

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, JANUARY 12, 1984.

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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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84-02 The invocation was given by Reverend Joseph Deane, St. Ann's Catholic Church.

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84-02 The Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

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84-02 POLICE PATROLMAN GILBERT RAMIREZ

Mayor Cisneros spoke of the sad occasion marked by the Resolution of Respect, noting that Patrolman Gilbert Ramirez was both a good police officer and good citizen. He then read Resolution of Respect No. 84-02-02 which stated:

WHEREAS, Police Officer Gilbert Ramirez joined the San Antonio Police Department on December 18, 1978, and

WHEREAS, his years of service as a police officer of the City of San Antonio had been marked by exemplary dedication to serving his fellow citizens in maintaining the safety and welfare of our City, and

WHEREAS, he justly earned the respect and admiration of his fellow officers with his outstanding record in law enforcement, and

WHEREAS, life came to a close for Gilbert Ramirez on Saturday, December 24, 1983, while in the performance of his duties as a police officer; NOW, THEREFORE:

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

SECTION 1. that this Council on behalf of City officials and employees as well as the citizens of this City, does hereby express profound regret on the occasion of the death of Officer Gilbert Ramirez.

SECTION 2. that this Resolution be spread upon the minutes of this meeting and a copy thereof be given to the bereaved family.

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

Mayor Cisneros asked Mrs. Ramirez, the widow, to come forward to receive the Resolution, and also asked that Mr. Wing join him in the

presentation. Mayor Cisneros and Mr. Wing then presented the Resolution of Respect to Mrs. Ramirez.

Mayor Cisneros spoke of the loss of both a good policeman and a good man who was deeply involved with his family and his community.

Mrs. Ramirez thanked the Mayor and City Council for its graciousness and kindness on this occasion.

Individual members of the City Council then offered their personal condolences to Mrs. Ramirez.

Mayor Cisneros thanked individual members of the San Antonio Police Department present in the audience today, noting that at least one of them also had been wounded in the line of duty.

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84-02 The minutes of the Special Meeting of December 15, 1983 and the Regular Meeting of December 22, 1983 were approved.

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84-02 The Clerk read the following Ordinance:

AN ORDINANCE 58,109

ORDERING A BOND ELECTION TO BE HELD ON THE 7TH DAY OF APRIL, 1984, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS ON A PROPOSED BOND ISSUE FOR STREET IMPROVEMENTS.

* * * *

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

Mayor Cisneros spoke of the importance of this proposed bond issue to the community and of the possibility of more monies to be available from the supplemental tax roll now being prepared. He stated that it might be possible to use some of these supplemental monies to help offset the costs of the bonds, and asked that this be considered.

Mr. Harrington stated his opinion that the City has overlooked the condition of its streets for too long, and spoke of the appointment and hard work of the special Streets Task Force in coming up with the proposed bond issue work. He stated that he has been encouraged by recent taxpayer realization of the full need for this bond issue, noting that it probably will add to the City's ad valorem taxes, but nevertheless is vitally needed. He spoke of having personally received much positive response to this proposed bond issue, and recommended the City Council's full endorsement of that bond issue.

Mr. Archer spoke of his concern with the impact of a 3 1/2-cent tax increase on the homeowner for the next tax year, noting that another 17 1/2-cent tax increase is projected for the out-years, in current planning. He stated his opinion that with the needed additional monies required for drainage, taxpayers of San Antonio might be looking at an increase of some 31 1/2-cents in the ad valorem tax rate over the next few years. He spoke of the possible incremental tax increases by category, including about 4-cents for a major sports stadium, another 4-cents for capital improvement bonds for later sale, stating his belief that this will double the present tax rate.

Mr. Archer then noted that City Public Service bills also are expected to increase some 50 per cent over the next 6-10 years, and that the proposed wastewater treatment program for the City as mandated by the federal government will cost some \$600 million more, jumping the sewer rate from its present \$6.75 per month to something like \$20 per month. He then spoke of the proposal for surface water sources for the City of San

Antonio in the future, and a projected cost of some \$200 million for that. Mr. Archer stated that City Water Board rate increases in the next few years should add another 40-50 per cent to the present water bills. He also spoke of increased costs of telephone service, and spoke of his concern that San Antonio citizens may leave the City because of too-high taxation, in the future.

He stated that the City's bonded indebtedness will be some \$3,281,000,000 with the inclusion of costs for the South Texas Nuclear Project, and asked that the City Council consider three possibilities: 1) combining the sewer and water functions for the City; 2) a cutback on plans for the wastewater treatment program by utilizing new ideas and new innovations; and 3) the use of funds from the supplemental tax roll, estimated to return an additional \$7 1/2 million to the City on a tax roll increased by some \$1.2 billion. He asked that the City Council take action to roll back the City's ad valorem tax rate as a result of the supplemental tax roll funds, and at the same time raise the senior citizen tax exemptions to the \$50,000 level. He stated his opinion that, with these actions taken, the matter of a street improvements bond issue should then be taken to the people for a vote.

Mayor Cisneros noted that Mr. Archer makes a number of good points, and stated that Mr. Louis J. Fox, City Manager, should have some form of analysis of the supplemental tax roll by some time next week. He stated that the Council could then decide what to do with the supplemental tax funds, at that time. He spoke in favor of senior citizen tax relief measures, and spoke in agreement with Mr. Harrington on the need for the streets bond issue. He then spoke to the cost-saving innovations utilized in the preparation and sale of the drainage bonds last year, noting that the City might be able to do something like that with the streets bonds. He then spoke briefly on certain other needs, including airport improvements, a major sports complex, and others. Mayor Cisneros stated his opinion that a growing City requires a growing infrastructure, and that San Antonio's per capita income has been rising, while unemployment has remained relatively low, a very positive sign, in his opinion.

Mr. Thompson spoke in refutation of several points raised by Mr. Archer.

Mr. Wing also spoke in disagreement to certain points made by Mr. Archer, stating his opinion that San Antonio's tax monies are being put to good use. He then spoke to programs in-place which already assist senior citizens with their utility bills. He spoke of the need to be positive, rather than negative, on this matter.

Mayor Cisneros stated his belief that Mr. Archer is not against street work to be accomplished by bond issue financing, but rather is merely surfacing projected costs to the taxpayer of such a bond issue. He then spoke to various pressures being exerted upon the bond issue program.

Mrs. Dutmer noted that Mr. Archer spoke against a proposed 3 1/2-cent tax increase for the bond issue, and took issue with certain stated costs for the wastewater treatment system. She also spoke of alleged lack of expertise in running the new wastewater treatment plant, and asked that the citizens be allowed to decide the matter.

Mr. Webb spoke of many street improvement needs in District 2, and stated his opinion that citizens of his district will support the bond issue. He further stated that the Council can deal with the question of more tax monies at a later time.

Mr. Louis J. Fox, City Manager, stated that it would be 25-30 more days before the Bexar Appraisal District can come up with the final supplemental tax roll.

A discussion then took place concerning the estimated \$7 1/2 million additional funds coming to the City via the supplemental tax roll,

and the closest estimates that can be made as to the final projected amount to be received by the City.

Mr. Fox stated that he would try to get a good estimate of the final supplemental tax roll figure within a week.

A discussion then took place concerning the Mayor's previously-stated pledge relative to the tax rate matters.

Mr. Archer stated that he is not against the street bond issue, in itself, but merely warning property owners of projected and possible out-year costs coming. He noted that this is but the first of a number of steps to be taken in streets repair.

Mr. Eureste stated his opinion that Mr. Archer probably is close on his dollar estimates, and that the wastewater treatment program is the only item mentioned that would be hard to pin down, as to final cost.

Mr. Alexander E. Briseno, Assistant City Manager, estimated that the average City sewer bill would be about \$20-23 by July 1, 1988.

Mr. Eureste spoke of the increased costs of the South Texas Nuclear Plant, and spoke in support of Mr. Archer's exemption increase proposals for senior citizens. He then spoke to the Council's actions on the tax rate, based on the projected need for more money, and spoke against using funds from the supplemental tax roll to fund the streets bond issue in lieu of increasing senior citizen tax exemptions. Mr. Eureste stated that he supports both a streets bond issue and better senior citizen tax exemptions.

Mayor Cisneros stated his opposition to pitting the streets bond issue against an increase in senior citizen tax exemptions, noting that the Council already has decided against additional exemptions this tax-year. He stated his belief that perhaps it would be best to hold off the bond election until the matter of the supplemental tax roll is settled and definite. He then spoke to the difficulty of spending supplemental tax roll funds for a senior citizen exemption increase and asking the City's property owners to come up with some 4 1/2-cents more in ad valorem taxes to finance the streets bond issue.

Mr. Thompson stated his opinion that the issue is streets, yes or no, and the remainder is simply a side-issue at this time.

Mrs. Dutmer stated her belief that the City can do both, it just cannot roll back the senior citizens' taxes this tax-year. She then spoke of the impact of the Peveto Bill on controls to any movement of the tax rate.

A discussion then took place on projected sewer service charges in the near-future.

Mr. Marcus Jahns, Assistant City Manager, stated that the City cannot change its senior citizen tax exemptions for this tax-year.

Mr. Hasslocher stated his support of the streets bond issue on April 7, 1984, and spoke of the need to look at the City's complete funding situation before the next City budget is finalized and enacted into law.

Mayor Cisneros stated that the City's bonded indebtedness is very low, much lower than many other major cities in the nation such as Houston or Dallas.

Mr. Harrington spoke to the need for the streets bond issue on April 7, and stated his opposition to the stated stance of the North San Antonio Chamber of Commerce on the bond issue matter.

Mr. Eureste spoke in support of sidelining the remaining monies from the proposed supplemental tax roll for use next year to raise senior citizen tax exemption levels.

Mr. Fox stated that he would try to secure the necessary information on the supplemental tax roll and place an Ordinance on the Council agenda for next week, providing the Council with an acceptable minimum figure for the supplemental tax roll.

Mayor Cisneros spoke of the establishment of an escrow account in order to carry over the supplemental tax roll funds to the next fiscal year, as needed.

Ms. Berriozabal spoke to the street needs of District 1, noting that there are perhaps more needs in older areas than in newer ones. She spoke of her feeling that the City Council decided to make bond issue street improvements fairly, and spoke in disagreement with the Northside Chamber of Commerce statement on the bond issue matter.

Mr. Archer stated his support for the bonds if the City will roll back the ad valorem tax rate by 3-cents next year, or escrow the necessary monies for next year's proposed \$50,000 senior citizen tax exemption level plus a 3-cent rollback in ad valorem taxes for the City.

A discussion then took place concerning phrasing the choice to the voters.

Mr. Karl Wurz spoke to details of the proposed 10-year, \$250 million streets program and the interest costs involved, stating his feeling that the Council is not telling the citizens about those interest costs.

Mr. E. L. Richey spoke against the April 7 bond issue election.

Mayor Cisneros briefly summarized, in his own words, the consensus of the City Council in the matter; approval of the call for the election; action next week on disposition of the supplemental tax roll funds, including some \$1.7 million for a senior citizen tax exemption for fiscal year 1984-85, and the rest to be used to finance the streets bonds; and, if the bond issue fails to carry, all funds realized from the supplemental tax roll would be used to reduce the City ad valorem tax rate.

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: None; ABSENT: Archer.

Mayor Cisneros then called attention to the City Clerk's memo to all Council members concerning the possibility of combining the election with the Alamo Community College District.

City Clerk Norma S. Rodriguez briefly explained the proposal, noting that it represents a substantial savings in tax monies.

A brief discussion then was held on the various facets of the combined election.

Mr. Eureste moved that the upcoming City election be combined with the Alamo Community College District election. Mr. Wing seconded the motion.

Mayor Cisneros pointed out the importance involved in being able to save roughly half the cost of the election by combining elections with the Alamo Community College District.

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

84-02 CONSENT AGENDA

Mr. Hasslocher moved that items 5 - 12 constituting the consent agenda be approved with item 12 to be pulled for individual consideration. Mr. Webb seconded the motion.

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

AN ORDINANCE 58,110

AUTHORIZING EXECUTION OF A STANDARD PROFESSIONAL SERVICES CONTRACT WITH W. F. CASTELLA & ASSOCIATES, INC., TO PROVIDE ENGINEERING DESIGN OF AN 8" OUTFALL LINE TO SERVE THE 7.03 ACRE SUBDIVISION - NORTHWEST CORNER OF BABCOCK & HUEBNER ROADS; APPROPRIATING FUNDS & PROVIDING FOR PAYMENT.

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AN ORDINANCE 58,111

ACCEPTING THE LOW QUALIFIED BID OF SHAFER PLUMBING & HEATING, INC. IN THE AMOUNT OF \$26,260.50, FOR CONSTRUCTION OF THE NACOGDOCHES HILLS SUBDIVISION OFF-SITE SANITARY SEWER PROJECT; APPROVING A CONTRACT AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 58,112

AUTHORIZING THE TRANSFER OF FUNDS FROM THE GENERAL FUND ACCOUNT TO THE CAPITAL PROJECT FUNDS AND AUTHORIZING PAYMENT TO J. J. FALBO COMPANY IN THE AMOUNT OF \$6,500.00 FOR ADDITIONAL CONSTRUCTION COSTS AT THE ED CODY LIBRARY.

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AN ORDINANCE 58,113

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 58,114

ACCEPTING A GRANT OF \$94,793.00 IN CASH AND \$149,090.00 IN IN-KIND VACCINE AND A PUBLIC HEALTH SERVICE IMMUNIZATION ADVISOR TALLING \$243,883.00 FROM THE U. S. PUBLIC HEALTH SERVICE IN SUPPORT OF THE OPERATION OF THE 1984 CHILD IMMUNIZATION MAINTENANCE PROJECT BY THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT; AUTHORIZING A CONTRIBUTION OF \$84,661.00 FROM THE GENERAL FUND; ADOPTING A BUDGET AND APPROVING PERSONNEL POSITIONS.

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AN ORDINANCE 58,115

AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE MEMORANDUM OF AGREEMENT WITH SAN ANTONIO 2000 LTD. PREVIOUSLY AUTHORIZED BY ORDINANCE NO. 56850 ON APRIL 14, 1983.

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AN ORDINANCE 58,116

AUTHORIZING EXECUTION OF AN AMENDMENT TO THE CONTRACT WITH AVIATION PLANNING ASSOCIATES IN CONNECTION WITH NEW AND EXISTING FACILITIES AT SAN ANTONIO INTERNATIONAL AIRPORT.

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84-02 The Clerk read the following Ordinance:

AN ORDINANCE 58,117

AUTHORIZING EXECUTION OF A STANDARD PROFESSIONAL SERVICES CONTRACT WITH DANNENBAUM ENGINEERING CORPORATION TO PROVIDE ENGINEERING DESIGN FOR THE CONCOR SUBDIVISION OFF-SITE SANITARY SEWER MAIN; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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

In response to a question by Mrs. Dutmer, Mr. Frank Kiolbassa, Director of Public Works, stated that he had no ready information as to the improvements planned in the Concor Subdivision, but would seek to find out and inform Mrs. Dutmer of those findings.

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

13. CASE Z83474 - to rezone Lot 22, Block 3, NCB 11967, in the 600 Block of Portland Road, from "A" Single Family Residence District to "B-3" Business District, located southeast of the intersection of McAllister Expressway and Portland Road, having 26' on Portland Road and 225' on McAllister Expressway.

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

AN ORDINANCE 58,118

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 22, BLOCK 3, NCB 11967, IN THE 600 BLOCK OF PORTLAND ROAD, FROM "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT.

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14. CASE Z83463 - to rezone a 15.823 acre tract of land out of NCB 13665, being further described by field notes filed in the Office of the City Clerk, in the rear of the 5200 block of Babcock Road, from "B-3" Business District to "B-2" Business District, located 780' southwest of Babcock Road, being 1156' northwest of the intersection of Hamilton-Wolfe Road and Babcock Road, having a width of 1196.12' and a depth of 1114.96'.

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. Webb 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, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Thompson.

AN ORDINANCE 58,119

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 15.823 ACRE TRACT OF LAND OUT OF NCB 13665, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE REAR OF THE 5200 BLOCK OF BABCOCK ROAD, FROM "B-3" BUSINESS DISTRICT TO "B-2" BUSINESS DISTRICT.

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15. CASE Z83461 - to rezone Lots 6, 7 and 8, NCB 13952, 5474 Old Hwy 90 West, from "R-A" Residence Agriculture District to "B-3NA" Business District, Non-Alcoholic Sales District, located on the south side of Old Hwy 90 West, being 193.7' east of the intersection of Callaghan Road and Old Hwy 90 West having 150' on Old Hwy 90 West and a depth of 125'.

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 provided that proper access and off-street parking are provided. Mr. Harrington seconded the motion.

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

297

Berriozabal, Webb, Dutmer, Wing, Eureste, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Thompson.

AN ORDINANCE 58,120

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 6, 7, AND 8, NCB 13952, 5474 OLD HIGHWAY 90 WEST, FROM "R-A" RESIDENCE-AGRICULTURE DISTRICT TO "B-3NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES, PROVIDED THAT PROPER ACCESS AND OFF-STREET PARKING ARE PROVIDED.

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16. CASE Z83356 - to rezone Lot 1, Block 22, NCB 14732, in the 12000 Block of Pebble Lane, from Temporary "R-1" ERZD, One Family Residence District, Edwards Recharge Zone District, to "B-2" ERZD, Business, Edwards Recharge Zone District, located on the northwest side of Pebble Lane, being 200' southwest of the intersection of Honey Comb Drive and Pebble Lane, having 158.74' on Pebble Lane and a depth of 158.33'; Lot 6, Block 17, NCB 14727, in the 12000 Block of Pebble Lane, from Temporary "R-1" ERZD, One Family Residence District, Edwards Recharge Zone District to "B-2" ERZD, Business, Edwards Recharge Zone District, located on the southeast side of Pebble Lane, being 250' southwest of the intersection of Honey Comb Drive and Pebble Lane, having 124.58' on Pebble Lane and a depth of 157.50'; and a 10.141 acre tract of land out of NCB 14857, being further described by field notes filed in the Office of the City Clerk, in the rear of 12200 Block of Petite Avenue, from "I-1" ERZD, Light Industry, Edwards Recharge Zone District to "B-2" ERZD, Business, Edwards Recharge Zone District, located 160' northwest of Petite Avenue being 130' northeast of the intersection of Honey Comb Drive and Petite Avenue, having a width of 506.63' and a maximum depth of 1085.07'.

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 a 6-foot solid screen fence is erected and maintained along the northeast property line of Lots 1 and 6, adjacent to the single-family residences, until such time as it transitions to non-residential usage. 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 58,121

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 22, NCB 14732, IN THE 12000 BLOCK OF PEBBLE LANE, FROM TEMPORARY "R-1" ERZD, ONE-FAMILY RESIDENCE, EDWARDS RECHARGE ZONE DISTRICT TO "B-2" ERZD BUSINESS, EDWARDS RECHARGE ZONE DISTRICT; LOT 6, BLOCK 17, NCB 14727, IN THE 12000 BLOCK OF PEBBLE LANE FROM TEMPORARY "R-1" ERZD ONE-FAMILY RESIDENCE, EDWARDS RECHARGE ZONE DISTRICT TO "B-2" ERZD BUSINESS, EDWARDS RECHARGE ZONE

DISTRICT; AND A 10.141 ACRE TRACT OF LAND OUT OF NCB 14857, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE REAR OF THE 12200 BLOCK OF PETITE AVENUE, FROM "I-1" ERZD LIGHT INDUSTRY, EDWARDS RECHARGE ZONE DISTRICT TO "B-2" ERZD BUSINESS, EDWARDS RECHARGE ZONE DISTRICT, PROVIDED THAT A 6-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTHEAST PROPERTY LINE OF LOTS 1 AND 6, ADJACENT TO THE SINGLE-FAMILY RESIDENCES, UNTIL SUCH TIME AS IT TRANSITIONS TO NON-RESIDENTIAL USAGE.

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17. CASE Z83355 - to rezone a 4.995 acre tract of land out of NCB 14857, being further described by field notes filed in the Office of the City Clerk, in the 11600 Block of Huebner Road, from "O-1" Office District to "B-2" Business District, located on the northwest side of Huebner Road being 1400' southwest of the intersection of Honeycomb Drive and Huebner Road, having 352.86' on Huebner Road and a depth of 730'.

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. 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, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Thompson.

AN ORDINANCE 58,122

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 4.995 ACRE TRACT OF LAND OUT OF NCB 14857, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 11600 BLOCK OF HUEBNER ROAD, FROM "O-1" OFFICE DISTRICT TO "B-2" BUSINESS DISTRICT.

* * * *

18. CASE Z83454 - to rezone the north 140' of the south 152.38' on the west of 180' of Lot 20, NCB 11610, in the 7300 Block of Snowden Road, from "A" Single Family Residence District to "B-2" Business District, located on the southeast side of Snowden Road, being 570' southwest of the intersection of Snowden Road, and Babcock Road having 140' on Snowden Road and depth of 180'.

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. Hasslocher 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, Eureste, Thompson, Alderete, Harrington, Archer, Hasslocher Cisneros; NAYS: None; ABSENT: Berriozabal.

300

AN ORDINANCE 58,123

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 NORTH 140' OF THE SOUTH 152.38' OF THE WEST 180' OF LOT 20, NCB 11610, IN THE 7300 BLOCK OF SNOWDEN ROAD, FROM "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER ACCESS AND OFF-STREET PARKING ARE PROVIDED.

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19. CASE Z83456 - to rezone Lot 36, NCB 11875, 8223 Broadway, from "A" Single Family Residence District to "B-1" Business District, located on the west side of Broadway, being 320' north of the intersection of Ridgcrest Drive and Broadway having 96.5' on Broadway and a depth of 132.6'.

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. Archer seconded the motion.

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

AN ORDINANCE 58,124

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 36, NCB 11875, 8223 BROADWAY FROM "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "B-1" BUSINESS DISTRICT.

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20. CASE Z83447 to rezone Lot P-98 and the north 55' of P-97, NCB 14862, IH 10 West Expressway, from Temporary "R-1" One Family Residence District to "B-3" Business District, located on the west side of IH 10 West, being approximately 789.82' northwest of the intersection of Northwest Parkway and IH 10 West, having 455' on IH 10 West and a depth of 500'.

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. 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, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Thompson.

AN ORDINANCE 58,125

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 P-98 AND THE NORTH 55' OF LOT P-97, NCB 14862, NORTHWEST IH 10 EXPRESSWAY, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT.

* * * *

21. CASE Z83453 - to rezone a 12.10 acre tract of land out of NCB 7675, being further described by field notes filed in the Office of the City Clerk, from Historic "B-3" Business District to Historic "B-3" Business District, Special Use Permit for the sale of second hand merchandise, located on the southeast of White Road, being 75' northeast of the cutback between Roosevelt Avenue and White Avenue, having 270' on White Avenue and a depth of 950'.

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

In response to a question by Mrs. Dutmer, Mr. Tom Finlay, Acting City Attorney, stated his opinion that Mrs. Dutmer, despite her position on the board of directors of the Missions National Historic Park District, is not in conflict of interest, taking part in this discussion and decision.

Ms. Karen Vaughn, attorney representing the proponent, stated that the proponent needs the Special Use Permit to allow the sale of second-hand merchandise, noting that this has been carried out for a number of years on this site, the last several of those years from within the walls of the former Mission Drive-In Theater. She noted that the zoning on this property does not allow this use in its B-3 configuration. She then submitted petitions bearing a reported 3,046 signatures of persons in favor of the request of the proponent.

Ms. Mary Ann Galindo, Unique Printers, 2911 Roosevelt, submitted petitions bearing signatures of representatives of certain area business places, in support of the request. She spoke of the good record maintained by the flea market over its 13 years in existence at this location, and noted that the Zoning Commission has recommended approval of the requested 2-year Special Use Permit. She stated her opinion that the National Park Service has argued against the request because of traffic, and stated that she has spoken with representatives of both the parish and the Archdiocese on this matter.

Mr. Buddy Sisler, 11609 Cooksey, stated that he is a vendor at the flea market, and spoke of his need to supplement his income through their sales. He also spoke of the types of customers who seek bargains at the flea market, noting that there are in excess of 600 vendors at the flea market each week.

301

Ms. Laura Davis, 117 Stribling, asked that the flea market be allowed to stay open, noting that poor people need its services.

Mr. Rex Stearns, 307 Overlook, stated that he is unemployed, and sells at the flea market in question in order to earn a living. He spoke of its family atmosphere and briefly described the facility.

Mr. Carl Brausam, 307 Overlook, stated that he receives income from working for vendors at the flea market, in order to remain off welfare.

Ms. Rosa Billa, 3310 Cato, asked that the flea market be granted its Special Use Permit.

Mr. Troy Powers, 7827 Stagecoach, spoke of the savings available through purchases at the flea market in question, and spoke of its cleanliness, its good management, and its adequacy of policing.

Mr. Jose Cisneros, Superintendent of the National Historic Park, stated his opinion that the flea market is an intrusion into the National Historic Park. He then spoke of the San Antonio Missions National Historic Park being featured in many prominent publications, and of its value as a resource to the City and nation.

Mr. A. K. Mery, representing Mer-Kam, stated that he recently had purchased an apartment complex across the street from the flea market operation, and wanted to renovate the complex. He pledged to assist Mid-Loop in relocating the flea market to a more suitable location.

Mr. Jan Hartung, speaking on behalf of Hot Wells Institute, supported the remarks of Mr. Cisneros in this matter.

Mr. Orion Knox, representing the Texas Parks & Wildlife Department, Austin, spoke of the importance of upholding the esthetic character of the missions, and also spoke to its historic and tourism importance.

Ms. Pat Shaw, 230 Parchman, President of the San Jose Parish Council, spoke about her group's neighborhood concerns, and spoke against the request. She then distributed a letter to each Councilmember from San Jose Mission Church, a copy of which is made a part of the papers of this meeting.

Mr. Thomas C. Bordelon, representing Cosas Hermosa, 3244 Mission Road, spoke against the request.

Ms. Lynn Bobbitt, President, San Antonio Conservation Society, 107 King William Street, also spoke against the request. Her prepared remarks are made a part of the papers of this meeting.

In rebuttal, Mr. Ralph Langley, attorney for the proponent, stated that this is a request for a Special Use Permit, not a rezoning request. He then detailed for the Council a history of the subject property, noting that after a 10-year operating period in this location, the proponent discovered that the prevalent B-3 zoning classification does not permit the resale of second-hand merchandise. He noted that the permit would allow the present use of the property to continue, and stated that the Zoning Commission recommended approval of the permit request. He also stated that the Council could impose other restrictions on the use of the loudspeaker system, if desired. He also stated that the Council could set up a review procedure in two years as an opportunity to perhaps relocate the use or readjust the usage of the property.

84-02

BROWNIE SCOUTS

At this time, Mayor Cisneros recognized the presence in the audience today of a group of some 20 Brownies from Sinclair Elementary

School, accompanied by their Scout Leader, Ms. Karen Kind, and noted that they are visiting the City Council in action. He welcomed them to City Hall.

21. CASE Z83453 (CONTINUED)

Mr. Wing stated that he had spoken to both sides on this issue, and commented on his reasons for opposing the Special Use Permit. He stated that area residents do not want this kind of business in their area.

Mr. Wing moved to deny the requested rezoning. Mrs. Dutmer seconded the motion.

Mrs. Dutmer spoke to the untidiness of the area north of the flea market, and to the fact that many persons signing the petition in favor of the request do not live in the area. She further noted that the City has promised to protect the missions for the National Park Service.

Mr. Langley stated that the proponent is asking that the property be given a Special Use Permit for operation of a flea market for a two-year period, after which the property will have another use.

A discussion then took place concerning the possibility of a one-year Special Use Permit with a review to take place after that time.

Mr. Harrington spoke in favor of the two-year Special Use Permit.

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

Mr. Harrington made a substitute motion to approve a Special Use Permit for a two-year period. Mr. Hasslocher seconded the motion.

Mr. Hasslocher spoke in support of the request, noting that the flea market has been in operation for some 14 years, and two additional years will not harm the area.

In response to a question by Mr. Eureste, Mr. Andy Guerrero, Planner II, spoke to the history of the City staff complaint against the flea market that brought this matter to the City's attention, and also spoke of the zoning request on this property in 1974.

Mr. Eureste spoke of his concern with the effects of possible downzoning on such a large group of persons, and spoke in favor of the one-year compromise Special Use Permit.

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

In response to a question by Mr. Eureste, Ms. Shaw stated that she would have to confer with other persons before speaking for or against the proposed one-year compromise.

Mrs. Dutmer spoke against the two-year request.

Mr. Eureste made a second substitute motion to grant a one-year Special Use Permit with a review after that time, provided that adequate off-street parking is provided; that a time limitation of one year is imposed on the granting of the Special Use Permit, and that this use is limited to within the fenced enclosed area. Mr. Harrington seconded the motion.

Mr. Thompson spoke in support of Mr. Wing's stance, and spoke in favor of the upgrading of the south side, generally.

Ms. Shaw stated that her group would be willing to accept the one-year Special Use Permit compromise.

Mr. Alderete spoke of the need to phase-out the flea market usage within one year.

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

AN ORDINANCE 58,126

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 12.10 ACRE TRACT OF LAND OUT OF NCB 7675, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM HISTORIC "B-3" BUSINESS DISTRICT TO HISTORIC "B-3" BUSINESS DISTRICT, SPECIAL USE PERMIT FOR THE SALE OF SECOND-HAND MERCHANDISE, PROVIDED THAT ADEQUATE OFF-STREET PARKING IS PROVIDED; THAT A TIME LIMITATION OF ONE YEAR IS IMPOSED ON THE GRANTING OF THE SPECIAL USE PERMIT; AND THAT THIS USE IS LIMITED TO WITHIN THE FENCED ENCLOSED AREA.

* * * *

84-02 The Clerk read the following Resolution:

A RESOLUTION NO. 84-02-03

AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTINUATION AGREEMENT WITH THE BEXAR COUNTY HOSPITAL DISTRICT TO PERFORM ALL EMS SYSTEM BILLINGS AND COLLECTIONS.

* * * *

Mr. Hasslocher moved that the Resolution be approved. Mr. Thompson seconded the motion.

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

84-02 The Clerk read the following Ordinance:

AN ORDINANCE 58,127

AUTHORIZING EXECUTION OF EMS CONTRACTS WITH SUBURBAN CITIES.

* * * *

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

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

84-02 The Clerk read the following Ordinance:

AN ORDINANCE 58,128

ACCEPTING THE BID OF ACKERLEY AIRPORT ADVERTISING, INC., AND DIRECTING THE EXECUTION OF AN AGREEMENT PURSUANT THERETO FOR THE ADVERTISING CONCESSION AT THE SAN ANTONIO INTERNATIONAL AIRPORT.

* * * *

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

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

84-02 The Clerk read the following Ordinance:

AN ORDINANCE 58,129

ACCEPTING THE BIDS OF CONINE RENTALS, INC.; THE HERTZ CORPORATION; HAYES LEASING COMPANY, INC.; JIM DUNWORTH, INC.; LOMA ENTERPRISES, INC.; GENERAL RENT A CAR, INC. AND DIRECTING THE EXECUTION OF AGREEMENTS PURSUANT THERETO FOR THE CAR RENTAL CONCESSIONS AT THE SAN ANTONIO INTERNATIONAL AIRPORT.

* * * *

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

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

84-02 The Clerk read the following Ordinance:

AN ORDINANCE 58,130

AUTHORIZING A FEE WAIVER FOR THE USE OF THE CONVENTION CENTER FOR THE TEJANO MUSIC AWARDS.

* * * *

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

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

84-02 The Clerk read the following Ordinance:

AN ORDINANCE 58,131

AUTHORIZING THE DESTRUCTION OF CERTAIN PUBLIC RECORDS.

* * * *

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

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

84-02 The Clerk read the following Ordinance:

AN ORDINANCE 58,132

AMENDING, REVISING AND ESTABLISHING CITY VOTING PRECINCTS EFFECTIVE MARCH 1, 1984 CONFORMING WITH PRECINCT CHANGES PURSUANT TO SECTION 4 OF THE CITY CHARTER.

* * * *

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

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

84-02 The Clerk read the following Ordinance:

AN ORDINANCE 58,133

APPOINTING ESTELLA JASSO TO SERVE ON THE BOARD OF REVIEW FOR HISTORIC DISTRICTS IN PLACE OF SYLVIA VASQUEZ WHO HAS RESIGNED.

* * * *

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

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

84-02 The Clerk read the following Ordinance:

AN ORDINANCE 58,134

ESTABLISHING A TRANSPORTATION ADVISORY BOARD.

* * * *

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

Mr. Thompson stated that it would take 2-4 weeks before the makeup of the Board, by name, would be ready.

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

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84-02

WATER STUDY

Mayor Cisneros asked Mr. Robert Hasslocher, Chairman of the Edwards Underground Water District, to come forward and address the City Council.

Mr. Robert Hasslocher stated that he and Mayor Cisneros had agreed that Dr. Carl Raba would serve as Chairman of the Water Task Force, and they were jointly recommending that the now-vacant slot be filled by Dr. Daniel Luecke, a staff scientist and water expert from the Environmental Defense Fund in Colorado, an expert from outside the San Antonio area.

(A one-page memorandum from Mayor Cisneros to the City Council members on the topic of the Water Task Force was distributed.)

Mrs. Dutmer moved to place this matter and these recommendations on the Council agenda for next week. Mr. Webb seconded the motion.

A discussion then took place concerning the appointment of an outside expert versus appointment of a local person with a key interest in water.

Mayor Cisneros explained that this is the manner in which the Energy Task Force was set up, and it worked well there.

Mr. Thompson spoke of his concern that all sides of the issue be represented.

Mrs. Dutmer spoke of the need for environmental input into this study.

The motion to place this item on next week's agenda prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Thompson, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Wing, Eureste.

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84-02

UNITED STATES FOOTBALL LEAGUE

Mayor Cisneros stated that the matter of the San Antonio franchise in the United States Football League and its efforts to play its games in Alamo Stadium have been matters of controversy involving the City Council and citizens of San Antonio for some time, with lawsuits being filed by several factions of the issue. He stated that he desired to find a middle-ground on the issue, and spoke to two points at issue: the USFL might recall San Antonio's franchise, and his contention that the present 50-year lease between the San Antonio Independent School District and South Texas Sports, Inc. is too long. He further noted that he had not discussed his proposals with either side, including the team, and then distributed copies of a proposal he stated would, in his opinion, constitute a middle-ground, a copy of which is made a part of the papers of this meeting. He then spoke to the three major points of his proposal:

307

January 12, 1984
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shortening the term of the stadium lease to 10 years; capping the stadium seating capacity at 35,000; and terminating the lease on Alamo Stadium upon construction of an alternative stadium.

Mayor Cisneros noted that this would call for a three-party agreement, and stated that he personally would not negotiate this in private or outside of the City Council, or hold private discussions on the matter in the future. He stated that under his proposal, if a new playing facility is constructed, the team must leave Alamo Stadium, with no option to remain. He then spoke of how he views the advantages inherent in the proposal and compromise, and his hopes that this would end community embarrassment over this entire matter. He stated that he understands that this might be undercutting legal matters on the issue, but feels that the public interest would best be served along the lines he recommends. He asked that Ms. Marynell Maloney, attorney for South Texas Sports, study his proposal. He further stated that the only person to whom he has spoken in relation to this proposal has been an attorney, and stated his contention that the SAISD must change its lease with South Texas Sports before the City Council takes any actions relative to his proposal. He reiterated that a three-party agreement is needed, and a guarantee must be secured that no lawsuits would be brought to seek changes to the terms and conditions of any agreement reached by the parties concerned.

A discussion then took place as to whether or not this data has been discussed already with Ms. Maloney.

Mr. Webb stated his belief that a format needs to be established in which to study these documents.

Mayor Cisneros spoke of the possibility of holding a special Council meeting on this matter, if needed.

Mrs. Dutmer spoke of the traffic impact of the recent Judson playoff football game on the Alamo Stadium vicinity, and also spoke against weakening anyone's legal rights in this matter. She also asked that the Highlands Stadium proposal matter be resolved as part of this agreement, as well.

Mr. Archer stated his opinion that an alternate stadium probably will not be approved by voters, and further stated his belief that the City Council already has rejected any compromises with the USFL. He spoke to pending litigation in this matter and to the actions already taken by the USFL team franchise at Alamo Stadium, despite the feelings of the City Council.

Mayor Cisneros stated his belief that the USFL probably will survive as an entity, including the San Antonio franchise, and spoke briefly of the tactics involved in the South Texas Sports-Alamo Stadium matters. He stated that he favors pro football for San Antonio, no matter who's personally involved.

Mr. Thompson spoke of the difficulty of negotiating this matter in public.

A brief discussion then took place concerning the pending January 30 court date for the River Road Association lawsuit against South Texas Sports, and the projected February 26 opening date of the USFL season in San Antonio.

Ms. Berriozabal stated that she understands the Mayor's position in putting forward this matter for consideration, and stated that the City is not responsible if the San Antonio USFL franchise fails to succeed. She stated her opinion that only the courts can decide if the City Council has the right to waive the 1939 City Ordinance relative to events held in Alamo Stadium. She then discussed traffic problems in the Alamo Stadium area.

Mr. Wing noted that personnel from South Texas Sports have been checking over petitions in the Office of the City Clerk for weeks.

A discussion then took place concerning the matter of petition-checking and possible options now open to South Texas Sports.

Mr. Alderete stated his opinion that South Texas Sports should be the entity seeking a compromise action at this point, rather than the Mayor, and spoke of his concern that South Texas Sports might seek to borrow sums of money with the 50-year stadium lease as collateral, then, for some reason, leave Alamo Stadium for a new stadium with the debt still unpaid, a debt which presumably could fall to someone other than South Texas Sports.

Mayor Cisneros spoke of his hope to have a special Council meeting on this entire matter in the next week or two.

Mr. Tom Finlay, Acting City Manager, stated that more litigation is possible against the City in this matter, and spoke to details of the court case involving the River Road Association.

Mr. Alderete stated his belief that the City Council should wait until that court case is heard, before discussing any compromise at a special Council meeting.

Mrs. Dutmer addressed her fears that the City might be weakening its case.

Mayor Cisneros stated that it might indeed be better to wait for South Texas Sports to respond to the compromise offer, and any action that might then come from the San Antonio Independent School District Board of Trustees before the City Council holds any special meeting on this matter. He stated his opinion that, in the event that no answer is forthcoming or that answer is negative, then the offer would be withdrawn.

Mr. Eureste stated his opinion that this represents a good try at resolving the matter, noting that it was a difficult thing for the Mayor to do. He stated his belief that everyone involved may yet benefit.

Mrs. Dutmer spoke of her concern for possible abdication of the 1939 Ordinance provisions, by any action on this compromise offer.

Mr. Thompson noted that this represents only the Mayor's opinion, and the City Council does not have an official position.

Mayor Cisneros then restated his understanding of the process involved, including: 1) hearing from South Texas Sports on the acceptability of the proposal; 2) hearing from SAISD on its board's willingness to act on the lease matter; and 3) the City Council at that point would then consider some alternative and act on it.

Mrs. Dutmer stated that she could not support anything that also does not insure the demise of the proposed Highlands Stadium proposal, as well.

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84-02

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CITIZENS TO BE HEARD

BILL NATION

Mr. Bill Nation, representing the Homeowner-Taxpayer Association, spoke to the City Council about the Bexar Appraisal District's increase of 11.5 percent. He stated that the State Constitution prohibits deficit spending, however, the Bexar Appraisal District has done this. He stated there is much concern about this and that the Bexar Appraisal District should be held accountable. He stated that the City Council can veto any actions of the District by approving veto resolutions. He stated that the Commissioners' Court approved a veto resolution and the City Council should do the same.

309

Mrs. Dutmer asked that City staff see if it's within the City's jurisdiction to see if a veto resolution is possible.

City Manager Louis J. Fox recommended that the City Council have a briefing from the district before acting on any veto resolution.

* * * *

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

LAMOINE HOLLAND

Mr. Holland spoke to the City Council representing Jane Neill, 4610 Lorelei. He stated that Mrs. Neill has some hedges on City property and a neighbor has complained about these hedges. He asked that the City Council waive the section of the code. He also stated that other citizens of this area have similar hedges.

MR. A. L. WILLIAMS

Mr. A. L. Williams, 4606 Lorelei, spoke to the Council about the background of this case. He stated that he is the next door neighbor and he finds it a serious hazard when he backs out of his driveway. He stated that this is the only house that has hedges along the whole house. He first reported this to the City staff in February of 1983. He stated he has met with City staff repeatedly asking for enforcement of the City Code. He had been notified that the hedges would be removed, however, Mrs. Neill retained an attorney. He asked the City Council to deny this request for a waiver to the City Code.

Mr. Frank Kiolbassa, Director of Public Works, also spoke to the history of this case and all avenues have been explored. He asked the City Council to resolve this issue since the City staff cannot waive the code.

In response to Mrs. Dutmer, Mr. Williams stated that his hedges that had been in his driveway were cut.

In response to Mrs. Dutmer, Mr. Holland stated that the City has already trimmed these hedges and, if necessary, she'll lower them. She then moved to have the appeal heard in "A" session. Mr. Alderete seconded the motion.

Mr. Eureste expressed concern about continuous policing of the hedges being trimmed, and expressed concern about the safety hazard.

In response to Mr. Eureste, Mr. Williams stated that he would prefer the removal of the hedges.

A discussion took place on the placing of this item at a future "A" Session.

Mr. Eureste and Mr. Harrington both spoke against the waiver.

After discussion, the motion to place this matter on a future Council agenda for action failed to carry by the following vote: AYES: Dutmer, Alderete; NAYS: Wing, Eureste, Thompson, Harrington; ABSENT: Berriozabal, Webb, Archer, Hasslocher, Cisneros.

Mr. Kiolbassa stated that he would now issue a letter to Ms. Jane Neill to remove her shrubs as required by the City Code.

* * * *

MR. C. A. STUBBS

Mr. C. A. Stubbs, President of Homeowner-Taxpayer Association, stated that County Judge Albert Bustamante had recently appointed him as

one of five persons named to look into the functions of the Bexar Appraisal District.

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MR. GENARO CANO

Mr. Genaro Cano, 6419 Keitha Blvd., spoke of new regulations being imposed upon snow-cone peddlers by the City, and the requirement to remain outside of an area 300 feet from any schoolground one hour before school begins and one hour after school ends for the day. He stated his contention that 'big interests' are seeking to keep him and other peddlers off the streets, and contended that the regulations are in violation of his Constitutional rights, since he is located on private property. He stated that the Metropolitan Health District had cited him for violations of the law, and noted that schoolchildren do not have to cross a street to reach his place of business. He also stated that in the past, City park rangers had arrested him four times, but secured no convictions.

Mr. Eureste asked that the City Attorney's staff report to the City Council on the legalities of this matter at the "Citizens To Be Heard" segment of next week's City Council meeting.

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MS. SALLY BUCHANAN

Ms. Sally Buchanan, representing the River Road Neighborhood Association, read a prepared statement, a copy of which is filed with the papers of this meeting. She stated that the issue of Alamo Stadium should be handled at the courthouse, not at City Hall.

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MR. JORGE GARCIA

Mr. Jorge Garcia, 1406 Fitch, spoke to the Council requesting \$10,000 to the recently renovated Villa Coronado Clinic. He stated that the clinic had been closed for lack of funding. He spoke of the need for funding and the funding they have already received from other sources including in-kind assistance.

Mrs. Dutmer asked the City staff to research this request.

Mr. Rolando Bono, Assistant City Manager, stated Mr. Stu Sommers, Director of Budget and Research, has been working on the issue and will report back to the Council in two to three weeks.

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MRS. MARIA DOMINGUEZ

Mrs. Maria Dominguez spoke to the City Council expressing concern about the increase in the garbage and sewer rates. She also spoke in opposition to Councilmembers traveling to other parts of the country and abroad. She also asked what the City is going to receive from South Texas Sports.

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

Mrs. Dutmer stated that the City will not receive any profit from South Texas Sports even though the City will be getting the expenses.

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84-02 The City Council recessed at 7:20 P.M. reconvening at 7:40 P.M. for the Public Hearing on the proposed West Freeway.

84-02 PUBLIC HEARING ON PROPOSED WEST EXPRESSWAY

Mayor Cisneros stated that he felt it important to have a briefing on the proposed West Expressway, adding that the process required needs to be clearly defined. He further noted a general consensus exists to postpone action on the West Expressway for 30 days to allow for further discussion by interested individuals.

Mr. Roland Lozano, Director of Planning, described the routing for the proposed freeway, noting that the Planning Commission took action on this matter at their meeting yesterday. He stated that City staff feels that there is much development in this area and, if the City Council concurs, a resolution could be placed on next week's Council agenda endorsing the concept of the West Expressway. He then spoke of the process by which the project could be part of the state's highway program. He also spoke of the right-of-way that would be needed to be dedicated for the freeway.

In response to a question by Mayor Cisneros, Mr. Lozano stated that the amount of growth occurring in this area merits a major transportation system. He also spoke of estimates of property that would be needed for the project, with the City responsible for procuring only that property where almost all of a particular property will be taken, inside Loop 410. Bexar County then would be responsible for acquiring properties outside Loop 410.

Mr. Joseph P. Kaiser, Chairman, City Planning Commission, stated that his group endorsed the concept of the West Expressway, noting that area traffic arteries are inadequate. He further stated that this would be the last chance to acquire the needed properties before major subdivisions are planned and executed along the proposed right-of-way area. He asked the City Council to seek the approval of the State Department of Highways and Public Transportation noting that such a freeway would open up the entire area, especially the Edgewood area, to further economic development.

Ms. Reba Malone, 306 Golden Crown, read from a letter from the Board of Directors, Southside Chamber of Commerce, publicly endorsing the project. She stated that such a freeway would expedite traffic to the southern sector of the City, and aid the Edgewood district as business develops along the freeway.

Mr. Geary Atherton, representing the Greater San Antonio Chamber of Commerce, stated his belief that the need for this freeway has been known since the 1950's, and noted that the northwest sector is the fastest-growing in Bexar County. He stated that this is a good example of a public/private project, which opens undeveloped property to development.

Ms. Cathy Powell, representing the American Planning Association, stated that that group supports the effort, noting that it will stimulate development mainly in the Edgewood Area.

Mr. Chris Gutierrez, representing Fuller Development and the Van de Walle interests, read a prepared statement from the Van de Walle agricultural interests, speaking of their awareness of the need for such a freeway that can serve the Edgewood area, provided that certain key intersections are located at major points such as Acme Road, Old Highway 90 West, and Callaghan Road.

Mr. Terry Worth, representing Fuller Development, a commercial real estate broker, spoke of the September 1983 meeting called to help

develop and create development in the Edgewood area. He spoke in support of the plan to place the freeway through the Van de Walle properties, and supported industrial development of this area.

Mr. Walter P. Schulze, Director of the Southside Chamber of Commerce and Chairman of its Transportation Committee, stated that his Board of Directors had enacted an order supporting the planned freeway, in order to provide economic development of this entire area and thus increase the tax base. He asked the City Council to approve the plan.

Mr. Marcus Semmelmann, representing the North San Antonio Chamber of Commerce, stated that his group endorses the plan, and he spoke to four key reasons for that support, including the fact that no such highway now is available to serve this sector, the Council must act now to secure the route, private landowners are pledging property for the right-of-way, and it would transform a stagnant area to more commercial viability.

Mr. Joe T. Kasben, representing the Braun Station West Homeowners Association, stated that his board has enacted a resolution favoring the proposed West Expressway, to provide safer access to all points of San Antonio. He spoke to the traffic routes now used for ingress and egress to Braun Station.

Mr. Raul B. Fernandez, President, Greater San Antonio Builders Association, endorsed the concept and asked the Council to lend its support to the plan. He stated that the proposed freeway would cause an infill of residential development south of Commerce Street, and noted that the Board of Trustees of the Northside Independent School District also endorsed the proposal.

Dr. Martin Meltz, representing a group of nine northwest Bexar county homeowners associations, stated that a meeting last Monday night was called to discuss the road and street conditions in this area of the City and County, and he spoke of the importance of Culebra Road to the road network in this area. He further stated that development of the freeway is strongly endorsed by all nine of the homeowner associations he represents tonight.

Mr. William J. Chapman, representing the San Antonio Board of Realtors, spoke to the City Council in support of the proposed expressway.

Mr. Ray Gay, member of the Northwest Crossing Homeowners Association, spoke in support of the expressway.

Mr. Marty Wender, 111 Soledad, major land developer and owner beyond Loop 410, noted that he planned to develop this project and received approval five months ago. He was to begin work on January 1. He stated that he will work with COPS and the City Council to develop a project that will benefit the residents and will be an asset to this City.

Mrs. Sonia Hernandez, President of Communities Organized for Public Service (C.O.P.S.), stated that this area has needed attention for over 50 years and has completely been ignored by the developers. She asked for a 30 day postponement in order to discuss with the developers many unanswered questions and concerns.

Father Michael McGure, C.O.P.S., stated the proposed freeway can be of value and benefit to all of San Antonio including the inner city. However, conditions under which the inner city will receive benefits need further study and questions about access roads, location and dates of construction, exits and entrances, costs of freeway to the City, phasing of construction of freeway, where the construction of the principal freeway will begin, implications of improving downtown area expressways if this freeway is approved, terminal point of freeway, implications of empty lane within the loop need to be answered. He added that a reasonable amount of time in order to answer these questions is needed and asked for a 30 day extension.

Mrs. Helen Ayala, Executive Vice President of C.O.P.S., stated that Edgewood School District is the poorest in the state and C.O.P.S. has worked with different organizations to develop this area. They are asking for a 30 day postponement in order to have input into this plan. The Edgewood Independent School District has not yet had a presentation of the proposed expressway. They are also concerned about the route of the freeway and any implication it may have on schools. She spoke of the need for industrial development in the EISD area. She also stated that Ralph Bender should not be allowed to serve on the Planning Commission since there is a blatant conflict of interest being that Mr. Bender is also the developer of the plan.

Mrs. Hernandez thanked the City Council for considering their 30 day postponement.

Mayor Cisneros stated that a 30 day postponement is quite proper considering the magnitude of this project.

Mr. Bob Ashcroft, representing Ralph Bender and Associates, stated that they are at a point of concept development. He stated that the State Highway Department will ultimately be charged with the planning, engineering and construction of this freeway. The State will look favorably on public-private cooperation. The State will not act in a unilateral manner after the road is designated.

Mr. George de la Garza, citizen, stated that this freeway will benefit the residents of San Antonio. He asked the City Council to approve this freeway.

Councilwoman Dutmer spoke of her support of this concept. She asked whether the expressway encourages development and expansion outside the Loop. She stated that this freeway will bring growth to the northwest and southwest section of the City.

Councilman Bob Thompson spoke of the broad base support for this project.

Councilman Eureste stated that he felt that the figures presented are not very realistic, and he would not be in favor of having the City fund any overruns. He also took exception to the Northside Chamber of Commerce coming out against the streets bond election. He stated that it just takes cooperation to realize these types of programs.

In response to a question by Councilman Webb, Mr. Malcolm Steinberg, employed by the Texas Highway Department, explained the manner of funding interstate highways. He also stated that the work on the downtown freeway has completely been funded, and the proposed freeway will have no impact on the project.

Councilwoman Berriozabal stated that the 30 day postponement will serve to get citizen input into this project.

In response to Councilwoman Berriozabal, Mr. Chris Gutierrez, representing the Van De Walle family, stated that the Van de Walles are not in a position to make a commitment; however, they do want to work with the developers in this project.

In response to Councilman Eureste, Mr. Ashcroft stated that it is possible that access roads can be funded through the state. The developers are willing to participate in the access road funding.

Councilman Eureste expressed his concern that access roads be provided in the western portion of the freeway in order to better serve the residents.

84-02 There being no further business to come before the City Council,
the meeting was adjourned at 9:46 P.M.

A P P R O V E D

Henry Asin
M A Y O R

ATTEST:

Norma S Rodriguez
C i t y C l e r k

315

January 12, 1984
mlr