

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, JUNE 3, 1982.

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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, EURESTE, THOMPSON, ALDERETE, HARRINGTON, HASSLOCHER, CISNEROS. Absent: ARCHER.

82-25 The invocation was given by Reverend C. Don Baugh, Executive Director, San Antonio Community of Churches.

82-25 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

82-25 POLICE SGT. HAROLD FLAMMIA

Mayor Cisneros recognized Police Sgt. Harold Flammia, present in the audience, and introduced his wife, mother and father, also present, asking the group to come to the podium. Mayor Cisneros spoke of the incident in which Sgt. Flammia was shot and wounded by a burglary suspect, and the pain and suffering he endured while recovering from those wounds, remaining for many days near death. He further stated that the City owes a debt of gratitude to Sgt. Flammia, who has elected to return to police work on patrol duties rather than in light-duty status.

Members of the Council and audience gave Sgt. Flammia and his family a standing round of applause in appreciation.

Mr. Thompson read the text of a plaque prepared for presentation to Sgt. Flammia on behalf of the citizens of District 6, stating appreciation for Flammia's efforts to protect the city from loss. He also presented Flammia with a check in the amount of \$1,009.57 in appreciation for his efforts on behalf of District 6, recognizing the presence in the audience of Mr. George Brown, who provided the impetus for the recognition.

Members of the City Council individually expressed their appreciation to Sgt. Flammia and his family.

Sgt. Flammia thanked the citizens of San Antonio for the manner in which his family was treated during this ordeal, and stated that he was proud to be a citizen and police officer of the City of San Antonio.

Each member of the Council individually congratulated Sgt. Flammia for his recovery.

82-25 "BALLAD OF GREGORIO CORTEZ"

Mayor Cisneros spoke of the premiere of the film, set for tomorrow here in San Antonio, and provided details of the story involved.

Mayor Cisneros stated that the City had prepared Alcaldes for four persons involved in the premiere, including Mr. Michael Hausman, co-producer of the film; Mr. Robert Young, director; Mr. David Ochoa, executive producer; and Mr. Frank Dominguez, also executive producer. However, all four persons are presently enroute from Los Angeles to New York by plane and unavailable to receive the Alcaldes.

In their stead, Mayor Cisneros introduced Mr. Eddie Olmos, star of the film, and Mr. Raul Yzaguirre, President of the National Council of La Raza, and asked Mr. Eureste, chairman of the Council committee on the arts, to make the presentation.

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Mr. Eureste read the text of an Alcalde, then briefly outlined the story-line of the film to be premiered in San Antonio. He presented the Alcaldes to Mr. Olmos for delivery to the four honorees.

Mr. Eddie Olmos and Mr. Bruce McGill both provided details of the film and the true background story.

Mr. Olmos thanked the Council for the honors, and also thanked the citizens of San Antonio for their support of the film-making function in the San Antonio area.

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LEAGUE OF WOMEN VOTERS HANDBOOK

Mayor Cisneros introduced Ms. Marlene Richardson, representing the League of Women Voters of San Antonio.

Ms. Richardson spoke of the background of the production of the handbook of local government in San Antonio, and presented each member of the City Council with a copy.

Members of the Council spoke in appreciation of the effort.

Mayor Cisneros spoke of the great informational value of the handbook, and noted that Ms. Richardson was in charge of production of this edition.

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UNITED AIRLINES

Mayor Cisneros stated that United Airlines, largest commercial airline in the United States, is to begin service to and from San Antonio with three daily flights on June 7.

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The minutes of the meeting of May 20, 1982 were approved.

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INTERNATIONAL AIRPORT CERTIFICATES OF OBLIGATION

The City Clerk read the following Ordinance:

AN ORDINANCE 55,379

AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION OF THE CITY OF SAN ANTONIO, TEXAS, FOR INTERNATIONAL AIRPORT IMPROVEMENTS.

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Mr. Hasslocher moved to approve the Ordinance. Mr. Eureste 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, Eureste, Thompson, Harrington, Hasslocher, Cisneros. NAYS: None. ABSENT: Alderete, Archer.

82-25 The Clerk read the following Ordinance:

AN ORDINANCE 55,380

APPROVING AN 8TH YEAR COMMUNITY DEVELOPMENT  
BLOCK GRANT PROGRAM AND FIVE YEAR DEVELOP-  
MENT PLAN, AND AUTHORIZING SUBMISSION OF  
THE 8TH YEAR PROGRAM TO THE U.S. DEPARTMENT  
OF HOUSING & URBAN DEVELOPMENT.

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Mayor Cisneros declared the Public Hearing open, and explained the rules to be observed in conducting the Public Hearing.

Mrs. Doris Taylor, President of ROBBED, spoke on behalf of her organization and its requested 'freedom budget'. She outlined each of her requests and noted that there was not enough funds available to completely eliminate blight from the city. She asked the City Council to enact a Resolution to the Secretary of Housing & Urban Development, asking for a \$5 billion budget for the CDBG program, nationwide, in the next fiscal year.

Mr. Karl Wurz spoke of the expense of using borrowed funds by the federal government to fund the Community Development Block Grant program. He stated his contention that funds used in this program are not divided equally among all local neighborhoods in San Antonio, further stating that CDBG funds are concentrated in only a few local neighborhoods. Mr. Wurz spoke in favor of four recommendations for use of CDBG funds that would insure their use, citywide.

Mr. Jose Rodriguez, President of Centro del Barrio Board of Directors, spoke in favor of funding for that organization's planned South Side Social Service Center, noted that some 4,000 letters in support of the project were handed to City Council last week, then handed over some 440 additional letters, also in support of the project. He asked supporters of the project, present in the audience today, to rise and be recognized.

Mr. Gilbert Vasquez, representing the Avenida Guadalupe Association, stated that the group's project was not among those recommended for funding by the City Manager, and spoke to several reasons why he believes it should be funded. He briefly outlined future plans for Avenida Guadalupe.

Mr. Walter Martinez, also representing Avenida Guadalupe Association, spoke in support of its request for funding.

Rev. Ed Salazar, President of Avenida Guadalupe Association, asked that a printed handout be given each member of the Council, stating that the group is seeking some \$1 million to fund the project.

Mr. Lee Reyna, Avenida Guadalupe Association, stated that two plans exist for development of the Avenida Guadalupe project: a full development plan involving two City blocks at a cost of some \$2 million, or redevelopment of NCB 2437 at a cost of some \$1 million. He also stated that the group will seek some \$133,000 in future Revenue Sharing funds for the project.

Mr. Juan Patlan, Executive Director of the Mexican American Unity Council, asked that funds be set aside to continue MAUC's neighborhood housing assistance program, some \$317,000.

Mr. Joe Perales, representing COPS (Communities Organized for Public Service) as chairman of its CDBG action committee, stated that COPS wants CDBG funds used to revitalize blighted areas of the city and complete certain long-awaited projects.

Mrs. Ernestina Padron, COPS, spoke to the group's part played in local economic development activities, including development of the south side as well as the Edgewood area. She asked that COPS' input be utilized in deciding how CDBG funds are to be spent.

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Mrs. Lillie Lopez, COPS, spoke of the city's needs for streets, drainage and park projects, especially those already planned for construction. She specifically spoke to plans for the Burleson Street project.

Mrs. Virginia Ramirez, COPS, spoke on behalf of housing projects and their needs, and asked that 25 per cent of the CDBG funds be used for them.

Mr. Perales, in summary, spoke of the use of COPS' list of priorities as the basis for allocation of CDBG funds.

Mr. Brian Franks asked that \$74,000 be set aside in CDBG funds for property acquisition for east side development.

Mr. Wing then presented a proposed plan of recommended projects (listed below) and specific amounts of CDBG funds to be approved for each, and moved that the ordinance be approved. Mr. Eureste seconded the motion.

## 8TH YEAR CDBG PROGRAM

Vista Verde South	\$ 1,000,000
Southside Multi-Service Center	1,300,000
Avenida Guadalupe	500,000
Teatro Guadalupe Facade	100,000
Southern Sector Economic Development Fund	400,000
Handicapped Access Program	200,000
Eastside Economic Development	200,000
Colonia Santa Cruz Housing	640,000
Colonia San Alfonso Housing	625,000
Ft. Sam Houston Gateway Housing	340,000
Colonia Amistad Housing	790,000
Housing Target Area #26	225,000
Villa Coronado Housing	288,535
Rosedale Housing	127,000
MAUC Housing Program	150,000
Fair Housing Counseling	45,000
SADA Rehab Program	825,000
SADA Rehab Administration	325,000
SADA Emergency Repairs	45,000
Internal Audit	30,000
Public Works Management	100,000
Budget & Research Audit Fees	300,800
N. Olive Street	105,038
Rivas Street	642,000
Elvira/Sofia/Spring/Mora Sts.	427,000
Lombrano/N.Elmendorf/Cometa Sts.	95,000
Rosedale Park Playground	25,000
Eastside Streets South	947,466
Rotary (Mkt R/R)	232,564
Rotary (Coliseum)	507,764
Ella Austin Dental Clinic	100,000
Hamel Street	207,138
Fairchild Park	200,000
ROBBED Outreach Program	65,000
Wheatley Drainage	578,000
Glenn Street	203,374
Angela Street	57,000
Jean Street	57,000
Hosack Street	56,496
Prado Street	150,000
Kennedy Park Phase II	180,262
39th St. Drainage (58M, Phase C)	1,132,000
Somerset Road Ph II	1,000,000
Pacific Drainage (66A Mod, PH II)	1,000,000
Stonewall St. Ph II	200,000
Burcham/Return Emergency Drainage	20,000
Griffin/McKenna Emergency Drainage	30,000
Knox St. Drainage	50,738
Burleson School Ph. III (Streets)	127,000
Contingency Fund	270,825
	<u>\$ 17,223,000</u>

Mayor Cisneros thanked all the persons who worked on preparation of the CDBG package, including City staff, Council members, and various community groups.

Mr. Eureste spoke in support of Mr. Wing's proposal for funding, and noted that groups and individuals in support of the Centro del Barrio project have been at City Hall since early this morning. Mr. Eureste stated his opinion that borrowing money to fund large projects is a normal function of government, and stated that this CDBG proposal will help complete a number of capital projects still unfunded but planned.

Mrs. Dutmer spoke in support of Mr. Wing's motion, stating that it constitutes a fair package.

Mr. Louis J. Fox, City Manager, spoke to the importance of the Centro del Barrio project as an inclusion in the package.

Mr. Thompson stated that the Council is committed to complete unfunded but previously-approved projects, and read a letter from the Director of Public Works concerning the Burleson drainage project and his own personal written note of commitment to the project.

Mr. Hasslocher and Mr. Harrington both spoke in support of the motion.

Mr. Webb spoke of the proposal as a fair package, even though several east side projects were left out. He also spoke in support of a Council Resolution in support of continuing the CDBG program nationwide.

Ms. Berriozabal spoke of the many worthwhile projects recommended for consideration, and the relatively small amount of money available to fund those CDBG projects. She spoke in support of the proposal, and also of the Resolution to HUD.

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

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RESOLUTION ON CDBG FUNDS

Mr. Webb moved for Council concensus to direct City staff to prepare for consideration next week a Resolution asking the federal government to keep alive the Community Development Block Grant program, as proposed in the request submitted by the ROBBED organization. Ms. Berriozabal seconded the motion. After consideration, the motion prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Harrington, Hasslocher, Cisneros. NAYS: None. ABSENT: Archer.

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Mrs. Beatrice Cortez, COPS, spoke in support of the many needs for streets, drainage, rodent control, etc. far in excess of the monies available. She spoke in support of Mr. Wing's package and work, and spoke to the need

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to secure even more monies to do more needed work in the community. She asked that flood control projects become a City Council priority and asked the Council for a commitment to that priority.

In response to a question by Mayor Cisneros, Mr. Fox stated that no firm date has yet been set to hear from the drainage task force.

Mayor Cisneros stated that a date needs to be set in order to address drainage issues of the city.

Mr. Hasslocher stated his opinion that the Northside Chamber of Commerce will not support a 'drainage-only' bond issue, and asked that streets also be considered in that issue, as well.

Mrs. Cortez spoke in support of addressing large flooding issues as part of a City plan of action.

Mrs. Dutmer stated that a ¼-cent increase in the state sales tax will be needed to accomplish this, and that drainage will take 10 years to solve in San Antonio.

Mr. Eureste stated his opinion that local property taxes will have to go up in order to fund all the projects needed, and further predicted that the State Legislature will not pass a tax measure until local government does so, itself. He spoke to the need for a 32-cent property tax increase in the City over the next 10 years, and stated his support for such a tax increase in order to fund needed drainage and street improvements.

Mrs. Dutmer stated her belief that the State Legislature would let San Antonians vote on a half-cent sales tax increase in the city.

82-25    CONSENT AGENDA

Mr. Hasslocher moved that items 6-17 constituting the consent agenda be approved with the exception of item 9, pulled for individual consideration. Mr. Harrington seconded the motion.

On voice vote, the motion carrying with it the passage of the following Ordinances, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Harrington, Hasslocher, Cisneros. NAYS: None. ABSENT: Archer.

AN ORDINANCE 55,381

ACCEPTING THE BIDS OF WELSBACH LIGHTING, INC., AND THOMAS M. NILAND COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH LUMINARIES AND LIGHT STANDARDS FOR A TOTAL OF \$31,095.00.

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AN ORDINANCE 55,382

AUTHORIZING THE PURCHASE OF ONE (1) PORTABLE LIFT STATION FOR A TOTAL OF \$8,800.00 FROM PUMP MAINTENANCE, INC.

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AN ORDINANCE 55,383

AUTHORIZING EXPENDITURE OF THE SUM OF \$37,960.00 OUT OF VARIOUS FUNDS FOR THE PURPOSE OF ACQUIRING TITLE AND/OR EASEMENTS TO CERTAIN LANDS; AUTHORIZING THE CITY MANAGER TO EXECUTE TWO RELEASES AND A QUITCLAIM DEED; ALL IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS.

AN ORDINANCE 55,384

AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH HUMBERTO SALDANA TO PREPARE PLANS FOR THE NEW NORTHWEST BRANCH LIBRARY; AND AUTHORIZING PAYMENTS.

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(Agenda item 11, being an Ordinance accepting the bid in the sum of \$847,418.00 by Descon Construction, Inc.; authorizing execution of a Standard Public Works Contract; and authorizing payments, originally was enacted as part of the Consent Agenda but later during the meeting was reconsidered and re-enacted as an individual item. See Page 7 ).

AN ORDINANCE 55,385

APPROVING TWO SEPARATE LEASE AGREEMENTS FOR RENTAL OF SPACE AT LA VILLITA.

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AN ORDINANCE 55,386

ACCEPTING THE HIGH BIDS RECEIVED IN CONNECTION WITH \$14,000,000 IN CITY FUNDS AVAILABLE FOR DEPOSIT IN INTEREST-BEARING CERTIFICATES OF DEPOSIT.

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AN ORDINANCE 55,387

AUTHORIZING PAYMENT OF REFUNDS TO PERSONS MAKING OVERPAYMENTS OR DOUBLE PAYMENTS ON 17 TAX ACCOUNTS.

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AN ORDINANCE 55,388

AMENDING CHAPTER 38 (TRAFFIC REGULATIONS) OF THE CITY CODE SETTING FORTH LOCATIONS AT WHICH ELECTRIC TRAFFIC CONTROL SIGNALS ARE IN FULL OPERATION; DESIGNATING ONE-WAY STREETS; DESIGNATING STOP SIGN LOCATIONS; DESIGNATING YIELD RIGHT-OF-WAY LOCATIONS; PROHIBITING PARKING AT ALL TIMES ON CERTAIN STREETS; AND PROVIDING THAT VIOLATIONS HEREOF BE PUNISHABLE BY A FINE OF NOT LESS THAN \$1.00 NOR MORE THAN \$200.00.

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AN ORDINANCE 55,389

AMENDING A MEMORANDUM OF UNDERSTANDING WITH THE METROPOLITAN PLANNING ORGANIZATION TO EXTEND THE TERM OF THAT AGREEMENT TO SEPTEMBER 31, 1982.

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AN ORDINANCE 55,390

AUTHORIZING THE REPLACEMENT OF BONDS NUMBERS 11188-11192 OF CITY OF SAN ANTONIO, TEXAS ELECTRIC AND GAS SYSTEMS REVENUE IMPROVEMENT BONDS, NEW SERIES 1982, AND RESOLVING OTHER MATTERS RELATING TO THE SUBJECT.

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82-25 The Clerk read the following Ordinance:

AN ORDINANCE 55,391

AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH GOODWILL INDUSTRIES RELATING TO THE GOODWILL NORTH CAMPUS PROJECT; ACCEPTING THE LOW BID OF McINTOSH CONSTRUCTION CO., INC. IN THE AMOUNT OF \$1,233,324 TO CONSTRUCT SAID GOODWILL NORTH CAMPUS BUILDING; APPROPRIATING AND AUTHORIZING PAYMENT OF FUNDS IN CONNECTION THEREWITH; AND APPROVING BUDGET REVISIONS AND ACCOUNTING ACTIONS IN CONNECTION WITH THE GOODWILL NORTH CAMPUS PROJECT.

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Mr. Hasslocher moved to approve the Ordinance. Mr. Harrington seconded the motion.

Mr. Thompson spoke of details of the project.

Mr. Bob Blase, Executive Director of Goodwill Industries of San Antonio, also provided brief details of the project.

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

82-25 Mayor Cisneros stated that the City Manager has asked that Agenda Item Number 11, enacted as part of the Consent Agenda, be reconsidered for purposes of Council discussion and consideration of the four options being recommended by City staff in the matter.

Mr. Thompson moved to reconsider Agenda Item Number 11. Mr. Harrington seconded the motion. After discussion, the motion prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Harrington, Hasslocher, Cisneros. NAYS: None. ABSENT: Archer.

The Clerk read the following Ordinance:

AN ORDINANCE 55,392

ACCEPTING THE BID IN THE SUM OF \$847,418.00 BY DESCON CONSTRUCTION, INC.; AUTHORIZING EXECUTION OF A STANDARD PUBLIC WORKS CONTRACT; AND AUTHORIZING PAYMENTS.

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Mr. Joe Aceves, Assistant Director of Public Works, explained the details and ramifications of the four options presented by the City Staff, in connection with construction of two new fire stations in District 10.

Mr. Hasslocher moved to approve Option 3, that being to accept the bid in the sum of \$847,418.00 by Descon Construction, Inc.; authorizing execution of a Standard Public Works Contract; and authorizing payments. Mr. Harrington seconded the motion.

Mr. Aceves stated that if Council approves the Ordinance, work on the stations can begin this summer.

Mr. Hasslocher spoke to delays in this project for some time.

Mr. Thompson stated that in his opinion, the Council has no option but to make the contractor perform to his bid for services.

Ms. Jane Macon, City Attorney, stated that the contractor would have to forfeit his performance bond if he did not perform to contract specification on a contract. She stated that in her opinion, the City needs to maintain its longstanding policy of demanding compliance with a contract.

Mr. Thompson spoke of the need to demand the highest quality of workmanship of the contractor if the Ordinance is enacted, even though it might be difficult to attain in this case.

In response to a question by Mrs. Dutmer, Mr. Aceves stated that the City architect discovered the mistake in the low bid and informed the bidder of that possible error.

Mrs. Dutmer spoke of the problems inherent with forcing a bidder to, in effect, lose some \$80,000 on a contract, and spoke against the Ordinance. She asked City staff to work with the contractor, in any case, in order to minimize his losses through an error in the bid.

In response to a question by Mr. Webb, Mr. Aceves discussed the many ramifications of possible Council actions on the various options.

Mr. Harrington stated that the City cannot allow someone to change his bid, once all bids are opened.

A discussion of the various options then took place.

Mr. Aceves stated that the integrity of the bid process is at stake here.

Mayor Cisneros stated that several members of the Council continue to experience problems in being able to hear the speakers in the Council chambers, and asked City Manager Fox if he would seek to correct the problem. Mr. Fox stated that he would work on the issue.

Mr. Louis J. Fox, City Manager, stated that he feels the contractor's profits would be reduced if he were forced to perform to the contract, but it would not be a full cash loss. He recommended the Council enact the Ordinance in accordance with City staff recommendations.

Mr. Eureste discussed the various options and stated that the moral thing to do would be to reject all bids or make adjustments in the contract while the work was underway. He then spoke to several ways in which the City is not enforcing its legal contracts, and warned that the City was taking a chance on quality of workmanship if it forces the contractor to make good on the contract and thus lose money. He asked that the matter be re-bid.

Mr. Fox stated that the City staff would be careful to see that the job is done adequately, if it is Council's decision to force compliance with the contract as bid.

Mrs. Dutmer stated that the contractor, in such cases, would cut his labor costs in order to make up lost profit margins, and urged City staff to work with the contractor to help him in every possible way.

Mr. Eureste stated his opinion that the job would be short-cut, in order to help the contractor make up his losses.

In response to a question by Ms. Berriozabal, Mr. George Noe, Assistant to the City Manager, stated that personnel to man the second fire station would have to come from the next fiscal year's general fund budget.

In response to a question by Mr. Hasslocher, Mr. Noe stated that the Fire Station Relocation Package would be coming to Council in "B" Session on June 24, 1982.

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

#### 82-25 ZONING HEARINGS

18. CASE 8851 - to rezone an 11.0 acre tract of land out of NCB 12677, NCB 12679, NCB 12681, NCB 12683 and NCB 12685, being further described by field notes filed in the Office of the City Clerk, in the 8700 block of I.H. 35 South Expressway, from "B" Residential District to "B-3" Business District, located on the south side of I.H. 35 South Expressway, being approximately 1,413' northeast of the intersection of Palm Beach Drive and I.H. 35 South Expressway, having 692.12' on I.H. 35 South Expressway and a maximum depth of 936.76'.

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

No citizen appeared to speak in opposition.

Mr. Wing stated that neighbors have voiced opposition to the request because they feel it is too heavy a zoning classification at this end of the commercial property.

Mr. Wing moved that the recommendation of the Zoning Commission be denied. Mr. Webb seconded the motion.

Mr. Encarnacion Guerra, 14018 Shire Road, the proponent, stated that he wants to construct a \$1 million entertainment center on the property.

Mr. Wing asked if the proponent would consider a postponement of the case, rather than an outright denial, for purposes of allowing him time to meet with the neighbors and discuss the request and attempt to convince them of its value or perhaps reach another consensus.

Mr. Wing then moved to postpone the case for 30 days. Mr. Webb seconded the motion. After discussion, on voice vote, the motion to postpone prevailed by the following vote: AYES: Webb, Dutmer, Wing, Eureste, Harrington, Cisneros. NAYS: None. ABSENT: Berriozabal, Thompson, Alderete, Archer, Hasslocher.

CASE 8851 was postponed for 30 days.

19. CASE 8866 - to rezone the remaining portion of Lot 7, Block 5, NCB 11721, 2018 Anchor Drive, from "A" Single-Family Residential District to "R-3" Multiple-Family Residential District, located on the southwest side of Anchor Drive, being 190' northwest of the intersection of Baltic Drive and Anchor Drive, having 65' on Anchor Drive and a depth of 170'.

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

No citizen appeared to speak in opposition.

After consideration, Mr. Harrington moved that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished and that street dedication is given if necessary. Mrs. Dutmer seconded the motion. On voice vote, the motion carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Webb, Dutmer, Wing, Eureste, Harrington, Cisneros. NAYS: None. ABSENT: Berriozabal, Thompson, Alderete, Archer, Hasslocher.

AN ORDINANCE 55,393

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE REMAINING PORTION OF LOT 7, BLOCK 5, NCB 11721, 2018 ANCHOR DRIVE, FROM "A" SINGLE-FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE-FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED, AND THAT STREET DEDICATION IS GIVEN IF NECESSARY.

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20. CASE 8857 - to rezone Lot 3, NCB 9445, in the 1200 block of Hilton Avenue, from "C" Apartment District to "I-1" Light Industry District, located southwest of the intersection of Amber Place and Hilton Avenue, having 120' on Amber Place and 180' on Hilton Avenue; and the removal of a non-access easement that was imposed along the south boundary of Lot 19, Block 33, NCB 9443, in the 1400 block of Amber Place, located on the north side of Amber Place, being 100' west of the intersection of Hilton Avenue and Amber Place, having 60' on Amber Place and a depth of 50'.

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

No citizen appeared to speak in opposition.

Mr. Wing stated his concern that 18-wheel trailer/truck traffic from this property avoid the use of Hilton Avenue and instead use ingress and egress onto Hutchins Place, instead. He also spoke of the need to protect the residences in the area to the east of the property.

Mr. Andy Guerrero, Planning Administrator, explained the full scope of the recommendations of the Zoning Commission, which includes stipulations on non-access along Hilton Avenue.

A discussion then took place concerning protection of nearby residences from truck traffic using the property.

After consideration, Mr. Wing moved that the recommendation of the Zoning Commission be approved provided that a non-access easement is imposed along the east property line of Lot 3; further provided that when the quitclaim is processed, that the non-access easement is extended along Hilton Avenue. Mr. Webb seconded the motion. On voice vote, the motion carrying with it the

passage of the following Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Hasslocher, Cisneros. NAYS: None. ABSENT: Eureste, Thompson, Alderete, Harrington, Archer.

## AN ORDINANCE 55,394

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 3, NCB 9445, IN THE 1200 BLOCK OF HILTON AVENUE, FROM "C" APARTMENT DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, AND THE REMOVAL OF A NON-ACCESS EASEMENT THAT WAS IMPOSED ALONG THE SOUTH BOUNDARY OF LOT 19, BLOCK 33, NCB 9443, IN THE 1400 BLOCK OF AMBER PLACE, PROVIDED THAT A NON-ACCESS EASEMENT IS IMPOSED ALONG THE EAST PROPERTY LINE OF LOT 3; FURTHER PROVIDED THAT WHEN THE QUITCLAIM IS PROCESSED, THAT THE NON-ACCESS EASEMENT IS EXTENDED ALONG HILTON AVENUE.

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21. CASE 8854 - to rezone a 66.857 acre tract of land out of NCB 15595, being further described by field notes filed in the Office of the City Clerk, in the 7000 block of Ingram Road, from Temporary "R-1" Single-Family Residential District to "B-3" Business District, located on the southeast side of Ingram Road, being approximately 500' northeast of the intersection of Ingram Road and Culebra Road, having 2,751.79' on Ingram Road and a maximum depth of 1,920.55'.

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

No citizen appeared to speak in opposition.

After consideration, Mr. Wing moved that the recommendation of the Zoning Commission be approved. Mrs. Dutmer seconded the motion. On voice vote, the motion carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Harrington, Hasslocher, Cisneros. NAYS: None. ABSENT: Eureste, Thompson, Alderete, Archer.

## AN ORDINANCE 55,395

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 66.857 ACRE TRACT OF LAND OUT OF NCB 15595, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 7000 BLOCK OF INGRAM ROAD, FROM TEMPORARY "R-1" SINGLE-FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT.

\* \* \* \*

22. CASE 8852 - to rezone a 106.618 acre tract of land out of NCB 15328, being further described by field notes filed in the Office of the City Clerk, from Temporary "R-1" Single-Family Residential District to "B-3" Business District, located 160' northeast and 200' northwest of the intersection of Culebra Road and Loop 410 Expressway, having 3,394.82' on N.W. Loop 410 Expressway, 810.47' on Culebra Road, and approximately 893.53' on Ingram Road.

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

No citizen appeared to speak in opposition.

After consideration, Mrs. Dutmer moved that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished, and that street dedication is given if necessary. Mr. Wing seconded the motion. On voice vote, the motion carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Harrington, Hasslocher, Cisneros. NAYS: None. ABSENT: Eureste, Thompson, Alderete, Archer.

AN ORDINANCE 55,396

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 106.618 ACRE TRACT OF LAND OUT OF NCB 15328, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "R-1" SINGLE-FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED, AND THAT STREET DEDICATION IS GIVEN IF NECESSARY.

\* \* \* \*

23. CASE 8865 - to rezone Tract F, NCB 12179, 2668 Austin Highway, from "A" Single-Family Residential District to "B-3" Business District, located on the southeast side of Austin Highway, being 612.15' northeast of the intersection of Walzem Road and Austin Highway, having 165' on Austin Highway and a maximum depth of 248.09'.

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

No citizen appeared to speak in opposition.

After consideration, Mr. Hasslocher moved to approve the recommendation of the Zoning Commission provided that proper platting is accomplished, and that street dedication is given if necessary. Mr. Webb seconded the motion. On voice vote, the motion carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Harrington, Hasslocher, Cisneros. NAYS: None. ABSENT: Eureste, Thompson, Alderete, Archer.

AN ORDINANCE 55,397

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS TRACT F, NCB 12179, 2668 AUSTIN HIGHWAY, FROM "A" SINGLE-FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED AND THAT STREET DEDICATION IS GIVEN IF NECESSARY.

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\* \* \* \*

24. CASE 8867 - to rezone the east irregular 331.5' of the south irregular 293' of Lot 22, NCB 12061, in the 12400 block of Jones-Maltsberger Road, from Temporary "A" Single-Family Residential District to "R-3" Multiple-Family Residential District, located on the northwest side of Jones-Maltsberger Road, being 234.7' southeast of the intersection of Blue Crest Lane and Jones-Maltsberger Road, having 331.5' on Jones-Maltsberger Road and a maximum depth of 275.20'.

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

No citizen appeared to speak in opposition.

After consideration, Mr. Hasslocher moved that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished and that street dedication is given if necessary. Mr. Harrington seconded the motion. On vocie vote, the motion carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Harrington, Hasslocher, Cisneros. NAYS: None. ABSENT: Eureste, Thompson, Alderete, Archer.

AN ORDINANCE 55,398

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE EAST IRREGULAR 331.5 FEET OF THE SOUTH IRREGULAR 293 FEET OF LOT 22, NCB 12061, IN THE 12400 BLOCK OF JONES-MALTSBERGER ROAD, FROM TEMPORARY "A" SINGLE-FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE-FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED, AND THAT STREET DEDICATION IS GIVEN IF NECESSARY.

\* \* \* \*

82-25 The Clerk read the following Ordinance:

AN ORDINANCE 55,399

AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENTS WITH THE CITY OF HELOTES TO PROVIDE EMERGENCY MEDICAL AND "911" SERVICES.

\* \* \* \*

Mrs. Dutmer moved to approve the Ordinance. Mr. Hasslocher seconded the motion.

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

82-25 The Clerk read the following Ordinance:

AN ORDINANCE 55,400

MAKING A FINDING AND DETERMINATION OF PUBLIC INTEREST, AUTHORIZING AND APPROVING CREATION OF A HEALTH FACILITIES DEVELOPMENT CORPORATION, APPROVING ARTICLES OF INCORPORATION FOR SUCH CORPORATION, APPOINTING INITIAL DIRECTORS OF SUCH CORPORATION, APPROVING INITIAL BYLAWS FOR SUCH CORPORATION, REPEALING INCONSISTENT ORDINANCES AND RESOLUTIONS, AND PROVIDING FOR SEVERABILITY.

\* \* \* \*

Mr. Harrington moved to approve the Ordinance. Mr. Hasslocher seconded the motion.

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

82-25 The Clerk read the following Ordinance:

AN ORDINANCE 55,401

APPROVING A SPECIAL PROJECT FOR WORK ON BOGLE STREET AT A COST UP TO \$50,000.00 AND AUTHORIZING A REVISION OF THE BUDGET OF THE GENERAL FUND.

\* \* \* \*

Ms. Berriozabal moved to approve the Ordinance. Mr. Wing seconded the motion.

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

82-25 Mayor Cisneros asked for Council consensus to skip over Agenda Item 28 at this time, in order to complete items that require Council vote action, first. Informal Consensus was given.

82-25 TRAVEL AUTHORIZATION - Granted:

Councilman James Hasslocher to travel to Austin, Texas June 5-7, 1982 to attend the 17th Institute for Mayors.

\* \* \* \*

82-25 The Clerk read the following Ordinance:

AN ORDINANCE 55,402

APPOINTING WILLIAM "BILL" ROSS TO  
FILL THE UNEXPIRED TERM OF ERMIT  
PAUL URBANCZYK ON THE ELECTRICAL  
EXAMINING AND SUPERVISING BOARD  
FOR A PERIOD EXPIRING MARCH 31, 1983.

\* \* \* \*

Mrs. Dutmer moved to approve the Ordinance. Mr. Hasslocher seconded the motion.

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

82-25 The Clerk read the following Ordinance:

AN ORDINANCE 55,403

APPOINTING ADELAIDA GARCIA TO SERVE  
ON THE HANDICAPPED ACCESS ADVISORY  
COMMITTEE IN PLACE OF ESTEBAN  
GONZALEZ WHOSE TERM HAS EXPIRED.

\* \* \* \*

Mr. Hasslocher moved to approve the Ordinance. Mr. Webb seconded the motion.

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

82-25 The Clerk read the following Ordinance:

AN ORDINANCE 55,404

APPOINTING THE REVEREND LEMUEL SMITH  
TO SERVE AS A DIRECTOR OF THE CITY OF  
SAN ANTONIO INDUSTRIAL DEVELOPMENT  
AUTHORITY FOR A TERM EXPIRING  
NOVEMBER 1, 1983.

\* \* \* \*

Mr. Hasslocher moved to approve the Ordinance. Mr. Webb seconded the motion.

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

82-25 The Clerk read the following Ordinance:

AN ORDINANCE 55,405

APPOINTING A COMMISSIONER OF THE SAN ANTONIO DEVELOPMENT AGENCY (SADA) TO SERVE ON THE BOARD OF DIRECTORS OF THE SAN ANTONIO LOCAL DEVELOPMENT COMPANY, INC. (SALDC), FOR A TERM EXPIRING NOVEMBER 30, 1982 TO FILL THE UNEXPIRED TERM OF GEORGE DE LA GARZA.

\* \* \* \*

Mrs. Dutmer nominated Ms. Gloria Rodriguez. Mr. Eureste seconded the motion. After discussion, the motion prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Harrington, Hasslocher, Cisneros. NAYS: None. ABSENT: Thompson, Alderete, Archer.

Mr. Hasslocher then moved to approve the Ordinance. Mr. Wing seconded the motion.

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

- -  
82-25 Mayor Cisneros asked for Council concensus to skip over Agenda Items 33 and 34 at this time, in order to consider Agenda Item 35 and 36, first. Informal concensus was given.

- -  
82-25 The Clerk read the following Ordinance:

AN ORDINANCE 55,406

GRANTING A LICENSE TO MRS. JANE MADRID TO OPERATE A SHOPPING TOUR SERVICE IN THE CITY OF SAN ANTONIO FOR A ONE YEAR PERIOD.

\* \* \* \*

Mrs. Dutmer moved to approve the Ordinance. Mr. Webb seconded the motion.

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

- -  
82-25 The Clerk read the following Ordinance:

AN ORDINANCE 55,407

AUTHORIZING THE SCOPE OF THE DOWDY DRAINAGE PROJECT TO BE ENLARGED TO INCLUDE THE INSTALLATION OF RETAINING WALLS.

\* \* \* \*

In response to a question by Mrs. Dutmer, Mr. Eureste stated that this will override a standing City policy.

the motion. Mr. Wing moved to approve the Ordinance. Mr. Hasslocher seconded

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

82-25 CITY WATER BOARD REPORT ON PLASTIC SERVICE LINES USAGE

Mayor Cisneros introduced Dr. Jose San Martin, Chairman of the City Water Board Trustees.

Dr. San Martin spoke to the background of the usage of plastic pipes by the City Water Board, and more particularly their usage to link existing water pipes from residences to relocated water meters, moved closer to the right-of-way by the City Water Board. Dr. San Martin stated that this relocation was at no cost to the homeowners involved, and the plastic pipe used to re-join the newly-relocated water meters with the existing water pipes to the residences was all warranted for one year. Dr. San Martin further stated that it would cost some \$1.5 million to replace this plastic piping by the City Water Board.

In response to a question by Mr. Webb, Dr. San Martin spoke to the procedures used in this 'governmental relocation' of water meters, stating that this was done in many cases at the request of a governmental entity to prepare for new street work, etc. Dr. San Martin stated that CWB is concerned about both the legal and moral responsibility toward these plastic pipes, many of which now are breaking and leaking. He further stated that CWB must share the moral responsibility with the City of San Antonio, since the City's Plumbing Code allows usage of the plastic pipe.

Dr. San Martin spoke of three possible alternatives: divert 1982 CWB bond funds to replace the plastic pipes in lieu of planned replacement of certain substandard water mains throughout the city; use money from a future bond issue to finance the replacement of plastic pipe; or use part of the some \$2 million remaining in the CWB bond issue, as yet unspent.

Dr. San Martin recommended that CWB crews not be used to do this replacement work because of the adverse impact it would have on maintenance of present priorities. He then spoke in favor of the third alternative: using part of the remaining monies from the 1981 bond issue.

Mr. Eureste moved to approve option 3, as stated above, and asked that action on the matter be placed on the City Council's regular agenda for implementation as soon as possible, with the legal liability matter in this issue to be decided at a later date. Mr. Thompson seconded the motion.

Dr. San Martin recommended that a program be established whereby each property owner involved would have the replacement work performed by a plumbing contractor of their own choice, and submit the bill for that work to City Water Board for payment. He stated that this would provide a substantial amount of work to plumbing contractors across the city.

Ms. Jane Macon, City Attorney, stated her belief that the City must protect itself from possible legal action in this matter, at the same time seeking to help the affected property owners.

Mr. Eureste spoke against the proposal to allow property owners to contract the replacement work to individual plumbers of their own choice.

A discussion then took place concerning the number of property owners who might be eligible for this replacement work. The report of Supervisor of Public Utilities, Mr. Roger Ibarra, on this subject was also discussed concerning the number of installations of plastic pipe that might need to be replaced. (A copy of the report is a part of the papers of this meeting).

A discussion also took place concerning the legal ramifications of replacing the plastic lines with copper lines, and with the future liabilities concerning those replacement lines.

Mr. Eureste stated his belief that the City Water Board should be responsible for the replacement lines in question, and further stated that he feels it necessary for CWB to do the actual replacement work in order to insure maintenance of good quality control and also to fix responsibility for the future.

Mr. Robert Van Dyke, General Manager of City Water Board, stated that he favors allowing private contractors to do the actual replacement work, to put many plumbing workers to work, and to also avoid any long-term liability on the part of CWB.

Mr. Eureste stated that CWB could contract with private plumbers or plumbing contractors to do the job.

Mrs. Dutmer spoke to the feasibility of having a consortium of plumbers do the work.

Mayor Cisneros spoke to this option, stating that the plumbers should also be under the overview of City Water Board in doing the job.

Mrs. Dutmer stated that she wants the use of plastic pipe removed from the City Code.

Mr. Harrington stated that a one-year warranty, as given by CWB on these plastic pipes, is an industry standard. He stated his opinion that CWB cannot accept unlimited liability, and spoke in favor of a five-year warranty on the replacement lines when they are installed.

Mr. Harrington then made amended motion to have City Water Board warranty those replacement water lines for a period of five years, and for City Water Board to reimburse those property owners who already have replaced broken plastic water lines in this category. Mr. Thompson seconded the motion.

In response to a question by Mr. Alderete, Mr. Van Dyke stated that he feels that a one-year warranty is reasonable.

Mr. Thompson spoke to a number of concerns on costs of the repair work, the number of plastic water lines sustaining breakage, etc. He spoke in favor of the City Water Board plan on indemnity.

Mr. Eureste stated his support for the replacement of all plastic water pipe installed by governmental action as basic policy direction from City Council to City Water Board. He stated his opinion that CWB needs to put together a program to address this issue without respect to any time limit on warranty.

Mr. Van Dyke stated that each property owner whose plastic water pipe is replaced will be asked to allow City Water Board to take legal action in their name against manufacturers and suppliers of this plastic pipe. He stated that City Water Board would have a program before City Council for discussion within two weeks.

Mrs. Dutmer and Ms. Berriozabal both spoke in support of the main motion.

Mrs. Janet Ahmad spoke in favor of having CWB contract-out the replacement work on plastic pipe, and asked City Council to consider enacting a resolution to the Consumer Protection Agency, asking that that agency look into possible false advertising claims by certain plastic pipe manufacturers. She also spoke to elimination of the use of plastic pipe as approved in the City Code.

C850

After consideration, the amended motion failed to carry by the following vote: AYES: Thompson, Harrington. NAYS: Berriozabal, Dutmer, Wing, Eureste, Alderete, Cisneros. ABSENT: Webb, Archer, Hasslocher.

The main motion then prevailed by the following vote: AYES: Berriozabal, Dutmer, Wing, Eureste, Thompson, Alderete, Harrington, Cisneros. NAYS: None. ABSENT: Webb, Archer, Hasslocher.

82-25 The Clerk read the following Ordinance:

AN ORDINANCE 55,408

AMENDING THE CITY CODE SO AS TO REGULATE THE NUMBER AND LOCATION OF FOOD AND DRINK VENDORS ALLOWED ON ALAMO PLAZA, ESTABLISHING A LOTTERY AND ROTATION SYSTEM FOR ASSIGNMENT OF LOCATIONS, AND PRESCRIBING A PENALTY OF NOT LESS THAN \$1.00 NOR MORE THAN \$200.00 FOR VIOLATION HEREOF.

\* \* \* \*

Mrs. Dutmer moved to approve the Ordinance. Ms. Berriozabal seconded the motion.

Mr. Ron Darner, Director of Parks & Recreation, spoke to the history of food and drink vendors using Alamo Plaza to sell their wares, and spoke to a number of problems experienced in this regard. He stated that the present Ordinance on this does not control the number of vendors allowed to use Alamo Plaza, and spoke of several options being offered in this regard.

(Mayor Cisneros was obliged to leave the meeting, and Mayor Pro Tem Berriozabal presided.)

Mr. Jack Schmitz, 902 Steves, stated that he is a vendor on Alamo Plaza, and spoke to the fact that most vendors using Alamo Plaza work well together.

Mrs. Luisa Padilla, 643 East Theo Avenue, speaking in Spanish, stated that she questioned why a local newspaper would make a big thing of what actually was a personal matter, and further stated that she did not fight with a pipe, as a newspaper implied. She also spoke in support of the Ordinance.

Mrs. Gloria Martinez, 1534 Rada, spoke of the incident which a newspaper has identified as 'a fight', stating that the incident developed because the other person was harassing her and insulted her husband. She further stated that the two persons involved have since made peace. She spoke in support of the proposed Ordinance, and stated her opinion that the newspapers had blown the matter out of proportion.

Mrs. Rosa Linda Vasquez, 9035 Geraldine, stated that the sale of raspa is her only source of income, and would like to continue selling raspa on Alamo Plaza. She stated her support for the lottery idea.

Mr. Guadalupe M. Villarreal, Route 7, Box 207AH, speaking in Spanish, stated that he has a raspa stand on Alamo Plaza, and is not part of the dispute in question, noting that there had been no problem on Alamo Plaza until recently. He asked to be allowed to stand on Alamo Plaza.

Mrs. Adela Castillo, 606 Victoria, stated that she was speaking on behalf of her 15-year-old son, who has been harassed by Mrs. Padilla on Alamo Plaza. She stated that Mrs. Padilla allegedly threatened him with a length of pipe and has on occasion used profane language toward him. She asked that Mrs. Padilla either be made to stop these attacks or be forced to leave Alamo Plaza.

Ms. Susan Vargas Salazar, 116 McMonigal, stated that she has in the past been harassed by Mrs. Padilla, and stated that Mrs. Padilla has used profane language toward her, as well.

Mr. Juan M. Villarreal, 514 Cantrell, stated that he is the person responsible for persuading City Council to allow raspa vendors back on Alamo Plaza, and stated that he hopes a solution to this issue can be found. He stated his opinion that if Alamo Plaza is becoming too crowded with food and drink vendors, some of them could utilize Main Plaza and the River Walk area, as well. He spoke of the many parks concession contracts currently held by Mr. Phil Sheridan, which do not allow any other vendors in those parks. He stated his belief that raspa vendors should be allowed access to Brackenridge Park, for instance, in areas which are not in area conflict with Mr. Sheridan, such as in parking lots.

Mr. Frank Martinez stated that selling raspa is his sole source of support.

Ms. Berriozabal spoke in support of a good Ordinance on this issue, but stated that she is open to suggestion for possible changes in that being proposed. She stated that the altercation between two vendors on Alamo Plaza now is a matter for the courts, and spoke in support of free enterprise. Ms. Berriozabal spoke of the penalties being recommended for violation of the proposed Ordinance, and stated that Park Rangers would be responsible for enforcement of the Ordinance. She also spoke to the possibility that the City could construct vendor booths on Alamo Plaza and rent them out to vendors who wanted to use them, and asked City staff to look into the costs involved in doing so.

In response to a question by Mr. Wing, Mr. Darner stated that anywhere from seven to 10 raspa vendors regularly work on Alamo Plaza at any one time during the peak warm weather season, and stated his concern for what would happen to those who were not allotted one of the seven suggested locations on Alamo Plaza.

Mr. Wing spoke in favor of a rotation system, which would eliminate the need for a weekly drawing for vendor places on Alamo Plaza. He also spoke of problems with concession contracts in City parks and pools which keep other vendors from selling their wares in those parks and pool areas.

Mr. Wing made an amended motion for City staff to come up with a rotation system that would allow vendors, by number, to have an opportunity to utilize the seven recommended assigned vendor locations on Alamo Plaza. Mr. Alderete seconded the motion.

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

After consideration, the amendment to the main motion prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Thompson, Alderete, Harrington, Hasslocher, Cisneros. NAYS: None. ABSENT: Eureste, Archer.

The main motion, as amended, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Thompson, Alderete, Harrington, Hasslocher, Cisneros. NAYS: None. ABSENT: Eureste, Archer.

82-25

SECURITY AT POLICE HEADQUARTERS

Mr. Hasslocher spoke of the recent burglary and theft from the locker room at Police Headquarters, in which the department and individual officers alike lost valuable items, including weapons and bullet-proof equipment. He stated that he favored possible installation of a system of identification-card usage for plainclothes officers and others in civilian clothes who use the Police Headquarters building, in a plan to help prevent improper access.

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Mr. Hasslocher asked Council support for the idea and again voiced his concern because the Police Armory is next door to the locker room involved.

Mr. Robert Heuck, Chief of Police, stated that some 25 lockers had been broken into, with locks cut from some, and among the items stolen were five pistols. He stated that there are three entrances to the locker room, and steps are now being taken to halt access via two of those doors. He further stated that many people in civilian dress utilize the building each day, including Municipal Court, and stated that in his opinion, the only effective way to secure the building is to establish a system of checkpoints in various areas of the building. Chief Heuck stated that in order to be truly secure, the building would have to be restricted solely to a police function, although at the present time it has many other uses, as well.

Chief Heuck stated that the department can better control access to the building at night, since walk-in traffic is not at the same volume it is during the daytime.

Mr. Hasslocher asked the City Manager to recommend an "after five p.m." system of identification for persons using the Police Headquarters building.

Mr. Hasslocher moved to ask City staff to prepare a report on proper security of the Police Headquarters building, and to include within that report a recommendation for some type of identification system to limit access. Mr. Eureste seconded the motion.

After discussion, the motion prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Alcerete, Harrington, Hasslocher, Cisneros. NAYS: None. ABSENT: Archer.

Mr. Thompson spoke of his concern that an ID system would be too costly to be effective.

Mr. Eureste stated that the Police Department is capable of taking care of this matter, and spoke against a specific ID system.

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82-25

DILAPIDATED HOUSING LIST

Mr. Webb reminded Council of a visit to Council meeting some months ago of a group of concerned citizens from the east side, and particularly from Smith Elementary School, who spoke of the criminal assault on a young schoolgirl in the area, and the fact that there are many dilapidated houses and overgrown vacant lots in the area of the school that need to have something done about them to prevent a reoccurrence of that attack. Mr. Webb spoke specifically of a list of those dilapidated houses identified by the citizens, and stated that no action has yet become evident to remedy those problem areas.

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82-25

REQUEST FOR TWO-WAY STREET USAGE ON RICE RD.

Mr. Webb called attention to a City staff report on Reverend R.A. Callies Sr.'s request for action to allow two-way usage of that portion of Rice Road that runs along the north side of the Rice Road bridge and serves a small group of homes fronting that street, which now is a one-way artery because of its small size and access. Mr. Webb stated that the report did not address the suggestion by Mrs. Dutmer to stop-out the east access to the street via Salado Creek's low-water crossing.

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82-25

TELECASTING "CITIZENS TO BE HEARD"

Mr. Thompson stated that he has had many favorable comments over the past week on his plan to ask UA Columbia Cablevision to telecast the "Citizens to be Heard" segment of each City Council meeting. He asked for Council consideration of that request.

CITIZENS TO BE HEARDMS. VIOLA LEAL

Ms. Leal, 509 South San Marcos, resident of Alazan Apache Courts, requested more police protection in the housing project. She stated that poor lighting has put children and the elderly residents in danger from crime, of which there has been a substantial increase, including shootings, stabbings and other fights. She also requested aid in cleaning up of the general area for health reasons, stating that the creek near the Courts is a health hazard.

Mayor Cisneros requested that the television news media present not photograph the faces of the citizens speaking on this topic, since they feared it might bring on retribution, and, in fact, several have already been threatened.

MS. JULIA ROSS

Ms. Ross requested street cleaning and other improvements in Alazan Apache Courts area, and stated that there has been an increase in criminal activity in the area. She asked for more police protection for residents.

MS. BARBARA OLIVER

Ms. Oliver, representing Seventh Day Adventist Community Services, asked the Council and City staff to call upon the various community leaders to help alleviate these city-wide problems such as crime in Alazan Apache Courts.

Ms. Berriozabal expressed her concern for the increased number of crime calls to police from residents of Alazan Apache Courts of late, especially the elderly. She stated that members of several City departments met with Courts residents recently to outline major problem areas, including criminal activity, better lighting needs and other things that would aid the police. She further stated that citizens feel that new street improvements are needed, yet responsibility for such improvements has been passed from one entity to another. Ms. Berriozabal stated that rat infestation is a health concern in the Courts, and requested that the Metropolitan Health District and San Antonio Housing Authority coordinate efforts to help solve the problem. She noted that the Public Works Department has been looking into the street and lighting matters, and that all concerned governmental entities need to take an inventory of the streets for which they are responsible.

Mr. J. Rolando Bono, Assistant City Manager, stated that some of the streets have been identified as to need, and lighting needs in the area have been surveyed as a whole. He stated that a report should be ready on these areas in two weeks.

Ms. Berriozabal stated that she had discussed the crime problems with Police Sgt. Lopez of the Community Relations Bureau, and that one possible suggestion was allocation of monies for overtime pay for extra police to patrol the area. She recommended use of a proposal by Chief of Police Heuck that included two teams of police officers on overtime pay, patrolling the Courts area; and working together with the Housing Authority on affected areas. Ms. Berriozabal asked City Council for their involvement in working with the community and those residents willing to take part in order to help solve the problem.

Mr. Louis J. Fox, City Manager, concurred with Ms. Berriozabal's remarks and stress the close relationship with the Housing Authority.

A current assessment report by City staff was distributed, a copy of which is made a part of the papers of this meeting.

Ms. Berriozabal moved to approve a motion that the City fund needed services in the amount of \$60,000 for the Alazan Apache Courts area for the remainder of this fiscal year. Mr. Eureste seconded the motion.

Mr. Eureste spoke in support of the motion and the residents of the Courts area, and commended the ladies who came to City Council to speak today.

Mr. Thompson stated that he is concerned with neighborhood repair of roads, but asked where the necessary funds will be coming from to fund this work.

Mr. Webb stated that any residents of the Courts who take part in vandalism and other such criminal activities should be evicted from the Courts by the Housing Authority as quickly as possible.

Mr. Apolonio Flores, General Manager of San Antonio Housing Authority, stated that most of those involved in these activities apparently are residents of the Courts and the Courts area, and thanked City staff and City Council for its support in helping solve these concerns. He concurred with Mr. Webb's remarks and stated that families would be evicted if necessary in order to rid the Courts of the persons involved in the vandalism and other activities detrimental to the neighborhood.

After consideration, the motion prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Harrington, Cisneros. NAYS: None. ABSENT: Alderete, Archer, Hasslocher.

MS. MONICA LA FLEUR

Ms. LaFleur asked City Council for some type of building for use in her efforts on behalf of citizens.

MR. RAMIRO RAMIREZ

Mr. Ramirez, 311 Cavalier, spoke in opposition to the present \$1 charge made for persons using City recreation centers and their activities, stating that many young children who needed those activities could not afford the fee.

MRS. EVELYN HERRERA

Mrs. Herrera, 2001 Quintana Road, expressed her concern for the charge being made for use of recreation centers by individuals and requested City Council to repeal the charge. She also asked that if the charge is not cancelled, then its proceeds should be used for improvements in areas where the money is collected.

Mr. Ron Darner, Director of Parks & Recreation, stated that this charge was approved as part of the last budget in order to increase revenues in areas where such increase was feasible, to pay for City services.

Mr. Wing spoke to the small amount of money collected by the charge, and stated his opinion that the amount was not significant and the fee should be repealed.

Mr. Wing moved to ask staff to eliminate the \$1 per year charge being made for individual use of City recreation centers. Mr. Webb seconded the motion.

After consideration, the motion prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Harrington, Cisneros. NAYS: None. ABSENT: Alderete, Archer, Hasslocher.

There being no further business to come before the Council, the meeting was adjourned at 8:12 P.M.

A P P R O V E D

*Henry Cisneros*  
M A Y O R

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

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