

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, AUGUST 5, 1982.

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The meeting was called to order at 1:00 P.M. by the presiding officer, Mayor Henry Cisneros, with the following members present: BERRIOZABAL, WEBB, DUTMER, WING, EURESTE, THOMPSON, ALDERETE, HARRINGTON, ARCHER, HASSLOCHER, CISNEROS.

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82-34 The invocation was given by Reverend John Strange, Good Shepherd Presbyterian Church.

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82-43 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

82-34 TOM C. CLARK HIGH SCHOOL SYMPHONIC BAND

Mayor Cisneros introduced members of the Tom C. Clark High School Symphonic Band and its director, Mr. Gary Rosenblatt, present in the audience, and read the following Proclamation:

"In recognition of being selected one of the two high schools throughout the United States to perform at the National Band Association Convention in Kansas City, Missouri.

The City Council of the City of San Antonio commends Band Director Gary Rosenblatt and the members of the Tom C. Clark Symphonic Band for their untiring efforts in achieving musical excellence and for serving as representatives of our City in this important event."

Mayor Cisneros spoke of the accomplishments of the band and the difficult task of achieving such musical excellence in the five years of the school's existence. He then asked Mr. Harrington and Mr. Alderete to make the formal presentation of the Proclamation.

Mr. Harrington and Mr. Alderete presented the Proclamation.

Mr. Rosenblatt thanked the Mayor and Council for the recognition, and presented the City with a copy of the official program from the convention and a recording of the symphonic band's presentation in Kansas City.

82-34 RECORDS MANAGEMENT MANAGER OF THE YEAR

Mayor Cisneros introduced Ms. Yolanda Arevalos, President of the San Antonio Chapter, Association of Records Managers and Administrators, for the presentation of an award to Mr. George Whitfield, head of the records and microfilm facility for the City of San Antonio.

Ms. Arevalos spoke briefly on the background of ARMA and of the award being made to Mr. Whitfield, being recognized by his professional organization as the outstanding "Manager of the Year" in San Antonio.

Ms. Arevalos then presented Mr. Whitfield with an engraved plaque.

Mayor Cisneros and members of the City Council congratulated Mr. Whitfield on his accomplishments.

Mr. Whitfield thanked ARMA and members of the Council for the honor.

Mr. Louis J. Fox, City Manager, spoke briefly to the records management study now underway in the City, and of Mr. Whitfield's part in that effort.

82-34 The minutes of the meetings of July 8, 1982 and July 22, 1982 were approved.

82-34 CONSENT AGENDA

Mr. Hasslocher moved that items 5 - 18 constituting the consent agenda be approved with the exception of item 17, to be pulled for individual consideration. Mr. Thompson seconded the motion.

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

AN ORDINANCE 55,633

ACCEPTING THE LOW BID OF S & S ARTS & CRAFTS TO FURNISH THE CITY OF SAN ANTONIO WITH ART AND CRAFT SUPPLIES FOR A TOTAL OF \$3,988.50.

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AN ORDINANCE 55,634

AUTHORIZING PAYMENT FOR MAINTENANCE SERVICE FOR DICTAPHONE EQUIPMENT LOCATED IN THE POLICE DEPARTMENT FOR \$5,097.00.

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AN ORDINANCE 55,635

ACCEPTING THE LOW QUALIFIED BID OF MAGNASYNC/ MOVIOLA CORPORATION TO FURNISH THE CITY OF SAN ANTONIO WITH MODIFICATION OF THE VOICE TAPE LOGGING RECORDER SYSTEM AT INTERNATIONAL AIRPORT FOR A TOTAL OF \$9,950.00.

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AN ORDINANCE 55,636

APPROVING THE PURCHASE OF EQUIPMENT AND PARTS NEEDED FOR THE WEST AVENUE METHANE GAS CONTROL SYSTEM.

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AN ORDINANCE 55,637

ACCEPTING THE PROPOSAL FROM M. W. CUDE & ASSOCIATES, INC., TO PROVIDE PLANS AND SPECIFICATIONS FOR OFF-SITE SANITARY SEWER SERVICES TO THE ZUYLEN SUB-DIVISION AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 55,638

ACCEPTING THE LOW BID OF W. T. PENGELLY CORPORATION IN THE AMOUNT OF \$771,191.69 FOR CONSTRUCTION OF PORTIONS OF CALLES, HUERTA, OBREGON AND MADERO STREETS; APPROVING A CONTRACT; PROVIDING FOR PAYMENT AND AUTHORIZING BUDGETARY REVISIONS.

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AN ORDINANCE 55,639

CLOSING AND ABANDONING SOUTH LEONA AND NUEVA STREETS ADJACENT TO NEW CITY BLOCKS 282, 283, 301, AND 302, AND BUENA VISTA ALLEY IN NEW CITY BLOCK 283, AND AUTHORIZING A QUITCLAIM DEED TO URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO, FOR A CONSIDERATION OF \$1.00.

* * * *

AN ORDINANCE 55,640

APPROPRIATING \$300,000.00 AND AUTHORIZING PAYMENT THEREOF TO THE JOINT VENTURE OF LOCKWOOD, ANDREWS AND NEWNAM, INC., PAPE-DAWSON, INC. AND VICKREY & ASSOCIATES FOR SERVICES IN CONNECTION WITH THE 201 WASTEWATER FACILITIES IMPROVEMENTS PROGRAM.

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AN ORDINANCE 55,641

ACCEPTING THE LOW QUALIFIED BID OF TRI-PRO SERVICES, INC. IN THE AMOUNT OF \$32,400.00 TO FURNISH LABOR AND MATERIAL FOR SPRAYED ACOUSTICAL CEILING REVISIONS IN THE NORTH BANQUET HALL (#1) AT THE CONVENTION CENTER, AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 55,642

APPROVING A LEASE AGREEMENT WITH SEVERO AND ESTHER RODRIGUEZ FOR RENTAL OF SPACE IN LA VILLITA.

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AN ORDINANCE 55,643

AUTHORIZING INDIVIDUAL LEASE AGREEMENTS WITH SAN ANTONIO CONSERVATION SOCIETY AND WITH KENNETH L. MOORE, D/B/A PUFF 'N STUFF CANDLES FOR LEASE OF SPACE IN LA VILLITA.

* * * *

A RESOLUTION
NO. 82-34-36

REQUESTING THE STATE HIGHWAY AND PUBLIC TRANSPORTATION COMMISSION TO DECLARE AN EXISTING DRAINAGE CHANNEL EASEMENT APPURTENANT TO N. E. LOOP 410 AND PERRIN-BEITEL ROAD IN THE CITY OF SAN ANTONIO SURPLUS TO THE NEEDS OF THE STATE; AND TO EFFECT THE RELEASE OF SAID CHANNEL EASEMENT TO THE OWNER OF THE FEE IN THE LAND.

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AN ORDINANCE 55,644

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

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82-34 The Clerk read the following Ordinance:

AN ORDINANCE 55,645

APPROPRIATING \$25,732.20 AND AUTHORIZING PAYMENT THEREOF TO ROUTH & CO. AS COMMISSIONS FOR BROKERAGE SERVICES FOR COMMERCIAL LEASES AT THE RIVER BEND PARKING GARAGE.

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

Mr. Archer spoke of his concern for the size of the commission being paid.

Ms. Jane Macon, City Attorney, stated that this agreement constituted a one-time matter, not an annual cost to the City, and explained the various options considered by the Council before awarding the brokerage services for leases in the River Bend Garage.

Mr. Archer stated that in his opinion, this is not in the best interests of the City.

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

82-34 ZONING HEARINGS

19. CASE 8922 - to rezone Lot 24 and the east 25' of Lot 23, Block 24, NCB 3292, 647 Hammond Avenue, from "B" Residence District to "R-3" Multiple Family Residence District, located northwest of the intersection of S. New Braunfels Avenue and Hammond Avenue, having 75' on Hammond Avenue and 152.5' on S. New Braunfels Avenue.

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 Mrs. Dutmer, Mr. Andy Guerrero, Planning Administrator, explained that the property has access to both Hammond Avenue and South New Braunfels Avenue, and that one requirement being recommended is that the proponent provide adequate off-street parking.

Mrs. Dutmer stated that she does not want to rezone a property that would be a detriment to the nearby church by causing a large amount of parking in front of that church.

After consideration, Mrs. Dutmer moved that the recommendation of the Zoning Commission be approved provided that street dedication is given if necessary. Mr. Archer seconded the motion. On voice vote, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Eureste, Thompson, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Wing, Alderete.

AN ORDINANCE 55,646

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 24 AND THE EAST 25' OF LOT 23, BLOCK 24, NCB 3292, 647 HAMMOND AVENUE, FROM "B" RESIDENTIAL DISTRICT TO "R-3" MULTIPLE-

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FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT STREET DEDICATION IS GIVEN IF NECESSARY.

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20. CASE 8926 - to rezone a 5.0 acre tract of land out of NCB 18033, being further described by field notes filed in the Office of the City Clerk, 2714 Hunters Green Drive, from Temporary "R-1" One Family Residence District to "R-3" Multiple Family Residence District for a Day Care Center with over twenty (20) children, located on the southeast side of Hunters Green Drive, being approximately 800' northeast of the intersection of N.W. Military Highway and Hunter Green Drive, having 463.05' on Hunter Green Drive and a maximum depth of 592.68'.

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

Mr. Andy Guerrero, Planning Administrator, stated that of the 25 notices mailed out to property owners within 200 feet of the property in question, nine notices were returned against the request and three in favor.

Mrs. Sharon Rinehart, 2303 Stoney Trail, spoke of the plans to locate a day care center on the church property, using the existing buildings. She further stated that a deed restriction prevents any other use of the property except for church usage, and presented a petition with 21 signatures of mothers living in this area who will be using the day care center. Mrs. Rinehart outlined the services to be provided.

Mrs. Lloyd Kitchen, Jr., 13417 Shorecliff, spoke in support of the request, and spoke to the educational benefits to be derived by the children from the curriculum. She stated that no other such service exists in this area.

Mrs. Sharon Greenwald, 2715 Burning Trail, stated that she is one of 10 persons hired to staff the new day care center, and spoke of its benefits.

Speaking in opposition, Mr. Jorge Boeringer, 14002 Gray Wing, spoke of three problems involving location of a day care center on the church property: traffic, the possibility of a multiple dwelling unit sometime in the future, and problems with an existing ballfield on the property. He spoke of the importance of deed restrictions on property, and stated that use of the ballfield late at night is a nuisance factor to the neighbors because of noise, lights and dust. He stated that he feels the ballfield might be operating in violation of zoning regulations. Mr. Boeringer also stated that some persons who signed the petition in favor of the day care center did so before being told what other uses an R-3 zoning would allow, as well.

Mrs. Rinehart stated that the street already has a heavy traffic load, and thus a day care center would add little to the traffic flow. She spoke in support of the deed restriction on the property, and stated that Mr. Boeringer is angry over the use of the ballfield and that matter has nothing to do with the case at hand, which is the day care center.

Mr. Harrington spoke of his concern for the objections being raised, and spoke of having received a number of objections in his office.

Mrs. Rinehart stated that most objectors fear a future use of the property, should the day care center and church move.

Mr. Harrington stated that a request to rezone five acres of land for the day care center is too much, and spoke in favor of some plan that would rezone only the existing building plus enough open property on which to operate the day care center facility, without off-street parking being considered.

Mr. Harrington moved that "R-3" Multiple-Family Residential District for a Day-Care Center with over twenty (20) children be granted on only that portion of NCB 18033 presently occupied by the existing church building plus

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a maximum of 5,280 square feet of additional outdoor space for use as an outdoor playground for the day care center, the exact metes and bounds to be on file in the Office of the City Clerk. Mr. Hasslocher seconded the motion.

Mr. Thompson spoke in support of a day care center at this location.

Mr. Wing asked that a City inspector check into the matter of the ballfield on the church property, its legal usage, and the matter of any late-evening operation that could disturb the neighbors.

Mr. Guerrero stated that he would do so, noting that the field probably has a non-conforming right of usage, since this area was a recent annexation to the City of San Antonio.

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

AN ORDINANCE 55,627

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 THAT PORTION OF NCB 18033 PRESENTLY OCCUPIED BY THE EXISTING CHURCH BUILDING PLUS A MAXIMUM OF 5,280 SQUARE FEET OF ADDITIONAL OUTDOOR SPACE FOR USE AS AN OUTDOOR PLAYGROUND FOR THE DAY CARE CENTER, THE EXACT METES AND BOUNDS TO BE ON FILE IN THE OFFICE OF THE CITY CLERK, 2714 HUNTERS GREEN DRIVE FROM TEMPORARY "R-1" SINGLE-FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE-FAMILY RESIDENTIAL DISTRICT FOR A DAY-CARE CENTER WITH OVER TWENTY (20) CHILDREN.

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21. CASE 8920 - to rezone a 0.9307 acre tract of land out of Lots 75, 76, 77, and 78, Block 2, NCB 11966, being further described by field notes filed in the Office of the City Clerk, 9826 N. McCullough Avenue, 9915 Plymouth Avenue, from "A" Single Family Residence District to "I-1" Light Industry District, located between Plymouth Avenue and McCullough Avenue, being 210' and 310' southeast of the intersection of McCullough Avenue, Plymouth Avenue and Portland Road, having 107.50' on Plymouth Avenue and 100' on McCullough Avenue.

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

No citizen appeared to speak in opposition.

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

AN ORDINANCE 55,648

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 0.9307 ACRE TRACT OF LAND OUT OF LOTS 75, 76, 77 and 78, BLOCK 2, NCB 11966, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 9826 NORTH McCULLOUGH AVENUE, 9915 PLYMOUTH AVENUE, FROM "A" SINGLE-FAMILY

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RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT.

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22. CASE 8924 - to rezone a 0.418 acre tract of land out of NCB 10759, being further described by field notes filed in the Office of the City Clerk, in the 2800 block of Rigsby Avenue, from "A" Single Family Residence District to "B-3" Business District, located on the southside of Rigsby Avenue, being approximately 300' east of the intersection of Bonair Road and Rigsby Avenue having 91.13' on Rigsby Avenue and a depth of 200'.

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

No citizen appeared to speak in opposition.

Mrs. Dutmer moved to approve "B-3R" Restrictive Business District zoning in lieu of the requested "B-3" Business District zoning, provided that proper platting is accomplished and street dedication is given if necessary. Mr. Webb seconded the motion.

Mr. Lawrence Rahn, 2806 Rigsby Avenue, stated that he also owns the carwash adjacent to this property and wants to keep it all together as B-3 and replat into a single lot, so that it will have maximum resale value when sold.

Mrs. Dutmer spoke of having a lounge nearby, and stated that there already exists too many liquor outlets in this immediate area, and spoke of concern that if rezoned, this property also might be used to sell liquor. She pointed out that the Rigsby Apartments housing development is immediately across the street.

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

AN ORDINANCE 55,649

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 0.418 ACRE TRACT OF LAND OUT OF NCB 10759, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 2800 BLOCK OF RIGSBY AVENUE, FROM "A" SINGLE-FAMILY RESIDENTIAL DISTRICT TO "B-3R" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED AND STREET DEDICATION IS GIVEN IF NECESSARY.

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23. CASE 8916 - to rezone the south 75' of the 0.2972 acre tract of land out of NCB 7676, being further described by field notes filed in the Office of the City Clerk, 1115 S.E. Military Drive, from "Historic B" Residence District to "Historic B-3" Business District and the 0.2972 acre tract of land out of NCB 7676 save & except the south 75' being further described by field notes filed in the Office of the City Clerk, from "Historic B" Residence District to "Historic I-2" Heavy Industry District, located on the northside of S.E. Military Drive, being 163.26' southeast of the intersection of Roosevelt Avenue and S.E. Military Drive, having 60.1' on S.E. Military Drive, and a maximum depth of 238.46'. The B-3 being on the south 75' of subject property and the I-2 being on the remaining portion.

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

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No citizen appeared to speak in opposition.

Mrs. Dutmer spoke in support of the request, stating that this firm is a very clean operation for a manufacturing firm, and spoke to details of the request.

After consideration, Mr. Wing moved that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished and street dedication is given if necessary. Mrs. Dutmer seconded the motion. On voice vote, 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.

AN ORDINANCE 55,650

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 SOUTH 75' OF THE 0.2972 ACRE TRACT OF LAND OUT OF NCB 7676, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 1115 SOUTHEAST MILITARY DRIVE, FROM HISTORIC "B" RESIDENTIAL DISTRICT TO HISTORIC "B-3" BUSINESS DISTRICT, AND THE 0.2972 ACRE TRACT OF LAND OUT OF NCB 7676, SAVE AND EXCEPT THE SOUTH 75', BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM HISTORIC "B" RESIDENTIAL DISTRICT TO HISTORIC "I-2" HEAVY INDUSTRY DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED AND STREET DEDICATION IS GIVEN IF NECESSARY.

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24. CASE 8892 - to rezone the northwest 60' of the southwest 160' of Lot 10, NCB 11622, in the 5600 block of Fredericksburg Road, from "B-2" Business District to "B-3" Business District, located on the northeast side of Fredericksburg Road, being approximately 270' northwest of the intersection of Donore Place and Fredericksburg Road, having 60' on Fredericksburg Road and a maximum depth of 160'.

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

No citizen appeared to speak in opposition.

After consideration, Mr. Harrington moved that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished and that street dedication is given if necessary. Mr. Alderete seconded the motion. On voice vote, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Thompson, Alderete, Harrington, Archer, Cisneros; NAYS: None; ABSENT: Wing, Eureste, Hasslocher.

AN ORDINANCE 55,651

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 NORTHWEST 60' OF THE SOUTHWEST 160' OF LOT 10, NCB 11622, IN THE 5600 BLOCK OF FREDERICKSBURG ROAD, FROM "B-2" BUSINESS DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED; AND THAT STREET DEDICATION IS GIVEN IF NECESSARY.

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82-34 The Clerk read the following Ordinance:

AN ORDINANCE 55,652

REDISTRIBUTING FUNDS PREVIOUSLY AUTHORIZED FOR ACQUISITION OF THE NORTHWEST BRANCH LIBRARY SITE, WHICH HAS BEEN ACQUIRED BY GIFT FROM THE NORTHSIDE INDEPENDENT SCHOOL DISTRICT.

* * * *

In response to a question by Mr. Alderete, Mr. Mike Sexton, Library Director, stated that since the land involved for this branch library was donated by Northside Independent School District, funds originally set aside for that land purchase could be used to purchase additional library enrichments such as books, furniture and fixtures, instead of being returned to the General Fund.

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

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

82-34 The Clerk read the following Ordinance:

AN ORDINANCE 55,653

MODIFYING SECTION 6-45.7 OF THE CITY CODE, CREATING AN ANIMAL CONTROL ADVISORY BOARD, TO BRING IT INTO COMPLIANCE WITH TEXAS SENATE BILL 291.

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

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

82-34 The Clerk read the following Ordinance:

AN ORDINANCE 55,654

REDUCING THE PARKING FEE AT THE LAKE PAVILION DURING THE FOLKLIFE FESTIVAL.

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Mr. Frank Kiobassa, Director of Public Works, stated that City staff is recommending a \$1.50 reduced charge for parking in the Lake Pavilion during the Texas Folklife Festival, while the Institute of Texas Cultures is asking that exhibitors be allowed to park free of charge.

After discussion, Mr. Alderete moved to accept the staff recommendation of \$1.50. Mr. Hasslocher seconded the motion.

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

Mr. Archer stated that with the four-day Texas Folklife Festival soon to be here, he feared a resurgence of illegal towing activities by certain wrecker firms in the City, and asked if the City could do something at this point to improve that situation. He also urged the City to hasten on drafting its new proposed regulations on wreckers inside the City.

Mr. Hasslocher spoke to details of an incident in which a Trinity University professor had his car illegally towed away from a City location, and the wrecker firm involved has been successfully prosecuted through the cooperation of the City and District Attorney.

82-34 The Clerk read the following Ordinance:

AN ORDINANCE 55,655

ESTABLISHING NEW DISTRICT BOUNDARIES FOR THE
ELECTION OF COUNCIL MEMBERS, PLACES 1 THROUGH 10,
PURSUANT TO SECTION 4 OF THE CITY CHARTER.

* * * *

Mr. Alderete moved to approve the Ordinance. Ms. Berriozabal seconded the motion.

Mr. Karl Wurz spoke in opposition to the redistricting plan, asking if the citizens of San Antonio would have the chance to vote on this plan during City elections next April.

Mayor Cisneros stated that the plan is not subject to a vote of the citizens, since it is not a Charter change matter.

Mr. Archer spoke of the projected changes in District 9 and the loss of a portion of his Mexican American vote thereby. He stated that he has been proud to represent that portion of his District's population in the past, and spoke in opposition to the new ethnic makeup of his district. He stated his concern that the plan was drawn with re-election of incumbents in mind.

Mr. Hasslocher stated that he dislikes having to give up any territory in the redistricting, but thanked Mr. Wing for his efforts in drafting this plan.

In response to a question by Mrs. Dutmer, Ms. Jane Macon, City Attorney, stated that there may have to be some realignment of the voting precincts, if state legislative lines are redrawn after the first of the year.

Mr. Thompson stated that this plan is in the best interests of all the districts in the city.

After discussion, 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.

Mayor Cisneros stated that he is proud of the Council for its hard work on this plan, which he termed difficult and time-consuming.

82-34

MR. DON FULBRIGHT

Mr. Louis J. Fox, City Manager, informed Council that the funeral for Mr. Don Fulbright, Assistant Director of Convention Facilities, was to take place at 3:00 P.M. today.

Mayor Cisneros stated that a Resolution of Respect was being drafted for consideration by the City Council at next Thursday's meeting.

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82-34 The Clerk read the following Ordinance:

AN ORDINANCE 55,656

ACCEPTING AND APPROVING THE ASSIGNMENT BY CHARLES B. DORIA, JR. OF HIS RIGHT, TITLE AND INTEREST IN TWO FOOD AND BEVERAGE CONCESSIONS AT EL MERCADO; AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNATE TO EXECUTE A LEASE WITH GENEROSO VELA, IN FURTHERANCE THEREOF.

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

Mr. Alderete asked to be disqualified from consideration on this Ordinance.

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

Mayor Cisneros declared a recess at 2:53 P.M.

82-34

3:00 P.M. PUBLIC HEARING -
CITY WATER BOARD EXTENSION POLICY & SCHEDULE

Mayor Cisneros declared the Public Hearing open, and explained that two matters are to be considered, in light of a City Council request that City Water Board eliminate its Community Water Development Fund which paid front-money to finance approach water mains.

Mr. Wing stated that he has not had time to properly study this matter, making it difficult for him to vote on this matter at this time.

Mr. Wing moved to postpone consideration of a possible Ordinance for three weeks. Mr. Hasslocher seconded the motion.

Ms. Beatrice Cortez, President of Communities Organized for Public Service (C.O.P.S.), read a prepared statement, contending that City Water Board has not changed the impact of the Community Water Development Fund, which continues to subsidize developers. She asked for a delay in consideration of the Ordinance involved.

Mr. Ted Foote, representing the Metropolitan Congregational Alliance, stated his belief there exists a clear contradiction between this proposed Ordinance and what the Council established as policy recently with the Stone Oak development matter. He stated that this is a serious matter, and noted that this proposal is only one alternative to be considered. He then spoke in favor of a delay in consideration of the Ordinance.

In response to a question by Mr. Thompson, to differentiate between the old system and new system, as they relate to approach and oversized mains, Mr. Robert Van Dyke, General Manager of City Water Board, stated that under the new policy, a developer pays for his approach mains up-front, then recoups his investment from home purchasers over the next seven-year period. He stated that this system is used in a majority of U.S. major cities now, and spoke in support of the proposed Ordinance.

A discussion then took place concerning the limitations on Council comment, in view of the motion to postpone the action to a certain time.

In response to a question by Mr. Harrington, Mr. Van Dyke stated that these recommendations are the result of two meetings between the City Council

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and City Water Board trustees, and were adopted by City Water Board at a Public Hearing on June 29, 1982. He further stated that the Planning Commission held a Public Hearing on them on July 21, and recommended them to the Council for action.

Mr. Harrington stated his opinion that this was a fair Ordinance, and it does away with the Community Water Development Fund.

Mayor Cisneros then declared the Public Hearing closed.

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

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\$75 MILLION CITY PUBLIC SERVICE BONDS

Mayor Cisneros noted that Communities Organized for Public Service (C.O.P.S.) has asked for a series of Public Hearings on this topic, and stated that today affords the Council an opportunity to discuss what format it wants to establish in hearing the next City Public Service request for sale of bonds.

Ms. Sonia Hernandez, Chairperson of the Energy Action Committee of C.O.P.S., read from a prepared statement concerning the estimated \$5.5 billion cost to complete the South Texas Nuclear Project, and her group's five demands, a copy of which is attached to the papers of this meeting. She asked that public hearings be held on this matter on the west side, south side and at the Convention Center in the downtown area.

Mayor Cisneros stated that he favors two public hearings, one on the north side and one on the south side. He stated further that he appreciated C.O.P.S.'s role in the discussions concerning the South Texas Nuclear Project costs, and spoke in support of remaining in the STNP project because without it, he feels San Antonio's citizens are stuck with reliance on natural gas as a source of generating electricity. Mayor Cisneros spoke of the need for additional power generation in the future, regardless of type.

Mr. Hasslocher stated his belief that Bechtel Corporation has much at stake in STNP, and spoke to cost overruns on virtually all construction projects. He stated his belief that San Antonio must stay with STNP to completion.

Mayor Cisneros stated that the City Council could be overextended with public hearings called on the budget, STNP and other matters during August and September. He spoke in support of one large public hearing, or perhaps two public hearings, one on the north side and one on the south side.

Mr. Hasslocher moved that the City Council hold two public hearings on the matter of the next City Public Service \$75 million bond sale, one to be held on the north side and one to be held on the south side. Mrs. Dutmer seconded the motion.

Mr. Eureste then made a substitute motion to direct that a Resolution of Intent concerning the five C.O.P.S. demands be placed on the agenda of the next regular City Council meeting. Mr. Alderete seconded the motion.

Mr. Eureste stated his belief that the estimated \$5.5 billion will not be the final cost of STNP because of continuing escalation of costs beyond the break-even point, and spoke of the possibility of 'farming out' of STNP partners' interests to perhaps a new umbrella organization as an ultimate move to bail out of the project.

Mrs. Dutmer expressed concern about Item 3 of the C.O.P.S.'s demands. She also expressed concern about holding three public hearings and suggested two instead.

Mrs. Dutmer moved that the City of San Antonio legally explore a new contract with Bechtel and EBASCO which contains a time schedule and incentives for early completion as well as penalty clauses for delays incurred by the contractors. Mr. Wing seconded the motion.

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Mrs. Cortez expressed her desire for three public hearings.

Mr. Wing stated that the issues brought up by C.O.P.S. are important but there will be a need for everyone in the community to assess future needs for energy.

Ms. Berriozabal spoke in support of Eureste's motion. She disagreed with statements made that reducing or withdrawing from STNP will not lower utility bills. She stressed the need for life-line rates to be addressed by the City Public Service Board. She expressed concern that citizens do not show up for public hearings.

Mr. Archer stated that energy is expensive and it is up to people to conserve in order to reduce their utility bills. He feels more confident with the people now in charge of the STNP.

Mr. Thompson expressed his support of the five demands as outlined by C.O.P.S. and is in favor of the amendment made by Councilwoman Dutmer. He expressed his continued support of the City's participation in STNP.

Mr. Eureste expressed concern that Houston Lighting and Power, EBASCO, and Bechtel will not sign a contract on a fixed price. He said that this is reason for withdrawing from this project. He does not fault the developers, but faults the policy makers, who insist on continued participation. He spoke about City Public Service's debt service requirement and the bond issues which will have to be sold. He said that rate increases will have to be approved to maintain debt service requirements.

Mayor Cisneros stated most of the opposition speaks to the financial issue, however, the opposition does not address the alternative. He spoke about the need for growth and the energy to do it. He said that if the City Council does withdraw from the STNP, there is no buyer for our share. Therefore, if the City does not want to go into default, it must continue to pay its share. Austin is still paying and has to build another type of plant. He said that there is no fixed price on lignite. The per kilowatt price of lignite is the same as natural gas. He described a scenario of not building any other type of plants. He felt it was not a complete debate if alternative sources of energy are not discussed.

Mr. Eureste stated that time will prove him right. He spoke to other entities closing down nuclear power plants. He said that every projection that City Public Service has given the City Council is wrong. He spoke to City Public Service selling power to Houston. He said that Houston saved \$900 million by delaying their construction project by buying their electricity from San Antonio and Austin.

Mrs. Sonia Hernandez, C.O.P.S., again spoke to the Council about the high utility bills and the fact that many people aren't eating in order to pay their utility bills.

Mayor Cisneros stated that 70% of fuel generation in winter is coal and 30% is gas. He spoke about bringing gas plants on to meet peak demands. He said that gas plants drive up costs. He suggested a rate schedule which would affect those people who use more electricity.

Mrs. Cortez, C.O.P.S., again spoke to the high costs of utility bills at the present time.

Mrs. Dutmer stated that no one has a fixed price on the STNP. She said Houston does not have enough energy and power outages in residential areas are occurring in that City.

Mr. Thompson asked Mayor Cisneros about recalibration of meters, and asked him to bring up this issue at a future City Public Service Board meeting.

Mr. Harrington spoke to the escalation of contracts and how inflation impacts everything that we do and buy. He said that if the City Council should help pay those people who can't afford to pay, then it should be done through the Human Resources Department.

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

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

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

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BOYS' CLUB FUNDING

Mr. Alderete moved that the item which appeared on the miscellaneous packet regarding Boys' Club funding be placed on the "A" Session Agenda next week. Mr. Thompson seconded the motion. On voice vote, the motion prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: None.

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CITIZENS TO BE HEARD

MARY ANN GALINDO

Ms. Mary Ann Galindo, 234 Ravenhill, stated that the costs of the STNP will never justify the project. She stated that she had kept an open mind on this matter but was convinced by last night's public hearing that there is no control over this project. She said that the City of San Antonio can no longer afford the STNP. She urged alternative sources of energy be explored.

Mr. Alderete thanked Ms. Galindo for attending the meeting and concurred with the statements made by her.

There being no further business to come before the Council, the meeting was adjourned at 5:35 P.M.

A P P R O V E D
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ATTEST: *Korina S. Rodriguez*
City Clerk

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