

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBERS, CITY HALL, ON
THURSDAY, DECEMBER 3, 1981

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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

81-61 The invocation was given by Father Mike De Gerolami, Pastor of St. Timothy's Catholic Church.

81-61 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

81-61

INVESTMENT IN SAN ANTONIO

Mayor Cisneros read to the City Council a letter received from Mr. Werner Gundlach, West German investor and officer of the West German firm which owns a portion of Winn's Stores, congratulating San Antonio on its industrial development policies. (A copy of the letter is a part of the records of this meeting). The letter spoke of a colleague who noted San Antonio's presence and efforts to attract international investors during a recent conference in Zurich, Switzerland, and Mr. Gundlach offered his assistance to San Antonio in working with international investors.

81-61

CONSENT AGENDA

Mr. Archer moved that items 3-15 constituting the consent agenda be approved. Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 54,608

ACCEPTING THE LOW BID OF THE NATKIN SERVICE CO., TO FURNISH THE CITY OF SAN ANTONIO WITH REPAIR OF A TRANE RECIPROCATING CHILLER LOCATED AT INTERNATIONAL AIRPORT FOR A NET TOTAL OF \$9,350.00.

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AN ORDINANCE 54,609

ACCEPTING THE LOW BID OF SOUTHWESTERN PIPE, INC., TO FURNISH THE CITY OF SAN ANTONIO WITH TRAFFIC SIGN POSTS FOR A NET TOTAL OF \$27,602.37.

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AN ORDINANCE 54,610

ACCEPTING THE LOW BID OF DUBOSE FLOORS TO FURNISH THE CITY OF SAN ANTONIO WITH CARPETING FOR A TOTAL OF \$5,134.20.

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AN ORDINANCE 54,611

AUTHORIZING THE CITY MANAGER TO EXECUTE FIELD ALTERATION NO. 1 TO THE WOODLAWN LAKE DREDGING PROJECT; AUTHORIZING ADDITIONAL ENGINEERING FEES TO W.H. MULLINS, INC.; AND REVISING THE BUDGET IN THE WOODLAWN LAKE DREDGING PROJECT.

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AN ORDINANCE 54,612

ACCEPTING THE LOW QUALIFIED BID OF MARTIN WRIGHT ELECTRIC COMPANY FOR THE SAN ANTONIO INTERNATIONAL AIRPORT TERMINAL ELECTRICAL CONSTRUCTION (STAGE 2 - PACKAGE 11); AUTHORIZING THE EXECUTION OF A STANDARD FORM OF AGREEMENT BETWEEN THE OWNER AND CONTRACTOR (AIA DOCUMENT A101) AS STIPULATED IN THE SPECIFICATIONS, APPROPRIATING FUNDS TO COVER THE COST OF SUCH CONSTRUCTION AND AUTHORIZING PAYMENT AS HEREIN PROVIDED.

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AN ORDINANCE 54,613

ACCEPTING THE LOW BID OF LEM CONSTRUCTION CO., INC, TO CONSTRUCT THE SAN PEDRO CREEK DRAINAGE OUTFALL PROJECT; AUTHORIZING A CONTRACT; ESTABLISHING A FUND AND ADOPTING A BUDGET; AUTHORIZING INTERFUND TRANSFERS AND PAYMENT OF THE CONTRACT, CONSTRUCTION CONTINGENCIES, AND ADDITIONAL ENGINEERING FEES.

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AN ORDINANCE 54,614

ACCEPTING THE LOW QUALIFIED BID OF J.R. BUILDERS IN THE SUM OF \$14,253 ON CARVER CULTURAL CENTER MODIFICATIONS FOR HANDICAPPED ACCESS; AUTHORIZING THE EXECUTION OF A STANDARD PUBLIC WORKS CONTRACT; AND AUTHORIZING PAYMENTS FROM FUND 28.

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AN ORDINANCE 54,615

AUTHORIZING A TRANSFER OF FUNDS AND A BUDGET REVISION ON THE FAIRMEADOWS ST., AND THE STONE-WALL STREET PROJECTS; AND AUTHORIZING PAYMENT OF \$1,285 IN ADDITIONAL ENGINEERING FEES TO ENVIRONMENTAL COLLABORATIVE, INC.,

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AN ORDINANCE 54,616

ACCEPTING THE HIGH BID (S) RECEIVED IN CONNECTION WITH \$12,000,000 IN CITY FUNDS AVAILABLE FOR DEPOSIT IN INTEREST-BEARING CERTIFICATES OF DEPOSIT.

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AN ORDINANCE 54,617

FINDING THAT CERTAIN PERSONAL PROPERTY TAX ASSESSMENTS ARE INVALID AND ORDERING THAT THE INVALID ASSESSMENTS AND THE TAXES BASED THEREON BE CANCELLED.

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AN ORDINANCE 54,618

AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE, SETTLE AND PAY CLAIM NO. 29926, DATED JUNE 27, 1981, BY CONSUELO MANDUJANO VS. CITY OF SAN ANTONIO.

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AN ORDINANCE 54,619

AUTHORIZING EXECUTION OF A CONTRACT WITH CHARLES H. NOBLE, SR, INC., FOR APPRAISAL OF LAND AND IMPROVEMENTS AT INTERNATIONAL AIRPORT, AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 54,620

AMENDING THE FEES AND CHARGES FOR COMMERCIAL AIR TRANSPORTATION ACTIVITIES NOT OPERATING UNDER LEASE OR CONTRACT AT INTERNATIONAL AIRPORT.

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81-61WOODLAWN LAKE

Mr. Alderete thanked members of the Council for their affirmative votes on agenda item number 6, dealing with a field alteration to the Woodlawn Lake Dredging Project, stating that this will complete the dredging and surface amenities. He noted that the project has been a tremendous asset to the area and an incentive for a number of major residential renovations around the lake.

In response to a question by Mrs. Dutmer, Mr. Alderete noted that a quantity of fill-soil still is available from the dredging operation.

81-61 ZONING HEARINGS

16. CASE 8680- to rezone Lots 48, 49, 52, and 53, Block 2, NCB 11966, 315 E. Ramsey Road and 9226 McCullough Avenue located on the southwest side of McCullough Avenue, between Wolfe Road and E. Ramsey Road, having 558.8' on McCullough Avenue, 88.3' on Wolfe Road and 233.9' on East Ramsey Road, the removal of a requirement imposed by Ordinance, approved by City Council July 9, 1981.

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

No citizen appeared to speak in opposition.

After consideration, Mrs. Dutmer moved that the recommendation of the Zoning Commission be approved. Mr. Hasslocher seconded the motion. On voice vote, 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 54,621

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 48,49,52 and 53, BLOCK 2, NCB 11966 314 E. RAMSEY ROAD AND 9226 MCCULLOUGH AVE. THE REMOVAL OF A REQUIREMENT IMPOSED BY ORDINANCE, APPROVED BY CITY COUNCIL JULY 9, 1981, THAT A SIX-FOOT SOLID SCREEN FENCE BE ERECTED AND MAINTAINED ON THE EAST AND SOUTH PROPERTY LINES ON PROPERTY LISTED.

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81-61

17. CASE 8686 to rezone Lots 72, 73, Block 17, NCB 3460, 667 W. Theo Avenue, from "C" Apartment District to "B-1" Business District, located on the northside of Theo Avenue, being 117.5' west of the intersection of Bordoy Street, having 100' on Theo Avenue and a depth of 100'.

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

No citizen appeared to speak in opposition.

In response to a question by Mrs. Dutmer as to whether this rezoning might escalate business zoning into this area, Mr. Andy Guerrero, Planning Administrator, noted that 25 notices mailed out to area property owners were returned in favor of the requested rezoning.

Mr. Eureste stated that in this case, the proponent had worked things out with neighbors prior to bringing the case of the City, and further stated his opinion that this rezoning was in keeping with the zoning pattern along Theo Avenue.

After consideration, Mr. Wing moved that the recommendation of the Zoning Commission be approved. Mr. Harrington seconded the motion. On voice vote, the motion carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Alderete, Harrington, Hasslocher, Cisneros, NAYS: Archer ABSENT: Thompson.

AN ORDINANCE 54,622

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 72 AND 73, BLOCK 17, NCB 3460, 667 W. THEO AVENUE, FROM "C"

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Apartment District to "B-1" Business District.

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81-61

18. CASE 8639 to rezone a 2.036 acre tract of land out of NCB 11635, being further described by field notes filed in the Office of the City Clerk, in the 6100 Block of Ingram Road, from Temporary "R-1" Single Family Residential District to "B-1" Business District, located on the northside of Ingram Road being 150' east of the intersection of Quiver Drive and Ingram Road, having 244.41' on Ingram Road and a maximum depth of 435'.

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 a six-foot solid screen fence is erected and maintained along the west and north property lines until such time as the property north of the subject property develops into a commercial nature. Mr. Harrington seconded the motion.

Mr. Alderete spoke against the request, stating that it would create an even more extreme traffic hazard in the area. He further stated that he favored waiting on any rezoning matter in this immediate area of Ingram Road until planned and scheduled major road reconstruction is completed on Ingram Road from Loop 410 to Callaghan Road as part of the 1980 bond program.

Mr. Robert Cohen, representing H.P. Orts Construction Company, stated that the firm owns much property in this area and has few options for development of the property into a salable property with its present zoning.

Mrs. Dutmer noted that this case is but one of several rezoning requests by the firm in this area, and spoke of the possibility of perhaps limiting vehicular access from the property in question into adjacent residential areas.

Mr. Alderete spoke of visual obstructions to traffic in this area, the fact that several schools are in close proximity, and the area is utilized by school children going to and from school and home. He stated his opinion that the property could suitably be developed into salable townhomes or garden homes, and spoke of the expressed opposition of a number of area residents to the planned rezoning.

Mr. Alderete then made a substitute motion to deny the rezoning request. Mrs. Dutmer seconded the motion. On roll call, the motion to deny the request prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Alderete, Harrington, Archer, Hasslocher, Cisneros, NAYS: None. ABSENT: Thompson.

Case 8639 was denied.

81-61

19. CASE 8651 to rezone a 1.741 acre tract of land out of NCB 11635 being further described by field notes filed in the Office of the City Clerk, in the 6100 block of Ingram Road, from temporary "R-1" to "B-2", located on the North side of Ingram Road, being 853.84' west of the intersection of Callaghan Road and Ingram Road, having 170' on Ingram Road and a maximum depth of 448.11'; a 3.873 acre tract of land out of NCB 11635 being further described by field notes filed in the Office of the City Clerk, in the 6100 block of Ingram Road, from

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Temporary "R-1" to "B-2", located on the Northside of Ingram Road, being 480' west of the intersection of Callaghan Road and Ingram Road, having 373.84' on Ingram Road and a maximum depth of 457.09'.

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

No citizen appeared to speak in opposition.

After consideration, Mr. Alderete moved to deny the requested rezoning. Mrs. Dutmer seconded the motion.

Mr. Alderete stated that he again preferred to wait to consider any rezoning request in this immediate area until the planned reconstruction of Ingram Road, between Loop 410 and Callaghan Road, has been completed, then perhaps see how any rezoning might affect traffic and other considerations in that area. He further stated that he would have no objection to reviewing a rezoning request at that time.

In response to a question by Mr. Alderete as to financing of the Ingram Road project and its projected completion date, Mr. Carl Braunig, Traffic Engineering Division, confirmed that the project is financed under the 1980 bond program and estimated completion is in about two years.

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

Case 8651 was denied.

81-61

20. CASE 8652 - to rezone a 6.002 acre tract of land out of NCB 11635, being further described by field notes filed in the Office of the City Clerk, in the 4300 block of Callaghan Road, from "A" and Temporary "R-1" Single Family Residential District to "B-2" Business District located on the westside of Callaghan Road, being 136' south of the intersection of Clearbrook Drive and Callaghan Road, having 480.79' on Callaghan Road and a maximum depth of 650'.

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. Alderete stated his opinion that the planned six-foot solid screen fence planned on the north property line next to platted residential lots might not fully protect them from the requested business zoning, and discussed the possibility for better visual protection.

After discussion, Mrs. Dutmer moved that the recommendation of the Zoning Commission be approved provided that a six-foot solid screen fence is erected and maintained along the northwest, north and southwest property lines. Also, that street dedication is imposed if necessary. Mr. Wing seconded the motion. On voice vote, 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 54,623

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 6.002 ACRE TRACT OF LAND OUT OF NCB 11635 BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 4300 BLOCK OF CALLAGHAN ROAD, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT AND TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2 BUSINESS DISTRICT, PROVIDED THAT A SIX-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTHWEST, NORTH, AND SOUTHWEST PROPERTY LINES. ALSO, THAT STREET DEDICATION IS IMPOSED IF NECESSARY.

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81-61

PERMANENT ZONING

Mr. Archer asked for a brief status report on a request to make 'temporary' zoning designations into 'permanent' designations within the city limits.

Mr. Andy Guerrero, Planning Administrator, stated that at this time, this matter was being handled on a case-by-case basis.

81-61 CASE 8682 - to rezone a 0.784 acre tract of land out of Lot 182, NCB 12008, being further described by field notes filed in the Office of City Clerk, 105 Bitters Road, from "B-2" Business District to "B-3R" Restrictive Business District, located northeast side of Bitters Road, being 194.55' northwest of the cutback between San Pedro Avenue (Hwy. 281 North) 140' on Bitters Road and a depth of 174.94'.

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

No citizen appeared to speak in opposition.

After consideration, Mr. Hasslocher moved that the recommendation of the Zoning Commission be approved. Mrs. Dutmer seconded the motion. On voice vote, 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 54,624

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 0.784 ACRE TRACT OF LAND OUT OF LOT 182 NCB 12008, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK 105 BITTERS ROAD FROM "B-2" BUSINESS DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT.

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81-61

22. CASE 8683 - to rezone a 0.6497 acre tract of land out of NCB 15865, being further described by field notes filed in the Office of the City Clerk, in the 13300 Block of Nacogdoches Road,

from "B-2" Business District to "B-3R" Restrictive Business District, located northeast of the intersection of La Posita Drive and Nacogdoches Road, having 170' on Nacogdoches Road 165.42' on La Posita Drive.

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

No citizen appeared to speak in opposition.

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

AN ORDINANCE 54,625

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 0.6497 ACRE TRACT OF LAND OUT OF NCB 15865, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 13300 BLOCK OF NACOGDOCHES ROAD FROM "B-2" BUSINESS DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT

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81-61 The Clerk read the following Ordinance:

AN ORDINANCE 54,626

AUTHORIZING SUBMISSION OF A PROPOSAL TO THE TEXAS DEPARTMENT OF COMMUNITY AFFAIRS FOR A GRANT OF \$89,693.00 IN SUPPORT OF OPERATING THE THIRD YEAR OF THE TOXICANT INHALATION PREVENTION PROJECT BEGINNING MARCH 1, 1982, AND ESTABLISHING A FUND AND AUTHORIZING ACCEPTANCE OF SAID GRANT.

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

Mr. Thompson commended Mr. Eureste for his help in achieving a solution to the city's toxicant inhalation problem, and stated that the program is making substantial progress toward a final solution.

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

81-61 The Clerk read the following Ordinance:

AN ORDINANCE 54,627

AUTHORIZING THE TRANSFER OF \$10,085.40 FROM COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM YEAR 7 PROGRAM INCOME TO THE

VISTA VERDE SOUTH PROJECT AND APPROPRIATING SAID SUM FOR EXPENDITURE IN SAID PROJECT.

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

After consideration, on voice vote, 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.

81-61

The Clerk read the following Ordinance:

AN ORDINANCE 54,628

APPROVING THE LETTER OF AGREEMENT WITH THE URBAN STUDIES DEPARTMENT OF TRINITY UNIVERSITY FOR TECHNICAL AND PROFESSIONAL SERVICES REGARDING DATA COLLECTION FOR THE STREET INVENTORY AND MANAGEMENT SYSTEM.

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Mr. Webb, moved to approve the Ordinance. Mrs. Dutmer seconded the motion.

In response to a question by Mr. Thompson, Mr. Gene Camargo, Assistant Director of Planning, stated that the City contracts with Texas A&M for the data base on street maintenance, and this agreement with Trinity University further assists in the decision-making process in this area.

Mr. Thompson asked to see a copy of the plan when it is ready.

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

81-61

The Clerk read the following Ordinance:

AN ORDINANCE 54,629

AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH THE SAN ANTONIO-BEXAR COUNTY URBAN TRANSPORTATION STUDY COMMITTEE (SABCUTS) PERTAINING TO THE URBAN AIR QUALITY PLANNING PROJECT, EXTENDING THE PROJECT COMPLETION DATE, AND PROVIDING FOR PAYMENT.

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

81-61 The Clerk read the following Ordinance:

AN ORDINANCE 54,630

APPOINTING MRS. BROWNING SAMPLES TO THE
CHAMBER OF COMMERCE SMALL BUSINESS COMMITTEE

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

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

81-61 The Clerk read the following Ordinance:

AN ORDINANCE 54,631

APPOINTING REPRESENTATIVES TO THE BEXAR
COUNTY MENTAL HEALTH MENTAL RETARDATION
CENTER BOARD SELECTION PANEL

* * * *

The Clerk stated that the Council needed to provide the names of two persons on the Council, to serve on this selection panel.

Mayor Cisneros read a letter from County Judge Albert Bustamante, a copy of which is made a portion of the minutes of this meeting.

Mrs. Dutmer and Mr. Eureste both stated that they would like to serve on the panel.

After discussion, Mr. Webb moved to approve the Ordinance. Mrs. Berriozabal seconded the motion.

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

81-61 The Clerk read a proposed Ordinance amending Ordinance No. 54607 so as to appoint Mr. James R. Smith to the San Antonio Local Development Company, Inc., and to correct the terms of certain members.

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

After discussion, on voice vote, the motion to approve the Ordinance prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Harrington, Archer, Hasslocher, Cisneros, Alderete.

(Later in this meeting, the City Council voted to reconsider this matter and enacted a new Ordinance, reflecting the appointment of an additional person to the San Antonio Local Development Company, Inc. See page 16).

81-61 The Clerk read the following Ordinance:

AN ORDINANCE 54,632

CONFIRMING THE APPOINTMENT OF MR. ROBERT
WILSON TO THE FIRE AND POLICE CIVIL
SERVICE COMMISSION

* * * *

Mrs. Berriozabal moved to approve the Ordinance. Mr. Webb seconded the motion.

Mayor Cisneros stated that normally, the Council would proceed through the nomination process for an appointment to a board, and noted that Mr. Webb's memo asking to place this item on the agenda suggests the name of Mr. Robert Wilson to fill the vacancy on the Fire and Police Civil Service Commission.

Mr. Archer spoke in favor of taking up such matters first as part of a City Council discussion session on board appointments, rather than in this manner.

Mrs. Dutmer spoke to the maintenance of an ethnic balance on this Commission of three persons, and noted that this appointment merely fills the vacancy created by the recent resignation of a black member of the Commission.

In response to a question by Mr. Thompson, Mr. Webb provided a brief background of Mr. Wilson's qualifications.

Mr. Thompson then moved to place into nomination the name of Mr. Jim Kelly for service on this Commission.

In response to question by Mrs. Dutmer, Mr. Thompson stated that Mr. Kelly is black.

Mr. Eureste spoke of the history of representation on the Fire and Police Civil Service Commission, and stated his belief that Mr. Webb represents the black community of San Antonio and should have a say in determining the black representative to this Commission. Mr. Eureste then spoke to the need for ethnic balance on City boards and Commissions.

Mr. Eureste then spoke to his understanding of the Council's use of six signatures on a memo to bring a matter onto the Council agenda for consideration, stating his belief that this system was to be used for appointing members to boards and commissions by the Council member having the right to make that particular appointment, as his or her appointee.

Mayor Cisneros then asked each Council member to cast a handwritten ballot for either Mr. Wilson or Mr. Kelly for the appointment to the Fire and Police Civil Service Commission. Results were tallied by the Clerk and Mr. Wilson gained the majority vote for appointment.

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

81-61 Mayor Cisneros asked the City Attorney to draft for Council consideration a projected standardization or policy relative to the appointment of members for City boards and Commissions, and how this selection was to be accomplished.

Mr. Archer stated his opinion that Council should discuss

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board appointments at a scheduled meeting-time for such discussion.

81-61 Mayor Cisneros asked City Council to reset for a future date the planned meeting for board appointment discussions now set for December 15, 1981, noting that he will be in Washington, D.C. to attend a called meeting of a special White House Task Force on federalism.

81-61 The Clerk read the following Ordinance:

AN ORDINANCE 54,633

DECLARING THAT PUBLIC NECESSITY REQUIRES THAT THE CITY OF SAN ANTONIO APPROPRIATE AND ACQUIRE TEMPORARY CONSTRUCTION EASEMENTS IN, UPON, OVER, AND ACROSS THOSE SEVERAL CERTAIN TRACTS OF REAL PROPERTY SITUATED IN SAN ANTONIO, BEXAR COUNTY, TEXAS, MORE PARTICULARLY DESCRIBED IN THE BODY HEREOF FOR THE FOLLOWING PUBLIC PURPOSE, TO-WIT: THE CONSTRUCTION, OPERATION AND MAINTENANCE OF OF THE SAN ANTONIO RIVER CHANNEL IMPROVEMENT PROJECT; MODIFYING AND AMENDING THE AREA NEEDED FOR SUCH PURPOSES AS DESCRIBED IN ORDINANCE NO. 53887 PASSES AND APPROVED JUNE 11, 1981; RATIFYING AND AFFIRMING ALL ACTS AND PROCEEDINGS HERETOFORE DONE OR INITIATED BY THE AGENTS, EMPLOYEES AND ATTORNEYS ACTING FOR AND ON BEHALF OF THE CITY OF SAN ANTONIO TO ACQUIRE SAID TEMPORARY CONSTRUCTION EASEMENTS AND AUTHORIZING THE INSTITUTION AND PROSECUTION TO CONCLUSION OF EMINENT DOMAIN PROCEEDINGS TO ACQUIRE SUCH TEMPORARY CONSTRUCTION EASEMENTS AS CANNOT BE ACQUIRED BY NEGOTIATION.

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

Mrs. Dutmer, speaking as Chairperson of the River Corridor Committee, stated that negotiations with property owners along a segment of the San Antonio River south of Nueva St., has resulted in demands for very high prices in order for the San Antonio River Authority to make necessary improvements on that property. She stated that these prices were unreasonable, and spoke to the need for flood control and beautification along this segment of the river, and noted that such improvement would enhance the values of those properties to the benefit of the property owners.

Ms. Jane Macon, City Attorney, stated that enactment of this Ordinance would save the City some \$100,000 since it had been found that all the property noted in a previous Ordinance in this matter will not be needed for the necessary flood control purposes, as previously estimated.

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

81-61 The Clerk read the following Ordinance:

AN ORDINANCE 54,634

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF PERMANENT EASEMENTS IN, UPON, OVER AND ACROSS CERTAIN PRIVATELY OWNED REAL PROPERTY SITUATED IN SAN ANTONIO, BEXAR COUNTY, TEXAS, FOR A PUBLIC PURPOSE, TO-WIT: THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF THE SAN ANTONIO RIVER CHANNEL IMPROVEMENT PROJECT; MODIFYING, AMENDING AND REDUCING THE AREA OF PERMANENT EASEMENTS NEEDED FOR SUCH PURPOSES AS DESCRIBED IN ORDINANCE NO. 53886; AMENDING ORDINANCE NO. 53886 PASSED AND APPROVED JUNE 11, 1981 TO AUTHORIZE, RATIFY AND CONFIRM THE ACQUISITION OF PERMANENT EASEMENTS IN, UPON OVER AND ACROSS SAID TRACTS AND PARCELS OF LAND; RATIFYING AND AFFIRMING ALL ACTS AND PROCEEDINGS HERETOFORE DONE OR INITIATED BY THE AGENTS, EMPLOYEES AND ATTORNEYS ACTING FOR AND ON BEHALF OF THE CITY OF SAN ANTONIO TO ACQUIRE SAID PERMANENT EASEMENTS AND AUTHORIZING, RATIFYING AND CONFIRMING THE INSTITUTION AND PROSECUTION TO CONCLUSION OF EMINENT DOMAIN PROCEEDINGS TO ACQUIRE SUCH PERMANENT EASEMENTS AS CANNOT BE ACQUIRED BY NEGOTIATION.

* * * *

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

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

81-61 The Clerk read the following Ordinance:

AN ORDINANCE 54,635

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF FEE SIMPLE TITLE OF CERTAIN PRIVATELY OWNED REAL PROPERTY SITUATED IN SAN ANTONIO, BEXAR COUNTY, TEXAS, FOR A PUBLIC PURPOSE, TO-WIT: THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF THE SAN ANTONIO RIVER CHANNEL IMPROVEMENT PROJECT: MODIFYING, AMENDING AND REDUCING THE AREA OF CERTAIN PROPERTY NEEDED IN FEE SIMPLE FOR SUCH PURPOSES AS DESCRIBED IN ORDINANCE NO. 53885; AMENDING ORDINANCE NO. 53885 PASSED AND APPROVED JUNE 11, 1981, TO AUTHORIZE, RATIFY AND CONFIRM THE ACQUISITION OF FEE SIMPLE TITLE IN AND TO SAID TRACTS AND PARCELS OF LAND: RATIFYING AND AFFIRMING ALL ACTS AND PROCEEDINGS HERETOFORE DONE OR INITIATED BY THE AGENTS, EMPLOYEES AND ATTORNEYS ACTING FOR AND ON BEHALF OF THE CITY OF SAN ANTONIO TO ACQUIRE SAID LANDS AND INTERESTS IN SUCH LANDS; AND AUTHORIZING, RATIFYING AND CONFIRMING THE INSTITUTION AND PROSECUTION TO CONCLUSION OF EMINENT DOMAIN PROCEEDINGS TO ACQUIRE SUCH PROPERTY AS CANNOT BE ACQUIRED BY NEGOTIATION.

* * * *

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

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

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81-61 The Clerk read the following Ordinance:

AN ORDINANCE 54,636

WAIVING THE FEE FOR USE OF THE THEATER OF THE PERFORMING ARTS IN CONNECTION WITH THE UNAM'S PHILHARMONIC ORCHESTRA'S PERFORMANCE ON DECEMBER 10, 1981.

* * * *

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

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

81-61 PHILIP MORRIS, INC. RESOLUTION

Mr. Eureste asked for Council concurrence to have City staff prepare a Resolution for consideration next meeting, thanking Philip Morris, Inc. for hosting a reception for Elected Spanish Speaking Officials at the recent National League of Cities' Conference in Detroit. He asked further that all City Council members be accorded an opportunity to sign the Resolution.

Concurrence was given.

81-61 NATIONAL LEAGUE OF CITIES CONFERENCE REPORT

Mrs. Dutmer provided a brief overview of the recent National League of Cities Conference in Detroit, and spoke particularly to conference topics, including sessions on financing for cities, national economics, housing problems, purchasing, wastewater disposal and the problems of solid waste disposal. She spoke of having taken part in a national television appearance dealing with how San Antonio compares with cities in the northern portions of the nation.

Mrs. Berriozabal provided details of her attendance at meetings of the Human Development Policy Committee at the National League of Cities Conference. She spoke of her concern that conference sessions dealing with matters involving the immigration problem had no representatives from Texas on their steering committee. She spoke of the fear of many cities about planned reductions in federal funds available to those cities, and spoke to the redevelopment of inner cities.

Mrs. Berriozabal stated that she appeared on a panel of Elected Spanish Speaking Officials, and stated that many commented with pride on the election of Mayor Henry Cisneros to that post. She further stated that many attendees at the Conference expressed their interest in San Antonio and what this city is doing with federal funds.

Mrs. Berriozabal asked that a Resolution be placed on the agenda for consideration next week, expressing grave concern of the City with the proposed cutback in Community Development Block Grant and Urban Development Action Grant funds, and urging President Reagan to continue funding of these grants at their present levels. Mrs. Dutmer seconded the motion.

Mr. Archer spoke of his concern with some of the opposition to President Reagan's economic policies, expressed at the NLC Conference, and stated his support for the President's plans to cut federal spending.

Mrs. Berriozabal spoke of her concern that the needs of many citizens are being threatened by the federal government's economic plans.

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Mr. Webb spoke to details of planned cuts in federal spending.

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

81-61

HOME OCCUPATIONS

Mr. Alderete stated his concern with the Board of Adjustment allowing certain businesses into residential areas under the title of "home occupations", and asked if something could be done to prevent this.

Mr. Alderete then made a motion to ask the City's Legal staff to draft proposed changes to the City Code that would address this concern, and report back to Council in three weeks. Mr. Thompson seconded the motion.

Mrs. Dutmer spoke against "home occupations."

Mr. Harrington spoke to the history of "home occupations" and how the current system of allowing them in residential areas came about as a result of requests to the Planning Commission for zoning changes to accomplish this. He stated that the change to allow the Board of Adjustment to grant "home occupations" in residential areas stemmed from requests for some relief for women who had to support their families, yet could not hold jobs outside the home. Mr. Harrington spoke in support of leaving this provision unchanged.

Mr. Alderete spoke against "home occupations" variances granted by the Board of Adjustment, and asked City staff to study the options available to restrict this usage.

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

81-61 Mr. Wing introduced Sister Adela, present in the audience today, stating that she has been of great help in years past in assisting undocumented workers in Texas. He further stated that Sister Adela is currently living in California, helping with resettlement efforts for Indo-Chinese immigrants to the United States.

81-61

WASTEWATER DISPOSAL PROGRAM

Mr. Hasslocher stated that he had attended a meeting in Austin yesterday on the topic of wastewater, and asked Mr. Frank Kiolbassa, Director of Public Works, to give Council a brief report.

Mr. Kiolbassa provided details of the meeting and testimony before a visiting Congressional delegation, and spoke to the current debate in Congress on funding of wastewater programs around the nation. He stated that the City of San Antonio views planned reductions in wastewater program funding as breaking of the covenant between the City and the federal government on prior agreements, and voiced his concern that the program in San Antonio needs to continue as planned, especially in view of the planned major expenditures in the local program planned for next year.

Mr. Hasslocher congratulated the City staff for its outstanding preparation of facts for the testimony, noting that other cities testifying before the Congressmen included Houston and Port Arthur.

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Mrs. Dutmer noted that the National League of Cities at its Detroit Conference passed a Resolution, asking that the Clean Water Act be continued by the federal government.

In response to a question by Mr. Eureste as to details of the local program, Mr. Kiolbassa stated that San Antonio still needed to spend some \$300 million on its wastewater treatment program to meet federal guidelines and requirements, about half of which is to be federal funds, the other half the local share. He further stated that in all probability, federal participation in the program will be curtailed; if so, local sewage service rates could rise as much as 60 per cent above current rates, over and above the planned gradual rise in those rates which will see a tripling of current rates before the wastewater treatment program is completed.

81-61 Mr. Alderete asked the Council to reconsider agenda item 27-C, the naming of persons to the San Antonio Local Development Company, Inc. He stated that an oversight had been made involving the number of San Antonio Development Agency board members who were to be named to the SALDC board, and reconsideration of the ordinance passed earlier in this meeting must be made in order to correct the required structuring of the board.

Mr. Alderete moved that agenda item number 27-C be reconsidered. Mr. Thompson seconded the motion.

On voice vote, the motion to reconsider agenda item 27-C was approved by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Harrington, Archer, Hasslocher, Cisneros, NAYS: None; ABSENT: Alderete.

The Clerk then read the following Ordinance:

AN ORDINANCE 54,637

AMENDING ORDINANCE NO. 54607 SO AS TO APPOINT
MR. JAMES R. SMITH AND MRS. MINNIE GARCIA TO
THE SAN ANTONIO LOCAL DEVELOPMENT COMPANY, INC.
AND TO CORRECT THE TERMS OF CERTAIN MEMBERS.

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

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

81-61 The meeting was declared in recess at 3:30 P.M., reconvening at 5:00 P.M.

81-61

CITIZENS TO BE HEARD

MS. ROSA ROSALES

Mrs. Rosa Rosales, representing United Public Employees Association, spoke to the City Council about handicapped City employees. She stated that the City Council should establish a policy on arrival time for handicapped employees. She then spoke about a particular case dealing with a handicapped city employees who was terminated because he was late to work.

Assistant City Manager, Alex Briseno stated that a Subcommittee of the Labor Management Committee will be reviewing the absenteeism

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and tardiness policy.

0238

Mrs. Dutmer related the circumstances of this particular case.

Mr. Eureste stated that the problem was that the employee belonged to the wrong labor organization; and he was harrassed because of this membership. Mr. Eureste stated that the City should initiate some type of leeway for certain situations.

Mayor Cisneros asked for a report on this particular incident.

81-61

MRS. MARIA DOMINGUEZ

Mrs. Dominguez, 250 Freiling Drive, spoke about the money to be allocated to each council district for sidewalks. Mrs. Dominguez also expressed concern about the increase in crime in San Antonio and the fact that youth facilities are being closed down.

81-61

MR. RAUL RODRIGUEZ

Mr. Raul Rodriguez spoke to the City Council about the concern of a man named Jaime Castilleja. Mr. Castilleja, owner of the Brother's Bakery on Ruiz Street is concerned about the future of their neighborhood is being affected by the Vista Verde Project. He stated homes in the area have been destroyed, and he feels that his property will also be affected. Mr. Rodriguez asked the Council about the status of this area.

Mayor Cisneros stated that the western limits along Comal Street is the boundary of the Vista Verde North Project. He explained that the St. Agnes Neighborhood will not be affected. Mayor Cisneros also described the new businesses located in that area and the eradication of blight in that area. Mayor Cisneros stated he will personally visit with Mr. Castilleja and discuss the matter with him.

Mrs. Berriozabal stated that she has met twice with residents of this particular area. She described the substance of the meetings which has taken place. She thanked Mr. Rodriguez for bringing Mr. Castilleja's case to the Council.

81-61

The Clerk read the following letter:

November 25, 1981

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

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

November 20, 1981

Petition submitted by Mr.
R.H. Bowman, requesting
installation of sidewalks on
Bradford Avenue.

* * * *

/s/ NORMA S. RODRIGUEZ
City Clerk

NSR:gg
November 25, 1981

There being no further business to come before the Council, the meeting was adjourned at 5:45 p.m.

A P P R O V E D

Henry Cisneros
M A Y O R

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

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