

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, SEPTEMBER 3, 1981.

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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, CANAVAN, ARCHER, HASSLOCHER, CISNEROS; Absent: NONE.

81-46 The invocation was given by Reverend Jim Henke, St. Benedict's Catholic Church.

81-46 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

81-46 CONGRESSMAN ABRAHAM KAZEN

Mayor Cisneros introduced Congressman Abraham "Chick" Kazen and thanked him for his years of service to San Antonio and South Texas.

Mr. Kazen thanked the members of the City Council for their fine job and stated that actions of the City Council here impact upon this area's representatives in Congress. He then spoke to budget problems at the federal level and their possible impact on San Antonio, primarily planned cuts in the health field. Mr. Kazen then noted that representatives of the City and Greater San Antonio Chamber of Commerce were expected in Washington D.C., for the annual "San Antonio in "D.C" trip, September 20.

81-46 PRESENTATION OF PROCLAMATION
PEANUT FESTIVAL DAYS

Mayor Cisneros read the following Proclamation:

WHEREAS, Texas is the nation's second largest peanut producing State, Peanuts are grown commercially in some 115 counties, and the value of the 1980 crops to Texas Farmers totaled over 92 million dollars, and

WHEREAS, Approximately ten thousand peanut growers are members of the Southwestern Peanut Growers Association, which was founded in 1937 for the purpose of encouraging research, promoting Southwest Spanish Peanuts, and conducting an educational program among growers, and

WHEREAS, San Antonio's neighbor to the southeast, the City of Floresville, Texas, will hold their twenty-seventh Annual Peanut Festival on October 9 and 10, 1981, and

WHEREAS, One of the outstanding events of its kind, the Festival emphasizes the many important contributions of the Peanut Industry to the welfare of our City and our State,

NOW, THEREFORE, I, HENRY CISNEROS, Mayor of the City of San Antonio, in recognition thereof, do hereby proclaim October 9 and 10, 1981, to be

"PEANUT FESTIVAL DAYS"

in San Antonio, Texas and invite all interested citizens to attend the many fun activities that will be held in Floresville, during these days.

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Mayor Cisneros asked Congressman Kazen to assist him in the presentation of this Proclamation, designating October 9-10, 1981, in observance of the 27th Annual Peanut Festival in Floresville, Texas, located in Kazen's Congressional District. He also asked Mayor Pro-Tem Dutmer to assist in making the formal presentation.

Miss Donna Cordes, Queen Tuneap of the Festival, thanked the Council for the Proclamation and handed out samples of peanut brittle to members of the Council.

81-46

PRESENTATION OF PROCLAMATION
OLDTIMERS FAST PITCH CLASSIC DAYS

Mayor Cisneros read the following Proclamation:

WHEREAS, Fast Pitch Softball has been an integral part of San Antonio's recreational scene for nearly fifty years, and

WHEREAS, The Second Annual Oldtimer's Classics Fast Pitch Softball Tournament will be held in San Antonio during September 5 and 6, 1981, and

WHEREAS, This Tournament will be held at Koger Stokes Softball Park with starting game time at 9:00 A.M. each day, and

WHEREAS, Sixteen teams will be participating including the Cities of Baytown, Austin, Port Arthur, Houston, Fort Worth, and San Antonio, and

WHEREAS, Players participating in this Tournament are yesteryears' ballplayers. Such names as Johnny Marsden, Ramiro Gonzales, Kelo Garza and Kirby Newborn are memories of Fast Pitch Golden Past.

NOW, THEREFORE, I, HENRY CISNEROS, Mayor of the City of San Antonio, in recognition thereof, do hereby proclaim September 5 and 6, 1981, as

"OLDTIMERS FAST PITCH CLASSIC DAYS"

In San Antonio, Texas, and I extend best wishes for a very successful tournament.

81-46

ALCALDE PRESENTATION TO PRESIDENTE MUNICIPAL
DR. MANUEL MARTINEZ PEREZ

Mayor Cisneros introduced members of an official delegation from the City of Atlixco, Jalisco, Mexico visiting in San Antonio, and greeted them in Spanish. The Mayor then read a Proclamation, making the Mayor of Atlixco, Dr. Perez, an Alcalde de San Antonio. He then explained the significance of the honor in Spanish and asked

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Councilman Alderete, the City's Sister Cities representative, to make the formal presentation of the Alcalde.

Dr. Perez thanked the City for the honor, then extended greetings to the people of San Antonio from the people of his city.

The delegation then presented Mayor Cisneros, on behalf of the City of San Antonio, with a framed Charter that established the City of Atlixco in the State of Jalisco, some 402 years ago, and invited members of the Council to visit Atlixco in the near future.

81-46

RESOLUTION OF RESPECT
NO. 81-46-76

Mayor Cisneros asked Mayor Pro-Tem Dutmer to read the following Resolution:

WHEREAS, Life came to a close on August 27, 1981, for retired San Antonio Police Officer, Carl W. Lenhart, Sr., and

WHEREAS, His passing brings to a close an illustrious life of Public Service that began more than half a century ago, and

WHEREAS, The fruits of his long years of labor in the field of public service and protection live on in the continued excellence of those departments he created and served; NOW, THEREFORE:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO

SECTION 1. That with the passing of Officer Carl W. Lenhart, Sr., the City of San Antonio has lost a close friend, public servant and valuable asset to its past, present, and future.

SECTION 2. That this City Council joins with his family and friends in their sorrow over his death and extends its sincerest sympathy and prayer of comfort to those who were near him.

SECTION 3. And it is hereby directed that a copy of this Resolution be spread upon the minutes of this meeting and a copy thereof presented to his family as a token of our deepest sympathy.

* * * *

Mayor Pro-Tem Dutmer asked Police Officer, Mr. Carl W. Lenhart Jr., of the San Antonio Police Department to come forward to receive the Resolution of Respect for his father, recently deceased.

Officer Lenhart responded, thanking the Council for the honor.

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

PRESENTATION OF PROCLAMATION
"JERRY LEWIS TELETHON DAY"

Mayor Cisneros read the following Proclamation:

WHEREAS, Muscular Dystrophy and related Neuromuscular Diseases afflict thousands of our fellow citizens throughout the Nation, many of them children, and

WHEREAS, The Program of Basic and Clinical Research, and medical services maintained by the Muscular Dystrophy Association represent the only concerted effort to find a cause and develop effective treatment for these crippling disorders, and try to provide patients with free medical care, and

WHEREAS, The Annual Jerry Lewis Labor Day Telethon carries the good news of these vital services of patients coast-to-coast and is a primary support for these life-extending programs, and

WHEREAS, Recent new insights into nature of human muscle and of neuromuscular disease have raised realistic hope significant to further progress in the fight against dystrophy in the foreseeable future.

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

"JERRY LEWIS TELETHON DAY"

in San Antonio, Texas, and I urge all citizens to demonstrate their humanitarian concern by contributing generously to this Telethon which benefits the works of the Muscular Dystrophy Association, Inc.

* * * *

Mayor Cisneros asked Councilman Jimmy Hasslocher to assist him in the presentation.

The Proclamation was presented to Ms. Donna Alwais and Ms. Yolanda Arellano, representing the Muscular Dystrophy Association.

Mayor Cisneros spoke of Jerry Lewis' long history of help to this group.

Ms. Arellano responded and thanked the Council for the Proclamation.

NEW INTERNS

City Manager, Thomas E. Huebner, introduced to the City Council two new interns from Trinity University, Rodney Adams and Grace Garza, and briefly explained the program which has contributed some 14 interns for use by the City during the recent school year by several local colleges and universities.

81-46 The minutes of the meeting of August 20, 1981 were approved.

81-46 CONSENT AGENDA

Mr. Canavan moved that items 6-20 constituting the consent agenda be approved with the exception of items 11, 13, 18, and 20 to be considered individually. Mr. Thompson 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, Thompson, Alderete, Canavan, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Eureste.

AN ORDINANCE 54,226

ACCEPTING THE LOW BID OF RENE R. SANCHEZ TO FURNISH THE CITY OF SAN ANTONIO WITH SLUDGE REMOVAL ON A CONTRACT BASIS.

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AN ORDINANCE 54,227

RENEWING THE PRESENT CONTRACT WITH THE STATE PURCHASING AND GENERAL SERVICES COMMISSION TO FURNISH THE CITY OF SAN ANTONIO WITH INTERCITY LONG DISTANCE TELEPHONE SERVICE ON THE TEXAS TELECOMMUNICATIONS SERVICE.

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AN ORDINANCE 54,228

ACCEPTING THE LOW BID OF WAUKESHA-PEARCE IND., INC., TO FURNISH THE CITY OF SAN ANTONIO WITH A HYDRAULIC WINCH ASSEMBLY FOR A NET TOTAL OF \$6,985.75.

* * * *

AN ORDINANCE 54,229

ACCEPTING THE LOW QUALIFIED BID OF KREMPEN/CREWS UTILITIES CONSTRUCTION IN THE AMOUNT OF \$16,222.50 TO CONSTRUCT THE HUMMINGBIRD HILLS LANE OFF-SITE SANITARY SEWER MAIN, APPROVING A CONTRACT, APPROPRIATING FUNDS AND AUTHORIZING PAYMENT.

* * * *

AN ORDINANCE 54,230

ACCEPTING THE LOW QUALIFIED BID OF GRACON CONSTRUCTION CO. INC., IN THE AMOUNT OF \$1,664,000.00 TO CONSTRUCT THE LEON CREEK WASTEWATER TREATMENT PLANT PRIMARY CLARIFIER ADDITIONS, APPROVING A CONTRACT, AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 54,231

AUTHORIZING PAYMENT OF ADDITIONAL ENGINEERING FEES TO STRUCTURAL ENGINEERING ASSOCIATES IN CONNECTION WITH THE CROSSOVER AT HIGHWAY 16 AND GILLETTE PROJECT; APPROPRIATING FUNDS AND AUTHORIZING PAYMENT.

* * * *

REQUESTING THAT THE STATE HIGHWAY AND
PUBLIC TRANSPORTATION COMMISSION TO
DECLARE A CERTAIN PORTION OF AN EXISTING
DRAINAGE CHANNEL EASEMENT APPURTENANT
TO INTERSTATE HIGHWAY 10 AND STATE LOOP
1604 INTERCHANGE IN THE CITY OF SAN ANTONIO
SURPLUS TO THE NEEDS OF THE STATE AND TO
EFFECT THE RELEASE OF SAID PORTION TO THE
OWNER OF THE FEE IN THE LAND.

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AN ORDINANCE 54,232

MANIFESTING AN AGREEMENT, AMENDING
A LEASE TO THE DEE HOWARD COMPANY
OF SPACE AT SAN ANTONIO INTERNATIONAL
AIRPORT.

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AN ORDINANCE 54,233

AUTHORIZING THE EXECUTION OF A LEASE
AGREEMENT WITH EMERALD VALLEY AIRLINES
FOR SPACE AT INTERNATIONAL AIRPORT.

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AN ORDINANCE 54,234

ACCEPTING THE HIGH BIDS RECEIVED IN
CONNECTION WITH \$6,000,000.00 IN CITY
FUNDS AVAILABLE FOR DEPOSIT IN INTEREST-
INTEREST BEARING CERTIFICATES OF DEPOSIT.

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AN ORDINANCE 54,235

DESIGNATING A CONNECTOR ROAD BETWEEN
ESPADA AND VILLEMMAIN ROADS AS "CAMINO
COAHUILTECA".

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81-46 The Clerk read the following Ordinance:

AN ORDINANCE 54,236

AUTHORIZING PAYMENT OF ADDITIONAL
ENGINEERING FEES TO J.H. KURZ IN CONNECTION
WITH THE ASHBY DRAINAGE PROJECT #32;
TRANSFERRING FUNDS AND AUTHORIZING
PAYMENT.

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

In response to a question by Mr. Archer, City Public Works
Director, Mr. Frank Kiolbassa, explained the current status of the
street projects which has caused detours in St. Mary's Street traffic
in the vicinity of St. Sophia's Greek Orthodox Church. Mr. Kiolbassa
further explained that rains had caused certain delays in the
completion of the project, but completion is now near.

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

81-46 The Clerk read the following Ordinance:

AN ORDINANCE 54,237

APPROPRIATING FROM CERTAIN FUNDS AMOUNTS
IN THE TOTAL SUM OF \$3,033.00 IN PAYMENT
FOR EXPENSES INCURRED IN CULEBRA ROAD
DRAINAGE, DOS RIOS PLANT SITE ACQUISITION
"I" STREET DRAINAGE #79 AND TRES CINCO
SUBDIVISION OFF-SITE SANITARY SEWER.

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

Mr. Canavan disqualified himself from voting on this Ordinance.

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

81-46 The Clerk read the following Ordinance:

AN ORDINANCE 54,238

APPROPRIATING FUNDS AND AUTHORIZING
PAYMENT ON A THREE YEAR PREMIUM IN ORDER
TO RENEW THE COMPREHENSIVE DISHONESTY,
DISAPPEARANCE, AND DESTRUCTION BOND
COVERING SPECIFIED CITY-OWNED SITES.

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

In response to a question by Mrs. Dutmer, Mr. Carl White, Director of Finance, explained the premiums involved and stated that the matter involves much handling of municipal monies collected from some 37 locations throughout the City.

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

81-46 The Clerk read a proposed ordinance authorizing payment of \$27,489.35 to the Texas Municipal League for representation in the Southwestern Bell rate case now pending before the Public Utility Commission in Docket No. 3920.

Mrs. Dutmer moved to approve the ordinance. Mr. Thompson seconded the motion.

Mr. Canavan stated that he feels that the costs involved are excessive, and stated that he felt a viable alternative would be to use the City's Legislative Liaison to carry before the Public Utility Commission any formal action by City Council relative to input concerning Bell Telephone's rate increase request.

Mr. Hasslocher spoke to the costs involved and agreed they were excessive.

Mrs. Dutmer stated that the cities of Texas have more impact upon the Public Utility Commission by banding together to speak with one voice.

In response to a question by Mr. Thompson, City Attorney, Jane Macon explained the legal procedures involved in the rate increase matter before the Public Utility Commission.

A brief discussion then was held concerning the effectiveness of the Texas Municipal League involvement in the rate increase request matter.

In response to a question by Mr. Thompson, Mr. Nelson Clare, Assistant City Attorney, spoke to the effectiveness of such intervention, stating that it took six weeks to hear a similar request by Bell last year. Mr. Clare also stated that the hearing examiner openly seeks the official attitude of Texas' cities in such matters and expressed his belief that such input by Texas cities is important to the hearing examiner.

Mr. Webb stated his belief that the Council should assess San Antonio's continued participation in the Texas Municipal League if it is to question one segment of TML's involvement such as this, then spoke to the number of persons who are affected by the rate increase request.

Mr. Wing then made an amendment to the motion to place upon next week's Council agenda, a resolution to consider withdrawal from the Texas Municipal League by San Antonio. Mr. Canavan seconded the motion.

Mr. Eureste spoke to difficulties in working with some persons representing TML, and stated his support for withdrawal from the organization.

Mr. Thompson spoke to the strength of TML through the amalgamation of all its municipal members, large and small, and spoke to the need for cooperation of all members.

Mr. Archer stated that the TML annual convention is scheduled to be held here in San Antonio in October. He noted that large amounts of money would be spent here by TML delegates as a result and stated his opposition to withdrawal.

Mrs. Berriozabal spoke against withdrawal, noting the many involvements of City officials such as Mayor Cisneros and City Clerk, Norma S. Rodriguez in TML affairs.

Mr. Eureste stated his belief that the City would take a close look at its TML involvement, and stated that large and small cities have different priorities. He stated his belief that TML needs to respond to the question of perhaps a better distribution of voting strengths among member cities.

Mrs. Dutmer then spoke against withdrawal.

After discussion the amendment to the main motion failed to carry by the following vote: AYES: Berriozabal, Wing, Eureste; NAYS: Webb, Dutmer, Thompson, Alderete, Archer, Hasslocher, Cisneros; ABSENT: None; ABSTAIN: Canavan.

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

Later in the meeting, this item was reconsidered. See page 16 for final results.

81-46 ZONING HEARINGS

21. CASE 8557 -to rezone the north 50' of the east 200' of Lot 65, and the north 25' of Lot 66, NCB 11080, 3739 Commercial Avenue, from "R-3" Multiple Family Residential District to "B-1" Business District, located on the west side of Commercial Avenue, being 225' north of the intersection of Shemya Avenue and Commercial Avenue, having 75' on Commercial Avenue and a depth 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.

Mr. Thompson moved that the recommendation of the Zoning Commission be approved provided that a six foot solid screen fence is erected and maintained on the north property line protecting the residents on the remainder of the street and that proper access and off-street parking is provided. Mr. Hasslocher seconded the motion.

Mr. Wing spoke against the rezoning request and asked that it be denied. He then made a substitute motion to deny the zoning change. Mr. Thompson seconded the motion.

Mr. Reynaldo Sanchez, the proponent, stated that he was asking for the rezoning in order to install a dance studio at this location.

After discussion, the substitute motion to deny the requested change in zoning carried by the following vote: AYES: Berriozabal, Dutmer, Wing, Thompson, Alderete, Canavan, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Webb, Eureste.

CASE 8557 was denied.

22. CASE 8574 - to rezone a 6.9909 acre tract of land out of NCB 15017, being further described by field notes filed in the Office of the City Clerk, in the 1100 Block of I.H. 10 Expressway, in the 11300 Block of Huebner Road, from "R-3" Multiple Family Residential District to "B-2" Business District; a 0.8792 acre tract of land out of NCB 15017, being further described by field notes filed in the Office of the City Clerk, in the 1100 Block of I.H. 10 Expressway, in the 11300 Block of Huebner Road, from "B-3" Business District to "B-2" Business District, located approximately 700' northeast of I.H. 10 Expressway and 455' southeast of Huebner Road, having a maximum depth of 1616.63' and a maximum width of 690'.

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

No citizen appeared to speak in opposition.

After consideration, Mr. Hasslocher moved that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished if necessary, and that a six foot solid screen fence is erected and maintained along the northeast and southeast property lines adjacent to the "R-3" zoning. Mr. Canavan seconded the motion. On roll call, the motion carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Berriozabal, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Hasslohcer, Cisneros; NAYS: None; ABSENT: Webb.

AN ORDINANCE 54,239

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 6.9909 ACRE TRACT OF LAND OUT OF NCB 15017, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK IN THE 1100 BLOCK OF I.H. 10 EXPRESSWAY, IN THE 11300 BLOCK OF HUEBNER ROAD, FROM "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT; A 0.8792 ACRE TRACT OF LAND OUT OF NCB 15017, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 1100 BLOCK OF I.H. 10 EXPRESSWAY, IN THE 11300 BLOCK OF HUEBNER ROAD, FROM "B-3" BUSINESS DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED IF NECESSARY, AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTHEAST AND SOUTHEAST PROPERTY LINES, ADJACENT TO THE "R-3" ZONING.

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23. CASE 8578 S.R. - to rezone the east 70' of the west 125' of the north 145', Block 4, NCB 12001, from "A" Single Family Residential District to "B-3" Business District and Lot 3, save and except the east 70' of the west 125' of the north 145', Block 4, NCB 12001, from "A" Single Family Residential District to "R-1" Special Request Single Family Residential District for a commercial ball park with ten (10) years of operation time; subject property is located on the south side of Laven Drive, being 778' south of the intersection of Tellez Avenue and Laven Drive, having a depth of 500' and a maximum width of 962.5'; the "B-3" zoning being 1048' southwest of the intersection of Laven Drive and Tellez Avenue, having 70' in width and 145' in length; the "R-1" zoning being on the remaining portion of the subject property.

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. Thompson moved that the recommendation of the Zoning Commission be approved provided that 1) such use will be sponsored and supervised by responsible persons; 2) that all lights, structures, and buildings placed on the premises shall conform to the building code of the City; 3) that facilities for food handling conform to the City health code; 4) that one toilet be provided for each sex; 5) that the premises be maintained in a safe and sanitary manner, free of liter, refuse or debris and 6) that special use request be granted for a definite period of time not to exceed three years. 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, Dutmer, Wing, Thompson, Alderete, Canavan, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Webb, Eureste.

AN ORDINANCE 54,240

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY

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CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE EAST 70' OF THE WEST 125' OF THE NORTH 145', BLOCK 4, NCB 12001, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT; LOT 3 SAVE AND EXCEPT THE EAST 70' OF THE WEST 125' OF THE NORTH 145', BLOCK 4, NCB 12001, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT SPECIAL REQUEST FOR A COMMERCIAL BALL PARK WITH TEN (10) YEARS OF OPERATION TIME, PROVIDED THAT SUCH USE WILL BE SPONSORED AND SUPERVISED BY RESPONSIBLE PERSONS; THAT ALL LIGHTS, STRUCTURES, AND BUILDINGS PLACED UPON THE PREMISES SHALL CONFORM TO THE BUILDING CODE OF THE CITY; THAT ONE TOILET BE PROVIDED FOR EACH SEX; THAT FACILITIES FOR FOOD HANDLING CONFORM TO THE CITY HEALTH CODE; THAT THE PREMISES BE MAINTAINED IN A SAFE AND SANITARY MANNER, FREE OF LITER, REFUSE OR DEBRIS; THAT SPECIAL USE REQUEST BE GRANTED FOR A DEFINITE PERIOD OF TIME NOT TO EXCEED THREE (3) YEARS.

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24. CASE 8577 - to rezone Lots 16 thru 26, Block 3, NCB 16853, in the 1500 Block of Beauchamp Drive, from "R-6" Townhouse District to "R-5" Single Family Residential District, located southwest of the intersection of Vista Nogal Drive and Beauchamp Drive, having 578.62' on Beauchamp Drive and 102.92' on Vista Nogal Drive.

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

No citizen appeared to speak in opposition.

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

AN ORDINANCE 54,241

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 16 THRU 26, BLOCK 3, NCB 16853, IN THE 1500 BLOCK OF BEAUCHAMP DRIVE, FROM "R-6" TOWNHOUSE DISTRICT TO "R-5" SINGLE FAMILY RESIDENTIAL DISTRICT.

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81-46 The Clerk read the following Ordinance:

AN ORDINANCE 54,242

ELIMINATING TWO CAPTAIN POSITIONS AND ADDING TWO FIREFIGHTER POSITIONS IN THE

FIRE DEPARTMENT.

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

In response to a question by Mrs. Dutmer, Fire Chief I.O. Martinez explained the two vacant positions.

In response to a question by Mr. Hasslocher, Chief Martinez stated that elimination of the two Captain positions would not hinder future growth of the Fire Department.

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

81-46 The Clerk read the following Resolution:

A RESOLUTION
NO. 81-46-78

REQUESTING THAT THE DEPARTMENT OF DEFENSE
CONTINUE FUNDING RESIDENTIAL TREATMENT
CENTERS (RTC) UNDER CHAMPUS AS AN
AUTHORIZED PROVIDER OF CARE.

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

Mr. Sergio Soto, Director of Youth Services Project, Department of Human Resources and Services, explained that the Resolution deals with health care benefits available to retired members and dependents of uniformed military personnel and noted that the Department of Defense is seeking to eliminate a portion of those benefits involving Residential Treatment Centers.

Mr. Archer questioned the City's proper involvement with federal matters.

Mrs. Dutmer stated that eligible military-related personnel need on-base medical care facilities or the impact for such care will fall to the civilian community.

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

81-46 2:00 P.M. - PUBLIC HEARING - TAXICAB PERMITS

Mayor Cisneros declared the Public Hearing open.

Mr. Roger Ibarra, Supervisor of Public Utilities, explained the requirement for the Public Hearing and spoke to a staff study completed on the need for additional taxicab permits to be issued, noting that some 290 taxicabs already are operating in San Antonio and recommended that no new permits be issued at this time.

Mr. George Torres, Attorney for the four applicants, spoke of the free enterprise system and to the number of taxicab permits

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already issued but not in use in San Antonio, then compared the number of taxicabs in operation in San Antonio to the number in operation in selected other major cities across the nation. Mr. Torres spoke to the increase in tourist trade and construction of additional hotels underway as reasons for issuance of additional taxicab permits.

Mr. Pedro Melendez, Metro Cab, stated his belief that an increase in the number of taxicabs operating in San Antonio is justified.

Mr. Jacinto Senizaiz stated his belief that he should be allowed to use those permits issued to him which later were withdrawn by the City.

Mr. Benny Ramirez spoke to the desire to provide an additional public service.

Mr. Jim Fisher, Checker Cabs, spoke to the continuing congestion of taxicabs in numerous San Antonio locations, and stated his belief that additional permits would dilute the wages of drivers presently operating.

Mr. Ralph Brock stated that he feels that cab drivers cannot expand their business when other permit holders don't use all their allotted permits, and spoke of the monopolistic nature of such non-use of permits allocated but not used.

Mr. Frank Castillo asked to be allowed to put more cab units in operation.

Mayor Cisneros stated that he favors granting the requested permits, and spoke against holding unused permits, stating his belief that the City should grant permits to operators when they can show they have a vehicle ready to operate as a taxicab. He stated his belief that the free enterprise system will govern the number of cabs in operation on City streets. Mayor Cisneros then stated that he would prefer to grant permits by the City as a means to insure that taxicabs are safe and operational, rather than as a means of regulating their numbers arbitrarily.

Mrs. Dutmer stated that the Ordinance doesn't state that taxicab permits can be held, and noted that issuance of an unlimited number of permits would put smaller taxicab operators out of business.

Mr. Thompson spoke to the recommendation of the Council's Taxicab Committee, composed of three members of the City Council, recommending denial of the additional permits being requested at this time. He noted that the ordinance must show the need for more cabs before additional permits can be issued. Mr. Thompson also spoke to the problems encountered with so-called 'short-hauls' from International Airport because cab drivers need to make more money per run to show a profit.

In response to a question by Mrs. Berriozabal, Mr. Ibarra discussed how 'need' is shown to justify additional permits and then spoke to how permits are issued.

Mr. Wing addressed the taxicab needs of those persons who regularly use cabs for trips to and from the grocery store, doctor and other such places, stating that these people also need to be served.

Mayor Cisneros stated that he had become a convert to deregulation, then spoke to the need for a 'starter' at International Airport, to help solve the short-haul problem. Mayor Cisneros then asked that the Taxicab Committee look into a possible new ordinance that would encourage the free enterprise system in San Antonio in this field.

Mr. Hasslocher stated that the short-haul problem must be solved in San Antonio.

In response to a question by Mr. Alderete, Mr. Ibarra compared the number of taxicabs presently operating in San Antonio versus the number of permits outstanding, then spoke to the time limits established on the newest issue of permits by the City, noting that some 135 permits already have been given up by permit-holders.

Mr. Thompson spoke in defense of the present Ordinance on taxicab permits and questioned whether the City would receive early-morning taxi service if economics forced all cabs to work only peak-time hours each day to make ends meet.

Mr. Eureste spoke to the differences between small and large taxicab operators and the need to honor all requests for taxicab permits until the Council adequately defines the word "needs" in its Ordinance.

In response to a question by Mr. Eureste, Mr. Manuel Trujillo, Taxicab Inspector, spoke as to how recommendations were arrived at to deny any additional permits at this time.

Mrs. Berriozabal then spoke to the fact that only two taxicab companies have been issued a total of 165 permits.

After discussion, Mr. Webb made a motion to grant the permits requested. Mrs. Berriozabal seconded the motion. On roll call, the motion prevailed by the following vote: AYES: Berriozabal, Webb, Wing, Eureste, Alderete, Cisneros; NAYS: Dutmer, Thompson, Canavan, Hasslocher; ABSENT: Archer.

81-46 The Clerk read the following Ordinance:

AN ORDINANCE 54,243

AUTHORIZING AN ADDITIONAL ALLOCATION OF \$25,598.00 TO THE CURRENT INSTITUTE OF THE AMERICAS ALLOCATION.

* * * *

Mr. Canavan made a motion to deny the Ordinance. Mr. Hasslocher seconded the motion.

Mr. Canavan spoke to the administrative overlap of services in the area of attracting new industry to San Antonio.

Mr. Gene Rodriguez, Chairman of the Board of the Institute of the Americas, noted that a memorandum had been sent to the City Council outlining the work done by IOA, particularly in Latin America. He stated that IOA is a private, non-profit organization, and spoke of its many activities.

Mr. Rodriguez stated that IOA has already received some 12 inquiries about the new Foreign Trade Zone proposed for San Antonio and spoke to his work with the Economic Development Foundation and the Greater San Antonio Chamber of Commerce. He stated that IOA needs the requested additional funds because of the increased activity and the success of their endeavors, so far.

Mrs. Dutmer stated that the original additional request for IOA was more than \$34,000, but the request has been cut to the current \$25,598.

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Mrs. Dutmer then made a substitute motion to approve the Ordinance. Mr. Alderete seconded the motion.

Mr. Alderete spoke to the efforts of IOA and spoke in favor of the Ordinance.

Mayor Cisneros stated that some 30 percent of gross revenue in Houston's Galleria are from Mexico, and noted that San Antonio's Medical Center complex also received a large amount of its revenues from Mexico, as well. He further stated that Mexicana Airlines has announced efforts to increase its passenger capacity to and from San Antonio in the future.

Mrs. Berriozabal stated her belief that IOA does not duplicate any City services.

Mr. Thompson spoke in favor of the substitute motion, stating that its approval would allow ongoing projects of IOA to come to fruition.

In response to a question by Mr. Webb, Mr. Rey Lopez Assistant Director of the Department of Economic and Employment Development, spoke to IOA as being complimentary to DEED'S activities, rather than a duplication, noting that DEED deals mainly with national firms and activities, while IOA deals on the international level.

In response to a question by Mrs. Dutmer as to why the Clerk-Typist position would be paying more than City scale, Mr. Rodriguez stated that that person also functions as an administrative assistant.

A brief discussion then took place relative to IOA involvement in international cattle operations and overall inter-American trade.

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

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

81-46

3:00 P.M. -PUBLIC HEARING
ON PROPOSED COMMUNITY DEVELOPMENT PROGRAM

Mayor Cisneros declared the Public Hearing open.

No citizen appeared to speak.

Mayor Cisneros declared the Public Hearing closed.

Mr. Wing then made a motion to schedule a second Public Hearing for 5:00 P.M. Tuesday, September 8, 1981 as required by law. Mrs. Dutmer seconded the motion. On roll call, the motion carried by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: None.

81-46 The Clerk read the following Ordinance:

DESIGNATING A TOURIST TRADE CENTER
AS TOURIST TRADE CENTER NO. TWO.

* * * *

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

Mayor Cisneros briefly explained the Ordinance.

Ms. Sylvia Foster, Real Estate Broker, spoke in favor of the Ordinance.

Mr. R.N. Pena stated his belief that the Council, by passing this Ordinance, would be creating competition for the El Mercado merchants by naming these additional areas as "Tourist Trade Centers".

City Manager, Thomas E. Huebner spoke in favor of the Ordinance, stating that it is important for the development of St. Paul Square and the entire Alamo Plaza area, as well.

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

81-46 Item 29,- a consideration of postponing the proposed Espada Road Area Annexation.

Mr. Gene Camargo, Assistant Planning Director, explained that the City staff would like to postpone this matter for 30 days, so that a further study can be made of recent new requirements of the annexation law.

Mrs. Dutmer then made a motion to postpone this item for 30 days. Mr. Wing seconded the motion. On roll call, the motion to postpone carried by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Thompson, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Eureste, Alderete, Canavan.

81-46 Item 30, being a proposed ordinance setting the date, time and place for a Public Hearing on the proposed annexation of certain property generally referred to as the Espada Road Area, and directing the City Manager to public notice of such public hearing was withdrawn from consideration.

81-46 At this time, Mr. Eureste made a motion to reconsider Item 20. Mr. Webb seconded the motion. On roll call, the motion to reconsider carried by the following vote: AYES: Berriozabal, Webb, Dutmer, Eureste, Alderete, Archer, Cisneros; NAYS: Wing, Thompson, Hasslocher; ABSENT: Canavan.

Mr. Eureste then made a motion to adopt staff's recommendations on Item 20. Mr. Alderete seconded the motion.

Mrs. Dutmer spoke in favor of the motion.

Mr. Thompson spoke against.

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

AN ORDINANCE 54,245

AUTHORIZING PAYMENT OF \$27,489.35 TO
THE TEXAS MUNICIPAL LEAGUE FOR REPRESENTATION
IN THE SOUTHWESTERN BELL RATE
CASE NOW PENDING BEFORE THE PUBLIC
UTILITY COMMISSION IN DOCKET NO. 3920.

* * * *

81-46 The meeting was recessed at 4:26 P.M. and reconvened at 5:30 P.M.

81-46 CITIZENS TO BE HEARD

(Mayor Cisneros was obliged to leave the meeting and Mayor Pro-Tem Dutmer presided)

WALT FARMER

Mr. Walt Farmer asked the Mayor and City Council to proclaim a day of recognition for those American servicemen missing in action in Southeast Asia. He also spoke about their efforts on a national level.

Mayor Pro-Tem Dutmer and City Council stated that a proclamation could so be declared and asked him to contact the City Clerk.

HILDA WEATHERFORD

Mrs. Weatherford stated that her case had been turned down by the Board of Adjustment and she has spent a considerable amount of money to complete the transaction of which she detailed to the Council.

City Attorney, Jane Macon stated that the only recourse may be District Court; however, she will be glad to have an Assistant City Attorney speak to her on this matter.

Mr. Webb then related the circumstances of this case and the reason he had advised her to come to speak before the City Council.

DR. RICHARD HOWE

Dr. Howe spoke to the City Council regarding the make-up of the Committee which will make a study on energy. He stated that the Technical Panel should be composed of five to seven members and made recommendations on the criteria that should be followed on the selection of its composition. He also made recommendations on the criteria that should be used to appoint members to the citizens committee.

(Mayor Cisneros returned to the meeting and presided.)

REMIGIO VALDEZ

Mr. Valdez, on behalf of the Mexican American Betterment Organization, presented Mayor Cisneros with a plaque recognizing his contributions to the Community.

JANET AHMAD

Mrs. Ahmad stated that she bought a house on Locust Street and has worked to renovate it. She stated that she has gotten estimates from several contractors. She stated that she had inquired if they would obtain a permit from the City. She was told that there was no need for it since the City would not inspect it anyway. She stated that she obtained a permit herself and is now found to be in violation of the Building Code because of a technicality. She stated that she cannot get a meter hook-up until this is cleared up.

After discussion, Mr. Alderete made a motion to have staff work with Mrs. Ahmad and get this matter resolved by tomorrow. Mrs. Dutmer seconded the motion. On roll call, the motion carried by the following vote: AYES: Berriozabal, Webb, Dutmer, Thompson, Alderete, Hasslocher, Cisneros; NAYS: None; ABSENT: Wing, Eureste, Canavan, Archer.

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

JEAN MARTINELLI

Mrs. Jean Martinelli, a resident of Rainbow Hills, stated that a petition was submitted to the City Clerk's Office on a request for annexation of Rainbow Hills and spoke in favor of having the area annexed into the City of San Antonio.

RUTH CARTER

Mrs. Carter, 226 Stimmel Drive, a resident of Lackland Heights, spoke in favor of having her area also annexed into the City of San Antonio. She stated that she feels it is time to be annexed into the City. She stated that there are problems with junkyard, vacant lots and the lack of zoning rules in their area. She stated that she feels that the City can provide the necessary regulations. She expressed concern about being turned down because of the trouble with the sewer and water in that area.

Mayor Pro-Tem Dutmer stated that staff would begin the procedure on this matter.

Mr. Alderete then made a motion to have staff investigate the matter of annexing Lackland Heights and Rainbow Hills into the City of San Antonio. Mr. Thompson seconded the motion.

GEORGE GARRIN

Mr. Garrin, 331 Jamaica, stated that the City cannot afford to annex this area.

After discussion, the motion in support of annexation prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Thompson, Alderete, Hasslocher, Cisneros; NAYS: None; ABSENT: Wing, Eureste, Canavan, Archer.

JUAN MIRELES

Mr. Mireles, a member of the American G.I. Forum, spoke about their concern of the handling of a case in 1972 by the Police Department.

MANUAL J. REYES

Mr. Reyes, also of American G.I. Forum, also spoke about their concern about the manner in which the Police Department has handled individual cases. He stated that they recommended that the present police applicant screening procedure be reviewed and that a full-time psychiatrist be hired for police officers and their families.

BETTY FERNIZ

Ms. Betty Ferniz, also representing G.I. Forum, asked that the City Council appoint a citizens review advisory panel to review the proposed management study and have them report directly to the City Council. She stated that they could also serve as liaison between the Police Department and the general citizenry. She stated that various complaints could also be addressed by the citizens review advisory panel.

MANUEL MUNOZ, JR.

Mr. Munoz, representing the Lulac Council District 15 spoke on behalf of the recommendations made by the American G.I. Forum.

Mayor Pro-Tem Dutmer asked that a staff report on the formation of a citizens review panel be prepared for the Council.

JAMES ISAMAN

Mr. Isaman, 8407 Bart Starr Drive, read a prepared statement about the action taken by the Council on the Banking Corridor Garage. He spoke about a study made by the VIA Metropolitan Transit. He stated that he feels that the action taken by the City Council is in conflict with the future implementation of VIA's plan. He stated that the City should reverse its decision on the Banking Corridor Garage and shift its emphasis to mass transit.

Mr. Hasslocher stated that they had spoken about the Transportation Committee's meeting and their discussion on the movement of traffic in the downtown area.

JANET AHMAD

Mrs. Ahmad spoke again and stated that the City Code is being enforced to the letter for one person. She stated that she feels that the reason is because of her past actions in her dealings with this particular department.

A discussion then took place on what Mrs. Ahmad had done on her house.

Mr. Rolando Bono, Assistant City Manager, stated that there were several items not just the staircase and reported that an appointment for tomorrow has been set up.

Mr. Thompson stated that every minute section of the Code was enforced when he had remodeling work done on his home.

PETE ENRIQUEZ

Mr. Enriquez took exception to the Manager not making time to meet with him.

There being no further business to come before the Council, the meeting was adjourned at 6:40 P.M.

A P P R O V E D

Henry Cisneros
M A Y O R

ATTEST:

Karma J. Rodriguez
C i t y C l e r k

September 3, 1981
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