

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, NOVEMBER 14, 1985.

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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, MARTINEZ, THOMPSON, VERA, ARCHER, HASSLOCHER, CISNEROS. Absent: HARRINGTON.

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85-62 The invocation was given by Reverend Robert E. Felder, Bethel United Methodist Church.

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85-62 The City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

85-62 HEB PARTNERS

Mayor Cisneros spoke of the many contributions of the HEB Partners during the Mexico earthquake relief effort and read a "Benefactor De La Comunidad" citation to be presented. Mayor Cisneros then detailed HEB's efforts to collect, donate and transport relief supplies into the interior of Mexico.

Mayor Cisneros and members of the City Council then took part in presenting the Benefactor Award to Mr. Joe Orosco and Mr. Mark Hollifield, representing HEB Partners.

Mr. Joe Orosco accepted the Benefactor on behalf of the organization and spoke of the large number of HEB employees who were involved.

85-62 JALISCO - DEPARTMENT OF TOURISM

Mayor Cisneros introduced Mr. Luis Cardenas, representing the Department of Tourism from the state of Jalisco, Mexico and noted that the state was awarding a medallion on behalf of the Governor of Jalisco for San Antonio's part in the Mexico earthquake relief effort. He spoke of

Councilman Martinez's two recent trips to Mexico on behalf of that earthquake relief effort.

Mr. Luis Cardenas then made the presentation of the medallion to Mayor Cisneros, who received it on behalf of the City of San Antonio.

Mr. Martinez spoke to the details of his recent visits to Mexico to deliver some \$15,000.00 in relief funds for the State of Jalisco. He thanked Mr. Cardenas and accepted the medallion on behalf of the City Council and the people of San Antonio.

Mr. Cardenas stated that he wants San Antonio to invite representatives of Guadalajara to a San Antonio parade in a show of neighborly friendship.

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AIR RIFLE CHAMPIONSHIP

Mayor Cisneros and Mr. Thompson together explained that the South San West Campus ROTC Air Rifle Team recently won a national air rifle match. They then awarded trophies and medals to the following winners: Cadet Major Robert Cecil, Cadet Captain Ralph Tarnava, Jr. and Cadet Captain Scott Scritchfield, receiving the award for Cadet Major Mike Norris, who graduated this past June).

Master Sergeant Bennie J. Selby, representing the West Campus ROTC Department, briefly explained details of the Air Rifle Championship and presented special West Campus ROTC t-shirts to the Mayor in commemoration of the event.

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HISPANIC ARTS FEST

Mayor Cisneros explained details of the Hispanic Arts Fest.

Mr. Joe Perales, chairman of the event, invited City Council members to participate in the event and briefly explained its plan to showcase each of the participating organizations in order to raise funds for the eight organizations involved. He then displayed copies of a special poster printed to commemorate the event.

Ms. Blanquita Cullum spoke to the details of organizing the event.

Mayor Cisneros then read a proclamation designating "Hispanic Arts Fest Days" in San Antonio.

Several members of the City Council then individually thanked the sponsors and the contributors to the event.

85-62 The minutes of the Regular and Special City Council meetings of October 24, 1985 were approved.

85-62      CONSENT AGENDA

Mr. Webb made a motion to approve Agenda Items 6 - 31, constituting the Consent Agenda, with items 17 and 27 pulled for individual consideration. Mr. Thompson seconded the motion.

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

AN ORDINANCE 61,804

ACCEPTING THE PROPOSAL OF PRENTICE-HALL, INC. TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH A FINANCIAL PLANNING SUBSCRIPTION FOR A TOTAL OF \$6,345.

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AN ORDINANCE 61,805

EXERCISING AN OPTION TO EXTEND THE CURRENT CONTRACT WITH BECKWITH ELECTRONIC ENGINEERING COMPANY FOR MAINTENANCE AND REPAIR OF THE PUBLIC ADDRESS SYSTEM LOCATED AT INTERNATIONAL AIRPORT FOR AN ESTIMATED TOTAL OF APPROXIMATELY \$11,400 DURING THE 85-86 FISCAL YEAR.

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AN ORDINANCE 61,806

AUTHORIZING PAYMENT TO PLYMOUTH PUMP COMPANY, INC. FOR CHEMICAL FEED PUMPS FOR THE CITY OF SAN ANTONIO WASTEWATER MANAGEMENT DEPARTMENT FOR A TOTAL OF \$9,626.

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AN ORDINANCE 61,807

ACCEPTING THE LOW BID OF PINKERTON'S INC. TO FURNISH THE CITY OF SAN ANTONIO WASTEWATER MANAGEMENT DEPARTMENT WITH SECURITY GUARD SERVICE FOR AN ESTIMATED TOTAL OF APPROXIMATELY \$4,674.72 PER MONTH.

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AN ORDINANCE 61,808

ACCEPTING THE HIGH BID OF ROYAL CATERING TO FURNISH THE CITY OF SAN ANTONIO WITH A FOOD AND BEVERAGE CONCESSION AT THE POLICE AND MUNICIPAL COURT BUILDING.

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AN ORDINANCE 61,809

ACCEPTING THE PROPOSAL OF IBM CORPORATION TO CONTINUE THE LEASE AGREEMENT FOR VARIOUS IBM COMPUTER DEVICES CURRENTLY ON LINE FOR A TOTAL OF \$14,808 PER YEAR.

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AN ORDINANCE 61,810

ACCEPTING THE PROPOSAL OF SALEM PRESS, INC. TO FURNISH THE CITY OF SAN ANTONIO WITH BOOKS FOR THE PUBLIC LIBRARY FOR A TOTAL OF \$4,523.55.

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AN ORDINANCE 61,811

ACCEPTING THE BIDS TO FURNISH THE CITY OF SAN ANTONIO WITH VARIOUS MATERIALS AND SERVICES ON AN ANNUAL CONTRACT BASIS FOR THE 1985-86 FISCAL YEAR.

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AN ORDINANCE 61,812

AUTHORIZING THE CITY MANAGER TO EXECUTE FIELD ALTERATION #1 IN THE AMOUNT OF \$9,178.80, PAYABLE TO TOM PAGE & COMPANY FOR THE RILLING ROAD ROOF FOR THE

BELT FILTER PRESS PROJECT.

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AN ORDINANCE 61,813 .

ACCEPTING THE BID OF MARTIN K. EBY CONSTRUCTION CO., INC., IN THE AMOUNT OF \$8,093,483.90 FOR THE CONSTRUCTION OF THE CATEGORY 4, PACKAGE F PROJECT (RILLING ROAD OUTFALL RELIEF SEWER); PROVIDING A CONSTRUCTION CONTINGENCY IN THE AMOUNT OF \$399,674.00; AUTHORIZING EXECUTION OF A CONTRACT FOR CONSTRUCTION AND POST CONSTRUCTION PHASE SERVICES WITH THE PD-VA GROUP IN THE AMOUNT OF \$688,240.00; PROVIDING AN ENGINEERING CONTINGENCY IN THE AMOUNT OF \$64,824.00; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 61,814 .

ACCEPTING THE BID OF R. L. JONES COMPANY, INC. IN THE AMOUNT OF \$96,554.89 FOR THE CONSTRUCTION OF THE PERRY FLUME SUBDIVISION SANITARY SEWER PROJECT; PROVIDING AN ADDITIONAL \$9,645.11 FOR A CONSTRUCTION CONTINGENCY AND \$5,800.00 PAYABLE TO THE CONSULTANT FOR CONSTRUCTION PHASE SERVICES; APPROVING A CONTRACT; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 61,815 .

ACCEPTING THE BID OF HEATH CONSTRUCTORS, INC. IN THE AMOUNT OF \$1,847,777.77 FOR THE CONSTRUCTION OF THE STONEWALL/FLANDERS STREETS RECONSTRUCTION PROJECT; PROVIDING AN ADDITIONAL \$92,388.89 FOR A CONSTRUCTION CONTINGENCY AND AUTHORIZING \$15,265.80 FOR ENGINEERING FEES FOR THE CONSTRUCTION PHASE PAYABLE TO MACINA, BOSE, COPELAND & ASSOCIATES, INC.; APPROVING A CONTRACT; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 61,816

AUTHORIZING EXECUTION OF FIELD ALTERATION NO. 1 IN THE PEDESTRIAN ACCESS PROGRAM PHASE XII PROJECT IN THE AMOUNT OF \$11,525.00.

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AN ORDINANCE 61,817

ACCEPTING THE BID OF COMMERCIAL BUILDING SPECIALISTS, INC. IN THE AMOUNT OF \$838,700.00 FOR THE CONSTRUCTION OF THE POLICE SUB-STATION AT THE CULEBRA ROAD SITE; PROVIDING AN ADDITIONAL \$40,000.00 FOR A CONSTRUCTION CONTINGENCY; APPROVING A CONTRACT; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 61,818

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$521,825.00 OUT OF VARIOUS FUNDS FOR THE PURPOSE OF ACQUIRING TITLE TO CERTAIN LANDS; ACCEPTING THE DEDICATION OF EASEMENTS TO CERTAIN LANDS; ALL IN CONNECTION WITH CERTAIN RIGHT OF WAY PROJECTS. (TIENDAS DEL RIO URBAN DEVELOPMENT ACTION GRANT PROJECT; NORTHWEST EXPRESSWAY; HIDDEN OAKS OFF-SITE SANITARY SEWER PROJECT; AND CROWNRIDGE - IH 10 SANITARY SEWER PROJECT)

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AN ORDINANCE 61,819

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$600,850.00 OUT OF UDAG FUNDS FOR THE PURPOSE OF ACQUIRING TITLE TO CERTAIN LANDS IN CONNECTION WITH THE TIENDAS DEL RIO URBAN DEVELOPMENT ACTION GRANT PROJECT.

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AN ORDINANCE 61,820

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 61,821

AUTHORIZING PAYMENT OF REFUNDS TO PERSONS MAKING OVERPAYMENTS OR DOUBLE PAYMENTS ON FOUR TAX ACCOUNTS.

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## AN ORDINANCE 61,822

AUTHORIZING THE CITY MANAGER TO RENEW THE CLAIMS ADMINISTRATION CONTRACT WITH GIC INSURANCE COMPANY AS PASSED IN ORDINANCE #59990 ON JANUARY 3, 1985, AND TO EXECUTE AN AMENDMENT TO THE CONTRACT.

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## AN ORDINANCE 61,823

AUTHORIZING COMDATA NETWORK, INC. TO INSTALL A COMCHEK SYSTEM IN THE STATISTICAL SERVICES OFFICES OF THE HEALTH DEPARTMENT.

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## AN ORDINANCE 61,824

AUTHORIZING PROFESSIONAL SERVICES AGREEMENT WITH SAN ANTONIO RESEARCH CORPORATION TO PROVIDE A COMPREHENSIVE SURVEY OF NON-CITY RECREATIONAL RESOURCES.

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## AN ORDINANCE 61,825

AUTHORIZING PARTIAL PAYMENT TO THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER FOR MEDICAL ASSISTANCE AND TRAINING TO SAN ANTONIO FIRE DEPARTMENT'S EMERGENCY MEDICAL SERVICE DIVISION.

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## AN ORDINANCE 61,826

AUTHORIZING THE CITY MANAGER TO ENTER INTO A GENERAL ADMINISTRATIVE AND TECHNICAL SERVICES AGREEMENT WITH C. THOMAS KOCH, INC., IN THE AMOUNT OF \$175,440.00 TO PROVIDE ASSISTANCE IN VARIOUS AREAS TO THE

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DEPARTMENT OF WASTEWATER MANAGEMENT.

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AN ORDINANCE 61,827

AUTHORIZING THE CITY MANAGER TO EXECUTE A JOINT FUNDING AGREEMENT WITH THE U.S. GEOLOGICAL SURVEY PROGRAM OF SURFACE WATER QUALITY DATA COLLECTION, ANALYSIS AND REPORTING COVERING THE AREA IN AND SOUTH OF SAN ANTONIO, THE OPERATIONS AND MAINTENANCE OF SIX (6) MONITORING STATIONS ON THE SAN ANTONIO AND MEDINA RIVERS AND LEON AND SALADO CREEKS AND FOUR (4) MINI-MONITORING STATIONS ON THE SAN ANTONIO RIVER NEAR ELMENDORF.

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85-62 The Clerk read the following Ordinance:

AN ORDINANCE 61,828

AUTHORIZING AN ADDITIONAL \$34,322.62 FOR ENGINEERING FEES PAYABLE TO GARCIA & WRIGHT, CONSULTING ENGINEERS, INC., IN CONNECTION WITH THE BABCOCK ROAD (HUEBNER TO DE ZAVALA) RECONSTRUCTION PROJECT.

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

Mrs. Dutmer voiced her concern with the addition of items to projects already planned and engineered.

Mr. Frank Kiolbassa, Director of Public Works, briefly explained the additional right-of-way that is required for the project.

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

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85-62 The Clerk read the following Ordinance:

AN ORDINANCE 61,829

AUTHORIZING THE SUBMISSION OF AND ACCEPTANCE OF TWO GRANT PROPOSALS UNDER THE HEALTH & HUMAN SERVICES COORDINATED DISCRETIONARY FUNDS PROGRAM FOR FY 1986 TO ENHANCE THE MANAGEMENT AND PLANNING FOR LOCAL HUMAN SERVICES DELIVERY.

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

In response to question from several Council members, Mr. Kevin Moriarty, Director of Human Resources and Services, briefly explained the details of the Ordinance.

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

ZONING HEARINGS

32. CASE Z85348 - to rezone a 4.2240 acre tract of land out of NCB 15678, being further described by field notes filed in the Office of the City Clerk, from Temporary "R-1" One Family Residence District to "R-3" Multiple Family Residence District and a 3.7845 acre tract of land out of NCB 15678, being further described by field notes filed in the Office of the City Clerk, from Temporary "R-1" One Family Residence District to Business Park District, located on the northeast and southwest sides of Ridge Country Drive, being approximately 460' northwest of the intersection of Ridge Country Drive and Wetmore Road, having approximately 400' on the southwest side of Ridge Country Drive and 185' on the northeast side of Ridge Country Drive.

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

Mr. Hasslocher moved that the recommendation of the Zoning Commission be approved provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division and that a 6' solid screen fence is erected and maintained along the northwest and southwest boundaries of the recommended "R-3" and Business Park District. Mr. Archer seconded the motion.

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

AN ORDINANCE 61,830

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 4.2240 ACRE TRACT OF LAND OUT OF NCB 15678, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT AND A 3.7845 ACRE TRACT OF LAND OUT OF NCB 15678, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO BUSINESS PARK DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION, AND THAT A 6' SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTHWEST AND SOUTHWEST BOUNDARIES OF THE RECOMMENDED "R-3" AND BUSINESS PARK DISTRICT.

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33. CASE Z85386 - to rezone Lot 11, NCB 16151, 11900 Block of Nacogdoches Road, 11500 Block of Perrin Beitel Road, from "I-1" Light Industry District to "I-1 CC" Retail Liquid Petroleum (Propane) Gas Sales, located on the southwest corner of Nacogdoches Road and Old Perrin Beitel Road, having 204.30' on Nacogdoches Road and 177.34' on Old Perrin Beitel Road, with a depth of approximately 185'.

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

Mr. David Kennedy, 4047 Naco-Perrin Blvd., asked the Council for approval of the zoning request noting that there is much I-1 zoning already in the area and stating that the Railroad Commission currently regulates gas operations and thus the safety of moving liquid petroleum in and out of areas.

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Mr. Sam Arispe, 11930 Nacogdoches Road, distributed packets of information to members of the City Council concerning this case, stating that he represents a number of residents and business owners in the area, all of whom were concerned with the planned above-ground storage of propane. He then cited certain Railroad Commission restrictions against placing bulk storage containers under electrical transmission lines and voiced his fear that fire could result if a line were to break across one of the above-ground propane storage tanks. He also stated that the area is currently brushy and weedy and voiced his concern with the height of certain planned relief valves on the tanks and the release of gas that could possibly ignite from area fireplaces.

Mr. Robert Kyrisch, 10503 Huebner Road, distributed to the City Council a sketch of the planned facility and its ground layout and he spoke to the safety of propane gas.

In response to a question by Mr. Hasslocher, Mr. Andy Guerrero, Planner III, spoke to the regulations that apply to this particular use.

Mr. Hasslocher moved that the recommendation of the Zoning Commission be approved provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. Mr. Thompson seconded the motion.

Mrs. Dutmer stated her concern with liquid petroleum tanks being located close to residences and stated that she would like to see the tanks moved to another area on the site in order to separate them further from nearby residences.

Mr. Kyrisch explained the location of protective posts around the propane tanks for their protection.

Mr. Hasslocher asked Mr. Kyrisch to move the tanks to a new location further away from residences.

Mr. Archer voiced his concern with locating propane gas tanks near residential areas.

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

AN ORDINANCE 61,831

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

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DESCRIBED HEREIN AS LOT 11, NCB 16151, 11900 BLOCK OF NACOGDOCHES ROAD, 11500 BLOCK OF PERRIN BEITEL ROAD, FROM "I-1" LIGHT INDUSTRY DISTRICT TO "I-1 CC" RETAIL LIQUID PETROLEUM (PROPANE) GAS SALES, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

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34. CASE Z85392 - to rezone a 42.439 acre tract of land out of NCB 8673, 11952, 11953, 11959, 11960, being further described by field notes filed in the office of the City Clerk, from "A" Single Family Residence District, "J" Commercial District, "O-1" Office District, "B-2" Business District, "P-1(B-3)" Planned Unit Development Business District and "I-1" Light Industry District to "B-3" Business District, located on the southside of Loop 410, between U.S. 281 North on the east, Jones Maltsberger Road on the west and Chulie for a southern boundary.

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

Mr. Archer moved that the recommendation of the Zoning Commission be approved provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. Mr. Webb seconded the motion.

Mr. Archer spoke to the need to control illegal dumping in this particular area.

In response to a question by Mrs. Dutmer, Mr. David Beales, 125 W. Sunset Road, noted that most businesses already have moved.

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

AN ORDINANCE 61,832

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 42.439 ACRE TRACT OF LAND OUT OF NCB 8673, 11952, 11953, 11959 AND 11960, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE

OF THE CITY CLERK, FROM "A" SINGLE FAMILY RESIDENCE DISTRICT, "J" COMMERCIAL DISTRICT, "O-1" OFFICE DISTRICT, "B-2" BUSINESS DISTRICT, "P-1 (B-3)" PLANNED UNIT DEVELOPMENT BUSINESS DISTRICT AND "I-1" LIGHT INDUSTRY DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

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35. CASE Z85377 - to rezone Lot 2, Block 1, NCB 17637, from Temporary "R-1" One Family Residence District to "B-3R" Restrictive Business District, located on the southside of Culebra Road, being 105' southeast of the cut-back line of Rogers Road and Culebra Road, having 100' on Culebra Road with a depth of 200'.

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

Ms. Vera moved that the recommendation of the Zoning Commission be approved provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. 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, Martinez, Thompson, Vera, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Harrington.

AN ORDINANCE 61,833

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 2, BLOCK 1, NCB 17637, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

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36. CASE Z85378 - to rezone Lot 16, Block 12097, 2500 Block of Bitters Road, from "B" Residence District to "B-3R" Restrictive Business District, located on the west side of Broadway, between Sommers and Bitters Roads, having approximately 295' on Sommers, 104' on Broadway and 280' on Bitters Road, with a depth of 199.43'.

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

Mr. Hasslocher moved that the recommendation of the Zoning Commission be approved provided that 13' of dedication is given along Bitters Road, and that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. Mr. Thompson seconded the motion.

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

AN ORDINANCE 61,834

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 16, BLOCK 12097, 2500 BLOCK OF BITTERS ROAD, FROM "B" RESIDENCE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT 13' OF DEDICATION IS GIVEN ALONG BITTERS ROAD, AND THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

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37. CASE Z85387 - to rezone Lots 16, 17, 22, 23, and 24, NCB 12914, from "A" Single Family Residence District and "B-2" Business District to "B-3NA" Non Alcoholic Sales Business District, located on the northwest corner of Finis Avenue and SE Loop 410, having 140' on Finis Avenue and 180' on SE Loop 410, plus subject property is also located 120' south of the intersection of Keasler Avenue and SE Loop 410, having 120' on SE Loop 410 with an approximate depth of 110'.

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

Mrs. Dutmer moved that the recommendation of the Zoning Commission be approved provided that access is secured from the Texas Department of Highways and Public Transportation, and that off-street parking is provided and submitted for approval by the Traffic Engineering Division. 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, Martinez, Thompson, Vera, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Harrington.

AN ORDINANCE 61,835

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 16, 17, 22, 23 AND 24, NCB 12914, FROM "A" SINGLE FAMILY RESIDENCE DISTRICT AND "B-2" BUSINESS DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT, PROVIDED THAT ACCESS IS SECURED FROM THE TEXAS DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION, AND THAT OFF-STREET PARKING IS PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

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38. CASE Z75388 - to rezone Lots 6, 7, 8, and 9, Block 9, NCB 2087, 1400 Block of Culebra Road, from "F" Local Retail District to "B-3" Business District, located on the southside of Culebra Road, being 166' east of the intersection of 19th Street and Culebra Road, having 133.32' on Culebra Road with a depth of 75'.

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

Mr. Andy Guerrero, Planner III, notified the City Council that the applicant has asked to withdraw the case.

Case Z85388 was withdrawn.

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39. CASE Z85393 - to rezone Lot 22 and 24, save and except the northeast and northwest 50', Block 3, NCB 14449, from "B-1" Business District and "B-2" Business District to "B-3NA" Non-Alcoholic Sales Business District, located on the northeast side of Culebra Road, being 515.44' northwest of the intersection of Callaghan Road and Culebra Road, having 256.59' on Culebra Road, and a depth of 210'.

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

Ms. Vera moved that the recommendation of the Zoning Commission be approved provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. 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, Martinez, Thompson, Vera, Archer, Hasslocher, Cisneros: NAYS: None; ABSENT: Harrington.

AN ORDINANCE 61,836

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 22 AND 24, SAVE AND EXCEPT THE NORTHEAST AND NORTHWEST 50' BLOCK 3, NCB 14449, FROM "B-1" BUSINESS DISTRICT AND "B-2" BUSINESS DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

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40. CASE Z85382 - to rezone Lot 21, and the east 320' of Lot 20, Block 1, NCB 12466, from "F" Local Retail District and "R-3" Multiple Family Residence District to "B-3" Business District, and Lot 20, save and except the east 320', Block 1, NCB 12466, 3200 Block of S. W. W. White Road, from "F" Local Retail District and "R-3" Multiple Family Residence District to "B-1" Business District, located on the northwest corner of the intersection of S. W. W. White and Chandler, having 1042.8' on Chandler and 401' on S. W. W. White.

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

Mrs. Dutmer moved that the recommendation of the Zoning Commission be approved provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. 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, Martinez, Thompson, Vera, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Harrington.

AN ORDINANCE 61,837

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 21, AND THE EAST 320' OF LOT 20, BLOCK 1, NCB 12466, FROM "F" LOCAL RETAIL DISTRICT AND "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT AND LOT 20, SAVE AND EXCEPT THE EAST 320', BLOCK 1, NCB 12466, 3200 BLOCK OF S. W. W. WHITE ROAD, FROM "F" LOCAL RETAIL DISTRICT AND "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT TO "B-1" BUSINESS DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

\* \* \* \*

41. CASE Z85370 - to rezone the east 217.9' of Tract 2E, NCB 12886, 1300 Block of Semlinger Road, from Temporary "A" Single Family Residence District to "B-3NA" Non-Alcoholic Business District, located on the westside of SE Loop 410, being 1250' north of the intersection of Uecker Road and SE Loop 410, with a width of 100' and a depth of 217.9'.

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

Mr. Webb moved that the recommendation of the Zoning Commission be approved provided that access is secured from the Texas Department of Highways and Public Transportation, and that parking is provided and submitted for approval by the Traffic Engineering Division. Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 61,838

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE EAST 217.9' OF TRACT 2E, NCB 12886, 1300 BLOCK OF SEMLINGER ROAD, FROM TEMPORARY "A" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3NA" NON-ALCOHOLIC BUSINESS DISTRICT, PROVIDED THAT ACCESS IS SECURED FROM THE TEXAS DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION, AND THAT PARKING IS PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

\* \* \* \*

42. CASE Z85391 - to rezone Lots 8 and A, NCB 10235, 3000 Block of E. Commerce Street, from "B-2" Business District to "B-3R" Restrictive Business District, located on the southwest corner of E. Commerce Street and Springsdale, having 95.59' on E. Commerce, 135.79' along the E. Commerce Street and Springsdale cut back and a depth of 150'.

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

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

AN ORDINANCE 61,839

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 8 AND A, NCB 10235, 3000 BLOCK OF E. COMMERCE STREET, FROM "B-2" BUSINESS DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

\* \* \* \*

43. CASE Z85298 - to rezone a 1.103 acre tract of land out of NCB 14862, being further described by field notes filed in the Office of the City Clerk, from Temporary "R-1" One Family Residence District to "B-3NA" Non-Alcoholic Sales District; a 3.5134 acre tract of land out of NCB 14862, being further described by field notes filed in the Office of the City Clerk, from Temporary "R-1" One Family Residence District to "B-3" Business District; and a 10.1549 acre tract of land out of NCB 14862, being further described by field notes filed in the Office of the City Clerk, from Temporary "R-1" One Family Residence District to "I-1" Light Industry District, located on the northside of Prue Road, being 60' west of the corner of Prue Road, and Southwell Road, having 765.05' frontage on Prue Road with a maximum depth of 840.72'.

Mr. Hasslocher moved that the recommendation of the Zoning Commission be approved provided that 13' of right-of-way is given along Prue Road and that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. Mr. Thompson seconded the motion.

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

AN ORDINANCE 61,840

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 1.103 ACRE TRACT OF LAND OUT OF NCB 14862, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES DISTRICT; A 3.5134 ACRE TRACT OF LAND OUT OF NCB 14862, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "R-1" ONE FAMILY

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RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT; AND A 10.1549 ACRE TRACT OF LAND OUT OF NCB 14862, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT 13' OF RIGHT-OF-WAY IS GIVEN ALONG PRUE ROAD AND THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

\* \* \* \*

85-62 The Clerk read the following Ordinance:

AN ORDINANCE 61,841

AUTHORIZING THE PAYMENT OF \$12,500 PLUS ONE-HALF COURT COSTS IN CAUSE NO. 81-CI-17668, STYLED CONSUELO V. SANCHEZ, GUARDIAN OF THE ESTATE OF JOSE B. SANCHEZ VS. THE CITY OF SAN ANTONIO, TEXAS AND BEXAR COUNTY, TEXAS, IN THE 57TH JUDICIAL DISTRICT COURT OF BEXAR COUNTY, TEXAS.

\* \* \* \*

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

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

85-62 The Clerk read the following Ordinance:

AN ORDINANCE 61,842

CHANGING THE CITY COUNCIL MEETING OF THURSDAY, NOVEMBER 28, 1985 TO MONDAY, NOVEMBER 25, 1985.

\* \* \* \*

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

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

85-62 The Clerk read the following Ordinance:

AN ORDINANCE 61,843

POSTPONING THE CITY COUNCIL MEETING OF DECEMBER 12, 1985 UNTIL DECEMBER 19, 1985.

\* \* \* \*

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

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

85-62 The Clerk read the following Ordinance:

AN ORDINANCE 61,844

POSTPONING THE CITY COUNCIL MEETING OF DECEMBER 26, 1985 TO JANUARY 2, 1986.

\* \* \* \*

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

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

85-62 The Clerk read the following Ordinance:

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AN ORDINANCE 61,845

AUTHORIZING THE CITY OF SAN ANTONIO'S FINANCE DEPARTMENT TO FORWARD ALL FUNDS CURRENTLY BEING HELD IN TRUST FUND 62-014, MEXICAN EARTHQUAKE RELIEF, TO THE TEXAS RESPONSE MEXICAN EARTHQUAKE; AND AUTHORIZING THE FINANCE DEPARTMENT TO FORWARD ANY AND ALL SUBSEQUENT DONATIONS TO THE TEXAS RESPONSE MEXICAN EARTHQUAKE.

\* \* \* \*

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

Mayor Cisneros spoke of two major fundraising efforts by the State of Texas which will raise an estimated \$5 million for construction of new schools and a hospital in Mexico in earthquake stricken areas.

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

- - -  
85-62 Agenda Item 49 had been pulled earlier from consideration.

- - -  
85-62 The Clerk read the following Ordinance:

AN ORDINANCE 61,846

AUTHORIZING THE CITY MANAGER TO EXECUTE WITH ENCORE DEVELOPMENT CORPORATION THE CLOSING DOCUMENTS FOR THE HEMISFAIR HOTEL AND PARKING GARAGE PROJECT.

\* \* \* \*

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

In response to a question by Mr. Hasslocher, Mr. David Garcia, Special Projects Officer, briefly explained the extent of the work on the agreements involved.

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

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

85-62 The Clerk read the following Resolution:

A RESOLUTION NO. 85-62-84

APPROVING THE ISSUANCE OF A SERIES OF BONDS BY THE CITY OF SAN ANTONIO INDUSTRIAL DEVELOPMENT AUTHORITY TO FINANCE A PROJECT FOR CONSOLIDATED PRODUCE CO., INC.; APPROVING SAID PROJECT; MAKING CERTAIN FINDINGS AND DETERMINATIONS; ASSIGNING AN ALLOCATION OF PRIVATE ACTIVITY BOND LIMIT; AND DECLARING AN EMERGENCY.

\* \* \* \*

Mr. Vince DeMartino, representing First Southwest Corporation, briefly explained the funding in regard to this incident and described the facility to be constructed with the bond funds noting that it will increase the San Antonio workforce appreciably.

Ms. Lorraine Salazar, Assistant Director of the Department of Economic and Employment Development, gave details of the project and spoke to the benefits to be derived from it.

Mr. Martinez spoke to the consolidation of a major San Antonio organization by this bond sale and its location into a new site and the subsequent elimination of an old junk yard which currently is located on that new construction site.

Ms. Vera made a motion to approve the proposed Resolution. Mr. Martinez seconded the motion.

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

85-62 The Clerk read the following Ordinance:

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AN ORDINANCE 61,847

APPOINTING MAX THRAILKILL TO SERVE ON THE 201 AREA  
WASTEWATER ADVISORY COMMITTEE.

\* \* \* \*

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

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

85-62      SENIOR CITIZEN DISCOUNT RATES AT MUNICIPAL GOLF COURSES

Ms. Vera stated that she felt this was a good suggestion and she  
recommended it.

Mr. Archer stated that he, however, feels that this would be a  
mistake since the age of 65 is widely accepted as the limit of so-called  
senior citizens.

Mr. Ron Darner, Director of Parks & Recreation, noted that the  
loss, if this were approved, would be about \$60,000 to \$65,000 a year to  
his department and he noted that one-fourth of the 322,000 rounds of golf  
played each year on San Antonio's municipal golf courses are played by  
senior citizens above age 65. He stated that the greens fee now being  
charged to senior citizens contributes towards the breaking even of the  
golf courses.

Ms. Vera noted that the senior citizen rate charged at the San  
Antonio Zoo now has been lowered to 62.

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

Mr. Martinez spoke in support of the motion stating that the City  
also may one day need new golf courses.

Mr. Webb noted that the Council should perhaps consider this as a  
part of its upcoming next budget stating that he feels San Antonio also  
may need new golf courses in the future.

(Mayor Cisneros returned to the meeting and presided.)

Ms. Vera and Mr. Martinez recommended that this item be placed for consideration on next week's agenda.

After discussion, and by informal concensus, the Council decided to table further consideration of this item.

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DAVIS CUP

On a point of personal privilege, Mr. Archer noted that the City of San Antonio is one of four U. S. cities who are currently being considered to host the upcoming Davis Cup semi-final round. He stated that San Antonio, New Orleans, Phoenix and San Diego are the cities under consideration and he wants San Antonio to co-sponsor the upcoming Davis Cup semi-finals with the San Antonio Tennis Foundation as a means by which the City might further participate in this matter and also save the organization the costs involved in the use of the arena since the matches would have to be held in the arena because of its seating.

Mayor Cisneros asked the City Manager's staff to look into the matter and to set the matter for a possible resolution on next week's "A" Session.

Mr. Archer made a motion to place an item on next week's agenda addressing co-sponsorship of the Davis Cup matches. Mrs. Dutmer seconded the motion.

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

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85-62 The City Council then recessed at 3:13 P.M. for a "B" Session matter on the Repeat Offender Program, reconvening at 4:02 P.M. to consider further matters on the Regular Session.

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85-62 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE -  
FATHER BENAVIDES PARK

Mayor Cisneros declared the Public Hearing to be open.

No citizen appeared to speak.

Mayor Cisneros declared the Public Hearing to be closed.

The City Clerk read the following Ordinance:

AN ORDINANCE 61,848

ACCEPTING THE BID OF ROSSON BUILDERS, INC., IN THE AMOUNT OF \$78,470.00 TO RENOVATE AND IMPROVE FATHER BENAVIDES PARK; REPROGRAMMING FUNDS; APPROVING A CONTRACT; AND PROVIDING FOR PAYMENT.

\* \* \* \*

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

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

85-62                    PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE -  
HALLIE STREET PROJECT

Mayor Cisneros declared the Public Hearing to be open.

Ms. Marcia Welch, representing the Eastside Alliance, briefly spoke of the delegation that is present in the audience in support of the project and provided details of the project for members of the Council.

Sister Monica, representing the Sisters of the Holy Spirit, stated that the impact on the project on renovation of the City's east side and its housing stock would be great, noting that her group had provided four acres of land for this project.

Ms. Teresa Delgado, a resident of the neighborhood, spoke to the condition of the neighborhood and what this project will mean for it.

Father Pete McKenna, Holy Redeemer Catholic Church, asked the Council to support the project.

Mayor Cisneros declared the Public Hearing to be closed.

The City Clerk read the following Ordinance:

AN ORDINANCE 61,849

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH FLORES AND COMPANY TO PROVIDE THE ENGINEERING SERVICES ASSOCIATED WITH THE HALLIE

STREET PROJECT; APPROPRIATING FUNDS; AND AUTHORIZING  
PAYMENT.

\* \* \* \*

Mr. Webb applauded the supporters of this project.

Mayor Cisneros then spoke of Ms. Berriozabal's victory in having the Bexar County Housing Finance Corporation committing certain monies to inner city housing development. He stated that he wants all concerned with housing to meet regularly with the City Council's Task Force concerning similar projects such as the Hallie Street Project and noted that a meeting would be held Saturday morning at the San Antonio Housing Authority offices.

Mr. Wing made a motion to approve the proposed Ordinance. 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, Dutmer, Wing, Martinez, Thompson, Vera, Cisneros; NAYS: None; ABSENT: Harrington, Archer, Hasslocher.

- - -  
85-62 The City Council recessed at 4:20 P.M. for continuation of the "B" Session and then reconvened at 4:42 P.M.

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85-62 CUB SCOUTS

Mayor Cisneros recognized the presence in the audience today of Cub Scouts from Den 6 of Concordia Lutheran Church and welcomed them to City Hall.

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85-62 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE -  
CHILDREN'S ATTENDANCE AT CERTAIN PERFORMANCES

Mayor Cisneros asked that the City staff state the content of the proposed Ordinance and then asked that Dr. Robert Demski, Child Psychiatrist, retained by the City, then make his report. He stated that at that time each side of the matter will be given thirty minutes to speak to the City Council. He then spoke briefly to the specifics of the Ordinance, noting that it may be enacted today or possibly deferred to a future time in order to seek more possible solutions.

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Mr. Lowell Denton, City Attorney, explained details of the proposed Ordinance and the history of discussions which led to its creation. He then addressed the matter of defining obscenity and noted that City staff had decided that the most legal approach would be to set age limits in order to protect children. He stated further that he feels the Ordinance can be upheld by the courts and spoke of the use of a child psychiatrist in researching details of the ordinance and for recommending possible age limits. He stated further that he feels that the requirements for promoters to tape events held in City facilities as stated in the ordinance is not in his view in violation of the Copyright Act.

Dr. Robert Demski listed his credentials and spoke to the parameters of his study. He then identified and answered three pertinent questions dealing with this study, all of which are included in a comprehensive report he submitted to the City titled, "Report on the Effects of Violence and Pornography on the Development of Children and Adolescents", dated November 13, 1985.

Mr. Denton then discussed several aspects of the proposed Ordinance including its enforcement and penalties. Mr. Denton noted that only language, not conduct, is covered by the proposed Ordinance and he briefly discussed what constitutes "obscene performance".

Mayor Cisneros stated that he feels the City Attorney has done the best job possible in light of the law and the U.S. Constitution in the matter and he stated further that San Antonio is probably the first City in the nation to draft such a regulation.

Mayor Cisneros then declared the Public Hearing to be open.

Ms. Nancy W. Myers, representing Concerned Women for America (CWA), thanked the City for taking on this effort. She feels that age thirteen, however, is too low and suggests the City adopt the legislative legal adult age which is eighteen. She asked further that the Council delay action on the proposed ordinance in order to allow more work with interested groups in this matter.

Mr. James D. Kazen, representing Center for Educational Development, stated that he is against obscenity but recommends the Council delay action today and meet with both sides for further discussion.

Ms. Bonnie Sunvison, representing Concerned Women for America, stated that she feels the \$200 fine is too low and also that it is too difficult to prove "intent."

Ms. Bobbie Mueller, representing Community Families In Action, thanked the City for their work in this area and stated that a parents' group recently attended some ten rock concerts and now can attest to the

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obscenity involved and other like actions that take place during rock concerts. She then spoke in favor of the proposed Ordinance.

Ms. Sylvia Branch, concerned parent, spoke of having attended a recent rock concert and heard its sexual connotations. She spoke to the legal right of a government to control such actions in its own facilities and stated that a radio poll conducted by a San Antonio radio station today overwhelmingly supports City Council ordinance action in this matter.

Mr. Lamar Slay urged City Council to enact the proposed ordinance as its civic responsibility.

Ms. Inis Beadles, 135 Olympia, quoted from a set of lyrics from a recent rock group album and spoke in support of enactment of the ordinance.

Mr. Randy Fenter, representing McArthur Park Church of Christ, thanked the Council for taking a stand in this matter.

Mrs. Ruth Bell, 3015 Gainesborough, lauded the Council members for taking a strong stand on this issue and spoke to other issues of rock concerts that affect children over and above obscenity. She stated her preference for raising the age limits for rock concerts to eighteen and also voiced her strong favor for stronger fines, stating that she feels this is a moral issue.

Mr. Kenneth Vollmer favors the ordinance and the higher age limit of eighteen.

A number of persons then spoke against the proposed ordinance.

Ms. Patricia Even, 443 Tulane, stated that she feels the age limit should be raised and that is her reason for being in opposition to the ordinance.

Mr. Michael L. Courtney, 4615 Gardendale, stated that the problem is not with rock music. He stated that the problem is with the people's minds. He further stated that he loves heavy metal music and stated that also has not been detrimental to his personal state of mind.

Mr. William Grisham spoke against the ordinance stating that there have been certain misconceptions made about what is occurring at rock concerts. He further stated that there is no need for this type of ordinance in San Antonio.

Ms. Dawn Stubenazy, Rt. 15, Box 228-C, stated that parents are supposed to take care of their children and be responsible for their morals. She stated further that children are not forced to go to rock

concerts and she feels that the ordinance would alienate the children from their parents.

Mr. Jack Orbin, representing Stone City Attractions, stated that the Council and he both are in agreement in wanting San Antonio's youth to become capable leaders. He further stated that he does not want to see children harmed but he believes that there are misconceptions about what occurs at rock concerts. He further stated that certain interpretations of what goes on at rock concerts could be termed paranoid and misconceptions. Mr. Orbin stated his opinion that the City Council is imposing its own morality rulings on the general public through this ordinance and voiced his feeling that if the ordinance is approved it will be an embarrassment to the entire nation.

Mr. Ed Kolorich, 7535 Richter, asked for this matter to be taken to the voters to decide the issue.

Mr. Don Rex, 15122 Mineral Spring, stated that he feels this is a constitutional matter.

Mr. John Saucedo, 9400 Fredericksburg Road, stated that he feels it is up to the parents to decide what their children hear.

Mr. Rich Decks, 5019 La Haya, voiced his opposition to the ordinance.

Mr. Mike Morales, 173 Brandywine, stated his opinion that it is up to the parents to decide what is good for their children.

Mr. Wayne Elkins feels the ordinance would apply to such productions as San Antonio Little Theatre as well as rock concerts and voiced his fear that certain narrow interpretations would be made concerning these productions. He also spoke against taping of these productions and the problems involved.

Mr. Carlos Wilson spoke against the so-called taping provision in the ordinance.

Mr. Gary Robertson spoke in refutation of Mrs. Bell's comments. He stated his feeling that the ordinance would affect classical plays and western music as well as rock concerts.

Mayor Cisneros declared the Public Hearing to be closed.

The Clerk read the following Ordinance:

## AN ORDINANCE 61,850

PROVIDING FOR THE REGULATION OF ATTENDANCE BY CHILDREN BELOW THE AGE OF FOURTEEN (14) AT CERTAIN MUSICAL, DRAMATIC, OR THEATRICAL PERFORMANCES; ESTABLISHING AN AGE LIMIT, DEFINING THE TYPES OF CONDUCT OR SPEECH AND THE CONTENT OF SAME WHICH CONSTITUTE OBSCENE PERFORMANCES AS TO SUCH CHILDREN; PROVIDING FOR PUBLIC NOTIFICATION OF THE CHARACTER AND CONTENT OF CERTAIN PERFORMANCES, REQUIRING CERTAIN MODIFICATIONS OF LEASES FOR CITY-OWNED FACILITIES; PROVIDING A PENALTY FOR EACH SEPARATE VIOLATION OF NOT LESS THAN \$50.00 NOR MORE THAN \$200.00; AND PROVIDING FOR SEVERABILITY.

\* \* \* \*

Mayor Cisneros voiced his own personal recommendation that the taping requirement in the proposed ordinance be deleted, stating that this would become a burden to the usefulness of the ordinance itself. He then recommended the thirteen year age minimum limit for attendance at rock concerts and also stated that the City by this is not singling out only rock concerts but all productions.

Mr. Archer spoke about his experiences with attendance at a recent rock concert. He expressed concern with the music that he considers "way out", stating that he feels that the Council would be derelict in its duties if it does not take action to deter the moral depravity in tax-supported facilities.

Mr. Archer made a motion to approve the proposed Ordinance and set a 15 year age limit on the matter. Mr. Webb seconded the motion.

Mr. Thompson then spoke of his support for the ordinance but voiced his concern that the audio recordings provisions of the ordinance could cause promoters to move major functions to other facilities. He then spoke in favor of deleting the taping provision.

Mr. Thompson offered an amendment to the main motion to delete Section 6, "Audio Recordings." Mrs. Dutmer seconded the motion.

Mayor Cisneros stated that the age of thirteen, in his opinion, would be the best enforceable and defensible age involved.

Mr. Webb spoke in favor of the ordinance and the statements expressed by Mr. Thompson as well as the matter in which the ordinance was written. He did, however, voice his concern about what is happening at rock concerts, stating that he would have preferred a more stringent ordinance, if anything.

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Mrs. Dutmer stated that she supports the ordinance and feels that taping can be arranged for performances. She also stated her opinion that some parents cannot act morally for their own children, and she objected to any obscenity in any music regardless of which type it is.

Mr. Martinez spoke of his objections to obscene acts but also voiced his concern on whether such an ordinance is proper for this governmental body to take. He feels that society today is the root cause of many problems of this nature and further stated his feelings that it is up to the church, the schools and the parents to guide children. Mr. Martinez stated that he feels the ordinance will not work in controlling attendance by younger children and voiced his favor for a resolution to put the Council on record on this issue rather than an ordinance.

Mr. Wing stated that he feels City Council has an obligation to act in such areas to protect its citizens. He further feels that the threat of the ordinance alone has caused certain rock promoters to begin policing their concerts in San Antonio. He spoke against the taping provision but stated that he feels the City could do the taping itself after certain investigations.

Mr. Wing offered a second amendment to set the thirteen and below age limit. Ms. Vera seconded the motion.

In response to a question by Ms. Vera, Dr. Demski spoke to the relative ages of impression of children.

Mr. Hasslocher stated that he favors the thirteen year age restrictions and also feels the ordinance will affect revenues at City-owned facilities. He also voiced his concern that one parent cannot take more than their own children to such shows and he feels that the ordinance lacks teeth.

Ms. Berriozabal spoke to recent Washington, D.C. hearings concerning rock music and voiced her concern with the lyrics of some songs from rock concerts. She stated that many songs are abhorrent to her and to many others and that they show certain themes of violence. Ms. Berriozabal feels that the industry should police itself and she stated that her decision in this matter is weighted by two things: what this watered down ordinance will do for children and the effect upon free speech. She stated that she feels that parents, not government, must look after the young people of this nation, and she further feels this ordinance is a beginning of a violation of that basic right.

Mrs. Dutmer favors a strong statement against obscenity but stated she cannot support this ordinance as written.

Mayor Cisneros stated that he feels that the framers of the U.S. Constitution did not have in mind protecting the so-called free speech of obscenity. He noted that still the City has a responsibility to all of

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its citizens and spoke against letting matters of money dictate the morals of our children. He further stated that he personally cannot condone this in City facilities and he feels the ordinance will stand up in court.

The second amendment, pertaining to the thirteen year and under restriction, prevailed by the following vote: AYES: Webb, Dutmer, Wing, Thompson, Vera, Archer, Hasslocher, Cisneros; NAYS: Berriozabal, Martinez; ABSENT: Harrington.

The first amendment, deleting Section 6, prevailed by the following vote: AYES: Webb, Dutmer, Wing, Thompson, Vera, Archer, Hasslocher, Cisneros; NAYS: Berriozabal, Martinez; ABSENT: Harrington.

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

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85-62 The City Council then recessed at 7:40 P.M., reconvening at 8:15 P.M. for Citizens to be Heard.

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85-62

CITIZENS TO BE HEARD

KYLE HULTZ

Mr. Kyle Hultz, 14789 Bandera Road, asked the City Council to allow them permission to rent their portable signs during the term of the moratorium. He said that he does not wish to add new signs, just to be able to rent his present signs.

Mayor Cisneros stated that the City Council does not wish to expand the sign business in San Antonio and he does not feel that the Council will want to open up this item for discussion.

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85-62

WATER AND SEWER FINANCING

City Manager Louis J. Fox explained details of the ad hoc committee on water and sewer financing which was established some months ago. He stated that the group feels that no significant savings would be attained by the refunding of current water and sewer bonds. Mr. Fox stated that he further feels that the surface issue will cause significant water rate hikes in future years and also further stated his feeling that

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the refunding issue has certain merits in his mind and he does not include a take-over of the City Water Board in his current thinking.

Mayor Cisneros stated that he feels the three member City Council committee could look further into the matter and he asked that they meet further on this issue. The members being Mr. Wing, Ms. Vera, and Mr. Thompson. Mayor Cisneros asked that Mr. Hasslocher be allowed to join that group.

Mr. Archer spoke against any takeover of the City Water Board by the City of San Antonio stating that he likes the way the City Water Board currently is run.

Mayor Cisneros also stated his position against taking over the City Water Board.

A discussion then took place concerning the pros and cons of taking over the City Water Board.

Mrs. Dutmer spoke against taking over the City Water Board.

Mr. Wing stated that he favors letting the City Council committee look into this entire matter.

Ms. Vera favors the City Council committee looking into the matter and she feels the Council owes it to the citizens to do this.

Mr. Wing spoke in support of Ms. Vera's comments.

Mr. Hasslocher stated that he feels that there is a need to look into the fees being paid to financial advisors on bond sales.

Mr. Hasslocher made a motion to refer this matter for review by the City Council committee of Ms. Vera, Mr. Thompson, Mr. Wing and Mr. Hasslocher. Ms. Vera seconded the motion.

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

A discussion then took place concerning a possible Monday, November 25, 1985, meeting of this committee at 5:30 P.M. in order to allow it time to discuss the matter and then report to the City Council next Thursday.

The City Council then recessed its meeting at 9:06 P.M. to

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hold a "B" Session discussion on hazardous waste, reconvening at 9:44 P.M. to adjourn the Regular Meeting.

A P P R O V E D

*Henry Cisneros*

M A Y O R

ATTEST: *Norma J. Rodriguez*  
C I T Y C L E R K

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