

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, FEBRUARY 9, 1984.

384

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The meeting was called to order at 1:00 P.M. by the presiding officer, Mayor Henry Cisneros, with the following members present: BERRIOZABAL, WEBB, DUTMER, WING, EURESTE, THOMPSON, ALDERETE, HARRINGTON, ARCHER, HASSLOCHER, CISNEROS. Absent: NONE.

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84-06 The invocation was given by Reverend Sonny Manuel, Palm Heights Baptist Church.

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84-06 The Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

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84-06 MR. JERRY TOTTEN

Mayor Cisneros introduced Mr. Jerry Totten, representing the San Antonio Metropolitan Ministry.

Mr. Totten, Shelter Manager of the Emergency Winter Shelter Program, thanked City staff and his subcontractors for their support, and reported that the shelter program served some 15,325 men, 1,528 women and 808 children this year, serving more than 38,000 meals. He stated that 18 local churches are a part of the Metropolitan Ministry, with 425 volunteers. He announced that Phase II of the program opens at the First Presbyterian Church now. He also reported on design work underway for renovation of the Old Central Hotel, purchased by the City for use as a temporary resting-place for those in need. He stated that the program has already received much equipment, and renovation of the hotel will include its facade as well as major work inside the structure. He attributed the increase in the number of persons served this year to a more mobile society, noting that many were served after they came to San Antonio looking for jobs.

Mr. Archer spoke of the good work of the Corinth Baptist Church on the City's east side, which serves more than 100 meals per day without any tax funded support, using only volunteers.

Ms. Berrizabal thanked Mr. Totten for his group's hard work in the downtown area, and of her pride in the volunteers and churches involved.

Mr. Totten stated that the program now will be using only two full time persons on staff of the shelter program, with the remainder of the work performed by volunteers.

Ms. Berriozabal spoke of an incident in which a man is living now underneath a camper shell abandoned near the expressway in the downtown area, west of the downtown center, and has been thus living for a number of months.

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84-06 MRS. SADIE RAY GRAFF

Mayor Cisneros introduced Mrs. Sadie Ray Graff, Chairperson of the San Antonio Clean Communities Commission.

Mrs. Graff introduced six members of the Commission, present in the audience, and distributed copies of the Commission's annual report to members of the City Council, along with special bumper stickers and caps for each member of the City Council. She thanked Ms. Bonita Turner, who heads the City staff of the Commission's activities, and noted that the commission now is some three years old. She spoke of its usage of volunteers and neighborhood groups, and of the plans for a much broader program this coming year. She then read from a letter from the "Keep America Beautiful, Inc." group, which announced the award of the Second Place National Clean Communities Award to San Antonio, and presented a special plaque to Mayor Cisneros.

Mayor Cisneros thanked Mrs. Graff and the national organization for this award and for their roles in the cleanup of our city and nation. He then spoke of the important work done by Mr. Waldo Graff and Mrs. Sadie Ray Graff in providing the impetus for the local cleanup program efforts, through their personal work and leadership in the volunteer cleanup project.

Mr. Thompson spoke of their work as being particularly noteworthy, and a good thing for San Antonio.

Mr. Webb thanked his representative on the Commission, Mr. Thomas Epperson.

Mrs. Dutmer stated that this was a good report, and spoke of the good job the Commission is doing for San Antonio.

Mrs. Dutmer also spoke of the need for large trash receptacles to be placed in known dumping areas of the City, for citizen use and convenience.

Ms. Berriozabal noted that SANYO (San Antonio Neighborhood Youth Organization) again this year plans to use its summer workers for one week in another major cleanup effort in the downtown area.

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84-06 The minutes of the regular meeting of January 26, 1984 were approved.

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84-06 CONSENT AGENDA

Mr. Archer moved that items 5 - 18 constituting the consent agenda be approved with item 10 to be pulled for individual consideration and item 17 removed from consideration. Mrs. Dutmer seconded the motion.

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

AN ORDINANCE 58,245

ACCEPTING THE BID OF CHEMICAL & TURF SPECIALITY COMPANY, INC., TO FURNISH THE CITY OF SAN ANTONIO PARKS AND RECREATION DEPARTMENT WITH HERBICIDES, FOR A TOTAL OF \$17,223.40.

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385

AN ORDINANCE 58,246 .

ACCEPTING THE BID OF SARGENT-WELCH SCIENTIFIC COMPANY TO FURNISH THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH A PHOTOGRAPHIC DENSITOMETER, FOR A TOTAL OF \$3,245.00.

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AN ORDINANCE 58,247 .

ACCEPTING THE LOW QUALIFIED BIDS OF SOUTHERN MICROFILM OF SAN ANTONIO ON ITEM 1 AND OF ADVANCE MICROFILM ON ITEM 2 TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH MICROFICHE AND WITH MICROFILM READERS FOR A TOTAL OF \$7,611.96.

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AN ORDINANCE 58,248 .

ACCEPTING THE LOW QUALIFIED BIDS OF WATSON DISTRIBUTING COMPANY ON ITEMS 1, 2, 3, 4, 5, 7, AND 8 AND OF SATLIFT CORPORATION ON ITEM 6 TO FURNISH THE CITY OF SAN ANTONIO WITH 3 AND 4 WHEEL VEHICLES FOR A TOTAL OF \$80,297.00.

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AN ORDINANCE 58,249 .

ACCEPTING BID OF HEATH CONSTRUCTORS, INC. IN THE AMOUNT OF \$3,315,462.86 FOR THE CONSTRUCTION OF THE PACIFIC DRAINAGE PROJECT 66A PHASE I MOD II (SAYERS STREET); APPROVING A CONTRACT AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 58,250 .

ACCEPTING BID OF AARON CONSTRUCTION COMPANY IN THE AMOUNT OF \$196,206.00 FOR THE CONSTRUCTION OF THE MAVERICK WALK; APPROVING A CONTRACT; APPROPRIATING AND TRANSFERRING AN ADDITIONAL SUM OF \$659.57 TO THE FIRM OF FORD, POWELL & CARSON ARCHITECTS FOR PROFESSIONAL SERVICES AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 58,251 .

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$9,750.00 OUT OF BOND FUNDS FOR THE PURPOSE OF ACQUIRING TITLE AND/OR EASEMENTS TO CERTAIN LANDS; ACCEPTING THE DEDICATION OF AN EASEMENT TO CERTAIN LANDS; ALL IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS.

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AN ORDINANCE 58,252 .

CLOSING AND ABANDONING A PORTION OF AN 18-FOOT ALLEY ADJACENT TO NEW CITY BLOCK 2025, TO RELIEVE AN EXISTING ENCROACHMENT, AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE A QUITCLAIM DEED TO OSCAR W. SCHUCHART, THE ADJACENT OWNER, FOR A CONSIDERATION OF \$50.00.

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AN ORDINANCE 58,253

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

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AN ORDINANCE 58,254

AUTHORIZING PAYMENT OF REFUNDS TO PERSONS MAKING OVERPAYMENTS OR DOUBLEPAYMENTS ON 112 TAX ACCOUNTS.

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AN ORDINANCE 58,255

CHANGING THE STREET NAME OF GUILBEAU STREET TO OLD GUILBEAU STREET.

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AN ORDINANCE 58,256

AUTHORIZING THE PURCHASE OF 5,000 COPIES OF THE SAN ANTONIO GROWTH CITY PROFILE FROM THE RICE CENTER.

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84-06 The Clerk read the following Ordinance:

AN ORDINANCE 58,257

AUTHORIZING EXECUTION OF A STANDARD PROFESSIONAL SERVICES CONTRACT WITH RABA-KISTNER CONSULTANTS, INC. TO PROVIDE CONTINUING GEOTECHNICAL ENGINEERING SERVICES TO THE SOLID WASTE DIVISION ON THE NELSON GARDENS LANDFILL; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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In response to a question by Mr. Thompson, Mr. Frank Kiolbassa, Director of Public Works, explained the proposed Ordinance.

Mr. Thompson spoke of the current condition of the former Pearsall Rd. landfill, stating that it needs more attention, and that new trees planted there are not growing well. He stated his opinion that it needs much more work before it can be used as a City park.

Mr. Kiolbassa stated that this year's budget has funds for more landscaping at the site.

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

ZONING HEARINGS

19. CASE Z83434 S.R. - to rezone Lot 1, Block 1, NCB 16122, in the 1800-1900 Block of Thousand Oaks Drive, from "P-1 (R-2)" Planned Unit

Development, Two-Family Residence, Edwards Recharge Zone District to "R-3" Multiple Family Residence, Edwards Recharge Zone District for a day care center caring for over twenty (20) children.

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

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

Mr. Ted Ballard, 1707 Whitehaven, the proponent, stated that he had met with area property owners for approval of plans for the day care center, inasmuch as he did not want to construct apartments or duplexes on such a busy street.

Mr. Hasslocher spoke in support of City staff's recommendation, noting that some 39 speeding tickets were given by San Antonio police officers last week in this immediate area.

Mrs. Dutmer spoke of the dangerous curve in Thousand Oaks Drive at that point.

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

CASE Z83434 S.R. was denied.

20. CASE Z84003 - to rezone Lots 4 thru 15, Block 14, NCB 14724, in the 11700 block of Vance Jackson Road, in the 11700 block of Orsinger Lane, in the 11800 block of Sunburst Lane, from Temporary "R-1" One Family Residence District to "R-3" Multiple Family Residence District, located between Vance Jackson Road & Sand Stone Drive also between Orsinger Lane and Sunburst Lane, having 105' on Vance Jackson Road, 419.86' on Sand Stone Drive, 630.86' on Orsinger Lane and 624.99' on Sunburst Lane.

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

Mr. Harrington moved that the recommendation of the Zoning Commission be approved provided that proper access and paved off-street parking are provided, and that right-of-way 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 following Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: None.

AN ORDINANCE 58,258

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 4 THRU 15, BLOCK 14, NCB 14724, IN THE 11700 BLOCK OF VANCE JACKSON ROAD, IN THE 11700 BLOCK OF ORSINGER LANE, IN THE 11800 BLOCK OF SUNBURST LANE, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT, PROVIDED THAT PROPER ACCESS AND PAVED OFF-STREET PARKING ARE PROVIDED, AND THAT RIGHT-OF-WAY IS GIVEN IN ACCORDANCE WITH THE MAJOR THOROUGHFARE PLAN.

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21. CASE Z83422 S.R. - to rezone Lot 1, Block 26, NCB 11397, 367 Gilbert Lane, from "B" Residence District to "R-2" Two Family Residence District for day care center caring for fifteen (15) children, located on the northeast side of the intersection of Westmoreland Drive and Gilbert Lane, having approximately 70' on Gilbert Lane and approximately 120' on Westmoreland Drive.

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

Mr. Archer moved that this requested rezoning be denied. Mr. Webb seconded the motion.

Mr. Van Hilley, 2900 Tower Life Building, explained his request in order to provide approval for the resident to keep 15 children full time instead of the six part-time children, presently. He noted that a petition of area homeowners indicated a need for this increased facility, and support for its implementation.

Mr. Archer spoke of the area as a nice residential neighborhood, and six children are enough to be kept by the owner. He spoke of having received a number of telephone calls in opposition to the idea.

Mr. Andy Guerrero, Planner II, stated that the City had received five notices in opposition to the request.

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

CASE Z83422 S.R. was denied.

22. CASE Z84010 - to rezone the south irregular 201' of Lot 295, NCB 7851, in the rear of 400 W. Mayfield Blvd., from "B" Residence District to "B-3NA" Business District, Non-Alcoholic Sales, located on the northwest side of I.H. 35 Expressway, being 150' southwest of the intersection of Mayfield Blvd. and I.H. 35 South Expressway, having 225' on I.H. 35 South Expressway and a maximum open of 114.9'.

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

Mr. Wing moved to approve B-3 NA on only enough of the subject property on which to erect the requested advertising sign. Mrs. Dutmer 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 58,259

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE EAST 65' OF THE NORTH 35' OF THE SOUTH IRREGULAR 201' OF LOT 295, NCB 7851, IN THE REAR OF 400 WEST MAYFIELD BLVD., FROM "B" RESIDENCE DISTRICT TO "B-3NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES, PROVIDED THAT PROPER ACCESS AND OFF-STREET PARKING ARE PROVIDED.

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23. CASE Z83223 - to rezone Lots 52, 53 and the east 12.5' of Lot 54, Block 4, NCB 6552, 137-139 E. Ridgewood Court, from "B" Residence District to "R-2A" Three and Four Family Residence District, located on the north side of E. Ridgewood Court, being 154' west of the intersection of McCullough Avenue and Ridgewood Court, having 62.5' on Ridgewood Court and a depth of 143'.

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

In response to a question by Mr. Archer, Mr. Wesley K. Reeder, the proponent, stated that this residence has been used as a four-plex since about 1954, and further stated that there is ample parking in the rear of the building for six vehicles.

Mr. Archer spoke of his concern with the number of automobiles parked on the street in front of homes in this block.

Mr. Reeder spoke of the previous use of this property by his brother upon his release from prison, and stated that it would not be used as a 'halfway house', as had been rumored.

Mr. Archer moved that the recommendation of the Zoning Commission be approved provided that proper access and off-street parking are provided. Mr. Webb 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, Thompson, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Berriozabal, Eureste.

AN ORDINANCE 58,260

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 52, 53 AND THE EAST 12.5' OF LOT 54, BLOCK 4, NCB 6552, 137-139 EAST RIDGEWOOD COURT, FROM "B" RESIDENCE DISTRICT TO "R-2A" THREE AND FOUR-FAMILY RESIDENCE DISTRICT, PROVIDED THAT PROPER ACCESS AND OFF-STREET PARKING ARE PROVIDED.

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24. CASE Z84011 - to rezone Lots 15 thru 18, NCB 1157, in the 500 block of Hood Street, from "R-1" One Family Residence District to "R-2A" Three and Four Family Residence District, located southeast of the intersection of Frank Street, and Hood Street, having 196.88' on Hood Street and 151.94' on Frank Street.

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

Mr. Webb moved that the recommendation of the Zoning Commission be approved provided that proper access and off-street parking are provided, and that right-of-way is given in accordance with the subdivision regulations. Mr. Hasslocher 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 58,261

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 15 THRU 18, NCB 1157, IN THE 500 BLOCK OF HOOD STREET, FROM "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "R-2A" THREE AND FOUR-FAMILY RESIDENCE DISTRICT, PROVIDED THAT PROPER ACCESS AND OFF-STREET PARKING ARE PROVIDED, AND THAT RIGHT-OF-WAY IS GIVEN IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS.

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25. CASE Z84012 - to rezone Lot 7, Block 16, NCB 418, 211-215 Broadway, ZONE: "I" Business District, located on the northwest side of Broadway, being 149.38' northeast of the intersection of E. Travis Street and Broadway, having 56.2' on Broadway and a depth of 133.6', to be designated as an Historic District.

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

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

Mr. Curtis Gunn, Jr., 306 North Presa Street, explained the proposed usage for the property, with retail uses downstairs and office space upstairs. He briefly spoke of its planned renovation and restoration.

A discussion then took place concerning the tax abatement program of the City.

Ms. Berriozabal spoke in support of the request.

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 58,262

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 7, BLOCK 16, NCB 418, 211-215 BROADWAY, ZONE: "I" BUSINESS DISTRICT TO AN HISTORIC DISTRICT.

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26. CASE Z84019 - to rezone the northeast 200' of Parcel 6B, NCB 12567, from Temporary "R-1" One Family Residence District to "O-1" Office District and Parcel 6B, save and except the northeast 200', NCB 12567, in the 4500 Block of N.W. Military Hwy., from Temporary "R-1" One Family Residence District to "R-3" Multiple Family Residence District, located on the southwest side of N.W. Military Hwy, being 200' southeast of the intersection of George Road and N.W. Military Hwy., having 212' on N.W. Military Hwy. and a depth of 740'. The "O-1" being on the northeast 200' of subject property and the "R-3" being on the remaining portion.

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 moved that the recommendation of the Zoning Commission be approved provided that proper access and off-street parking are provided. Mr. Alderete seconded the motion.

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

AN ORDINANCE 58,263

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE NORTHEAST 200' OF PARCEL 6B, NCB 12567, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT AND PARCEL 6B, SAVE AND EXCEPT THE NORTHEAST 200', NCB 12567, IN THE 4500 BLOCK OF NORTHWEST MILITARY HIGHWAY, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT, PROVIDED THAT PROPER ACCESS AND OFF-STREET PARKING ARE PROVIDED.

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27. CASE Z84022 - to rezone Lot 1, Block 24, NCB 17243, 12343 Wetmore Road, from "I-1" Light Industry District to "B-2" Business District, located north of the intersection of Ridge Country Drive and Wetmore Road, having 517.72' on Wetmore Road and 360' on Ridge Country 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, Eureste, Thompson, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: None.

AN ORDINANCE 58,264

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 1, BLOCK 24, NCB 17243, 12343 WETMORE ROAD, FROM "I-1" LIGHT INDUSTRY DISTRICT TO "B-2" BUSINESS DISTRICT.

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28. CASE Z84017 - to rezone Parcel 12A, NCB 14857, in the rear of 11500 block of Huebner Road, from Temporary "R-1" One Family Residence District to "B-2" Business District, located approximately 350' northwest of Huebner Road, being approximately 1700' northeast of the intersection of I.H. 10 Expressway and Huebner Road, having a width of 510.0' and a depth of 746.68'.

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 moved that the recommendation of the Zoning Commission be approved. Mrs. Dutmer seconded the motion.

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

AN ORDINANCE 58,265

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS PARCEL 12A, NCB 14857, IN THE REAR OF THE 11500 BLOCK OF HUEBNER ROAD, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT.

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29. Zoning Case Z84014 was removed from consideration.

30. CASE Z84023 - to rezone a 39.473 acre tract of land out of NCB 14862, being further described by field notes filed in the Office of the City Clerk, in the rear of the 5400 block of Prue Road, from Temporary "R-1" One Family Residence District to "R-7" Small Lot Homes, located 1100' north of Prue Road, abutting the Woodridge Unit-2 Subdivision, having a width of 1540.87' and a depth of 1259.24'.

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

Mrs. Dutmer spoke of her concern that the City is buying up a number of substandard lots in a number of areas of the City, yet approving more such as this under new zoning regulations.

Mr. Harrington moved that the recommendation of the Zoning Commission be approved provided that a six-foot solid screen fence, with steel fenceposts, is erected and maintained along the east property line. Mr. Thompson seconded the motion.

A discussion then took place concerning the proposed inclusion of a six-foot solid screen fence with steel fenceposts along the east property line, during which a representative of the proponent spoke against the inclusion of that stipulation provision.

Mr. Wing offered a substitute motion to approve the requested rezoning without the fence stipulation made in the main motion. Mr. Eureste seconded the motion.

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

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

AN ORDINANCE 58,266

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 39.473 ACRE TRACT OF LAND OUT OF NCB 14862, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE REAR OF THE 5400 BLOCK OF PRUE ROAD, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "R-7" SMALL LOT HOMES RESIDENCE DISTRICT, PROVIDED THAT A SIX-FOOT SOLID SCREEN FENCE, WITH STEEL FENCEPOSTS, IS ERECTED AND MAINTAINED ALONG THE EAST PROPERTY LINE.

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84-06 The Clerk read the following Ordinance:

AN ORDINANCE 58,267

ACCEPTING THE BID OF AEROPLEX STORES, INC. AND DIRECTING THE EXECUTION OF AN AGREEMENT PURSUANT THERETO FOR THE GIFT AND NEWS CONCESSION AT THE SAN ANTONIO INTERNATIONAL AIRPORT.

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Mr. Ronald Marangi, Vice-President, Aeroplex Stores, stated that his firm is a part of the Zales Corporation, headquartered in Dallas.

Mr. Brian Weiner, President, Periodical Management Group, parent company of Weiner News Service, stated his belief that his firm's bid is the better one in the interests of San Antonio, noting that his firm is from San Antonio, while Aeroplex is based in Dallas. He spoke to details of his own proposal and of the minority breakdown of his firm, noting that his is a longtime San Antonio firm. He stated his contention that his firm's bid is equal to that of Aeroplex. He then stated his belief that the Aeroplex bid is unrealistic. He then briefly compared gift and news concession operations in a number of airports around the nation, and further compared his concessions to those of Aeroplex. He stated his contention that a local firm should receive the bid business, in order to keep more of the monies involved in San Antonio. He then provided members of the City Council with a handout of material.

Mr. Michael Kutchins, Director of Aviation, explained briefly the six proposals received and the subsequent study of each by the concession selection committee, and its final recommendation. He stated his belief that the Aeroplex bid is significantly higher than the others.

In response to a question by Mr. Webb, Mr. Kutchins discussed the various bid proposals and the fact that a number of larger gift and news concession firms did not choose to enter the bidding here. He acknowledged that the Aeroplex bid is higher than the rest, but noted also that Zales Corporation has agreed in writing not to seek renegotiation of

the contract for the gift and news concession. He further noted that the prices charged in the concession must be in line with other retail sales of similar items.

Mr. Webb spoke of his concern with the spread of the bids involved.

Mr. Louis J. Fox, City Manager, stated that this is a \$3 million issue, and recommended that the City Council consider postponing action if the Council feels there is any problem. He stated that the City could reject all bids and readvertise for bids, if the Council desires.

Mr. Rick Naylor, Department of Aviation, stated his belief that the Aeroplex \$6 million bid is in line with the requirements, though it is some 60 per cent higher than that of Weiner.

In response to a question by Mr. Webb, Mr. Marangi spoke to some of the differences between the Aeroplex contract in Detroit for its airport gift and news concession, and its bid for San Antonio's concession.

Mrs. Dutmer spoke of her concern that some bids might be awarded on the basis of the presentations made, and not solely on the best return to the City of San Antonio.

Mr. Eureste moved to approve the bid submitted by Weiner News Service. Mr. Webb seconded the motion.

Mr. Eureste compared the involvement of each of the two bidders in such things as community affairs and work with community groups. He then spoke to Weiner's involvement in Vista Verde North as a property owner with a new plant in that urban renewal area, and questioned whether or not Aeroplex can deliver on its guaranteed return to the City.

In response to a question by Mr. Eureste, Mr. Marangi discussed Aeroplex's involvement as a subsidiary of the Zales Corporation, in San Antonio organizations. He also briefly discussed the firm's legal settlement with the Internal Revenue Service of a \$10 million lawsuit.

In response to a question by Mr. Eureste, Mr. Kutchins discussed the high rates paid by the various airlines to use San Antonio International Airport, because of the major improvements being made at the airport.

Mr. Eureste spoke of his belief that he must support a local firm in this issue.

In response to a question by Mr. Hasslocher, Mr. Weiner stated that his firm is involved with the Mexican-American Unity Council on its gift and news concession at San Antonio International Airport.

In response to a question by Mr. Wing, Mr. Kutchins discussed the firmness of the proposed bid guarantee, including the possibility of bankruptcy.

In response to a question by Mr. Wing, Mr. Marangi stated that the Zales Corporation has some 240 employees in San Antonio, and briefly discussed the ethnic breakdown of that employee group.

Mr. Archer spoke in support of the highest bidder.

In response to a question by Mr. Alderete, Mr. Kutchins stated that the Aeroplex bid was for some \$6.1 million; that of International Shops \$2.45 million; the Paradise bid \$2,562,137; Sky Chefs' bid of \$2,302,800; that of Valase \$2.0 million; and the Weiner bid of \$3,767,105.

A discussion then took place concerning the investigations of Aeroplex's track-record as concessionaire in the various airports around

the nation, followed by a discussion of how the study committee's recommendations were arrived at.

Mr. Fox stated his belief that he cannot exclude out-of-town bidders, or give more weight to San Antonio firms.

In response to a question by Mr. Alderete, Dr. George Benz, Professor of Economics, St. Mary's University, spoke to the use of 'the multiplier effect' in economics, noting that some \$3.6 million of the Aeroplex bid will effectively leave town. He then spoke of the application of 'the multiplier effect' on the actual loss in retail sales, taxes, etc., from this removal of cash from San Antonio.

Mr. Alderete stated his belief that the Aeroplex firm is seeking to "buy" the bid, and will not be able to provide the merchandise that a local firm would provide. He spoke to the advantages of Weiner in its location, ethnic breakdown of employees, creation of new jobs in San Antonio, and the fact that it is a local firm.

Ms. Berriozabal noted that the airport has a concessions policy, and spoke to the published criteria for this policy. She stated her opinion that this policy does not give weight to certain other criteria that she feels is important and valuable, such as fair employment practices, where the concessions money is going, etc. She stated that both Aeroplex and Weiner have good bids, from the City standpoint, and spoke in favor of restructuring policies on selection of concessionaires to reflect this criteria.

Mayor Cisneros stated that the issues in this matter are clear.

Mrs. Dutmer spoke against rebidding the proposal.

In response to a question by Mrs. Dutmer, Mr. Weiner stated that MAUC will help to locate minority workers for the gift and news concession at International Airport, although MAUC and Weiner have no written agreement.

Mrs. Dutmer offered a substitute motion to accept the Aeroplex proposal. Mr. Harrington seconded the motion.

In response to a question by Mr. Thompson, Mr. Marangi stated that periodicals at Aeroplex all are pre-priced and cannot be sold for more than the cover price.

Mr. Hasslocher spoke in support of the Aeroplex bid.

Ms. Berriozabal offered a second substitute motion that all bids be rejected, the criteria be redrawn, and the proposals be re-bid. The motion died for lack of a second.

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

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

84-06 The Clerk read the following Ordinance:

AN ORDINANCE 58,268

SETTING THE RENTAL RATES FOR THE RECONSTRUCTED MUNICIPAL AUDITORIUM.

* * * *

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

In response to a question by Ms. Berriozabal, Mr. Joe Madison, Director of Convention Facilities, discussed the proposed rental rates for Municipal Auditorium and noted that a new manager of Municipal Auditorium is now being sought. He stated that he plans to have staff meet with community and school groups on use of the auditorium.

In response to a question by Mrs. Dutmer, Mr. Madison stated that staff will require, under the new rules, a \$5,000 damage deposit fee for each public event held in Municipal Auditorium, when reopened.

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

- - -
84-06 The Clerk read the following Ordinance:

AN ORDINANCE 58,269

AUTHORIZING THE EXECUTION OF A STANDARD PROFESSIONAL SERVICES CONTRACT TO PROVIDE PROJECT MANAGEMENT SERVICES ON THE CONVENTION CENTER EXPANSION PROJECT; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT. (3D/INTERNATIONAL, INC. & WALTER P. MOORE & ASSOCIATES, INC., A JOINT VENTURE)

* * * *

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

In response to a question by Mrs. Dutmer, Mr. Frank Kiolbassa, Director of Public Works, explained how the proposals for project management services for the Convention Center Expansion Project were sought and the selection process used. He noted that local firms, in this case, have an advantage.

In response to a question by Ms. Berriozabal, Mr. Louis J. Fox, City Manager, discussed the possibility of perhaps having the same project manager for the Convention Center Expansion Project and the coming renovation and redevelopment of HemisFair Plaza.

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

- - -
84-06 The Clerk read the following Ordinance:

AN ORDINANCE 58,270

AUTHORIZING THE EXECUTION OF A STANDARD PROFESSIONAL SERVICES CONTRACT TO PROVIDE ARCHITECTURAL DESIGN ON THE CONVENTION CENTER EXPANSION PROJECT; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT. (CERNA, RABA AND PARTNERS)

* * * *

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

397

In response to a question by Ms. Berriozabal, Mr. Frank Kiolbassa, Director of Public Works, discussed the process of selection of a proposed architect for the Convention Center Expansion Project, noting that work on the project actually begins here, with this Ordinance.

A discussion then took place concerning City Council review of design matters on this project.

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

84-06 The Clerk read the following Resolution:

A RESOLUTION NO. 84-06-13

ENDORING THE PROPOSED EXPRESSWAY.

* * * *

Mayor Cisneros spoke briefly on the ground rules to be followed during this discussion and consideration of a proposed Resolution, stating that it would start with the City staff report, after which the City Council would briefly recess the meeting to move over to the "B" Room across the hall to view the set of aerial photos of the proposed expressway routes, overlain by the proposed routing for the expressway as designed by the State Department of Highways and Public Transportation. After that time, the Council would return to the regular meeting in the Council Chamber to receive citizen input.

Mr. Roland Lozano, Director of Planning, gave the City staff report, a copy of which is made a part of the papers of this meeting. He spoke briefly to the history of the proposed expressway, to date, and noted that City staff recommends the Council endorse the concept of the freeway. He then spoke in detail to the elements involved, including the request that the Texas Highway and Public Transportation Commission designate this a controlled-access State highway; the limits of the freeway; how many lanes of traffic are involved; interchanges; access road construction; main lane and interchange construction schedules; and the fact that the City would obtain necessary right-of-way for the freeway and guarantee to pay 50 per cent of the cost of the access roads based upon commitments by affected landowners.

Mr. Lozano then spoke to the seven attachments, labelled Attachments "A" through "G", including design/alignment alternatives, possible impact on present tax base, budget, private contributions, expressway proposal, response to questions, and the proposed City Council Resolution.

He then briefly discussed funding options available to the Council.

Mrs. Dutmer moved that the Resolution be approved. Mr. Alderete seconded the motion.

Mayor Cisneros spoke of having met with community groups and individuals over the past few weeks on this proposed project, and read Attachment "E". He spoke to specifics of the proposed Resolution, including the interchange locations, timetables for construction, and limits of the expressway, among other topics. He then thanked Mr. Lozano and Mr. Alexander E. Briseno, Assistant City Manager, for their work on this project. He then discussed Option "A" and Option "B" of Attachment "D", Private Contributions, and addressed details of the funding involved in each.

Mayor Cisneros stated that he feels confident that land values along the proposed expressway will jump many times their current values after construction of the freeway, noting that this is an estimated \$80 million expressway with property owners along the proposed route contributing most of the right-of-way and other allied costs involved. He stated that City costs will be only some \$4.3 million, at most, and spoke in support of Option "B".

The City Council then recessed at 4:35 P.M. to view the aerial photographs and proposed routes on display in the "B" Room across the hall, and to receive a quick briefing on that display by Mr. Lozano and Mr. Raymond Stotzer, Resident Engineer, Texas Department of Highways and Public Transportation, San Antonio, reconvening in formal session at 4:57 P.M. in the Council Chamber.

Mr. Harrington moved to include the Northside Independent School District among groups to have direct approval of the elements of the expressway proposal listed on page 8 of the City staff proposal, under Attachment "E". Mr. Hasslocher seconded the motion.

Mr. Robert Marbut, representing the Greater San Antonio Chamber of Commerce, stated his opinion that this expressway is much-needed, noting that this area is the fastest-growing part of Bexar County. He then spoke of this proposal as a good example of public/private cooperation.

Mr. Walter Schultze, transportation chairman for the South Side Chamber of Commerce, spoke in support of the freeway, noting that business follows freeway development.

Mr. Jack Jordan, Superintendent, Northside Independent School District, noted that his Board of Trustees had voted to endorse the concept, and he read a letter to that effect, noting that the District will work with the City on this matter.

Mayor Cisneros stated his opinion that it is important for the Northside Independent School District to be consulted along with other affected school districts and community groups on this issue, and spoke of the importance played by Communities Organized for Public Service in this matter. He then stated that he resented an earlier verbal attack on him, ostensibly made because of his own feelings that community groups should be consulted in such matters as this freeway because they represent the grassroots interests of the people of an area. He then stated his opinion that Mr. Raul Fernandez is against involvement of groups such as COPS in this matter, but noted that, in his opinion, everyone's concerns must be taken into consideration here.

Mr. Russell Kyse, representing the North San Antonio Chamber of Commerce, spoke in support of the concept.

Mr. Chris Gutierrez, representing the Van de Walle Agricultural Properties, also spoke in support, then spoke to several requirements his group would need to be assured of.

Mr. Martin Wender, Westover Hills, Ltd., stated that he and his group represent the property owners of perhaps three-fifths of this freeway distance, and spoke of requests being made for both land and money. He further stated that the four partners involved in property between Loop 410 and Loop 1604 all support the freeway concept.

Mr. Robert Arburn, Park 410 West, an architect, spoke in support of the freeway concept and also spoke to the hard work done in this matter by Mayor Cisneros and Mr. Wender.

Ms. Lillie Lopez, First Vice-President, Communities Organized for Public Service (COPS), stated that her group would have input into a

number of things that have a definite impact on their neighborhoods because of this proposed freeway, and noted that COPS neither endorses or opposes the freeway concept at this point.

Ms. Sonia Hernandez, President, COPS, spoke to investigations by COPS resulting in a series of questions that needed to be asked and answered in relation to the design, financing, etc. on the freeway.

Father Mike McGuire, Director of the Transportation Committee, COPS, spoke to important questions concerning any proposed freeway development, including the amount of land required to be donated. He stated that his group feels this amount is too low, and needs to be increased. He then addressed certain elements of Attachment "F", and spoke of guarantees provided in response to COPS' questions. He noted that the major portion of COPS' concerns have been addressed so far.

Ms. Hernandez stated her opinion that the economic development of freeway areas must be carefully planned, with more planning needed in this area. She stated that COPS will not oppose or seek to delay the freeway at this time, but could oppose it later if it is seen that the proposed freeway would have an adverse impact on the neighborhoods.

Mr. Tom Van de Walle, 410 Westlakes, Inc., spoke in support of the freeway proposal.

Mr. Raul Fernandez, President, Greater San Antonio Builders Association and Trustee, Northside Independent School District, stated that he would like to apologize to the Mayor for any earlier remarks made to the Mayor, and spoke to those remarks as perhaps a misunderstanding. He stated his opinion that if non-elected individuals are to be consulted and included in discussions on the freeway, then elected officials such as those of the Northside Independent School District also should be included.

(At this point, Mayor Cisneros was obliged to leave the meeting. Mr. Hasslocher presided.)

Mr. Thompson stated his opinion that this area of the City needs more transportation assistance, even though the residents with property east of Acme Road will not be helped, that much. He spoke of this as a unique opportunity for development in San Antonio.

Mr. Alderete spoke in support, calling it a compromise effort.

(At this point, Mayor Cisneros returned to the meeting to preside.)

In response to a question by Mrs. Dutmer, Mr. Winder spoke to his commitments to road construction, in conjunction with the freeway.

In response to a question by Mrs. Dutmer, Mr. Louis J. Fox, City Manager, discussed the various funding mechanisms involved.

Ms. Berriozabal endorsed the concept, speaking of the active neighborhood communities now involved in the development of the City.

Mr. Eureste thanked the backers of the concept and COPS representatives present.

The amendment to include Northside Independent School District among groups to have direct approval of the elements of the expressway proposal prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: None.

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

Mayor Cisneros then spoke of taking the case before the State Highway Commission next Wednesday in Austin, for presentation.

84-06 The Clerk read the following Ordinance:

AN ORDINANCE 53,271

BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS, RELATING TO THE ISSUANCE AND SALE OF \$46,500,000 "CITY OF SAN ANTONIO, TEXAS, PRIOR LIEN SEWER SYSTEM REVENUE BONDS, SERIES 1984", INCLUDING THE APPROVAL AND AUTHORIZATION TO PUBLISH A "NOTICE OF SALE" AND THE AUTHORIZATION TO PROCEED WITH THE GIVING OF A NOTICE OF INTENTION TO ISSUE SUCH BONDS; AND DECLARING AN EMERGENCY.

* * * *

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

Mr. C. A. Stubbs, President, Homeowners/Taxpayers Association of Bexar County, spoke of his group's concerns with the costs to be borne by taxpayers for various projects, including these bonds. He then spoke of a major rise in sewer bills, brought about by wastewater treatment plant work in San Antonio, and stated his belief that taxes in Bexar County will triple in seven years.

Mr. E. L. Richey spoke of his concern with the large amount of interest to be paid for these sewer bonds.

Mr. Karl Wurz spoke in opposition to the bond sales, because of the amount of interest to be paid.

Mr. Archer stated his opinion that this bond sale is being rushed through. He noted that at one time, the federal government was to pay 90 per cent of the costs of wastewater treatment program improvements, but now, local taxpayers must absorb most of the costs. He stated his belief that the City Council should have more options before it, in this matter, such as the possibility of improving local wastewater treatment plants, etc.

Mr. Archer offered a substitute motion to stop the process of selling these bonds, and retain a consultant to study the matter and review the options available concerning construction of the Dos Rios plant, or appoint a City Council committee to discuss the alternatives in this issue. The motion died for lack of a second.

Mayor Cisneros spoke to the ramifications of such a move.

Mr. Archer spoke of his belief that the City should re-study the wastewater treatment program.

Mrs. Dutmer stated her opinion that it would cost much more to seek to upgrade the Rilling Road wastewater treatment plant, rather than construct the Dos Rios plant. She also discussed the possibility of future lawsuits being filed against the City by cities downstream on the San Antonio River, if the Dos Rios plant is not constructed, noting her belief that it would cost the City much more in lawsuits than the cost to construct the Dos Rios plant.

Mr. Thompson spoke of the need for the City to pay its just bills.

Ms. Berriozabal spoke of her investigations into this matter, and her belief that nothing else can be done in the way of an option to the

Dos Rios plant, even though she might not like it. She asked City staff to investigate ways to alleviate the sewer bills of those on fixed incomes.

Mr. Louis J. Fox, City Manager, noted that federal regulations impact this matter, which is a problem to all concerned, and the City is investigating possible rate relief options, such as that given to certain segments of the population on CPS bills.

Mr. Archer spoke of his conviction that these bonds are not needed.

Mr. Eureste stated that, for the most part, he represents the poorer residents of the City, but noted his belief that they are willing to sacrifice a bit to improve the City's wastewater treatment program. He stated further that the City has no other choice.

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

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84-06 By informal Council concensus, it was agreed to temporarily bypass agenda number 36 until later in the meeting.

- - -
84-06 Mayor Cisneros noted that a member of the City Council has requested that agenda item number 38 be postponed until it can first be discussed in Executive Session.

Mr. Archer spoke against the postponement.

Mr. Alderete moved that this item be postponed. Mr. Thompson seconded the motion.

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

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84-06 Agenda item 41, being an ordinance authorizing construction of a sidewalk along Clower Street from Brad to Buckeye, was removed from consideration.

- - -
84-06 The Clerk read a proposed Ordinance amending section 6-1 of the City Code of the City of San Antonio so as to clarify the status of rabbits as regulated livestock in San Antonio; and providing a penalty not exceeding \$1,000.00.

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

Dr. Joseph Salisbury, Metropolitan Health District, explained the background of this request for Ordinance, noting that City staff has no current power to deny the keeping of rabbits inside the City limits, or to enforce their keeping provisions. He spoke of the City Code as having no criteria for denial of a livestock license to anyone keeping rabbits as there are for other classes of livestock, such as poultry. He further explained that this Ordinance would merely reinstate a portion of the City Code previously dropped. He noted that the Department of Agriculture classifies rabbits as "poultry", and spoke to the various reasons for the need to regulate the raising of rabbits inside the City limits.

Mayor Cisneros noted that the proposed Ordinance would give the City more control over the raising of rabbits.

Mrs. Jackie Kuhle, 659 West Olmos Drive, stated that she is a member of the Rabbit Breeders Association, and noted that this would have a serious impact on the rabbit-breeding business in San Antonio. She then spoke to certain health restrictions observed by reputable rabbit breeders in the City, and also spoke against others who might abuse those health restrictions.

(At this point, Mayor Cisneros was obliged to leave the meeting. Mayor Pro Tem Thompson presided.)

Mrs. Kuhle stated that she would be available to help work out any responsible new laws with the City staff.

Mr. Gary Grubbs stated that he, too, would like to have input into any new laws.

Mr. Gary Verstuyft, 363 Pennystone, spoke against the proposed Ordinance, stating that rabbits are easy to raise and not a health hazard.

Mr. Danny Ortiz stated that the new proposed Ordinance will put many rabbit-raisers in the City out of business, if enacted.

Mr. Louis J. Fox, City Manager, stated that City staff wants rabbits included in the "poultry" definition, and briefly spoke to the proposed restrictions involved.

Mr. Hasslocher moved to postpone consideration of this ordinance for three weeks in order to clear up the definition problems involved. Ms. Berriozabal seconded the motion.

Mrs. Dutmer stated her opinion that Mr. Verstuyft has been the subject of certain complaints brought to the attention of the City in the past, dealing with his keeping of rabbits and other animals at his home.

(At this point, Mayor Cisneros returned to the meeting to preside.)

The motion to postpone consideration of this item for three weeks prevailed by the following vote: AYES: Berriozabal, Webb, Wing, Thompson, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: Dutmer; ABSENT: Eureste.

- - -
84-06 The City Council recessed at 7:00 P.M. for a "B" Session discussion of the "Target 90" program, reconvening at 7:45 P.M. for Citizens To Be Heard.

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84-06

CITIZENS TO BE HEARD

BOB KUEMMEL

Mr. Bob Kuemmel, 514 W. Commerce, spoke to the City Council about two shops he has at El Mercado which he wants to sell. He stated that these shops have been for sale for six months and he believes there is opposition to this sale which has kept it off the Council's agenda.

City Manager Louis J. Fox stated that the item will be on the agenda next week.

Mayor Cisneros asked Mr. Kuemmel to be present at next week's meeting.

* * * *

MR. ED DAY

Mr. Day, representing Mr. and Mrs. Rivera, stated that they were the high bidders for the space which Mr. Kuemmel is selling. They were not recommended and he asked that this item not be on the consent agenda.

* * * *

MR. BRYSON RAY WILLIAMS

Mr. Bryson Ray Williams, 7313 Leaping Oaks, spoke to the City Council about an incident which involved an assault on his person by a San Antonio police officer outside the City limits. He was later arrested and cleared of any wrongdoing. He had to incur over \$5,000 in court costs.

Mayor Cisneros spoke about the policy question of a police officer making arrests outside the City limits.

Mr. Eureste expressed concern about this incident and the fact that the police officer was off-duty and the incident occurred outside the City limits. He took exception to the manner in which the police officer approached this citizen. He asked the City staff to investigate the matter and see what recourse is available to Mr. Williams.

In response to a question by Mr. Alderete, Mr. Williams related the entire incident in detail.

City Manager Louis J. Fox stated that this report will be forthcoming to the Council in a week.

* * * *

84-06 The Clerk read the following Letter:

February 2, 1984

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

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

February 1, 1984

Petition submitted by Mr. Harold E. Wilcut, 4919 Pecan Grove #229, on behalf of members of the Pecan Valley Elementary P.T.A. and residents of the immediate area requesting that a traffic light be installed at the intersection of Club View and East Southcross.

* * * *

February 2, 1984

Petition submitted by J. A. Whitelaw, Box 12287, San Antonio, Texas 78212 requesting permission to re-construct an awning/balcony over a public sidewalk.

* * * *

/s/Norma S. Rodriguez
City Clerk

There being no further business to come before the City Council,
the meeting was adjourned at 8:15 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

405