

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL,
ON THURSDAY, FEBRUARY 24, 1983.

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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, THOMPSON, ALDERETE, HARRINGTON, ARCHER, HASSLOCHER, CISNEROS. Absent: EURESTE.

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83-09 The invocation was given by Reverend Herbert L. Bracy of The Ekklasia Baptist Church.

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83-09 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

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83-09 NEWSPAPER ARTICLE

Mayor Cisneros called attention to editions of the Detroit Free Press of February 20, 1983, and to an article concerning the City of San Antonio and the testing of a concept dealing with whether or not economic development can succeed in a multi-ethnic governmental environment. Mayor Cisneros also noted that San Antonio has just been named one of eight All-American Cities for 1983.

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MISSIONS NATIONAL HISTORIC PARK

Mayor Cisneros stated that San Antonio's Missions National Historic Park had just received the official designation from the federal government, and noted that Mr. Pete DeVries of the Park and Councilwoman Helen Dutmer both were on hand for the signing ceremonies. He then introduced Mr. DeVries and "Amigo", the squirrel mascot of the Missions National Historic Park, present in the audience.

Mr. DeVries presented each Council member with an "Amigos Mission Trail Game."

Mrs. Dutmer stated that the occasion of this signing was one that represented a source of pride for the entire nation, noting that the four old San Antonio missions in the Park will now be fully restored and preserved.

Mr. Wing noted that three of those missions still function as Catholic parishes, and stated that private funding still is needed for some of the restoration work.

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83-09 LENTEN LUNCHEONS

Mayor Cisneros introduced the Reverend William J. Cavanaugh, Assistant Rector of St. Mark's Episcopal Church, and Ms. Sharon Winn, Communications Secretary, present in the audience.

Rev. Cavanaugh spoke of the upcoming 32nd Annual Lenten Luncheons and St. Mark's Art Exhibition and invited each Council member to be their guest for any luncheon during Lent, distributing packets of information with free luncheon tickets to each member.

Ms. Berriozabal noted that St. Mark's and some 10 other downtown churches are cooperating in a program to provide housing for homeless persons this winter, and stated that this is a most worthwhile contribution to the community.

83-09 CONSENT AGENDA

Mrs. Dutmer moved that items 6 - 38 constituting the consent agenda be approved. Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 56,562

ACCEPTING THE LOW BID OF PERFORMANCE BUSINESS FORMS COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH COMPUTER FORMS FOR A TOTAL OF \$6,050.00.

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AN ORDINANCE 56,563

ACCEPTING THE LOW BID OF CALDWELL MUSIC COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH AN ELECTRIC GRAND PIANO WITH A SPEAKER SYSTEM FOR A TOTAL OF \$4,180.00.

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AN ORDINANCE 56,564

ACCEPTING THE LOW BID OF WITTIGS, INCORPORATED, TO FURNISH THE CITY OF SAN ANTONIO WITH STACKING CHAIRS AND CHAIR TRUCKS FOR A TOTAL OF \$78,979.50.

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AN ORDINANCE 56,565

ACCEPTING THE LOW BIDS OF THE TORGERSON COMPANY AND AG. EQUIP., INC. TO FURNISH THE CITY OF SAN ANTONIO WITH TRACTORS FOR A TOTAL OF \$15,716.

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AN ORDINANCE 56,566

ACCEPTING THE LOW BIDS OF NAYLOR SUPPLY CO. AND ENVIRONMENTAL SALES AND SERVICE, INC., TO FURNISH THE CITY OF SAN ANTONIO WITH SEWER CLEANING AND MAINTENANCE EQUIPMENT FOR A TOTAL OF \$179,333.

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AN ORDINANCE 56,567

ACCEPTING THE LOW BID OF AMERICAN DISTRIBUTING COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH FOLDING CHAIRS AND CHAIR TRUCKS FOR A TOTAL OF \$9,078.48.

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AN ORDINANCE 56,568

ACCEPTING THE LOW BIDS OF GRIGGS INTERNATIONAL, INC., PAUL ANDERSON CO. AND OFFICES TO GO TO FURNISH THE CITY OF SAN ANTONIO WITH OFFICE FURNITURE FOR A TOTAL OF \$10,625.99.

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AN ORDINANCE 56,569

CANCELLING THE CONTRACT WITH WHITAKER GENERAL MEDICAL AND ACCEPTING THE LOW QUALIFIED BID OF ABAR SUPPLY COMPANY, INCORPORATED TO FURNISH THE CITY OF SAN ANTONIO WITH MEDICAL EQUIPMENT FOR A TOTAL OF \$11,012.50.

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AN ORDINANCE 56,570

ACCEPTING THE LOW QUALIFIED BID OF EXECUTIVE SERVICE CENTER TO FURNISH THE CITY OF SAN ANTONIO WITH ELECTRIC TYPEWRITERS FOR A TOTAL OF \$70,509.00.

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AN ORDINANCE 56,571

ACCEPTING THE PROPOSAL OF HONEYWELL, INC. TO FURNISH THE CITY OF SAN ANTONIO CONVENTION CENTER WITH A TEMPERATURE CONTROL MAINTENANCE CONTRACT FOR A TOTAL COST OF \$29,328.00.

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AN ORDINANCE 56,572

ACCEPTING THE BID OF DIETZ TRACTOR TO FURNISH THE CITY OF SAN ANTONIO WITH AN ANNUAL CONTRACT FOR GEHL LOADER PARTS AND SERVICE FOR AN APPROXIMATE COST OF \$3,800.00.

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AN ORDINANCE 56,573

ACCEPTING THE BID OF PUBLIC HEALTH EQUIPMENT & SUPPLY CO. TO FURNISH THE CITY OF SAN ANTONIO HEALTH DEPARTMENT WITH INSECTICIDES FOR A TOTAL COST OF \$12,972.00.

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AN ORDINANCE 56,574

ACCEPTING THE LOW QUALIFIED BID OF ROCKFORD BUSINESS INTERIORS TO FURNISH VARIOUS DEPARTMENTS IN THE CITY OF SAN ANTONIO WITH FILING AND STORAGE CABINETS FOR A TOTAL COST OF \$6,860.00.

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AN ORDINANCE 56,575

ACCEPTING THE LOW QUALIFIED BID OF EASTMAN KODAK COMPANY TO FURNISH THE CITY OF SAN ANTONIO FINANCE DEPARTMENT WITH A MICROFILMER READER PRINTER FOR A TOTAL OF \$5,842.00.

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AN ORDINANCE 56,576

ACCEPTING THE LOW QUALIFIED BID OF EASTMAN KODAK COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH A MICROFILMER AND ACCESSORIES FOR A TOTAL COST OF \$11,937.00.

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AN ORDINANCE 56,577

ACCEPTING THE LOW QUALIFIED BIDS OF DUDERSTADT SURVEYOR SUPPLY, INC. & PAUL ANDERSON COMPANY TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH ENGINEERING EQUIPMENT FOR A TOTAL COST OF \$15,399.36.

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AN ORDINANCE 56,578

CANCELLING THE CONTRACT OF SAN ANTONIO BUSINESS FORMS TO FURNISH THE CITY'S COMPUTER OPERATIONS WITH VARIOUS STOCK OF TABULATING PAPER AND AWARDDING THE CONTRACT TO THE NEXT LOW BIDDER PERFORMANCE BUSINESS FORMS CO.

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AN ORDINANCE 56,579

ACCEPTING THE LOW QUALIFIED BIDS OF GRIGGS INTERNATIONAL, INC. PAUL ANDERSON COMPANY AND COMMERCIAL OFFICE FURNITURE TO FURNISH VARIOUS DEPARTMENTS IN THE CITY OF SAN ANTONIO WITH OFFICE CHAIRS FOR A TOTAL OF \$10,169.64.

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AN ORDINANCE 56,580

ACCEPTING THE LOW BID OF S. M. WILLIS COMPANY, INC., IN THE AMOUNT OF \$46,237.00, FOR CONSTRUCTION AND INSTALLATION OF FOLDING PARTITIONS IN THREE MEETING ROOMS AT THE CONVENTION CENTER, APPROVING A CONTRACT AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 56,581

APPROVING FIELD ALTERATION NO. 3 IN THE AMOUNT OF \$28,000.00 ON THE PHASE III-B ADDITIONS AND ALTERATIONS TO ELLA AUSTIN COMMUNITY CENTER PROJECT (AIR CONDITIONING FOR THE GYMNASIUM).

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AN ORDINANCE 56,582

APPROVING FIELD ALTERATION NO. 7 IN THE AMOUNT OF \$66,334.00 TO THE CONTRACT FOR INTERNATIONAL AIRPORT MECHANICAL CONSTRUCTION, STAGE 2, PACKAGE 10 (MODIFICATIONS WHICH ARE NEEDED DUE TO CHANGE MADE TO THE TERMINAL BUILDING DURING REBIDDING).

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AN ORDINANCE 56,583

APPROVING FIELD ALTERATION NO. 3 IN THE AMOUNT OF \$46,235.00 TO THE CONTRACT FOR CONSTRUCTION OF THE INTERNATIONAL AIRPORT ELECTRICAL AND APRON LIGHTING, STAGE 2, PACKAGE 11, (UPDATING THE ELECTRICAL POWER, SIGNAL CONDUIT AND LIGHTING IN THE TICKETING AREA AND THE TERMINAL BUILDING MAINTENANCE OFFICE).

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AN ORDINANCE 56,584

AUTHORIZING EXECUTION OF A FINANCIAL AGREEMENT WITH THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION TO PROVIDE FOR RECONSTRUCTION OF PROBANDT BETWEEN MITCHELL AND SOUTH FLORES; AND AUTHORIZING PAYMENT OF \$52,900.00 AS THE CITY'S SHARE OF THE PROJECT.

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AN ORDINANCE 56,585

AUTHORIZING EXECUTION OF A CONTRACT WITH PAUL R. ROSE, ARCHITECT, FOR ARCHITECTURAL SERVICES FOR THE ADDITIONAL PARKING LEVEL AT FARMERS MARKET AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 56,586

ACCEPTING THE LOW, QUALIFIED BID OF ACE CONSTRUCTION COMPANY IN THE AMOUNT OF \$69,596.00 FOR HANDICAPPED ACCESSIBILITY MODIFICATIONS AT THE BOTANICAL CENTER, BRACKENRIDGE PARK, SUNKEN GARDEN AND SUNKEN GARDEN THEATER.

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AN ORDINANCE 56,587

APPROPRIATING FROM CERTAIN FUNDS IN THE TOTAL SUM OF \$819.00 IN PAYMENT FOR EXPENSES INCURRED IN CASTILLO DRAINAGE NO. 20C; MID-CITY PARKING GARAGE AND 105 ACRE BLANCO ROAD OFF-SITE SANITARY SEWER.

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AN ORDINANCE 56,588

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$1,000.00 FOR A PIPE LINE LICENSE AND ACCEPTING THE DEDICATION OF AN EASEMENT; AUTHORIZING THE CITY MANAGER TO EXECUTE SUCH INSTRUMENTS; ALL IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS.

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AN ORDINANCE 56,589

AUTHORIZING THE EXECUTION OF A ONE (1) YEAR LEASE AGREEMENT PERTAINING TO CERTAIN PROPERTY OWNED BY ANASTASIO P. SANCHEZ, ET AL, TO BE UTILIZED AS A PARKING LOT AT VICTORIA MATERIAL YARDS FOR THE AUTOMOTIVE OPERATIONS DIVISION; AND AUTHORIZING PAYMENT OF \$1,200.00 THEREFOR.

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AN ORDINANCE 56,590

AUTHORIZING EXECUTION OF A LICENSE AGREEMENT FOR USE OF 1.959 ACRES OF CITY-OWNED PROPERTY BY THE LINCOLN PARK RECREATION ASSOCIATION LITTLE LEAGUE, INC.

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AN ORDINANCE 56,591

APPROVING A LICENSE AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND THE LITTLE CHURCH OF LA VILLITA FOR CONDUCT OF THE ANNUAL STARVING ARTISTS' SHOW BY THE LITTLE CHURCH OF LA VILLITA.

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AN ORDINANCE 56,592

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

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AN ORDINANCE 56,593

AUTHORIZING PAYMENT OF REFUNDS TO PERSONS MAKING OVERPAYMENTS OR DOUBLEPAYMENTS ON TWENTY-SIX TAX ACCOUNTS.

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A RESOLUTION
NO. 83-09-08

SETTING FORTH THE RANGE OF SERIAL NUMBERS ON THE BALLOTS TO BE USED FOR ABSENTEE VOTING FOR THE UPCOMING REGULAR AND BOND SELECTION.

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83-09 Mayor Cisneros stated that the City Manager requests that agenda item 50 be moved up on the agenda and taken under consideration by the City Council at this time. Informal concensus of the City Council was granted.

The Clerk read the following Ordinance:

AN ORDINANCE 56,594

AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH ENCORE DEVELOPMENT CORPORATION AND DOEBBLER DEVELOPMENT CORPORATION FOR THE REDEVELOPMENT OF HEMISFAIR PLAZA.

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Ms. Berriozabal moved that the Ordinance be approved. Mrs. Dutmer seconded the motion.

Mayor Cisneros spoke of the improved development offer concluded by the City Manager in the past 24 hours, and complimented City Manager Louis J. Fox and his staff for its work, calling it the first significant development of HemisFair Plaza.

Mr. Louis J. Fox, City Manager, commended the City Council

members who brought the development ideas to the attention of City staff and the Council, and also complimented Ms. Jane Macon, City Attorney, for her efforts in the matter. He briefly explained the differences between the original and revised development offers of Encore/Doebbler Joint Venture, noting that it adds 1/4 of one per cent to the 15th year of the contract as a new return to the City, something that will produce an estimated additional \$9 million for the City. He termed the offer a "superior package", and recommended its passage by the City Council.

Ms. Jane Macon, City Attorney, briefly explained terms of the Memorandum of Understanding, and the timetable for development of HemisFair Plaza by the joint venture, noting that this Ordinance under consideration today also provides the mechanism for entering into a lease pursuant to the completion and submission of the following conditions within 360 days: 1) preliminary plans for the hotel and retail space to be constructed; 2) plans in sufficient detail to address the traffic flow to and from the proposed hotel and retail project; 3) a site plan layout and planned utilization of the property; 4) proposed room rates and dimensions and layout of rooms, proposed square footage rentals for the retail space, and parking; 5) a copy of an executed and accepted financial loan commitment(s) or financial commitments for the financing of the proposed retail parking and hotel project; 6) an executed Management Agreement or binding commitment to execute a Management Agreement; and 7) evidence of all equity participation and amount of such participation.

Mr. Fox stated that Mr. Winston Martin, Executive Director of San Antonio Development Agency and the staff downtown coordinator for the City, has discussed plans for redevelopment of HemisFair Plaza with both the University of Mexico and Texas A&M as to any effect upon their sites.

Mr. Winston Martin stated that he had met with both parties and has discussed with them their concerns, the scheduling of the redevelopment plans, and noted that both parties were satisfied that they are being adequately considered in such plans.

Mr. Mike Sweeny, representing Centro 21, stated that the Centro 21 Task Force had considered the proposed redevelopment plans for HemisFair Plaza, and supports those plans. He then referred to the minutes of a Centro 21 Task force meeting at which the subject of HemisFair Plaza redevelopment was discussed, and stated that as a result, a formal Resolution of the Task Force was enacted which expressed concern that the following be discussed further: 1) adequacy of parking; 2) terms and length of lease between the City and developer; 3) connection between the River Walk and HemisFair Plaza; 4) connection between La Villita and HemisFair Plaza; and 5) treatment of major entrances into HemisFair Plaza, particularly from the west and east sides of the Plaza.

Mr. Helmuth J. Naumer, representing the San Antonio Museum Association, stated that his group is pleased with the proposed plan.

Mr. Thomas E. Huebner representing Grieshaber & Roberts, Developers, stated that the City has a role in providing an element leading to economic development in San Antonio, and spoke of the City bringing new hotels to HemisFair Plaza and the downtown area, and the economics that stimulated that downtown development. He further stated that the City now has investor confidence in downtown San Antonio, and spoke of the new buildings and other examples of renovation projects, noting that four privately-financed hotel projects now are in the development stage. Mr. Huebner stated that overall, the HemisFair Plaza redevelopment plan is a good one, but spoke in objection to several provisions in the Encore/Doebbler development plan.

Mr. Jim Knighton, President of Encore Development Corporation, spoke of the work involved in consummating this deal and the project.

Mr. John Grieshaber, partner in Grieshaber & Roberts, Developers, stated that certain investors are concerned with portions of the proposal, notably that dealing with low front-end payments to the City.

Ms. Berriozabal made an amended motion that, in addition to the

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approval of the re-use plan for HemisFair Plaza, that the land and site be immediately identified that would be required to accommodate the Mexican Cultural Institute, University of Mexico and Texas A&M University, and that the needs of these facilities be addressed by both those responsible for re-development as well as the proposed park area. Mrs. Dutmer seconded the motion.

In response to a question by Mr. Thompson, Mr. David Garcia, Special Projects Officer, discussed the specifics on location for the new hotel and retail area, stating that the architects now are developing the park area near the base of the Tower of the Americas. He also spoke to the design aspects of the proposed 1200-car parking garage.

Mr. Thompson spoke of the integration of his stated seven concerns into the staff proposal, and spoke in support of the proposal.

Mr. Alderete stated that the new proposal will increase the City's lease share by some \$9.5 million, and thanked other members of the City Council who joined him in seeking a better developer deal for the City.

In response to a question by Mr. Wing, Ms. Macon stated that the City is protected if the deal for development falls through.

Mr. Wing stated his concern that he wants maximum use made of open space in HemisFair Plaza redevelopment plans, and also wants to be assured that current merchant tenants of the Plaza are not pried out of business by the retail redevelopments.

Mr. Hasslocher spoke in support of the project, then made an amended motion that the City Manager's office come back to City Council with suggestions for a new name for HemisFair Plaza. The motion died for lack of a second.

Mr. Webb stated the City now is moving to better use of this property.

Mrs. Dutmer spoke of the new jobs to be created by redevelopment of the Plaza.

Mr. Harrington spoke in support of the project.

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

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

Mayor Cisneros thanked Ms. Berriozabal for her role in this matter.

Ms. Berriozabal stated that this is a very public project, and stated her concern that the public be kept involved in it.

ZONING HEARINGS

39. CASE 283026 - to rezone Lot 40, Block B, NCB 8695, 3131 Harry Wurzbach Hwy. from "F" Local Retail District to "B-3" Business District, located southwest of the intersection of Deerwood Drive and Harry Wurzbach Hwy., having 175.66' on Deerwood Drive and 211.66' on Harry Wurzbach Drive.

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

No citizen appeared to speak in opposition.

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

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

AN ORDINANCE 56,595

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 40, BLOCK B, NCB 8695, 3131 HARRY WURZBACH HWY., FROM "F" LOCAL RETAIL DISTRICT TO "B-3" BUSINESS DISTRICT.

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40. CASE Z83031 - to rezone Tracts E and F, NCB 13732, 14618 Jones Maltsberger Road, from Temporary "A" Single Family Residence District to "B-3R" Restrictive Business District, located on the southeast side of Jones Maltsberger Road, being 104' northeast of the intersection of Jones Maltsberger Road and Shingle Oak Drive having 208' on Jones Maltsberger Road and a depth of 417.22'.

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

No citizen appeared to speak in opposition.

Mr. Hasslocher moved that the recommendation of the Zoning Commission be denied and the staff recommendation of B-2 Business District zoning be approved. Mr. Thompson seconded the motion.

Mr. Robert Diaz de Leon, 5400 Callaghan Road, representing the proponent, stated that the property is planned for use as the home for a pool manufacturer, and that no construction equipment will be stored in the open on the site. He spoke of plans for new parking and extensive landscaping for the property.

Mr. Hasslocher spoke against having a storage shed on-site for equipment.

Mr. Andy Guerrero, Planner II, stated that the proponent must have a B-3R or B-3NA zoning in order to conduct his business on the site.

Mr. de Leon stated that the storage shed would be used only for the two backhoes presently used by the proponent to dig pool sites, and that no construction material would be stored on the site. He stated that the firm already is located on leased property across the street, in I-1 zoning.

Mr. Alderete made a substitute motion to approve the recommendation of the Zoning Commission, provided that a 6-foot solid screen fence is erected and maintained along the southeast property line; that street dedication is given in accordance with the Major Thoroughfare Plan; and that the applicant work with the Traffic Engineering Division for proper access and off-street parking. Mr. Harrington seconded the motion.

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

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

AN ORDINANCE 56,596

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 TRACTS E AND F, NCB 13732, 14618 JONES MALTSBERGER ROAD, FROM TEMPORARY "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT A 6-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE SOUTHEAST PROPERTY LINE; THAT STREET DEDICATION IS GIVEN IN ACCORDANCE WITH THE MAJOR THOROUGHFARE PLAN; AND THAT THE APPLICANT WORK WITH THE TRAFFIC ENGINEERING DIVISION FOR PROPER ACCESS AND OFF-STREET PARKING.

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41. CASE 283032 - to rezone Lots 4, 5, and 6, Block 3, NCB 11215, 1903 - 1911 Palo Alto Road, from "B" Residence District to "B-3R" Restrictive Business District, located southwest of the intersection of Spaatz Street and Palo Alto Road, having 135' on Spaatz Street and 147.3' on Palo Alto Road.

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.

In response to a question by Mr. Wing, Mr. Arturo Gomez, Sr., the proponent, stated that no alcoholic beverages will be dispensed on the property.

Mr. Wing then moved that the property be rezoned B-3NA provided that a 6-foot solid screen fence is erected and maintained along the west property line; that street dedication is given if necessary; that the applicant work with the Traffic Engineering Division for proper access and off-street parking; that 5-feet of right-of-way is provided along Spaatz Street; and that a 6-foot property line return is provided in accordance with the recommendations of the Traffic Engineering Division. 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, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Berriozabal, Eureste, Thompson.

AN ORDINANCE 56,597

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 4, 5, AND 6, BLOCK 3, NCB 11215, 1903-1911 PALO ALTO ROAD, FROM "B" RESIDENCE DISTRICT TO "B-3NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES, PROVIDED THAT A 6-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE WEST PROPERTY LINE; THAT STREET DEDICATION IS GIVEN IF NECESSARY; THAT THE APPLICANT WORK WITH THE TRAFFIC ENGINEERING DIVISION FOR PROPER ACCESS AND OFF-STREET PARKING; THAT 5-FEET OF RIGHT-OF-WAY IS PROVIDED ALONG SPAATZ STREET; AND THAT A 6-FOOT PROPERTY LINE RETURN IS PROVIDED IN ACCORDANCE WITH THE RECOMMENDATIONS OF

THE TRAFFIC ENGINEERING DIVISION.

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42. CASE Z83035 - to rezone Lots 2, 3, 4, and the east 20.5' of Lot 1, Block 7, NCB 9013, in the 200 Block of Mariposa Drive, from "B" Residence District to "O-1" Office District, located southeast of the intersection of San Pedro Ave. and Mariposa Ave., having 131' on San Pedro Ave., and 95.5' on Mariposa Drive.

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

No citizen appeared to speak in opposition.

Mr. Nick Campbell, the proponent, stated that the site would be used for a doctor's offices, stating that it would enhance the neighborhood, since the property now is vacant.

Mr. Archer moved that the recommendation of the Zoning Commission be approved provided that 5-feet of right-of-way is provided along Mariposa Drive with a 15-foot property line return, and that a 6-foot solid screen fence is erected and maintained on the south and east property lines until such time as the adjacent properties transition to business use. 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, Alderete, Harrington, Archer, Cisneros; NAYS: None; ABSENT: Eureste, Thompson, Hasslocher.

AN ORDINANCE 56,598

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 2, 3, 4 AND THE EAST 20.5' OF LOT 1, BLOCK 7, NCB 9013, IN THE 200 BLOCK OF MARIPOSA DRIVE, FROM "B" RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT, PROVIDED THAT 5-FEET OF RIGHT-OF-WAY IS PROVIDED ALONG MARIPOSA DRIVE WITH A 15-FOOT PROPERTY LINE RETURN, AND THAT A 6-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ON THE SOUTH AND EAST PROPERTY LINES UNTIL SUCH TIME AS THE ADJACENT PROPERTIES TRANSITION TO BUSINESS USE.

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43. CASE Z83025 - to rezone a 8.211 acre tract of land out of NCB 13667, being further described by field notes filed in the Office of the City Clerk, in the 2900 Block of Babcock Road, from Temporary "R-1" One Family Residence District and Temporary "A" Single Family Residence District to "B-3" Business District, located north of the intersection of Hamilton-Wolfe Road and Babcock Road, having 253.02' on Hamilton-Wolfe Road and 1545.77' on Babcock Road; a 3.202 acre tract of land out of NCB 13667, being further described by field notes filed in the Office of the City Clerk, in the 5400 Block of Hamilton-Wolfe Road, from Temporary "R-1" One Family Residence District and Temporary "A" Single Family Residence District to "B-2" Business District, located on the northwest side of Hamilton-Wolfe Road, being 253.02' northeast of the intersection of Hamilton-Wolfe Road and Babcock Road having 236.85' on Hamilton-Wolfe Road and a maximum depth of 598.92'; and a 9.668 acre tract of land out of NCB 13667, being further described by field notes filed in the Office of the City Clerk, in the rear of 2900 Block of Babcock Road, in the rear of 5400 Block of Hamilton-Wolfe Road, from Temporary "R-1" One Family Residence

District to "R-3" Multiple Family Residence, located 252.13' northeast of Babcock Road and 623.92' northwest of Hamilton-Wolfe Road having a width of 352.52' and a depth of 809.24'.

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.

In response to a question by Mr. Harrington, Mr. Malcolm Hartman, representing Entre Nous Investments, Inc., asked that the zoning case be amended to delete from current consideration the requested rezoning from Temporary "R-1" to "R-3" on a 9.668 acre tract of land out of NCB 13667, at request of the proponent, in order that the proponent can more properly re-evaluate a plan of use for that property, probably seeking development in a lower density than that sought in the original request.

Mr. Harrington moved that the recommendation of the Zoning Commission be approved except for the 9.668 acre tract provided that proper access and off-street parking are provided, and that street dedication is given in accordance with the Major Thoroughfare Plan. Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 56,599

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 AN 8.211 ACRE TRACT OF LAND OUT OF NCB 13667, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 2900 BLOCK OF BABCOCK ROAD, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT AND TEMPORARY "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT AND A 3.202 ACRE TRACT OF LAND OUT OF NCB 13667, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 5400 BLOCK OF HAMILTON-WOLFE ROAD, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT AND TEMPORARY "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER ACCESS AND OFF-STREET PARKING ARE PROVIDED, AND THAT STREET DEDICATION IS GIVEN IN ACCORDANCE WITH THE MAJOR THOROUGHFARE PLAN.

* * * *

44. CASE 283029 - to rezone a 4.418 acre tract of land out of NCB 10848 and NCB 10865, being further described by field notes filed in the Office of the City Clerk, in the 6000-7000 Block of Alsbrook Drive, from "A" Single Family Residence District and "B" Residence District to "R-2" Two Family Residence District, located on the east side of Alsbrook Drive being approximately 620' northwest of the intersection of S.E. Military Drive and Alsbrook Drive having 1280.46' on Alsbrook Drive and a depth of 160' and a 43.313 acre tract of land out of NCB 10848 and NCB 10865 being further described by field notes filed in the Office of the City Clerk, in the 7000 Block of Alsbrook Drive, in the 4000 Block of S.E. Military Drive, from "A" Single Family Residence District and "B" Residence District to "R-3" Multiple Family Residence District, located northeast of the intersection of S.E. Military Drive and Alsbrook Drive, having 741.66' on S. E. Military Drive, 620.07' on Alsbrook Drive having an approximate maximum depth of 1500' and an approximately maximum width of 2000'.

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

No citizen appeared to speak in opposition.

Mrs. Dutmer asked for an explanation of the planned use of the property next to Alsbrook Drive.

In response, Mr. Bob Billa, 231 Kilarney, representing the developer, Mr. E. J. Burke, spoke to the request, noting that it would provide a flexibility for the developer. He noted that the developer had held a meeting of all property owners within 200 feet of the subject property, including two school districts and Brooks Air Force Base, and all have approved the plan to provide more housing for this area, which he described as a good development plan for some 1,200 families.

Mrs. Dutmer moved that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished if necessary, and that the applicant work with the Traffic Engineering Division for proper access. Mr. Wing seconded the motion.

Mr. Hasslocher spoke to other new development going on in southeast San Antonio.

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

AN ORDINANCE 56,600

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 4.418 ACRE TRACT OF LAND OUT OF NCB 10848 AND NCB 10865, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 6000-7000 BLOCK OF ALSBROOK DRIVE, FROM "A" SINGLE-FAMILY RESIDENCE DISTRICT AND "B" RESIDENCE DISTRICT TO "R-2" TWO-FAMILY RESIDENCE DISTRICT AND A 43.313 ACRE TRACT OF LAND OUT OF NCB 10848 AND NCB 10865, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 7000 BLOCK OF ALSBROOK DRIVE, IN THE 4000 BLOCK OF SOUTHEAST MILITARY DRIVE, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED IF NECESSARY AND THAT THE APPLICANT WORK WITH THE TRAFFIC ENGINEERING DIVISION FOR PROPER ACCESS.

* * * *

45. CASE 283019 - to rezone a 14.49 acre tract of land out of Lot 10, and portions of Lots 8, 9, 11, 12, and 13, and a portion of Stonykirk Road R.O.W. Block D, NCB 14656, being further described by field notes filed in the Office of the City Clerk, in the 6200 Block of Hollyhock Road, from "R-3" Multiple Family Residence District to "P-1(R-3)" Planned Unit Development, Multiple Family Residence District, located on the southeast side of Hollyhock Road, being approximately 1304' southwest of the intersection of Babcock Road and Hollyhock Road, having 1119' along Hollyhock Road and a maximum depth of 1330.93'.

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. Harrington thanked the proponent and his group for working with neighborhood groups in developing this plan of use.

Mr. Harrington moved that the recommendation of the Zoning Commission be approved. 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, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Eureste, Thompson.

AN ORDINANCE 56,601

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 14.49 ACRE TRACT OF LAND OUT OF LOT 10 AND PORTIONS OF LOTS 8, 9, 11, 12 AND 13, AND A PORTION OF STONYKIRK ROAD R.O.W., BLOCK D, NCB 14656, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 6200 BLOCK OF HOLLYHOCK ROAD.

* * * *

16. CASE Z83009 - to rezone Lots A-7, A-8, and A-9, Block 18, NCB 415, 300 E. Travis Street, from "I" Business District to Historic Landmark, "I" Business District, located on the south side of Travis Street, between Navarro Street and Jefferson Street having 335.2' on Travis Street, 152.11' on Navarro Street and Jefferson Street.

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

No citizen appeared to speak in opposition.

Ms. Berriozabal moved that the recommendation of the Zoning Commission be approved. Mr. Harrington seconded the motion.

Ms. Berriozabal stated that opposition to this request before Planning Commission centered around the proposed change of the name of the St. Anthony Hotel, and further stated that the owner now plans to incorporate that name in the new name.

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

AN ORDINANCE 56,602

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-7, A-8 AND A-9, BLOCK 18, NCB 415, 300 EAST TRAVIS STREET, FROM "I" BUSINESS DISTRICT TO HISTORIC LANDMARK, "I" BUSINESS DISTRICT.

* * * *

A RESOLUTION
NO. 83-09-09

SUPPORTING AN INCREASE IN THE HOTEL OCCUPANCY TAX.

* * * *

Mr. Louis J. Fox, City Manager, stated that the City planned for the expansion of the Henry B. Gonzalez Convention Hall portion of the Convention Center facilities, and stated further that the City would use three cents of this hotel occupancy tax only for that expansion. He noted that a one-cent increase would bring in about \$1 million, and stated that this plan has been presented to such groups as the Hotel/Motel Association and Greater San Antonio Chamber of Commerce for their concurrence.

Mayor Cisneros strongly urged the council's support for the Resolution, noting that expansion of convention facilities would allow for larger conventions to utilize them, and bring more people to San Antonio.

Mr. Lew Dement, chairman of the Visitor Industry Committee of the North San Antonio Chamber of Commerce, stated that his Chamber opposes any increase in the room occupancy tax unless the City agrees to a greater commitment to promotion of outlying hotel and motel properties. He presented a seven-point proposal for a Resolution that would 1) have the City study the feasibility of a conference facility servicing outlying properties; 2) commit the City to allocation of a part of the tax to fund this facility; 3) limit the tax increase to that amount needed to fund expansion of the Convention Center and to build this outlying conference facility, if feasible; 4) phase-in the increase only when plans are presented for such expansion; 5) re-direct Convention and Visitors Bureau sales efforts to seek smaller conventions for outlying properties, and provide staff support for these meetings; 6) ask the Bureau to increase its promotion of attractions services by these outlying properties; and 7) provide an annual reporting by item of revenue distribution of the occupancy tax to those entities which collect it. He further stated that, while his group supports an increase in convention facilities, 40-50 per cent of the room tax is collected from outlying hotels and motels, and he spoke in favor of a more equitable return on dollars invested through the tax.

Mayor Cisneros spoke of the importance of the Loop 410 hotels and motels to the City's tourism industry.

Mrs. Dutmer stated that Texas Municipal League is pushing this tax, but she spoke of her opposition to constructing an outlying conference facility at this time, since the City is directing its development efforts to the downtown area, and spoke in support of the Resolution as presented by City staff.

Mrs. Dutmer moved that the Resolution be approved. Ms. Berriozabal seconded the motion.

Mr. Hasslocher stated that a municipal northside conference facility is needed, and further stated that the International Airport business and traffic attracts new hotels to this area of the City.

Mr. Hasslocher moved that the City Manager be directed to investigate and report back to City Council on two possible options: look at current City property at International Airport as the possible site for a mini-conference center, or look into the lease of such property at International Airport for construction of a mini-conference center by the private sector. Mr. Wing seconded the motion.

Mr. Archer spoke of his support for having the Convention and Visitors Bureau look into ways the City can help the Loop 410 hotels and motels.

0749

Mayor Cisneros stated that he personally cannot support anything that dilutes efforts to develop the downtown area.

Ms. Berriozabal spoke in support of the City Resolution, and of TML efforts to lobby for this tax. She also spoke against constructing a conference facility on the north side outlying area.

Mr. Harrington stated his belief that a plan to merely study the feasibility of a north side conference center only enhances downtown San Antonio and does not detract from it. He spoke of the need for such a facility.

Mayor Cisneros reiterated his position, and stated his belief that the proposal for an airport conference center as an actuality is a long way off in the future.

Mrs. Dutmer spoke in support of the proposal to study feasibility of such an airport facility, recognizing that this is not a commitment to build it, only study its feasibility.

Mr. Webb voiced his concern with the effect such a study could have on downtown development.

Mr. Fox stated that City staff only wishes to expand the downtown facilities, and any investigation of an airport-area facility would be on a feasibility basis as a concept, not a definite project to be done. He stated his opinion that it is appropriate at this time to expand the downtown facilities.

Mr. Hasslocher spoke of the possibility of a joint-development center built by private-sector funds on airport land.

Mr. Wing moved to table consideration of Mr. Hasslocher's motion until after disposition of the main motion. Mr. Harrington seconded the motion. After discussion, the matter was tabled by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Thompson, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Eureste, Alderete.

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

Mr. Wing then moved to untable consideration of Mr. Hasslocher's motion. Mr. Harrington seconded the motion. After discussion, the motion prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Thompson, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Eureste, Alderete.

Mayor Cisneros stated his opposition to building a 'satellite' convention center, stating his belief that the City must concentrate at this time on the downtown area. He stated that he has no problem with the City cooperating in a study of such a facility, however.

Mr. Hasslocher restated his motion.

Mrs. Dutmer stated that Loop 410 hotels and motels already have facilities adequate to accommodate large meetings, and spoke to several, noting that more expansion to include a municipal facility there is not now needed.

Ms. Berriozabal spoke against any substantial municipal convention-facility development on the north side outlying areas at this time for fear it will further take municipal resources needed in the inner-city areas.

Mr. Webb spoke in opposition to construction of an airport conference center, stating that San Antonio has more pressing needs in other areas.

Mr. Thompson spoke in favor of the feasibility study proposal.

Mr. Fox stated that a feasibility study on expansion of the convention facilities is the subject of the next agenda item, noting that it addresses areas to be studied for market potential.

After discussion, Mr. Hasslocher's motion failed to carry by the following vote: AYES: Wing, Thompson, Harrington, Hasslocher; NAYS: Berriozabal, Dutmer, Archer, Cisneros; ABSENT: Webb, Eureste, Alderete.

83-09 The Clerk read the following Ordinance:

AN ORDINANCE 56,603

ACCEPTING THE PROPOSAL OF LAVENTHOL & HORWATH TO EVALUATE THE FEASIBILITY OF EXPANDING THE CONVENTION FACILITY.

* * * *

Mr. Hasslocher moved that the Ordinance be approved. Ms. Berriozabal seconded the motion.

In response to a question by Ms. Berriozabal, Mr. Joe Madison, Director of Convention Facilities, stated that the study would take 14-16 weeks to complete.

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

83-09 The Clerk read the following Ordinance:

AN ORDINANCE 56,604

AUTHORIZING EXECUTION OF AN AGREEMENT WITH PERSONEL PERFORMANCE, INC. FOR CONSULTANT SERVICES IN DESIGNING AND IMPLEMENTING AN ASSESSMENT CENTER PROMOTIONAL PROCEDURE FOR THE POSITIONS OF SERGEANT (POLICE DEPARTMENT) AND ASSISTANT FIRE CHIEF (FIRE DEPARTMENT) AND PROVIDING FOR PAYMENT OF \$17,500.00.

* * * *

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

In response to a question by Ms. Berriozabal, Mr. Joe Constantino, Personnel Department, explained the agreement provisions, stating that it is for design, implementation and followup programs for testing the positions mentioned in the Ordinance. He stated that the next step then will be an evaluation of City personnel doing this job itself.

Ms. Berriozabal spoke of using the consultant to design, implement and assess these two positions, with an understanding that City personnel then would be trained to do the remainder.

In response to a question by Ms. Berriozabal, Mr. J. Rolando Bono, Assistant City Manager, discussed the possible use of the assessment center on entry-level areas for police officer.

Ms. Berriozabal stated that these are critical and sensitive areas, and need to be done correctly. She stressed that the firm being retained to do the job on these two positions must possess sensitivity to all aspects involved, in order to assure equity in

promotions.

Mrs. Dutmer spoke of her concern that City staff cannot do this job itself, without a consultant.

Mr. Fox stated that this is a big step being taken, and that City staff at this moment does not have the necessary expertise to put together a good, efficient assessment center for promotions. He stated that staff will, for the time being on these two positions, use a consultant's expertise, learn from them, then set up a staff program to do the rest of the job.

Mrs. Dutmer spoke of her concern that the City funds studies that are not used.

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

83-09 The Clerk read the following Ordinance:

AN ORDINANCE 56,605

AUTHORIZING THE CITY MANAGER TO EXECUTE AN ELECTION CONTRACT WITH BEXAR COUNTY. (BINGO ELECTION IN J.P. PRECINCT 3)

* * * *

Mrs. Dutmer moved that the Ordinance be approved. Ms. Berriozabal seconded the motion.

Mayor Cisneros briefly explained the Ordinance.

Mr. Archer spoke of his concern that Bexar County officials are not always willing to cooperate with the City, but seek our cooperation in such things as this.

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

83-09 The Clerk read the following Ordinance:

AN ORDINANCE 56,606

DECLARING CERTAIN CHEMICAL COMPOUNDS TO BE "DANGEROUS SUBSTANCES" BECAUSE OF THEIR TOXICITY, POTENTIAL FOR ABUSE BY INHALATION OR INGESTION AND BECAUSE OF THEIR DANGEROUS MENTAL AND PHYSICAL EFFECTS; PROHIBITING THE SALE OF CERTAIN PRODUCTS CONTAINING SUCH SUBSTANCES TO PERSONS UNDER EIGHTEEN YEARS OF AGE; PROHIBITING INHALATION OF FUMES OR VAPORS OF SUCH PRODUCTS FOR THE INTENT OF OBTAINING AN INTOXICATING, NARCOTIC OR SIMILAR EFFECT, PRESCRIBING RULES FOR STORAGE AND DISPLAY OF CERTAIN PRODUCTS, AND PROVIDING PENALTIES FOR VIOLATIONS HEREOF OF FINES NOT EXCEEDING \$200.00.

* * * *

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

Mr. Remigio Valdez, representing the Mexican American Betterment Organization, spoke in support of the Ordinance.

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

Mrs. Dutmer stated her concern for the enforcement of the provisions of the Ordinance.

Mr. J. Rolando Bono, Assistant City Manager, stated that a person's age is a factor in the sale of substances under this Ordinance.

83-09 The Clerk read the following Ordinance:

AN ORDINANCE 56,607

AUTHORIZING SETTLEMENT OF THE LAWSUIT STYLED AND REFERENCED AS EARL L. KIERSTEAD, ET AL., VS. CITY OF SAN ANTONIO, CAUSE NO. 78-CI-16648 AND APPROPRIATING FUNDS IN CONNECTION THEREWITH.

* * * *

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

83-09

AMENDING SUBDIVISION CODE

Mayor Cisneros opened the Public Hearing and briefly explained the changes being considered.

No citizen appeared to speak.

Mayor Cisneros then declared the Public Hearing closed.

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

In response to a question by Mrs. Dutmer, Ms. Rebecca Quintanilla Cedillo, Assistant Director of Planning, explained the provisions on Neighborhood Mail Delivery and Collection Box Units.

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

AN ORDINANCE 56,608

AMENDING CHAPTER 36 (SUBDIVISIONS) OF THE CITY CODE TO REQUIRE A PRELIMINARY OVERALL AREA DEVELOPMENT PLAN; REVISE ALLEY REQUIREMENTS; PROVIDE CENTERLINE RADIUS ALTERNATIVES; DEFINE "SMALL LOT"; REQUIRE ADDITIONAL INFORMATION ON CERTAIN PLATS; PROVIDE FOR NEIGHBORHOOD POSTAL DELIVERY AND COLLECTION BOXES; AND APPROVING A CONTRACT WITH THE POSTAL SERVICE CONCERNING SUCH BOXES.

* * * *

83-09STATUS OF ALBERT MAVERICK BUILDING MATTER

Mayor Cisneros asked for a current status report on the situation relating to the agreement holding up demolition of the Albert Maverick building on Houston Street.

Ms. Jane Macon, City Attorney, stated that the agreed-upon third-party appraiser now is at work, and has some 20 days to render a final report on the worth of the building.

83-09ZONING CODE DEFINITIONS

Mrs. Dutmer spoke of her concern that the City's Zoning Code has no firm definition of a restaurant or cafe, and then spoke of a case whereby a tavern has lettered the word "cafe" on its front window and serves a minimal amount of food, alleged in order to circumvent the City Code prohibiting a tavern in certain areas unless food is served, also. She stated that the City needs to look at setting firm definitions for "restaurant" and "cafe".

Ms. Jane Macon, City Attorney, stated that her office would look into this matter.

83-09CITIZENS TO BE HEARDMR. RAUL RODRIGUEZ

Mr. Rodriguez spoke of recent criticisms made against Councilman Eureste by the news media, and stated that he supports Mr. Eureste, noting Mr. Eureste's good points as a representative of the people. He further stated his belief that Mr. Eureste should not resign from the City Council.

MS. MARIA DOMINGUEZ

Ms. Dominguez stated her hope that Mr. Eureste does not resign from the City Council, but stated her opinion that he should apologize for statements made in reference to the Police Department in recent days. She spoke of the need for greater police protection in San Antonio, as exemplified by the Brackenridge Park incident and the attacks on two people there. She stated that the matter of re-election of Mr. Eureste is up to the voters in his district.

83-09 The City Council recessed its regular meeting at 3:55 P.M., reconvening at 5:00 P.M. for the remainder of Citizens to be Heard.

83-09CITIZENS TO BE HEARD
(CONTINUED)MR. JOSE TREVINO

Mr. Jose Trevino urged the City Council to establish a Citizen's committee to review, along with the Internal Affairs Division, any police brutality cases.

Ms. Josie Sanchez stated that her husband had been "assassinated" by the Police Department.

Mr. Van Archer took exception to the work "assassination."

Ms. Sanchez stated that she is afraid of retaliation by the Police Department for her statements.

* * * *

MS. STEPHANIE BROOKS

Ms. Brooks urged the formation of a Citizens Review Committee and reiterated comments made by Mr. Trevino. She stated that the Police Department is not capable of investigating these type of crimes.

* * * *

MR. GARRY R. HODGINS

Mr. Hodgins, owner of Hot Diggity doggies, stated that he wants to sell the hot dogs at the Alamo. He stated that he is really being successful and would like to also sell at the Alamo.

Mr. Thompson stated that the City Council had agreed on a compromise. He had not been in favor of any vending in front of the Alamo, however, he supports the present compromise.

Mr Wing stated that he had made a motion for an unlimited number of vendors and was not successful. He then spoke about tha compromise which was approved by the City Council. He advised Mr. Hodgins to speak to the businessmen around Alamo Plaza who had objected to the vendors.

Mrs. Dutmer mentioned other sites available other than the Alamo.

Ms. Berriozabal also stated she had been in favor of more vendors.

* * * *

MS. SHIRLEY PENA

Ms. Shirley Pena stated that she is a member of the Socialist Party and that in her three years of residing in San Antonio she has seen many questionable things with the Police Department. She stated that the Police Department cannot be objective about investigating allegations of Police brutality. She also spoke in favor of a Civilian Review Road.

* * * *

MR. JERRY ARISPE

Mr. Jerry Arispe, 230 N. Center, Brown Berets, stated that he had attended an Anti Klan March in Austin, TX. He also spoke in favor of a Civilian Review Board. He stated that there are KKK members in the Police Department. He stated that the City Council has not done anything about the Hector Santoscoy case, and said that they will do something about it if the Council doesn't.

* * * *

MR. MIKE CHAMBERLAIN

Mr. Chamberlain, 939 W. Craig, stated that he is supporting Stephanie Brooks for Mayor. He spoke against the Police Department and stated that they are guilty of Police brutality. He stated that the Mayor is hiding from the real issues which he says are cover-ups by the Police Department.

* * * *

MR. JOSE OLIVARES

Mr. Olivares stated that he had wanted Mr. Eureste to be present, however he was not addressing Mr. Eureste personally. He spoke about

different political entities, and how they share a common denominator. He stated that anybody who runs for politics is crazy, and explained the connotation.

He mentioned the many stands Councilman Eureste has taken in the past.

Mr. Thompson stated that Mr. Eureste has been a vital part of the City Council and the City Council cannot judge him.

83-09 The Clerk read the following letter:

February 15, 1983

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

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

February 15, 1983

Petition submitted by Mr. Ruben G. Flores, other citizens and businessmen in the area of north and south General McMullen requesting the removal of the center median which divides the north and south traffic.

* * * *

/s/Norma S. Rodriguez
City Clerk

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

A P P R O V E D

Henry Cisneros
M A Y O R

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