

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, MARCH 17, 1983.

* * * *

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, ARCHER, HASSLOCHER, CISNEROS. Absent: NONE.

- - -
83-13 The invocation was given by Reverend Robert Holbrook, Harlandale Baptist Church.

- - -
83-13 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

83-13 WILLI WIEHN

Mayor Cisneros asked Mayor Pro Tem Ed Harrington to present an Alcalde to Mr. Willi Wiehn, a special guest of the Texas Chapter of the United States Modern Pentathlon Association from Germany.

Dr. Wiehn, a physical therapist, thanked the Council for the honor and spoke well of his hosts, in particular of Ms. Marianne Murley, President of the Texas Chapter.

Ms. Murley then presented pins to the Council commemorating the March 12 - 15, 1983 International Modern Pentathlon Competition held here in San Antonio.

83-13 SCOTT CAMPBELL FAMILY

Mayor Cisneros introduced Mr. and Mrs. Scott Campbell and their two children visiting San Antonio from Dallas. Mayor Cisneros noted that Mr. and Mrs. Campbell had recently co-hosted a meeting between representatives from San Antonio and Dallas.

- - -
83-13 The minutes of the meetings of March 3, 1982 were approved.

83-13 CITIZEN COMPLAINT

Mr. Archer requested an official report in response to a complaint heard at the previous week's Citizens To Be Heard portion of the City Council meeting. A citizen had accused representatives from the San Antonio Police Department of certain irregularities during their apprehension of his brother while he was out jogging. Mr. Archer noted that he understood the official report contained a different version of what had actually occurred.

Mayor Cisneros requested that the City Manager present the report prior to the end of this Council meeting.

83-13

RESOLUTION ON PARIMUTUEL BETTING

Mr. Hasslocher noted that a number of people were present to speak on Agenda Item 24 and requested that it be taken out of sequence and addressed first.

Informal concensus was granted.

The Clerk read a resolution opposing parimutuel betting.

Mr. Archer noted his opposition to taking this item out of sequence as he knew of citizens that planned to be present later in the afternoon to speak on this issue. He added his support of this Resolution stating his opposition to parimutuel betting.

Mrs. Dutmer stated that citizens should have the opportunity to voice their opinions on parimutuel betting at the polls. She then made a motion to table consideration of this Resolution. Mr. Hasslocher seconded the motion.

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

83-13 CONSENT AGENDA

Mr. Harrington moved that items 5 - 11, constituting the consent agenda, be approved. Ms. Berriozabal seconded the motion.

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

AN ORDINANCE 56,688

ACCEPTING THE LOW QUALIFIED BID OF A. M. INTERNATIONAL TO FURNISH THE CITY OF SAN ANTONIO WITH AN OFFSET DUPLICATOR FOR A TOTAL OF \$9,067.00.

* * * *

AN ORDINANCE 56,689

ACCEPTING THE LOW QUALIFIED BID OF ANDERSON MACHINERY COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH WHEELED SCRAPERS FOR A TOTAL OF \$338,000.00.

* * * *

AN ORDINANCE 56,690

ACCEPTING THE LOW QUALIFIED BID OF GLEN ROGERS FOR PAINTING SEVEN CITY SWIMMING POOLS AND AUTHORIZING PAYMENT AS PROVIDED HEREIN.

* * * *

AN ORDINANCE 56,691

AUTHORIZING PAYMENT OF REFUNDS TO PERSONS MAKING OVERPAYMENTS OR DOUBLEPAYMENTS ON 128 TAX ACCOUNTS.

* * * *

AN ORDINANCE 56,692

ACCEPTING THE HIGH BIDS RECEIVED IN CONNECTION WITH CITY FUNDS AVAILABLE FOR DEPOSIT IN INTEREST-BEARING

CERTIFICATES OF DEPOSIT.

* * * *

AN ORDINANCE 56,693

AMENDING CHAPTER 38 (TRAFFIC REGULATIONS) OF THE CITY CODE SETTING FORTH LOCATIONS AT WHICH ELECTRONIC TRAFFIC CONTROL SIGNALS ARE IN FULL OPERATION; DESIGNATING STOP SIGN LOCATIONS; DESIGNATING YIELD-RIGHT-OF-WAY LOCATIONS; SETTING MAXIMUM SPEED LIMITS ON CERTAIN STREETS; 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.

* * * *

AN ORDINANCE 56,694

AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH H. E. BUTT PROPERTY COMPANY NO. ONE AND H. E. BUTT PROPERTY COMPANY NO. TWO FOR THE PURPOSE OF OPERATING A SAN ANTONIO POLICE RECRUITING OFFICE IN LIVE OAK MALL.

* * * *

ZONING HEARINGS

12. CASE 8949 - to rezone Lots 16, 17, 33, and 35, Block 6, NCB 3090, 618-622 E. Mulberry Ave., 555-557 E. Huisache Ave., from "Historic D" Apartment District to "Historic 'O-1'" Office District, located on the west side of Stadium Drive (McAllister Expressway) between Mulberry Ave. and Huisache Ave., having 100' on Mulberry Ave. & 100' on Huisache Ave. and 350' on Stadium Drive (McAllister Expressway).

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

Mr. Andy Guerrero, Planner II, noted that nine votes from the City Council would be required for passage.

Mayor Cisneros noted that only nine members of the Council were present and asked the proponent whether he wanted the Council to consider a postponement until a time when all members were present.

Mr. Tom Rohde, Developer, requested the postponement.

Mr. Harrington moved that consideration of this Zoning Case be postponed for 30 days. Mrs. Dutmer seconded the motion.

Before consideration of this motion, two additional members of the City Council joined the meeting. The motion to postpone was then withdrawn.

Mr. Kerry L. Anderson, 11500 Braesview #2308, co-developer of this project, noted that he proposes to build two small two-story buildings. He stated his willingness to work with area residents to arrive at suitable land use plans which would meet all the criteria. He added that the change in zoning would allow for a softer more professional tenancy.

Mr. Killis Almond, 342 Wilkens, presented a site plan and addressed some items of concern on the proposed development. He spoke of the buildings compatibility with the neighborhood.

Mr. Tom Rohde, 4139 Gardendale, presented a petition from

00047

neighbors and stated he felt a majority of the people in the neighborhood approved the rezoning.

Mrs. M. Cicchese, 5910 Rainmaker, spoke in favor of the requested rezoning and of the enhancement of the neighborhood by the construction of the proposed project.

Ms. Esther Contreras, 551 E. Huisache, spoke against the requested rezoning and noted that those neighbors that actually reside in the neighborhood want to preserve it as a residential neighborhood. They want the McAllister Freeway to be used as a buffer and development be restricted east of the freeway.

Ms. Linda Cooper Daniels, 619 E. Mulberry, took a strong stance against zoning that would allow for business or commercial usage in primarily a residential area. She cited other zoning she considered better for this property than the O-1 zoning.

Mr. Al Noltzon, president of the Monte Vista Historical Association, spoke of a trend towards residential infill into the area and asked that Council do nothing to change this.

Mr. R. Delgado, 543 E. Huisache, Mr. Michael Daniels, 619 E. Mulberry, Ms. Rita Garcia, 530 E. Huisache, Ms. Janie Delgado, 543 E. Huisache, and Mr. Miguel M. Garcia, 530 E. Huisache, all voiced their opposition to the requested rezoning but relinquished their time to speak so that other opponents could have the opportunity to address the Council.

Mr. Richard Deyo, 238 E Mulberry, spoke of the erosion of the residential neighborhood should this rezoning be approved.

Mr. Hap Veltman, 907 River Road, spoke against rezoning at this particular location.

Ms. Joan Yow, 520 E. Huisache, spoke of the narrow streets in the neighborhood and the increased traffic this rezoning would create.

Mr. Tom Rohde, Developer, noted that he proposed to build two houses and lease them for office space. He noted that more people were in favor of the rezoning than were opposed as evidenced by his petition.

Mr. Archer spoke of working with Ms. Contreras regarding this rezoning. He spoke of the area as being a nice residential neighborhood.

Pointing out the difficulty of obtaining nine affirmative votes in a contested rezoning, Mr. Archer moved that the recommendation of the Zoning Commission be approved. Mr. Alderete seconded the motion.

In response to Mrs. Dutmer, Mr. Andy Guerrero explained that the number of notices received represented 20% opposition thus the need for nine affirmative votes to approve the rezoning.

Mrs. Dutmer and Ms. Berriozabal spoke against the rezoning.

On roll call vote, the motion to approve the rezoning failed to carry by the following vote: AYES: Harrington, Hasslocher; NAYS: Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Archer, Cisneros; ABSENT: None.

13. CASE Z83048 - to rezone a 17.049 acre tract of land out of NCB's 12677 and 12679 thru 12684, being further described by field notes filed in the Office of the City Clerk, in the 3100 Block of I.H. 35 South Expressway from "B" Residence District to "B-2" Business District, and a 28.116 tract of land out of NCB's 12675 thru 12682, being further described by field notes filed in the Office of the City Clerk, in the 3100 Block of I.H. 35 South Expressway, from "B" Residence District to "I-1" Light Industry District, located southwest of the intersection of

State Hwy 16 and I.H. 35 South Expressway having 400.39' on Palo Alto Road, 639.41' on State Hwy 16, 1729.08' on I.H. 35 South Expressway, approximate maximum depth of 1270' and a width of 1825.07'.

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

Mr. Harry Jewett, 342 W. Woodlawn, the applicant, requested a 30 day postponement to allow time for COPs to study the proposal and comment.

Mr. Wing moved for a 30-day postponement for consideration of this zoning case. Mr. Harrington 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.

14. CASE 283050 - to rezone Parcel 100 save and except the east 50', NCB 10575, in the 3300 Block of Belgium Lane, from "A" Single Family Residence District to "B-3R" Restrictive Business District and the east 50' of Parcel 100, NCB 10575, from "A" Single Family Residence District to "B-1" Business District, located on the north side of Belgium Lane, being 136' west of the intersection of Willow Wood Drive and Belgium Lane having 499' on Belgium Lane and a depth of 383.82'. The "B-1" being on the east 50' of subject property and the "B-3R" being on the remaining portion.

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

Mr. Eric J. Weissgarber, 430 Countrywood, requested the change of zone to build an office, showroom warehouse facility. He noted that the subject property could not be zoned residential because of its proximity to railroad tracks. He added that some residents of the neighborhood are amenable to the rezoning because of the present condition of the property.

Mr. Calvin R. Kennedy, 1222 Fontaine, spoke against the rezoning request. He showed pictures of the residential neighborhood adjacent to the area in question and of an industrial area close to the residences. He noted that businesses in the industrial area were not maintaining their property properly, citing Basse Truck Terminal in particular.

Mrs. Betty Gatlin, President of the United Home Owners Improvement Association, spoke against the requested rezoning. She noted that a recreation center or small park would better serve the community in this area.

Mr. Eric Weissgarber stated that development of this property would have a positive impact on the neighborhood.

Mr. Larry Crow, local developer, spoke in support of Mr. Weissgarber's plan.

In response to a question by Mr. Webb, Andy Guerrero, Planner II, noted that of the residents within a 200 foot radius of the subject property that had been notified of the requested rezoning, one had replied in favor and one had replied in opposition.

In reply to questions by Mr. Webb, Mr. Kennedy and Mrs. Gatlin elaborated further on their objections to the planned development.

(At this point, Mayor Cisneros was obliged to leave the meeting. Mayor Pro Tem Ed Harrington presided.)

Mr. Webb stated that this property cannot be developed as a residential piece of property.

In reply to a question by Mrs. Dutmer, Mr. Weissgarber stated that the area where B-1 zoning was requested would be used for parking.

Mr. Weissgarber stated that he would volunteer to work with area homeowners to help them find another property for a park.

Mrs. Dutmer moved for approval of "B-1" zoning for the east 50' of Parcel 100, NCB 10575, and "B-3NA" for the remainder of the property provided that a 6-foot solid screen fence is erected and maintained along the east property line, and that a 50-foot building setback line is imposed on the east property line. Mr. Hasslocher seconded the motion.

Mr. Webb requested staff to investigate Basse Truck Terminal to determine whether any violations are occurring.

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

AN ORDINANCE 56,695

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 PARCEL 100, SAVE AND EXCEPT THE EAST 50', NCB 10575, IN THE 3300 BLOCK OF BELGIUM LANE, FROM "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "B-3NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES, AND THE EAST 50' OF PARCEL 100, NCB 10575 FROM "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "B-1" BUSINESS DISTRICT, PROVIDED THAT A 6-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE EAST PROPERTY LINE, AND THAT A 50-FOOT BUILDING SETBACK LINE IS IMPOSED ON THE EAST PROPERTY LINE.

* * * *

83-13

PUBLIC HEARING ON AND CONSIDERATION OF AN ORDINANCE AMENDING THE 8TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM TO PROVIDE \$40,000 FROM SAID PROGRAM FOR THE SOUTHWEST DIAGNOSTIC CLINIC - BRIGGS STREET PROJECT.

Mayor Pro Tem Harrington declared the Public Hearing open.

No citizens were registered to speak on the matter.

Mayor Pro Tem Harrington declared the Public Hearing closed.

The City Clerk read the following Ordinance:

AN ORDINANCE 56,696

APPROPRIATING COMMUNITY DEVELOPMENT PROGRAM FUNDS INTO THE AMOUNT OF \$40,000.00 TO THE SOUTHWEST DIAGNOSTIC CLINIC - BRIGGS STREET UDAG PROJECT AS LOCAL MATCHING FUNDS TO THE \$160,000.00 UDAG GRANT APPLICATION TO THE HOUSING AND URBAN DEVELOPMENT DEPARTMENT FOR IMPROVEMENT OF BRIGGS STREET.

* * * *

Mr. Wing moved that the Ordinance be approved. Mr. Hasslocher seconded the motion.

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

Dutmer, Wing, Thompson, Harrington, Hasslocher; NAYS: None; ABSENT: Eureste, Alderete, Archer, Cisneros.

ZONING HEARING (Continued)

15. CASE Z83058 - to rezone a 1.217 acre tract of land out of NCB 14943, being further described by field notes filed in the Office of the City Clerk, in the 4100 Block of Vespero Drive, from "R-6" Townhouse Residence District to "R-2A" Three and Four Family Residence District, located north of the intersection of Capotillo Drive and Vespero Drive, having approximately 174.45' on Vespero Drive and approximately 263' on Capotillo Drive.

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. Hasslocher moved that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished. Mrs. Dutmer seconded the motion.

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

AN ORDINANCE 56,697

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 1.217 ACRE TRACT OF LAND OUT OF NCB 14943, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 4100 BLOCK OF VESPERO DRIVE, FROM "R-6" TOWNHOUSE RESIDENCE DISTRICT TO "R-2A" THREE AND FOUR-FAMILY RESIDENCE DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

16. CASE Z83057 - to rezone Lot 32, Block 4, NCB 7283, 4319 San Pedro Avenue, from "F" Local Retail District to "B-3" Business District, located southwest of the intersection of Fresno Steet and San Pedro Avenue, having 100' on San Pedro Avenue, and 100' on Fresno Street.

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.

Mrs. Dutmer moved that the recommendation of the Zoning Commission be approved provided that four feet of right-of-way is imposed along Fresno Street, with a 25-foot property line return. Mr. Hasslocher seconded the motion.

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

00051

AN ORDINANCE 56,698

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 32, BLOCK 4, NCB 7283, 4319 SAN PEDRO AVENUE, FROM "F" LOCAL RETAIL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT FOUR FEET OF RIGHT-OF-WAY IS IMPOSED ALONG FRESNO STREET, WITH A 25-FOOT PROPERTY LINE RETURN.

* * * *

17. CASE 283055 - to rezone a 4.126 acre tract of land out of NCB 12858, being further described by field notes filed in the Office of the City Clerk, 8642 Fredericksburg Road, from "B-3" Business District to "B-2" Business District, located on the northeast side of Fredericksburg Road, being 447.76' north of the intersection of Wurzbach Road and Fredericksburg Road, having 61.47' on Fredericksburg Road and a maximum depth of 812.02' and width of 401.41'.

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.

Mrs. Dutmer moved that the recommendation of the Zoning Commission be approved. Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 56,699

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 4.126 ACRE TRACT OF LAND OUT OF NCB 12858, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 8642 FREDERICKSBURG ROAD, FROM "B-3" BUSINESS DISTRICT TO "B-2" BUSINESS DISTRICT.

* * * *

18. CASE 283052 - to rezone Lot 6, Block 44, NCB 15494, in the 7500 Block of Marbach Road, from Temporary "R-1" One Family Residence District to "B-3R" Restrictive Business District, located on the south side of Marbach Road being 507.20' west of the intersection of Rawhide Lane and Marbach Road, having 100' on Marbach Road, and a depth of 197'.

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. Thompson moved that in lieu of "B-3R" zoning, the Council approve "B-3NA". Mr. Hasslocher seconded the motion.

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

ABSENT: Eureste, Alderete, Archer.

AN ORDINANCE 56,700

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 6, BLOCK 44, NCB 15494, IN THE 7500 BLOCK OF MARBACH ROAD, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-3NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES.

* * * *

83-13 The Clerk read the following Ordinance:

AN ORDINANCE 56,701

CLOSING A PORTION OF COMMERCE STREET DURING CERTAIN HOURS.

* * * *

Mr. Hasslocher moved that the Ordinance be approved. Mrs. Dutmer seconded the motion.

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

83-13 The Clerk read the following Ordinance:

AN ORDINANCE 56,702

AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH PUBLIC TECHNOLOGY, INC., FOR A TAXICAB STUDY IN THE AMOUNT OF \$26,758.00 AND PROVIDING FUNDS THEREFOR.

* * * *

Mrs. Dutmer moved that the Ordinance be approved. Mr. Hasslocher seconded the motion.

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

83-13 The Clerk read the following Ordinance:

AN ORDINANCE 56,703

APPROVING A REVISED URBAN SYSTEMS MAP.

* * * *

Ms. Rebecca Cedillo, Assistant Director of Planning, noted that Federal Aid secondary funds cannot be spent for roadway improvements to Loop 1604 as the present Federal Aid Urban System and Urban Area Boundary Map shows Loop 1604 as being within the urban area boundary.

In answer to a question by Mr. Webb, Ms. Cedillo noted that passage of this Ordinance will not obligate the City to purchase land; it will merely amend the map to exclude the right of way of Loop 1604 in order to qualify it for use of secondary funds.

Mr. Hasslocher moved that the Ordinance be approved. Mrs. Dutmer seconded the motion.

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

83-13 The Clerk read the following Ordinance:

AN ORDINANCE 56,704

APPROVING LOCATIONS FOR THE FIESTA CARNIVAL FOR FIESTA, 1983 AND SETTING CERTAIN TERMS AND CONDITIONS IN CONNECTION THEREWITH; AND CLOSING CERTAIN STREETS IN CONNECTION WITH FIESTA 1983.

* * * *

In response to a question by Mrs. Dutmer, Ms. Karen Kliever, Intergovernmental Relations Officer, stated that Nueva Steet is already partially closed for repairs but that the north-south traffic flow will continue.

(Mayor Cisneros returned to the meeting and presided.)

In answer to a question by Ms. Berriozabal, Ms. Kliever briefly noted the times and locations of streets to be closed for the carnival. She added that the Police Department and Public Works Department will ultimately approve final carnival setup plans. She further added that Mr. Philip J. Sheridan, Carnival Concessionaire, was in the audience and was taking notes of the areas of Council concern, i.e., San Fernando Cathedral and Granada Homes.

Ms. Berriozabal stated that a suitable site away from the downtown area should be found for future carnivals in order to minimize the inconvenience downtown residents experience during Fiesta. She challenged Mr. Sheridan to find such a site.

Mr. Webb shared Ms. Berriozabal's concern on the carnival's location. He acknowledged Ms. Kliever's good work as a staff representative on the Council Fiesta Committee.

Mr. Archer thanked Mr. Webb for his leadership on the Fiesta Committee and commended Ms. Kliever for her good work. He added that parking may be a problem because of the carnival's close proximity to other downtown Fiesta events.

Ms. Kliever stated that the Public Information Office will initiate an active campaign to inform the public of where parking and other facilities are to be located.

Mayor Cisneros noted that the "Today Show", with Jane Pauley and Brian Gumbel, will be in San Antonio broadcasting live during Fiesta Week.

Mr. Webb moved that the Ordinance be approved. Mr. Thompson seconded the motion.

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

83-13 The Clerk read the following Ordinance:

AN ORDINANCE 56,705

AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND THE SAN ANTONIO JAYCEES FOR THE LEASE OF OUTSIDE SPACE AT HEMISFAIR PLAZA FOR THE OPERATION OF THE FESTIVAL KNOWN AS LA SEMANA ALEGRE.

* * * *

Mrs. Dutmer moved that the Ordinance be approved. Mr. Archer seconded the motion.

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

83-13 The Clerk read the following Resolution:

A RESOLUTION
NO. 83-13-13

OPPOSING ANY REDUCTION IN THE SERVICES OFFERED AT THE LOCAL WEATHER STATION.

* * * *

Mrs. Dutmer moved that the Resolution be adopted. Mr. Wing seconded the motion.

Mr. Archer then moved to table this Resolution until the representative from the South Texas National Weather Service arrives to address specifics of the proposal. Mr. Wing seconded the motion.

On voice vote, the motion to table the Resolution failed to pass.

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

83-13 The Clerk read the following Resolution:

A RESOLUTION
NO. 83-13-14

OPPOSING LEGISLATION WHICH WOULD RESTRICT CITIES IN REGULATING MANUFACTURED HOUSING.

* * * *

In reply to a question by Mr. Thompson, Ms. Karen Kliever, Intergovernmental Relations Officer, noted that this particular legislation addresses mobile homes only. She added that its passage would take away the authority of local municipalities to restrict the location of manufactured houses.

Mr. Harrington noted that passage of the legislation would nullify our zoning regulations.

Mrs. Dutmer noted that the City's building codes would also be moot and stated her opposition to this legislation.

00055

Mr. Wing moved that the Resolution be approved. Mrs. Dutmer seconded the motion.

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

83-13 The Clerk read the following Resolution:

A RESOLUTION
NO. 83-13-15

SUPPORTING AMENDMENTS TO H. B. 822 CONCERNING THE
TEXAS STATE LIBRARY AND ARCHIVES COMMISSION.

* * * *

Mr. Harrington moved that the Resolution be approved. Mr. Webb seconded the motion.

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

83-13 The Clerk read the following Resolution:

A RESOLUTION
NO. 83-13-16

SUPPORTING LEGISLATION RELATING TO MUNICIPAL SOLID
WASTE MANAGEMENT AND RESOURCE RECOVERY.

* * * *

Mr. Harrington moved that the Resolution be approved. Mr. Webb seconded the motion.

Ms. Kliewer noted that the City proposes to develop a local solid waste management plan that could possibly be made a part of the regional plan provided that development and management is maintained locally.

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

83-13 TRAVEL AUTHORIZATION - Granted:

Mayor Henry Cisneros to travel to New York, N.Y., from March 15, 1983 to March 16, 1983, to attend meeting.

* * * *

Councilman Joe Webb to travel to New York, N.Y., from March 15, 1983 to March 16, 1983, to meet with Financial Institutions, Bankers, and Technological Corporations to make them aware of development opportunities available in San Antonio.

* * * *

Councilman James C. Hasslocher to travel to New York City, N.Y. ,

individual Council members from making whatever comments they felt were appropriate.

Mrs. Dutmer noted that she had received several calls from Austin stating that Ms. Macon was going to Austin to speak regarding this matter.

Ms. Macon noted that she too had heard such comments although she was not made aware of the hearing until today.

83-13 TRAVEL AUTHORIZATION - Granted:

Mayor Henry Cisneros to travel to New York, N.Y., from March 15, 1983 to March 16, 1983, to attend meeting.

* * * *

Councilman Joe Webb to travel to New York, N.Y., from March 15, 1983 to March 16, 1983, to meet with Financial Institutions, Bankers, and Technological Corporations to make them aware of development opportunities available in San Antonio.

* * * *

Councilman James C. Hasslocher to travel to New York City, N.Y., from March 15, 1983 to March 16, 1983, to meet with Financial Institutions, Bankers and Technological Corporations to make them aware of development opportunities available in San Antonio.

* * * *

83-13 The Council recessed at 4:25 P.M. to go into Executive Session, reconvening at 5:00 P.M. for Citizens To Be Heard.

(In the absence of Mayor Cisneros, Mayor Pro Tem Ed Harrington presided.)

83-13 CITIZENS TO BE HEARD

MRS. RUTH MAHL

Mrs. Ruth Mahl, Executive Director of Helping Hands Lifeline, spoke to the City Council about a case in which a family faces demolition of their house which is virtually a shack at 110 Consuelo. She stated that temporary assistance is not enough. She stated that the City Council should help with the financing of a new home.

Captain Carmichael, from Kelly AFB, stated that he had personally visited the home and spoke about their intentions to help the elderly couple at this address.

Mrs. Dutmer asked for a report from staff to look for the necessary funding. Mr. Alderete seconded the motion.

Mr. Alderete stated that the elderly gentleman had attempted to build a home, however, he suffered a stroke and is unable to complete the structure. He then described the deplorable living conditions facing this elderly couple.

City Manager Louis J. Fox stated that the City staff will look into this matter and provide immediate temporary relief.

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

00057

The Council also concurred in waiving any zoning violation in order that a mobile home can be utilized by the couple pending the construction of a permanent structure.

* * * *

MRS. LINDA RAMIREZ

Mrs. Linda Ramirez, representing the City Water Board's employees union, expressed concern over the situation with the City Water Board as it relates to the worker. It has been stated that a freeze on merit increases and cost of living increases will occur at the City Water Board. She is concerned that there is a problem with employee morale. She stated that it is not fair to have the worker placed in the middle by the City Council and City Water Board. She asked that if the votes are there to take over the City Water Board then it should be taken over in order that the workers not placed in the middle again.

Mr. Frank Wing stated that Mr. Van Dyke had to be directed to place plastic pipe as a priority. He stated that the City Council is trying to take over the City Water Board in order to take care of its labor force. He stated that if Mr. Van Dyke chooses to lay off one employee he will be laid off first.

Mr. Eureste took exception to the Mayor being absent at the City Water Board of Trustees' meeting. He stated that the Mayor should attend to this City's business. He also took exception with editorials stating that the City Council is irresponsible with regard to the water issue. He stated that the City's wastewater operation runs very efficiently because of its operation under a capable City staff.

Mr. Webb spoke of a letter he received from Dr. San Martin dated March 17, 1983 addressing the meeting and the plastic pipe issue.

(Mayor Pro Tem Harrington was obliged to leave the meeting and Councilwoman Berriozabal presided.)

Mrs. Dutmer noted that the City Water Board wanted for Council to take action on the CWB issue when the Council is not yet ready to take action.

(Mayor Pro Tem Harrington returned to the meeting and presided.)

In reply to a request from Mrs. Dutmer, Mayor Pro Tem Harrington reported on the proceedings of the City Water Board's Trustees meeting, noting that it had been stated if the additional recommendations were not adopted, that some time in the future the City Water Board would be faced with looking at perhaps reducing forces. He added that it was never suggested that forces be reduced now; however, a shift of funds was recommended. He further added that none of the jobs were ever in jeopardy.

Mr. Alderete added his strong support for the workers and complimented Ms. Ramirez on how she has represented the union. He noted that the Board does not have the feeling of the community at hand. He noted that in his opinion, there are six votes on the council in favor of the City taking control of the City Water Board.

Ms. Berriozabal spoke on how the letter from Dr. San Martin never addressed layoffs.

Mr. Eureste took exception to some of the remarks Mayor Pro Tem Harrington made at the City Water Board Trustees meeting.

In answer to a question by Mr. Eureste, Mr. Marcus Jahns, Assistant City Manager, noted that Carl Norris headed the Waste Water Treatment Plant. Mr. Eureded was complimentary of Mr. Norris' work.

Mayor Pro Tem Harrington stated that during the City Water

Board's meeting, he stated his own opinion and not that of the City Council.

Mrs. Dutmer stated her opposition to placing the City Water Board under the direction of the City of San Antonio.

* * * *

MR. EDDIE M. VARGAS

Mr. Eddie M. Vargas, Executive Director of Drug Awareness Center, stated that he had been advised to appear at this week's meeting with regard to his request of last week. He stated he has now received the report from Kevin Moriarty, Director of Human Resources, and feels that they can live with the report. He asked that City staff not recommend any cuts in personnel. He stated that they will continue with their fund raisers and will make a report to Council on their efforts.

In response to Mrs. Dutmer, Mr. Vargas stated that 19% of their funds goes to personnel, to which Mr. Moriarty responded that 15 to 20% is within the guidelines.

* * * *

MRS. BONNIE SUNVISON

Mrs. Bonnie Sunvison, representing Shields of Bexar County, asked that the City Council consider primarily the safety of citizens through adequate police protection before funding any arts programs.

Mr. Eureste stated that the arts represents 3% of the City budget. The City spends 50 million dollars for the Police Department. He would be willing to raise property taxes in order to increase the number of police officers in the City.

* * * *

MR. REMIGIO VALDEZ, JR.

Mr. Valdez stated that the Mexican American Betterment Organization had testified in Austin on S.B. 108. He stated that S.B. 108 was sent to committee, and all three members are in favor of it. He distributed the Committee's substitute bill to the Council which is a stronger bill. He thanked the Council and particularly Mr. Eureste, in helping to eradicate the spray paint problem in San Antonio. The bill would impose a \$1,000 fine to persons selling this substance to minors.

Mr. Eureste thanked Mr. Valdez for his efforts in this issue and spoke about their confrontation with Bordens, Inc.

* * * *

MR. ROBERT MORALES

Mr. Robert Morales, United Cab Drivers of San Antonio, spoke to the City Council about their concerns with problems in the Taxi Cab industry. He stated that some of the problems involve the starters at the airport, and the department in charge of the industry. He stated that the Taxi Cab Committee has not given adequate time to hear their problems.

Mr. Robert Gonzeles requested that the City Council appoint a Taxi Cab Commission, composed of members of City staff, representatives of the taxi cab company and members of the Community. He asked them to consider their request and advise them when the Council will decide on this Commission.

Mrs. Helen Dutmer stated that just today the City Council approved an Ordinance appropriating monies to study the taxi cab industry.

She also stated that the Council had instructed the staff to advise the starters to desist prior reported activity at the airport. She stated that they have been working on these problems and trying to correct them.

Mr. Eureste concurred with Mr. Gonzales' remarks about regulation of this industry by persons who are directly involved in the industry. He stated that the Council can study this request and added that there are legitimate concerns with the issues brought to him by the taxi cab drivers. He spoke to the problems of the taxi cab drivers with the limousine service at the airport.

Mr. Alderete asked the taxi cab drivers to present a list of all their problems and have the Council address them all at once.

Mr. Gonzales stated that he thinks it won't work. They wanted starters and instead the City staff made them inspectors.

After further discussion, Mr. Eureste asked Mr. Gonzeles to heed Mr. Alderete's remarks.

* * * *

MR. RAY PETERS

Mr. Peters, 410 W. Vestal, spoke to the Council regarding a problem he has enountered in trying to obtain a permit to move a house. He was told that he is required to have it platted and has to pay for it. He protested this because of the reasons he was given on why platting was needed.

He stated that he will be charged over \$1,000 for platting the land. He has been told that there's an Ordinance on the books; however, he believes the Ordinance is wrong.

Mr. Marcus Jahns, Assistant City Manager, asked Mr. Roland Lozano to discuss this issue.

Mr. Lozano explained the code requirement which makes it necessary for him to obtain a permit. Mr. Lozano then explained the options available to Mr. Peters of going to the Planning Commission for variances.

Mr. Webb stated that he didn't understand the need for the \$1,000 platting on this particular tract of developed land since everything is already in place.

Mr. Wing stated that the City wants to assure that Mr. Peters has all the utilities and services in place. He explained the platting process and the fact that he had to pay for replatting at one time, however, the City does not charge the \$1,000 fee. It is a fee charged by the surveyor.

Mr. Peters stated that there are many inconsistencies in the Ordinance.

Mr. Wing asked for a report from the staff.

Mr. Lozano stated that a report can be made to the Council, however, Mr. Peters can go to the Planning Commision for a remedy through a variance.

Mr. Wing, after further discussion, noted that the City operates under laws and regulations and this is one of those laws. He again reiterated Mr. Lozano's statement about appealing to the Planning Commission.

* * * *

MR. FRANK CORTEZ

Mr. Cortez spoke to the Council regarding a situation which occurred with the labor workers who congregate around Pecos and Market Streets. He stated that they should be relocated to an area where they will not encounter any problems.

Mr. Eureste stated that these workers have created their own space and they have congregated there for years. They probably would not go to a place which would be constructed especially for them.

Ms. Berriozabal stated that there are church people working on permanent accommodations for "street" people. She suggested that Kevin Moriarty, Director of Human Resources, work on this issue since he has been working on the problems.

* * * *

83-13 The Clerk read the following Letter:

March 10, 1983

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

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

March 4, 1983

Petition submitted by Mr. Alvin W. Byrd, Jr. requesting a permit to operate a transportation service in the City of San Antonio.

* * * *

March 4, 1983

Petition submitted by Mr. Gaspar Gongora requesting a renewal of his present contract with the City of San Antonio to operate a transportation and guided tour service in the City.

* * * *

March 9, 1983

Petition submitted by Ms. Alberta Rios Vincent and other residents of Vincent and Tedder Streets requesting that sewer lines be installed in that area.

* * * *

/s/NORMA S. RODRIGUEZ
City Clerk

00061

00062

There being no further business to come before the Council, the meeting was adjourned at 7:50 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