

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, MAY 31, 1984.

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

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84-24 The invocation was given by Reverend Clyde Byrd, Alamo Heights United Methodist Church.

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84-24 The Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

84-24 MEMORIAL DAY RECITATION

Mayor Cisneros introduced Mr. Doc Smiley, who delivered a special Memorial Day recitation at the Chandler Senior Citizens Center on West French Place on Monday, Memorial Day, and asked that he give that recitation again.

Mr. Smiley recited the special Memorial Day tribute "I Am The United States", author anonymous.

Mayor Cisneros and members of the City Council thanked Mr. Smiley for the recitation.

Mr. Alderete asked that a tape transcript of the recitation be made.

84-24 INTERNATIONAL VISITORS

Mayor Cisneros introduced three international visitors, present in the Council meeting today, including one from Czechoslovakia, one from New Zealand, and one from Ireland. He then asked each to come forward, presenting the men with special San Antonio belt buckles and the official

book of the City of San Antonio, and the woman with an official book of the City and a La Villita Plate, as momentos of their visit to San Antonio.

The three briefly discussed the purpose of their visits to San Antonio.

Mr. Dryden Spring, Chairman of the Board of Directors, New Zealand Cooperative Dairy Company, Limited, presented Mayor Cisneros with a kiwi bird pin, emblematic of the symbol of New Zealand.

Mr. Martin O'Brien, Editor of the Belfast Irish News, Belfast, Ireland, thanked the Mayor and Council and the citizens of San Antonio for their fine hospitality.

Ms. Zuzana Kolouskova, Cultural Assistant, U.S. Information Service, Prague, Czechoslovakia, native of Jihlava, Czechoslovakia, briefly explained the purpose of their visit to the United States.

Mayor Cisneros welcomed all three to San Antonio.

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PRESENTATION OF PAINTINGS

Mayor Cisneros explained that Ms. Monica Navarro of KWEX-TV is hostess to her two sisters and brothers-in-law from Mexico, and briefly introduced Mr. and Mrs. Gallegos and Mr. and Mrs. Padilla, present in the audience. He further explained that Mr. Padilla is presenting to the City of San Antonio some five paintings to be offered in whatever way the City deems feasible, for further disposition, if it likes.

Mr. Fonarquez Padilla spoke of the pleasure of presenting the paintings to the City in appreciation for all the help that the United States has given to the Republic of Mexico over the years. He then presented the paintings to Mayor Cisneros.

Mayor Cisneros thanked Mr. Padilla for the gifts, on behalf of the City.

84-24

UTSA GIFTED AND TALENTED STUDENT PROGRAM

Mayor Cisneros read the following Citation which was presented to the UTSA gifted and talented students:

IN RECOGNITION OF THEIR OUTSTANDING ACHIEVEMENTS IN RESEARCHING, COMPILING, EDITING AND PUBLISHING A COMPREHENSIVE AND UNIQUE ELEMENTARY PRIMER ON "WATER, ENERGY & YOU" TO EDUCATE YOUNGER STUDENTS ON THE

IMPORTANCE OF CONSERVING SAN ANTONIO'S NATURAL RESOURCES. IN SOME FIVE WEEKS, 17 SAN ANTONIO AREA HIGH SCHOOL STUDENTS PARTICIPATING IN THE UTSA PROGRAM PRODUCED THE PRIMER, WHICH COMBINES AN INTERESTING TEXT WITH GAMES AND PUZZLES ON TIMELY AND PERTINENT SUBJECTS.

THE CITY COUNCIL COMMENDS THESE 17 YOUNG HIGH SCHOOL STUDENTS ON THEIR FORESIGHT AND ABILITIES, AND WISHES THEM WELL FOR THE FUTURE.

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He then briefly explained and displayed a copy of the primer produced by the group of young high school students under the UTSA program, and thanked them for the display of their many talents for the good of the community.

Mayor Cisneros then presented the Citation to the students.

84-24

VISITORS FROM VENEZUELA

Mayor Cisneros introduced Dr. Emeterio Padron of San Antonio and two distinguished visitors from Venezuela, present in the audience, and thanked them for coming to San Antonio and to City Hall.

84-24

The Clerk read the following Ordinance:

AN ORDINANCE 58,802

AN ORDINANCE RESCHEDULING THE SALE OF \$125,000,000 "CITY OF SAN ANTONIO, TEXAS, ELECTRIC AND GAS SYSTEMS REVENUE IMPROVEMENT BONDS, NEW SERIES 1984-A"; APPROVING AMENDMENTS TO AND AUTHORIZING THE DISTRIBUTION OF AMENDED "NOTICE OF SALE AND BIDDING INSTRUCTIONS" AND "OFFICIAL BID FORM"; MAKING PROVISION FOR THE PUBLICATION OF NOTICE OF INTENTION TO ISSUE REVENUE BONDS AND ABBREVIATED FORM OF NOTICE OF SALE IN CONNECTION WITH THE ISSUANCE AND SALE OF SAID BONDS; AND DECLARING AN EMERGENCY.

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Mayor Cisneros explained that City Public Service is asking to postpone action on the proposed \$125,000,000 bond sale because an analysis

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of the current bond market indicates that it might be more favorable to wait before offering the bonds for sale.

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

In response to a question by Mr. Thompson, Mr. Howard Freeman, Assistant General Manager, City Public Service, discussed the proposed Ordinance and a delay until June 28, 1984, and what effect such a delay might have on the sale of the bonds. He also noted that City Water Board is scheduled to offer bonds for sale on the open market in two weeks, and he did not feel that it would be good to conflict with that; thus, the requested postponement until June 28. He then briefly discussed current interest rates and the status of the bond market at this time.

Mr. Alderete spoke to current market trends, and of his concern that bond interest rates might go even higher.

Mr. Freeman stated that if interest rates do indeed rise further, CPS might seek to issue short-term bonds for immediate needs.

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

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WEST SIDE EXPRESSWAY

Mayor Cisneros announced that the scheduled 2:00 P.M. consideration of the West Side Expressway will be a Public Hearing only, with no Ordinance action by the City Council scheduled to be taken at this time. He noted that Communities Organized for Public Service (COPS) had asked for additional time in which to work with landowners on further details of the proposed expressway right-of-way.

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HEMISFAIR PLAZA RENOVATION

Mayor Cisneros stated that the meeting of City officials and officials of the Department of Housing and Urban Development, held yesterday, had been good, and spoke of his hopefulness over the project. He noted that an Assistant HUD Secretary had been at that meeting, and that solid ground for further progress in a HUD grant for the project had been laid.

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Mr. Louis J. Fox, City Manager, stated that the meeting had been a positive one.

84-24

RAMADA INN/VISTA VERDE SOUTH

Mayor Cisneros stated that Mr. Eureste would be heading an official City of San Antonio delegation to New York and Hartford, Connecticut in the next few days, seeking funding for construction of a Ramada Inn in Vista Verde South. He then provided details of the visits and the attendees. He then spoke of the need for the financing of the new motel.

84-24 CONSENT AGENDA

Mr. Archer moved that items 6 - 22, constituting the consent agenda, be approved with items 13 and 21 pulled for individual consideration. Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 58,803

ACCEPTING THE BID OF ERIN SERVICES INTERNATIONAL, INC., TO FURNISH THE CITY OF SAN ANTONIO PARKS AND RECREATION DEPARTMENT WITH ANNUAL SUMMER FOOD SERVICES PROGRAM FOR AN ESTIMATED TOTAL COST OF \$338,036.40.

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AN ORDINANCE 58,804

ACCEPTING THE PROPOSAL OF WALKER PROCESS CORPORATION TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH PARTS FOR WALKER PROCESS EQUIPMENT FOR A TOTAL COST OF \$3,492.50 PLUS FREIGHT.

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AN ORDINANCE 58,805 .

ACCEPTING THE PROPOSAL OF GRANDE FORD TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH A CAB AND CHASSIS FOR A TOTAL COST OF \$15,019.53.

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AN ORDINANCE 58,806 .

ACCEPTING THE PROPOSAL OF IBM CORPORATION TO LEASE TO THE CITY OF SAN ANTONIO INFORMATION RESOURCES DEPARTMENT COMPUTER SOFTWARE PROGRAMS FOR A TOTAL COST OF \$31,126.00.

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AN ORDINANCE 58,807 .

ACCEPTING THE PROPOSAL OF IBM CORPORATION FOR THE CITY OF SAN ANTONIO TO BUY OUT SOME LEASE EQUIPMENT FOR A TOTAL COST OF \$11,317.00.

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AN ORDINANCE 58,808 .

ESTABLISHING CITY OF SAN ANTONIO AD VALOREM TAX COLLECTION SUB-STATIONS FOR 1984.

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AN ORDINANCE 58,809 .

ACCEPTING THE BID OF BROWNING-FERRIS, INC., TO FURNISH THE CITY OF SAN ANTONIO PARKS AND RECREATION DEPARTMENT WITH DUMPSTER SERVICE FOR THE 1984 SUMMER NUTRITION PROGRAM.

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AN ORDINANCE 58,810 .

ACCEPTING THE BID OF SERCK-BAKER, INC., IN THE AMOUNT OF \$278,000.00 TO INSTALL AND CONSTRUCT FACILITIES FOR TWO ADDITIONAL DISSOLVED AIR FLOTATION UNITS AT THE RILLING ROAD TREATMENT PLANT; APPROVING A CONTRACT AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 58,811

AUTHORIZING THE EXECUTION OF FIELD ALTERATION NO. 45, IN THE AMOUNT OF \$156,513.00 TO CONTRACT FOR THE INTERNATIONAL AIRPORT TERMINAL GENERAL CONSTRUCTION (STAGE 2, PACKAGE 8); APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 58,812

ACCEPTING THE BID OF MARTIN WRIGHT ELECTRIC CO. IN THE AMOUNT OF \$643,670.00 FOR THE CONSTRUCTION OF INTERNATIONAL AIRPORT TERMINAL II RENOVATIONS (PACKAGE 2/ELECTRICAL, DEMOLITION AND SIGNAGE); APPROVING A CONTRACT AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 58,813

AMENDING A LEASE AGREEMENT WITH DAVID EDMUNDS FOR USE OF CITY-OWNED PROPERTY IN LA VILLITA.

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AN ORDINANCE 58,814

AUTHORIZING AN AGREEMENT WITH JAMES C. GEIGER, JR. FOR LEASE OF SPACE IN LA VILLITA FOR USE AS A GALLERY DEALING IN THE GRAPHIC ARTS.

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AN ORDINANCE 58,815

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

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AN ORDINANCE 58,816

AUTHORIZING AN EXTENSION OF THE CONTRACT BETWEEN THE CITY OF SAN ANTONIO AND THE SAN ANTONIO LOCAL DEVELOPMENT COMPANY, INC., TO OPERATE THE REVOLVING LOAN FUND PROGRAM IN THE CITY'S ECONOMIC DEVELOPMENT SPECIAL IMPACT AREA SUPPORTED BY A GRANT FROM THE

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ECONOMIC DEVELOPMENT ADMINISTRATION UNDER TITLE IX
OF THE PUBLIC WORKS AND ECONOMIC DEVELOPMENT ACT OF
1965 AS AMENDED.

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AN ORDINANCE 58,817

AUTHORIZING PAYMENT OUT OF THE GENERAL FUND FOR THE
1984-1985 MEMBERSHIP DUES TO THE U.S. CONFERENCE OF
MAYORS.

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84-24 The Clerk read the following Ordinance:

AN ORDINANCE 58,818

ACCEPTING THE BID OF TOM PAGE & COMPANY, INC., IN
THE AMOUNT OF \$398,200.00 TO CONSTRUCT A NEW KENNEL
FACILITY AND RENOVATE CERTAIN KENNELS AT THE CITY'S
ANIMAL CONTROL FACILITY; APPROVING A CONTRACT AND
PROVIDING FOR PAYMENT.

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

Mrs. Dutmer spoke of her concern that the apparent low bidder can
actually perform the required work and complete the contract involved,
noting that that bid was substantially lower than the others submitted.

Mr. Joe Aceves, Assistant Director of Public Works, stated that
the bidder must post a performance bond as a guarantee that he will do the
job properly, and this is the City's best and only guarantee.

Mr. Thompson spoke of the possibility of fragmenting or
satelliting animal control facilities in various locations around the
City.

Mr. Louis J. Fox, City Manager, explained details of City Council
policy regarding the Animal Control Facility, enacted in 1982 and giving
direction to City staff to proceed to develop the current facility at its
present site, rather than move elsewhere. He stated his belief that the
next move, after this, would have to be elsewhere.

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Mr. Thompson spoke to his belief that the present site could be put to better uses than as an Animal Control Facility, and spoke in favor of satelliting the facilities.

Mr. Charles Osgood, Supervisor of the Animal Control Facility, stated that City staff last year proposed construction of a new facility on the southwest side of the City, near Culberson and South Zarzamora Streets, but the Council voted not to proceed with that plan. He then outlined plans for the construction called for in this Ordinance, which will effectively fill out the present site, to capacity. He spoke in favor of actions that would produce shorter driving times for ACF workers following pickup of animals.

Mayor Cisneros stated that City Council made the decision to keep the Animal Control Facility in Brackenridge Park.

Mr. Hasslocher spoke to the high costs involved in this Ordinance, stating that it came to about \$38 per square foot in construction costs. He stated his belief that it is a mistake to overload the present site, speaking against the Ordinance and in favor of acquiring a new alternate site.

Mayor Cisneros noted that the City Council had discussed this matter in depth and had made a decision, under which decision City staff has proceeded, based on that Council direction.

Mr. Archer spoke in favor of the proposed Ordinance.

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

84-24 The Clerk read the following Ordinance:

AN ORDINANCE 58,819

AUTHORIZING THE RENEWAL AND PAYMENT OF A WASTEWATER TREATMENT FACILITIES ADVISORY AND ASSISTANCE SERVICE CONTRACT WITH ENVIROTECH OPERATIONS SERVICES; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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

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In response to questions by Mrs. Dutmer and Mr. Thompson, Mr. Joe Aceves, Assistant Director of Public Works, explained the duties of the consultant as to daily operations at the wastewater treatment plants, including the new Dos Rios plant, noting that the staff will be training for some five years, under the proposal.

Mr. Thompson spoke of his concern for spending \$13,000 per month for training of staff by consultants, and the need to bring training functions 'in-house'.

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

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MR. KEN WILEY

Mayor Cisneros introduced Mr. Ken Wiley, Communications Workers of America, present in the audience.

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PUBLIC HEARING - WEST SIDE EXPRESSWAY

Mayor Cisneros declared the Public Hearing to be open, and stated that the City Council, in all probability, will formally act on the Minute Order of the State Department of Highways and Public Transportation at next Thursday's meeting. He noted that not all necessary coordination and work has been completed on right-of-way agreements with landowners along the route.

Father Michael McGuire, representing Communities Organized for Public Service (COPS), stated that progress is being made on commitments for right-of-way landowners' donations of land for the expressway, with only one major landowner still not in agreement. He asked that the Minute Order not be approved until all commitments are made for right-of-way.

Mr. Chris Gutierrez, representing the Van de Walle interests, spoke of the history of the Van de Walle interests and use of their lands for varied uses, over the years. He noted that there are three distinct entities of the Van de Walle interests involved in this right-of-way matter, with many shareholders, and at this time, only the Van de Walle Agricultural Interests are able to commit to donation of land for right-of-way, some 33 acres being needed, in all, for the expressway.

Mayor Cisneros spoke of his concern that the Van de Walle are the only landowners not in agreement, as yet, and spoke of his fears that

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the entire project may not be brought to fruition because of delays in enacting a Council Ordinance relative to the Minute Order at this time. He noted that he had heard that other landowners might be becoming shaky on their commitments because of the delay, and spoke to the difference in negotiations between the \$330,000 offered by the City for the right-of-way and the estimated \$1.8 million sought by Van de Walle interests. He then spoke to the many benefits of donating land for the project.

In response to a question by Mr. Thompson, Mr. Roland Lozano, Director of Planning, explained the amount of land needed and the money matters involving the Van de Walle interests.

A discussion then took place of possible alternate freeway routes and certain leverages in negotiations for the land.

Mr. Russell Kyse, President, North San Antonio Chamber of Commerce, asked the City Council to approve the proposed Ordinance as soon as possible, stating that a \$122 million project is being jeopardized by disagreement over \$1 million in land.

Mayor Cisneros stated that the action on the Minute Order will not pass City Council approval until the private sector commitment for right-of-way land is complete.

In response to a question by Mr. Eureste, Mr. Gutierrez provided details of the original commitments made by Van de Walle interests.

Mr. Martin Wender, landowner/developer, spoke to the \$13,775,000 commitment made by three major property owners between Loop 410 and FM 1604 for right-of-way, and payment by those property owners of some \$800,000 for right-of-way through Southwest Research Institute property, as well. He stated that he would be willing to meet with all parties concerned to convince them of the need for all concerned to pay their fair share of the right-of-way donations.

Mayor Cisneros declared the Public Hearing to be closed, and stated that an Ordinance would be on next week's Council meeting agenda for action in this matter.

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ZONING HEARINGS

23. CASE Z84160 - to rezone Lots 12, 13, 14, 15, Block 2, NCB 11314, in the 1400 Block of Menefee Blvd., from "B" Residence District to "R-3" Multiple Family Residence District, located southwest of the intersection of General McMullen Drive and Menefee Blvd., having 600' along the northern property line on Menefee Blvd. and 650' along the eastern property line on Menefee Blvd.

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

Mayor Cisneros stated that it was his understanding that some five months of work, putting together this major apartment project within the Edgewood Independent School District, would be lost because the residents of the area cannot agree on project details and requirements. He spoke of his concern for the loss of an economic development-generator in this area of the City.

Mr. Mike Hooper, Wade Development Company, stated that his firm had not been able to get community support for the proposed project, and asked that the rezoning case be withdrawn.

CASE Z84160 was withdrawn from consideration.

Ms. Helen Ayala, representing Communities Organized for Public Service (COPS), stated that it basically was a good project, but residents of the area felt they were being adversely affected because of new traffic and drainage problems involved in the project. She stated that her group wants economic development in the Edgewood District, but not where it adversely impacts on residents of an area.

Mr. Thompson noted that the project would have involved more than one-bedroom apartments, but that the project just doesn't fit the area involved.

24. CASE Z84159 - to a 30.641 acre tract of land out of NCB 13732, being further described by field notes filed in the Office of the Planning Department from Temporary "R-1" One Family Residence District to "P-1(R-6)" Planned Unit Development Townhouse Residence District, located approximately 950' southeast of Tree Crossing Drive, having a width of 1900' and a depth of 1000'.

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

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

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AN ORDINANCE 58,820

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 30.641 ACRE TRACT OF LAND OUT OF NCB 13732, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "P-1(R-6)" PLANNED UNIT DEVELOPMENT TOWNHOUSE RESIDENCE DISTRICT.

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25. CASE Z84164 - to rezone Lots 1 and 2, Block 1, NCB 14992, in the 3200 Block of Weir Avenue, from "B-3" Business District to "B-2" Business District, located on the northside of Weir Avenue, being 160' west of the intersection of Aiken Street and Weir Avenue, having 252.8' on Weir Avenue and a depth of 735'.

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

In response to a question by Mr. Thompson, Mr. Pete Campos, representing the proponent, stated that he would be amenable to a three-week postponement of the case in order that certain concerns of the neighbors might be addressed, first.

Mr. Thompson moved to postpone this request for three weeks. Mr. Wing seconded the motion.

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

CASE Z84164 was postponed for three weeks.

26. CASE Z84162 - to rezone Lots 53 and 54, Block 21, NCB 7507, 3818 Culebra Road, from "C" Apartment District to "B-3NA" Non Alcoholic Sales District, located southeast of the intersection of Alicia Street and Culebra Road, having 58' on Culebra Road and 143' on Alicia Street.

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

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

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

AN ORDINANCE 58,821

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 53 AND 54, BLOCK 21, NCB 7507, 3818 CULEBRA ROAD, FROM "C" APARTMENT DISTRICT TO "B-3NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES, PROVIDED THAT OFF-STREET PARKING AND DRIVEWAYS ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

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27. CASE Z84161 - to rezone the northeast 140' of Block E, save and except Lot 96, NCB 11544, 4930 Evers Road, from "A" Single Family Residence District to "B-2" Business District and all of Block E, save and except the northeast 140' and Lot 96, NCB 11544, 2346 Bandera Road, from "A" Single Family Residence District to "B-3" Business District, located and bounded by Bandera Road, Evers Road, Callaghan Road, and Wildflowers Drive, having 600' on Callaghan Road, 280' on Wildflowers Drive, 500' on Evers and 850' on Bandera Road. The "B-2" being on the northeast 150' of subject property and "B-3" on the remaining portion.

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

No citizen appeared to speak in opposition.

In response to a question by Mr. Harrington, Mr. Jerry Arredondo, the proponent, noted that the property involves a church which is now surrounded by commercial development and plans to move to another location.

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

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

AN ORDINANCE 58,822

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE NORTHEAST 140' OF BLOCK E, SAVE AND EXCEPT LOT 96, NCB 11544, 4930 EVERS ROAD FROM "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT AND ALL OF BLOCK E, SAVE AND EXCEPT THE NORTHEAST 140' AND LOT 96, NCB 11544, 2346 BANDERA ROAD, FROM "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT OFF-STREET PARKING AND DRIVEWAYS ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

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28. CASE Z84178 - to rezone the northwest 400' of Parcel 39, NCB 13667, in the 9900 Block of Huebner Road, from Temporary "R-1" One Family Residence District to "B-2" Business District and the southeast 205' of Parcel 39 and the southeast 1227' of Parcel 2, NCB 13667, in the rear of 9900 Block of Huebner Road, from Temporary "R-1" One Family Residence District and "R-3" Multiple Family Residence District to "B-3R" Restrictive Business District, located on the southeast side of Huebner Road, being 1902' northeast of the intersection of Green Valley Road and Huebner Road, having 360' on Huebner Road and a depth of 1827'.

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

No citizen appeared to speak in opposition.

Mr. Harrington moved that the recommendation of the Zoning Commission be approved provided that proper access and parking are provided and submitted for approval by the Traffic Engineering Division.

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Further provided that right-of-way dedication is given along Huebner Road, and that a 6-foot solid screen fence is erected and maintained along the southwest and southeast property lines. Mr. Alderete seconded the motion.

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

AN ORDINANCE 58,823

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE NORTHWEST 400' OF PARCEL 39, NCB 13667, IN THE 9900 BLOCK OF HUEBNER ROAD, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT AND THE SOUTHEAST 205' OF PARCEL 39 AND THE SOUTHEAST 1227' OF PARCEL 2, NCB 13667, IN THE REAR OF THE 9900 BLOCK OF HUEBNER ROAD, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT AND "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT PROPER ACCESS AND PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION. FURTHER PROVIDED THAT RIGHT-OF-WAY DEDICATION IS GIVEN ALONG HUEBNER ROAD, AND THAT A 6-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE SOUTHWEST AND SOUTHEAST PROPERTY LINES.

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29. CASE Z84179 - to rezone Lots 10, 11, 12 and 13, Block 26, NCB 1938, 1614 W. Kings Highway, from "B" Residence District to "R-3" Multiple Family Residence District, located on the southside of W. Kings Highway, being 90' west of the intersection of Fredericksburg Road and W. Kings Highway, having 100' on W. Kings Highway and a depth of 144.5'.

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

Mr. Ross Maas, Executive Director, Youth Alternatives, Inc., stated that this residence has been in multi-family usage for many years prior to being acquired by his group, with commercial zoning right next door, facing Fredericksburg Road. He stated that the children housed by

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Youth Alternatives are not criminal in any way, and are well supervised and there for only a short time. He spoke of some concerns raised by neighbors during a meeting with the neighborhood association and his group, and then spoke to the multi-family residential character of most of the block involved.

Mr. J. B. Casparis, 1502 West Mistletoe Avenue, briefly explained the purposes of Youth Alternatives, and noted that the neighborhood association, of which he is a member, approved the rezoning request during its meeting on the matter. He then spoke of his concern that certain members of the association now are opposing the matter, and he spoke in support of the request.

Ms. Jennita Poston, representing Youth Alternatives, spoke of the good track record of that group in another northside location.

Mrs. Carmen Rodriguez, 1632 West Summit Avenue, spoke of her concern for commercial intrusion into the area, as well as proliferation of more apartments.

Mr. Edward C. Smith, 1510 West Mulberry Avenue, stated that he is not opposed to the uses planned for the property, but is opposed to more apartments in a single-family neighborhood.

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

Ms. Yolanda Arias, 1330 West Woodlawn Avenue, President of Central City Concerned Citizens Neighborhood Association, spoke against a change in zoning for the property concerned.

Mr. Alderete asked that both parties meet with him in the "B" Room, across the hall, in an attempt to reach a compromise.

By information concensus, the City Council decided to temporarily postpone consideration of this case, pending a report from the groups involved and Mr. Alderete.

(See page 25 for continuation of this zoning case.)

30. CASE 284167 - to rezone Tract 4, NCB 16334, 7318 Lamb Road, from Temporary "A" Single Family Residence District and Temporary "R-1" One Family Residence District to "B-3" Business District, located on the northwest side of Lamb Road, being 340' southwest of the intersection of Oakdell Way Drive and Lamb Road, having 130' on Lamb Road and a depth of 700'.

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

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No citizen appeared to speak in opposition.

Mrs. Dutmer moved that the recommendation of the Zoning Commission be approved provided that proper access and off-street parking are provided and submitted for approval by the Traffic Engineering Division. Mr. Wing seconded the motion.

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

AN ORDINANCE 58,824

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 TRACT 4, NCB 16334, 7318 LAMB ROAD, FROM TEMPORARY "A" SINGLE-FAMILY RESIDENCE DISTRICT AND TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER ACCESS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

* * * *

84-24 The minutes of the meeting of May 17, 1984 were approved.

84-24 The Clerk read the following Ordinance:

AN ORDINANCE 58,825

BANNING GLASS BEVERAGE CONTAINERS FROM MONTERREY PARK, SAN PEDRO PARK, NORMOYLE PARK, AND CONCEPCION PARK, AND PROVIDING FOR A FINE NOT IN EXCESS OF \$200.00 IN VIOLATION HEREOF.

* * * *

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

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Mr. Thompson spoke of his concern that citizens do not know in advance which City parks have bans on use of glass containers, and which don't, for effective planning of family outings.

Mr. Ron Darner, Director of Parks and Recreation, spoke to the good results achieved in keeping glass containers out of certain City parks from which such containers have been banned by City Council Ordinance, in the past. He noted that the City has some 130 parks in its inventory at the present time, and plans to pursue restrictions on the use of glass containers in many large City parks areas, in the future.

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

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

84-24 The Clerk read the following Ordinance:

AN ORDINANCE 58,826

APPROVING CARRY-IN FUNDS UNDER THE JOB TRAINING PARTNERSHIP ACT PLAN TITLE II-A FOR THE PERIOD OF JULY 1, 1984 TO JUNE 30, 1985; THE HIRING OF TWO TEMPORARY SUMMER YOUTH PROJECT MANAGEMENT SPECIALISTS TO MONITOR SUMMER YOUTH PROGRAM OPERATORS; AND APPROVING THE WITHDRAWAL OF BEXAR COUNTY LABOR COMMUNITY AGENCY (BCLCA) AS A PROGRAM OPERATOR UNDER TITLE II-A AND APPROVING THE TRANSFER OF THESE FUNDS TO GOODWILL INDUSTRIES.

* * * *

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

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

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84-24 The Clerk read the following Ordinance:

AN ORDINANCE 58,827

AUTHORIZING THE EXECUTION OF A CONTRACT WITH ENVIROTECH OPERATING SERVICES IN THE AMOUNT OF \$398,000.00; AUTHORIZING EXECUTION OF A CONTRACT WITH PEAT, MARWICK, MITCHELL & CO., IN THE AMOUNT OF \$167,500.00; AND AUTHORIZING THE EXECUTION OF A CONTRACT WITH DATA COMMUNICATIONS, INC./LAYTON, INTERNATIONAL IN THE AMOUNT OF \$154,402.00; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

* * * *

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

In response to a question by Mrs. Dutmer, Mr. Joe Aceves, Assistant Director of Public Works, stated that this ordinance will provide for the outside training needs of City employees at the new Dos Rios Wastewater Treatment Plant for some five years. He spoke of the highly-sophisticated equipment which will be integral to the operation of that plant.

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

84-24 The Clerk read the following Ordinance:

AN ORDINANCE 58,828

APPROPRIATING \$8,479,700.00 AND AUTHORIZING THE EXECUTION OF THREE (3) CONTRACTS FOR THE CONSTRUCTION OF THE DOS RIOS FACILITY.

* * * *

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

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

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84-24 Item #35 being a proposed ordinance, authorizing a development plan for 320 acres of City-owned property bounded by US 90, Kelly AFB, Van de Walle and Camargo Park, was pulled from consideration.

84-24 Item #36 being a proposed ordinance, modifying the policy regarding lease agreement assignments at El Mercado, was pulled from consideration.

84-24 TRAVEL AUTHORIZATION - Granted:

Councilman Joe Alderete to travel to Corpus Christi, Texas from June 1, 1984 to June 3, 1984 to attend the Texas Municipal League Conference.

84-24 TRAVEL AUTHORIZATION - Granted:

Councilwoman Helen Dutmer to travel to Corpus Christi, Texas from June 1, 1984 to June 3, 1984 to attend the Texas Municipal League Conference.

84-24 TRAVEL AUTHORIZATION - Granted:

Councilman Bernardo Eureste to travel to New York, N.Y. and Hartford, Conn. from June 3, 1984 to June 5, 1984 in connection with the Vista Verde South Project.

84-24 ROGERS CABLESYSTEMS REPORT

Mayor Cisneros noted that representatives of Rogers Cablesystems were not yet present in the Council Chamber for consideration of their item on the agenda, and stated that it would be addressed when they arrived.

84-24 CITY EMPLOYEE RESIDENCY RULES

Mr. Louis J. Fox, City Manager, distributed to the members of the City Council copies of a memorandum entitled "FIRE AND POLICE CIVIL SERVICE COMMISSION DECISION ON RESIDENCE", and briefly summarized the five major points of that decision (a copy of this memorandum is made a part of

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the papers of this meeting). He then called attention to the paragraph of that memorandum that spoke to reinstatement of those city employees who were discharged for failing to meet the City's residence requirements in recent weeks and review of the hardship nature of any movement requests from county to city. He stated that under the proposed new rules, the 'in-city' residence rule would apply to all City employees in the future, including fire and police. In effect, he noted, the rules would 'grandfather' firefighters and police officers who now reside outside the city and county.

He then recommended reopening the 12 cases where City employees were discharged under the present residency rules, and reinstate them, noting that the three-week loss of pay is sufficient penalty. He then spoke of the equity in following the Fire and Police Civil Service Commission policy, as outlined in the memorandum. He also stated that from this date forward, the City residency rules would be strictly enforced.

Mayor Cisneros then briefly restated and summarized the City Manager's recommendations.

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

Mr. Joseph Scuro, Jr., attorney representing both firefighters and police officers' associations, spoke to other problems his groups have with the City Manager's recommendations. He stated that the issue is one of either strict enforcement versus outright repeal of the residency rules policy, and stated his belief that the rules must be uniform for all employees of the City, in order to encourage compliance. He then proposed a residency plan to cover all City employees, calling for all to live inside the City for the first 10 years of their employment, then just within Bexar County from the 10-year mark to their 20th year of employment, then the freedom to live anywhere they wish after having completed 20 years of City employment. He asked that this new rule be made effective with the new budget year, September 30, 1984, in order to allow the confusion concerning the entire residency matter to be resolved for all.

Mr. Scuro then spoke to the confusion this has caused on the part of the City's firefighters and police officers, especially those who might have purchased property outside Bexar County prior to 1980 with the intent of constructing their residence on that property in the future. He noted that some officers or firefighters now are close to making final decisions concerning financing on new homes, and need a firm decision by the Council.

Mr. Hasslocher spoke against mandating where a City employee may live.

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Mr. Archer stated his belief that the City Manager's new proposal sounds good, but addressed his own concerns with the lack of enforcement of the rules, stating that it would be better to forget the residency rules altogether.

Mr. Archer proposed a substitute motion to abolish the City's residency rules, altogether. Mr. Hasslocher seconded the motion.

In response to a question by Mr. Thompson, Mr. Fox discussed the advantages and disadvantages of the residency rules, including the matter of accessibility of residences to job-sites. He stated his opinion that the residency rules are appropriate for City employees.

In response to a question by Mr. Thompson, Fire Chief I.O. Martinez discussed the matter of residences in relation to job-sites, in times of emergency. Chief Martinez also discussed the need to monitor leave of firefighters, and the fact that the department cannot use its own equipment to so monitor those employees who live outside the City, because of the regulations against operating Fire Department equipment outside the City limits, for this purpose. He addressed response-times involved in activation of Fire Department personnel.

Mayor Cisneros stated his opinion that the City Manager has offered a good compromise.

Police Chief Charles Rodriguez described some previous experiences while in California, dealing with residence matters for police personnel, and spoke to the critical nature of response-time in emergencies. He stated that an important element is how fast can a police officer respond in an emergency situation, from his home, if necessary, to the job-site.

Mr. Fox stated his contention that it would be difficult to enforce a residency rule based upon some form of 'response-time' criteria, rather than actual physical lines such as City limits or the County line.

Mr. Thompson expressed his opinion, stating that the overriding principle in this entire matter is 'response-time', and further stating that he feels the policy is not enforceable. He spoke in favor of abolishing the residency requirement.

Mrs. Dutmer spoke to those City employees who are now living inside the City and who have a vested interest in property outside the City, and who were 'grandfathered' in 1980, stating that they retain their right. She further stated that some employees moved back out of the City and were penalized. She then spoke about reinstatement of City employees without penalty for those discharged recently for violation of the residency rules, noting that the City does not lose anything as a result. She then spoke about the rehiring of former uniformed personnel who left the force.

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Mr. Eureste stated that in 1977 he had been a very strong supporter of the residency rule, and at the time was not apprised of the 1967 Ordinance dealing with fire and police uniformed personnel. He stated that in 1977 there was no debate on response-time matters, but rather only a commitment from the employees. He stated his opinion that, because of the lack of enforcement of the residency rules, he feels that the policy was not implemented, attested to by the 'grandfathering' of many employees found in violation, in past years. He then spoke of the amnesty proposal now before the City Council and also spoke in favor of abolishing the residency rules at this time. He then spoke of the migration of the City work force to newer homes and newer neighborhoods.

Mr. Harrington spoke of his concern that City employees might falsify their job application papers dealing with place of residence, and led to a discussion on new elements being introduced into the entire matter, even though the original questions on the residency matters have been addressed.

Ms. Berriozabal spoke against elimination of the residency requirement, and in favor of the compromise, speaking also to fair enforcement of the matter in the future.

Mr. Alderete spoke against the compromise and in support of abolishment of the residency rules.

Mr. Eureste questioned Mr. Fox and Mr. Scuro on the total number of fire and police uniformed personnel who actually were in violation of the residency rules.

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

Mrs. Dutmer proposed an amended motion which would state that employees now living in City or County who wish to move from City to County or County to outside County who have a vested interest and were grandfathered in 1980 retain that grandfather clause, any moves thereafter be in compliance with the new rules beginning July 10, 1984; non-uniformed personnel who were terminated be re-instated without penalty or loss of seniority; and rehires be treated as new employees. Mr. Wing seconded the motion.

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

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

84-24 ZONING CASE Z84179 (Continued)

Mr. Alderete moved to approve the requested rezoning, subject to certain conditions: that Youth Alternatives, Inc. enter into a letter of understanding with the neighborhood association that in the event of future transfer of the property ownership, that a downzoning of the property then take place to R-1; that a similar downzoning to R-1 also take place if the property is rented by Youth Alternatives, Inc. to another party; and that these conditions be made a part of the zoning case under consideration; and provided that off-street parking, access to West Kings Highway and an alley are provided. Mr. Wing seconded the motion.

Mr. Alderete noted that Mr. Maas and representatives of the neighborhood association agree to these conditions.

Mr. Thompson spoke in support of the compromise.

A discussion then took place concerning the manner of notification of representatives of certain neighborhood associations in cases of rezoning applications in their areas of concern.

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

AN ORDINANCE 58,829

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 10, 11, 12 AND 13, BLOCK 26, NCB 1938, 1614 WEST KINGS HIGHWAY, FROM "B" RESIDENCE DISTRICT TO "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT, PROVIDED THAT OFF-STREET PARKING, ACCESS TO WEST KINGS HIGHWAY, AND AN ALLEY ARE PROVIDED.

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Mrs. Poston thanked all concerned for their help and consideration.

84-24 The Clerk read a proposed Ordinance providing for a barrier to be placed on Ivanhoe Street to prevent through traffic between Marshwood and Bar Harbor Drive.

Mr. Alderete briefly explained the request of area residents, noting that it corrects a platting problem that involved neighborhood traffic.

Mr. Roland Lozano, Director of Planning, responding to questions by the City Council, stated that the City staff recommends that the street remain open.

Mayor Cisneros spoke to the agreed-upon creation of a process to be followed in matters of future street closings in order to be certain that all affected residents are contacted. He spoke against closing this street without fully investigating the matter.

Mr. Joe Aceves, Assistant Director of Public Works, stated that area residents are seeking to hold down any increase of vehicular traffic into their area from a planned new subdivision being developed nearby, and stated his belief that the subdivision developer should be allowed to explain his own requirements for area traffic, before a decision in this matter is made.

Mayor Cisneros recommended that the City Council consider setting a hearing into this matter, with mailed notification to all concerned.

Ms. Berriozabal made a motion that the City Council set a hearing into this matter with mail notification given to all concerned. Mr. Wing seconded the motion.

In response to a question by Ms. Berriozabal, Mr. Aceves spoke to the current status of the development of that new notification process on street closing matters at direction of the City Council.

Mr. Alderete spoke to the need to notify all persons in an area who will be impacted by a closing decision.

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

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ROGERS CABLESYSTEMS-
BRIEFING ON PROGRAM CHANGES AND RATES

Mr. Cipriano Guerra, representing Rogers Cablesystems, spoke of the request for a rate increase, and spoke to the accomplishments of the system under its franchise from the City of San Antonio. He then briefly outlined the proposed new rates, as outlined in a memorandum from Rogers Cablesystems to the Mayor, City Council and City Manager dated May 4, 1984, a copy of which is made a part of the papers of this meeting. Mr. Guerra stated that Rogers Cablesystems has paid in some \$4 million in property taxes in addition to the franchise fee of \$3.5 million.

Missy Goerner, Program Director for Rogers Cablesystems, San Antonio, detailed the additional and expanded programming now being offered.

Mr. Guerra then detailed proposed changes as outlined in his memorandum.

Mrs. Lila Landez, 118 Burke Avenue, spoke of her concerns for the continuing controversy between herself and Rogers Cablesystems concerning compensation for alleged damages made to certain of her properties during cable installations.

In response to questions by Mayor Cisneros, Mr. Guerra stated that Rogers has been meeting with Mrs. Landez for several years over these matters, and he briefly explained the problems that they have had, stating that the system has made a good-faith effort to compensate her.

Mrs. Landez stated that one of her rental units was damaged during a cable installation, and further noted that she has recorded her various conversations with Mr. Guerra on these matters.

In response to a question by Mrs. Dutmer, Mr. Tom Finlay, Acting City Attorney, stated that the City Council has no jurisdiction over a proposed increase in cable TV rates by Rogers Cablesystems.

Mr. Guerra stated that regardless of the federal law involved, his firm wants to keep the City Council fully advised on any changes in rates.

Mrs. Dutmer spoke of her concerns with the hiring practices of Rogers Cablesystems and their alleged failure to adhere to the City's affirmative action policies, as agreed.

In response to a question by Mr. Thompson, Mr. Guerra stated that notice of the proposed rate increases is being sent to all subscribers, and this will be accomplished during the month of November 1984.

In response to a question by Mr. Eureste, Mrs. Landez stated that she has had several estimates made of the alleged damages to her

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properties, and the latest estimate was \$345.00. She further stated that she just wants her home repaired to her satisfaction.

Mr. Guerra stated that the work Mrs. Landez wants done would cost several thousand dollars.

The City Council then asked Mr. Guerra to meet with Mrs. Landez and to investigate the matter of the alleged damages and proper repairs needed.

84-24

CITIZENS TO BE HEARD

REV. S. CLIFTON BYRD

Reverend Byrd spoke to the City Council requesting a waiver of City fees in the HemisFair Plaza area. He asked that the cost of the HemisFair Lagoon and some ramp areas be included as part of their original request. The total value is \$1,200.

The Council concurred to have the item moved to the "A" Session next week.

* * * *

MR. VICTOR MENA

Mr. Victor Mena, a Police Officer, asked that the City Council consider his request of reinstatement of 44 days of sick leave.

Mayor Cisneros spoke of the previous Council action taken on the Lt. Maldonado case. He spoke of the severity of this case and the fact that he was injured by a sniper. He then spoke about the Council's decision to consider each case on its own merits.

Mr. Mena then spoke of his particular case and the manner in which he was injured. He stated that his request was denied by the Chief of Police and the City Manager.

Mayor Cisneros in his opinion stated that he would not support overriding the Chief's or City Manager's recommendation in this particular case.

In response to Mr. Eureste, Mr. Mena stated that he feels that when a person is injured on duty his sick leave should not be charged.

In response to Mr. Eureste, Mr. Mena stated that all City employees should be treated equally if the injury occurs on duty.

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Mr. Eureste stated that in this case he would not recommend overriding the decision of the Manager.

Mayor Cisneros again spoke of Lt. Maldonado's case. The Council concurred and did not wish to consider any motion contrary to the Chief's or Manager's recommendation.

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MRS. CAROL WILLIAMS

Mrs. Carol Williams, 319 S. Olive, introduced some 4-H Club members in the audience.

Miss Lucy Perez, Inner City 4-H President, asked the City Council, to grant Mrs. Williams' permission to keep her goats.

Mrs. Williams described in detail the property where she keeps one goat and her kid. She stated that she had been fined and was told that she could appeal to the City Council. The neighbors are not opposed to keeping her goats.

She asked for a variance to allow her to keep the goats, or to amend the City Code to delete goats in this category.

Mr. Sam Sanchez, San Antonio Metropolitan Health District, stated that a neighbor had complained about the goats. The case was taken to court, and she was fined by the Judge. He stated that the property does not meet the distance requirements set out by the City Code. He detailed the objections that the neighbor might complain about.

Mr. Archer stated that he sees no objection to keeping a goat on private property. He then moved to place on the agenda an ordinance granting a variance to Mrs. Williams on the keeping of two goats on her property. Mr. Eureste seconded the motion.

Ms. Berriozabal and Mrs. Dutmer expressed their concern that other cases are taken to Municipal Court and no fines are ever imposed.

Mr. Eureste stated that this is an example of a clear cut case and there is an ordinance that deals with goats.

A discussion then took place on the keeping of horses within the City limits.

The motion failed to pass by the following vote: AYES: Berriozabal, Eureste, Alderete, Archer, Cisneros; NAYS: Dutmer, Wing, Thompson; ABSENT: Webb, Harrington, Hasslocher.

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MRS. LILA LANDEZ

Mrs. Landez stated that she is present to hear the response by the Council on her requests made at the City Council meeting of May 17, 1984. The requests and responses are on file with the papers of this meeting.

Mrs. Landez stated that she would read through the report and will relay the information to her committee.

* * * *

MR. PAUL KINNISON, JR.

Mr. Paul Kinnison, 418 W. French, spoke to the Council about a case before the Board of Adjustment. He stated that he was interrupted by the Chair at least five times. He stated that he thought that a public hearing was held for the purpose of conducting an open forum for persons to make their opinions known. He feels that there was a lack of courtesy displayed by the Board of Adjustment. He stated that he wanted the Council to know about his feelings on this matter.

Mayor Cisneros asked Mr. Kinnison to make his remarks available for distribution to the members of the Board of Adjustment.

Ms. Berriozabal stated that there is no standard procedure at the Board of Adjustment.

Mr. Gene Camargo, Director of Building Inspections, stated that a work session was held by the staff and the Board of Adjustment. The Board decided to hold another work session on the procedures matter.

* * * *

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84-24 The regular meeting of the City Council recessed at 8:00 P.M. in order to convene a Special Meeting (see attached minutes) reconvening its regular meeting at 8:45 P.M.
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84-24 STADIUM FEASIBILITY STUDY

Mr. Ron Turner introduced the several principals in this presentation including Mr. Bob Murphy, Mr. Rudy Fernandez, Mr. Paul Cliff and Mr. Jerry Mays who in turn presented a slide presentation to the City Council on the Feasibility Stage of a multi-purpose sports stadium

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complex. The report (a copy of which is on file with the papers of this meeting) includes sections on Executive Summary, Project Approach, Findings & Conclusions, Recommended Action Steps and Appendices.

84-24 The Clerk read the following Letter:

May 21, 1984

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

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

May 14, 1984

Petition submitted by Mr. William Askins, Secretary, United States Modern Pentathlon Association, the Pentathlon Center, San Antonio, Texas 78209, requesting the waiver of rental fee of the Plaza Juarez at La Villita on August 14, 1984 in connection with the closing celebration of the National Championships.

* * * *

May 17, 1984

Petition submitted by Mr. Jacinto C. Senizaiz, Central Cab Company, 250 West Boyer Street, San Antonio, Texas 78210 requesting the transfer of ownership of Central Cab Company to Hector Rios.

* * * *

May 17, 1984

Petition submitted by Mr. Joe Bartell, VIP Cab Company, 16240 San Pedro, #306, San Antonio, Texas 78210 requesting the transfer of ownership of VIP Cab Company to Robert Gonzales.

* * * *

/s/Norma S. Rodriguez
City Clerk

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There being no further business to come before the Council, the meeting was adjourned at 10:00 P.M.

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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