

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, JUNE 6, 1985.

* * * *

The meeting was called to order at 1:00 P.M. by Mayor Pro Tem Walter Martinez, in the absence of Mayor Cisneros, with the following members present: BERRIOZABAL, WEBB, DUTMER, WING, MARTINEZ, THOMPSON, VERA, HARRINGTON, ARCHER, HASSLOCHER. Absent: CISNEROS.

- - -
85-35 The invocation was given by Reverend Thomas J. Flanagan, St. Vincent De Paul Catholic Church.

- - -
85-35 The City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

85-35 3RD ANNUAL SOUTHWEST MEMORIAL DAYS AIRBORNE CONVENTION

Mayor Pro Tem Martinez invited Councilman Thompson to join him in presenting Major Ben Scroggin and fellow members of the Alamo Chapter of the 83rd Airborne Division Association with a proclamation in honor of the 3rd Annual Southwest Memorial Days Airborne Convention to be held in San Antonio during June 7 - 9, 1985.

Major Ben Scroggin thanked the Council for the proclamation and introduced each fellow member present in the audience individually and gave a brief history of their individual military accomplishments.

Several Council members individually commended and thanked the men for their service to this community and their country.

85-35 DEFENSE LANGUAGE INSTITUTE VISITORS

Mayor Pro Tem Martinez recognized visitors from the Defense Language Institute who were in the audience observing the Council meeting and welcomed them to the City.

At the request of the Mayor Pro Tem, each member of the group stood, introduced himself and gave the name of his country.

- - -
85-35 The minutes of the City Council meeting of May 23, 1985 were approved.

- - -
85-35

FLUORIDATION

On a point of personal privilege Councilman Harrington read the following telegram:

"June 6, 1985

'Dear Mayor Cisneros:

'I congratulate you, the City Council and the citizens of San Antonio on making a decision in favor of better health for the residents of San Antonio by supporting community water fluoridation. Through much hard work, members of San Antonio's professional and business communities and religious and public service organizations have effectively communicated the scientific evidence regarding the effectiveness and safety of water fluoridation. Strong and courageous leadership by San Antonio's elected officials, who the public had entrusted to secure and protect its health and welfare, has appropriately led to a wise decision on the public's behalf.

'San Antonio has for many years had much to recommend itself to visitors and residents alike in terms of its beauty and culture. The addition of water fluoridation as a community resource for improved health can only enhance the quality of life for San Antonians.

'/s/C. Everett Koop, M.D.
'Surgeon General"

- - -
85-35

INTRODUCTION OF GUESTS

Councilman Hasslocher, on a point of personal privilege, recognized Peggy Kokernut, from P.M. Magazine, who was present in the audience.

Ms. Kokernut thanked the Councilman and stated that she was present today representing herself on an issue to be taken up the Council later in the meeting.

Mayor Pro Tem Martinez recognized Dr. Amy Freeman Lee, well-known Educator and Lecturer, who was also present in the audience.

85-35 ISSUANCE OF CITY OF SAN ANTONIO, TEXAS PRIOR LIEN SEWER SYSTEM REVENUE BONDS, SERIES 1985

Mayor Pro Tem referred to the opening of bids in the City Clerk's office at 11:00 A.M. Six bids were received in connection with this bond sale. The best being the bid of Dillon, Read & Company with a 8.554181%.

The bids received were as follows:

DEAN WITTER REYNOLDS, INC.

Total Interest Cost	\$132,563,375.00
Plus Discount	1,480,466.00
Net Interest Cost	134,043,841.00

Effective Interest Rate 8.636845%

BEAR, STEARNS & COMPANY

Total Interest Cost	\$133,086,750.00
Plus Discount	1,481,671.00
Net Interest Cost	134,568,421.00

Effective Interest Rate 8.670646%

PAINWEBBER INC.

Total Interest Cost	\$133,544,200.00
Plus Discount	1,446,686.00
Net Interest Cost	134,990,886.00

Effective Interest Rate 8.697866%

SHEARSON LEHMAN BROTHERS, INC.

Total Interest Cost	\$132,216,000.00
Plus Discount	1,487,500.00
Net Interest Cost	133,703,500.00

Effective Interest Rate 8.614916%

DREXEL BURNHAM LAMBERS INCORPORATED

Total Interest Cost	\$133,134,200.00
Plus Discount	1,487,500.00
Net Interest Cost	134,621,700.00

Effective Interest Rate 8.674079%

DILLON, READ & COMPANY - NEW YORK

Total Interest Cost	\$131,280,650.00
Plus Discount	1,480,232.00
Net Interest Cost	132,760,882.00

Effective Interest Rate 8.554181%

The Clerk read the following Ordinance:

AN ORDINANCE 60,806

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS, AUTHORIZING THE ISSUANCE OF "CITY OF SAN ANTONIO, TEXAS, PRIOR LIEN SEWER SYSTEM REVENUE BONDS, SERIES 1985"; MAKING PROVISION FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS; STIPULATING TERMS AND CONDITIONS FOR THE ISSUANCE OF ADDITIONAL REVENUE BONDS; PRESCRIBING THE FORM, TERMS, CONDITIONS, AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, AND DELIVERY OF SAID BONDS, INCLUDING THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING THERETO; AND DECLARING AN EMERGENCY. (DILLON READ AND COMPANY)

* * * *

Mr. Hasslocher made a motion to approve the proposed Ordinance. Mr. Thompson seconded the motion.

Mr. Karl Wurz, 820 Florida, spoke against the bond sale and protested the continual sale of bonds. He cited figures on the ultimate cost to the taxpayers of these bonds.

City Manager Louis J. Fox acknowledged the percentage of interest that the City received. He stated that this was one of the best interest rates afforded to a municipality in the country. He added that it spoke well for the City and the sewer utility.

Mrs. Dutmer and Mr. Thompson individually spoke to the excellent

rate of interest afforded San Antonio for this bond sale.

Ms. Berriozabal commended Joe Aceves, Director of Wastewater Management, and his department, for their excellent presentation in New York.

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

85-35 CONSENT AGENDA

Mr. Thompson made a motion to approve Agenda Items 8 - 18, constituting the Consent Agenda, with the exception of Agenda Item 17 which had been earlier pulled from consideration. Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 60,807

ACCEPTING THE LOW BID OF CATO ELECTRIC COMPANY TO FURNISH THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH ELECTRICAL WORK AT NORMOYLE PARK FOR A TOTAL OF \$6,374.

* * * *

AN ORDINANCE 60,808

ACCEPTING THE BID OF AUTOSCAN SYSTEMS, INC. TO FURNISH THE CITY OF SAN ANTONIO AVIATION DEPARTMENT WITH TICKET DISPENSERS AND CASHIER TERMINALS FOR A TOTAL OF \$59,274.

* * * *

AN ORDINANCE 60,809

ACCEPTING THE LOW QUALIFIED BID OF SUMMERS ELECTRIC COMPANY TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS TRAFFIC DEPARTMENT WITH SIGNAL CABLE & WIRE FOR A TOTAL OF \$28,110.64.

* * * *

AN ORDINANCE 60,810 .

ACCEPTING THE BID OF DATAPOINT CORPORATION TO FURNISH THE CITY OF SAN ANTONIO INFORMATION RESOURCES DEPARTMENT WITH A DATAPOINT PROCESSOR FOR A TOTAL OF \$13,466.73.

* * * *

AN ORDINANCE 60,811 .

ACCEPTING THE LOW BIDS OF DATAPOINT CORPORATION AND TELEX COMMUNIQUE, INC. TO FURNISH THE CITY OF SAN ANTONIO INFORMATION RESOURCES WITH A LETTER QUALITY PRINTER FOR A TOTAL OF \$3,152.61.

* * * *

AN ORDINANCE 60,812 .

ACCEPTING THE LOW BID OF CONTINENTAL MAP COMPANY TO FURNISH THE CITY OF SAN ANTONIO CONVENTION & VISITORS BUREAU WITH MAPS FOR A TOTAL OF \$3,700.

* * * *

AN ORDINANCE 60,813 .

AUTHORIZING THE EXECUTION OF MEMORANDUM OF AGREEMENT, SPECIAL PROJECT #394, WITH EVANDER McIVER LEWIS, 404 DEVELOPMENT COMPANY AND FROST NATIONAL BANK OF SAN ANTONIO, TRUSTEE OF JOHNNYE JONES PEET TRUST NO. 2 FOR THE TRANSFER OF 1.19 ACRES OF LAND AT THE SAN ANTONIO INTERNATIONAL AIRPORT CONTINGENT UPON THE CONSTRUCTION OF CERTAIN DRAINAGE IMPROVEMENTS AT NO COST TO THE CITY.

* * * *

AN ORDINANCE 60,814 .

AUTHORIZING THE CITY MANAGER TO EXECUTE THE ACCEPTANCE OF RELEASE FROM THE U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION FOR TWO PARCELS OF LAND AT THE SAN ANTONIO INTERNATIONAL AIRPORT.

* * * *

AN ORDINANCE 60,815

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

* * * *

AN ORDINANCE 60,816

CHANGING THE NAME OF "TRADE CENTER" STREET AND A SMALL PORTION OF "SERVICE CENTER" DRIVE TO "KAEPA COURT".

* * * *

ZONING HEARINGS

19. CASE Z85170 - to rezone Lots A-1 and A-2, Block 2, NCB 1704, in the 2600 Block of Main Avenue, from Historic "D" Apartment District to Historic "O-1" Office District, located on the southeast corner of the intersection of W. Magnolia Avenue and Main Avenue, having approximately 125' frontage on Main Avenue with an approximate width of 135' on W. Magnolia Avenue.

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

Mr. Archer moved that the recommendation of the Zoning Commission be approved provided that 2.2' of dedication is given along Main Street and that driveways and off-street parking is provided and submitted to the Traffic Section for approval. Mr. Hasslocher seconded the motion.

In response to a question by Mr. Archer, Mr. James Ince, representing the owner, spoke to the deed restrictions that have been agreed on to protect the area.

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

AN ORDINANCE 60,817

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 A-1 AND A-2, BLOCK 2, NCB 1704, IN THE 2600 BLOCK OF MAIN AVENUE, FROM HISTORIC "D" APARTMENT DISTRICT TO HISTORIC "O-1" OFFICE DISTRICT, PROVIDED THAT 2.2' OF DEDICATION IS GIVEN ALONG MAIN STREET AND THAT DRIVEWAYS AND OFF-STREET PARKING IS PROVIDED AND SUBMITTED TO THE TRAFFIC SECTION FOR APPROVAL.

* * * *

20. CASE Z85155 - to rezone Lot 33, and the north 295' of Lots 1 and 2, NCB 14662, in the 8500 Block of Abe Lincoln Road, from Temporary "R-1" One Family Residence District to "O-1" Office District, located on the westside of Abe Lincoln, approximately 333' south of the intersection of Whitby Road and Abe Lincoln, having 628.27' of frontage on Abe Lincoln with an approximate depth of 660'.

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

Mr. Don Johnson, representing the homeowners, stated that the proposed zoning will allow for construction of garden office development. He stated that this is the zoning will be the highest and best use of the subject property. He passed out a site plan for the area (a copy of which is filed with the papers of this meeting).

Mr. David T. Kern, 8609 Abe Lincoln, stated that he had been a resident of the area for thirty years and that the neighborhood had deteriorated with the added noise and heavy traffic. He added that this development would be an improvement to the area because of the low density and high fence around the area.

(At this point, Mayor Pro Tem Martinez was obliged to leave the meeting. Ms. Berriozabal presided.)

Mr. Doug Wietbrock, 1100 N.W. Loop 410, noting that the City has grown around the area, increasing traffic and decreasing the quality of the residences, stated that this development would enhance the subject property.

Mr. Bob Schiebel, 8563 Abe Lincoln, spoke in favor of the "O-1" zoning.

Mr. Bill Norrad, 8562 Abe Lincoln, spoke to the crime rate in the area and stated that this area has outgrown its residential zoning classification.

Mr. Lee Leon, 6866 Stonykirk, expressed concern with the possible increase in traffic in view of the heavy pedestrian traffic in the area.

Mr. John Harding, 6858 Stonykirk, expressed his opposition to changing the residential zoning in the area and noted that the Alamo Farmsteads Babcock Road Neighborhood Association had not been notified of this rezoning request.

In response to a question by Ms. Berriozabal, Mr. Andy Guerrero, Planner III, stated that through an oversight, the Alamo Farmsteads group had been omitted from the notification process.

Mr. E.R. Wade, 6836 Stonykirk, stated that the rezoning was premature inasmuch as the City and the association is working on a reorganizing plan which will be submitted in the near future. He spoke to responsible planning for the area and requested that this rezoning be denied or postponed for a future date.

Ms. Kathy Harding, Alamo Farmsteads Babcock Road Neighborhood Association, stated that Abe Lincoln is a residential street and spoke of residents in the area that are opposed to the rezoning. She added that should this zoning request pass, a minimum of a 50' setback as a green belt would be required to retain the atmosphere that exists now.

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

Mr. Kern stated that Mr. Henry Romo, a member of Alamo Farmsteads, has been contacted by the property owners and informed of the proposed rezoning request. He added that the Hardings live more than a mile away from the subject area.

In response to a question by Mr. Harrington, Mr. Wietbrock stated that this proposed plan was a realistic and viable one and noted that a 50' setback on the side and rear of the property is proposed.

Mr. Harrington moved that the recommendation of the Zoning Commission be approved provided that driveways and off-street parking is provided and submitted to the Traffic Section for approval. Further provided that a fifty foot setback of greenbelt is imposed around the periphery of the property; that a two story limitation on the building is imposed and that a six foot fence is erected and maintained around the property as shown on the schematic presented by the applicant. Mr. Archer seconded the motion.

Mrs. Dutmer noted that some stub-outs will exist as indicated in the site plan and requested that the staff assure that emergency vehicles will have sufficient room to turn. She also urged her colleagues to consider extending the 200' radius when rezoning of an area is being considered.

Ms. Berriozabal requested that the staff be very vigilant in assuring that neighborhood associations affected by a rezoning request receive notification. She also requested that Mr. Guerrero work on a procedure that will assure Council members receive any positive or negative feedback received in the Planning Department from citizens in the area to be rezoned.

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

AN ORDINANCE 60,818

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 33, NCB 14674, AND THE NORTH 295' OF LOTS 1 AND 2, NCB 14662, IN THE 8500 BLOCK OF ABE LINCOLN ROAD, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING IS PROVIDED AND SUBMITTED TO THE TRAFFIC SECTION FOR APPROVAL. FURTHER PROVIDED THAT A FIFTY FOOT SETBACK OF GREENBELT IS IMPOSED AROUND THE PERIPHERY OF THE PROPERTY; THAT A TWO STORY LIMITATION ON THE BUILDING IS IMPOSED AND THAT A SIX FOOT FENCE IS ERECTED AND MAINTAINED AROUND THE PROPERTY AS SHOWN ON THE ATTACHED SCHEMATIC.

* * * *

21. CASE Z85177 - to rezone Lots 11 and 12, Block 8, NCB 15698, in the 4700 Block of Erin Boulevard, from Temporary "R-1" One Family Residence District to "B-2" Business District, located approximately 110' northwest of the intersection of Erin Boulevard and Nacogdoches Road, having 160' of frontage on Erin Boulevard, with a maximum depth of 140'.

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

Mr. Hasslocher moved that the recommendation of the Zoning Commission be approved provided that driveways and off-street parking is provided and submitted to the Traffic Section for approval. Mr. Archer 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, Martinez, Thompson, Vera, Harrington, Archer, Hasslocher; NAYS: None; ABSENT: Cisneros.

AN ORDINANCE 60,819

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 11 AND 12, BLOCK 8, NCB 15698, IN THE 4700 BLOCK OF ERIN BLVD., FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING IS PROVIDED AND SUBMITTED TO THE TRAFFIC SECTION FOR APPROVAL.

* * * *

85-35 The Clerk read the following Ordinance:

AN ORDINANCE 60,820

CONTINUING THE DESIGNATION OF THE WOODLAKE COMPANY INDUSTRIAL DISTRICT, AND AMENDING THE INDUSTRIAL DISTRICT CONTRACT AND THE FIRE SERVICE CONTRACT BY EXTENDING THE CONTRACT FOR A PERIOD NOT TO EXCEED DECEMBER 1, 1985.

* * * *

Mr. Hasslocher made a motion to approve the proposed Ordinance. Mr. Harrington seconded the motion.

Dr. Ken Daly, Director of DEED, stated that there are three industrial districts whose contracts will expire June 15, 1985, prior to their proposed annexation, and the contract extensions will assure that no interruptions in service occur.

Mrs. Dutmer spoke in favor of the contract extensions.

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

Dutmer, Wing, Martinez, Thompson, Vera, Harrington, Archer, Hasslocher;
 NAYS: None; ABSENT: Cisneros.

85-35 The Clerk read the following Ordinance:

AN ORDINANCE 60,821

CONTINUING THE DESIGNATION OF THE TRUSS & COMPONENTS
 COMPANY INC. INDUSTRIAL DISTRICT, AND EXTENDING
 THE INDUSTRIAL DISTRICT CONTRACT AND THE FIRE
 SERVICE CONTRACT BY EXTENDING THE CONTRACT FOR A
 PERIOD NOT TO EXCEED DECEMBER 1, 1985.

* * * *

Mr. Hasslocher made a motion to approve the proposed Ordinance.
 Mr. Webb seconded the motion.

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

85-35 The Clerk read the following Ordinance:

AN ORDINANCE 60,822

CONTINUING THE DESIGNATION OF THE SYSCO ALAMO FOODS
 INDUSTRIAL DISTRICT, AND EXTEND THE INDUSTRIAL
 DISTRICT CONTRACT AND THE FIRE SERVICE CONTRACT BY
 EXTENDING THE CONTRACT FOR A PERIOD NOT TO EXCEED
 DECEMBER 1, 1985.

* * * *

Mr. Hasslocher made a motion to approve the proposed Ordinance.
 Mr. Wing seconded the motion.

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

85-35 The Clerk read the following Ordinance:

AN ORDINANCE 60,823

EXTENDING THE FIRE PROTECTION SERVICE AGREEMENT WITH CHAMPION INTERNATIONAL LOCATED IN THE TRUSS AND COMPONENTS, INC. INDUSTRIAL DISTRICT FOR A PERIOD NOT TO EXCEED DECEMBER 1, 1985.

* * * *

Mr. Hasslocher made a motion to approve the proposed Ordinance. Mr. Webb seconded the motion.

In response to a question by Mr. Archer, City Manager Louis J. Fox stated that he had directed the Fire Chief and the City Attorney to investigate the feasibility of entering in contracts providing fire services to some of the new business developments out of City jurisdiction. He added that their report would be presented to the Council at a future "B" Session.

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

85-35 The Clerk read the following Ordinance:

AN ORDINANCE 60,824

CREATING THE DEPARTMENT OF DOWNTOWN INITIATIVES.

* * * *

Ms. Berriozabal made a motion to approve the proposed Ordinance. Mrs. Dutmer seconded the motion.

In response to a question by Mr. Hasslocher, City Manager Louis J. Fox explained this new department would achieve coordination among the City, the private sector and other agencies as well as among City departments and stated that this would serve to achieve a better focus on the downtown area. He stated that the department would deal with tri-party, development, and transportation issues as well as numerous other issues presently being handled by various City departments. He cited first year cost of this department.

Mr. Roland Lozano, Director of Planning, responding to some of Mr. Hasslocher's concerns, stated that four positions will be transferred out of the Planning Department, two of which will be upgraded.

Mrs. Dutmer spoke to the need for coordination of various City and public utility functions.

Ms. Berriozabal spoke of the present demand on different department's time with the development of neighborhood plans as well as downtown revitalization and spoke as to how this ordinance will help to bring the people working on the downtown issues together to incorporate and form one department.

Ms. Vera proposed an amendment to use monies presently available from personnel cost savings realized by the new Tax Collection Ordinance. Mr. Thompson seconded the motion.

Ms. Vera expressed her strong commitment that the position of director to this new department be filled from within the City structure.

Mrs. Dutmer expressed concern with creation of another department but stated she would vote for the main motion but against the amendment.

The amendment failed to carry by the following vote: AYES: Berriozabal, Webb, Martinez, Thompson, Vera; NAYS: Dutmer, Harrington, Archer, Hasslocher; ABSENT: Wing, Cisneros.

The main motion prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Martinez, Thompson, Vera, Archer; NAYS: Wing, Harrington, Hasslocher; ABSENT: Cisneros.

85-35

PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE
TRANSFERRING CDBG FUNDS

Mayor Pro Tem Martinez declared the Public Hearing to be open.

Father Bart A. Flaas, St. John Berchmans' Communities Organized for Public Service (COPS), stated that their neighborhood would welcome the funds, however, he requested assurance that this transfer would not adversely affect the project from which these monies were being transferred.

Stu Summers, Director of Budget and Research, stated that the monies are surplus funds which would be used to cover the cost of additional engineering fees.

Ms. Angelita Canales, COPS' representative, stated that she had the same concern as Father Flaas.

Mayor Pro Tem Martinez declared the Public Hearing closed.

The Clerk read the following Ordinance:

AN ORDINANCE 60,825

TRANSFERRING CDBG FUNDS FROM THE S.W. 25TH STREET PROJECT TO THE 34TH/BARNEY/WESCOTT STREET PROJECT.

* * * *

Mr. Thompson reiterated Mr. Summers' comment that this money will merely be used to pay for engineering fees and the project is not yet at the construction phase.

Mr. Thompson made a motion to approve the proposed Ordinance. Mrs. Dutmer seconded the motion.

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

85-35

PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE -
DISTRICT 4 POLICE SUBSTATION

Mayor Pro Tem Martinez declared the Public Hearing to be open.

No citizen appeared to speak.

Mayor Pro Tem Martinez declared the Public Hearing closed.

The Clerk read the following Ordinance:

AN ORDINANCE 60,826

CHANGING THE INTENDED USE OF LAND PURCHASED FOR A SOUTHSIDE MULTI-SERVICE CENTER WITH COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS TO A SITE FOR THE NEW DISTRICT 4 POLICE SUBSTATION.

* * * *

Mr. Wing made a motion to approve the proposed Ordinance. Mr. Webb seconded the motion.

In response to a questions by Mrs. Dutmer, City Manager Louis J. Fox and Frank Hoyack, Assistant Police Chief, both stated that the proposed location is one of the best sites for a police substation in the City and it would more than adequately cover Districts 3, 4, and 6.

Mr. Wing stated that the proposed land site is centrally located and is easily accessible to the southeast and southwest part of town.

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

- - -
85-35 The Clerk read the following Ordinance:

AN ORDINANCE 60,827 .

.
 .
 CHANGING THE DATE OF THE JULY 4TH CITY COUNCIL
 MEETING TO JULY 3, 1985.

* * * *

Mrs. Dutmer made a motion to approve the proposed Ordinance. Mr. Thompson seconded the motion.

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

- - -
85-35 The Clerk read the following Ordinance:

AN ORDINANCE 60,828 .

.
 .
 CHANGING THE NAME OF THE SAN ANTONIO CLEAN COMMUNITY
 COMMISSION TO KEEP SAN ANTONIO/BEXAR COUNTY
 BEAUTIFUL.

* * * *

Mr. Thompson made a motion to approve the proposed Ordinance. Mrs. Dutmer seconded the motion.

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

A brief discussion followed by several Council members, the City Manager and the staff on the amount of funds contributed by the City and the County to the beautification effort.

Mr. Webb spoke to areas in his district that needed trash receptacles.

Mr. Thompson challenged his colleagues and those in the listening audience to pick up some trash everyday and help clean up the City.

Mrs. Dutmer spoke to the makeup of this organization.

- - -
85-35 By general concensus of the Council, Item No. 29 was postponed for later in the meeting.

- - -
85-35 The Clerk read the following Ordinance:

AN ORDINANCE 60,829

PROVIDING FOR A TRAFFIC LIGHT AT THE INTERSECTION FORMED BY THE ENTRANCE TO THE FORT SAM HOUSTON NATIONAL CEMETERY FROM HARRY WURZBACH.

* * * *

Mr. Wing made a motion to approve the proposed Ordinance. Mr. Harrington seconded the motion.

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

85-35 The Clerk read the following Ordinance:

AN ORDINANCE 60,830

WAIVING THE FEE FOR THE USE OF THE MUNICIPAL AUDITORIUM IN CONNECTION WITH THE HOLDING OF A NATURALIZATION CEREMONY BY THE UNITED STATES DISTRICT COURT.

* * * *

Mr. Wing made a motion to approve the proposed Ordinance. Mr. Thompson seconded the motion.

Mrs. Dutmer stated that, based on its merit, and the fact that this request came from the U.S. Government, she had decided to vote for this fee waiver.

City Manager Louis J. Fox recommended to the Council that this \$1,500 fee not be waived as it would set a difficult precedent.

Mr. Fox, in response to Mr. Martinez, stated that there was unusually large backlog of petitioners seeking to become naturalized citizens and Judge William S. Sessions anticipated approximately 5,000 would be in attendance for the swearing-in ceremonies.

Mrs. Dutmer further explained that there are 1,200 petitions awaiting the final phase of their naturalization process, the swearing-in, and that the federal government does not have facilities to conduct a mass swearing-in such as the Municipal Auditorium nor the funds to secure a large enough place.

Mr. Archer spoke against waiving the fee.

Mr. Wing spoke in favor of the Ordinance, noting that the swearing-in ceremony is a very moving experience and an affair which family and friends attend.

Mr. Thompson and Mrs. Dutmer also spoke in favor of the fee waiver.

On roll call vote, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Vera, NAYS: Harrington, Archer, Hasslocher; ABSENT: Cisneros.

85-35 The Clerk read the following Ordinance:

AN ORDINANCE 60,831

WAIVING CERTAIN CITY FEES IN CONNECTION WITH THE JUNETEENTH 85 CELEBRATION; AND CLOSING CERTAIN STREETS IN CONNECTION THEREWITH.

* * * *

Mr. Webb made a motion to approve the proposed Ordinance. Mr. Thompson seconded the motion.

A brief discussion followed on the fees to be waived for this celebration.

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

85-35 The Clerk read the following Resolution:

A RESOLUTION NUMBER 85-35-57

ESTABLISHING A MORATORIUM ON ZONING CHANGES IN THE HENRY F. HEIN SUBDIVISION NO. 7.

* * * *

Ms. Becky Quintanilla, Assistant Director of Planning, stated that the purpose of a moratorium was to allow time for the City to complete a project to address drainage problems within the western portion of this subdivision. She added that \$1.2 million would be need to construct a system adequate to address the drainage of this area. She stated that \$800,000 are available from the recently completed St. Hedwig drainage project but there is a shortfall of \$400,000.

Ms. Kathryn Ford, 1026 Branch Road, and Ms. Elva Wisakousky, 4636 Aloha Drive, both spoke in support of the Resolution.

Mr. Woody Keith, 458 N. W.W. White, spoke for correction of the area's drainage problems but requested exemption from the moratorium of Lots 14, 15, 18 and the east irregular 35.99 feet of Lot 13, Block 1, NCB 10612.

In response to a question by Mr. Harrington, Ms. Quintanilla stated that rather than place a moratorium, each case should be considered on an individual basis.

Mr. Harrington and Mr. Thompson expressed their opposition to a moratorium and stated that they could not support this Resolution.

Mr. Webb spoke in favor of no further development in the area until the drainage problem is resolved. He urged his colleagues to vote on this moratorium until monies are allocated to correct the drainage situation.

In response to a question by Mrs. Dutmer, Tom Finlay, Assistant City Attorney, spoke to pending legislation at the State level that would address zoning regulations.

Mrs. Dutmer made a motion to approve the proposed Resolution with the exception of Lots 14, 15, 18 and the east irregular 35.99 feet of Lot 13, Block 1, NCB 10612. Mr. Wing seconded the motion.

Ms. Berriozabal spoke in support of the moratorium.

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

- - -
ORDINANCE NO. 60,832 IS VOID.
- - -

85-35 The Clerk read the following Ordinance:

AN ORDINANCE 60,833

ADOPTING REGULATIONS FOR THE OPERATION OF HORSE DRAWN CARRIAGES FOR HIRE WITHIN THE CITY AND PROVIDING A PENALTY VIOLATION OF PROVISIONS OF NOT LESS THAN ONE DOLLAR (\$1.00) NOR MORE THAN TWO HUNDRED DOLLARS (\$200.00).

* * * *

Mayor Pro-Tem Martinez announced that there were several persons present in the audience to speak on the issue.

Ms. Amy Freeman Lee stated her opinion that it had been a mistake to allow horse drawn carriages in a metropolitan area. She added that there should be a limit to their hours of operation and a City veterinarian should be required to inspect carriage horses.

Ms. Peggy Kokernot read a statement from Dr. Eric Lange, Bexar County Veterinary Association, in which he requested shorter and uniform hours of operation.

Ms. Gloria Boeke, Man & Beast, Inc., Ms. Peggy Kokernot, P. O. Box 2478, Ms. Vivian Butler, 186 Thorain, and Patti Dennis all spoke in favor of uniform hours of operation and safety assurances for the horses.

Mr. Michael L. Wiederhold, 203 King William, stated that the residents of the King William neighborhood would like to have the carriage tours out of their residential neighborhood by 10:00 P.M. rather than the present hour of 11:00 P.M. He spoke to the lack of provision for adequate lighting of carriages and to the river pollution caused by horse urine that drains into the San Antonio River.

Mr. Daryl Zipp, Yellow Rose Carriage Company, stated that the Ordinance as it now reads is very restrictive and spoke to specifics in the Ordinance.

Ms. Anne Wolfe, Yellow Rose Carriage Company, also spoke to various sections in the ordinance and stated that the section on the number of citations allowed is very limited. She added that the area where her business is presently located will be put up for sale.

Mr. Joseph White, Long Star Carriage Company, concurred with the proposal.

Mr. Gene Medlar, 220 Alamo Plaza, cited problems caused by carriage drivers, i.e. general disregard for cleanliness, constant competition for customers, etc.

Mr. Marlin Kedrowski, 127 Cliffwood, stated that he was a carriage driver for two years and his main concern is the well-being of the horses. He added that after reading the Ordinance and the new regulations, it is his opinion that it adequately provides for their well-being.

Mr. Julian P. Cauthorn, 217 King William, spoke in favor of the Ordinance in order to provide for better training for drivers and spoke of the need to reduce the hours of operation.

Mr. Robert Thompson, Transportation Advisory Board, spoke of their efforts to rework and improve the existing Ordinance. He spoke of the need to approve and enforce the ordinance.

(Mayor Pro Tem Martinez was obliged to leave the meeting. Ms. Berriozabal presided.)

Mr. Nick Milan, attorney, representing Alamo Carriage Service, presented to Council their own draft of an Ordinance which they proposed be approved by the City Council (a copy of which is on file with the papers of this meeting). He stated that they are particularly concerned with the proper enforcement of the Ordinance. He also stated that the Transportation Advisory Board should have members on its board that are familiar with the carriage business. He asked that the City Attorney review the ordinance as far as its constitutionality.

Mr. George MacNaughtin, 737 E. Woodlawn, spoke against the Ordinance.

Mr. H. K. Carlsson, Alamo Carriage Company, requested extension of hours until 2:00 A.M. on weekends to accommodate tourists. He spoke against requirement of a chauffeur's license for carriage drivers but voiced his support of driver training.

Ms. Danielle Milam, Trinity University student, cited severe deficiencies in the proposed Ordinance and made her recommendations.

Ms. Sara Finlay, Alamo Carriage Company, spoke to the need to regulate the professionalism and educate carriage drivers. She stressed driver education.

Ms. Edith Molnar, Alamo Carriage Company, spoke of her company's concern for public safety and to the need to have knowledgeable members of the carriage trade on the Transportation Advisory Board.

In response to questions by Mr. Webb, Mr. Roger Ibarra, Supervisor of Public Utilities, cited the numerous violations by Alamo Carriage Company as the reason for staff's recommendation for non-issuance of carriage permits to this company and stated that a veterinarian employed by the City will check the horses on a periodic basis.

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

Mr. Webb then made a motion to approve the proposed Ordinance with the provision that the hours of operation be from 9:00 A.M. to 1:00 P.M. and 6:00 P.M. to 12:00 P.M. Mr. Wing seconded the motion.

Mrs. Dutmer spoke to color-coding of horse's hoofs for identification purposes rather than branding them as set out in the ordinance.

Mr. Ivan Bogachoff, in response to Mrs. Dutmer, stated that the Galveston horse drawn carriage ordinance does not specify how long a horse can work but that the carriage owners do not work the horses more than 12 hours per day.

Mr. Thompson offered an amendment to place a number on the horses' hoofs instead of branding the horse to properly identify the horse and to limit the hours of operation in King William area to 10:30 P.M. Mrs. Dutmer seconded the motion.

Ms. Berriozabal expressed concern on the location of stables and spoke about one particular carriage company's location in an area zoned for a riding academy and that the stables are right next door to a residential area.

Ms. Berriozabal offered a second amendment to restrict the location of stables in properly zoned area but never within 100 feet of a residential area. Mrs. Dutmer seconded the motion.

A brief discussion on travel time allowances for carriages by several Council members took place.

The Berriozabal amendment prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Vera, Harrington, Archer; NAYS: None; ABSENT: Hasslocher, Cisneros.

The Thompson amendment prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Vera, Harrington, Archer; NAYS: None; ABSENT: Hasslocher, Cisneros.

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

85-35

PROPERTY EVALUATION NOTICES

On a point of personal privilege, Mr. Archer made a motion to request staff place an item on the agenda next week which states that the tax re-evaluation process will not be used to generate new monies for the City of San Antonio coffers. Mr. Harrington seconded the motion.

Mr. Webb stated his strong opposition to discussing this request at this time and added that consideration of agenda items should continue.

Mr. Thompson noted that he would need more information before committing himself to such a resolution and stated that the Mayor should be involved.

Mrs. Dutmer stated that Mr. Archer's suggestion would in effect roll the tax rate back.

Mr. Wing spoke to points of personal privileges requested by some of his other Council colleagues.

Mr. Harrington stated that he would support such a resolution.

Ms. Berriozabal stated that she could not support this request at this time.

The motion failed by the following vote: AYES: Dutmer, Wing, Vera, Harrington, Archer; NAYS: Berriozabal, Webb, Martinez, Thompson; ABSENT: Hasslocher, Cisneros.

- - -
85-35 Agenda Item No. 33, being consideration of an ordinance authorizing the issuance of horse-drawn carriage permits, was presented for Council consideration.

Mr. George Mac Naughtin, 737 E. Woodlawn, spoke to his concern that Alamo Carriage Company would lose its license under this proposed ordinance.

Ms. Danielle Milam, Trinity University student, questioned criteria used for granting these permits.

Mr. Ivan Bogachoff, H.R.H. Carriage Company, stated that his company had recommendations from the City of Galveston and different organizations from the city which attest to their high level of performance in Galveston.

Mr. Florencio Perez, former employee of Alamo Carriage Company, stated that although Alamo Carriage Company alleges that its employees are sent to a training school, he was never sent. He added that he rode with other carriage drivers for only three days before he was sent out on his own.

Ms. Anne Wolfe, Yellow Rose Carriage Company, requested Council consider their company for allocation of the five permits that were not granted to Alamo Carriage Company.

Mr. H. K. Carlsson disagreed with a previous statement regarding Alamo Carriage Company's lack of driving academy. He stated that their drivers must take a minimum of forty hours of training. He also spoke to Alamo's record from 1979 to the present.

Ms. Sara Finlay, driver for Alamo Carriage Company, explained the alleged violations attributed to her company.

Mr. Nick Milam, Attorney for Alamo Carriage Company, stated that drivers are independent contractors and spoke to other carriage owners who were trained by Alamo Carriage Company.

Mr. Marlin Kedrowski, ex-carriage driver, stated that as an employee of Alamo Carriage Company he received only two days of training.

Mr. Roger Ibarra, Supervisor of Public Utilities, spoke to a listing of carriage companies and the number and type of violations they have received (a copy of which is filed with the papers of this meeting). He added that, based on past performance and non-compliance with the present Ordinance, staff does not recommend Alamo Carriage Company be granted any further permits.

Mr. Webb made a motion to issue a total of ten permits, five to Lone Star Carriage Company and five to Yellow Rose Carriage. Ms. Berriozabal seconded the motion.

Ms. Vera spoke to a number of violations she had observed as a passenger in a carriage owned by Alamo Carriage Company.

Mrs. Dutmer stated that she could not support the motion as presented and favored HRH Carriage Company receiving the five permits not allowed to Alamo Carriage Company. She stated that she had made contact with individuals in Galveston and they assured her that HRH Carriage Company runs a first-class operation in Galveston.

Mrs. Dutmer then offered a substitute motion to grant a total of 15 permits, five to Lone Star Carriage Company, five to Yellow Rose Carriage Company and five to HRH Carriage Company. Ms. Vera seconded the motion.

Mr. Thompson stated that a competitive process for the five permits not granted to Alamo Carriage Company should be initiated so that all those who want to bid on these permits be given an equal opportunity to do so. Mr. Thompson spoke to an informal survey he had recently conducted near the Hilton Hotel with exiting passengers of carriage rides.

Ms. Berriozabal stated her support for the denial of permits to Alamo Carriage Company and spoke in favor of staff recommendation.

Mr. Wing spoke against both motions on the floor stating that the original ordinance did not call for revocation or non-issuance of permits if a certain number of violations were amassed.

In response to a question by Mrs. Dutmer, Mr. Ibarra stated that under the old ordinance, he was given the authority to terminate contracts with the carriage companies.

Ms. Berriozabal stated her support for a Request for Proposals process.

Mr. Thompson offered a second substitute motion that ten permits be granted, five to Lone Star Carriage Company and five to Yellow Rose Carriage Company and five permits be available through the RFP process and submitted to the Transportation Advisory Board for their selection. Ms. Berriozabal seconded the motion.

The second substitute motion to issue a total of fifteen permits, five to be determined by an RFP process failed to carry by the following vote: AYES: Berriozabal, Martinez, Thompson, Vera; NAYS: Webb, Dutmer, Wing, Harrington; ABSENT: Archer, Hasslocher, Cisneros.

The first substitute motion to follow staff recommendation failed to carry by the following vote: AYES: Dutmer, Vera; NAYS: Berriozabal, Webb, Wing, Martinez, Thompson, Harrington; ABSENT: Archer, Hasslocher, Cisneros.

Mr. Wing then made a substitute motion that the three existing carriage companies, Lone Star Carriage Company, Yellow Rose Carriage Company and Alamo Carriage Company be each granted five permits. Mrs. Dutmer seconded the motion.

Mr. Thompson stated his opposition to the motion.

Mrs. Dutmer recommended that no action on this matter be taken today.

The substitute motion failed to carry by the following vote: AYES: Dutmer, Wing, NAYS: Berriozabal, Webb, Martinez, Thompson, Vera; ABSENT: Archer, Hasslocher, Cisneros.

Mr. Ibarra, responding to a question by Mr. Wing, stated that should there be no official concensus by the Council on this issue all permits would expire on June 19, 1985 and no carriages would be allowed to operate.

Mrs. Dutmer made a motion to table this item. Mr. Wing seconded the motion.

The motion to table failed to carry by the following vote: AYES: Berriozabal, Dutmer, Wing, Martinez, Harrington; NAYS: Webb, Thompson, Vera; ABSENT: Archer, Hasslocher, Cisneros.

The main motion failed to carry by the following vote: AYES: Berriozabal, Webb, Martinez, Thompson, Vera; NAYS: Dutmer, Wing, Harrington; ABSENT: Archer, Hasslocher, Cisneros.

85-35 The Clerk read the following Ordinance:

AN ORDINANCE 60,834

CLOSING THE SOUTH BOUND TRAFFIC AND PARKING LANES OF SOUTH FLORES STREET BETWEEN WEST COMMERCE AND DOLOROSA STREETS ON JUNE 7, 1985, BETWEEN 6:00 P.M. AND 10:00 P.M. IN CONNECTION WITH THE HOLDING OF A SAN ANTONIO FESTIVAL ACTIVITY.

* * * *

Mr. Harrington made a motion to approve the proposed Ordinance. Mr. Wing seconded the motion.

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

85-35 Agenda Item No. 38, being a proposed resolution recommending to City staff and Water Works Board of Trustees' staff to defer their attempt at obtaining a Certificate of Need and Necessity (CNN) from the Public Utility Commission (PUC) until a water extension policy is formulated, was presented for consideration.

Mrs. Dutmer made a motion to approve the proposed resolution. Mr. Wing seconded the motion.

Mr. Wing stated that the City does not as yet have a water extension policy firmly in place and, therefore, further action on the CNN presently before the Public Utility Commission should be deferred. He added that if the Council fails to adopt a water extension policy prior to the permit being issued, the Water Works would be granted permission to extend out to the ETJ.

Mr. Alexander Briseno, Assistant City Manager, in presenting a memorandum to the Mayor and Council (a copy of which is filed with the papers of this meeting, urged the Council not to withdraw the application at this time, citing that such action would reflect unfavorably upon

the City, would complicate further dealings with the Public Utility Commission, and might subject the City to lawsuits from landowners who joined the City and the City Water Board before the PUC, and who have contracts for service pending PUC approval.

Mr. Harrington stated that he would not support the proposed resolution adding that it would not produce the end result that the Council was trying to produce. He spoke to the process that was used to request the CNN. He recommended that the City Council follow that course.

Mrs. Dutmer spoke in favor of the action recommended by Mr. Wing.

Mr. Thompson expressed his concern if the resolution should pass.

Mr. Wing stated that the resolution is non-binding and reiterated his earlier comments that he wanted the City Council to recommend to the City staff and Water Works to defer the CNN until a water extension policy is firmly in place. He again explained that if the CNN is granted it would extend water works service area to the City's ETJ which was not the intent of the new water extension policy.

In response to Mr. Thompson, Mr. Briseno stated that the City Water Board for the past 15 months has been tracking the City Council's new water extension policy. He added that even if the Council wished to change the existing water extension policy, the Planning Commission has not taken action on the new regulations.

Mr. Thompson asked Mr. Wing that if the Planning Commission opposed the proposed regulation, would it abate the need for this resolution.

Mr. Wing confirmed that it would.

Mr. Thompson spoke to his reasons for not supporting the resolution.

Mr. Wing stated that if the Council does not adapt the changes of the Planning Commission to the City's extension policy, then it would have to go back to the City Council for further action. He again expressed concern about the issuance of the CNN by the PUC as then the City Water Board would have free rein all the way out to the ETJ.

In response to Mr. Wing as to possible suits, Mr. Briseno stated that some landowners have contracted with the City Water Board contingent upon the continued pursual of the CNN. Mr. Briseno also stated extensions have taken place under the existing policy.

Mr. Wing stated that the City Water Board extended water services without the benefit of a master plan and wanted to know what safeguards or guarantees would assure that this would no longer occur.

Mr. Briseno spoke of the safeguards now in place and stated that staff could come back in a week to discuss implementation of the policies.

Mr. Roland Lozano, Director of Planning, explained that the City water Board could not extend services without prior Council approval.

Mr. Briseno stated that the Council would have to approve the rates and the bonds for any extensions by the City Water Board.

Mr. Wing stated that he was willing to wait a week and have the staff come back to Council with a report on the liability that would be incurred should the Council choose to defer further action on their CNN request.

Mrs. Dutmer spoke to the reasons cited by staff for their recommendation not to withdraw the applications at this time.

Mr. Thompson made a motion to postpone consideration of this item for one week. Mr. Harrington seconded the motion.

Ms. Berriozabal requested staff advise the Planning Commission of the Council's concern with not having a firm water extension policy.

The motion to postpone for one week prevailed by the following vote: AYES: Berriozabal, Dutmer, Wing, Martinez, Thompson, Vera, Harrington; NAYS: Webb; ABSENT: Archer, Hasslocher, Cisneros.

85-35

CITIZENS TO BE HEARD

SOCIAL SERVICE AGENCIES' FUNDING

JAIME P. MARTINEZ

Mr. Jaime P. Martinez read from a prepared statement (a copy of which is filed with the papers of this meeting). Mr. Martinez urged that Mr. Walter Martinez serve as a voting member on the Social Service Task Force. He urged Council to continue funding social service agencies.

HENRY RODRIGUEZ

Mr. Henry Rodriguez also expressed his concern about de-funding social service agencies. He stated he is not against a fair, open review

process. He also asked that Mr. Martinez serve on this committee because of his qualifications and experience. He also took exception to cutting back of funding for social service agencies. He asked that they have an opportunity to be placed on next week's agenda.

MATILDE RUIZ

Mrs. Matilde Ruiz spoke in Spanish about her work with a social service agency. She spoke about the many recipients of these social service agencies and the many who are turned away because there is not enough funding.

Mayor Pro Tem Walter Martinez stated that he recognized the inner city area would be affected by anything that is promulgated by any cuts to social service fundings. He added that although he is not a committee member he will be monitoring it and making his viewpoints known to the committee members.

Mr. Thompson asked that the committee members make their review of each organization with care as to the need in the community and who will take up the slack or fill the vacuum if that particular social service agency is not funded. The Committee's charge should be to evaluate, not to cut.

Mr. Wing assured the delegation that there is a process for concerned citizens to speak and express their views and stated that the next meeting will be next Wednesday at 5:30 P.M. He also assured the individuals present that there are no pre-conceived notions or opinions by anyone on that committee.

Mr. Webb stated that the City Council has been very sensitive to the need for social service funding. He took exception to remarks made by speeches on this issue. He stated that the City Council funds thirty nine agencies to the sum of \$4 million dollars.

Ms. Berriozabal thanked the citizens who spoke to the City Council. She also stated that she too is concerned about the need for continued city funding in light of drastic cuts at the federal level. She also sent a memorandum to the committee, that:

1. a thorough assessment of need in City be done on a geographic basis;
2. a fair process be initiated by the committee to include specific criteria;
3. there be an on-going City monitoring system;
4. City departments providing services also be evaluated;

5. there be included expert people in the social service field to work with the committee.

She assured the inclusion of these five recommendations. She spoke to the filling of a vacuum in case an agency is eliminated.

* * * *

TOM CULBERTSON

Mr. Tom Culbertson presented each Council member with water bottled in Utopia, Texas and spoke of its merits.

* * * *

- - -
The regular meeting of City Council was recessed at 8:50 P.M. to convene a "B" Session, reconvening at 10:15 P.M. for continuation of the meeting.

85-35

SOCIAL SERVICE AGENCY

Mr. Wing mentioned that he was told by Ms. Berriozabal that a draft had already been made public of agencies to be affected by cuts and he took exception to the idea that such a list would even be prepared without the committee even holding its first meeting.

Ms. Berriozabal stated that she had a private conversation with Mr. Wing and it was a particular concern to her because she wants a process to be developed which is clear and fair. She added that there were allegations in the community that a decision had been made on which agencies would be affected. She had chosen not to give these allegations credence because the committee had not even met. She stated that it was her belief that staff would incorporate her suggestions to the selection procedures; however, she had this day received the selection procedures and her suggestions had not been included. She added that just by the format being used a number of agencies had already been eliminated. She further added that she did not question Mr. Wing's integrity. She further stated that she would further evaluate the form and give Mr. Wing a copy of her comments.

Mr. Thompson stated that this is a difficult task and trusts that the process and procedures will be straightforward and fair.

Mrs. Dutmer stated that she has no bias as far as agencies are concerned. She further stated that not all agencies can be funded.

Mr. Wing stated that it was necessary to bring this item up for discussion since the allegations spoke of a preconceived list and it was important to clear this up so that the committee could go on with its work.

Mr. Harrington stated that the alleged list was an absolute fabrication and stated that the review criteria should be such that each member of the committee can feel comfortable.

There being no further business to come before the Council, the meeting was adjourned at 10:30 P.M.

A P P R O V E D

Henry Cisneros
M A Y O R

ATTEST: *Norme J. Rodriguez*
C i t y C l e r k