

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, APRIL 10, 1986.

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

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86-16 The invocation was given by Reverend Earl D. Willis, Ashley Road Baptist Church.

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86-16 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

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86-16 OFFICIAL PHOTOGRAPH

At this time the members of the City Council sat for their official photograph.

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86-16 SWISS-AMERICAN FRIENDSHIP WEEK

Mayor Cisneros welcomed to City Hall the Consul General of Switzerland, Mr. Gilbert Schlaefli and noted that the Consul General is in San Antonio for the opening of the Swiss Exhibit, L'L'Autoexpression/Selbst Portrait, the Art of Self Portrait in the Age of Photography. He further noted that the Consul General is accompanied by Mr. Joe Seiterle of the Gunter Hotel.

Consul General Schlaefli thanked the Mayor and Council for the introduction and presented the Council members with boxes of Swiss chocolates.

Mayor Cisneros then read the proclamation designating the Consul General as an alcalde of La Villita and presented it. He also presented the Consul General with a special San Antonio Sesquicentennial poster.

86-16PENTATHLON

Mayor Cisneros recognized the presence in the audience today of Mr. Janusz Pyciak-Peciak, former Polish Gold Medalist and three time World Pentathlon Champion, who has been hired to coach the United States Pentathletes in San Antonio, which is the only full time training center in the United States. During the 1986 Sesquicentennial Invitational Modern Pentathlon Competition, March 13-17, the U.S. Modern Pentathlon hosted 16 countries consisting of 70 competitors. The U.S. won first place in team and individual standing, the first time in six years.

Mayor Cisneros then officially introduced Mr. Pyciak-Peciak along with two U.S. Modern Pentathletes, Mr. John Scott and Mr. Blair Driggs. Mayor Cisneros then congratulated the U.S. team for its accomplishments during the Sesquicentennial Invitational Modern Pentathlon Competition last month.

Mr. Pyciak-Peciak thanked the Mayor and Council for the honor and spoke of his background in the Pentathlon.

Mayor Cisneros then presented San Antonio books to the three individuals as well as a special San Antonio belt buckle to Mr. Pyciak-Peciak. Mayor Cisneros then spoke of the rigorous training which each pentathlete must undergo.

Mr. Pyciak-Peciak then presented special Pentathlon pins to members of the City Council.

86-16KIDS DAY

Mrs. Mary Alice Cisneros, wife of the Mayor, presented special Kids Day t-shirts to members of the City Council and spoke of special "kids place" events coming up in San Antonio.

Mayor Cisneros spoke of the need to make city facilities sensitive and accessible to all children.

86-16"HAPPY BIRTHDAY, TEXAS"

Mayor Cisneros introduced Mr. Bennie Barcello, Director of Merchandising and Operations for Kroger Stores. He then spoke of a special presentation to be made by Mr. Barcello including the presentation of a new poster entitled "Happy Birthday, Texas", these posters are now on sale at each Kroger store.

Mr. Barcello then spoke to the fact that proceeds from the sale

of these posters will fund a giant Christmas tree for Alamo Plaza once again. He stated that the stores will be selling the posters for \$3.95 in order to fund this civic endeavor.

Mayor Cisneros expressed a desire that the Riverwalk tree lighting ceremonies be coordinated with the lighting of this large Christmas tree on Alamo Plaza in 1986. He stated further that this would coincide with the meeting in San Antonio of the National League of Cities and he asked that the special framed poster being presented today be hung in the City Manager's Ante room in a special location.

Mayor Cisneros also spoke of his desire to erect a special ice rink during the Christmas holiday season as well. He then presented Mr. Barcello with a special San Antonio belt buckle.

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86-16 The minutes of the City Council meeting of the regular and special meetings of March 20, 1986 were approved.

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86-16 CONSENT AGENDA

Mrs. Dutmer made a motion to approve Agenda Items 8 - 35, constituting the Consent Agenda, with Items 25 & 35 to be pulled for individual consideration. Mr. Thompson 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, Thompson, Vera, Labatt, Hasslochner, Cisneros; NAYS: None; ABSENT: Martinez, Harrington.

AN ORDINANCE 62,655

ACCEPTING THE LOW QUALIFIED BIDS OF WATSON DISTRIBUTING COMPANY, INC. AND BRIGGS WEAVER, INC. TO FURNISH THE CITY OF SAN ANTONIO WITH THREE AND FOUR WHEEL UTILITY VEHICLES FOR A TOTAL OF \$107,917.

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AN ORDINANCE 62,656

ACCEPTING THE LOW QUALIFIED BIDS OF AMFAC, G.E. SUPPLY COMPANY AND GRAYBAR ELECTRIC COMPANY TO FURNISH THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH ELECTRICAL SUPPLIES FOR A TOTAL OF \$4,911.10

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AN ORDINANCE 62,657

ACCEPTING THE LOW QUALIFIED BIDS OF SAFETRAM TRAFFIC SYSTEMS, INC. KENTRON, AUGUSTING SALES, INC. AND CONSOLIDATED TRAFFIC CONTROL TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH TRAFFIC CONTROLLERS ON AN ANNUAL CONTRACT BASIS FOR A TOTAL OF \$174,652.

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AN ORDINANCE 62,658

AUTHORIZING EXECUTION OF FIELD ALTERATION NOS. 3 AND 4 ON THE SAN ANTONIO RIVER BRIDGE REHABILITATION PROJECT IN THE AMOUNTS OF \$10,000.00 AND \$16,000.00 RESPECTIVELY FOR THE REMOVAL AND REPLACEMENT OF CERTAIN AREAS OF FLANGES, WEBS AND ANGLE SEATS OF ROAD PERLINS AT 80 LOCATIONS AND THE REPAIR OF THE MAIN GIRDER WEB AT 8 LOCATIONS ON THE CROCKETT STREET BRIDGE FOR THE REPAIR OF GUSSET PLATES, REMOVAL AND REPLACEMENT OF CONCRETE AND THE CLEANING AND PAINTING OF THE REPAIRED AREAS ON THE NORTH PRESA STREET BRIDGE.

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AN ORDINANCE 62,659

APPROPRIATING AN ADDITIONAL \$35,880.00 FOR ENGINEERING FEES PAYABLE TO FERNANDEZ, FRAZER, WHITE & ASSOCIATES, INC., IN CONNECTION WITH RIGHT-OF-WAY SERVICES FOR THE PACIFIC DRAINAGE PROJECT #66 (PHASE II) PLEASANTON ROAD.

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AN ORDINANCE 62,660

AUTHORIZING AN ADDITIONAL \$37,748.43 FOR ENGINEERING FEES PAYABLE TO D.R. FRAZOR & ASSOCIATES, INC., IN CONNECTION WITH THE S. PINE/S PALMETTO/RIGSBY RECONSTRUCTION PROJECT.

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AN ORDINANCE 62,661

AUTHORIZING AN ADDITIONAL \$37,317.44 FOR ENGINEERING FEES PAYABLE TO MAVERICK ENGINEERING COMPANY, IN CONNECTION WITH ENGINEERING SERVICES REQUIRED ON THE VINCENT STREET RECONSTRUCTION PROJECT.

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AN ORDINANCE 62,662

APPROPRIATING AN ADDITIONAL \$10,986.29 FOR ENGINEERING FEES PAYABLE TO PFA AND ASSOCIATES IN CONNECTION WITH THE CRAIGMONT, DRESDEN, SCHMELTZER STREETS RECONSTRUCTION PROJECT.

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AN ORDINANCE 62,663

ACCEPTING THE BID OF CROWN CONSTRUCTION CO. IN THE AMOUNT OF \$506,000.00 FOR THE CONSTRUCTION OF THE PLAZA GUADALUPE PHASE II PROJECT; APPROVING A CONTRACT; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 62,664

ACCEPTING THE BID OF ROOFTEX, IN THE AMOUNT OF \$98,891.00 FOR THE POLICE BUILDING RE-ROOFING PROJECT PROVIDING A CONTINGENCY; APPROVING A CONTRACT; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 62,665

ACCEPTING THE BID OF HEATH CONSTRUCTORS, INC., IN THE AMOUNT OF \$5,246,336.70 FOR THE CONSTRUCTION OF THE DURANGO STREET OVERPASS AT THE S.P. RAILROAD; PROVIDING A CONTINGENCY; APPROVING A CONTRACT; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 62,666

ACCEPTING THE BID OF HOGAN MECHANICAL, INC., IN THE

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AMOUNT OF \$183,350.00 FOR THE CONSTRUCTION OF THE RILLING ROAD WASTEWATER TREATMENT PLANT DEWATERING II IMPROVEMENTS PROJECT; PROVIDING A CONTINGENCY; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 62,667

APPROPRIATING FUNDS AND AUTHORIZING ADDITIONAL ENGINEERING MONEY, PAYABLE TO PAPE-DAWSON CONSULTING ENGINEERS TO PROVIDE RIGHT OF WAY SURVEY SERVICES, PLATS, FIELD NOTES AND RELATE ENGINEERING FOR THE UNSEWERED AREA 66, PHASE I/OAKLAND ESTATES PROJECT FOR THE AMOUNT OF \$2,860.00.

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AN ORDINANCE 62,668

APPROPRIATING FUNDS AND AUTHORIZING THE CITY MANAGER TO EXECUTE FIELD ALTERATION #1 IN THE AMOUNT OF \$20,000.00, PAYABLE TO R.L. JONES COMPANY, INC., FOR THE PERRY FLUME SUBDIVISION SANITARY SEWER PROJECT TO PROVIDE FOR THE REFURBISHING OF THE MOONPOINT APARTMENTS PARKING LOT.

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AN ORDINANCE 62,669

APPROPRIATING FUNDS AND AUTHORIZING THE CITY MANAGER TO EXECUTE FIELD ALTERATION #7 IN THE AMOUNT OF \$66,339.90, PAYABLE TO ROSS EXCAVATION & HAULING, INC., FOR THE VICKERS AND PYRON AVENUE STREET IMPROVEMENTS TO PROVIDE FOR THE REPLACEMENT OF 1,239 LINEAR FEET OF EIGHT INCH (8") SEWER LINE AND 945 LINEAR FEET OF SIX INCH (6") SEWER SERVICE CONNECTIONS AND SIX (6) STANDARD SEWER MANHOLES, DISCOVERED TO BE IN BADLY DETERIORATED CONDITION.

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AN ORDINANCE 62,670

ACCEPTING THE BID OF STEINROCK ROOFING CORPORATION, IN THE AMOUNT OF \$18,600.00 FOR THE REROOFING OF THE MEXICAN CULTURAL INSTITUTE IN HEMISFAIR PLAZA; PROVIDING AN ADDITIONAL \$1,860.00 FOR A CONSTRUCTION CONTINGENCY; AUTHORIZING PAYMENT; AND PROVIDING FOR

PAYMENT.

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AN ORDINANCE 62,671

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$161,680.00 OUT OF VARIOUS FUNDS FOR THE PURPOSE OF ACQUIRING TITLE AND/OR EASEMENTS TO CERTAIN LANDS; ACCEPTING THE DEDICATION OF EASEMENTS TO CERTAIN LANDS AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN EASEMENT; ALL IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS.

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AN ORDINANCE 62,672

APPROVING AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE A RELEASE OF A DRAINAGE EASEMENT ON LOT 2, BLOCK 1, NEW CITY BLOCK 12571.

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AN ORDINANCE 62,673

AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH ANDREW PEREZ, ARCHITECTS, TO CONDUCT THE SECTION 106 ARCHITECTURAL AND HISTORICAL SURVEY OF THE AVENIDA GUADALUPE NEIGHBORHOOD AREA, AT A COST NOT TO EXCEED \$30,050.

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AN ORDINANCE 62,674

APPROPRIATING \$50,000.00 FOR USE AS PAYMENT TO THE LAW FIRM OF LLOYD, GOSSELING AND RYAN, P.C. OF AUSTIN, TEXAS FOR REPRESENTATIONAL SERVICES RELATED TO CERTAIN WATER AND WASTEWATER ISSUES FACING THE CITY OF SAN ANTONIO.

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AN ORDINANCE 62,675

AUTHORIZING A LEASE WITH CAJUN RIVER PORT, INC., D/B/A BOUDREAUX, FOR USE OF CITY-OWNED LAND FOR OUTDOOR DINING SPACE.

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

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

86-16 Agenda Item #35 was taken up at this time for Council consideration, being a proposed Ordinance authorizing the City Manager, or his designee, to execute an agreement with the Woodridge Land Company, allowing the company to construct a dam facility approximately one foot in height and a scenic lake approximately four feet in depth within the bounds of the Huebner Creek drainage easement (at Prue Road), all at no cost to the City.

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

In response to a question by Mr. Webb, Mr. Frank Kiolbassa, Director of Public Works, noted that this is part of a water feature for this subdivision.

Mr. Webb voiced his concern with the lack of details and the backup material on this project as well as an apparent lack of a pollution abatement plan.

In response to a question by Mrs. Dutmer, Mr. Kiolbassa briefly explained the pollution abatement plan provisions and noted that this had already been approved by the State Department of Water Resources.

Mr. Webb made a substitute motion to postpone this matter for one week. Ms. Berriozabal seconded the motion.

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

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

Agenda Item #35 was postponed for one week.

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ZONING HEARINGS

36. CASE Z86069 - to rezone a 62.319 acre tract out of Block 33, CB 4331, being further described by field notes filed in the Office of the City Clerk, from Temporary "R-1" One Family Residence District to "I-1" Light Industry District, located north of Marbach Road, approximately 260' on Old Hunt Lane, and 370' on Hunt Lane being 75' east on Old Hunt Lane, 2247.78' on Old Hunt Lane, (3115.20') on Hunt Lane; a 4.113 acre tract of land out of Block 33, CB 4331, being further described by field notes filed in the Office of the City Clerk, from Temporary "R-1" to "B-3NA" Non-Alcoholic Sales Business District, located 3057.49' and 75' on Hunt Lane; a 5.810 acre tract of land out of Block 33, CB 4331, being further described by field notes filed in the Office of the City Clerk, from Temporary "R-1" to "B-3" Business District, located 100' north, 100' east from the cut-back of Old Hunt Lane and Marbach Road, having 82.05 on Old Hunt Lane, and 797.13' on Marbach Road, with a depth of 300'.

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

Mr. Scott Worthen, 711 Navarro, spoke to agreements on deed restrictions dealing with the lack of sale of alcoholic beverages for on-premises construction on this property.

Ms. Vera moved that the recommendation of the Zoning Commission be approved provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. Mr. Harrington seconded the motion.

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

AN ORDINANCE 62,682

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 62.319 ACRE TRACT OF LAND OUT OF BLOCK 33, CB 4331, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT.; A 4.113 ACRE TRACT OF LAND OUT OF BLOCK 33, CB 4331, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE

OF THE CITY CLERK, FROM TEMPORARY "R-1" TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT,; A 5.810 ACRE TRACT OF LAND OUT OF BLOCK 33, CB 4331, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

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37. CASE Z86070 - to rezone a 8.110 acre tract of land out of Block 35, CB 4329, being further described by field notes filed in the Office of the City Clerk, from Temporary "R-1" One Family Residence District to "I-1" Light Industry District, located 75' east and south from the southeast corner of Waters and Edge Drive and Horal Drive; a 41.891 acre tract of land out of Block 35, CB 4329, being further described by field notes filed in the Office of the City Clerk, from Temporary "R-1" One Family Residence District to "B-3" Business District, located between Cable Ranch Road (909.78') and Hunt Lane (260.38'), Garden Brook (1762.83') and Marbach Road (1458.35'), 100' east of Cable Ranch Road between Cable Ranch Road and Horal Drive (956.70'), Garden Brook (909.54'), and Waters Edge Drive and 100' on Garden Brook, the southeast corner of Waters Edge Drive and Horal Drive, having 711.93' on Waters Edge Drive and 602.11' on Horal Drive; a 3.158 acre tract of land out of Block 35, CB 4329, being further described by field notes filed in the Office of the City Clerk, from Temporary "R-1" One Family Residence District to "B-3R" Restrictive Business District, located 2321.44' on Cable Ranch Road, 100' on Water Edge Drive and 100' on Garden Brook.

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

Mrs. 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, subject to certain deed restrictions as noted on the previous zoning case to be made also a part of the record of this meeting.

Ms. Vera then thanked the applicant for his cooperation in this matter.

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.

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AN ORDINANCE 62,683

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 8.110 ACRE TRACT OF LAND OUT OF BLOCK 35, CB 4329, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT,; A 41.891 ACRE TRACT OF LAND OUT OF BLOCK 35, CB 4329, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

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86-16 Agenda Item #38, Zoning Case #Z86076, was postponed earlier in the meeting.

39. CASE Z86081 - to rezone a 24.678 acre tract of land out of NCB 14862, being further described by field notes filed in the Office of the City Clerk, from "R-5" One Family Residence District to "B-3" Business District; a 5.087 acre tract of land out of NCB 14862, being further described by field notes filed in the Office of the City Clerk, from "R 5" One Family Residence District and "B-2" Business District to "B-3" Business District; a 36.32 acre tract of land out of NCB 14862, being further described by field notes filed in the Office of the City Clerk, from "R-5" One Family Residence District to "B-2" Business District, located on the east and south side of De Zavala Road, being 100' north of the intersection of Sunset Haven Drive and Babcock Road, having a total of 3584.3' along the easterly and southerly R.O.W. of De Zavala Road.

Mr. Phil Garay, 6326 Sovereign Drive, spoke to certain deed restriction agreements he had made with previous opponents to the matter and noted that they would be properly filed.

Mr. Harrington asked that the deed restrictions titled "Declaration of Covenants, Conditions and Restrictions" be made a part of the papers of this case.

Mr. Harrington moved that recommendation of the Zoning Commission be approved provided that 3' of dedication is given along De Zavala and Babcock Road; also that driveways and off-street parking are 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: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Vera, Harrington, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: None.

AN ORDINANCE 62,684

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 24.678 ACRE TRACT OF LAND OUT OF NCB 14862, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM "R-5" ONE FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT; a 5.087 ACRE TRACT OF LAND OUT OF NCB 14862, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CLERK, FROM "R-5" ONE FAMILY RESIDENCE DISTRICT AND "B-2" BUSINESS DISTRICT TO "B-3" BUSINESS DISTRICT; A 36.32 ACRE TRACT OF LAND OUT OF NCB 14862, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CLERK, FROM "R-5" ONE FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT 3' OF DEDICATION IS GIVEN ALONG DE ZAVALA AND BABCOCK ROAD; ALSO THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

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40. CASE Z86077 - to rezone a 2.210 acre tract of land out of NCB 139, being further described by field notes filed in the Office of the City Clerk, in the 400 Block of Soledad Street, from "I" Business District to "B-4" Central Business District, located on the southeast corner of Soledad Street and W. Pecan Street with Salinas Street for a south boundary and San Antonio River for a easterly boundary, having 391.3' on W. Pecan Street, 232.75' on Soledad Street and 188' on Salinas Street.

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

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Mrs. Berriozabal made a motion that the recommendation of the Zoning Commission be approved provided that driveways are provided and submitted for approval by the Traffic Engineering Division. Mr. Thompson seconded the motion.

Mrs. Berriozabal noted that this is the new National Bank of Commerce building adjacent to its current property downtown which incorporates new urban design that enhances the San Antonio River and the entire downtown environment. She congratulated NBC for its understanding and concerns for the downtown area.

Mayor Cisneros thanked Mr. Robert Seale, President of National Bank of Commerce, as well as other representatives of the bank for their efforts in this case. He also thanked Mr. Seale and his staff for utilizing young local talent in their bank. He noted that when completed that this will be the tallest office building in downtown San Antonio.

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 62,685

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 2.210 ACRE TRACT OF LAND OUT OF NCB 139, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 400 BLOCK OF SOLEDAD STREET, FROM "I" BUSINESS DISTRICT TO "B-4" CENTRAL BUSINESS DISTRICT, PROVIDED THAT DRIVEWAYS ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

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40. CASE Z86082 - to rezone Lot 2, Block 3, NCB 14687, in the 5700 Block of Babcock Road, from Temporary "R-1" One Family Residence District to "B-3" Business District, located on the northeast side of Babcock Road, being approximately 560' southeast of the cut-back of Huebner Road and Babcock Road, having 105' on Babcock Road with a depth of 200'.

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

Mr. Harrington moved that the recommendation of the Zoning Commission be approved provided that 15' of dedication is given along Babcock Road and 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: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Vera, Harrington, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: None.

AN ORDINANCE 62,686

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 2, BLOCK 3, NCB 14687, IN THE 5700 BLOCK OF BABCOCK ROAD, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT 15' OF DEDICATION IS GIVEN ALONG BABCOCK ROAD AND THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

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42. CASE Z86064 - to rezone Lot 82, Block 6, NCB 13948, in the 1600 Block of South Callaghan Road, from "R-A" Residence-Agriculture District to "B-3NA" Non-Alcoholic Sales Business District, located on the westside of Callaghan Road, being 105' south of the intersection of Callaghan Road and Mayo Drive, having 52.5' on South Callaghan Road with a depth of 147.55'.

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

Mr. Thompson moved that the recommendation of the Zoning Commission be approved provided that 13' of dedication is given along Callaghan 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: Webb, Dutmer, Wing, Martinez, Thompson, Vera, Harrington, Hasslocher, Cisneros;

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NAYS: None; ABSENT: Berriozabal, Labatt.

AN ORDINANCE 62,687

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 82, BLOCK 6, NCB 13948, IN THE 1600 BLOCK OF SOUTH CALLAGHAN ROAD, FROM "R-A" RESIDENCE-AGRICULTURE DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT, PROVIDED THAT 13' OF DEDICATION IS GIVEN ALONG CALLAGHAN ROAD AND THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

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43. CASE Z86085 - to rezone a 0.1198 acre tract of Lot 19, Block 27, NCB 286, being further described by field notes filed in the Office of the City Clerk, in the 1000 Block of W. Martin Street, from "R-3" Multiple Family Residence District to "O-1" Office District, located on the south side of West Martin Street, being 259.30 east of the intersection of West Martin Street and North Frio Street, having 71.50' on West Martin Street with a depth of 73'.

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

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

AN ORDINANCE 62,688

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 0.1198 ACRE TRACT OF LOT 19, BLOCK 27, NCB 286, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 1000 BLOCK OF W. MARTIN STREET, FROM "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

* * * *

44. CASE Z86087 - to rezone Lot 4, 5, and the east 29.32' of Lot 3, and the west 59.69' of Lot 6, NCB 16072, in the 100 Block of Casa Bella Street, from Temporary "R-1" One Family Residence District to "B-3" Business District, located on the northeast corner of Casa Bella Street and I.H. 10 West, having 249.79' on Casa Bella Street, 83' on the cut-back of Casa Bella Street and I.H. 10 West, with a maximum depth of 383.15'.

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

Mr. Webb moved that the recommendation of the Zoning Commission be approved provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. Mr. Thompson 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, Labatt.

AN ORDINANCE 62,689

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 4, 5, AND THE EAST 29.32' OF LOT 3, AND THE WEST 59.69' OF LOT 6, NCB 16072, IN THE 100 BLOCK OF CASA BELLA STREET, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

* * * *

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45. CASE Z85231 - to rezone all of NCB 17623, 17624, save and except Lots 10 thru 13 and 22 thru 25, 17625, 17626, fronting on Randolph Blvd. andd on Robard R.O.W., (not open), from Temporary "R-1" One Family Residence District to "B-3NA" Business District, Non-Alcoholic Sales; the southeast 100' of Lot 2, NCB 17621, the southeast 100' of parcels 18, 20, 21, 22, 24, 25, 25A, 26 and 27, NCB 17622, fronting on Randolph Blvd. from Temporary "R-1" One Family Residence District to "B-3" Business District; Lot 2, save and except the southeast 100', NCB 17621, Parcels 19, 23 and 25B, NCB 17622, Parcels 18, 20, 21, 24, 25, 25A, 26 and 27, save and except the southeast 100', NCB 17622, fronting on I.H. 35 North Expressway from Temporary "R-1" One Family Residence District to "I-1" Light Industry District, bounded by O'Connor Road, Judson Road, I.H. 35 Expressway Robards R.O.W. (not open) and properties on both sides of Randolph Blvd.

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

Mr. Andy Guerrero, Planner III, stated that this case was originated by the city staff on a piece of property on the newly annexed city area. He stated that it represents a new zoning scheme with transitional areas involved.

Mr. Tom Flash, representing several homeowner associations in the area stated that he feels the plan moves "I-1" Industrial zoning east of Randolph Blvd. to the the detriment of local residential areas.

Mr. Guerrero noted that the caption on the case is somewhat incorrect and stated that the caption as cited in the official mailing to property owners within 200 feet of the area was correct.

Mr. Flash spoke to his objections with the zoning plan and stated that he feels that it violates old deed restrictions and covenants in the area.

Mr. Walt Wilby, 411 Kings Crown, spoke against the intrusion of businesses into a residential area.

Ms. Jan Lewis, 104 Fox Run, stated that she feels the rezoning would conflict with the covenants placed on this property years ago. She spoke against industry being brought into this area.

Ms. Wilma Coble, 6203 Phillip St., stated that she is partially opposed to the rezoning as requested.

Mr. Ralph Gilbert, owner of Texas Plumbing Co., located in the area stated that he has a rather large investment in the area and he feels that the rezoning would adversely impact his business.

A discussion then took place concerning the possibility of sending the rezoning of the Texas Plumbing property back to the Zoning Commission and establishing "B-3NA" zoning on the property next to Ms. Coble's property.

Mr. Hasslocher made a motion to grant the "B-3NA" Business District, Non Alcoholic Sales zoning in lieu of the "B-3R" zoning and sending the Texas Plumbing property back to the Zoning Commission for reconsideration. Mrs. Dutmer seconded the motion.

Mr. Hasslocher spoke in favor of protecting the homeowners in the area.

Mr. Thompson stated that he feels the entire proposed "B-3R" area should be "B-3NA".

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

AN ORDINANCE 62,690

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 ALL OF NCB 17623, 17624, SAVE AND EXCEPT LOTS 10 - 13, 22 - 25, ALL OF NCB 17625, 17626, FRONTING ON RANDOLPH BOULEVARD AND ON ROBARD R.O.W. (NOT OPEN), FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-3NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES; THE SOUTHEAST 100' OF LOT 2, NCB 17621, THE SOUTHEAST 100' OF PARCELS 18, 20, 21, 22, 24, 25, 25A, 26 AND 27, NCB 17622, FRONTING ON RANDOLPH BOULEVARD FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT; LOT 2, SAVE AND EXCEPT THE SOUTHEAST 100' NCB 17621, PARCELS 19, 23 AND 25B, NCB 17622, PARCELS 18, 20, 21, 22, 24, 25, 25A, 26 AND 27, SAVE AND EXCEPT THE SOUTHEAST 100' NCB 17622, FRONTING ON I.H. 35 NORTH EXPRESSWAY FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT.

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86-16 The Clerk read the following Ordinance:

AN ORDINANCE 62,691

ADOPTING A NAME FOR A BASEBALL FIELD AT CUELLAR PARK. (REGGIE PEREZ BASEBALL FIELD)

* * * *

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

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

86-16 The Clerk read the following Ordinance:

AN ORDINANCE 62,692

PROHIBITING THE SALE, POSSESSION, CONSUMPTION OR DISTRIBUTION OF ALCOHOLIC BEVERAGES IN CONCEPCION PARK; PROVIDING A PENALTY FOR VIOLATION HEREOF BY FINE NOT TO EXCEED \$200.00; AND PROVIDING AN EFFECTIVE DATE.

* * * *

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

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

86-16 Agenda Items #48, 49 & 50 being the IH10/FM1518 area, the Lackland North area and the Notre Dame/N.W. Crossroads area proposed annexations were earlier removed from consideration.

86-16 The Clerk read the following Ordinance:

AN ORDINANCE 62,693

AUTHORIZING PAYMENT TO 176 FIRE ENGINEER PARAMEDICS AS DIRECTED BY THE COURT IN THE AMOUNT OF \$4,184,796.41; AND DECLARING AN EMERGENCY.

* * * *

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

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

86-16 The Clerk read the following Ordinance:

AN ORDINANCE 62,694

AUTHORIZING AN AGREEMENT WITH THE WORDEN SCHOOL OF SOCIAL WORK, OUR LADY OF THE LAKE UNIVERSITY TO ASSIST THE NUTRITION COMMITTEE THROUGH THE ADMINISTRATION OF AN INSTRUMENT WHICH WOULD SURVEY A RANDOM SAMPLE OF 555 ELDERLY PARTICIPANTS IN THE CITY'S NUTRITION PROGRAM.

* * * *

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

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

86-16 The City Council at this considered Agenda Item #53, being a proposed Ordinance amending Chapter 33, Vehicles for Hire, of the city Code, regarding the transfer of operating permits, reversion of permits to the City upon the death or incapacity of a permit holder, sub-leasing of operating authority, criteria for revocation of a current City Chauffeur's license, requirement of transfer/hire slips to track drive employment history, increase of insurance requirement to meet State requirements, numbering of taxi vehicles, and requiring permanent fixture of radios in cabs.

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

Mr. Thompson explained the proposed Ordinance to tighten control of the taxicab industry in San Antonio and stated that he feels it is a positive step.

Mrs. Dutmer voiced her concern that the taxicab business could not under the terms of the new ordinance be passed on to a driver's or a cab owner's survivor in case of the operators death.

Mr. Roger Ibarra, Supervisor of Public Utilities, stated that a survivor could indeed come to the City Council and ask that the permit be transferred to their name. He said that the city staff by virtue of this ordinance is only trying to control the indiscriminate transfer of permits.

Mr. Robert Gonzales, owner of National & Country Cab Companies stated that he feels that permit holders should be informed of any proposed changes in the taxicab ordinance well in advance of the consideration of such ordinances before the City Council. He voiced his concern with the plans to restrict the transfer of permits and he feels that a public hearing should have been held.

Mr. Ibarra stated that a public hearing is only required when a change to the rules and regulations is involved.

Mayor Cisneros stated that he feels that cab owners should have been better informed on this matter and he said the Council may need to delay implementation of this case for several weeks.

Mr. Thompson stated that this ordinance has been in process of preparation for several months and he further noted that his memorandum concerning the proposed changes had been in the hands of taxicab drivers up to a week ago.

In response to a question by Mr. Martinez, Mr. Ibarra stated that a sub-committee of the Transportation Advisory Board recommended this new ordinance.

Mr. Martinez stated that he feels the full Transportation Advisory Board should have dealt with this matter and should have also informed cab permit holders. He feels this is a break down in the system in this case.

Mrs. Dutmer moved that a substitute motion to postpone this matter for one week and to ask the Transportation Advisory Board to have a public hearing on this matter. Mrs. Berriozabal seconded the motion.

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

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

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86-16 The Clerk read the following Ordinance:

AN ORDINANCE 62,695

ACCEPTING THE BID OF SUNBELT DEMOLISHING CORPORATION IN THE AMOUNT OF \$28,777.00, FOR THE DEMOLITION OF THE HERTZ AND BARNES BUILDINGS AT INTERNATIONAL AIRPORT; APPROVING A CONTRACT; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

* * * *

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

In response to a question by Mr. Labatt, Mr. Louis Fox, City Manager, stated that he had removed this item from the agenda last week and was bringing it back today after consulting with the firm concerning the matter of asbestos removal in a previous job.

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

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86-16 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE - ROTARY AND HAMEL STREETS PROJECT

Mayor Cisneros declared the Public Hearing to be open.

No citizen appeared to speak in opposition.

Mayor Cisneros declared the Public Hearing to be closed.

The City Clerk read the following Ordinance:

AN ORDINANCE 62,696

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AUTHORIZING THE TRANSFER OF \$68,600.00 TO THE ROTARY/HAMEL STREETS PROJECTS TO COVER THE COST OF FIELD AUTHORIZATION #2.

* * * *

Mr. Frank Kiolbassa, Director of Public Works, briefly explained the ground water problems which required installation of an elaborate drain system and thus the expenditure of additional funds.

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

86-16 The Clerk read the following Ordinance:

AN ORDINANCE 62,697

AUTHORIZING FIELD ALTERATION NO. 2 ON THE ROTARY/HAMEL STREETS PROJECT IN THE AMOUNT OF \$68,572.50 TO COVER THE COST OF ADDING LIME STABILIZED SUBGRADE AND UNDERDRAINS ON JUNULL AND ROTARY STREETS.

* * * *

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

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

86-16 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE - ALLEY CLOSURE

Mayor Cisneros declared the Public Hearing to be open.

No citizen appeared to speak in opposition.

Mayor Cisneros declared the Public Hearing to be closed.

The City Clerk read the following Ordinance:

AN ORDINANCE 62,698

CLOSING AND ABANDONING A PORTION OF AN UNIMPROVED 15-FOOT ALLEY, BETWEEN LOTS 8, 12, AND 13, BLOCK 2, NEW CITY BLOCK 10671, AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE A QUITCLAIM TO FRANCES K. ROSS, FOR A CONSIDERATION OF \$1.00.

* * * *

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

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

86-16 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE - ALLEY CLOSURE

Mayor Cisneros declared the Public Hearing to be open.

No citizen appeared to speak in opposition.

Mayor Cisneros declared the Public Hearing to be closed.

The City Clerk read the following Ordinance:

AN ORDINANCE 62,699

CLOSING AND ABANDONING A PORTION OF AN UNIMPROVED 15-FOOT ALLEY, IN NEW CITY BLOCK 9558, AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE A QUITCLAIM TO DOLORES M. LOTT, ADJACENT OWNER, FOR A CONSIDERATION OF \$1.00.

* * * *

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

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

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86-16LINDA DRIVE STREET PROJECT

Mayor Cisneros noted that State Senator Cindy Krier spoke to him earlier today concerning certain excavation problems that have occurred on a street project on Linda Drive. He asked the Director of Public Works, Mr. Frank Kiolbassa, to investigate Senator Krier's concerns and telephone her with an explanation.

86-16PUBLIC HEARING - NO SMOKING

Mayor Cisneros stated that the public hearing concerning the matter of a no smoking ordinance would be held at 7:00 P.M. Wednesday, April 16, 1986 at the Centro de Artes Building in Market Square. He thanked members of the news media for disseminating information concerning this public hearing to the general public. He stated that he personally has found no one opposed to the ordinance only having received comments on how best to implement it.

Mayor Cisneros then read the text of a city news release concerning the public hearing, (a copy of which is made a part of the papers of this meeting).

86-16LITTER CONTROL

Mayor Cisneros spoke of the creation of a one million dollar program by the State Department of Highways & Public Transportation concerning incentives to be paid to municipalities who prosecute citizens concerning litter control. He stated that under terms of a Minute Order enacted by the Highway Department during under which municipalities are reimbursed some twenty dollars for each citation given for littering on a public highway right of way. He asked the city staff to investigate the matter.

Mr. Thompson spoke to the matter of littering on public roads leading to city dumps in San Antonio as being a particularly acute problem in his district.

86-16HARCOURT-BRACE-JOVANOVICH

Mayor Cisneros spoke of the construction activity underway at the site of the new Sea World in west Bexar county and he distributed a copy of the Harcourt-Brace-Jovanovich annual report which includes much data concerning San Antonios' new Sea World project. Mayor Cisneros also stated that today the owner of the firm had written him concerning a new

aspect of Sea World to be named "Places of Learning" and he spoke to details of this new project.

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86-16

JOE MENDIOLA

In response to a question by Mayor Cisneros, Mr. Lowell Denton, City Attorney, noted that a member of a city board could be removed only for cause and that this had not been proven as of this time. He stated that he has asked the District Attorney concerning the status of this case. He stated further that he feels the City Council should remove Mr. Mendiola only for cause and that at a later date.

Mayor Cisneros stated that the City Council will take this up in Executive Session later today to determine a possible course of action to follow.

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86-16

PERSONNEL DIRECTOR

Mayor Cisneros asked that the City Council hold an Executive Session later today concerning a reported matter involving the City's Personnel Director and a reported hit and run automobile accident.

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86-16

PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE -
GATEWAY WATER CORPORATION

Mayor Cisneros declared the Public Hearing to be open.

No citizen appeared to speak in opposition.

Mayor Cisneros declared the Public Hearing to be closed.

The City Clerk read the following Ordinance:

AN ORDINANCE 62,700

CONVENING A HEARING ON THE APPLICATION OF GATEWAY WATER CORPORATION TO INCREASE WATER RATES WITHIN THE CITY OF SAN ANTONIO, SUSPENDING OPERATION OF THE PROPOSED RATE SCHEDULE FOR 90 DAYS FROM THE EFFECTIVE DAY OF THE PROPOSED RATE CHANGE, RECESSING SUCH HEARING PENDING FURTHER REVIEW OF THE MERITS OF SUCH APPLICATION.

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Mr. Thompson noted that the last requested rate increase by Gateway Water Corporation has just been approved by the Public Utility Commission and an increase of some 78% was granted. He added that the City Water Board still is negotiating to perhaps purchase the Gateway Water Corporation.

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

A discussion then took place concerning the City Council's possible options and possible actions in this matter.

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.

- - -
 86-16 The City Council recessed its regular session at 3:20 P.M., reconvening the regular session at 5:20 P.M.

- - -
 86-16 KUDOS TO STUART SUMMERS

Mayor Cisneros distributed copies of a letter from the Government Finance Officers Association advising Mr. Stuart Summers, Director of Budget and Research, of his Award for Distinguished Budget Presentation. This award is the highest form of recognition in governmental budgeting. The Mayor and City Council then congratulated Mr. Summers for this latest accomplishment.

- - -
 86-16 CITY PUBLIC SERVICE PAYMENTS
 TO THE CITY OF SAN ANTONIO

Mayor Cisneros referred to a report prepared by the Financial Reporting and Analysis dated March 20, 1986 which lists payments to the City of San Antonio by City Public Service from 1977-78 to the present. (A copy of this report is on file with the papers of this meeting.)

- - -
 86-16 TEXAS RESEARCH PARK HIGHWAY

Mayor Cisneros stated that he along with County Judge Tom Vickers

had been to Austin and have received a Minute Order from the State Department of Highways and Public Transportation designating a State Highway from U.S. Highway 90 West of San Antonio northerly to State Highway 16. This highway will be extremely beneficial to the new Texas Research Park planned for this area. (A copy of this Minute Order is on file with the papers of this meeting.)

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86-16

FIESTA ISSUE

Councilman Martinez spoke to the Council about his concerns with the previous ordinance approved by the City Council on the Fiesta issue and its approval to expand the area where the Concessionaire will have authority to issue permits, that is the Milam Park area. This area had been included in previous ordinances and he feels that the cost for the permits is too costly.

In response, Mrs. Karen Kliever, Intergovernmental Relations, explained for the Council the details of the ordinance and the contract between the Fiesta Commission and the Concessionaire, Mr. Phil Sheridan. She also explained the fee schedule for the permits and the liability which Mr. Sheridan incurs and the bonding requirements which he must meet.

(At this point Mayor Cisneros was obliged to leave the meeting and Mayor Pro-Tem Thompson presided.)

Mr. Webb, Chairman of the City's Fiesta Committee, also explained the funding which is provided by the Concessionaire to the Fiesta Commission.

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CITIZENS TO BE HEARD

TAXICAB ISSUE

Mayor Pro-Tem Thompson advised the taxicab drivers in the audience that the Council had decided earlier in the meeting to direct the Transportation Advisory Board to hold a public hearing on Tuesday, April 15 at 5:00 P.M. in order to apprise the taxicab drivers of the proposed changes. He then stated that they will have an opportunity to speak on Tuesday as well as on Thursday when the issue is again presented to the City Council.

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MR. ARMAGAN KAPTALTEPLE

Mr. Armagan Kaptalteple, owner of the Lone Star Cab Company thanked the City Council for not taking any action on the proposed ordinance which had been presented earlier for their consideration. He also expressed concern about the proposed changes to the taxicab ordinance and stated that he would have wanted the opportunity to review the ordinance prior to it being presented to the City Council for action.

Mayor Pro-Ten Thompson asked that copies of the ordinance be made available to those interested persons.

* * * *

MR. T.L. MORGAN

Mr. T.L. Morgan, 150 Humphreys, stated that there was a rate increase request presented to the Transportation Advisory Board which was to have been presented to the City Council and to date this had not been accomplished. Mr. Morgan also took issue with the appointment of Mr. Robert Morales to the Transportation Advisory Board and stated that he only represents about 10 drivers.

* * * *

MR. ROBERT GONZALES

Mr. Gonzales, 5522 Southwick, presented a written statement to the City Council, on the breakdown of top 41 cities that have traffic delay and hourly rate charges on traffic delay. A copy of the his statement is on file with the papers of this meeting. He also reiterated the concerns of Mr. Morgan on the rate increase request which was to have been presented to the City Council.

* * * *

MR. MARK BRAME

Mr. Mark Brame, President of San Antonio Permit Holders Coalition, and owner of the Texas Taxi Company, spoke to the Council in opposition to Item 53 of the agenda, being the proposed ordinance on the changes to the taxicab ordinance. He stated that these proposed changes had not been presented to the Transportation Advisory Board. He stated that they need to be kept apprised in the same manner as other interested industries have been kept of pending legislation.

* * * *

MR. MARC COUTURE

Mr. Marc Couture also expressed concern that the rate increase has not been presented to the City Council.

* * * *

SAISD SUPERINTENDENT

City Manager, Louis Fox, announced that Mr. Victor Rodriguez, San Antonio Independent School District Superintendent had suffered a mild heart attack. Inadvertently, one of the television stations had shown Chief of Police Charles Rodriguez' photograph when making the announcement.

- - -
86-16 There being no further business to come before the City Council, the meeting was adjourned at 6:10 P.M.
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A P P R O V E D

Henry Cisneros
M A Y O R

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

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