

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, OCTOBER 18, 1984.

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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.

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84-48 The invocation was given by Reverend Daniel Schorlemer, Hope Lutheran Church.

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84-48 The Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

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84-48 KELSEY MEEK

Mayor Cisneros introduced and welcomed to City Hall Mr. Kelsey Meek, Legislative Assistant to Congressman Henry B. Gonzalez in the Congressman's Washington office. Accompanying Mr. Meek was Ms. Jennifer Sell, also a member of Congressman Gonzalez's Washington staff.

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84-48 PFC LARRY ROBERTS

Mayor Cisneros introduced PFC Larry T. Roberts and Master Gunnery Sgt. Bob Garrett of Lackland. He commended PFC Roberts for his recent heroic action in assisting City Park Ranger Juan Gonzalez when Ranger Gonzalez was being attacked by an individual. He then read the following honorarium:

IN RECOGNITION OF THE HEROIC ACTION OF PFC LARRY T. ROBERTS ON SEPTEMBER 16, 1984. PFC ROBERTS, A MARINE TRAINEE AT LACKLAND AIR FORCE BASE, WITHOUT REGARD FOR HIS OWN SAFETY AND WELL BEING, ASSISTED CITY PARK RANGER JUAN GONZALEZ WHO WAS BEING ASSAULTED BY AN INDIVIDUAL. PFC ROBERTS WAS ABLE TO SUBDUE THIS INDIVIDUAL UNTIL POLICE ARRIVED TO ASSIST IN THE ARREST.

PFC ROBERTS' PRESENCE OF MIND, AND HIS WILLINGNESS TO RISK HIS OWN LIFE TO ASSIST ANOTHER HUMAN BEING IS AN OUTSTANDING EXAMPLE OF BRAVERY AND COURAGE. THE CITY COUNCIL, ON BEHALF OF A GRATEFUL CITIZENRY COMMENDS HIM AND EXPRESSES ITS SINCERE APPRECIATION.

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PFC Roberts thanked the Council for the honor and spoke briefly to the incident.

Mayor Cisneros invited the Council to join him in presenting the honorarium to PFC Roberts.

Ranger Gonzalez and Ms. Lucy Young, a bystander who first reported this act of bravery to the City, elaborated further on the attack and PFC Roberts' role.

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ST. THERESA'S ACADEMY

Mayor Cisneros acknowledged the presence in the audience of students from St. Theresa's Academy who are visiting City Hall today.

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ADVANCED MICRO DEVICES

Mayor Cisneros introduced Mr. Clyde Barton, Plant Director of AMD, and Mr. George Rigg, Managing Director of the Bipolar Processors and Controllers (BPC) Directorate, who were present in the audience.

Mr. Barton thanked the Council for their support during Advanced Micro Devices' first two years in San Antonio and introduced Mr. George Rigg who in turn presented framed corporate posters to the Mayor and City Council and spoke to the location of AMD's Bipolar Processors and Controllers Directorate in San Antonio.

Mayor Cisneros spoke to the location of this directorate in San Antonio as being a major step towards establishing a high technology business sector in our community.

Mr. Archer spoke to San Antonio's good fortune in having an outstanding company such as AMD come to San Antonio and be so successful.

509

October 18, 1984  
mlr

84-48 The minutes of the City Council meeting of October 4, 1984 were approved.

84-48 EAST SIDE COMMUNITY LEADERS

Mayor Cisneros noted that a group of East Side community leaders were present in the audience today and welcomed them individually.

Councilman Webb spoke to the recent accusations reported in local newspapers in which a long time officer of the San Antonio Police Department had alleged that the Police Department was lowering its standards in order to qualify more young Black males as police officers. He stated that leaders of the east side community were present in the audience to show support for the City's policy of attracting black applicants to the Police Department and are concerned about the low percentage of representation.

Mayor Cisneros stated that the comments made by one individual are not reflective of the City's policy. He stated that the comments made by Police Officer Horace Neaves are not, in his judgement, in order. The Council feels that the number of Black police officers must be increased. He further added that citizens of San Antonio can feel confident that every police officer that works for the San Antonio Police Department is trained up to the standards required and that Black officers have met the qualifications which must be possessed. He disclaimed any official statement of policy as stated by Horace Neaves.

City Manager Louis J. Fox spoke to Chief James Robinson's recent promotion to Assistant Chief and his assignment to enhance and expedite applicant processing. He applauded the efforts of Chief Robinson and Charles Rodriguez, Chief of the San Antonio Police Department, to improve applicant processing. He added that the City of San Antonio is committed to affirmative action.

Mayor Cisneros praised the work of Chief Robinson, the highest ranking Black officer in the San Antonio Police Department.

State Representative Lou Nelle Sutton stated that her group was present to state to the City Council that there are qualified Black individuals who want to serve the City of San Antonio. She further spoke in support of the City's position on recruiting qualified people.

Mr. Charles Hudspeth, President of the NAACP, offered support to the City Council's recruiting policies. He added he was appreciative of the positions of the City Manager and Chief of Police.

October 18, 1984  
mlr

Mr. Jim Conley, attorney, stated that he was familiar with the City's police applicant testing and further stated that in his opinion it is fair. He congratulated the efforts of the Police Department.

Mr. James Myart, businessman, expressed his appreciation of the City's efforts in EEO and affirmative action in the hiring procedures used for the Police Department. He especially commended City Manager Fox for his policies. He stated that the Black community is in support of this City Council and this City Manager.

In response to a question by Mayor Cisneros, City Manager Fox stated that the standards have not been lowered for physicals, examinations or screening procedures for applicants to the Police Department.

Mayor Cisneros stated that Sgt. Rudewick and the Police Officers' Association is not serving the cause by making statements such as those reportedly made by them in the news media this week.

Ms. Berriozabal thanked the delegation and stated she has been interested in this subject for many years. She took exception to the comments made by Sgt. Neaves. She spoke to the definition of affirmative action and stated that one of Target 90's goals is the issue of affirmative action. She further added that people in this community agree that the Council is fair and believes in equal employment for everyone. She spoke to her own devotion to equal employment for all people.

Mr. Archer stated that he feels that San Antonio's Black police officers are among the best. He expressed concern that standards might be lowered across the board.

City Manager Fox stated that standards are not being lowered but requirements have been reviewed.

Mr. Joe Alderete took exception to remarks made by Sgt. Horace Neaves and asked that disciplinary action be taken against the individual. He expressed concern with misconceptions on the City Council's position.

City Manager Fox stated that Chief Rodriguez would handle this personnel matter and further stated that the Chief had advised him that on November 1 new rules of procedure dealing with these types of situations would be presented for approval.

Mr. Eureste also took exception to remarks made by Sgt. Neaves and representatives of the Police Officers' Association.

Mrs. Dutmer stated that she does not feel that Sgt. Neaves or Sgt. Rudewick meant to hurt any Black individuals. She felt that policies

511

October 18, 1984  
mlr

were being abused not that policies need to be changed. She stated that people should start ignoring the color of a person's skin and begin to treat each other as human beings. She urged Sgt. Neaves and Sgt. Rudewick to apologize to the Black community.

Mr. Thompson spoke to the policies of the Council on equal employment opportunity and spoke of San Antonio as being a united community.

Mayor Cisneros stated that the Council would continue their present approach, that of finding the most qualified people to work in the Police Department.

84-48      CONSENT AGENDA

Mr. Thompson moved that Items 5 - 24, constituting the Consent Agenda, be approved with Items 21, 22, and 24 pulled for individual consideration. Mrs. Dutmer seconded the motion.

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

AN ORDINANCE 59,588

ACCEPTING THE LOW BID OF GLEN L. JOHNSON AIR CONDITIONING COMPANY TO REPAIR A YORK COMPRESSOR FOR THE PUBLIC WORKS DEPARTMENT FOR A TOTAL OF \$4,663.00.

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AN ORDINANCE 59,589

ACCEPTING THE LOW QUALIFIED BID OF GENERAL ELECTRIC COMPANY TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH PORTABLE RADIOS FOR A TOTAL OF \$8,209.50.

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AN ORDINANCE 59,590

ACCEPTING THE LOW QUALIFIED BID OF ADAMS INDUSTRIES, INC., TO FURNISH THE CITY OF SAN ANTONIO WITH PLASTIC BAGS FOR A TOTAL OF \$48,155.02.

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October 18, 1984  
mlr

AN ORDINANCE 59,591 .

ACCEPTING THE BID OF INTERNATIONAL BUSINESS MACHINES  
TO LEASE IBM PROPRIETARY SOFTWARE FOR A TOTAL OF  
\$272,640.00.

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AN ORDINANCE 59,592 .

AWARDING A CONTRACT FOR COMPUTER PRINTER RIBBONS TO  
CORNELISON RIBBON COMPANY AND CANCELLING A CONTRACT  
FOR THE SAME MATERIALS WITH OFFICE RESOURCE CENTER.

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AN ORDINANCE 59,593 .

ACCEPTING THE BID OF SOUTHWEST GOLF CARS TO FURNISH  
THE CITY OF SAN ANTONIO WITH AN ANNUAL CONTRACT FOR  
EZ-GO GOLF CART PARTS AND SERVICE.

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AN ORDINANCE 59,594 .

ACCEPTING THE PROPOSAL OF AMDAHL CORPORATION FOR THE  
LEASE AND MAINTENANCE OF AMDAHL SOFTWARE.

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AN ORDINANCE 59,595 .

ACCEPTING THE BIDS OF TEXACO, INC., AND WRIGHT OIL  
COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH AN  
ANNUAL CONTRACT FOR LUBRICANTS.

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AN ORDINANCE 59,596 .

APPROPRIATING AN ADDITIONAL \$20,000.00 PAYABLE  
TO PFENNIG, WEYMAN AND ASSOCIATES, INC. FOR  
PREPARATION OF PLANS AND SPECIFICATIONS FOR  
NECESSARY SEWER RELOCATIONS IN CONNECTION WITH THE  
DOWNTOWN Y PROJECT.

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October 18, 1984  
mlr

## AN ORDINANCE 59,597

ACCEPTING THE PROPOSAL OF JOSE LUIS HERNANDEZ ARCHITECTS, INC. TO PROVIDE CONSTRUCTION DOCUMENTS FOR THE REMOVAL OF LEAD CONTAMINATION FROM THE ARMORY AND RELATED AREAS OF THE POLICE BUILDING, AND PROVIDING FOR PAYMENT OF \$12,600.00.

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## AN ORDINANCE 59,598

APPROPRIATING THE SUM OF \$1,549.00 IN PAYMENT FOR EXPENSES INCURRED IN THE STONEWALL STREET PROJECT - BUFFALO TO PANAM; DURANGO STREET OVERPASS; INGRAM ROAD - CALLAGHAN ROAD TO I.H. 410; JOE BLANKS DRAINAGE PROJECT #58N; SAN ANTONIO WASTEWATER FACILITIES IMPROVEMENTS PROGRAM, CATEGORY NO. 3, PROJECT I - RILLING ROAD TRANSFER LINE AND CATEGORY NO. 4, PACKAGE C., LEON CREEK OUTFALL PROJECT.

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## AN ORDINANCE 59,599

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$10,265.00 OUT OF VARIOUS FUNDS FOR THE PURPOSE OF ACQUIRING TITLE AND/OR EASEMENTS TO CERTAIN LANDS; ALL IN CONNECTION WITH CERTAIN RIGHT OF WAY PROJECTS.

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## AN ORDINANCE 59,600

AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE A RELEASE OF EASEMENT, RELEASING AN EXISTING DRAINAGE EASEMENT IN LOT 89, BLOCK 3, NEW CITY BLOCK 11967 TO THE BROTHERS OF TEXAS PARTNERSHIP.

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## AN ORDINANCE 59,601

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

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AN ORDINANCE 59,602

CLOSING BOWIE STREET BETWEEN MARKET AND DURANGO AND DURANGO BETWEEN HOEFGEN AND ALAMO IN CONNECTION WITH THE OLMOS KIWANIS CLUB BICYCLE MARATHON.

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AN ORDINANCE 59,603

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; PROHIBITING PARKING AT ALL TIMES ON CERTAIN STREETS; PROHIBITING CERTAIN TURNS; ESTABLISH CERTAIN SCHOOL ZONES; AND PROVIDING THAT VIOLATIONS HEREOF BE PUNISHABLE BY A FINE OF NOT LESS THAN \$1.00 NOR MORE THAN \$200.00.

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AN ORDINANCE 59,604

AUTHORIZING EXECUTION OF CONTRACTS WITH THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER TO PROVIDE EMS ASSISTANCE AND TRAINING.

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84-48 The Clerk read the following Ordinance:

AN ORDINANCE 59,605

WAIVING CERTAIN PROVISIONS OF THE CITY CODE TO ALLOW THE DAP FOUNDATION "TEENS AGAINST DRUG ABUSE" TO COLLECT DONATIONS ON CITY STREETS ON CERTAIN DATES IN OCTOBER AND NOVEMBER.

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Mr. Archer 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, Wing,

October 18, 1984

mlr

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

84-48 The Clerk read the following Ordinance:

AN ORDINANCE 59,606

WAIVING CERTAIN PROVISIONS OF THE CITY CODE TO ALLOW OMEGA PSI PHI FRATERNITY TO COLLECT DONATIONS ON CITY STREETS ON OCTOBER 20-21 TO HELP DEFRAY THE COST OF A HEART TRANSPLANT OPERATION FOR A LOCAL CITIZEN.

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

Mrs. Dutmer noted that she would abstain from voting on this item just as she had on the previous item because she felt that if the Council has a rule, such as the one which prohibits people from collecting donations on public streets, then it should be enforced.

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

84-48 The Clerk read the following Ordinance:

AN ORDINANCE 59,607

AMENDING THE CITY CODE TO ADD A FEE FOR VITAL RECORD SEARCHES.

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

Mr. Thompson expressed concern with the hours of operation of the San Antonio Metropolitan Health District.

October 18, 1984  
mlr

Dr. Rothe stated that employees of the Metropolitan Health District work from 7:45 A.M. to 4:30 P.M.; however, the hours of service to the citizens of the City are from 8:00 A.M. to 4:00 P.M. He added that the requests for searches come primarily from genealogists, social security, official school department representatives, military recruiters and attorneys.

Mr. Thompson reiterated his earlier comments and stated that closing at 4:00 P.M. perhaps does not afford the best service to the public.

Mr. Eureste stated that the function of government is to serve the public and spoke of people who must take time off work to obtain building permits from the City.

Mr. Archer spoke to the costs involved in keeping certain city departments open two additional hours.

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

84-48      PUBLIC HEARING - PROPOSED ANNEXATIONS ON APPROXIMATELY 6039.5  
ACRES OF LAND BY THE CITY OF SAN ANTONIO

Mayor Cisneros declared the Public Hearing to be open.

Mr. Herschael E. Davison II, P. O. Box 33878, spoke to his consternation at having to wait until 12:00 P.M. to sign the roster to speak at a public hearing. He stated his opposition to the proposed annexations, Pearsall Road/410, in particular, adding that he feels the City already has enough problems within its own boundaries. He requested information on how the annexation process worked and his rights as a homeowner in the Sky Harbor area. He further requested that all annexations to the City be tabled until the issue of a metropolitan government is resolved.

Mr. Thomas R. Dubois, Royal Ridge Homeowners Association, thanked the City Council for their efforts in the Randolph Boulevard area and the proposed annexation of a portion of this property. He asked that the Council consider further annexation to include property up to the Live Oak city limits.

Mr. Harry Trujillo, 9027 Five Palms Drive, spoke in support of the annexation of the Sky Harbor/Hidden Cove area. He asked for City Council support.

October 18, 1984

mlr

10

517

Mrs. Max Presley, 10306 M. Evans, spoke of the inclusion of Mountain View Acres with the annexation of the Westside Expressway property. She requested information on why this small subdivision had been included.

Mr. Roland Lozano, Director of Planning, explained that by bringing this area under City jurisdiction, the City would be better able to protect the zoning rights of the neighborhood.

In response to a question by Mrs. Presley, Mr. Lozano stated that some of the City services their neighborhood would receive would be police and fire protection, solid waste system, capital improvements, library system and many other benefits.

In response to a question by Mrs. Presley, Mayor Cisneros stated that other subdivisions in the area would probably be annexed in the spring.

Mr. Paul Comeaux, 5545 Mt. McKinley, spoke to the rural nature of the neighborhood and against annexing their subdivision until the larger subdivisions to the north are annexed.

In response to a question by Mayor Cisneros, Mr. Lozano stated that the main focus on annexing this area was to provide protection with regards to zoning and subdivision.

Mr. David Brown, 11368 Blazing Sunset, spoke to the annexation of only four residences in the North San Antonio Hills Subdivision with 71 other residences not affected. He stated that the annexation is discriminatory and that these residences should not be annexed until all the subdivision is annexed.

In response to a question by Mayor Cisneros, Mr. Lozano stated that the remainder of the subdivision would possibly be annexed in the spring.

Mr. Hasslocher stated that the Council's goal is to position the City in a very positive manner.

Mr. Thompson expressed his opinion that either the entire subdivision should be annexed or that the four residences in North San Antonio Hills be omitted from annexation at this time.

Mr. Lozano stated that he would determine if it is physically possible to exempt the four residences.

Mrs. Dutmer spoke to a similar situation where 12-15 families are against annexation.

October 18, 1984  
mlr

Mr. Harrington spoke of the serious consideration the Annexation Committee gives each area prior to recommending annexation. He spoke in support of the annexations.

Mayor Cisneros declared the Public Hearing closed.

25. CASE Z84373 - to rezone Lot 87, Block 5, NCB 9009, 5230 San Pedro Avenue, from "O-1" Office District to "B-1" Business District, located northeast of the intersection of Mandalay Drive and San Pedro Avenue, having 95' on Mandalay Drive and 159' on San Pedro Avenue.

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

Mr. Lawrence B. Torres, the proponent, stated he is requesting the change of zoning to allow flexibility in rental office space.

Ms. Libby White, 285 W. Mandalay, spoke against the proposed change of zoning as it would allow a retail business next to single family residences. She further stated that traffic on an already busy street would increase.

Mr. Torres stated that the traffic into the neighborhood would not be increased as this property is on a corner.

Mr. Archer expressed his opposition to the requested zoning stating that he had visited the area and felt that B-1 would not be proper in this location.

Mr. Alderete explained to Mr. Torres that it would be difficult to gain approval for this zoning request.

Mr. Archer moved to approve the requested rezoning. Mr. Hasslocher seconded the motion.

The motion failed to carry by the following votes: AYES: Alderete; NAYS: Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Harrington, Archer, Hasslocher, Cisneros; ABSENT: None.

Case Z84373 was denied.

84-48 Item No. 26 was previously withdrawn from consideration.

27. CASE Z84318 - to rezone Lots 2A and 2B, NCB 12099, 2841 Nacogdoches Road, from "B" Residence District to "B-2" Business District,

October 18, 1984  
mlr

located on the northwest side of Nacogdoches Road, being 446' northeast of the intersection of Woodbury Lane and Nacogdoches Road, having 193.10' on Nacogdoches Road and a depth of 337.33'.

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

Mr. Hasslocher moved that the requested rezoning be denied. Mr. Harrington seconded the motion.

Reverend Schwanenberg, 2903 Nacogdoches, stated that attempts had been made since 1963 to rezone this piece of property. He stated that the neighbors are against this rezoning.

Mr. Arthur W. Nagel, Boerne, Texas, expressed his opposition to the rezoning because of the residential nature of the area.

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

Case Z84318 was denied.

28. CASE Z84355 - to rezone the east 40' of Lot 37, Block 3, NCB 10107, in the 100 Block of East Amber Place, from "B" Residence District to "B-3NA" Business Non-Alcoholic Sales District, located on the northside of Amber Place, being 140' east of the intersection of Amber Place and Pleasanton Road, having 40' on Amber Place and a depth of 140'.

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

No citizen appeared to speak in opposition.

Mrs. Dutmer moved that the requested zoning be approved. Mr. Webb seconded the motion.

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

AN ORDINANCE 59,608

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE EAST 40' OF LOT 37, BLOCK 3, NCB 10107, IN THE 100 BLOCK OF EAST AMBER PLACE,

October 18, 1984

mlr

FROM "B" RESIDENCE DISTRICT TO "B-3NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES.

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29. CASE Z84328 - to rezone Lot 305 and the south 70' of Lot 304, Block E, NCB 11553, in the 100 Block of Horseshoe Bend Drive, from "R-3" Multiple Family Residence District to "B-3NA" Business, Non-Alcoholic Sales District, located on the eastside of Horseshoe Bend Drive, being 159' south of the intersection of Callaghan Road and Horseshoe Bend Drive, having 174.21' on Horseshoe Drive and a depth of 194.34'.

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

No citizen appeared to speak in opposition.

Mr. Alderete moved to approve the requested rezoning provided that off-street parking requirements are complied with. Mr. Harrington seconded the motion.

Mr. Alderete stated that this area is in the flood plain and commercial development would help to solve some of the drainage problems.

In response to a question by Mr. Archer, Mr. Andy Guerrero, Planner II, stated that staff recommended denial of this zoning request as they felt that business would be an intrusion into a residential neighborhood.

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

AN ORDINANCE 59,609

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 305 AND THE SOUTH 70' OF LOT 304, BLOCK E, NCB 11553, IN THE 100 BLOCK OF HORSESHOE BEND DRIVE, FROM "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT TO "B-3NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES, PROVIDED THAT OFF-STREET PARKING REQUIREMENTS ARE COMPLIED WITH.

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October 18, 1984  
mlr

14

30. CASE Z84327 - to rezone Lot 18, Block 7, NCB 603, 317 Montana Street, from "D" Apartment District to "B-1" Business District, located on the northside of Montana Street, being 185' east of the intersection of Cherry Street and Montana Street, having 50' on Montana Street and a depth of 160'.

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

Mr. Webb moved to deny the requested rezoning. Mrs. Dutmer seconded the motion.

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

Case Z84327 was denied.

31. CASE Z84351 - to rezone Lots 4, 5 and 6, Block 6, NCB 1297, 1914, 1918 and 1922 North Pan Am Expressway, from "O-1" Office District and "D" Apartment District to "B-3NA" Business District, Non-Alcoholic Sales, located on the southside of North Pan Am Expressway (Interstate 35) being 113.5' west of the intersection of Pan Am Expressway and Palmetto Street, having 165' on Pan Am Expressway and a depth of 140'.

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

Mr. Steve Cochran, 1914 Pan Am Expressway, stated that the change of zoning is requested for the sole purpose of erecting a commercial sign.

Mr. Webb moved to rezone only that area that is needed to erect the commercial sign. Mr. Alderete seconded the motion.

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

AN ORDINANCE 59,610

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, SAVE AND EXCEPT THE NORTH 30' OF THE EAST 30', BLOCK 6, NCB 1297, FROM "D"

APARTMENT DISTRICT TO "O-1" OFFICE DISTRICT AND THE NORTH 30' OF THE EAST 30' OF LOT 6, BLOCK 6, NCB 1297, FROM "D" APARTMENT DISTRICT TO "B-3NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES.

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84-48

ZONING VIOLATION

Mr. Webb spoke to a request in which a property on the corner of Nolan and Pine Street was rezoned to allow refurbishing of antique cars exclusively. He stated that contrary to what the proponent promised, this business has become a full-fledged paint and body shop. He requested initiation of proceedings to downzone this piece of property.

ZONING HEARINGS (Continued)

32. CASE Z84329 - to rezone Lot 1, Block 1, NCB 12502, 4106 West Avenue, from "B" Residence District to "B-2" Business District, located northeast of the intersection of West Avenue, and Basswood Drive, having 105' on West Avenue and 60' on Basswood Drive.

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

Ms. Elisa Ellis, the proponent, stated that the zoning change was required in order to operate an appliance repair shop at her residence. She stated that she requested this case be returned to the Planning Department for consideration of a special use permit rather than the "B-2" originally requested.

Mayor Cisneros explained that once the case has been brought for consideration to the City Council postponement is not usually allowed.

In response to a question by Mayor Cisneros, Andy Guerrero, Planner II, stated that when Ms. Ellis had inquired about a special use permit, he had informed her that the Council would have the option to refer this case back to the Planning Department for consideration of this permit.

Mr. Wing stated that Ms. Ellis had received a violation notice for operating an appliance repair shop in her home and that in his opinion a special use permit would be out of line in this neighborhood.

**523**

October 18, 1984

mlr

16

Reverend Jay Woodward, 79 Basswood, stated that the neighbors bought into a residential neighborhood and wish it remain so. He stated that the neighbors are also in opposition to a special use permit.

Mr. William R. Crahan, 71 Basswood, spoke of his opposition to the requested change of zoning, stating that the neighbors do not want businesses in the neighborhood and fear increased congestion and traffic.

Mr. Clarence Martinez, 82 Basswood, read from a prepared statement in which he spoke to the neighbors' hard work in upgrading the neighborhood and showed pictures of four homes adjacent to the home in question. He also distributed pictures of other businesses operating illegally on West Avenue.

Ms. Ellis stated that the business would be fronting onto West Avenue and that traffic on Basswood would not be affected.

Mr. Archer, speaking against allowing operation of businesses in residential neighborhoods, moved to deny the requested change of zone. Mr. Webb seconded the motion.

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

Case Z84329 was denied.

33. CASE Z84346 - to rezone the north 50' of Lot 9, Block 1, NCB 7185, in the 5900 Block of IH 10 Expressway, from "B-2" Business District to "B-3NA" Business District, Non-Alcoholic Sales, located on the southside of IH 10 Expressway, being 430.4' west of the intersection of Sherwood Drive and IH 10 Expressway, having 105' on IH 10 Expressway and a depth of 50'.

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

Mr. Andy Guerrero, Planner II, stated that the applicant requested consideration of this case be postponed.

Mr. Alderete moved for postponement of the zoning case. Ms. Berriozabal seconded the motion.

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

October 18, 1984

mlr

Case Z84346 was postponed.

84-48 The Clerk read the following Ordinance:

AN ORDINANCE 59,611

REGULATING THE RATES FOR ELECTRIC AND GAS SERVICE THROUGH THE SAN ANTONIO ELECTRIC AND GAS SYSTEMS OPERATED BY THE CITY PUBLIC SERVICE BOARD OF SAN ANTONIO.

\* \* \* \*

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

Mr. Thompson spoke of the cost to the taxpayer for this 4.5% rate increase.

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

84-48 The Clerk read the following Ordinance:

AN ORDINANCE 59,612

AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH CH2M HILL CENTRAL, INC. TO CONDUCT THE SAN ANTONIO REGIONAL WATER RESOURCE STUDY AT A COST NOT TO EXCEED \$573,873.00, TO BE SHARED BY THE CITY AND THE EDWARDS UNDERGROUND WATER DISTRICT; AUTHORIZING PAYMENT TO THE CONTRACTOR OF THE CITY'S SHARE TALLING \$286,936.50 FROM SPECIAL REVENUE RESERVE FUNDS; AND APPROVING \$13,063.50 FOR CONTINGENCIES.

\* \* \* \*

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

October 18, 1984  
mlr

525

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

84-48 The Clerk read the following Resolution:

A RESOLUTION NO. 84-48-54

SUPPORTING ESTABLISHMENT OF A MUNICIPAL COURT OF RECORD IN SAN ANTONIO.

\* \* \* \*

Mrs. Dutmer moved that the Resolution be approved. Mr. Alderete 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, Eureste, Thompson, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: None.

The meeting was recessed at 4:45 P.M. to convene a "B" session, reconvening the regular meeting at 5:00 P.M. for Citizens to be Heard.

84-48                    DISCOUNT PRESCRIPTION DRUG PROGRAM

Mrs. Dutmer spoke to the City Council about the memorandum written by a member of the Risk Management Division on discount prices offered by a food chain. She stated that all businesses should be included (a copy of the memo is on file with the papers of this meeting).

City Manager Louis J. Fox stated that any company who is interested in making a similar type offer to the City should contact him.

84-48                    SOUTHWEST TEXAS STATE COLLEGE VISITORS

Mayor Cisneros introduced students from Southwest Texas State College, accompanied by Joyce Dorrycott, who were in the audience.

CITIZENS TO BE HEARDMARY HELEN VALDEZ

Mrs. Mary Helen Valdez, 922 Crestfield, stated that she had been terminated from her job at YWCA, by Ms. Choco Meza, Executive Director, for alleged insubordination. She further stated that she followed the proper grievance procedure and stated that she had had a good working record at the YWCA. She related the incidents which led to her termination. She stated that the City of San Antonio and the United Way both fund this agency; and she had already contacted representatives of the United Way and had been told that they could not assist her in this matter.

Mayor Cisneros stated that the YWCA is not a city agency but rather a non-profit agency. He stated that the City had no method of intervening in this case.

Mr. Thompson stated that he knew Ms. Meza and had never heard of any wrongdoing on her part, but rather that she was an excellent supervisor.

In response to Mr. Thompson, Mrs. Valdez stated that 14 individuals have resigned or been terminated from the YWCA in the past year.

Mr. Thompson stated that the YWCA Board of Directors handle cases of this nature.

Mr. Alderete stated that city-funded organizations have in the past been investigated, and Mrs. Valdez came to the City Council because she was trying to follow due process. He did not think it an unfair request.

Mayor Cisneros asked Mr. Bill Donahue, Assistant City Manager, for the best approach on this request.

Mr. Donahue stated that the City can review the matter to investigate due process and whether it has been carried out.

Mr. Alderete moved to instruct the City Manager to investigate this case as to due process. Mr. Webb seconded the motion.

Mr. Wing stated that Ms. Meza should be given an opportunity to defend herself of these allegations.

After discussion, Mr. Alderete withdrew his motion and concurred with Mr. Wing's recommendation that Ms. Meza be allowed to defend herself in this instance. Mrs. Valdez was then advised to meet with Mr. Donahue.

October 18, 1984  
mlr

Mr. Eureste cautioned about a precedent being set whereby individuals from the many city-funded agencies bring their difficulties with their respective agencies to the City Council.

\* \* \* \*

AFFIRMATIVE ACTION DISCUSSION

MS. ANGELA M. SALAS

Ms. Angela M. Salas, 144 Doolittle, stated that she had submitted her written recommendations on affirmative action to the Council but had not received a response. She has continued to apply for jobs with the City but has never been called for an interview.

She then spoke about her working with a group called Target EEO Coalition whose concern is for equal employment for Hispanics especially for females. She stated that, because of lack of sensitivity and concern, people are denied an opportunity to be hired or promoted. She asked the City Council to address itself to job parity for Mexican American males and females.

MS. ROSA ROSALES

Ms. Rosa Rosales, NAGE, spoke in support of the Target EEO Coalition. She stated that she is confronted on a daily basis with discrimination in the course of her duties and her dealings with City employees. She further stated that 58% of all Hispanic women in the City hold clerical positions and that an Affirmative Action Plan should be adopted that will afford everyone an equal employment opportunity.

JOSE GARCIA DE LARA

Mr. Jose Garcia De Lara, District Director of LULAC, stated he was acting as spokesperson for Target EEO Coalition, LULAC, American GI Forum, Image, Cab Drivers' Association, Mexican-American Democrats, Matt Garcia Chapter, and Mexican-American Business & Professional Women's Association. He stated that a class action lawsuit against the City on behalf of Hispanic females had been filed. LULAC was also investigating the HUD contracts awarded to minority contractors. He spoke about their past concerns including their request to hire a Hispanic EEO Director and of their meeting with City Manager Louis J. Fox on this issue. He added that the hiring of a black was not an issue here, and that Mr. Fox had never been threatened with job loss. He did take exception to remarks attributed to Mayor Cisneros in the newspapers with regard to LULAC's involvement in this matter.

Mr. De Lara also stated that they met with Mr. Fox on the subject of awarding contracts to minorities. He asked for parity in the system for all people regardless of color and, that should the investigation

October 18, 1984  
mlr

uncover that the City is breaking the law, that the City Council should direct the City Manager to correct these problems. He asked the City Council to form a citizens commission to work on these issues.

MR. JOSE R. GARCIA

Mr. Jose R. Garcia, Deputy District Director of LULAC, stated that this morning a group of organizations had filed a class action suit with EEOC against the City. He cited statistics on the workforce of the City. He spoke to a survey on three groups, Anglo, Black and Brown from the years 1973-1983. He stated that while the Hispanics kept increasing in the workforce, the percentage in the professional category did not increase. He spoke to the statistics of the Hispanic female workforce. He added that Target EEO as well as Target 90 are calling for a good affirmative action plan. He stated that there were a great number of deficiencies in the current Affirmative Action Plan, and it was not a workable plan. He stated that the EEO office should be under the City Council, not the City Manager.

MR. ROY REYES

Mr. Roy Reyes, Regional Chairman for the American GI Forum, read a prepared statement to the Council in support of Target EEO's statements (a copy of which is on file with the papers of this meeting).

MR. EDWARD MORALES

Mr. Edward Morales spoke against the City's affirmative action policies.

MR. GEORGE KORBEL

Mr. George Korbel spoke to the Council about single member districts and affirmative action being good for all citizens not just minorities. He recommended that persons applying for employment ought to be interviewed so that when job opportunities arise a pool of individuals will be available. He asked the City Council to ask the City Manager and City Attorney what happens to supervisors who are guilty of discrimination. He also asked if employment reviews include affirmative action policy adherence.

Mr. Eureste stated that the concerns of the groups present were very serious and expressed concern that the allegations had not been taken seriously. He stated that if the presentation is taken seriously, there will be changes to the current policies. He stated that there are many instances of unequal employment practices in the City and that the group had spoken forcefully on rectifying the City's hiring and promoting practices.

October 18, 1984  
mlr

Ms. Berriozabal stated that earlier in the meeting a group had spoken to the Council about equal employment. She felt that creating fair processes was good and that affirmative action was a good process. She further stated that the City of San Antonio in 1974 adopted the first affirmative action plan in the State of Texas and that she had been trying for many years to work on affirmative action. She added that as a Council member she cannot direct the City Manager on who to hire, fire or promote, but she can vote on the City's affirmative action plan. She stated that affirmative action was not taken seriously by the City staff and spoke of her efforts since 1981 to improve the state of Hispanic women in the City workforce. She further stated that it is necessary that the City Council make a sincere and strong recommendation on the concept of EEO. She then made the following suggestions: (1) that the San Antonio City Council re-commit itself to the concept of equal employment effort; (2) that the City Council commit themselves to the formulation and implementation of an effective affirmative action plan; (3) that the plan include programs and processes to assure that all employees and managers feel a sense of ownership in this plan; and (4) that the City Council seek outside consultants to help set up a concise and effective AAP and a process for implementation. She added that consultants could work with the City EEO and Personnel staff and a citizens committee appointed by City Council which would act in an advisory capacity.

Mr. Webb stated that there had been misconceptions about the hiring of a Black EEO Director, and he was glad to hear tonight that this was not the issue. He stated that the Council Committee on Affirmative Action, composed of Ms. Berriozabal, Mr Thompson and himself, had reported on affirmative action. He then read from that report made December 8, 1983.

In response to a question from Mr. Alderete, Mr. Elliott L. Wheelan, Jr., Director of the City's EEO Department, stated that if the statistics as presented by Mr. Garcia were correct, there would be reason for concern, but he would not say that the City's affirmative action plan was not in compliance because he had not had the opportunity to review the statistics presented.

Mr. Alderete stated that if there is a problem with the City's Affirmative Action Plan and with the EEO Department under the City Manager, there could be a hesitation to advise the City Council freely of the problem. He then stated that there have been great strides in appointing Hispanics to top managerial positions, and Mr. Fox should be commended, however, it is not enough. The problem is promoting at the mid-management level. He stated that the only way to implement an effective affirmative action plan would be to have the City's EEO office under the City Council.

Mrs. Dutmer pointed out that these were only 15 females out of 7000 employees who signed the lawsuit. She took exception to remarks made by Mr. De Lara on the scholarships presented to the Mayor's relatives.

October 18, 1984  
mlr

Mrs. Dutmer stated that she does not support having the EEO office under the auspices of the City Council because it is too political. She stated that there were discrepancies as she sees it from the presentation made by LULAC.

\* \* \* \*

FIRE STATION #12

MRS. ALMA HERNANDEZ

Mrs. Alma Hernandez, 103 City, stated that she was very concerned about the relocation of Fire Station #12 in the downtown area. She stated that if Station 12 was moved the next nearest station would be near Mario's Restaurant. She thanked the City Council for approving the amendment in the earlier part of the meeting and indicating its support to leaving it where it is.

ISABEL CERVANTES

Ms. Isabel Cervantes, 718 S. Main, reiterated the comments made by Mrs. Hernandez.

\* \* \* \*

MARIA DOMINGUEZ

Mrs. Maria Dominguez spoke to the Council about annexation and her concerns with the lack of police officers. She asked if more police would be added to accommodate the annexed areas.

\* \* \* \*

AFFIRMATIVE ACTION

Mr. Louis J. Fox, City Manager, reported on the issue of affirmative action. He stated that the City staff has taken seriously the suggestions made by the City Council's Sub-Committee on Affirmative Action. He then spoke on specific cases and percentages of employment and promotion of women and minorities. He stated that he was committed to affirmative action, and he wants to establish realistic goals. He also stated that SDBE goals are being met with regard to contracts. He stated that there have been a lot of improvements made in this area.

Mr. Wing stated that some questions and concerns of individuals appearing before the Council may have some merit. He stated that the supervisors' compliance with EEO policies should be included in the employee's evaluation.

October 18, 1984  
mlr

Mr. Fox stated that this is included in the employee performance evaluation and felt that this is a very positive step.

Mr. Alderete stated that he feels that 3.5% being awarded to minorities of the total prime contracts is not a good percentage.

Mr. Fox spoke to 29% of the dollar amount as going to minority contractors. He then spoke about there not being any minority vendors available in certain commodities. He stated that he checked with other cities and there are no set asides. He added he felt that the state statute might be changed on set asides.

Mr. Alderete spoke about his concerns with sub-contracting contracts being awarded to Hispanics only at 35 percent.

Mr. Webb expressed concern about the manner in which the new Affirmative Action Plan was presented and the committee's inability to compare statistics from one year to another because of the chart differences. Mr. Webb spoke to the need for an outside consultant to evaluate the situation.

Mr. Fox asked that Mr. Wheelan be given an opportunity to respond and analyze this plan.

Ms. Berriozabal stated that she is particularly concerned with the inequity of pay for women as compared to men's salaries.

\* \* \* \*

34-48 The Clerk read the following Letter:

October 10, 1984

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.

October 5, 1984

Petition submitted by Mr. Juan J. Lopez, American Cab Co., 601 N. Santa Rosa, #G2, San Antonio, Texas 78207, requesting the issuance of two additional taxicab permits.

\* \* \* \*

/s/Norma S. Rodriguez  
City Clerk

October 18, 1984

mlr

There being no further business to come before the Council, the meeting was adjourned at 8:30 P.M.

A P P R O V E D

*Henry Cisneros*  
M A Y O R

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

533

October 18, 1984  
mlr