

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, JULY 9, 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, ARCHER, HASSLOCHER, CISNEROS; Absent: CANAVAN.

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81-37 The invocation was given by Reverend Juan M. Garces, Westlawn Methodist Church.

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81-37 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

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81-37 MAYOR PRO-TEM VAN HENRY ARCHER

Mayor Cisneros expressed his appreciation to Councilman Van Archer for his services as Mayor Pro-Tem.

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81-37 SWEARING IN CEREMONY

The City Clerk, Norma S. Rodriguez administered the Oath of Office to Councilwoman Helen Dutmer who will serve as Mayor Pro-Tem during the period of July 16, 1981 through September 27, 1981.

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81-37 CORRECTION TO THE MINUTES

Mrs. Dutmer made reference to some typographical errors found on pages 21, 22, and 23.

With these corrections, the minutes of the meeting of June 25, 1981 were approved.

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81-37 CONSENT AGENDA

Mr. Archer moved that items 5-28 constituting the consent agenda be approved with the exception of items 13, 20, 21, 22, 23, and 26 to be considered individually. Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 53,997

ACCEPTING THE LOW BID OF CAREER UNIFORMS
AND APPAREL TO FURNISH THE CITY OF SAN
ANTONIO WITH UNIFORMS FOR THE INTERNATIONAL
AIRPORT PARKING DIVISION FOR A TOTAL
OF \$3,013.26, LESS 1% - 15 DAYS.

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AN ORDINANCE 53,998

ACCEPTING THE LOW BID OF S.W. EQUIPMENT COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH AN AUTOMATIC SCRUBBER/SWEEPER/POLISHER FOR A NET TOTAL OF \$17,050.00.

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AN ORDINANCE, 53,999

ACCEPTING THE LOW BID OF VARIOUS COMPANIES TO FURNISH THE CITY OF SAN ANTONIO WITH VARIOUS SUPPLES AND SERVICES FOR THE CITY'S INTERIM BUDGET AND THE 1981-1982 FISCAL YEAR.

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AN ORDINANCE 54,000

AUTHORIZING EXECUTION OF FIELD ALTERATION NO. 12 IN THE SUM OF \$35,030.33 TO THE CONTRACT FOR KINGSTON DRAINAGE PROJECT #32; REVISING THE PROJECT BUDGET; AND AUTHORIZING PAYMENT.

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AN ORDINANCE 54,001

AUTHORIZING EXECUTION OF FIELD ALTERATION NO. 5 IN THE SUM OF \$6,341.40 TO THE CONTRACT FOR LEON CREEK WASTEWATER TREATMENT PLANT UPGRADING PHASE A; REVISING THE PROJECT BUDGET; AND AUTHORIZING PAYMENT.

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AN ORDINANCE 54,002

AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH JARY & SANCHEZ ASSOCIATES TO PREPARE PLANS AND SPECIFICATIONS FOR THE BARBARA JORDAN COMMUNITY CENTER; AND AUTHORIZING PAYMENTS FROM FUND 28.

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AN ORDINANCE 54,003

AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH SAN ANTONIO RIVER AUTHORITY ON PHASE I OF THE SAN ANTONIO RIVER FLOOD CONTROL PROJECT BY INCREASING THE AMOUNT APPROPRIATED FOR LAND ACQUISITION BY \$1,550,000.00; REVISING THE PROJECT BUDGET; AND AUTHORIZING PAYMENTS.

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AN ORDINANCE 54,004

AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH KINNISON & ASSOCIATES, ARCHITECTS, TO PREPARE PLANS AND SPECIFICATIONS ON THE ELLA AUSTIN PHASE III PROJECT; REVISING THE PROJECT BUDGET; AND AUTHORIZING PAYMENTS.

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AN ORDINANCE 54,005

AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH THE SINCLAIR ENGINEERING COMPANY COMPANY TO PROVIDE PROFESSIONAL SERVICES AND PREPARE PLANS AND SPECIFICATIONS FOR THE 30 ACRE OLIVER WENDALL HOLMES HIGH SCHOOL OFF-SITE SANITARY SEWER PROJECT.

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AN ORDINANCE 54,006

AUTHORIZING THE CITY MANAGER TO EXECUTE FIELD ALTERATION NO. 3 TO THE CONTRACT FOR CONSTRUCTION OF INTERNATIONAL AIRPORT ROADWAYS AND SURFACE PARKING.

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AN ORDINANCE 54,007

AUTHORIZING EXPENDITURE OF THE SUM OF \$48,350.00 OUT OF 1980 BOND FUNDS FOR THE PURPOSE OF ACQUIRING TITLE TO CERTAIN LANDS; ACCEPTING THE DEDICATION OF EASEMENTS TO CERTAIN LANDS; ALL TO BE USED IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS.

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AN ORDINANCE 54,008

APPROVING A SUBLEASE AGREEMENT FOR SPACE AND GROUND SERVICES AT INTERNATIONAL AIRPORT BETWEEN AMERICAN AIRLINES, INC. AND TRANSWORLD AIRLINES, INC.

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AN ORDINANCE 54,009

AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH THE FEDERAL EXPRESS CORPORATION FOR SPACE IN THE AIR CARGO BUILDING AT INTERNATIONAL AIRPORT.

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AN ORDINANCE 54,010

MANIFESTING AN AGREEMENT AMENDING THE PERMIT TO ELSINORE AEROSPACE SERVICES, INC., FOR CERTAIN OPERATIONS AT INTERNATIONAL AIRPORT.

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AN ORDINANCE 54,011

AUTHORIZING ADJUSTMENTS TO THE CITY TAX ROLL RECOMMENDED BY THE TAX ERROR BOARD OF REVIEW AS A RESULT OF ITS MEETING OF JUNE 19, 1981.

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AN ORDINANCE 54,012

AUTHORIZING PAYMENT OF REFUNDS TO PERSONS MAKING OVERPAYMENTS OR DOUBLE PAYMENTS ON 66 TAX ACCOUNTS.

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AN ORDINANCE 54,013

AUTHORIZING THE RENEWAL OF THE COMPREHENSIVE AUTOMOBILE LIABILITY INSURANCE COVERING CITY-OWNED VEHICLES INVOLVED IN THE OPERATIONS OF THE MOBILE LIBRARY SYSTEM.

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AN ORDINANCE 54,014

AUTHORIZING PAYMENT TO THE CITY WATER BOARD, AND APPROPRIATING FUNDS THEREFOR, IN THE AMOUNT OF \$4,626.06 REPRESENTING A CITY WATER BOARD OVERPAYMENT TO THE CITY OF SAN ANTONIO FOR WATER MAIN CONSTRUCTION IN CONJUNCTION WITH 24TH STREET IMPROVEMENT PROJECT.

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81-37 The Clerk read the following Ordinance:

AN ORDINANCE 54,015

AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH D.R. FRAZOR AND ASSOCIATES TO PROVIDE PROFESSIONAL SERVICES AND PREPARE PLANS AND SPECIFICATIONS FOR THE GOLDEN TRIANGLE OFF-SITE SANITARY SEWER SERVICE PROJECT.

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

In response to a question by Mrs. Dutmer, Mr. Joe Aceves, Assistant Director of Public Works, explained the location of the Golden Triangle and in response to a question by Mr. Thompson, Mr. Aceves explained the cost involved to place a sewer line.

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, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Canavan.

81-37 The Clerk read the following Ordinance:

AN ORDINANCE 54,016

AUTHORIZING EXECUTION OF AN AGREEMENT WITH HAYES LEASING COMPANY, INC. FOR LEASE

OF 181,754+ SQUARE FEET OF GROUND SPACE
AT INTERNATIONAL AIRPORT.

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

Mr. Hasslocher expressed concern regarding the leases at the International Airport and stated that because of escalation costs to the City due to inflation, the City would be able to maximize on the square footage of these projects.

Mr. Tom Raffety, Director of Aviation, stated that there are certain costs which have a provision whereby the lease amount is increased or decreased in accordance with a comparable increase. He explained that three weeks ago, the City Council had instructed them to process the contracts that had already been negotiated and further stated that it was agreed to have the remaining properties at the airport appraised.

Mr. Hasslocher, at this time, made a substitute motion to postpone this item in order that staff may reevaluate the time limitation and terms of these leases. Mr. Thompson seconded the motion.

Mr. Thompson expressed concern regarding any twenty-year leases.

Mrs. Dutmer stated that the Aviation Director had presented a good report at "B" Session three weeks ago and went on to speak about the fine work at the Airport. She stated that she would be voting against the substitute motion.

After discussion, the substitute motion failed to carry by the following vote: AYES: Berriozabal, Thompson, Alderete, Hasslocher, Cisneros; NAYS: Webb, Dutmer, Wing, Eureste, Archer; ABSENT: Canavan.

The original motion carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Archer, Cisneros; NAYS: Thompson, Alderete, Hasslocher; ABSENT: Canavan.

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81-37 The following Ordinance was read by the Clerk and after consideration, on motion of Mrs. Dutmer, seconded by Mr. Webb, was passed and approved by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Canavan, Archer, Cisneros; NAYS: Thompson, Alderete, Hasslocher; ABSENT: None.

AN ORDINANCE 54,017

AUTHORIZING THE CITY MANAGER TO EXECUTE
A LEASE AGREEMENT FOR GROUND SPACE AT
INTERNATIONAL AIRPORT WITH JIM DUNWORTH,
INC.,

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81-37 The Clerk read the following Ordinance:

AN ORDINANCE 54,018

AUTHORIZING THE CITY MANAGER TO EXECUTE
A LEASE AGREEMENT FOR SPACE AT

INTERNATIONAL AIRPORT WITH ALL AMERICAN
MAINTENANCE, INC.

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

Mr. Hasslocher again expressed concern that the City should negotiate the best they can regarding the long-term leases at the Airport.

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

81-37 The Clerk read the following Ordinance:

AN ORDINANCE 54,019

AUTHORIZING THE EXECUTION OF A LEASE
AGREEMENT WITH GEN-AERO, INC., FOR
SPACE AT INTERNATIONAL AIRPORT.

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

Mr. Thompson spoke in opposition to the Ordinance. He stated that such 'fixed-based operators' such as Gen-Aero Inc., should be removed from the International Airport to allow for conventional commercial airline service. He also reiterated the concerns expressed by Councilman Hasslocher with regard to obtaining the best prices for the leases at the Airport.

Mr. Thompson made a substitute motion to limit the leases to five years in lieu of twenty years. Mr. Hasslocher seconded the motion.

Councilmembers Hasslocher and Thompson expressed concern that people have called them about getting hangar space at the airport and thought it unwise for the City not to try to get the best return for the investment the City has.

Mr. Eureste stated that he is pleased with what is going on at the Airport as far as reconstruction and modernization and he then went on to speak of the merits of the Aviation Director.

After discussion, the substitute motion failed to carry by the following vote: AYES: Thompson, Alderete, Hasslocher; NAYS: Berriozabal, Webb, Dutmer, Wing, Eureste, Archer, Cisneros; ABSENT: Canavan.

The original motion carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Archer, Cisneros; NAYS: Thompson, Alderete, Hasslocher; ABSENT: Canavan.

81-37 At this time, Mr. Raffety invited the Council to participate in the ground-breaking ceremony of the Airport's new second terminal building which would take place on July 20, 1981.

81-37 The Clerk read the following Ordinance:

AN ORDINANCE 54,020

AUTHORIZING THE DIRECTOR OF FINANCE TO WRITE-OFF \$71,817.20 IN UNCOLLECTIBLE ACCOUNTS RECEIVABLE FROM EMERGENCY MEDICAL SERVICES AS RECOMMENDED BY THE AMBULANCE REVIEW COMMITTEE.

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Mr. Wing moved to approve the Ordinance. Mr. Alderete seconded the motion.

In response to a question by Mrs. Dutmer, Mr. Carl White, Director of Finance, explained that in the year 1980, there was \$125,000.00 worth of write-offs. He then explained the Ordinance.

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

81-37 ZONING HEARINGS

29. CASE 8527 - to rezone Lot 31, Block 2, NCB 11966, 9703 McCullough Avenue, from "B-3" Business District to "I-1" Light Industry District, located north of the intersection of Wolfe Road and McCullough Avenue, having 110' on McCullough Avenue and 197.5' on Wolfe Road; Lots 36, 39 and the southeast 100' of Lot 35, Block 2, NCB 11966, 9631 and 9339 McCullough Avenue, from "A" Single Family Residential District to "I-1" Light Industry District, located west of the intersection of Wolfe Road and McCullough Avenue, having 230' on McCullough Avenue and 100' on Wolfe Road with a maximum depth of 197.5'.

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 provided that proper platting is accomplished and that the applicant work with the Traffic Department for street dedication, if necessary. Mr. Archer seconded the motion. On roll call, the motion carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Berriozabal, Dutmer, Wing, Archer, Cisneros; NAYS: None; ABSENT: Webb, Eureste, Thompson, Alderete, Canavan, Hasslocher.

AN ORDINANCE 54,021

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 31, BLOCK 2, NCB 11966, 9703 MCCULLOUGH AVENUE, FROM "B-3" BUSINESS DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT; LOTS 36, 39 AND THE SOUTHEAST 100' OF LOT 35, BLOCK 2, NCB 11966, 9631 AND 9339 MCCULLOUGH AVENUE, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT PROPER

PLATTING IS ACCOMPLISHED AND THAT THE APPLICANT WORK WITH THE TRAFFIC DEPARTMENT FOR STREET DEDICATION, IF NECESSARY.

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30. CASE 8528 -to rezone Lots 27 and 30, Block 2, NCB 11966, 9803 McCullough Avenue, from "B-2" Business District to "I-1" Light Industry District, located on the northwest side of McCullough Avenue, being 130' northeast of the intersection of Wolfe Road and McCullough Avenue, having 300' on McCullough Avenue and a depth of 197.5'.

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

AN ORDINANCE 54,022

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 27 AND 30, BLOCK 2, NCB 11966, 9803 MCCULLOUGH AVENUE FROM "B-2" BUSINESS DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT.

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31. CASE 8529 -to rezone the south 120' of Lots 48 and 49, Block 2, NCB 11966, 315 E. Ramsey Road, from "A" Single Family Residential District to "B-3R" Restrictive Business District and Lots 48, 49, 52, and 53, save and except the south 120' of Lots 48 and 49, Block 2, NCB 11966, 9226 E. Ramsey Road, from "A" Single Family Residential District to "I-1" Light Industry District, subject property is located on the southeast 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 E. Ramsey Road; the "B-3R" being on the south 120' of Lots 48 and 49, and the "I-1" being on the remaining portion of the subject property.

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 provided that a six foot solid screen fence is erected and maintained on the east and south property lines and that the applicant work with the Traffic Department to provide street dedication, if necessary. Mr. Archer seconded the motion. On roll call, the motion carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Archer, Cisneros; NAYS: None; ABSENT: Alderete, Canavan, Hasslocher.

AN ORDINANCE 54,023

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE SOUTH 120' OF LOTS 48 AND 49, BLOCK 2, NCB 11966, 315 E. RAMSEY ROAD, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT AND LOTS 48, 49, 52, AND 53, SAVE AND EXCEPT THE SOUTH 120' OF LOTS 48 AND 49, BLOCK 2, NCB 11966, 9226 E. RAMSEY ROAD, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ON THE EAST AND SOUTH PROPERTY LINE AND THAT THE APPLICANT WORK WITH THE TRAFFIC DEPARTMENT TO PROVIDE STREET DEDICATION, IF NECESSARY.

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32. CASE 8521 - to rezone a 4.353 acre tract of land out of NCB 16251, being further described by field notes filed in the Office of the City Clerk, in the 11700 Block of Babcock Road, from Temporary "R-1" Single Family Residential District to "B-2" Business District, located southeast of the intersection of Sunset Haven Drive and Babcock Road, having 247.24' on Sunset Haven Drive and 871.43' on Babcock Road.

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

Mrs. Dutmer moved for approval of Staff's recommendation which would be the denial of "B-2" as requested and the approval of "O-1", "B-1" and "B-2" as per Exhibit "A", provided that proper platting is accomplished and that a six foot solid screen fence is erected and maintained on the east property line adjacent to the residential development. Mr. Archer seconded the motion.

On roll call, the motion carried by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Cisneros; NAYS: Archer; ABSENT: Alderete, Canavan, Hasslocher.

Mr. Guerrero suggested that the Council hear the applicant's presentation on this zoning case.

Mrs. Dutmer made a motion to reconsider. Mr. Wing seconded the motion. On roll call, the motion to reconsider carried by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eurete, Thompson, Cisneros; NAYS: Archer; ABSENT: Alderete, Canavan, Hasslocher.

Mr. Herb Quiroga, Director of Land Planning for Ray Ellison, explained the proposed plans for the subject property. He stated that the subject property is small and very shallow, and the approval of staff's recommendation, the builder would have to erect a high-rise building, whereas, "B-2" would allow the developer to use the property to its highest and best use.

No citizen appeared to speak in opposition.

After discussion, Mr. Thompson moved that the recommendation of the Zoning Commission be approved, provided that proper platting is accomplished and that a six foot solid screen fence is erected and maintained on the east property line. Also, that the applicant work with the Traffic Department to provide right-of-way dedications; and that a twenty-five foot setback landscape buffer is imposed along the

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east property line. Mr. Alderete seconded the motion. On roll call, the motion carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Berriozabal, Dutmer, Wing, Thompson, Alderete, Archer, Hasslocher, Cisneros; NAYS: Webb; ABSENT: Eureste, Canavan.

AN ORDINANCE 54,024

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 4.353 ACRE TRACT OF LAND OUT OF NCB 16251, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 11700 BLOCK OF BABCOCK ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ON THE EAST PROPERTY LINE. ALSO THAT THE APPLICANT WORK WITH THE TRAFFIC DEPARTMENT TO PROVIDE RIGHT-OF-WAY DEDICATIONS AND THAT A TWENTYFIVE FOOT SETBACK LANDSCAPE BUFFER IS IMPOSED ALONG THE EAST PROPERTY LINE.

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81-37 The Clerk read the following Ordinance:

AN ORDINANCE 54,025

APPROPRIATING THE SUM OF \$10,000.00 FROM THE UNAPPROPRIATED FUND BALANCE OF THE GENERAL FUND AND AUTHORIZING TRANSFER THEREOF TO THE SAN ANTONIO COMMUNITY RADIO CORPORATION AS ASSISTANCE IN THE ERECTION OF A FULL SERVICE PUBLIC RADIO FACILITY IN THE CITY OF SAN ANTONIO.

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

In response to a question by Mr. Archer, Mayor Cisneros explained that a previous City Council allocation was made and this is an account action to make the monies available.

Mr. Carlos Garcia, Vice-President of San Antonio Community Radio Corporation, explained what had transpired since the allocation of funds and asked the Council to grant the proposed Ordinance.

Mr. Carl White, Finance Director, explained the commitment made by Council in 1975 with adoption of the 1975/76 budget. He stated that since a permit from the Federal Communications Commission Corporation had not been obtained by the close of the fiscal year 1976, the funds were held and ultimately lapsed. He stated that these funds were reverted to the General Fund unappropriated balance and were subject to reappropriation as provided by Section 87 of the City Charter.

After discussion, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Alderete, Cisneros; NAYS: Thompson, Archer, Hasslocher; ABSENT: Canavan.

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81-37 The Clerk read the following Ordinance:

AN ORDINANCE 54,026

APPROVING THE PRICE AND CONDITIONS OF THE SALE BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF THE WEST 11.2 FEET OF LOT 5, AND ALL OF LOTS 6, 10, 17 18, 19, 20, 21 AND 23, BLOCK 120, NEW CITY BLOCK 227, LOCATED WITHIN THE URBAN RENEWAL VISTA VERDE SOUTH URBAN RENEWAL PROJECT TO THE CITY PUBLIC SERVICE BOARD AS A PART OF THE CITY OF SAN ANTONIO'S ELECTRIC AND GAS SYSTEM FOR A CONSIDERATION OF \$98,500.00.

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Mr. Alderete made a motion to approve the Ordinance. Mr. Wing seconded the motion.

In response to a question by Mrs. Dutmer, Mr. David Garcia, Project Manager for Vista Verde South stated that this is part of City Public Service's Capital Improvement Plan, showing a map depicting the tract showing the overall utility system.

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, Hasslocher, Cisneros; NAYS: None; ABSENT: Canavan, Archer.

81-37 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Thompson, seconded by Mrs. Dutmer, was passed and approved by the following vote: AYES: Berriozabal Webb, Dutmer, Eureste, Thompson, Alderete, Hasslocher, Cisneros; NAYS: None; ABSENT: Wing, Canavan, Archer.

AN ORDINANCE 54,027

APPROVING THE TERM AND CONDITIONS OF THE TRANSFERS BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF CERTAIN PARCELS IN THE VISTA VERDE SOUTH URBAN RENEWAL PROJECT TO THE STATE OF TEXAS.

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81-37 Consideration of a request of Mr. Harold Vexler to delete Parcel 881-1 from those parcels scheduled for acquisition under the Urban Renewal Plan for the Vista Verde South Project.

Ms. Pat Mansell, Assistant City Attorney explained that on August 2, 1979, the City Council approved an Urban Renewal Plan for the Vista Verde South Urban Development Action Grant Project and Parcel 881-1 is within the boundaries of this Urban Renewal Plan which is scheduled for acquisition.

Mr. Harvey Hardy, representing Mr. Vexler explained the surrounding property and stated that San Antonio Development Agency is threatening to condemn this tract of property. He stated that Mr. Vexler and his father have operated a junk yard on this property for 56 years and further stated that he has been advised that the Urban Renewal Plan prohibits junkyards. He referred to the State

Urban Renewal Law, Section 7(g) of Article 12691-3, which states the right of a property owner to contest before the City Council such powers of eminent domain as respects his individual ownership. He stated that they are working on a revised plan of action for this property and the alternatives presented to Mr. Vexler for the Urban Renewal Development. He then asked the City Council to exclude Parcel 881-1 from those properties scheduled for acquisition.

Mr. David Garcia, Project Manager for Vista Verde South, stated that they have been conducting negotiations with Mr. Vexler and Associates and have been unable to reach an agreement.

After much discussion, Mrs. Dutmer made a motion not to amend the plan but to direct staff to discuss the matter with Mr. Vexler. Mr. Webb seconded the motion.

Mr. Thompson then made an amendment to the main motion for a report for Council in three weeks. Mr. Eureste seconded the motion.

After further discussion, Mr. Webb made a second amendment for a report to come back to the Council in one week. Mr. Thompson seconded the motion. On roll call, the motion carried by the following vote: AYES: Berriozabal, Webb, Wing, Eureste, Thompson, Hasslocher, Cisneros; NAYS: Dutmer, Alderete, Archer; ABSENT: Canavan.

The original motion as amended carried by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Canavan.

81-37 The Clerk read the following Ordinance:

AN ORDINANCE 54,028

ACCEPTING THE PROPOSAL OF CHUMNEY, JONES
AND KELL/SALDANA IN AN AMOUNT NOT TO EXCEED
\$68,200 TO PROVIDE ARCHITECTURAL AND
ENGINEERING SERVICES RELATING TO THE BANKING
CORRIDOR PARKING GARAGE AND ESTABLISHING
A CONTINGENCY ACCOUNT OF \$6,500.00.

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Mr. Webb moved to approve the Ordinance. Mr. Wing seconded the motion.

Mrs. Peggy Peshorn, President of the San Antonio Conservation Society, spoke to the Council requesting the sparing of the Rand Building at Houston and Soledad Street. She stated that the Society has made a proposal to buy the building from the bank and are presently talking with developers about restoring it. She stated that the demolition would only result in a parking garage for Frost Bank. She urged the Council to allow the Society time to work out a way both to build a garage and save the old structure.

Mr. Alex Cargonne, Architect, displayed a plan to the Council of a proposed garage with 590 spaces between the Rand Building and the San Antonio Savings and Loan Association Building. He stated that the plan would be to have private interest develop the garage and lease it back to the City. He asked that the City Council allow them time to be able to come back with a specific proposal for a concept which will retain the Rand Building.

Councilwoman Maria Berriozabal stated that the Historic Review Board had denied the owner of the Rand Building , the Frost Bank, a permit to demolish the building, an action that delays demolition by 120 days to give parties time to come up with some agreement.

Mrs. Berriozabal then made a motion to postpone this item for 120 days from the date of the decision of the Historic Review Board and to allow parties involved. time to discuss the matter. Mrs. Dutmer seconded the motion.

City Manager, Thomas E. Huebner stated that the Frost Bank Building has the option of appealing the Historic Review Board's decision should they decide to appeal it to the Council which may overrule it and allow demolition to proceed. He stated that the City looked at the feasibility of having a parking garage between SASA and the Rand Building and the feasibility studies showed that it would be more economically feasible to include the Rand Building.

Mr. Marcus Rogers, Frost Bank spokesman, stated that the bank will not make a dime of profit off of the sale. He stated that a parking garage would serve as a catalyst for downtown redevelopment. He also stated that any delay would make the project more expensive.

In response to a question by Mr. Webb, Mr. Joe Aceves, Assistant Director of Public Works, explained that 25% of the proposed parking garage will be leased to Marco Investments, Inc., once it has been built.

Mr. Eureste stated that he did not favor action by the City of San Antonio to cause destruction of historic property.

After much discussion, the substitute motion failed to carry by the following vote: AYES: Berriozabal, Dutmer, Eureste, Archer; NAYS: Webb, Wing, Thompson, Alderete, Cisneros; ABSENT: Canavan, Hasslocher.

The original motion carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Webb, Wing, Thompson, Alderete, Hasslocher, Cisneros; NAYS: Berriozabal, Dutmer, Eureste, Archer; ABSENT: Canavan.

81-37 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Thompson, seconded by Mrs. Berriozabal, was passed and approved by the following vote: AYES: Berriozabal, Webb, Wing, Eureste, Thompson, Alderete, Archer, Cisneros; NAYS: None; ABSTAIN: Dutmer; ABSENT: Canavan, Hasslocher.

AN ORDINANCE 54,029

APPROPRIATING FUNDS TO CONTINUE THE SERVICES PROVIDED BY CERTAIN DAY CARE CENTERS.

* * * *

81-37 The Clerk read the following Resolution:

A RESOLUTION
81-37-66

ADOPTING A LA VILLITA POLICY STATEMENT AND
ASSOCIATED MEMORANDUM OF COMMITMENT TO
LA VILLITA TENANTS' ASSOCIATION.

The following discussion then took place.

MAYOR CISNEROS: Okay. I recall persons to speak on this one, is that correct? Item number 39. Do we have anybody to speak on this? No one is signed up on 39.

CITY MANAGER THOMAS E. HUEBNER: Mister Mayor, there is a person signed up on this.....

MR. THOMPSON: Move approval.

MAYOR CISNEROS: Is there a motion on this?

MR. THOMPSON: Move for approval.

MR. WEBB: Second.

CITY MANAGER HUEBNER: There is a person signed up on 'Citizens to be Heard' that wants to speak on this item.

MAYOR CISNEROS: Margaret Putnam and Reverend Edmunds, okay. Both of these folks are on 'Citizens to be Heard'. With the Council's permission, I'd like to ask that they be heard on this item, since it is related to the item. They are on 'Citizens to be Heard', but by 'Citizens to be Heard' we will have acted, so in the spirit of what I think they thought they were signing up for, I'd like the Council's permission to hear them.

The following citizens spoke regarding the proposed Resolution:

REV. DAVID EDMUNDS

Rev. Edmunds, Pastor of the Little Church of La Villita, stated that some are not members of the La Villita Tenants Association, but have discussed some of the ideas involved in the project and would like to have some input into the project. He stated that even though he agrees with most of the points discussed last week, he still wants some input into the matter, and outlined some suggestions to the Council, including bringing back all La Villita tenants who meet the guidelines set down for La Villita tenants in 1939; involvement of all La Villita tenants in all aspects of planning and execution of the restoration project; and creation of a committee of La Villita tenants and others to establish criteria on the nature and types of arts and crafts to be marketed in La Villita, and outlined details of the final suggestion.

MARGARET PUTNAM

Margaret Putnam, representing the Pallisado Gallery, reiterated the comments made by Rev. Edmunds, stressing that the City should communicate with all La Villita tenants, not only those who are members of the Tenants Association.

MAYOR CISNEROS: We will want to, before we vote on this item, try to make sure that all the points that were made in the joint memorandum from the Tenants Association, Centro 21 and others are incorporated into the document that we are voting on, to Ms. Berriozabal's satisfaction and recommendation,

that we are voting on, to Ms. Berriozabal's satisfaction and recommendation, and we'll also want to make sure that as many of the concerns as are articulated by Rev. Edmunds and Mrs. Putnam are considered, as well. Please proceed.

I would like to just say before we begin the Council questions and comments that I had the opportunity to visit with Rev. Edmunds earlier today, and that I have said on several occasions before as Councilman from District 1 that to me, the Little Church at La Villita is very important. It is an institution that should remain, and that the Council, I would hope, whatever we do at La Villita, is pledged to the continuance of that institution, both as a church and as a service that is provided to our community. And I just want to be on record as saying that whatever else is done or implied in agreements or governmental documents, that I hope that we never do or put anything into writing that would endanger the continuance of the Little Church at La Villita. Ms. Berriozabal, followed by Mr. Alderete.

MS. BERRIOZABAL: At our "B" Session last week, I was concerned about the fact that the document that we had received...I had received and reviewed... about two weeks ago, that would be the document to be presented last week to the Council...I was concerned because it addressed other points, or rather, the same points in another manner. When the tenants met with staff last Thursday while we were having our Council session, you all came up with some other points. They are fine with me, but I was concerned as to the integration of those seven points on the policy statement that we were to vote on, because I wanted to save us a lot of time today, I asked at the end of the session if staff would incorporate...or if you were going to incorporate...those seven points on the policy statement, and I was told "yes." And the policy statement that we have today has not incorporated those seven points, so if I could have some of those clarifications, Mr. Darner.

MAYOR CISNEROS: Let me just ask Ms. Berriozabal a question. In my experience, it is very difficult for us to try to incorporate into a document in Council session specific points that have been overlooked. It might be more appropriate just to postpone once again and tell the staff that you are dissatisfied with the integration job they did, and then you can work with them, and it won't come back here until you are prepared to recommend it. That's one approach. Unless you think...I mean, it's a question to you: do you think that we can do the job of mixing and matching right here in session?

MS. BERRIOZABAL: Well, I don't think...there are not that many points, to begin with, and they are very key points. And, some of them are the ones that in fact have been brought up by these two individuals who spoke. I think we can do it in fashion.

MAYOR CISNEROS: Then please proceed and take as much time as you need to.

MS. BERRIOZABAL: Okay. The first one has to do with...now, the policy statement, we all got it...and it's three pages long. My first concern has to do with item seven, on the seven-point document. It says something like: to promote the cancellation of contracts held in La Villita which are counter-productive to the success and promotability and maximum utilization of space in La Villita. That concerns me, because since last week, I went back and I have read some newspaper clippings and some reports on something that occurred in 1979, and it had to do with the Little Church of La Villita, and how there was some dissatisfaction as to the appropriateness of having it in a tourist spot. So I just want to be very sure that we incorporate...and I would suggest, in a signature form; have the signature of the pastor of La Villita...along with other tenants, so that we understand

that the church is considered one of the tenants and that they in fact very adequately and satisfactorily meet the 1939 ordinance. I just want to have it understood that, you know, have consensus here, that all of us feel that the La Villita church most definitely has an appropriate place in the La villita area.

MR. RON DARNER, DIRECTOR OF PARKS & RECREATION: Let me first of all say that Council had requested us putting and placing these seven points that were signed last Thursday into the Council packet and make that part of the Resolution. As far as all the contracts, every contract...and each one of the contracts...will have to be approved, all the new contracts, by City Council. So, all the contracts will come back individually, not just as a whole, but they will all come back individually.

MS. BERRIOZABAL: But I thought since there had been problems before, or at least questions, I thought it was important that we do mention this in a Council session.

Okay, the other one is on policy for current tenants. The statement is still in the policy statement that we are going to be adopting, and the statement is as follows:

"All current tenant leases shall be terminated as soon as required by impending construction but not later than October 1, 1981. Notice of termination shall be given not less than 60 days prior to the effective date or earlier if so provided by applicable lease agreements."

And this, in effect, has the consequence of terminating all the leases.

MR. DARNER: This deals with the existing contracts that we presently have. We'll be negotiating and discussing all the new contracts, as mentioned, prior to this with each and every tenant. I spoke to one yesterday and I know I've spoken very briefly and will be getting back with many more tenants this coming week on the various points in the contracts that will be coming up in our negotiations.

MS. BERRIOZABAL: Okay. I would suggest, Mr. Darner, that we also incorporate in the policy statement...this that you gave us last week...

MR. DARNER: That would be fine.

MS. BERRIOZABAL: ...because this is the only place where the tenants really know when they are going to be closed.

MR. DARNER: Yes, that is the construction schedule. I have no problems with that.

MS. BERRIOZABAL: If we can attach that as part of the document that we are going to be voting on.

And another one is, the document...or what criteria is going to be used for the applications? In the packet that you gave me, you gave me a series of questions that you are going to ask current tenants, and you excluded it from this week's packet.

MR. DARNER: That is all part of the entire packet. No, it's part of the packet itself. What this is, is that this is only a guide for the tenants to kind of follow, and they I'll be sitting down with each and every tenant to go over those 16 points, and many others that I am sure

that they will bring up, as well as myself.

MS. BARRIOZABAL: Okay. Now, another item here is: "All proposals and proposed lease agreements shall be reviewed by the Director of the Department of Parks & Recreation and appropriate recommendations presented for consideration to City Council through the City Manager."

I would think that item three, in the seven-point list, which states that a commission will be created...or create a committee of La Villita tenants...

MR. DARNER: Yes.

MS. BERRIOZABAL: ...if we can substitute that one for the other.

MR. DARNER: Again, it is staff's.....

MS. BARRIOZABAL: See, we've got two statements.

MR. DARNER: It is staff's...yes...but it's still staff's recommendation, from the standpoint through staff to City Council. This committee will be advising staff.

MS. BERRIOZABAL: Okay. Well, the question is, who do you suggest the committee be composed of?

MR. DARNER: We are working on that at the present time and will have a recommendation next week.

MS. BERRIOZABAL: You'll come back with a recommendation on the committee?

MR. DARNER: Yes, we will come back.

MS. BERRIOZABAL: Another one is that the current tenants whose proposals indicate an inability or lack of commitment consistent with the goals outlined in this particular document will not be awarded a lease. We have changed that with item one of the seven-point.....

MR. DARNER: The 1939 ordinance....

MS. BERRIOZABAL: That's going to take precedence.

MR. DARNER:is basically, and is actually the same thing as what we had written into our proposal.

MRS. BERRIOZABAL: Okay. What I have done, because I realize that not all the tenants at La Villita were members of the Tenants Association. I sought to get the signatures of each tenant. We still have not gotten them, but when we complete the list, I would like to have it incorporated in the document, also.

MR. DARNER: That would be fine. I know that there's, I believe, three out of the city and in one particular case, out of the states. I might add that I mentioned that I not only will work, of course, with the Tenants Association, but with all the tenants themselves.

MS. BERRIOZABAL: Okay, and then the other one is just a question; you don't really address it at all here, but it's something that's very important...or rather, two items. One of them is, where is the situation of hiring a management firm to run La Villita?

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MR. DARNER: That should be on Council within the next couple of weeks. We are sending out some letters at the present time.

MS. BERRIOZABAL: Okay, so right now we are not taking any action. My understanding is that we are not taking any action at all on whether we would like to have a management consulting firm there, as opposed to having City staff handle it directly.

MR. DARNER: Well, what the recommendation has been is that, of course, City staff would still manage La Villita, but we would have assistance from either a real estate firm or individual, on an individual basis, to give us guidance as far as the contract terms, length of time, prices, etc.

MS. BERRIOZABAL: But that's what you refer to in the document as the rental consultant.

MR. DARNER: That's correct.

MS. BERRIOZABAL: To me that was one thing, and another was a management firm to run it, period.

MR. DARNER: We did not recommend that and neither did Centro 21.

MS. BERRIOZABAL: Okay. I would suggest, Mr. Darner, that in the Resolution here...the Resolution that will be voted on...that we add, that in those instances where there are differences in the text of the policy...as I mentioned right now...where there's a difference between the text in the policy statement and the addendum that we have, that the addendum will take precedence, because those three specific instances that I mentioned are saying different things. In the policy statement it states one thing, and then is superceded by the tenant...the list.

MR. DARNER: That's Council's prerogative to do that. Again, the Council's sheet here is worded a little bit differently than what we have worded, but basically is the same thing.

MS. BERRIOZABAL: Okay. Well then what I would like to do is add an amendment to the motion, and I think Mr. Thompson's motion was to accept the recommendation of staff. And I would like to have an amendment that in those instances...I don't know the correct wording...but in those instances where there are differences in the policy statement and the seven-point agreement with the tenants, that the tenants agreement take precedence, and that's because of the three items that I mentioned.

MR. ALDERETE: Second.

And then my last question is one on a point of information also and it's not mentioned in this at all...the statement is, as far as I am concerned, is, you know, fine that way. The chilled water: I want to know at what point did the staff, or did the City, or the City Council, decide to have a chilled water installation in the area. The reason I mention this is because there is concern on the part of a lot of people...the tenants also. It was not addressed here, but there's a concern that it is a very expensive system; that in fact we have been having a lot of trouble in the HemisFair area because of the chilled water system there. Some people even feel very strongly that one of the reasons that a lot of the tenants at HemisFair went broke was because the cost of the chilled water was even more, in many instances, than the rent. And the tenants at La Villita are concerned that they are going to be paying for the cost of the system.

(Mayor Cisneros was obliged to leave the meeting and Mayor Pro-Tem Archer presided.)

MR. DARNER: The chilled water, as far as the initial construction, for us is more expensive of course than placing in a regular or normal system. However, the life span of the chilled water is approximately three to four times longer, as far as maintenance, so we have less maintenance on these systems, etc. The cost, according to the architects, the cost, as far as installation inside the buildings, is basically the same as a normal system. Our construction costs, through the grant, is more expensive, yes. We have a historic La Villita and a very important portion of that is the esthetics in La Villita. Doing away with the outside compressor units is very important because of the noise that it creates, number one; number two, the condensing...water condensing on the various stones... and of course trying to hide a condensing unit is very difficult to do. It also does away with the window units, which as far as I'm concerned are very unsightly and should not be placed in a historic location such as La Villita. So, we do have several factors; although construction cost is more expensive, in the long run the maintenance is much cheaper and much more beneficial to the City and I believe to the tenants, as well. As far as the payments: this is higher, depending upon the square footage, and the architects are doing some work on that. It looks like between 30 and 50 per cent, somewhere in that particular range, higher. Now, that's only preliminary figures.....

MS. BERRIOZABAL: 30 to 50 per cent higher? Their utility bills are going to be 30 to 50 per cent higher because they have chilled water?

MR. DARNER: That is what the architects' preliminary figures have shown, but again, there is something that is very important as far as La Villita, and that is doing away with a lot of the problems that we really have at the present time.

MS. BERRIOZABAL: At what point was this decided, or who decides?

MR. DARNER: We looked at it from the points that I just mentioned. This is a decision that staff...myself...and then we did have a review process that the Centro 21 committee reviewed, as well, and discussed at length in their committee meetings, by the way.

MS. BERRIOZABAL: But we have not had an opportunity to.....

MR. DARNER: No, this is a staff recommendation as far as the architects and the design of the facility, itself.

MS. BERRIOZABAL: I think it would be...I myself would like to have a briefing on what made you decide this, you know, how is it more economically feasible to go the chilled water route.

MR. DARNER: I'd be happy to have a briefing on this anytime the Council desires.

MAYOR PRO TEM ARCHER: Mr. Alderete.

MR. ALDERETE: Thank you, Mr. Archer. Question, Ron. If the maintenance is cheaper on chilled water and if it's supposedly more efficient, and if it's equal in cost to install, why are utility bills going to go up by 30 to 50 per cent?

MR. DARNER: Again, it's based upon the square footage that we have in La Villita. Many of the buildings as you know are quite small. If you have a larger capacity, the larger building, I'm sure it will be cheaper. As an example, in the McAllister Building where you have a lot of square footage involved, cubic feet actually, than it would be in one of the smaller 20 by 20 buildings. So your efficiency goes up as the square footage... or cubic feet...enlarges or increases. Be happy to have it by building-by-building. As I mentioned, the engineers are working on that at the present

time .

MR. ALDERETE: Well, I don't understand. How...you know, whatever their existing bill is now, paying for air conditioning, if your remarks are accurate and that, you know, it's more efficient....

MR. DARNER: It's more efficient from the standpoint of maintenance, is what I was referring to.

MR. ALDERETE: Oh, okay. It's not more efficient from the standpoint of cooling.

MR. DARNER: No, not from the standpoint of the buildings that we are dealing with. Historic buildings, yes. It is more efficient, as far as I am concerned. As far as the size of buildings, no. If you're dealing with the Arena, yes, that's correct.

MR. ALDERETE: You're talking about cubic feet in a room, it's not as efficient as the conventional form of air conditioning.

MR. DARNER: That's correct.

MR. ALDERETE: That's why the bill is going to go up 30 to 50 per cent.

MR. DARNER: Yes.

MR. ALDERETE: Okay. I really think that that really needs to be evaluated very carefully, because I think that's going to be a shock to a lot of the tenants, if their utility bill goes up by 30 to 50 per cent, or if it's increased through their rent rate, or whatever it may be. But my concern stems from the concern that was expressed to me by the Convention Facilities people, in that the chilled water system over there is not the most effective, efficient way of cooling that large area, and if we're talking about large areas over there and it's not being efficient in large areas, and we're talking about small areas over here and it's not being efficient for small areas, I'm confused as to where it becomes efficient, you know, because I understood you to say that it became more efficient in larger areas, and what I understood from Joe Madison...and I'm not trying to be critical of you or anything, but I'm confused because I'm getting one reading from him in that it does not work in large open expanded areas, and I'm getting another reading from you that it doesn't work in smaller areas...well, then, if it doesn't work in either one.....

MR. DARNER: Of course, the Arena, as an example, is considerably different than the McAllister Building, where we do have quite a bit of square footage involved.

MR. ALDERETE: What is the McAllister Building?

MR. DARNER: The McAllister Building is the building leading into La Villita from Alamo Street. It's the larger building that we have in La Villita... single building, in La Villita...other than Bolivar Hall.

MR. ALDERETE: Where the Rhein Steakhouse is?

MR. DARNER: Yes, right across Villita Street from the Little Rhein.

MR. ALDERETE: That's the McAllister Building?

MR. DARNER: Yes.

MAYOR PRO TEM ARCHER: Does that conclude.....

MR. ALDERETE: Well, no, I don't really want to raise any other issue, other than I think what Ms. Berriozabal already stated as far as in her motion. I concur with it, that's why I seconded it. Put I do think that chilled water system needs to be carefully evaluated because I'm just concerned...some of the readings I'm getting from the Convention Facilities, and from some of the readings I'm getting from you, it sounds like it's inefficient in both cases. If it is inefficient, I don't think any of these tenants would want their rates to go up in the utility area. I think they're going to suffer enough with the guaranteed rate increases CPSB is projecting for them.

MR. DARNER: I'll send the full report in to Council, because the engineer working with the architects is finalizing all these figures at the present time.

MR. ARCHER: All right. Okay. Thank you, Mr. Alderete. We'll be voting then on Mrs. Berriozabal's.....

MR. ALDERETE: If we could also get an alternative system, as to what the engineer's recommending. Thank you.

On roll call, Maria's amendment carried by the following vote:
AYES: Berriozabal, Dutmer, Wing, Eureste, Thompson, Alderete,
Archer, Hasslocher; NAYS: None; ABSENT: Webb, Canavan, Cisneros.

The main motion as amended carried by the following vote:
AYES: Berriozabal, Dutmer, Wing, Eureste, Thompson, Alderete,
Archer, Hasslocher; NAYS: None; ABSENT: Webb, Canavan, Cisneros.

* * * *

81-37

LEGISLATIVE REPORT

Ms. Karen Davis, Executive Assistant to the City Manager explained that the 67th Legislature will convene for Special Session on July 13, 1981. She stated that included for consideration is a bill relating to revising various provisions of law governing the property tax and its administration (H.B. 1465 introduced by Wayne Peveto during the regular session.)

She introduced recommendations for City Council consideration.

After consideration, Mrs. Dutmer made a motion to accept staff's report. Mr. Alderete seconded the motion. On roll call, the motion carried by the following vote: AYES: Berriozabal, Dutmer, Wing, Eureste, Thompson, Alderete, Archer, Hasslocher; NAYS: None; ABSENT: Webb, Canavan, Cisneros.

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81-37

DISCUSSION REGARDING ZONING CASE 8500

In response to a question by Mr. Eureste, Ms. Jane Macon, City Attorney stated that special meetings can be called for emergencies. She stated that this is subject to State Statute and a certain notice provision needs to be adhered to.

Mr. Eureste then made a motion to direct staff to investigate the zoning procedure with regard to case 8500. Mrs. Dutmer seconded the motion.

Mrs. Dutmer stated that she would not object to hearing the case again.

Mr. Thompson stated that the City Council is only voting to reconsider and review the zoning case.

After discussion, the motion failed to carry by the following vote: AYES: Berriozabal, Dutmer, Eureste, Thompson, Alderete; NAYS: Wing, Archer, Hasslocher; ABSENT: Webb, Canavan, Cisneros.

81-37

CITIZENS TO BE HEARDFRIENDS OF THE SAN ANTONIO PUBLIC LIBRARYMR. DAN H. LAURENCE

Mr. Laurence, Chairman of the Public Affairs Committee, read a prepared statement to the City Council. (A copy of which is on file with the papers of this meeting.) He urged the City Council to provide the library with funding adequate to its needs and requested an annual per capita expenditure of \$6.50 to gain parity with the library support provided by Austin, Dallas and Houston City Councils.

Mr. Wing stated that the City Council has made a commitment to keep a viable library system.

Mr. Richard Sanchez, Board Members stated that he is disappointed that no question were asked of the Board.

Mrs. Dutmer stated that she has given money out of her discretionary funds to be used by the Library.

Mr. Thompson asked that Library Board members be introduced and stated that silence from the City Council shall not be read as indifference.

Mr. Sexton, Library Board Director introduced the Board Members Friends of the Library who were present in the audience.

Mr. Eureste stated that the City Council is sensitive to the needs of the Library and wants the Board to be supportive of all libraries in all areas of the City.

Mr. Alderete concurred with statements made by Mrs. Dutmer and felt that the letter brought up the points which are pertinent.

MR. ALBERT L. MORGAN

Mr. Morgan stated that he was terminated from employment for inhumane treatment to dogs and stated that the Civil Service Commission ruled that a suspension, not termination, be imposed on him for the occurrence he was involved in. He took issue with the action of the City Manager, Mr. Huebner, to overrule the Civil Service Commission and terminate him. He asked the City Council to review his case.

In response to Mr. Thompson, Mr. Morgan related the incidents of this case and what had transpired. He stated that he had been employed for three years.

In response to Mr. Eureste, Mr. Morgan related that he had never had any problems or reprimands. He stated that he belongs to UPEA. Mr. Eureste stated that the Council has no power to reinstate employees, only the power to fire the City Manager.

MR. ROBERT N. MAZER

Mr. Mazer stated that a legal opinion was issued by the City Attorney with regard to Bingo and they have been abiding by these opinion statements. He stated what had transpired and the matter that their BINGO was raided and he was arrested. He stated that they did not violate any rules and that civil right violations of many citizens took place.

Chief Police Robert Heuck stated that the policy was a ruling issued by former City Attorney, Jim Parker. He asked that the arrest not be discussed in public and asked that Mr. Mazer visit with Internal Affairs on the issue of Police Officers handling of this case.

Sgt. Duke Hoff stated that all bingo games are monitored to find out if donations are indeed solicited if bingo cards sold.

In response to Mrs. Berriozabal, Chief Heuck stated that the female who was searched by a male officer should come in and make a report.

Mrs. Dutmer stated that she has difficulty with not all bingo organizations being raided, only certain ones being monitored.

Mr. Eureste stated that he feels that the Department could best serve the public by paying more attention to crime rather than assigning personnel to raid bingo operations.

Mr. Wing agreed that raiding procedures should be equal to the Police Department's reacting to citizen complaints.

Mr. Archer reiterated the statements made by Mr. Wing.

MR. RAUL RODRIGUEZ

Mr. Rodriguez stated that he agrees that the City Council should be given an increase in salary. He stated that the City needs full-time Council members. He stated that this can be accomplished through Charter Revision. He asked why the Police officers can be given raises without any input from the general public. He asked that the City Council appoint a committee from the general public to sit in with discussions on pay increases for the police.

Mr. Eureste stated that Mr. Rodriguez, overall, provides a good service to the City because of his remarks to the City Council.

MRS. MARIA DOMINGUEZ

Mrs. Dominguez spoke about the escalation of prices in the City with regard to utilities. She also took issue with the City Council approving the Ordinance on the Banking-Corridor Garage.

MRS. MONICA LAFLEUR

Mrs. Lafleur stated that she is constantly harrassed by the Police Department.

MR. RAUL LOPEZ

Mr. Lopez stated that he wants permission to solicit for funding for Muscular Dystrophy at Hemisfair Plaza.

Mr. Hasslocher commended Mr. Lopez for his efforts.

Mrs. Berriozabal asked Mr. Lopez to work with the Muscular Dystrophy Association. He was directed to staff to get the necessary permit.

81-37 The Clerk read the following Letter:

July 2, 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.

July 1, 1981

Petition submitted by Mrs. Joe P. Ibarra and other residents in her area, requesting to have drainage and sidewalks installed in the 900, 1000, and 1100 Blocks of Allende.

* * * *

/s/ NORMA S. RODRIGUEZ
City Clerk

There being no further business to come before the Council, the meeting was adjourned at 6:50 P.M.

A P P R O V E D

Henry Cisneros
M A Y O R

ATTEST

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