

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO, HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, SEPTEMBER 24, 1987.

\* \* \* \*

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

- - -  
87-45 The invocation was given by Reverend David Carrillo, Our Savior Advent Lutheran Church.

- - -  
87-45 The members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

- - -  
87-45 JUST SAY NO PLEDGE CHALLENGE DAY

Mayor Cisneros introduced Ms. Lonise Bias, mother of the late basketball star, Len Bias, who died last year from an overdose of drugs. Mayor Cisneros also introduced two other persons in her party. He then read the proclamation designating "Just Say No Pledge Challenge Day" in San Antonio, and presented it to Mr. Sergio Soto, and Mrs. Beverly Cox of the U.S. Attorney's Office. Mayor Cisneros spoke of Bias' death and his mother's pledge to help combat drugs through the "Just Say No" campaign.

Ms. Lonise Bias explained how her son's death has helped begin a change in drug awareness across the nation and she urged a commitment to drug awareness by all.

Mayor Cisneros then presented a special book on San Antonio to Ms. Bias.

- - -  
87-45 AIDS PREVENTION MONTH

Mayor Cisneros spoke of the impact and the spread of AIDS throughout society including San Antonio and he introduced Dr. Fernando Guerra, Interim Director of Health, City of San Antonio; Mr. Jesse Sanchez, representing HACER; and Ms. Paula Hines, representing San Antonio AIDS Task Force. He then read a proclamation designating AIDS Prevention

Month in San Antonio and presented it to Dr. Guerra. Mayor Cisneros then noted that the rate of escalation of AIDS has now slowed largely through preventive medicine measures.

Mrs. Berriozabal thanked all three for their hard work in this effort.

- - -  
87-45

SAN ANTONIO COMMISSION ON LITERACY

Mayor Cisneros read the names of the new members to be sworn in today from the San Antonio Commission on Literacy.

City Clerk, Norma S. Rodriguez, then administered the formal oath of office to Commission members and awarded each certificates of membership.

Mayor Cisneros thanked Ms. Vera as the Council person who spear headed the move to create the Commission.

Ms. Vera then spoke to the first agenda facing the Commission at its first meeting next Wednesday.

Mrs. Berriozabal and Mrs. Dutmer both thanked Ms. Vera for her hard work and spoke of the disparity of the Commission members.

- - -  
87-45

NEW MAYOR PROTEM

Mayor Cisneros thanked Mr. Nelson Wolff for his service as Mayor Protem over the past several months.

City Clerk, Norma S. Rodriguez, then administered the formal oath of office as Mayor Protem to Mr. Frank Wing and congratulated him.

Other members of the City Council then joined in offering their congratulations to both Mr. Wolff and Mr. Wing.

- - -  
87-45

PARENT-CHILD, INCORPORATED

Mayor Cisneros introduced Ms. Blanche Russ, representing Parent-Child, Incorporated, and Sister Boniface as well as a group of day care children present in the audience.

Ms. Russ expressed appreciation to the Mayor and Council including Mr. Wing as Chairman of the Council Committee on Social Service

Agencies for the continued day care funding by the City of San Antonio.

Mayor Cisneros spoke of the difficulties faced by the City Council's Social Services Committee and he lauded the Committee on its hard work. He also spoke of how the Committee has redirected social services and arts funding in San Antonio and of Mr. Wing's willingness to undertake these difficult jobs.

Ms. Russ then read a plaque and presented it to Mr. Wing. At that time two other Title XX day care groups also presented plaques and resolutions to Mr. Wing, including the Healy Murphy Child Care Center.

Mayor Cisneros thanked other Council Committee members for their service as well.

Individual Council members then congratulated Mr. Wing for his leadership of that committee.

- - -  
87-45      CONSENT AGENDA

Mrs. Dutmer made a motion to approve Agenda Items #8 - 49, constituting the Consent Agenda, with the exception of Items #15, 18, 20, 30, 40 and 41, where were pulled for individual consideration. Agenda Item #44, was pulled earlier by the City Manager. Mr. Webb seconded the motion.

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

AN ORDINANCE 65,735

ACCEPTING THE LOW BID OF REAL TOP SERVICE CO. TO FURNISH THE CITY OF SAN ANTONIO AVIATION DEPARTMENT WITH WINDOW CLEANING SERVICE ON A CONTRACT BASIS FOR A TOTAL COST OF \$32,012.85.

\* \* \* \*

AN ORDINANCE 65,736

ACCEPTING THE LOW BID OF TEXAS FLOORS FOR TILE FLOOR REPLACEMENT AT COPERNICUS GYM FOR THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT FOR A TOTAL OF \$5,687.00.

\* \* \* \*

AN ORDINANCE 65,737

ACCEPTING THE LOW BID OF SCAPECARE PROPERTY MAINTENANCE FOR REPAIRS AND SEALING OF THE WOODLAWN LAKE JOGGING TRAIL FOR THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT FOR A TOTAL OF \$3,800.00.

\* \* \* \*

AN ORDINANCE 65,738

ACCEPTING THE LOW BID OF SOUTH TEXAS STEEL FOR REPAIRS OF THE TOWER OF THE AMERICAS STEEL ELEVATOR RAIL SUPPORTS FOR THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT FOR A TOTAL OF \$18,500.00.

\* \* \* \*

AN ORDINANCE 65,739

ACCEPTING THE LOW BID OF PUMPS UNLIMITED TO FURNISH THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH A SUBMERSIBLE SEWAGE PUMP FOR A TOTAL OF \$6,450.00.

\* \* \* \*

AN ORDINANCE 65,740

ACCEPTING THE LOW BID OF BOB TREECE LIFT TRUCKS, INC., TO FURNISH THE CITY OF SAN ANTONIO ENVIRONMENTAL MANAGEMENT DEPARTMENT WITH AN ELECTRIC HIGH LIFT FOR A TOTAL OF \$13,795.00.

\* \* \* \*

AN ORDINANCE 65,741

ACCEPTING THE BID OF TEZEL & COTTER COMPANY TO FURNISH THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH AIR CONDITIONING DUCT REPAIRS AT THE PALM HEIGHTS COMMUNITY CENTER FOR A TOTAL OF \$3,096.00.

\* \* \* \*

AN ORDINANCE 65,742

ACCEPTING THE LOW QUALIFIED BID OF BJ PARK &

RECREATION PRODUCTS TO FURNISH THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH PICNIC TABLES FOR A TOTAL OF \$9,750.00.

\* \* \* \*

AN ORDINANCE 65,743 .

ACCEPTING THE LOW QUALIFIED BID OF CHAMBERS SECURITY SYSTEMS OF SAN ANTONIO, INC., TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH A CLOSED CIRCUIT TELEVISION SYSTEM FOR A TOTAL OF \$5,995.00.

\* \* \* \*

AN ORDINANCE 65,744 .

ACCEPTING THE LOW BID OF KD DISTRIBUTING TO FURNISH THE CITY OF SAN ANTONIO HUMAN RESOURCES & SERVICES DEPARTMENT WITH COMMERCIAL REFRIGERATORS FOR A TOTAL OF \$4,650.00.

\* \* \* \*

AN ORDINANCE 65,745 .

ACCEPTING ANNUAL CONTRACTS TO FURNISH THE CITY OF SAN ANTONIO WITH VARIOUS MATERIALS AND SERVICES FOR THE 1987-88 FISCAL YEAR.

\* \* \* \*

AN ORDINANCE 65,746 .

AUTHORIZING FIELD ALTERATION NO. 21 IN THE AMOUNT OF \$67,420.00 TO THE CONTRACT OF H.B. ZACHRY COMPANY, INC., FOR HEMISFAIR PLAZA PARKING GARAGE TO PROVIDE FOR THE INSTALLATION OF PROTECTIVE STEEL BOLLARDS AT EXPOSED PIPING, RELOCATION OF A CONCEALED GAS LINE, AND ADDITIONAL BARRICADE RENTAL FOR THE BOWIE STREET DETOUR.

\* \* \* \*

AN ORDINANCE 65,747 .

ACCEPTING THE BID OF CLARK CONSTRUCTION CO., INC., IN THE AMOUNT OF \$88,888.88 TO REPAIR DAMAGES CAUSED BY THE JUNE FLOOD/RAINS ON N. NEW BRAUNFELS BETWEEN EISENHauer AND AUSTIN HIGHWAY; PROVIDING AN

ADDITIONAL \$4,444.44 FOR A MISCELLANEOUS CONSTRUCTION CONTINGENCY; APPROVING A CONTRACT; AND PROVIDING FOR PAYMENT.

\* \* \* \*

AN ORDINANCE 65,748

AUTHORIZING FIELD ALTERATION NO. 22 FOR THE CARVER COMMUNITY CULTURAL CENTER RENOVATION & ADDITION PROJECT, IN THE AMOUNT OF \$28,114.00 FOR THE FABRICATION AND INSTALLATION OF A BAIL TYPE FIRE CURTAIN, RELOCATION OF A WALL AT THE REAR OF THE BALCONY SEATING, REMOVING THE LAST ROW (HIGHEST SEATING) OF BALCONY SEATS AND THE INSTALLATION OF CARPETING.

\* \* \* \*

AN ORDINANCE 65,749

AUTHORIZING FIELD ALTERATION NO. 2, IN THE AMOUNT OF \$26,341.30, FOR THE DONALDSON AVENUE RECONSTRUCTION PROJECT TO PROVIDE FOR REVISING THE STREET BASE RECONSTRUCTION FROM CEMENT STABILIZED BASE TO ASPHALT TREATED BASE AT THE FIVE STREET INTERSECTIONS.

\* \* \* \*

AN ORDINANCE 65,750

AUTHORIZING CITY WATER BOARD FIELD ALTERATION NO. 1 IN THE AMOUNT OF \$75,602.50, FOR THE DONALDSON AVENUE RECONSTRUCTION PROJECT TO PROVIDE FOR RELAYING THE EXISTING WATER MAIN AND RECONNECT SERVICES ON DONALDSON AVENUE FROM HERMILINDA TO ZACHRY AND FROM CHERYL TO WINECUP, AND ON DONALDSON EAST OF WINECUP TO ST. CLOUD.

\* \* \* \*

AN ORDINANCE 65,751

AUTHORIZING FIELD ALTERATION NO. 1, IN THE AMOUNT OF \$23,643.03, FOR THE MCA STREETS PROJECT.

\* \* \* \*

September 24, 1987  
sr

AN ORDINANCE 65,752 .

ACCEPTING THE PHASE II PROPOSAL OF RABA-KISTNER CONSULTANTS, INC., TO PROVIDE INDUSTRIAL HYGIENE SERVICES RELATED TO THE ASBESTOS ABATEMENT OF MUNICIPAL BUILDINGS PROJECT IN THE AMOUNT OF \$26,852; ACCEPTING THEIR PROPOSAL FOR CONSTRUCTION MANAGEMENT SERVICES IN THE AMOUNT OF \$13,616; AND ESTABLISHING A \$1,200 ENGINEERING CONTINGENCY FOR REPRODUCTION SERVICES.

\* \* \* \*

AN ORDINANCE 65,753 .

AUTHORIZING FIELD ALTERATION NO. 7, IN THE AMOUNT OF \$24,180.19, FOR THE THOUSAND OAKS PROJECT, FROM HENDERSON PASS TO JONES MALTSBERGER, TO PROVIDE FOR REPAIR AND MAINTENANCE OF A TEMPORARY DETOUR ON THE PROJECT.

\* \* \* \*

AN ORDINANCE 65,754 .

AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH GARCIA AND WRIGHT CONSULTING ENGINEERS, INC., IN THE AMOUNT OF \$30,990.00 TO PROVIDE PLANS AND SPECIFICATIONS FOR THE SAN PEDRO BORE BACKUP PROJECT; AUTHORIZING AN ADDITIONAL \$3,099.00 FOR THE ENGINEERING CONTINGENCY AND \$250.00 FOR BID ADVERTISING.

\* \* \* \*

AN ORDINANCE 65,755 .

REPROGRAMMING FUNDS AND AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT CHANGE ORDER #18, IN THE AMOUNT OF \$136,245.18, PAYABLE TO MARTIN K. EBY CONSTRUCTION COMPANY FOR THE RILLING ROAD WWTP OUTFALL RELIEF LINE TO PROVIDE FOR THE RECONSTRUCTION OF PECAN GROVE BOULEVARD AND ADJUSTS THE UNIT PRICE ITEM QUANTITIES IN THE CONTRACT.

\* \* \* \*

AN ORDINANCE 65,756 .

AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES

CONTRACT WITH GARCIA AND WRIGHT CONSULTING ENGINEERS, INC., IN THE AMOUNT OF \$11,870.00, TO PROVIDE PLANS AND SPECIFICATIONS FOR THE SUNSHADOW DRIVE SANITARY SEWER RELIEF PROJECT; AUTHORIZING AN ADDITIONAL \$1,187.00 FOR THE ENGINEERING CONTINGENCY AND \$250.00 FOR BID ADVERTISING.

\* \* \* \*

AN ORDINANCE 65,757

AWARDING A CONTRACT FOR THE CUELLAR PARK LIGHTING RENOVATION PROJECT; ESTABLISHING A CONSTRUCTION CONTINGENCY; AUTHORIZING PAYMENTS; PROVIDING CONTINGENCIES, AND TRANSFERRING FUNDS FOR THE PROJECT.

\* \* \* \*

AN ORDINANCE 65,758

ACCEPTING THE PROPOSAL FROM SAN ANTONIO RIVER AUTHORITY TO PERFORM ENGINEERING DESIGN SERVICES ON THE BRACKENRIDGE PARK RIVER WASHOUT REPAIR PROJECT, IN THE AMOUNT OF \$8,600.00, APPROPRIATING FUNDS AND AUTHORIZING PAYMENTS TO SAN ANTONIO RIVER AUTHORITY.

\* \* \* \*

AN ORDINANCE 65,759

ACCEPTING THE PROPOSAL FROM SAN ANTONIO RIVER AUTHORITY FOR ENGINEERING DESIGN SERVICES NOT TO EXCEED \$8,900.00 AND RIVER CHANNEL WALL REPAIR CONSTRUCTION WITH ATTENDANT ADMINISTRATION AND INSPECTIONS NOT TO EXCEED \$45,000.00.

\* \* \* \*

AN ORDINANCE 65,760

ACCEPTING THE PROPOSAL OF RABA-KISTNER CONSULTANTS, INC. TO PREPARE PLANS AND SPECIFICATIONS FOR ASBESTOS ABATEMENT OF MUNICIPAL BUILDINGS AND AUTHORIZING \$52,726.50 FOR DESIGN SERVICES.

\* \* \* \*

September 24, 1987  
sr

AN ORDINANCE 65,761 .

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$246,628.25 OUT OF GENERAL OBLIGATION BONDS FOR THE PURPOSE OF ACQUIRING TITLE TO CERTAIN LANDS; GRANTING AN EASEMENT TO CERTAIN LANDS; AND FOR PAYMENT OF APPRAISAL SERVICES; ALL IN CONNECTION WITH CERTAIN RIGHT OF WAY PROJECTS.

\* \* \* \*

AN ORDINANCE 65,762 .

PROVIDING FOR THE EXCHANGE AND CONVEYANCE OF CERTAIN SURPLUS PROPERTY IN BEXAR COUNTY, TEXAS TO VAN HENRY ARCHER, JR. FOR A CONSIDERATION OF THE FEE TITLE TO A TRACT OF LAND IN NEW CITY BLOCK 125, CITY OF SAN ANTONIO, TEXAS; RESERVING CERTAIN SUBSURFACE RIGHTS TO A PORTION OF THE PROPERTY CONVEYED; AND AUTHORIZING THE EXECUTION OF THE LEGAL DOCUMENTS OF SUCH CONVEYANCE.

\* \* \* \*

AN ORDINANCE 65,763 .

AUTHORIZING THE SAN ANTONIO BOTANICAL CENTER SOCIETY TO RELOCATE THE SULLIVAN CARRIAGE HOUSE TO THE SAN ANTONIO BOTANICAL CENTER TO RECONSTRUCT SAID HOUSE ON SAID SITE, ALL AT THE BOTANICAL CENTER SOCIETY'S SOLE COST AND EXPENSE.

\* \* \* \*

AN ORDINANCE 65,764 .

AUTHORIZING THE EXECUTION OF A LEASE WITH THE UNITED STATES OF AMERICA, DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION FOR AIR NAVIGATIONAL AIDS AT STINSON MUNICIPAL AIRPORT.

\* \* \* \*

AN ORDINANCE 65,765 .

APPROVING THE PRICE AND CONDITIONS OF THE SALE BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF PARCEL CONTAINING APPROXIMATELY 6,250 SQUARE FEET, LOCATED AT 118 BERLIN STREET, TO LUCIO Z. TOVAR AND WIFE, MARIA G. TOVAR FOR THE SUM OF

\$21,750.00.

\* \* \* \*

AN ORDINANCE 65,766

AUTHORIZING THE 1987/88 COMMUNITY ACTION PROGRAM; AUTHORIZING AN APPLICATION TO THE TEXAS DEPARTMENT OF COMMUNITY AFFAIRS FOR A CONTINUATION GRANT OF \$1,116,783.00; APPROVING A BUDGET AND PERSONNEL POSITIONS; AUTHORIZING CARRYOVER FUNDS; AUTHORIZING DELEGATE AGENCY CONTRACTS; AUTHORIZING LEASE OF SITES; APPROVING 1987/88 PROJECT W.A.R.M. PLAN; APPROVING 1987/88 COMMUNITY ACTION SENIORS PROGRAM (REVISED SENIOR CITIZEN UTILITY RELIEF PROGRAM) PLAN.

\* \* \* \*

AN ORDINANCE 65,767

AMENDING PREVIOUS ORDINANCE NO. 65693, DATED SEPTEMBER 10, 1987, ESTABLISHING REVISED SANITARY SEWER SERVICE CHARGES FOR ALL CUSTOMER CLASSIFICATIONS AND AMENDING PREVIOUS ORDINANCE LANGUAGE TO ACCOMPLISH SAME.

\* \* \* \*

AN ORDINANCE 65,768

AUTHORIZING PAYMENT TO THE U.S. SECRET SERVICE FOR THE CITY'S SHARE OF EXPENDITURES FOR ROPE AND BARRELS FOR THE PAPAL VISIT TO TEXAS.

\* \* \* \*

AN ORDINANCE 65,769

AUTHORIZING PAYMENT TO CATERING BY ROSEMARY FOR A RECEPTION AND A LUNCHEON FOR THE KING AND QUEEN OF SPAIN ON SEPTEMBER 27, 1987.

\* \* \* \*

87-45 The Clerk read the following Ordinance:

September 24, 1987  
sr

AN ORDINANCE 65,770

ACCEPTING THE BID OF TEZEL & COTTER CO. TO FURNISH THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH AIR CONDITIONING DUCT REPAIRS AT THE MEADOWCLIFF COMMUNITY CENTER FOR A TOTAL OF \$4,821.00.

\* \* \* \*

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

In response to a question by Mr. Labatt, Mr. John Brooks, Director of Purchasing and General Services, explained why only one bid was received in this particular case.

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

-

-

-

87-45 The Clerk read the following Ordinance:

AN ORDINANCE 65,771

ACCEPTING THE LOW QUALIFIED BID OF XEROX CORPORATION TO FURNISH THE CITY OF SAN ANTONIO CONVENTION AND VISITORS BUREAU WITH A COPIER ON A RENTAL BASIS FOR A TOTAL OF \$1,160.17 MONTHLY.

\* \* \* \*

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

In response to a question by Mrs. Dutmer, Mr. John Brooks, Director of Purchasing and General Services, explained why this particular machine is being leased in lieu of being purchased, explaining that it is because of the volume of work involved and the rapid obsolescence of duplicating machines.

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

-

-

-

87-45 The Clerk read the following Ordinance:

AN ORDINANCE 65,772 .

.  
ACCEPTING THE PROPOSAL OF JOHNSON CONTROLS TO FURNISH THE CITY OF SAN ANTONIO PUBLIC UTILITIES DEPARTMENT WITH ENERGY COST REDUCTION SERVICES FOR CITY BUILDINGS FOR A TOTAL COST OF \$134,700 AND APPROPRIATING \$139,700 FOR THIS CONTRACT.

\* \* \* \*

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

Mr. Wolff spoke of his own personal concerns that the firms involved may not be able to produce energy savings despite promises made.

Mr. Roger Ibarra, Supervisor of Public Utilities, explained the scope of work to be performed by the successful bidder and how savings actually can be measured.

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

87-45 The Clerk read the following Ordinance:

AN ORDINANCE 65,773 .

.  
AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT CHANGE ORDER #2 IN THE AMOUNT OF \$67,769.77, PAYABLE TO PIZZAGALLI CONSTRUCTION COMPANY, FOR THE DOS RIOS TREATMENT PLANT PROJECT, 4B-1.

\* \* \* \*

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

In response to a question by Mr. Labatt, Mr. Frank Kiolbassa, Director of Environmental Management, explained the change order involved and briefly discussed the problems that had arisen involving the construction company in the past as well as improvements that had been realized recently with the firms work after a number of personnel changes were made.

September 24, 1987  
sr

Mrs. Dutmer voiced her concern with so many change orders in the Dos Rios Treatment Plant project.

Mr. Webb noted that he is gratified that the Dos Rios Wastewater Treatment Plant project is again on schedule.

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

87-45 The Clerk read the following Ordinance:

AN ORDINANCE 65,774

AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENTS WITH SOUTHERN PACIFIC TRANSPORTATION COMPANY AND PACE FOODS, INC., RELATING TO A PROPOSED AT-GRADE RAILROAD CROSSING FOR PACE FOODS, INC. AND FOR PAYMENT OF ALL COSTS BY PACE FOODS, INC.

\* \* \* \*

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

In response to a question by Mr. Martinez, Mr. David Steitle, Director of Public Works, explained that all costs will be borne by Pace Foods, Inc., and he briefly explained the project.

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

87-45 The Clerk read the following Ordinance:

AN ORDINANCE 65,775

ACCEPTING A PROPOSAL OF FEDAPT, INC., TO PROVIDE PROFESSIONAL ORGANIZATIONAL DEVELOPMENT AND ASSISTANCE TO DEVELOPING DANCE ORGANIZATIONS IN THE CITY OF SAN ANTONIO, TRANSFERRING FUNDS FROM DANCEART, INC., INDEX NUMBER 419721, TO ARTS AND CULTURAL TECHNICAL ASSISTANCE, INDEX NUMBER 422071,

APPROPRIATING FUNDS AND AUTHORIZING PAYMENT TO  
FEDAPT IN AN AMOUNT NOT TO EXCEED \$24,000.

\* \* \* \*

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

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

- - -  
87-45 (At this point, the City Council temporarily bypassed consideration of Zoning Cases in order to undertake consideration of other items on the Agenda.)  
- - -

87-45 The Clerk read the following Ordinance:

AN ORDINANCE 65,776 .

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

- - -  
87-45 The Clerk read the following Ordinance:

AN ORDINANCE 65,777 .

.  
AUTHORIZING THE DIRECTOR OF FINANCE TO WRITE OFF  
CERTAIN DELINQUENT ACCOUNTS RECEIVABLES OF THE  
GENERAL FUND AND INTERNATIONAL AIRPORT AT THE CLOSE  
OF FY 1986/87 ON SEPTEMBER 30, 1987.

September 24, 1987  
sr

\* \* \* \*

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

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

- - -  
87-45 The Clerk read the following Ordinance:

AN ORDINANCE 65,778 .

.  
AMENDING ORDINANCE NO. 63630 PASSED ON SEPTEMBER 11, 1986 WHICH LEVIED A 1986 AD VALOREM TAX FOR THE CITY'S FY 1986/87 DEBT SERVICE REQUIREMENTS TO EFFECT A REVISION IN THE ALLOCATION OF THE TAX THEREIN AMONG THE CITY'S DEBT ISSUES.

\* \* \* \*

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

- - -  
87-45 The Clerk read the following Ordinance:

AN ORDINANCE 65,779 .

.  
AMENDING SECTION 2 OF ORDINANCE 65695 REGARDING THE APPLICATION TO GAS CONSUMPTION AS SHOWN BY GAS METER REGISTRATIONS OF THE REINSTATED FULL 14 PERCENT PAYMENT TO THE GENERAL FUND OF THE CITY.

\* \* \* \*

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

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

Dutmer, Martinez, Vera, Cisneros; NAYS: Hasslocher; ABSENT: Wing, Thompson, Wolff, Labatt.

87-45 The Clerk read the following Ordinance:

AN ORDINANCE 65,780

APPROPRIATING THE 13TH YEAR COMMUNITY DEVELOPMENT BOCK GRANT PROGRAM FUNDS IN THE AMOUNT OF \$18,529,937; AGREEING TO COMPLY WITH ASSURANCES; CREATING PERSONNEL POSITIONS AND PAY RANGES; AUTHORIZING EXECUTION OF SUBCONTRACTS WITH OPERATING AGENCIES; AND ESTABLISHING ACCOUNTS, FUNDS, AND AREAS OF RESPONSIBILITY FOR MONITORING PROJECTS.

\* \* \* \*

In response to a question by Mrs. Berriozabal, Mr. Andrew Cameron, Community Development Officer for the City of San Antonio, discussed actions to be taken in relation to this ordinance and the impact of deletion of one project from the ordinance.

Mrs. Berriozabal stated her feeling that the city should meet with community groups involved to discuss street projects projected under the Community Development Block Grant program being approved today.

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

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

87-45 The Clerk read the following Resolution:

A RESOLUTION 87-45-68

RECOGNIZING THE TOBIN HILL PLAN AS AN ADDENDUM TO THE NEIGHBORHOOD PLANNING PROCESS COMPONENT OF THE MASTER PLAN>

\* \* \* \*

Monsignor Wengler spoke in support of the Tobin Hill plan.

Ms. Linda Daniels, Chairman of the Master Plan Team of the Tobin Hill Neighborhood Owners Association, explained how the plan was developed.

Ms. Jo Claire Smith, also representing the Association, spoke to the self-help aspects of the plan and the continued needs for improvements from the City of San Antonio. She then specifically addressed the noise problems among businesses located along N. St. Mary's Street in the area.

Ms. Emily Thuss, representing the San Antonio Coalition of Neighborhoods, spoke of the hard work involved in coming up with this plan.

Mrs. Berriozabal spoke of the plan as being the result of a difficult two-year effort to create the plan and she thanked the neighborhood group for its accomplishments. She then briefly discussed the accomplishments of two neighborhood plans and progress being made towards others at this time.

Mr. Labatt noted that the River Road plan and the Mahncke Park Neighborhood Master Plans already have been completed but others are also underway.

Mr. Wolff thanked Mrs. Berriozabal for her hard work on the matter of neighborhood plan development.

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

- - -  
87-45 (At this time, the City Council temporarily bypassed Agenda Item #62.)

- - -  
87-45 The Clerk read the following Ordinance:

AN ORDINANCE 65,781

.  
.  
.  
CLOSING THE NORTH HALF OF NUEVA STREET FROM ALAMO TO PRESA AND THE SOUTH BOUND CURB LANE ONLY OF ALAMO STREET FROM VILLITA TO NUEVA EXCEPT FOR BUS STOP FROM 7:00 A.M., OCTOBER 8, 1987 TO 12:00 NOON OCTOBER 12, 1987.

\* \* \* \*

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

87-45 The Clerk read the following Ordinance:

AN ORDINANCE 65,782

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

\* \* \* \*

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

Mr. Hasslocher, Chairman of the Council's Annexation Committee, briefly explained the rationale for the Committee's recommendations and the restraints applied because of service plan difficulties in some areas.

Mrs. Dutmer noted that the recommendations are ethnically balanced.

Mr. Wolff noted that the city is now working on other areas near his district and he congratulated Mr. Hasslocher and the Annexation Committee.

A discussion then took place concerning proposed and past annexations.

Mayor Cisneros stated that he personally would like to see a new five-year plan for annexations drawn up by the Council's Annexation Committee.

Mr. Wing noted that Fire and Police coverage issues are major items in any annexation measure.

Mr. Hasslocher discussed police coverage matters to the areas recommended for annexation.

September 24, 1987  
sr

18

Mrs. Berriozabal voiced her concerns about possible dilution of city services already occurring in the inner-city areas as a result of recent annexations. She then spoke to her written request for the Annexation Committee for a report on assurances that new annexations would not dilute inner city services.

Mr. Hasslocher addressed possible future annexation areas.

Mayor Cisneros spoke of his own feelings for balancing growth and the provision of service as well as protecting the city's ability to grow through annexation. He stated that the city needs to begin to consider a regional approach to city services by the next decade.

Mr. Wolff spoke to the advantages of long range annexation planning.

Mr. Martinez stated that he feels that all annexations should consider the impact being had on services to older areas of the city.

Mrs. Berriozabal spoke in support of the regional approach at annexation services.

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, Wolff, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: None.

- - -  
87-45 The Clerk read the following Ordinance:

AN ORDINANCE 65,783 .

.  
APPOINTING E.M. FOXX TO SERVE ON THE  
TRANSPORTATION ADVISORY BOARD FOR A TERM TO EXPIRE  
ON JANUARY 26, 1988.

\* \* \* \*

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

87-45 The Clerk read the following Ordinance:

AN ORDINANCE 65,784

APPOINTING DAN TALBOT TO THE RIVERWALK COMMISSION.

\* \* \* \*

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

87-45 ZONING HEARINGS

50. CASE Z87169 - to rezone the south 200' of Lot 2, Block 2, NCB 10183, 2307 Vance Jackson, from "F" Local Retail District to "B-3R" Restrictive Business District, located on the northside of Eland, between Ratel Drive and Vance Jackson Road, having 200' on Vance Jackson Road and Ratel Drive and 178' on Eland Drive.

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

Mr. Labatt made a motion to approve the recommendation of the Zoning Commission provided that a six-foot solid screen fence is erected and maintained along the west property line, and that a one-foot non-access easement is imposed along the west property line. Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 65,785

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE SOUTH 200' OF LOT 2, BLOCK 2, NCB 10183, 2307 VANCE JACKSON ROAD, FROM "F" LOCAL RETAIL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS

DISTRICT, PROVIDED THAT A SIX-FOOT, SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE WEST PROPERTY LINE, AND A ONE-FOOT NON-ACCESS EASEMENT IS IMPOSED ALONG THE WEST PROPERTY LINE. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

51. CASE Z87167 - to rezone Lots 1, 2, and 3, NCB 9727, In the 6900 Block of Rayburn Drive, from "B" Residence District to "B-2" Business District, located on the southeast corner of Rayburn Drive, and I.H. 35 South having 137.93' on I.H. 35 South, 118' on Rayburn Drive with a maximum depth of 130'.

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

Mr. Wing voiced his concern with traffic problems at the intersection involved and stated that he would like to see a non-access easement imposed on Rayburn Drive. He also stated that he would like to have the proponent work with the city's Traffic Engineering Division on how to handle ingress and egress traffic because of the heavy traffic at this intersection.

Mr. Wing 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, and that a six-foot solid screen fence is erected and maintained along the east property line. Further provided that a one-foot non-access easement is imposed along Rayburn Drive, and that the applicant work with the Traffic Engineering Division for ingress and egress. Mr. Martinez seconded the motion.

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

AN ORDINANCE 65,786

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 1, 2 AND 3, NCB 9727, IN THE 6900 BLOCK OF RAYBURN DRIVE, FROM "B" RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT

DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION, AND THAT A SIX-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE EAST PROPERTY LINE. FURTHER PROVIDED THAT A ONE-FOOT NON-ACCESS EASEMENT IS IMPOSED ALONG RAYBURN DRIVE, AND THAT THE APPLICANT WORK WITH THE TRAFFIC ENGINEERING DIVISION FOR INGRESS AND EGRESS. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

52. CASE Z87143 C.C. - to rezone a 0.965 acre tract out of NCB 9292, from "D" Apartment District to "B-3" Business District; a 3.495 acre tract out of NCB 9292, 36th Street at Culebra Road, from "D" Apartment District to "R-3" C.C. Multiple Family Residence District in addition City Council approval for a baseball park.

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

Mr. Andy Guerrero, Planner III, explained what it would take to make the area "O-1" on the property and he briefly discussed the current request by St. Mary's University for a change in zoning.

Ms. Vera made a motion to send this case back to the Zoning Commission for consideration of "O-1" zoning on a portion of the property. Mr. Hasslocher seconded the motion.

The motion to send this case back to the Zoning Commission, prevailed by the following vote: AYES: Dutmer, Wing, Martinez, Vera, Wolff, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: Berriozabal, Webb, Thompson.

53. CASE Z87134 - to rezone a 0.448 acre tract of land out of NCB 15823, In the 6400 Block of Babcock Road, from "R-3" Multiple Family Residence District to "B-2" Business District, located on the westside of Babcock Road, 80' west of Melissa Ann Drive, having 100.93' on Babcock Road, with a depth of 194.37'.

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

Mr. Wolff made a motion to approve the recommendation of the Zoning Commission provided that three feet 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: Dutmer, Martinez, Vera, Wolff, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: Berriozabal, Webb, Wing, Thompson.

AN ORDINANCE 65,787

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 0.448 ACRE TRACT OF LAND OUT OF NCB 15823, IN THE 6400 BLOCK OF BABCOCK ROAD, FROM "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT THREE FEET 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. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

(Agenda Item #54, Zoning Case 287173, was temporarily bypassed.)

55. CASE 287174 - to rezone the northeast 245' of the southeast 175' of Lot 1, Block 24, NCB 17243, 12329 Wetmore Road, from "B-2" Business District to "B-3" Business District, located on the northwest side of Wetmore Road, being approximately 290' northeast of Country Ridge Drive, having 245' on Wetmore Road and a maximum depth of 175'.

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

Mr. Ron Harding, representing the proponent, noted that the proposed tenant for this property would like to locate a night club there and he noted that he had agreed to certain deed restrictions on a property in Austin that he owns in order to preclude unwanted uses in the area.

Mr. Hasslocher voiced his concern for the future impact for such rezoning on this area.

Mr. Hasslocher made a motion to approve the recommendation of the Zoning Commission provided that the proponent work closely with Mr. Hasslocher concerning certain deed restrictions to be made in this case; further 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: Berriozabal, Dutmer, Martinez, Vera, Wolff, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: Webb, Wing, Thompson.

AN ORDINANCE 65,788

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE NORTHEAST 245' OF THE SOUTHEAST 175' OF LOT 1, BLOCK 24, NCB 17243, 12329 WETMORE ROAD, FROM "B-2" BUSINESS DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

54. CASE Z87173 - to rezone Lot 26, Block 24, NCB 18304, in the 7600 Block of Tezell Road, from Temporary "R-1" One Family Residence District to "B-3" Business District, located on the southwest corner of Teze Road, and Dover Ridge, having 368.56' on the Tezel Road and 221.43' on Dover Ridge.

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

Mr. Ron Harding, representing the proponent, explained the proposed proposal for rezoning to allow overnight boarding at the veterinary clinic and stated to questions from Council members that he would be agreeable to a "B-3NA" zoning on a portion of the property.

Mr. W.E. Rhodes, Pastor of a nearby church, stated that he was concerned with "B-3" uses on the property and he would favor "B-3NA" zoning instead in order to restrict use of alcoholic beverages.

Mr. Wolff made a motion to approve staff recommendation of "B-3NA" for the veterinary clinic, "B-2" for the rest of the property. Mr. Martinez seconded the motion.

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

AN ORDINANCE 65,789

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 26, SAVE AND EXCEPT THE WEST 115' OF THE SOUTH 115', BLOCK 24, NCB 18304, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT; THE WEST 115' OF THE SOUTH 115' OF LOT 26, BLOCK 24, NCB 18304, IN THE 7600 BLOCK OF TEZEL ROAD, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-3NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

87-45 PUBLIC HEARING TO CONSIDER PROPOSED ASSESSMENTS AGAINST PROPERTY LOCATED WITHIN THE DOWNTOWN IMPROVEMENT DISTRICT.

Mayor Cisneros declared the Public Hearing to be open.

Mr. Richard Calvert, a member of the Board of Trustees of the Downtown Improvement District, described how the downtown improvements are being financed by special assessments being made on property owners in the Downtown Improvement District. He stated further that feels the plan will meet the needs of all concerned with a 5 cent assessment in the first year.

Mr. Karl Wurz, 820 Florida, voiced his concern with the impact of the new Downtown Improvement District and plans to alter driving and pedestrian uses in portions of the downtown area.

There being no further citizens appearing to speak, Mayor Cisneros declared the Public Hearing to be closed.

87-45 The Clerk read the following Ordinance:

AN ORDINANCE 65,790

APPROVING AND ADOPTING A ONE YEAR AND FIVE YEAR SERVICE AND ASSESSMENT PLAN (1987-1992) WHICH IS REQUIRED IN TEX. LOCAL GOV'T CODE ANN. S. 372.013, FOR THE SAN ANTONIO DOWNTOWN IMPROVEMENTS SPECIAL ASSESSMENT DISTRICT ESTABLISHED BY CITY COUNCIL RESOLUTION NO. 86-54-65 ON NOVEMBER 20, 1986.

\* \* \* \*

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

In response to a question by Mrs. Berriozabal, Mr. Frank Perry, Director of Downtown Initiatives, briefly explained the plan involved.

Mrs. Berriozabal thanked all concerned both city staff and downtown business people alike.

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

87-45 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE - FY 1984  
REALLOCATED RENTAL REHABILITATION PROGRAM FUNDS.

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 65,791

ACCEPTING AN ADDITIONAL \$95,400 IN FY1984 REALLOCATED RENTAL REHABILITATION PROGRAM FUNDS; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AMENDED GRANT CONTRACT AND CERTIFICATIONS; AND APPROPRIATING ADDITIONAL FUNDS.

\* \* \* \*

September 24, 1987  
sr

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

87-45      PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE - COMPREHENSIVE HOMELESS ASSISTANCE PLAN (CHAP).

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 65,792

AUTHORIZING THE CITY MANAGER TO SUBMIT THE CITY OF SAN ANTONIO'S COMPREHENSIVE HOMELESS ASSISTANCE PLAN (CHAP) TO H.U.D., AS REQUIRED BY THE STEWART B. MCKINNEY HOMELESS ASSISTANCE ACT AND AUTHORIZING SUBMISSION OF A GRANT APPLICATION FOR AND ACCEPTANCE OF AN EMERGENCY HOMELESS ENTITLEMENT GRANT IN THE AMOUNT OF \$245,000 FOR THE RENOVATION OF THE SAMS SHELTER.

\* \* \* \*

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

87-45      DISCUSSION OF COUNCIL AQUIFER COMMITTEE RECOMMENDATIONS

Mayor Cisneros spoke to actions taken thus far by the City Council's Aquifer Task Force and spoke briefly about Committee plans for the future. He noted that the city staff currently is framing the long

range matter of overall water supplies for San Antonio and stated that he does not believe that the Council should consider these matters as a task force of the whole but rather spoke in support of maintaining the integrity of presently appointed Council task force idea. He noted that the task force would begin meeting again next week to consider future issues. He stated further that he would not be in favor of having the Council meeting as a whole on this matter and he stated that other Council members are welcome to attend these Council meetings on Thursday as they see fit.

Ms. Vera stated her reasons for wanting the entire Council involved as a whole at the inception of the meeting process. She stated that those Council members who are not currently members of the task force are at some what of a disadvantage.

Mrs. Dutmer stated that she is concerned that there is no woman on the task force at the moment and that some of the committee members had originally been in her favor on the Applewhite issue.

Mayor Cisneros stated his opinion that there has been a general concensus by the general public in favor of the aquifer report thus far as he sees it, and he stated that this is not about the Applewhite Reservoir issue but rather the long term plan for all water resources for the city.

Mrs. Dutmer then stated her opinion that the aquifer report is not the issue at this time, in fact she lauded the report. She further stated that she feels that Mr. Van Dyke continues to control the City Water Board as its General Manager.

Mrs. Berriozabal stated that the issue of surface water is just as important as the aquifer issue in her opinion, and she stated that she was one of the persons who objected to the manner in which the aquifer issue was handled. She also noted that she also is concerned about the fact that no woman has been included on the task force and she asked that the Mayor continue the process of including intervenor groups at the committee level.

Mayor Cisneros stated that the purpose of appointing a committee was not to split hard differences of opinion. He then spoke to the rationale for his selection of members of the Council's Aquifer Task Force and the stances taken by various City Council members in the matter of water.

Mr. Martinez stated that he feels comfortable with the Task Force idea even though he favors the entire Council being involved.

Mrs. Dutmer spoke in favor of surface water but not the Applewhite Reservoir.

September 24, 1987

28

sr

Mrs. Berriozabal stated that the Council must protect the city's water supply, she stated that she feels she must represent the views held by some of her constituents in this matter.

Ms. Vera stated that she feels the entire Council should be involved in the surface water issue rather than just a single task force.

Mayor Cisneros noted that testimony from experts indicates that the group of experts feel that the so called "bad water line" is the most likely pollutant of the Edwards Aquifer as a result of removal of so much water from wells drilled into the Aquifer. Thus, the Mayor stated his opinion, that the Aquifer issue and the surface water issues are linked.

Mr. Labatt proposed weekly progress reports be given to the City Council as well as monthly "B" Session type briefings in order to keep the entire City Council fully informed on the water issue.

Mrs. Dutmer spoke of her concern that the City Water Board will continue to push for creation of the Applewhite Reservoir.

- - -  
87-45 The Clerk read the following Ordinance:

AN ORDINANCE 65,793

APPROVING A VOLUNTARY EARLY RETIREMENT INCENTIVE PROGRAM TO CERTAIN ELIGIBLE EMPLOYEES WHO ELECT TO RETIRE BEFORE OCTOBER 1, 1987.

\* \* \* \*

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

- - -  
87-45 The City Council then recessed at 4:30 P.M. for an Executive Session, reconvening at 4:55 P.M.

87-45 The Clerk read the following Resolution:

A RESOLUTION 87-45-69

DEMANDING THAT GERALD (JERRY) HENCKEL TERMINATE HIS  
CONSULTANT CONTRACT WITH CITY TOWING ASSOCIATES,  
INC.

\* \* \* \*

Mayor Cisneros stated that city staff has recommended that Mr. Henckel withdraw as a representative of City Towing Associates, Incorporated. He then proceeded to read the proposed Resolution. Mayor Cisneros stated that City Council, in his opinion, feels that it is in the best interest of the city at this time for Mr. Henckel to withdraw as business consultant for City Towing.

Mr. Wolff made a motion to approve the proposed Resolution. Mrs. Berriozabal seconded the motion.

Mrs. Dutmer stated that she cannot vote on this motion, stating that it impunes her friendship with Mr. Henckel.

Mr. Gerald Henckel, consultant to the City of San Antonio, spoke about his recently submitted letter to the City Council offering to suspend activities with City Towing until the current investigation of City Towing and its activities is complete. He noted however, that San Antonio to which he is a consultant is his first love, so therefore he reluctantly is willing to give up his representation of City Towing Associates at this time. Mr. Henckel stated that nevertheless, he feels that his personal reputation has been damaged as a result of this matter and he spoke to his long time involvement with city management and consulting. He stated further that he feels he has represented San Antonio well over the years.

Mayor Cisneros spoke to Mr. Henckel's many years as City Manager and the progress made by the city during his tenure. He noted that Mr. Henckel had defended San Antonio well as a consultant to a number of state legislatures and that this action should in no way reflect upon Mr. Henckel but only reflecting as a problem the City Council has with his current representation of City Towing Associates and the City of San Antonio at the same time.

Mr. Wolff stated that he personally has nothing against Mr. Henckel personally, but nevertheless feels he should not represent both.

Mr. Henckel stated that he disagrees with Mr. Wolff's contention but will abide by the City Council's desires.

September 24, 1987  
sr

Mr. Martinez stated that he will support the resolution but noting that this in no way reflects upon Mr. Henckel or his work. He then spoke of Mr. Henckel's good work as a consultant to the city of San Antonio.

Mr. Hasslocher spoke of his personal friendship with Mr. Henckel over a number of years and noted that similar unsubstantiated charges had been made in 1984 relative to City Towing Associates. He stated that he feels its only fair that Mr. Henckel be allowed to seek other clients and he feels that he is invaluable as a legislative consultant, therefore he cannot support this resolution today.

Mr. Labatt stated that he feels that Mr. Henckel has done nothing wrong but that public perception perhaps sees a potential conflict of interest by his representing both the city of San Antonio and City Towing Associates. He then spoke to the so-called "situational ethic" involved and noted that he feels that both sides have a potential adversarial relationship.

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

(At this point, Mayor Cisneros was obliged to leave the meeting, Mr. Wolff presided as Mayor.

87-45

DISCUSSION OF DRAINAGE PROBLEM

Ms. Janet Ahmad, 13703 Bluffgate, briefly explained the problem beginning in 1986 with reconstruction of a portion of West Avenue in front of her home and the subsequent raising of the level of West Avenue which in turn caused a drainage runoff to run onto her property. She then noted that the city then determined that a dangerous situation had been created and she described the damages resulting from altering the level of West Avenue and thus forcing water runoff and soil onto her property, stating that she feels it will cost the city some \$100,000 to fix this problem.

Mr. David Steitle, Director of Public Works, stated that city staff has a field alteration conceived which will solve this situation and noted that a drainage easement currently runs across Ms. Ahma's property.

Mr. Frank Vega, City Engineer, spoke of other low water crossings in the area and of city plans to address Ms. Ahmad's problem. He noted that the city cannot break the state law by altering a water course which

already runs across her property.

Ms. Ahmad stated that she feels that the two foot wide drainage pipes now being installed will be too small to handle the runoff involved and she stated further she feels the problem did not exist prior to reconstruction of West Avenue.

Mr. Vega spoke to the natural water course and its design to carry off flood waters.

In response to a question by Mrs. Dutmer, Mr. Vega discussed the construction of a berm to rechannel some of the runoff waters from Ms. Ahmad's property. He noted that the city plans to do everything possible to correct the situation.

Dr. Ahmad stated that he feels it was wrong for the city to raise the level of West Avenue and thus cause runoff problems to adjacent residential property.

A discussion then took place concerning possible legal implications involved.

87-45

CITIZENS TO BE HEARD

MR. JESSE CASTILLO

Mr. Castillo, President of the Farmer's Market Tenant's Association, stated that he objects to the comments made by Mr. Lou Fox, City Manager, in reply to concerns that Mr. Castillo has problems with some other tenants. He stated that he has tried to lease part of some property adjacent to his area. These people who are harrassing him are now attempting to lease this space and open up a snack bar. He feels he is being prosecuted. He has been told he was going to get this spot, now other people are going to get it.

Mr. Robert Tagle, Market Square Manager, distributed a memo to the City Council on this issue. He gave a history of this area and the recent approval by the Health Department to allow the tenants to use the snack bar facility as a common commissary for the preparation of sliced fruit cups and liquados. (A copy of Mr. Tagle's report is on file with the papers of this meeting.)

Mr. Fox explained that Mr. Castillo is upset because the space is not being given to Mr. Castillo for his own use.

In response to Mrs. Berriozabal, Mr. Tagle explained the vacant space policy at the Farmer's Market. There is currently no policy as

September 24, 1987  
sr

opposed to the Market Square area.

Mrs. Berriozabal stressed the need for a set policy as is the case for Market Square.

In response to Mrs. Berriozabal, Mr. Tagle will be responsible for scheduling use of this common area.

Mr. Tagle stated that he has met with the different parties involved.

Mr. Wing stated that the city needs to get a return for their investment before approving the use of this common area. He mentioned in particular utilities and maintenance.

Mrs. Dutmer suggested that the tenants try to resolve these issues in a harmonious manner.

Mr. Castillo spoke of the plans he had for this area and that without this place he will not be able to expand his business.

Mr. Wing stated that there is no decision on this issue by the Council at this point.

Ms. Sonya Zamora, tenant at the Farmer's Market, spoke of the liquados she prepares. She stated that she is one of the proposed users of this area.

Mr. Rick Arzola, tenant at Farmer's Market, also spoke in favor of the use of the snack bar. He stated that Mr. Castillo is the problem at the Farmer's Market, not the other tenants.

\* \* \* \*

MR. RODNEY HITZFELDER

Mr. Hitzfelder, Medina River Citizens Organization, spoke to the Council about the composition of their organization. He distributed a letter addressed to Mr. Philip M. Ross from the Corps of Engineers, a copy of which is on file with the papers of this meeting. He asked that they be granted intervenor status in the proposed Council Committee as other groups such as A.P.A., M.C.A., and G.S.A.H.B. He also endorsed the proposal that all Council members wishing to do so be able to participate in the Water Resource Study.

\* \* \* \*

MS. PEGGY OPPELT

Ms. Oppelt also expressed concern that the willing Council

members were denied participation in the Water Resources Committee. She also spoke of the need to include organizations who wish to participate in this committee.

\* \* \* \*

MR. PHILIP M. ROSS

Mr. Ross, Medina River Citizens Organization and A.P.A., referenced an article which appeared in the San Antonio Express regarding the proposed Applewhite Reservoir, a copy of which is on file with the papers of this meeting.

\* \* \* \*

MR. LARPY WILLIAMS

Mr. Williams spoke to the City Council regarding the fact that all their contracts expire the end of the month at La Villita. They asked that all contracts be extended for one year without any changes to the terms and conditions. He stated that the Council needs to extend these contracts.

Mr. Williams also asked that the tenants be given an opportunity to have input with the Committee working on the redevelopment of La Villita. They want to share their input with Mr. Quincy Lee and Mr. Russell Kyse.

The Council concurred to place this item of the extension of the contract on the agenda in two weeks.

\* \* \* \*

Mr. Larry Ohlenburger, Chairman of Los Amigos de La Villita, spoke of their goals for La Villita, a copy of which is on file with the papers of this meeting.

Mrs. Rosa Rosales, member of the Amigos de La Villita, spoke of the history of La Villita and what it means to the people of San Antonio. She appealed to the City not to let private enterprise take over this historical landmark.

Mr. Cruz Chavira, Lulac District XV Director, spoke to the City Council asking to disengage La Villita from the enterprise proposal. He spoke of their forming of a new organization named Los Amigos de La Villita. He also spoke of the historical significance of La Villita, a copy of which is on file with the papers of this meeting.

\* \* \* \*

September 24, 1987  
sr

MR. FERNANDO RANGEL

Mr. Rangel, 527 Koehler Court, spoke of two separate incidents of police harassment. He stated that he made a complaint at Internal Affairs, however the police officer asked him to leave without any reason. He was told to contact a Captain Benavides who never bothered to call him. He was concerned about when a police officer has a right to seek identification.

Chief Gibson stated that he will be visiting with Mr. Rangel personally on this issue and will report back to the Council. He stated that police officers have a right to seek identification from anyone.

Several Council members expressed concern that Internal Affairs Department has not responded to individuals making complaints.

In response to a question by Mr. Martinez, Mr. Lloyd Garza, City Attorney, stated that the police were justified in asking for identification in this particular instance. However, each situation has to be taken into consideration separately because there are cases when a police officer is not entitled to ask for identification.

\* \* \* \*

MR. MIKE L. CORALES

Mr. Corales, 215 W. Lubbock Street, spoke to the City Council about his efforts to try to get the streets repaired in his area. He has met with several City officials and after two years he has been unsuccessful in getting the streets paved. He stated that Dewitt Street has been omitted from the proposed street improvements project in the area.

Mrs. Berriozabal stated there are many people in this area who are working to get streets repaired in this particular area. She stated that Dewitt is just one street on a list of many streets. She agrees that there are many deplorable streets in this area. She explained the long process which is involved and her willingness to work with Mr. Corrales to address his concerns.

\* \* \* \*

MRS. MARIA DOMINGUEZ

Mrs. Dominguez spoke of the need by the Police to ask for identification. She stated that it is proper for them to do so. She spoke of the need to keep La Villita intact and against the proposal to have it taken over. Mrs. Dominguez also took exception to the manner in which the city contracted with City Towing. She thinks it is a monopoly. She also stated that the city should hire another lobbyist.

\* \* \* \*

There being no further business to come before the City Council,  
the meeting was adjourned at 7:15 P.M.

A P P R O V E D

*Henry Cisneros*

M A Y O R

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

September 24, 1987  
sr