering Division. Mr. Wing seconded the motion.

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

AN ORDINANCE 64,442

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 0.677 ACRE AND A 4.4 ACRE TRACT OF LAND OUT OF CB 5017 FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT; AND A 6.4 ACRE TRACT OF LAND OUT OF CB 5017 FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT, PROVIDED THAT A ONE FOOT NON ACCESS EASEMENT IS IMPOSED ALONG CYPRESS BEND AND THE NORTHEAST 104 FEET OF LOST CREEK; THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE PROPERTY LINE ABUTTING THE SINGLE FAMILY RESIDENCES; THAT AN ELBOW IS CONSTRUCTED AT CYPRESS PARK AND CYPRESS BEND, SAID ELBOW MAY HAVE THE 50 FOOT RADIUS POINT OFF SET FROM THE CENTER LINE STREET INTERSECTION BY AS MUCH AS 15 FEET; THAT 18 FEET OF DEDICATION IS GIVEN ALONG STAHL ROAD; AND THAT DRIVEWAYS AND OFF STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

87-05 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE - VISTA VERDE AMENDMENT.

Mayor Cisneros declared the Public Hearing to be open.

No citizen appeared to speak.

Mayor Cisneros declared the Public Hearing to be closed.

00817

The Clerk read the following Ordinance:

AN ORDINANCE 64,443

AUTHORIZING MAJOR AMENDMENT NO. 4 TO THE URBAN RENEWAL PLAN OF VISTA VERDE CLOSEOUT PROJECT, TEX. R-109.

* * * *

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

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

87-05 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE - BRACKENRIDGE PARK

Mayor Cisneros declared the Public Hearing to be open.

No citizen appeared to speak.

Mayor Cisneros declared the Public Hearing to be closed.

The Clerk read the following Ordinance:

AN ORDINANCE 64,444

AUTHORIZING THE REPROGRAMMING OF \$8,488.89 FROM THE CDEG CONTINGENCY TO SUPPORT CONSTRUCTION WORK IN BRACKENRIDGE PARK; AWARDED A CONSTRUCTION CONTRACT TO AARON CONSTRUCTION COMPANY IN THE AMOUNT OF \$14,450.00; AND ESTABLISHING A CONSTRUCTION CONTINGENCY OF \$772.50.

* * * *

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

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

January 29, 1987
sr

87-05 The Clerk read the following Ordinance:

AN ORDINANCE 64,445

ADOPTING THE RECOMMENDATIONS OF THE CITY COUNCIL
LOAN REVIEW COMMITTEE REGARDING ALL CITY RELATED
LOAN PROGRAMS.

* * * *

Mr. Labatt spoke of the five recommendations from the committee, (a copy of which is made a part of the papers of this meeting).

Mayor Cisneros commended Mr. Labatt and the committee for doing an excellent job.

Mr. Stu Summers, Director of Economic and Employment Development, stated that with the approval of the City Council they will go ahead with this plan.

Mr. Harrington stated that he was encouraged with the report and was privileged to work on the committee. He stated his endorsement of the plan.

Mr. Martinez stated that he was impressed with Mr. Labatt's work on this program. He spoke of the difficulties small businesses have in getting loans.

Mr. Stuart Summers spoke of the relationship with SADA and SALDC.

Ms. Vera stated her concern with the wording in the ordinance and SADA member improprieties.

Mrs. Berriozabal thanked Mr. Labatt and the committee for their work. She stated her concern with the decision making method of the new board. She stated her concern with the representation of her appointee. She also stated that the quarterly report needs to be better clarified.

Mr. Wing also thanked Mr. Labatt and the committee for a job well done. He stated his concern with the issue of individuals being awarded loans who did not meet the qualifications. He stated that he would like the addition of the stipulation that an individual applying for a loan cannot serve on the board if they had a loan one year before or after their appointment or have a loan in process.

Mr. Summers explained the criteria which needs to be met before

an individual can be awarded a loan.

Mr. Wing stated that there have been allegations that business entities have received loans who did not qualify for them.

Mr. Labatt stated that it is the committee's intention that everyone comply with the regulations for applying for a loan.

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

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

87-05

GARBAGE COLLECTION SCHEDULE

Mr. Kiolbassa stated that City staff and the City Council need to review this matter, to seek a solution. He further stated that he feels the City may have to implement a partial collection on days where the pickup load is the heaviest, such as holidays, and that this could cost the City some \$110,000 per year in additional overtime.

Mr. Paul Bundick voiced his concern with the erosion of garbage pickup service and its rising costs, over the years. He briefly explained the escalating cost-history of garbage pickup in San Antonio, and proposed the City Council authorize "Tuesday-Friday" and "Wednesday-Saturday" pickup schedules, or possibly alter current pickup routes in order to even-out the pickup problems faced by those most heavily impacted by lack of garbage pickup on Monday holidays. He noted that this works in other cities.

Ms. Linda Chavez Thompson, representing the American Federation of State, County and Municipal Employees Union, discussed the stated feelings of refuse collectors concerning changes in the pickup schedules, which would include holiday pickup again. She then briefly discussed some of the problems she feels need addressing by the City in future City budgets. She then spoke to her own recommendations for schedule changes, if the Council decides to do so.

Ms. Rosa Rosales, National Association of Government Employees Union, spoke to the impact of heavy holiday garbage pickup loads on garbage workers, and the need for more such solid waste employees. She voiced her concern with cutbacks in overtime pay, and noted that San Antonio presently has a very efficient pickup system. She stated her opinion that if the City Council changes the schedules to allow holiday pickup once again, then solid waste collection employees should be

allowed to volunteer for such holiday work and be paid accordingly, rather than assigned to the duties.

Ms. Maria Dominguez spoke to the need for more solid waste manpower, as well as additional firefighters and police officers.

Mayor Cisneros briefly discussed City staff proposals for schedule changes, as outlined in a memorandum given to each Council member.

Ms. Rosales stated that her group would favor an increase in pay for 18 hours work, in lieu of the 15 presently being paid.

Mr. Kiolbassa stated that City staff favors refuse collection only on Fiesta Friday, Martin Luther King's Birthday, Veterans Day and Memorial Day, if Council changes the pickup schedules to include holidays.

A discussion then took place concerning how to work employees' vacation schedules around holiday pickup schedules, if enacted.

Mayor Cisneros noted that Mr. Hassloch has a good point in voicing his concerns in this matter, and stated his personal opinion that a consensus for some type of change may be near. He stated his opinion that the staff can develop a good plan, if directed.

Mr. Hassloch made a motion to approve staff recommendations #2 & 3. Mrs. Dutmer seconded the motion.

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

Mr. Thompson stated that he feels it would cost too much to change the current garbage pickup schedules.

Mr. Harrington spoke against spending some \$110,000 more in tax funds in order to implement a partial pickup schedule change.

Mr. Webb stated that he does not favor the proposed partial schedule change because of its costs.

Mr. Martinez stated that he feels there is not enough of a problem to make a change at this time.

Mr. Labatt stated that he feels that some change may be needed in the present pickup schedules in order to handle holiday garbage.

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

Mrs. Dutmer spoke against spending more tax funds on this.

Mrs. Berriozabal stated that she has received few complaints about garbage pickup from her district constituents, and spoke in favor of allowing solid waste pickup employees to enjoy holidays off with their families.

Mr. Wing spoke in favor of making no changes in the current system, stating that he feels that the City instead should provide, with its solid waste billing, stick-on decals that prominently identify City holidays so citizens can make plans accordingly as to whether or not to put out holiday garage for pickup.

Mr. Hasslocher stated his opinion that all taxpayers of the City deserve to have their garbage picked up twice each week.

Mrs. Berriozabal stated that she feels that annexations of new territory to the City tend to "water down" certain City services for all its citizens. She noted that the Council had promised to keep staffing for two new City fire stations at 4-man shifts, and asked the City Manager to that staffing decision.

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

- - -

87-05 DISCUSSION OF MINIMUM FINES IN ENVIRONMENTAL VIOLATIONS

Mayor Cisneros noted that a discussion of a possible ordinance amending the City Code to provide for minimum fines for first and subsequent offenses of certain ordinances pertaining to health and safety would be considered per Ms. Vera's request.

Ms. Vera spoke to the possibility of increasing minimum fines in two areas: traffic violations and the environmental violations. She noted that traffic violations would be addressed at the February 5, 1987 meeting. She spoke to the lack of minimum fines in environmental violations and to staff recommendations that we implement a minimum fine and that further it is a second or third offense that the fine double and triple.

Ms. Vera then made a motion to direct staff to bring back an ordinance for formal consideration that would call for minimum fines of \$100 for a first offense, \$200 for a second offense and \$300 for a third offense for environmental violations. Mr. Harrington seconded the motion.

In response to a question by Mr. Wing, Mr. Tom Finlay, Acting City Attorney, stated that there was latitude in the statute to allow for a minimum fine in the areas of dumping, weedy lots, junked cars.

Mr. Wing spoke in support of the motion.

Mr. Thompson spoke to the merits of deferred adjudication in that its primary objective is to fix or rid the problem. He requested that staff be prepared to brief the Council on what the minimum fines are at the present time and how the court is addressing those issues.

Mrs. Dutmer agreed with Mr. Thompson in that deferred adjudication is a very good tool if it has been decided that the problem is to be abated rather than raise revenue. She spoke in support of a very heavy minimum fine for illegal dumping but deferred adjudication on the other types of environmental violations.

Mr. Harrington spoke in support of increasing minimum fines for environmental violations.

Ms. Berriozabal spoke in support of increasing minimum fines and of instances in her district where deferred adjudication, in her opinion, improperly granted by the courts. She asked for a report on the number of cases in the system that are adjudicated and the number that actually get a fine.

Mr. Webb stated that he would like to see the new camera used to take pictures of speedsters also used to monitor some of the City's common dumping sites and apprehend some of the people illegally dumping in those areas. He spoke to an offensive dumping site on Old Seguin Road that needs to be cleaned up because of the large amount of tourists that travel that area.

In response to a question by Mr. Martinez, Tom Finlay, Acting City Attorney, stated that should the proposed ordinance be approved it would not automatically prevent the use of deferred adjudication. He added that the Court would have the discretion to use deferred adjudication.

Ms. Vera reiterated that deferred adjudication would still be available for the judge's use for situations where undue hardship might be caused an individual that intends to abide by the requirements. She further stated that the intent of the ordinance is to make it difficult for those individuals who would rather pay a fine because it is lower than the cost of correcting the problem.

Mrs. Dutmer stated that a minimum fine would not necessarily prevent some of the violations but instead spoke in favor of attaching a warning that if the violator is given deferred adjudication and does not comply with the judge's instructions the violator will have to return to the court and be subjected to the minimum fine plus contempt of court charges.

00823 In response to a question by Mrs. Dutmer, Tom Finlay, Acting City Attorney, stated that the City has jurisdiction over County residents caught dumping within the City limits of San Antonio.

(At this point, Mayor Cisneros returned to the meeting and presided.)

Ms. Vera stated that she had requested a staff report on fines and traffic violations that she will bring to the Council in the near future.

The motion to direct staff to bring back an ordinance for formal consideration on minimum fines prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Vera, Labatt, Cisneros; NAYS: None; ABSENT: Thompson, Harrington, Hasslocher.

87-05 CREATION OF MUNICIPAL COURT JUDGES POSITIONS

Mr. Wing reported that the City/County Cooperation Committee met and voted, with Council approval, to go into a 24-hour magistrating and booking system. The County took over the booking and the City took over the 24-hour magistrating system. He further reported that in order to keep the service, a full-time magistrate and two part-time magistrates positions would have to be created and filled and the vacancy created by the death of Judge Lang would have to be filled. He stated that the cost of the new magistrates would be offset by the savings realized in going to the 24-hour system by not having to pay the \$50 a day for prisoners. He stated that at the very least a \$600,000 minimum savings would be realized for the rest of this fiscal year and, in subsequent years, the savings would probably be over \$1,000,000. He requested Council concurrence for the City Clerk to go forward in assuring these positions are created and announcing the vacancies.

By voice vote, the Council concurred that the report of the Committee be accepted and that staff go forward with creation and advertisement of these new positions.

87-05 The Clerk read the following Letter:

January 22, 1987

Honorable Mayor and Members of the City Council
City of San Antonio

The following petition was received in my office and forwarded to the City Manager for investigation and report to the City Council.

January 29, 1987
sr

January 20, 1987

Petition submitted by Sky Chefs of San Antonio, Parkway Cental Plaza, 601 Ryan Plaza Drive, Building B, Arlington, TX, requesting the reassignment of the lease regarding the agreement for the Ice Cream Concession, dated April 20, 1984, between the City of San Antonio and Sky Chefs of San Antonio, a Texas general partnership, for Operation of the Ice Cream Concession at the San Antonio International Airport and the assignments of the concession contract regarding the agreement for the Food and Beverage Concession, dated August 9, 1983, between the City of San Antonio and Sky Chefs of San Antonio, a Texas general partnership, for Food and Beverage Concession at the San Antonio International Airport.

* * * *

/s/ Norma S. Rodriguez
City Clerk

There being no further business to come before the Council, the meeting was adjourned at 7:35 P.M.

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