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REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, JUNE 4, 1981.

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The meeting was called to order at 1:00 P.M. by the presiding officer, Mayor Pro-Tem Van Henry Archer in the temporary absence of the Mayor with the following members present: BERRIOZABAL, WEBB, DUTMER, WING, EURESTE, THOMPSON, ALDERETE, CANAVAN, ARCHER, HASSLOCHER, Absent: CISNEROS.

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81-28 The invocation was given by Councilwoman Maria Antonietta Berriozabal.

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81-28 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

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81-28 The minutes of the meeting of May 14, 1981 were approved.

81-28 JUSTICES OF THE PEACE AND CONSTABLES AWARENESS WEEK

Mayor Pro-Tem Archer read the following Proclamation:

WHEREAS, The Justices of the Peace and Constables Association of Texas Inc., was founded for the purpose of enhancing the professionalism of Justices of the Peace and Constables in the State of Texas, and

WHEREAS, The offices of Justice of the Peace and Constable, established over seven hundred years ago, have a proud and proven history of service to the people, and

WHEREAS, The role of professional criminal justice organizations is most important in the development and communication of ideas necessary for the effective battle against crime, and

WHEREAS, The 37th Annual Conference of the Justices of the Peace and Constables Association of Texas, Inc. is especially significant in highlighting this organizations's dedication in joining all Texans in striving for a safer society.

NOW, THEREFORE, I, HENRY CISNEROS, Mayor of the City of San Antonio, in recognition thereof, do hereby proclaim June 7-13, 1981, as

"JUSTICES OF THE PEACE AND CONSTABLES
AWARENESS WEEK"

in San Antonio, Texas, in recognition of their
improvement of the Criminal Justice System for the
- people of the State of Texas.

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Mayor Pro-Tem Archer presented the Proclamation to Justices of the Peace Adam Serrata and Irene Canales Janssen and Constable Charles Campos.

Members of the Council individually congratulated these representatives of the Justices of the Peace and Constables Association of Texas Inc.

Councilmembers Wing, Thompson, Hasslocher, Dutmer and Canavan thanked them for their work with law enforcement and the courts system.

81-28

VISITORS FROM WEST GERMANY

Ms. Shirl Thomas, Administrative Assistant to the Mayor and Council, introduced two visitors from West Germany, Mr. Willi Weiblen of Stuttgart and Mr. Jurgen Fellmann of Hanover, visiting in the United States to study local government operations.

Mayor Pro-Tem Archer read documents proclaiming each to be Alcaldes and presented them.

Members of the Council individually congratulated both men.

Mr. Weiblen and Mr. Fellmann thanked the Council for the opportunity to study San Antonio's municipal system and its problem-solving processes. Mr. Fellman presented the Council with a medallion from Hanover, West Germany and Mr. Weiblen presented a book on Stuttgart, West Germany.

Mr. Thompson noted that the son of the late General Erwin Rommel now is the mayor of Stuttgart.

81-28 TRAVEL AUTHORIZATIONS:

Mayor Henry G. Cisneros to travel to Washington D.C. for the purpose of meeting with the President and to travel to Mexico City/Acapulco from June 3, 1981 to June 7, 1981 for the purpose of meeting with the President and Mrs. Portillo; to receive an award from the National Journalists and to attend meetings with other Mexican Government Officials on other City-related business.

Councilman Robert S. Thompson - to travel to Mexico City/Acapulco from June 4, 1981 to June 7, 1981 for the purpose of meeting with President and Mrs. Portillo; and to attend meetings with other Mexican Government Officials on other City-related business.

Councilman Joe Alderete, Jr. - to travel to Mexico City/Acapulco from June 4, 1981 to June 7, 1981 for the purpose of meeting with President and Mrs. Portillo; and to attend meetings with other Mexican Government Officials on other City-related business.

Mr. Canavan made a motion to grant the travel authorizations. Mr. Eureste seconded the motion. On roll call, the motion carried by the following vote: AYES: Berriozabal, Dutmer, Eureste, Thompson, Alderete, Canavan, Archer, Hasslocher; NAYS: Wing; ABSENT: Webb, Cisneros.

81-28 On a point of personal privilege, Mr. Eureste stated that two persons from Kelly Air Force Base were in the process of studying San Antonio's wage structure and were in need of assistance from City staff in order to speak to local business firms.

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City Manager, Thomas E. Huebner stated that he would provide them assistance.

81-28 The following Resolution was read by the Clerk and after consideration on motion of Mrs. Dutmer, seconded by Mr. Alderete, was passed and approved by the following vote: AYES: Berriozabal, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Hasslocher; NAYS: None; ABSENT: Webb, Cisneros.

A RESOLUTION
NO. 81-28-56

APPROVING A NOTICE OF SALE AND A PRELIMINARY OFFICIAL STATEMENT FOR CITY OF SAN ANTONIO AIRPORT SYSTEM REVENUE BONDS, SERIES 1981, IN THE PRINCIPAL AMOUNT OF \$30,000,000.

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81-28 CONSENT AGENDA

Mr. Hasslocher moved that items 8-20 constituting the consent agenda be approved with the exception of items 8, 9, and 20, to be considered individually. Mr. Canavan seconded the motion.

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

AN ORDINANCE 53,853

AUTHORIZING EXECUTION OF FIELD ALTERATION NO. 4 IN THE SUM OF \$41,233.15 TO THE CONTRACT FOR OLMOS CREEK DRAINAGE PROJECT 87-88; REVISING THE BUDGET AND AUTHORIZING PAYMENT.

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AN ORDINANCE 53,854

ACCEPTING THE LOW QUALIFIED BID OF R.L. JONES CO., INC., IN THE SUM OF \$55,359.63 ON THE BRITANIA SQUARE OFF-SITE SEWER MAIN; AUTHORIZING A STANDARD PUBLIC WORKS CONTRACT; AND APPROPRIATING \$55,359.63 FROM FUND 52.

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AN ORDINANCE 53,855

ACCEPTING THE LOW QUALIFIED BID OF UNITED UTILITY CORPORATION IN THE SUM OF \$282,053.65 TO CONSTRUCT THE UNSEWERED AREA NO. 60 SANITARY SEWER PROJECT; AUTHORIZING EXECUTION OF A STANDARD PUBLIC WORKS CONTRACT; APPROPRIATING THE SUM OF \$330,160.36 OUT OF FUND 52; AND AUTHORIZING PAYMENTS.

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AN ORDINANCE 53,856

PROVIDING FOR THE SALE AND CONVEYANCE OF A PARCEL OF LAND IN BEXAR COUNTY TEXAS, TO F. BERNARD SLOMCHINSKI AND WIFE, F. JOAN SLOMCHINSKI FOR A CONSIDERATION OF \$2,107.00.

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AN ORDINANCE 53,857

PROVIDING FOR THE SALE AND CONVEYANCE OF A PARCEL OF LAND IN BEXAR COUNTY TEXAS, TO ROSARIO R. CARRILLO FOR A CONSIDERATION OF

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AN ORDINANCE 53,858

AUTHORIZING EXPENDITURE OF THE SUM OF \$275.00 OUT OF SEWER DEVELOPER CUSTOMER FUNDS FOR TWO RELEASES; ACCEPTING THE DEDICATION OF TITLE AND/OR EASEMENT TO CERTAIN LANDS; ALL TO BE USED IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS.

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AN ORDINANCE 53,859

AUTHORIZING PAYMENT OF REFUNDS TO PERSONS MAKING OVERPAYMENTS OR DOUBLE PAYMENTS ON 43 TAX ACCOUNTS.

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AN ORDINANCE 53,860

ACCEPTING THE HIGH BIDS RECEIVED IN CONNECTION WITH \$2,000,000.00 IN CITY FUNDS AVAILABLE FOR DEPOSIT IN INTEREST-BEARING CERTIFICATES OF DEPOSIT.

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A RESOLUTION
NO. 81-28-57

GIVING NOTICE THAT BIDS WILL BE RECEIVED FOR SELECTION OF A DEPOSITORY FOR FUNDS OF THE CITY OF SAN ANTONIO AND FOR LOANING MONEY TO THE CITY FOR THE FISCAL YEARS 1981-82 AND 1982-83.

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81-28 Item 8, being a proposed ordinance accepting the low qualified bids of Oshman's Athletic Goods and Val's Sports, Inc., to furnish the City of San Antonio with athletic equipment for a net total of \$5,876.00 was withdrawn from consideration.

81-28 The Clerk read the following Ordinance:

AN ORDINANCE 53, 861

ACCEPTING THE LOW QUALIFIED BID OF BUILTRITE DISTRIBUTING COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH THE CATERING OF FOOD FOR THE 1981 SUMMER NUTRITION PROGRAM.

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

Mr. John Brooks, Director of Purchasing and Central Supply, stated that he feels the losing bid does not meet specifications required of the bidders for the contract in several areas, and noted that both the federal and state governments provide certain regulations that must be met in this matter. He further stated that the City Parks and Recreation Department which is involved in the requirements for the contract, recommended acceptance of Builtrite's bid.

Mr. James Bushey of MJB Corporation, representing the losing bidder, handed folders of information to each member of the City Council and explained the deviations made from the bid specifications, stating that the firm included an optional menu. He then spoke to the firm's experience in the field.

Mrs. Dutmer spoke to the differences in the two bids.

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

81-28 The Clerk read the following Ordinance:

AN ORDINANCE 53,862

AUTHORIZING THE TRANSFER OF AN EL MERCADO LEASE AGREEMENT.

* * * *

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

In response to a question by Mr. Hasslocher, Mrs. Dutmer explained that the death of the lessee brought about the need to transfer this lease to other persons.

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

81-28 MARKET SQUARE

Mrs. Dutmer stated that El Mercado needs to be cleaned up.

Mayor Pro-Tem Archer asked that the high-pressure water machine purchased for jobs such as this be used to clean up the Market Square.

Mr. Alderete suggested that perhaps some of the 200 gallons of paint being donated to the City by Standard Paint Company to beautify and cover graffiti on the walls of municipal buildings, etc. could also be used in the Market Square.

Mr. Eureste asked that the public restroom areas in El Mercado be painted.

Mrs. Berriozabal stated that a portion of the paint donated by the City already is earmarked for repainting in the Alazan-Apache Courts.

81-28 Travel Authorization - Granted:

Councilman Robert Thompson - to travel to Washington D.C., to participate in a Foreign Policy Conference for Young Political Leaders, from June 11, 1981 to June 13, 1981.

Mrs. Dutmer made a motion to approve the Travel Authorization. Mr. Thompson seconded the motion.

In response to a question by Mr. Canavan as to the benefits of the briefing to local municipal governments, Mr. Thompson stated that he planned to discuss the possibilities of a free foreign trade zone for San Antonio as part of the conference.

Mr. Canavan asked that in the future, City staff provide detailed explanation as to how such meetings will benefit local government.

After discussion, the motion carried by the following vote:
AYES: Berriozabal, Dutmer, Eureste, Thompson, Alderete, Hasslocher;
NAYS: Wing, Canavan, Archer; ABSENT: Webb, Cisneros.

Ms. Berriozabal asked for information on current City Council policy as it pertains to City Councilmembers making trips.

City Manager, Thomas E. Huebner stated that he would have this item placed on a future "B" Session agenda.

81-28 The Clerk read the following Ordinance:

AN ORDINANCE 53,863

AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION TO THE COMMUNITY SERVICES ADMINISTRATION FOR A GRANT IN THE AMOUNT OF \$1,436,000 TO SUPPORT THE COMMUNITY ACTION PROGRAM FOR THE YEAR BEGINNING JULY 1, 1981; APPROPRIATING THE SUM OF \$369,842.96 TO OPERATE THE PROGRAM FOR A THREE MONTH INTERIM PERIOD BEGINNING JULY 1, 1981; APPROVING PERSONNEL POSITIONS AND AGREEMENTS WITH OPERATING AGENCIES COVERING THE INTERIM PERIOD.

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

Mr. William Donahue, Director of the Department of Human Resources and Services, explained that federal legislation is extending the life of the Community Services Administration for an additional three months and appears certain to pass the Senate and House. He further stated that the only question remaining is the exact amount of money to be allocated CSA for these three months.

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, Canavan, Archer, Hasslocher; NAYS: None; ABSENT: Cisneros.

81-28 ZONING HEARINGS

21. CASE 8433 - to rezone lots 23, 24, 25, 26 and 27, Block 4, NCB 8179, in the 200 Block of Bexar Drive, from "R-2" Two Family Residential District to "R-6" Townhouse District, located southwest of the intersection of Evelyn Drive and Bexar Drive, having 327' on Bexar Drive and 135' on Evelyn Drive.

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

Mr. Alderete then moved that the recommendation of the Zoning Commission be overruled and the zoning request be denied. Ms. Berriozabal seconded the motion.

Dr. Harvey Komet, the applicant stated that the Zoning Commission has recommended that the request for rezoning be approved, even though the City staff had recommended against it. He explained his plans to construct townhouses on the property instead of the duplexes allowed in the current zoning.

Mr. Alderete spoke to concerns voiced by neighbors, responding to the requested change in zoning.

Mr. Komet explained that the costs involved dictated a change from duplex construction to townhouses, which would allow him to build 18 units rather than the 12 allowed in the current zoning.

No citizen appeared to speak in opposition.

After discussion, the motion to deny the requested change in zoning prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Thompson, Alderete, Archer, Hasslocher; NAYS: Canavan; ABSTAIN: Eureste; ABSENT: Cisneros.

CASE 8433 was denied.

22. CASE 8486 - to rezone a 0.59 acre tract of land out of Lot 26, Block 14, NCB 14360, being further described by field notes filed in the Office of the City Clerk, from "R-3" Multiple Family Residential District to "B-1" Business District and a 0.63 acre tract of land out of Lot 26, Block 14, NCB 14360, being further described by field notes filed in the Office of the City Clerk, in the 5600 Block of John Williams Drive from "R-3" Multiple Family Residential District to "B-2" Business Districts; properties located on the east side of John William Drive, being 350' southeast of the intersection of Loop 410 Expressway and John William Drive, having 132.8' on John William Drive and approximate maximum depth of 420'; the "B-1" being on the southeast 60' of the subject property and the "B-2" being on the remaining portion.

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

In response to a question by Mrs. Dutmer, Mr. Andy Guerrero, Planning Administrator, explained the exits planned from the subject property.

No citizen appeared to speak in opposition.

After consideration, Mr. Canavan moved that the recommendation of the Zoning Commission be approved provided that a six foot solid screen fence is erected and maintained adjacent to the single family residents on the southern property line and that proper platting is accomplished. Mr. Wing seconded the motion. On roll call, the motion carrying with it the passage of the following

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

AN ORDINANCE 53,864

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 0.59 ACRE TRACT OF LAND OUT OF LOT 26, BLOCK 14, NCB 14360, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT TO "B-1" BUSINESS DISTRICT AND A 0.63 ACRE TRACT OF LAND OUT OF LOT 26, BLOCK 14, NCB 14360, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 5600 BLOCK OF JOHN WILLIAM DRIVE, FROM "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ADJACENT TO THE SINGLE FAMILY RESIDENTS ON THE SOUTHEAST PROPERTY LINE AND THAT PROPER PLATTING IS ACCOMPLISHED.

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23. CASE 8480 - to rezone a 1.08 acre tract of land out of Lot 7, Block 9, NCB 13845, being further described by field notes filed in the Office of the City Clerk, in the 8400 Block of Callaghan Road, from "R-3" Multiple Family Residential District to "O-1" Office District, located southwest of the intersection of Callaghan Road and Rock Creek Run, having 340' on Callaghan Road and 100' on Rock Creek Run.

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

Mr. Ralph Bender, the applicant, explained his plans to construct his corporate offices on the property as part of a garden office complex.

No citizen appeared to speak in opposition.

After discussion, Mr. Canavan moved that the recommendation of the Zoning Commission be approved provided that a six foot solid screen fence is erected and maintained on the northwest property line. Mr. Wing seconded the motion. On roll call, the motion carrying with it the the following Ordinance, prevailed by the following vote: AYES: Berriozabal, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Hasslocher; NAYS: None; ABSENT: Webb, Cisneros.

AN ORDINANCE 53,865

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 1.08 ACRE TRACT OF LAND OUT OF LOT 7, BLOCK 9, NCB 13845, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE

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CITY CLERK, IN THE 8400 BLOCK OF CALLAGHAN ROAD, FROM "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT TO "O-1" OFFICE DISTRICT, PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ON THE NORTHWEST PROPERTY LINE.

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24. CASE 8489 - to rezone a 2.232 acre tract of land out of NCB 12179, being further described by field notes filed in the Office of the City Clerk, from "A" Single Family Residential District to "B-2" Business District, located on the northside of Walzem Road, being 160' east of the intersection of Cross Creek and Walzem Road, having 648.15' on Walzem Road and a depth of 150'.

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. Mr. Canavan seconded the motion. On roll call, the motion carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Berriozabal, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Hasslocher; NAYS: None; ABSENT: Webb, Cisneros.

AN ORDINANCE 53,866

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 2.232 ACRE TRACT OF LAND OUT OF NCB 2179, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 4600 BLOCK OF WALZEM ROAD, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

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81-28 PUBLIC HEARING ON AMENDING CHAPTER 42 (ZONING REGULATIONS)

The Clerk read the following Ordinance:

AN ORDINANCE 53,867

AMENDING CHAPTER 42 OF THE CITY CODE (ZONING) SO AS TO CHANGE THE DEFINITIONS OF, CHANGE THE PERMITTED LOCATION REQUIREMENTS FOR, AND ADOPT SPECIAL CONDITIONS PERTAINING TO OPERATION OF KINDERGARTENS AND CHILD DAY CARE CENTERS.

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

Mayor Pro-Tem Archer declared the Public Hearing open:

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Ms. Lillian Reyes, Executive Director of Zion Child Care Center, spoke to her concerns with the proposed changes, speaking in favor of (1) requiring Texas Education Agency Certification for kindergartens; (2) need for a six-foot fence; and (3) less-restrictive hours of operation because many who utilize these facilities work other than routine daytime hours.

Mr. Canavan spoke in favor of limiting hours of operation because the facility actually is a business located in a residential area.

Mr. Alderete spoke in favor of expanding hours of operation.

Mr. Gene Camargo, Assistant Director of Planning, stated that his department could agree to TEA certification, a four-foot fence and amending hours of operation by the City Council on a case-by-case basis.

Mr. Alderete then made an amendment to the motion to require TEA certification of programs offered by kindergartens and allowing the City Council to have discretion in setting operating hours on a case-by-case basis. Mr. Thompson seconded the motion.

Mr. Wing stated that the fence height requirement should be optional.

Mr. Camargo stated that the proposal is for a minimum height, but fences could be higher as determined by the center operator, consistent with zoning regulations.

Mr. Thompson spoke in opposition to any fencing that would be of a solid screen variety.

Mr. Eureste stated that he saw no need to change the definition of a kindergarten, since a state agency sets minimum regulations for their operation. He spoke in favor of a four-foot fence, and stated that the Council could waive the operating hour requirements on each case considered.

Mrs. Dutmer spoke in favor of a six-foot fence, noting the difference between kindergarten and a day care center, and spoke against TEA required certification for child care facilities.

Mr. Hasslocher spoke in favor of a four-foot fence.

Following a discussion of the motions already on the floor, Mrs. Dutmer stated that the matter might need to be postponed until the wording is worked out.

Mr. Eureste spoke to the state's authority in such matters, and spoke in favor of leaving hours of operation as a standard to follow and spoke against the amendment.

Mayor Pro-Tem Archer declared the hearing closed.

After discussion, the amendment to the main motion failed to carry by the following vote: AYES: Berriozabal, Dutmer, Thompson, Alderete, Archer; NAYS: Webb, Wing, Eureste, Canavan, Hasslocher; ABSENT: Cisneros.

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

81-28 PUBLIC HEARING ON AMENDING CHAPTER 36 (SUBDIVISIONS)

The Clerk read the following Ordinance:

AN ORDINANCE 53,868

AMENDING CHAPTER SECTIONS OF CHAPTER 36
OF THE CITY CODE, SUBDIVISION REGULATIONS
RELATING TO ADDITIONAL REQUIREMENTS IMPOSED
BY SENATE BILL 767.

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

Mayor Pro-Tem Archer declared the Public Hearing open:

No citizen was registered to speak.

Mayor Pro-Tem Archer declared the hearing closed.

In response to a question by Mrs. Dutmer, Mr. Gene Camargo, Assistant Director of Planning, explained the details of the amendments under construction.

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, Canavan, Archer, Hasslocher; NAYS: None; ABSENT: Cisneros.

81-28 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Webb, seconded by Mr. Wing, was passed and approved by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Hasslocher; NAYS: None; ABSENT: Cisneros.

AN ORDINANCE 53,869

APPROVING AND ADOPTING AMENDMENT NO.
2 MODIFYING THE URBAN RENEWAL PLAN FOR
VISTA VERDE CLOSE-OUT, TEX. R-109, AND
DIRECTING THAT SAID AMENDMENT BE FILED
AS PART OF THE URBAN RENEWAL PLAN FOR
VISTA VERDE CLOSEOUT, TEX. R-109.

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81-28 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Webb, seconded by Mrs. Dutmer, was passed and approved by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Canavan, Archer, Hasslocher; NAYS: None; ABSENT: Thompson, Alderete, Cisneros.

AN ORDINANCE 53,870

REPROGRAMMING \$390,000.00 FROM THE CDBG
CONTINGENCY FUND INTO THE ST. PAUL
SQUARE PROJECT.

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81-28 The following Resolution was read by the Clerk and after consideration, on motion of Mrs. Dutmer, seconded by Mr. Wing, was passed and approved by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Canavan, Archer, Haslocher; NAYS: None; ABSENT: Thompson, Alderete, Cisneros.

A RESOLUTION
NO. 81-28-58

SETTING A DATE, TIME AND PLACE FOR A
PUBLIC HEARING ON CDBG GRANTEE PERFORMANCE.

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81-28 The Clerk read the following Resolution:

A RESOLUTION
NO. 81-28-59

SUPPORTING THE RIVER CORRIDOR ADVISORY
COMMITTEE'S ENDORSEMENT OF THE GOALS
AND OBJECTIVES OF THE COALITION CON-
CERNED WITH QUALITY SIGN CONTROL.

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Mrs. Dutmer moved to approve the Resolution. Mr. Wing seconded the motion.

Ms. June Kachtik, representing the Coalition Concerned with Quality Control, passed out pamphlets to members of the City Council and explained its content as recommended regulations to govern sign control in San Antonio. She asked the City Staff to provide assistance to its single sign inspector, and asked the Council's support of the Resolution on the subject of sign control, enacted by the River Corridor Commission.

Mr. Larry De Martino, a member of the Fine Arts Commission and River Road Neighborhood Association, asked the Council's approval of the pending Ordinance.

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

81-28 The following Ordinance was read by the Clerk and after consideration on motion of Mrs. Dutmer, seconded by Mr. Canavan, was passed and approved by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Canavan, Archer, Hasslocher; NAYS: None; ABSENT: Thompson, Alderete, Cisneros.

AN ORDINANCE 53,871

REAPPOINTING AND APPOINTING COUNCILMEMBERS
TO SERVE ON THE COMMISSION FOR THE
INSTITUTE OF AMERICAS FOR INDEFINITE
TERMS.

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The following Councilmembers are hereby reappointed and appointed to serve on the Commission for the Institute of the Americas:

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Mayor Henry G. Cisneros
Councilmember Joe Alderete
Councilmember Maria A. Berriozabal
Councilmember Robert Thompson
Councilmember Helen Dutmer

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81-28 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Webb, seconded by Mrs. Dutmer, was passed and approved by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Canavan, Archer, Hasslocher; NAYS: None; ABSENT: Thompson, Alderete, Cisneros.

AN ORDINANCE 53,872

AMENDING ORDINANCE 19522 OF SEPTEMBER 3, 1953 CODIFIED IN THE CITY CODE AS SECTION 26-1 (ABANDONED ICEBOXES, ETC.) SO AS TO INCLUDE ANY REFRIGERATORS AND FREEZERS WITH MAGNETIC SEAL TYPE DOORS.

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81-28 The Clerk read the following Ordinance:

AN ORDINANCE 53,873

APPROPRIATING \$40,000.00 FOR THE PURCHASE OF MATERIALS FOR CONSTRUCTION OF THE UHR ROAD CONSTRUCTION PROJECT; SAID FUNDS TO BE REIMBURSED TO THE CITY OF SAN ANTONIO BY THE NORTHEAST INDEPENDENT SCHOOL DISTRICT.

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

Mr. Hasslocher spoke to the need for the UHR Road Project.

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

81-28 The Clerk read the following Ordinance:

AN ORDINANCE 53,874

POSTPONING THE PLANNED SALE OF \$25,000,000 IN BONDS FOR CONSTRUCTION OF A NEW CITY PUBLIC SERVICE HEADQUARTERS.

* * * *

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

Mr. Canavan explained Mayor Cisneros' memo to other Councilmembers on the subject of postponing the planned \$25 million CPS bond sale, and stated that he was not attempting to adversely

affect Vista Verde South, but merely asking for time to allow study of the possibility of replacing the planned new CPS building in Vista Verde South with a private investor or participant. He explained his recommended plans and possible options, stating that the Council must consider the feasibility of substituting a privately-financed structure in place of CPS in Vista Verde South, or possibly construction of a privately-financed structure that could then be leased to CPS at an overall cost savings to the utility.

Mr. Wing stated that he hopes Councilmembers are not trying to jeopardize the Vista Verde South Project and the attendant HUD Grant to renovate a blighted section of the City.

Mr. Thompson stated that he would work to get private investment to replace CPS in the project.

Mrs. Dutmer stated her opposition to the planned \$25 million CPS headquarters building in Vista Verde South, reiterating that she opposes the CPS building only, and not the project as a whole. She also spoke in opposition to CPS leasing space from a private investor in Vista Verde South.

In response to a question by Mr. Eureste, Deputy City Manager, Louis Fox and City Attorney, Jane Macon both explained that CPS cannot award the planned bonds to finance the new headquarters building without Council approval.

Mr. Howard Freeman, Assistant General Manager for Finance and Administration, stated that if the Council acts to postpone the bond sale today, there is still time to notify prospective bidders on the bonds in time to keep them from investing substantial sums in their investigations and bids and thus not hurt CPS in future bond market activity.

Mr. Eureste stated that he hopes the action today will not jeopardize Vista Verde South, and stated his concern that the action might adversely affect the City in future bond sales. He stated his opposition to CPS leasing building space from a private developer brought into Vista Verde South.

Ms. Berriozabal spoke to the need to keep Vista Verde South as a community statement on the subject of economic development, and voiced her concern about the future of both businesses and residences in Vista Verde South.

Mr. Hasslocher spoke to the efficiency of CPS management, but agreed to the need for a postponement in the bond sale at this time. He further stated that he is not opposed to a new or remodelled CPS headquarters building.

Mr. Alderete spoke to his priorities in the matter, with Vista Verde South first, and CPS' headquarters second.

Mrs. Dutmer stated that HUD had assured Mayor Cisneros that there would be no problem with the legality of substituting a private investment for CPS in Vista Verde South.

Mayor Pro-Tem Archer spoke to his earlier stated belief that Vista Verde South would fail if CPS did not take part, and stated his opposition to the inclusion of Control Data Corporation in Vista Verde South, on principle.

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, Canavan, Archer, Hasslocher; NAYS: None; ABSENT: Cisneros.

81-28 The Clerk read the following Ordinance:

AN ORDINANCE 53,875

APPROVING AN ASSIGNMENT BETWEEN STOUT BILT TEXAS, INC., FOUNDATION PROPERTIES JOINT VENTURE, AND ADVANCED MICRO DEVICES, INC., AND AUTHORIZING THE CITY MANAGER TO EXECUTE A RESTATED INDUSTRIAL DISTRICT AGREEMENT AND A FIRE PROTECTION AGREEMENT WITH ADVANCED MICRO DEVICES, INC., UPON EXECUTION OF SAID AGREEMENT.

* * * *

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

In response to a question by Mr. Webb, City Attorney Jane Macon stated that all parties concerned had agreed to the action involved in this Ordinance.

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, Canavan, Archer, Hasslocher; NAYS: None; ABSENT: Cisneros.

81-28 The meeting was recessed at 3:22 P.M. and reconvened at 5:00 P.M.

81-28

CITIZENS TO BE HEARD

MR. ROBERT RUDEWICK

Mr. Rudewick, President of the San Antonio Police Officers Association, stated that he will make his presentation when a full Council is present.

MRS. MATILDA M. RUIZ

Mrs. Ruiz, 2223 Perez stated that she is speaking on behalf of the Advocates Social Service Program and advised the Council of the opening of an additional branch office. She stated that she appreciates the support of the City in the past and wants the City to favorably consider re-funding their program.

Mrs. Berriozabal stated that she appreciates the work being done in the community by the Advocates Program and will seek the support of the other Council members in refunding the program.

Mr. Hasslocher stated that he is very interested in helping senior citizens and pledges his support in finding the monies to refund these types of programs.

MR. GENE A. RODRIGUEZ

Mr. Rodriguez, Regional Chairman of the American G.I. Forum, spoke against the proposed action to be taken by DEED to eliminate the training sections of Project SER, BCOIC, SANYO. He expressed concern that the Veterans Outreach Program is also to be affected by a cut in funding.

Mr. Rodriguez also stated that the money to be allocated to the Police Department's Intelligence Division should be re-allocated to serve as alternate sources of funding for these other worthwhile organizations.

MRS. ROSA ROSALES

Mrs. Rosales, representing the United Public Employees Association, took exception to the present City of San Antonio's Ordinance which stipulates that an employee to be terminated must be represented by a lawyer. They intend to take this matter to Court since they feel that the Ordinance is unconstitutional and denies due process.

She also took exception to the City allowing an employee to be represented by a member of another City Union.

Mr. Eureste asked that the City Manager look into this allegation.

In response to Mrs. Dutmer, Mrs. Rosales was advised by Mr. Leroy Harvey, Personnel Director, that she was allowed to represent an employee because of certain circumstances.

Deputy City Manager, Louis Fox, stated that the staff will report to the Council on the matter of the Ordinance and the matter of an employee being represented by a union member.

RT. REV. FRANCIS THORNE-COLEY

Reverend Thorne-Coley, C.C.S.F., spoke about their efforts in the field of drugs and drinking problems in the community and described the building of the Charles H. Young Memorial Center which will be opened on Saturday, June 6, 1981. He feels it will be a great asset to the community and stated that they have built their facility without any federal, state or local monies.

MR. RAYMOND DESCH

Mr. Desch asked that the police department enforce Ordinance No. 41535. He stated that he is very concerned that the non-access easement as imposed by this Ordinance is being used by persons to gain access to an adjacent shopping center.

Mayor Pro-Tem Van Henry Archer stated that he has already asked that this matter be investigated by the City staff.

MR. RAUL RODRIGUEZ

Mr. Rodriguez spoke about police practices in different cities and in the City of San Antonio with regard to the treatment of women who are arrested. He asked that the City Manager investigate and report to the Council on the treatment of women who are arrested for minor matters.

Mr. Eureste stated that there is a present policy of arresting persons who have outstanding moving violation tickets and once these people are arrested then the jurisdiction of the City ends and any complaint should be lodged against the County.

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MR. MANUEL MUNOZ
LULAC DISTRICT DIRECTOR

Mr. Munoz spoke on behalf of the comments made by Mr. Gene Rodriguez, a previous speaker, about Project SER's proposed funding.

He asked who is being investigated by the Police Department's Intelligence Section and asked if any Lulac Member is being investigated.

Mr. Eureste stated that this is a serious matter and asked what the Intelligence Section does and who do they investigate and consider troublemakers. He took exception to this practice.

Deputy City Manager, Louis Fox stated that the matter can be responded to in a "B" Session item in detail.

Ms. Berriozabal stated that she intends to get more information on this section and will keep Mr. Munoz abreast of her findings.

Mr. Wing stated that the size of the budget of this particular section needs to be reported on with a look at trimming this amount.

Mr. Webb stated that he would be in favor of concentrating more on such problems as drug dealing and prostitution.

Mr. Hasslocher stated that he and Ms. Berriozabal had toured the Police Department and feels that such a section may be necessary and favors the discussion of this matter.

Deputy City Manager, Louis Fox stated that he has recommended in the past that within the next fiscal year, an extensive and complete evaluation of the police department be made by an outside agency.

City Attorney, Jane Macon stated that she will meet with Mr. Munoz on the questions he has raised.

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MR. JIM ISAMAN

Mr. Isaman, 8407 Bart Starr Drive, asked if any plans are in the works for public hearings to be held on the proposed mid-city and bank garages. He stated that the Council acted very hasty on this matter and approved the garage without any public input.

Mr. Eureste stated that he wasn't on the prevailing side in management and on the Council. He stated that certain developers get preferential treatment.

There being no further business to come before the Council, the meeting was adjourned at 6:10 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

June 4, 1981
mb

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