

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, APRIL 29, 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, ARCHER, HASSLOCHER, CISNEROS; Absent: NONE.

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82-19 The invocation was given by Chaplain Joseph C. McNamara, Brooks Air Force Base.

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82-19 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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82-19 MAYOR OF EL PASO

Mayor Cisneros introduced Mr. Johnathan Rogers, Mayor of the City of El Paso, Texas, present in the audience today. Mayor Cisneros presented Mayor Rogers with a San Antonio belt buckle and a frame painting of a San Antonio River scene at Arneson River theater, and asked members of the City Council to join him in extending personal greetings to Mayor Rogers. Mayor Cisneros spoke of Mayor Rogers' efforts in the area of metropolitan transit for the City of El Paso.

Mayor Rogers thanked the Mayor and Council for the gifts, and spoke of creation of new jobs being the top priority for his efforts in El Paso currently. He then spoke of several cases of new or expanding businesses in El Paso, and then spoke of the capability of Mayor Cisneros and his popularity among Texas colleagues.

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82-19 VISIT BY FIFTH GRADE CLASS-WILL ROGERS ELEMENTARY

Mayor Cisneros recognized the presence in the audience today of some 45 members of the fifth grade class of Will Rogers Elementary School, and recognized by name several adult leaders and teachers accompanying the group. Mayor Cisneros noted that the class members had made him an Honorary Captain of the School Safety Patrol, and had presented him with an orange patrol belt and badge to signify the honor.

Mr. Mark Jimenez and Miss Rhonda Trevino, representing their classmates, spoke of the work of the Safety Patrol at their school.

Mayor Cisneros noted that the school patrols such as this one are invaluable assistance to the Police Department, their own classmates and to the city as a whole by helping to protect other schoolchildren from injury in crossing busy streets near the schools.

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In response to a request by Mr. Alderete, the entire group walked past the podium to be recognized as a group.

Mr. Mark Jimenez, the Captain of the School Safety Patrol, spoke of the many hours of duty given by members of the Safety Patrol at the schools.

Mayor Cisneros thanked the class for attending today's Council session.

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82-19 The minutes of the meeting of April 15, 1982 were approved.
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82-19 LONG RANGE FINANCIAL FORECAST

Mr. Marcus Jahns, Director of Budget and Research, noted that the staff had made several format changes from last year's forecast document: inclusion of capital improvements; streamlining of information; a reconciliation of last year's forecast compared to this year's forecast in order to spot trends; more detailed revenue forecasting; inclusion of City Public Service revenues, the City's largest source of revenue; and three alternate financial forecasts.

Mr. Jahns stated that City staff forecasts the City will close this fiscal year some \$5.0 million better than expected, and stated that this was because of a combination of things such as higher-than-anticipated CPS revenues and the result of the CPS rate increase. He recommended that the \$5.9 million be carried forward into next year's budget in order to help offset an expected budget deficit at the end of next fiscal year. Mr. Jahns stated that the City's economic development actions now are paying off in better revenue projections in the out-years of budget planning. He then provided a brief review of the status, projections and recommendations on all the City's funding areas.

In response to a question by Mr. Alderete, Mr. Jahns spoke to staff's projections on water-based costs in future budget years.

Mr. Jahns outlined a number of major City cost areas brought about by the losses in federal program funding.

Speaking of anticipated revenues, Mr. Jahns spoke of a projected five per cent increase in property tax revenues; a peaking of debt service requirements in fiscal year 1985, with the resultant additional monies then available for general fund uses; a projected nine per cent growth rate in sales tax revenues; a 10 per cent growth in CPS revenues this year, with more anticipated for next year; and a CPS growth rate that will not level out until about 1985.

At this point, Mr. Jahn was obliged to leave the meeting.

Mr. Stuart Sommers, Budget and Research Department, spoke of the alternative general fund forecasts, stating that the staff projects a slight deficit for the next several years, then a slight surplus in the next several years after that, through 1987. Speaking of reasons for the expected budget deficits, Mr. Sommers cited heavy debt service requirements that carry through 1985; the costs of inflation; decreasing federal aid monies; and mandated service improvements.

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Mr. Sommers stated that the City needs to find a permanent solution to the projected \$8.3 million deficit of next fiscal year. Among possible strategies he listed were expenditure controls without a hiring freeze, energy conservation, and holding known on such things as overtime, year-end inventory purchases, etc.

Short-term strategies were discussed to fund a projected capital improvements reserve fund, including using funds from surplus power sales revenues from CPS, sale of unnecessary City assets, and a possible moderate property tax increase.

A number of possible long-term strategies include attainment of a AAA bond rating to improve the City's borrowing power and lower the interest rate paid for those bonds.

Mr. Alderete spoke of his concern that City staff is stressing a projected \$8.3 million year-end deficit, stating his opinion that the average citizen will not understand the long-term picture. He spoke of the need for more positive recommendations.

Mayor Cisneros spoke of last year's projected \$18 million budget deficit and the fact that it did not materialize as expected.

Mr. Louis J. Fox, City Manager, spoke of the City staff working closely with CPS this year in order to get a closer estimate of planned revenues from that source. He stated that the City's Budget and Research staff plans to meet with City Council members individually in order to seek their input into the budget process before the City Manager presents his final budget recommendations to the Council for approval.

Mayor Cisneros spoke in favor of this approach.

Mrs. Dutmer stated that if the deficit prediction is true, the City will have to cut some services to balance the books.

Mr. Wing thanked Mr. Jahns and his staff for their five-year projections, stating that citizens need to understand where the City stands in budget matters. He then spoke of the need to pursue the projected capital improvements revenue fund matter.

Mr. Eureste spoke of the need for a positive approach to the budget, stating his preference for receiving budget data later in the fiscal year rather than issuing a forecast of bad projections for citizens to worry about all summer. He stated his opinion that financial forecasts almost always are off-mark to some degree, and stated the City needed to get a better handle on its revenue projections.

Mr. Fox stated that he was comfortable with this financial forecast, since it allows time to implement changes that will lower the deficit. He stated that he, too, disliked bad financial projections, but that this forecast is needed as a major planning tool.

In response to a question by Mr. Eureste, Mr. Sommers compared last year's financial forecast for this current fiscal year with the actual figures involved, stating that staff projections are very close on revenues, and that actions of months ago helped lower the deficit figure.

Mr. Alderete stated that no actual budget deficit exists, since no formal action has been taken on budget approval for next year.

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Mrs. Dutmer stated that the City needs financial forecasts to show the planning that is needed in financial matters of the future.

Mr. Eureste stated his concern that newspapers and other media will concentrate on the deficit projection and the possible remedies to that deficit, such as property tax hikes.

Mr. Alderete stated that City taxes are being blamed for an increase in many monthly mortgage payments, when in fact those taxes have not gone up.

Mr. Louis J. Fox, City Manager, stated that he would have the Treasury Supervisor, Mr. Jeff Gordon prepare a memo to explain this.

82-19 CONSENT AGENDA

Mr. Archer moved that items 5-16 constituting the consent agenda be approved with the exception of items 7 and 9, pulled for individual consideration. Mr. Webb seconded the motion.

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

AN ORDINANCE 55,252

ACCEPTING THE LOW BID OF BEDELL TRAILER COMPANY, INC., TO FURNISH THE CITY OF SAN ANTONIO WITH TELESCOPING BOOM CRANES FOR A TOTAL OF \$7,125.00.

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AN ORDINANCE 55,253

ESTABLISHING SUBSTATIONS FOR COLLECTION OF CITY AD VALOREM TAXES FOR 1982.

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AN ORDINANCE 55,254

ACCEPTING THE LOW BID OF TEZEL & COTTER AIR CONDITIONING COMPANY IN THE AMOUNT OF \$83,748.00 FOR MODIFICATION OF THE AIR CONDITIONING SYSTEM IN THE CITY HALL ANNEX; AUTHORIZING A CONTRACT AND PAYMENT OF THE CONTRACT AND CONTINGENT EXPENDITURES.

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AN ORDINANCE 55,255

ACCEPTING THE LOW QUALIFIED BID OF PAVEMENT SPECIALIST, INC. IN THE AMOUNT OF \$25,826.25 TO PROVIDE RUNWAY SAFETY GROOVING ON A RUNWAY AT INTERNATIONAL AIRPORT: ACCEPTING THE PROPOSAL OF DAY & ZIMMERMAN, INC., FOR RESIDENT INSPECTION SERVICES; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 55,256

APPROVING SEPARATE THREE (3) YEAR LEASE AGREEMENTS WITH WALT GLASS AND NEVA ELLIS FOR RENTAL OF SPACE AT LA VILLITA.

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AN ORDINANCE 55,257

AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE AGREEMENT WITH FRANKLIN DENNIS HANNIBAL FOR THE RENTAL OF SPACE IN THE CITY OWNED RIVER BEND PARKING GARAGE FOR USE AS A FOOD SERVICE FACILITY.

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AN ORDINANCE 55,258

AUTHORIZING PAYMENT OF REFUNDS TO PERSONS MAKING OVERPAYMENT OR DOUBLEPAYMENTS ON 45 TAX ACCOUNTS.

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AN ORDINANCE 55,259

ACCEPTING THE HIGH BID (S) RECEIVED IN CONNECTION WITH CITY FUNDS AVAILABLE FOR DEPOSIT IN INTEREST-BEARING CERTIFICATES OF DEPOSIT.

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A RESOLUTION
82-19-21

SETTING A DATE, TIME, AND PLACE FOR A PUBLIC HEARING ON THE 8th YEAR CDBG PROGRAM AND FIVE YEAR PLAN, AND THE PROPOSED REVISIONS TO THE CITIZEN PARTICIPATION PLAN.

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AN ORDINANCE 55,260

PROVIDING FOR EXTENSION OF AN AGREEMENT WITH THE METROPOLITAN PLANNING ORGANIZATION FOR FUNDING OF CITY STAFF FOR WORK ON THE TRANSPORTATION CONTROL PLAN.

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82-19 The Clerk read the following Ordinance:

AN ORDINANCE 55,261

ACCEPTING THE LOW BID OF MISSION CONTRACTORS, INC. IN THE AMOUNT OF \$465,514.36 FOR PERFORMING THE HOLLY, SAN FERNANDO, SAN LUIS AND 19TH STREETS RECONSTRUCTION PROJECTS; AUTHORIZING A CONSTRUCTION CONTRACT; AUTHORIZING ADDITIONAL ENGINEERING AND CONTINGENCY EXPENSES; APPROPRIATING FUNDS; AND AUTHORIZING INTERFUND TRANSFERS.

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In response to a question by Ms. Berriozabal, Mr. George Noe, Assistant to the City Manager, stated that he did not have in hand the exact start-date for the project, but would find out for the Councilwoman.

Ms. Berriozabal spoke of the great need for this street work.

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

82-19 The Clerk read the following Ordinance:

AN ORDINANCE 55,262

ACCEPTING THE LOW BID OF STEVECO-SAN ANTONIO INC., IN THE AMOUNT OF \$58,587.00 FOR MODIFICATIONS TO THE CITY HALL ANNEX AND MAIN LIBRARY TO MAKE THEM ACCESSIBLE TO DISABLED PEOPLE; APPROVING A CONTRACT AND PROVIDING FOR PAYMENT.

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

In response to a question by Mrs. Dutmer, Mr. George Noe, Assistant to the City Manager, stated that he did not personally know if SteveCo-San Antonio was still a part of the Mexican-American Unity Council, but would find out.

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

82-19 ZONING HEARINGS

17. CASE 8827 to rezone a 3.197 acre tract of land out of NCB 14862, being further described by field notes filed in the Office of the City Clerk, in the 6400 block of Spring Time Drive from Temporary "R-1 One Family Residence District to "B-2 Business District, located northeast of the intersection of Babcock Road and Spring Time Drive, having 526.72' on Babcock Road and 265' on Spring Time Drive; a 5.749' acre tract of land out of NCB 14862 being further described by field notes filed in the Office of City Clerk, in the 6400 block of Spring Time Drive from Temporary "R-1 One Family Residence District to "R-7" Small Lot Home District, located on the northside of Spring Time Drive, being approximately 265' east of the intersection of Babcock Road and Spring Time Drive, having 827.27' on Spring Time Drive, and a maximum depth of 526.72'.

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.

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After consideration, Mr. Harrington moved that the recommendation of the Zoning Commission be approved provided that street dedication is provided if necessary, and that a 6-foot solid screen fence is erected and maintained along the east property line of the "B-2" request. Mr. Wing seconded the motion. On roll call, the motion carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Eureste, Thompson.

AN ORDINANCE 55,263

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 3.197 ACRE TRACT OF LAND OUT OF NCB 14862, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE CITY CLERK'S OFFICE FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT, IN THE 6400 BLOCK OF SPRING TIME DRIVE; A 5.749 ACRE TRACT OF LAND OUT OF NCB 14862, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 6400 BLOCK OF SPRING TIME DRIVE FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE TO "R-7" SMALL LOT HOMES DISTRICT, PROVIDED THAT STREET DEDICATION IS PROVIDED IF NECESSARY ALONG THE EAST PROPERTY LINE OF THE "B-2" REQUEST.

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18. CASE 8814 to rezone Lots 8 and 9, block 3, NCB 14687, in the rear of 8700 block of Huebner Road, from Temporary "R-1" One Family Residence District to "B-3R" Restrictive Business District, located 93.73' south of Huebner Road, being approximately 914' northwest of the intersection of Babcock Road and Huebner Road, having a maximum depth of 265' and a width of 200'.

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 further provided that if Richview Street is to be used for access, the developers will improve the street to City standard. Mr. Wing seconded the motion. On roll call, the motion carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Eureste, Thompson.

AN ORDINANCE 55,264

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 LOTS 8 AND 9, BLOCK 3, NCB 14687, IN THE REAR OF THE 8700 BLOCK OF HUEBNER ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED, AND FURTHER PROVIDED THAT IF RICHVIEW STREET IS TO BE USED FOR ACCESS, THE DEVELOPERS WILL IMPROVE THE STREET TO CITY STANDARD.

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19. CASE 8495 to rezone Lot A-10 Block 5, NCB 840, 525 E. Elmira Street, from "E" Office District to "B-3" Business District, located on the northwest side of the intersection of E. Elmira Street and Erie Street, having 55.6' on E. Elmira Street 167.9' on Erie 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.

After consideration, Mrs. Dutmer moved that the recommendation be approved. Mr. Harrington seconded the motion.

Ms. Berriozabal stated that she had had discussions concerning this zoning case with Mr. Al Rohde, the proponent, and he had agreed to a zoning of B-3R instead of B-3.

Ms. Berriozabal then moved that B-3R Restrictive Business District zoning be granted on the property concerned. Mrs. Dutmer seconded the motion.

Mr. Rohde stated that the entire City block concerned is under option for purchase by a group of physicians, and their development plans are contingent upon this zoning case.

Mr. Alderete stated that the rezoning and future plans for this block are a positive factor for this block and a positive factor for the neighborhood.

After discussion, the amendment was approved by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Eureste, Thompson.

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

AN ORDINANCE 55,265

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 A-10, BLOCK 5, NCB 840, 525 E. ELMIRA STREET, FROM "E" OFFICE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT

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20. CASE 8807 to rezone Lot 3, Block 27, NCB 10328, 1136 Hampton Street from "B" Two Family Residential District to "B-2" Business District, located on the eastside of Hampton Street, being 100' south of the intersection of Peck Street and Hampton Street, having 50' on Hampton Street and a depth of 190'.

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. Webb moved that the recommendation of the Zoning Commission be approved provided that a 6-foot solid screen fence is erected and maintained along the east property line, and that the applicant work with the Traffic Engineering Division if needed. Mrs. Dutmer seconded the motion.

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

AN ORDINANCE 55,266

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, BLOCK 27, NCB 10328, 1136 HAMPTON STREET, FROM "B" TWO-FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT A 6-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE EAST PROPERTY LINE, AND THAT THE APPLICANT WORK WITH THE TRAFFIC ENGINEERING DIVISION IF NEEDED.

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21. CASE 8834 to rezone a 0.519 acre tract of land out of Lot 1, NCB 8409 being further described by field notes filed in the Office of the City Clerk, in the 300 block of Spencer Lane, from "F" Local Retail District to "I-1" Light Industry District located on the southside of Spencer Lane, being approximately 450' southeast of the intersection of Balcones Heights Road and Spencer Road, having 27.63' on Spencer Lane with an average depth of 130.91' and an average width of 152.39'.

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

AN ORDINANCE 55,267

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 0.159 ACRE TRACT OF LAND OUT OF LOT 1, NCB 8409, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 300 BLOCK OF SPENCER LANE, FROM "F" LOCAL RETAIL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT STREET DEDICATION IS PROVIDED IF NECESSARY.

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22. CASE 8829 to rezone Lot 10, Block E, NCB 14657 in the 8300 block of Eckert Road, from Temporary "R-1" Single Family Residential District to "P-1" (R-6) Planned Unit Development Townhouse Residential District located on the northside of Eckert Road, being 1828.3' west of the intersection of Huebner Road and Eckert Road, having 326.7' on Eckert Road and a depth of 610'.

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

AN ORDINANCE 55,268

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 10, BLOCK E, NCB 14657, IN THE 8300 BLOCK OF ECKERT ROAD, FROM TEMPORARY "R-1" SINGLE-FAMILY RESIDENTIAL DISTRICT TO "P-1"(R-6) PLANNED UNIT DEVELOPMENT TOWNHOUSE RESIDENTIAL DISTRICT, PROVIDED THAT STREET DEDICATION IS PROVIDED, IF NECESSARY.

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23. CASE 8833 - to rezone a 1.832 acre tract of land out of Lot 25, Block 2, NCB 15110, being further described by field notes filed in the office of the City Clerk, from "B-2 Business District to "B-3R" Restrictive Business District, located on the northwest side of Jones Maltsberger Road, being approximately 120' northeast of the intersection of Wycombe Drive and having 326.19' on Jones Maltsberger Road and a depth of 273.98'.

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 to approve the rezoning change, provided that a six foot solid screen fence is erected and maintained abutting the single-family residences; that a 30 foot setback is provided on the rear property line and and a 25 foot setback is provided on the side adjacent to the residences and further provided that street dedication is given if necessary. Mr. Webb seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Eureste, Thompson.

AN ORDINANCE 55,269

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 1.832 ACRE

TRACT OF LAND OUT OF LOT 25, BLOCK 2, NCB 15110, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 12100 BLOCK OF JONES-MALTSBERGER ROAD, FROM "B-2" BUSINESS DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT A 6-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ABUTTING THE SINGLE-FAMILY RESIDENCES; THAT A 30-FOOT SETBACK IS PROVIDED ON THE REAR PROPERTY LINE AND A 25-FOOT SETBACK IS PROVIDED ON THE SIDE ADJACENT TO THE RESIDENCES; AND FURTHER PROVIDED THAT STREET DEDICATION IS GIVEN IF NECESSARY.

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24. CASE 8830 to rezone Parcel 12, NCB 15139, 5245 S.W. Loop 410 Expressway, from Temporary "R-1" One Family Residential District to "B-3R" Restrictive Business District, located northwest of the intersection of Valley Hi Drive and S.W. Loop 410 Expressway having 200' on Valley Hi Drive and 305.61' on S.W. Loop 410 Expressway.

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 provided that street dedication is provided if necessary. Mr. Webb seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Webb, Berriozabal, Dutmer, Wing, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None. ABSENT: Eureste, Thompson.

AN ORDINANCE 55,270

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 12, NCB 15139, 5245 S.W. LOOP 410 EXPRESSWAY FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT STREET DEDICATION IS PROVIDED IF NECESSARY.

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82-19
25.

The Clerk read the following Ordinance:

AN ORDINANCE 55,271

APPROVING A CONTRACT FOR PROFESSIONAL SERVICES FOR A STUDY OF THE LOCAL LABOR MARKET AND LABOR FORCE AS TO THE POTENTIAL FOR UPWARD MOBILITY.

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

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In response to a question by Mr. Archer, Mr. Edward C. Garcia, Assistant Director of the Economic and Employment Development Department, explained the need for the study, noting that the city's job market is constantly changing with the advent of new technology businesses locating here. He stated that the study will show how the City of San Antonio can help these employers fill their employee needs in the moderate to high-technology areas. He further stated that the City staff could perform the study, but it would drastically dilute their functions in other critical areas of work at this time. He stated that these two recommended consultants can effectively view the City's needs from outside the local labor market and thus be more objective.

Mayor Cisneros spoke of the qualifications of the consultants and expanded upon Mr. Garcia's explanation of the City's role in the growth of high-technology market firms and industries.

In response to a question by Ms. Berriozabal, Dr. Ken Daly, Assistant Director of the Economic and Employment Development Department, spoke on how the study will be performed and the results sought, including the development of much valuable information that local schools will be able to utilize in planning their curricula in future years.

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

82-19
26.

The Clerk read the following Ordinance:

AN ORDINANCE 55,272

GRANTING A LICENSE TO MARTHA C. LYONS
C/B/A THE FACTOTUM, A LOCAL TRANSPORTATION
AND TOURING AGENCY, TO OPERATE A SIGHT-
SEEING TOUR SERVICE IN THE CITY OF
SAN ANTONIO FOR A PERIOD ENDING MAY 30,
1983.

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

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

82-19
27.

The Clerk read the following Ordinance:

AN ORDINANCE 55,273

AUTHORIZING THE PAYMENT OF \$20,827.62
PLUS INTEREST PLUS COURT COSTS. IN
CAUSE NO. 78-CI-7691, IN THE 31ST
JURICIAL DISTRICT COURT, BEXAR COUNTY,
TEXAS.

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

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

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33.

The Clerk read the following Ordinance:

AN ORDINANCE 55,274

APPROPRIATING \$9,600.00 FROM THE GENERAL FUND CONTINGENCY ACCOUNT FOR THE CONFERENCE ON NEIGHBORHOODS.

* * * *

Mr. Thompson moved to approve the Ordinance. Mr. Alderete seconded the motion.

Mr. Alderete spoke of the plans for the conference and benefits to be gained from it, noting that attendance is limited to 300 persons, discussing what neighborhood organizations can do for their neighborhoods.

Mayor Cisneros thanked Mr. Alderete for organizing the event and spoke of the gains in the quality of life to be made by virtue of the actions and assistance provided by neighborhood organizations.

Ms. Berriozabal asked that citizens from all neighborhoods take part in the conference to work on revitalization of their neighborhoods.

Mr. Alderete asked members of the City Council to try to be on hand Saturday, May 15, to hear the conference workshop reports and recommendations.

Mr. Eureste stated that while the neighborhood concept works well in some areas, it does not in others.

Mr. Wing spoke against hiring outside consultants when sufficient local expertise is available, and spoke against spending City money on this effort, stating his belief that the neighborhood organizations themselves should fund the conference. He stated his belief that COPS is the city's top neighborhood organization.

Mayor Cisneros stated that COPS may not take part because of its policy of not participating in functions they have not originated. He spoke of the need to explore deeper into the impact of neighborhood associations on municipal government.

Ms. Berriozabal stated that COPS is considered a citywide organization, while other organizations are more neighborhood-oriented, stressing that the City needs input from everyone involved.

Mr. Alderete spoke of the tentative agenda for the conference and the impact that neighborhood associations have on preventing blight and deterioration of neighborhoods.

Mr. Wing again spoke against the use of City funds in something that never has been done before.

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Mr. Eureste expressed his opinion that his Council district is not represented in the conference, and urged that the organizing committee of this conference follow up this effort with a conference for residents of the city's 35 public housing projects.

Mr. Wing spoke against neighborhood associations imposing their restrictions upon all residents and homeowners of that particular neighborhood, stating that he feels gentrification of neighborhoods causes damage to them in some cases, rather than aids them in development.

Mr. Mike Garcia, conference coordinator, spoke of the reasons why the conference was organized.

Ms. Berriozabal stated that neighborhood association restrictions apply only in cases where an area has been designated an historic district.

Mr. Thompson stated his opinion that the \$10,000 conference cost could better be used on targeted problems within specific areas.

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

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32.

The Clerk the following Ordinance:

AN ORDINANCE 55,275

AMENDING THE CITY CODE SO AS TO REVISE
THE FEES CHARGED FOR TEMPORARY FOOD
SERVICE ESTABLISHMENTS.

* * * *

Mr. Wing noted that two plans have been put forth the matter of health inspections fees for temporary food service establishments and booths, and stated his willingness to entertain a motion to suspend the Ordinance involved as it applies to schools and churches, then discuss the entire matter during the upcoming budget talks for next fiscal year.

Mr. Wing then moved to suspend the ordinance by amending the City Code to preclude its enforcement as far as school and ch ch-sponsored events are concerned, until the matter can be discussed and dealt with as part of the upcoming budget discussions for next fiscal year. Ms. Berriozabal seconded the motion.

Mr. Alex Briseno, Assistant City Manager, gave a brief background on the discussions that led to this and other possible changes in the City Code, noting that City staff feels that inspections of food booths is definitely needed, and the only question remains concerning the amount of the fee to be charged for those inspections. He recommended the Council change the fee schedule of the effective Ordinance, at this time to reflect a new charge of \$5 daily per booth for health inspections, with a limit of \$20 per booth for any one event, regardless of its length. He spoke of health inspectors during Fiesta Week discovering a large amount of meat being prepared for human consumption that tested out to contain harmful toxins that could have resulted in a health problem.

Mr. Jane Macon, City Attorney, stated that the City might have some difficulty in exempting only schools and churches

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from enforcement of the health inspections Ordinance because of the church-state involvement, and further stated her opinion that it might be better to apply the regulations equally to all.

Mr. Del Driskill, 5714 Gabor, stated that he had never experienced any health problem related to food prepared for service or sale at a church, school or other such sponsored event, and spoke against the health inspection fees being charged. He stated that he believes that the City ordinances erode the ability of such groups to raise money for charitable purposes, such as in Bingo. He stated that much care is taken in the preparation of food at such social events, and asked the Council to drop the Ordinance involved.

Brother Ed Schiermier, Central Catholic High School, stated that the projected City health inspection fees would cost the coming Central Catholic festival some \$300 in proceeds, whereas in the past, health inspections of food booths have been performed free of charge. He stated that the school is already paying for the use of a City park for the festival, and noted that Central Catholic each year allows use of its gymnasium free of charge to the City for the Special Olympics. He asked that the Ordinance be dropped.

Mr. Stephen M. Walker, President of the San Antonio Jaycees, asked that an exemption from enforcement of the Ordinance be granted for charitable and non-profit groups. He spoke in favor of the health inspections, but spoke against the fees involved.

Rev. Willie Missinne, St. Gabriel's Catholic Church, stated that the church festival next week would cost some \$200 more than expected because of the health inspections, and the event is being held on church property. He stated that the church needs this money for church charitable purposes, and asked that church and schools be excluded from enforcement of the Ordinance.

Mr. Guadalupe Robledo, St. Jude's Parish, spoke in support for Mr. Wing's motion.

Mr. Epifano Rodriguez, San Martin de Porres Parish, stated that the church festival there will cost an additional \$200 because of the health inspection fees, and voiced support for Mr. Wing's motion.

A representative of Christ the King Church stated that money raised through the church festival needs to be used for the church and the school, to benefit both young and old. She asked that the Ordinance be dropped.

Mr. Wing made a substitute motion that no health inspection fee be levied under this section of the City Code against charitable or non-profit organizations' events through September 30, 1982. Mr. Eureste seconded the motion.

Mr. Hasslocher stated his opposition to a total ban on health inspection fees, but spoke in support of a lowering of those fees from the present level.

Ms. Berriozabal stated her support for Mr. Wing's substitute motion, and asked City staff to look into fair and uniform enforcement of the Ordinance. She stated that the City does not have knowledge of all such events taking place and who has not been inspected.

Mrs. Dutmer stated her opinion that if the City waives its fees in such cases, the event sponsors also should waive their charges for participants.

Mr. Eureste spoke in support of the substitute motion,

stating his belief that the City perhaps should relax its fee schedule in some cases.

Mr. Alderete spoke in support of the substitute motion.

Mr. Webb stated that he does not favor the present \$20 inspection fee, but does favor of maintaining current charges during Fiesta Week to allow the City to recapture revenues for services rendered.

In response to a question by Mr. Hasslocher, Mr. Derek Matyear, Chief Sanitarian for the Metropolitan Health District, stated that all involved agree that the health inspections are necessary, but disagree on the fee involved.

Mr. Hasslocher spoke of the need for health inspections and the need for the City to be compensated for its services in this regard.

In response to a question by Mr. Harrington, Mr. Matyear stated that the average health inspection costs the City some \$8.10.

Mr. Briseno stated that health inspections during Fiesta Week alone cost the City some \$18,000, and about \$40-50,000 per year. He spoke in support of continuance of the health inspections, regardless of the fee decision.

A discussion followed concerning health inspections policies.

Mr. Eureste stated that the City must inspect an food establishment open to the public, and recalled the incident of La Frontera Molino, noting that the Metropolitan Health District was instrumental in finding and isolating the source of the food infection in this case. He stated his belief that profit-making organizations should pay for health inspections, and that the public must be protected.

Ms. Berriozabal, asked the staff to change the wording of further Ordinance dealing with "temporary food establishments" so that Council members would know exactly what is being affected.

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

The main motion, as substituted, 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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STATUS REPORT ON VISTA VERDE SOUTH PROJECT

Mr. David Garcia, Project Coordinator, stated that the expected delay in the project was resolved some 60 days ago, and that Control Data Corporation has agreed to buy out Vanir Properties, the developer of Vista Verde South, in the area to be occupied by CDC facilities. He stated that this past week, the parties concerned met in Washington, D.C. to define several points, and that CDC has committed to invest some \$15 million in two San Antonio plants, creating about 1,000 new jobs in the city, with the beginning of construction to be imposed by the City of San Antonio, and that CDB headquarters in Minneapolis is to consider the agreement on Friday. He stated further that he expects to have new Vista Verde South agreements in hand within two weeks.

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Mr. Garcia stated that the Department of Housing and Urban Development has stated its concern over the lack of progress on the project in past months, noting that the project has been delayed for some nine months, and that the federal government still is withholding some \$3.5 million in grant funds. Mr. Garcia stated that it appears that additional land will need to be acquired for Vista Verde South for CDC and for development of planned single-family housing, and additional estimated \$2 million cost to be added to the \$3.5 million still to come from HUD.

In response to a question by Mayor Cisneros, Mr. Garcia spoke of the City's contract with City Venture Corporation, approved last week.

Mayor Cisneros spoke of future plans for Vista Verde South and the benefit to the City as a whole.

Mr. Jose Sillar, Chairman of the Housing Committee of COPS, stated that the group will be meeting with representatives of Vanir Properties on future housing plans in Vista Verde South, and stated that the residents of this area are even willing to relocate if it means better jobs in the area.

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CITY MANAGER'S REPORT

Mr. Louis J. Fox, City Manager, referred to the Senior Citizens Utility Relief Program which was prepared by the Department of Human Resources and Services. He asked the City Council to review this report and advise him if there are any recommendations they might have on this report. The Council concurred in having this issue placed on a future "A" Session for formal consideration.

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BUILDINGS OF HISTORICAL SIGNIFICANCE

Mr. Alderete asked that a "B" Session be set up to identify those buildings within the City that are of historical significance, noting that this might help to eliminate repetitive discussions such as the one last week on the Texas Theatre.

Mr. George Noe, Assistant to the City Manager, stated that the staff would do so.

Mr. Harrington expressed concern that this action might serve as something of a condemnation survey, and stated his opinion that this would be harmful to the property owners.

Mayor Cisneros stated that the City Attorney will be attentive to any legal implications involved.

Mr. Thompson stated that a property owner needs to be considered as a variable in any issue of this nature.

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MR. ELOY SOTO

Mr. Eloy Soto, 843 Lockhill-Selma Road, stated that he was issued a violation notice at his place of business, and further stated that he has been operating a tailor shop at that location for the past eight years and was never notified that he was in violation of the City's zoning regulations by doing so. He stated that the landlord of the property had applied for a rezoning on the property and the City Council recently denied that application for rezoning.

Mr. Eureste stated that he would be willing to re-hear the zoning case concerned.

A discussion then took place on the events surrounding the rezoning application and rejection by the Council.

Mr. Harrington stated that he has to speak for the area residents when they are not present to be heard. He stated that perhaps the Council might consider a "B-1" zoning on the property to cope with the tailor shop operation there, but stated further that he is not in favor of a total reconsideration of the zoning case.

Mr. Wing moved to reconsider the zoning case. Mrs. Dutmer seconded the motion.

A discussion then took place on the zoning required for Mr. Soto's tailor shop operation.

In response to a Council question, Mr. Gene Camargo, Director of Building Inspections, stated that a violation notice was issued on the man's operation and there has been a case filed on this issue in Municipal Court.

Mr. Alderete asked if there could be a manner in which Municipal Court could be advised to suspend any action on this case until the Council rehears the case.

Mr. Camargo stated that the City could so advise Municipal Court if the Council agrees to rehear the case.

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

Mrs. Dutmer made an amendment to the motion that the City staff be directed to reinstate this zoning case for a conditional zoning hearing as soon as possible. In the interim period, all actions on the zoning violation notice is to be suspended on this property. Mr. Webb seconded the motion.

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

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

MRS. MARIA DOMINGUEZ

Mrs. Maria Dominguez, 250 Freiling, spoke to the City Council about her concern about the condition of the downtown area and the persons who frequent the area. She said that many people look like they are on drugs, and asked that the persons dealing drugs be given harsh penalties.

The Clerk read the following letter:

April 26, 1982

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

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

April 21, 1982

Petition submitted by Mr. Henry R. Hoffman, Jr., requesting the City of San Antonio's Annexation of all of their 148.5 acre property on the north side of Loop 1604 at San Pedro (U.S.281)

* * * *

/s/ Norma S. Rodriguez
City Clerk

There being no further business to come before the Council, the meeting was adjourned at 5:55 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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