

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, DECEMBER 16, 1982.

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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.

82-54 The invocation was given by Rev. Eddie Quates, formerly of the Southeast Baptist Church.

82-54 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

82-54 CHRISTMAS GROUPS

Mayor Cisneros gave his personal thanks to the many San Antonio organizations who raise money and toys for the City's young children for Christmas. He spoke of the economic problems of many of our citizens, and gave special thanks to groups such as the U.S. Marine Corps' Toys for Tots Program, Elf Louise, Telethon Navideno, the American Institute of Banking and the Pancho Claus campaign of the American G.I. Forum. Mayor Cisneros spoke of the number of local firms who have had to shut down or reduce their personnel in the past year, and thanked the many San Antonians who have extended themselves to help others in this Christmas season.

82-54 AIR FORCE BAND OF THE WEST

Mayor Cisneros introduced the members of the brass quintet ensemble from the Air Force Band of the West, led by Master Sgt. John Irish, who played three selections while Santa Claus distributed candy canes to members of the City Council and the audience.

82-54 JOB FAIR

Mayor Cisneros spoke of the details of the recently-held Job Fair during the month of November, sponsored by the San Pedro Hills Lions Club and United San Antonio.

Mayor Emeritus Lila Cockrell, representing United San Antonio, thanked the Council for allowing the free use of the City's convention facilities for the Job Fair, stating that the event brought together more than 60 San Antonio employers with those who were seeking jobs in various areas, with evident long-term benefits for all of San Antonio. She stated that the San Pedro Hills Lions Club and United San Antonio again next September 13-14 would co-sponsor a Job Fair, and asked the City of San Antonio again to participate by waiving fees for use of the Convention Center facilities.

Mr. Mike Lampkin, representing the San Pedro Hills Lions Club, reported on results of the Job Fair, stating that some 3,000 or more persons attended the sessions and wrote job resumes. He further noted that 100-125 of those were placed into jobs as a result of the Job Fair, with another 175 placed into job training and another 30 persons placed into temporary jobs as a result. He described the Job Fair efforts as very successful.

Mr. Lampkin distributed Certificates of Appreciation to members of the City Council for their assistance, and made Mayor Cisneros an honorary member of San Pedro Hills Lions Club.

Several members of the City Council thanked the Lions Club and United San Antonio for their efforts in staging this event.

Mayor Cisneros asked City staff to make plans to have the City participate in the next Job Fair event next September.

82-54

MR. DEMETRIO RODRIGUEZ

Mayor Cisneros spoke of the background of Mr. Demetrio Rodriguez, the San Antonian whose court challenge to the state's present method of funding school districts went all the way to the U.S. Supreme Court and may have brought about the first substantial changes in the state school financing system in Texas. He also noted Mr. Eureste's work in this area, and read the following Proclamation:

THIS EXTRAORDINARY CITY EARNED ITS POSITION AMONG AMERICA'S UNIQUE CITIES BECAUSE OF THE MANY CONTRIBUTIONS MADE IN THE PAST BY SPECIAL PEOPLE LIKE YOU. OUR PRESENT CITY IS NOTHING MORE AND NOTHING LESS THAN THE SUM OF ALL THESE EFFORTS.

THE MAYOR AND MEMBERS OF THE CITY COUNCIL WOULD LIKE TO TAKE THIS OPPORTUNITY TO COMMEND YOU FOR THE MANY YEARS OF SERVICE TO THE COMMUNITY. THE COUNCIL RECOGNIZES THE ACTION YOU AND OTHER MEMBERS OF THE EDGEWOOD TAXPAYERS ASSOCIATION TOOK TO SEEK REDRESS FOR THE STATE SYSTEM OF SCHOOL FINANCING. THIS ACTION WAS RESPONSIBLE FOR INITIATING INTEREST AND CONCERN OVER DISPARITIES IN SCHOOL FINANCING THROUGHOUT THE UNITED STATES AND HAS LED TO EXTENSIVE LEGISLATIVE RELIEF IN MANY STATES THROUGHOUT THE COUNTY.

AT THIS TIME, THE MAYOR AND CITY COUNCIL CALL TO THE ATTENTION OF ALL THE CITIZENS OF SAN ANTONIO YOUR VERY IMPORTANT CONTRIBUTIONS AND HEREBY PROCLAIM YOU AS

"BENEFACTOR DE LA COMUNIDAD"

THE COMMUNITY OWES YOU A GREAT DEBT OF GRATITUDE. YOU SHOULD ALWAYS TAKE GREAT PRIDE IN KNOWING THAT YOU HAVE JOINED THE RANKS OF ALL EMINENT SAN ANTONIANS WHO HAVE MADE THIS CITY SUCH AN EXCEPTIONAL PLACE WITH SUCH A BRIGHT FUTURE.

Mayor Cisneros then named a number of persons, present in the audience, who had a part in this effort to restructure school financing in Texas, and asked them to come forward with Mr. Rodriguez.

Mr. Eureste asked Mrs. Belen Rodriguez, wife of Mr. Demetrio Rodriguez, daughter Patty and son Carlos also to come forward. He then introduced a number of school district officials present in the audience, representing the Edgewood, Harlandale, San Antonio and South San Antonio Independent School Districts.

Dr. Jose Cardenas, educational consultant, spoke of the background of the court case ultimately lost by Mr. Rodriguez on a 5-4 vote of the U.S. Supreme Court, a case that he said nevertheless is bringing changes in the method of financing of all school districts in Texas.

Mr. Thompson spoke of the many educational responsibilities of

the school districts and their officials, and stated that the disparity in financing between districts is a tragic matter. He then spoke of his hope for continued successes in bringing parity to school enrichment funding.

Ms. Berriozabal spoke of the court case and its ramifications, stating that a public school education is not a birthright. She commended Mr. Rodriguez for his stand.

Mrs. Dutmer spoke of the successes of many people who overcome the disadvantages of a lesser-funded public school education, and also spoke of her pride in Mr. Rodriguez for his accomplishments in this matter.

Mr. Eureste spoke of his closeness to the Rodriguez family and thanked Mr. Rodriguez for his stand, and further thanked the City Council for conveying this honor to Mr. Rodriguez.

Mayor Cisneros and Mr. Eureste then presented the Benefactor de la Comunidad proclamation to Mr. Rodriguez, and members of the City Council individually congratulated him.

Mr. Rodriguez thanked the Council for the honor, and stated his belief that we still need educational reform in San Antonio.

Mayor Cisneros stated that United San Antonio is currently putting out a study on the disparity in educational enrichment funds in San Antonio.

Mrs. Cockrell stated that a news conference would be held at 3:00 P.M., January 7, 1983, at which time a report would be made on this matter. She further noted that Dr. Cardenas headed the study team effort in this regard.

32-54

"WE BELIEVE IN SAN ANTONIO" CAMPAIGN

Mayor Cisneros introduced Mr. Dic McGoon, creator of the "We Believe in San Antonio" publicity campaign.

Mr. McGoon spoke of the 1977 publicity campaign of the Greater San Antonio Chamber of Commerce on the theme: "Nowhere Else But San Antonio", and stated that it now was time for San Antonio to launch a new slogan expressing confidence in San Antonio, and carrying that theme-line. He spoke of the background of the creation of the current bus bench advertising with such a new slogan, created by his firm, and spoke further of his hopes that the news media in San Antonio would pick up on that theme and carry it forward. He suggested several uses for the theme to achieve more publicity for it, including asking the City Council to encourage large firms to use that theme in their own advertising copy in national and regional publications.

Mayor Cisneros stated that last year he had asked a number of large local firms to do just that, to help sell the City of San Antonio in their national and regional advertising, and spoke of his appreciation for that effort.

Mr. McGoon distributed T-shirts and bumper stickers to members of the City Council, each bearing the "We Believe In San Antonio" theme-line, and volunteered to make available the art work and other materials he had developed to any firm wishing to use it to publicize San Antonio.

Members of the City Council congratulated Mr. McGoon for his public service efforts on behalf of San Antonio.

Mr. Webb asked that the City explore the possibility of assisting in this endeavor.

Ms. Berriozabal stated that Centro 21 might be able to help.

82-54

YOUTH CONFERENCE

Mr. Wing stated that some 230 persons recently took part in a Youth Conference, at which toxicant inhalants were one major topic discussed. He stated further that the Community Cultural Arts Association has developed a coloring book to be distributed to young children, and he distributed copies to members of the City Council.

82-54

DISTRICTING ELECTION IN PHOENIX

Mayor Cisneros spoke of having received a letter from Phoenix, Arizona in connection with that City's recent election at which a district system of representation replaced a previously all at-large system. He noted that the City of San Antonio was used as an example by the forces favoring districting in their publicity prior to the election, and stated that the letter from the Committee for District Representation in Phoenix expressed its gratitude to the people of San Antonio for their help.

Mr. Thompson stated that the people of Phoenix, in that election, overcame the reticence of the business community and convinced the voters that a district form of representation can succeed.

82-54

CONSENT AGENDA

Mrs. Dutmer moved that items 6 - 20 constituting the consent agenda be approved with the exception of item 19, to be pulled for individual consideration. Mr. Hassloch seconded the motion.

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

AN ORDINANCE 56,243

ACCEPTING THE LOW BID OF AMERICAN SCIENTIFIC PRODUCTS TO FURNISH THE METROPOLITAN HEALTH DISTRICT WITH A BIOHAZARD SAFETY CABINET FOR ITS LABORATORY FOR A TOTAL PURCHASE PRICE OF \$4,846.00.

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AN ORDINANCE 56,244

ACCEPTING THE LOW QUALIFIED BIDS OF KOETTER FIRE PROTECTION SERVICE, INCORPORATED, BEXAR FIRE AND SAFETY AND FIREQUIP TO FURNISH THE CITY OF SAN ANTONIO WITH FIRE HOSE FOR A TOTAL OF \$35,485.65.

* * * *

AN ORDINANCE 56,245

ACCEPTING THE LOW QUALIFIED BIDS OF S & L SEAGRAVE SALES, INCORPORATED, W. A. NEEL ASSOCIATES, KOETTER FIRE PROTECTION SERVICE COMPANY, INC., FIRE-END AND CROKER CORPORATION, AND BASHCAR, INC. TO FURNISH THE CITY OF SAN ANTONIO WITH FIRE FIGHTING EQUIPMENT FOR A TOTAL OF \$14,042.95.

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AN ORDINANCE 56,246

ACCEPTING THE LOW BID OF ALL-LINE, INCORPORATED, TO FURNISH THE CITY OF SAN ANTONIO WITH HELICOPTER RESCUE NETS FOR A TOTAL OF \$3,810.00.

* * * *

AN ORDINANCE 56,247

ACCEPTING THE LOW BID OF 4-10 PRINTING CENTER TO FURNISH THE CITY OF SAN ANTONIO CONVENTION & VISITORS BUREAU WITH THE PRINTING OF SIX (6) ISSUES OF THE NEWSLETTER "BESIDES THE ALAMO" FOR A TOTAL COST OF \$4,440.00.

* * * *

AN ORDINANCE 56,248

ACCEPTING THE LOW QUALIFIED BID OF THE W. A. TAYLOE CO., INC., TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS PARKING FACILITIES WITH A PORTABLE ALUMINUM FABRICATED BUILDING FOR A TOTAL PURCHASE PRICE OF \$4,658.70.

* * * *

AN ORDINANCE 56,249

ACCEPTING THE CONTINUANCE OF THE OCLC INTERLIBRARY LOAN SUBSYSTEM SERVICE AS PROVIDED BY AMIGOS BIBLIOGRAPHIC COUNCIL, INCORPORATED, FOR AN ESTIMATED TOTAL OF \$17,362.

* * * *

AN ORDINANCE 56,250

ACCEPTING THE LOW BID OF CALMONT INDUSTRIES, INC., TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH 800,000 COMMERCIAL REFUSE STICKERS FOR A TOTAL PURCHASE PRICE OF \$14,952.00.

* * * *

AN ORDINANCE 56,251

ACCEPTING THE PROPOSAL FROM THE BIRD MACHINE COMPANY, INCORPORATED, TO REPAIR A BIRD CENTRIFUGE MACHINE LOCATED AT THE RILLING ROAD TREATMENT PLANT FOR A TOTAL OF \$23,272.60.

* * * *

AN ORDINANCE 56,252

AUTHORIZING THE CITY MANAGER TO EXECUTE A PUBLIC WORKS CONSTRUCTION CONTRACT FOR THE GOLDEN DRAINAGE PROJECT NO. 250 (MODIFIED) PHASE I IN THE AMOUNT OF \$2,625,241.70; APPROPRIATING FUNDS AND AUTHORIZING PAYMENT.

* * * *

AN ORDINANCE 56,253

APPROPRIATING \$19,198.00 ACQUISITION COSTS FOR FEE SIMPLE TITLE FOR A STORM DRAINAGE RIGHT OF WAY, PARCEL 9378, GOLDEN STREET DRAINAGE PROJECT NO. 250

(MODIFIED) AND AUTHORIZING DISBURSEMENT AND DISPOSITION OF SUCH SUM.

* * * *

AN ORDINANCE 56,254

EXTENDING FOR A TWO YEAR PERIOD THE EXISTING AGREEMENT BETWEEN THE CITY AND THE SAN ANTONIO GOLF ASSOCIATION, INC., FOR LEASE OF SPACE IN THE BRACKENRIDGE GOLF COURSE CLUBHOUSE.

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AN ORDINANCE 56,255

AUTHORIZING THE GENERAL MANAGER OF THE WATER WORKS BOARD OF TRUSTEES OF SAN ANTONIO TO EXECUTE A QUITCLAIM DEED OF ANY RIGHT, TITLE AND INTEREST IN LOT 17, NEW CITY BLOCK 12025, IN THE CITY OF SAN ANTONIO.

* * * *

AN ORDINANCE 56,256

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

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82-54 The Clerk read the following Ordinance:

AN ORDINANCE 56,257

AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE LEASES WITH GEN-AERO, INC. FOR THE RENTAL OF BUILDING AND LAND AT THE SAN ANTONIO INTERNATIONAL AIRPORT.

* * * *

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

In response to a question by Mr. Hasslocher, Mr. Mike Kutchins, Director of Aviation, spoke briefly of the planned takeover of Gen-Aero, Inc. by Fairchild Aviation.

Mr. Ken Cox, Gen-Aero, and Mr. Alan Kellett, Fairchild Aviation, both spoke briefly of the plans, which include continuing Gen-Aero, Inc. as a viable company.

After discussion, 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: Harrington.

82-54 Mayor Cisneros asked for Council concensus to take up Agenda Item 40 at this time, since representatives of Bexar County and the Bexar County Hospital District are in the audience. Informal concensus was given.

The Clerk read the following Ordinance:

0539

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT TO EXTEND THE CITY'S EMERGENCY MEDICAL SERVICES SYSTEM INTO UNINCORPORATED BEXAR COUNTY FOR THE SUM OF \$650,937.00, AND FURTHER PROVIDING FOR THE BEXAR COUNTY HOSPITAL DISTRICT TO ASSUME ALL SYSTEM BILLING AND COLLECTING.

* * * *

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

Mr. Wing asked that representatives of Bexar County and the Bexar County Hospital District, present in the audience, be recognized.

Mayor Cisneros introduced those representatives, and thanked Mr. Wing and his Council committee for its work on City-County contract negotiations.

County Commissioner Leo Mendoza stated that members of the joint City-County committee on contracts would be meeting again on January 7, 1983 to address the subject of possible long-term contracts between City and County on some services provided by the City, and to discuss possible formulas that might be used in such compromises.

Mayor Cisneros spoke in support of long-term contracts between City and County, to assist both in long-range budgeting. He also spoke of several problems in arriving at such long-term contracts, but stated that they would be a major step forward in government.

Mr. Wing spoke of the Hospital District's expertise in EMS billing programs.

Mrs. Dutmer stated that long-term contracts for Bexar County are not allowed by law, but that a 'memo of agreement' might solve the problem.

Commissioner Mendoza thanked the City and the Hospital District for their cooperation.

After discussion, 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: Harrington.

82-54 The minutes of December 2, 1982 were approved.

ZONING HEARINGS

21. CASE 9073 - to rezone Lots 1, 2, 3, and 4, Block 15, NCB 7188, 1132-1138 Pasadena Street, from "B" Residence District to "I-1" Light Industry District, located southeast of the intersection of Capitol Avenue and Pasadena Street having 200' on Pasadena Street and 160' on Capitol Avenue.

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

No citizen appeared to speak in opposition.

Mr. Robert Diaz De Leon, Tri Tech Engineering, spoke for the proponent, stating that this case is important to many people, and also spoke of the close proximity of this property to both residential and transportation outlets such as Interstate 10, noting that this area is

ideal for the growth of existing businesses such as the proponent's, and for extension of healthy land uses.

Mrs. Dutmer spoke against the request, stating her belief that it would open up a movement to more industrial zoning in adjacent properties. She spoke in support of rehabilitation of area homes, rather than demolition to make way for other uses.

Mr. Archer stated that Capitol Avenue is a major dividing line between residential and commercial zoning, and that this request would intrude into a residential area across Capitol Avenue.

Mr. Archer moved that the recommendation of the Zoning Commission to deny this change of zone be approved. Mrs. Dutmer seconded the motion.

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

Case 9073 was denied.

22. CASE 9003 P.P. - to rezone a 3.714 acre tract of land out of NCB 13832, being further described by field notes filed in the Office of the City Clerk, 422 Heimer Road, from Temporary "A" One Family Residence District to "R-3" Multiple Family Residence District, located on the southeast side of Heimer Road being approximately 451' northeast of the Julienne Place and Heimer Road, having 197.4' on Heimer and a depth of 819.40'.

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

No citizen appeared to speak in opposition.

Mr. Bill Telford, planning consultant representing the proponent, spoke of the background of this rezoning request and of the meetings with citizens to address their concerns, resulting in a compromise represented by the proponent amending his petition to seek R-6 rezoning in addition to a number of deed restrictions agreed to, rather than seeking the R-3 as first asked.

Mr. Warren Ferguson, representing the Blossom Hills Homeowners Association, spoke in support of the new R-6 request plus the deed restrictions, speaking on behalf of his group.

Mr. Hasslocher moved to overrule the recommendation of the Zoning Commission and approve the requested rezoning. Mr. Archer seconded the motion.

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

AN ORDINANCE 56,259

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 3.714 ACRE TRACT OF LAND OUT OF NCB 13832, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 422 HEIMER ROAD, FROM TEMPORARY "A" ONE-FAMILY RESIDENCE

DISTRICT TO "R-6" TOWNHOUSE RESIDENCE DISTRICT.

* * * *

23. CASE 8970 P.P. - to rezone the west 56' of the east 220' of Lot 25, Block 3, NCB 8418, 715 Gardina Street, from "A" Single Family Residence District to "B-3R" Restrictive Business District, located in the north side of Gardina Street being approximately 64' west of the intersection of West Avenue and Gardina Street having 56' on Gardina Street and a depth of 104'.

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

No citizen appeared to speak in opposition.

Mr. Wiley B. Gillit, the proponent, stated that he had purchased the property some seven years ago as the site of his business, and did not until recently find it was in violation of zoning regulations, when he sought a permit for a new building. He further stated that his firm cleans air-conditioning ducts, and no actual work is done on the property concerned; it only is used to store his equipment and vehicles.

In response to a question by Mr. Archer, Mr. Andy Guerrero, Planner II, stated that there were other commercial zoning cases pending in this same area, but stated further that City staff feels that this would intrude into the residential character of this area.

Mr. Archer moved that the recommendation of the Zoning Commission be overruled and that the change of zone request be approved. Mr. Thompson seconded the motion.

Mrs. Dutmer spoke against the request, and against any further commercial intrusion into this neighborhood.

Mr. Thompson and Mr. Harrington both spoke in support of the request, noting that the man has operated his business on this site for the past seven years without a complaint from the neighbors.

Ms. Berriozabal spoke against the request, citing traffic problems in the area.

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

AN ORDINANCE 56,260

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 WEST 56' OF THE EAST 220' OF LOT 25, BLOCK 3, NCB 8418, 715 GARDINA STREET, FROM "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT.

* * * *

24. CASE 9086 - to rezone the northeast 100' of the northwest 264.88' of Tract E, NCB 13837, in the rear of 14807 Jones-Maltsberger Road, from "B-2" Business District to "B-3R" Restrictive Business District, located approximately 396' northwest of Jones Maltsberger Road, being approximately 755' southwest of the intersection of Thousand Oaks Drive and Jones Maltsberger Road having a width of 100' and a depth of 264.88'.

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

Mr. J. W. Llewellyn, 1911 Broadway, stated that the area is becoming multi-family in character, and will need this type facility.

Mr. George Miller, realtor, 14807 Jones-Maltsberger Road, spoke to the need for this type of facility in this area.

Ms. Carol Reddick, 2511 Great Oaks, spoke of her concern with intrusion of this type into a residential area, and also her concern for a planned rear wall behind the property in question, between it and the residences to the west.

Ms. Patricia Alva, 2527 Great Oaks, spoke against plans for construction of the large wall across the rear of the property, stating that she prefers for the large trees on the property to remain instead of erecting a wall there.

Ms. Julia Connelly, 2515 Great Oaks, stated that the presently-undeveloped area, where the proposed zoning change is planned, provides an excellent buffer between the street and the residences nearby. She also spoke in support of maintaining the green area as a buffer.

Ms. Jeanette Mills, 15203 Oak Spring, spoke against any change in the zoning character of the area.

Mr. Herbert Ward, 2902 Oak Leigh, stated that the planned wall would abut his property and spoke to his concern for drainage, if the wall is built. He also spoke of his concern for a loss of value for his home and property.

Mr. Miller stated that the facility would be an advantage to the general community, and further noted that the rear wall would be 10-12 feet in height.

Mr. Hasslocher stated that there have been many zoning cases in the Thousand Oaks area lately, and that a residence in the area is a major investment. He noted that City staff had received a petition with 127 signatures on it, opposing the requested rezoning, and spoke in support of City staff's opposition.

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

Mr. Thompson, Mr. Webb and Ms. Berriozabal all spoke against the request.

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

CASE 9086 was denied.

25. CASE 9083 S.R. - to rezone Parcel 2, NCB 16552, in the 6600 block of East F.M. 1604, from Temporary "R-1" One Family Residence District to "I-1" Light Industry District for a car and motorcycle race track, located on the west side of F.M. 1604 being northwest of the intersection of Benz-Engleman Road and F.M. 1604, having approximately 1667' frontage along the west side of F.M. 1604, and an average depth of 1986'.

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. Daryl E. Godfredson, 14460 N.W. Military Highway, described the planned race track on some 84 acres of land, stating that it would be a motor sports recreational facility, family-oriented. He further stated that flood storage restrictions make some 94 per cent of the property unusable for a permanent structure of any type.

In response to a question by Mr. Webb, Mr. Andy Guerrero, Planner II, stated that City staff is in opposition to the requested rezoning.

Mr. Webb moved that the recommendation of the Zoning Commission be overruled and that the requested rezoning be denied. Mrs. Dutmer seconded the motion.

Mr. Thompson noted that 94 per cent of the property cannot be built upon with any type of structure, making the property of very little commercial use.

Mr. Archer made a substitute motion that the property be rezoned Permanent "R-1". Mr. Webb seconded the motion.

Mr. Webb spoke of the uses allowed in an I-1 zoning that would be opposed by residents of that area, and further spoke of his opposition to a rezoning that allowed motorcar racing in the area.

Mrs. Dutmer stated that a stock car track nearby on Binz-Engleman Road some years ago polluted the area with noise, and further stated that the area now is building up with residences.

Mr. Wing noted that most of the land is unusable for building, and that a Permanent R-1 zoning would put undue restrictions upon the property. He spoke in favor of the request, and discussed land usage under a Permanent R-1 zoning.

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

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

CASE 9083 S.R. was denied.

82-54

3:00 P.M. PUBLIC HEARING AND ORDINANCE
AMENDING CHAPTERS 36 AND 42 (CITY CODE)

Mayor Cisneros declared the Public Hearing open, and briefly explained the proposed Ordinance amending Chapter 36 of the City Code (Subdivision Regulations) and Chapter 42 of the City Code (Zoning Ordinance).

No citizens appeared to speak on the matter.

Mayor Cisneros declared the Public Hearing closed.

The Clerk read the following Ordinance:

AN ORDINANCE 56,261

AMENDING CERTAIN SECTIONS OF THE CITY SUBDIVISION
AND ZONING REGULATIONS RELATING TO SEWER PLATTING
FEES.

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

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

ZONING HEARINGS (continued)

26. CASE 8978 - to rezone Lot 12, NCB 11876, 1940-1942 E. Lawndale Drive, from "A" Single Family Residence District to "P-1" (R-1) Planned Unit Development Single Family Residence District, located on the southside of Lawndale Drive, being 232.2' west of the intersection of Lawndale Drive and Goodnight Drive, having 232.3' of Lawndale Drive and a depth of 562.3'.

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

Mr. Andy Guerrero, Planner II, stated that because of the number of adjacent property owners in opposition, nine affirmative votes would be needed to approve the request.

Mr. Bill Schlansker, the proponent, stated that he had met with opponents to the request in past months, and stated his willingness to scale down the number of living units to be built to 14 in the area, and spoke to current plans under a projected Planned Unit Development concept, including amenities planned.

Dr. R. T. Maurer, 1926 East Lawndale Drive, stated that he had owned the adjacent property for some 30 years, and spoke in support of the PUD request.

Mr. Robert Morris, 7906 Thornhill, stated that the requested rezoning would change the character of the neighborhood, including the density of homes in the area.

Ms. Virginia Cooper, 218 Rockhill, stated that 23 of 25 residents in the immediate area are opposed to the request, and spoke to her concern for the protection of their investment in homes.

Mrs. Dorothy Akers, 303 East Sunset Road, spoke of her concern for more traffic in the area, and also spoke of flooding problems nearby.

Dr. D. J. Callihan, 241 East Sunset Road, spoke of her objection to plans to locate a swimming pool for the Planned Unit Development and a wall adjacent to her home. She also spoke of her concern for flood drainage in the area.

Ms. Clare Golden, 219 Rockhill, representing the Oak Park North Neighborhood Association, stated that this is a stable residential neighborhood.

Mr. Armand Venezia, Chairman of the Oak Park North Neighborhood Association, spoke in opposition to the request.

Mr. Archer moved to approve the recommendation of the Zoning Commission. Mr. Webb seconded the motion.

Mrs. Dutmer spoke in favor of the PUD plan because it forces a developer to build what he promises.

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

CASE 8978 was denied.

0545

4:00 P.M. PUBLIC HEARING AND RESOLUTION-
GUADALUPE THEATER RENOVATION PROJECT

Mayor Cisneros declared the Public Hearing open, and briefly explained the proposed Resolution approving an Industrial Revenue Bond Issue for the Guadalupe Theater Renovation Project.

No citizens appeared to speak on the matter.

Mayor Cisneros declared the Public Hearing closed.

The Clerk read the following Resolution:

A RESOLUTION
NO. 82-54-75

MAKING CERTAIN FINDINGS WITH RESPECT TO A PUBLIC HEARING, APPROVING THE ISSUANCE OF BONDS BY THE CITY OF SAN ANTONIO INDUSTRIAL DEVELOPMENT AUTHORITY TO FINANCE A PROJECT FOR W. B. SCHLANSKER d/b/a/ THE SCHLANSKER INTERESTS AND DECLARING AN EMERGENCY.

* * * *

Mr. Wing moved that the Resolution be approved. Mr. Eureste seconded the motion.

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

ZONING HEARINGS (continued)

27. CASE 9081 - to rezone Lot 35, Block 16, NCB 15786, in the 7800 Block of Midcrown Drive, from "R-3" Multiple Family Residence District to "O-1" Office District, located northeast of the intersection of Gawain Drive and Midcrown Drive having approximately 180' on Gawain and approximately 133' on Midcrown.

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

No citizen appeared to speak in opposition.

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

AN ORDINANCE 56,262

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 35, BLOCK 16, NCB 15786, IN THE 7800 BLOCK OF MIDCROWN DRIVE, FROM "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT.

* * * *

28. CASE 8993 - to rezone Lots 12 thru 27, Block 1, NCB 13857, Lots 12 thru 25, Block 2, NCB 13858, in the 9600 Block of Heidelberg Street, from Temporary "A" Single Family Residence District to "R-4" Mobile Home District, located on the east and west side of Heidelberg Street, being 961.5' and 1038' south of the intersection of Weidner Road and Heidelberg Street, having 1110' & 1010' on Heidelberg Street, and a depth of 161.5'.

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.

Mr. Hasslocher moved that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished, if necessary, and that the applicant work with the Traffic Engineering Division for street improvements to bring Heidelberg Street up to City standards. 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, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Eureste, Thompson.

AN ORDINANCE 56,263

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 12 THRU 27, BLOCK 1, NCB 13857, LOTS 12 THRU 25, BLOCK 2, NCB 13858, IN THE 9600 BLOCK OF HEIDELBERG STREET, FROM TEMPORARY "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "R-4" MOBILE HOME DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED, IF NECESSARY, AND THAT THE APPLICANT WORK WITH THE TRAFFIC ENGINEERING DIVISION FOR STREET IMPROVEMENTS TO BRING HEIDELBERG STREET UP TO CITY STANDARDS.

* * * *

29. CASE 9074 - to rezone a 3.025 acre tract of land out of 15683, being further described by field notes filed in the Office of the City Clerk, in the 10600 Block of Perrin Beitel Road, from Temporary "R-1" One Family Residence District, "B-3" Business District and "I-1" Light Industry District to "B-2" Business District, located on the westside of Perrin-Beitel Road, being approximately 1930' north of the intersection of Railroad R.O.W. & Perrin Beitel Road, having 336.98' on Perrin Beitel Road and a maximum depth of 540'.

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

No citizen appeared to speak in opposition.

Mr. Hasslocher moved that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished if necessary. 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, Webb, Dutmer, Wing, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Eureste, Thompson.

AN ORDINANCE 56,264

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 3.025 ACRE TRACT OF LAND OUT OF NCB 15863, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 10600 BLOCK OF PERRIN-BEITEL ROAD, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT, "B-3" BUSINESS DISTRICT AND "I-1" LIGHT INDUSTRY DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED IF NECESSARY.

* * * *

30. CASE 9082 - to rezone Lots 6 and 7, Block 6, NCB 2289, 2918-2922 W. Houston Street, from "C" Apartment District to "B-2" Business District, located on the south side of Houston Street being approximately 160 west of the intersection of Zarzamora Street and Houston Street having 80' on Houston Street and a depth of 120'.

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.

Ms. Berriozabal spoke of neighborhood groups working with property owners along North Zarzamora Street, between West Commerce Street and Culebra Avenue, seeking to restore the area. She stated further that Karam's Restaurant has been good for this neighborhood, and that area citizens have asked that a proposed garden area be developed on this property, as promised; that parking be confined to an area across Zarzamora Street; and that Mr. Karam meet with the neighborhood group to discuss further development of the area.

Ms. Berriozabal moved that the recommendation of the Zoning Commission be approved provided that the applicant work with the Traffic Engineering Division for 2.2 feet of right-of-way dedication. Mr. Webb 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, Alderete, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Eureste, Thompson, Harrington.

AN ORDINANCE 56,265

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 6 AND 7, BLOCK 6, NCB 2289, 2918-2922 WEST HOUSTON STREET, FROM "C" APARTMENT DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT THE APPLICANT WORK WITH THE TRAFFIC ENGINEERING DIVISION FOR 2.2 FEET OF RIGHT-OF-WAY DEDICATION.

* * * *

31. CASE 9075 - to rezone a 6.46 acre tract of land out of NCB 13827, being further described by field notes filed in the Office of the City Clerk, 15431 U.S. Hwy 281 north (San Pedro Ave.), from Temporary "A" Single Family Residence, Edwards Recharge Zone District to "P-1" (R-6) Planned Unit Development Townhouse Residence District, located on the east side of (San Pedro Ave.) U. S. Hwy 281 north, being approximately 42' southeast of the intersection of Paso Del Norte Drive & U.S. Hwy 281 north (San Pedro Ave.) having 63' on U.S. Hwy 281 north, a maximum depth of

1052.54' and a width of 379.40', and a 1.88 acre tract of land out of NCB 13827, being further described by field notes filed in the Office of the City Clerk, 15431 U.S. Hwy 281 north (San Pedro Ave.), from Temporary "A" Single Family Residence, Edwards Recharge Zone District to "O-1" Office, Edwards Recharge Zone District, located on the east side of U.S. Hwy 281 North (San Pedro Ave.) being approximately 105' southeast of the intersection of Paso Del Norte Drive and U.S. Hwy 281 North (San Pedro Ave.) having 339' on U.S. Hwy 281 North (San Pedro Ave.) and maximum depth of 312.71'.

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

Mr. Hasslocher moved that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished, and that a 6-foot solid screen fence is erected and maintained along the northeast and southeast property lines. Mr. Harrington seconded the motion.

In response to a question by Mr. Hasslocher, Mr. Milton Zaiontz, 214 Celentower, displayed and explained his plans for a Planned Unit Development and office area on the property.

Mr. Andy Guerrero, Planner II, stated that City staff concurs with the proponent's plans.

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

AN ORDINANCE 56,266

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 6.46 ACRE TRACT OF LAND OUT OF NCB 13827, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 15431 U.S. HWY 281 NORTH (SAN PEDRO AVENUE) FROM TEMPORARY "A" SINGLE-FAMILY RESIDENCE, EDWARDS RECHARGE ZONE DISTRICT TO "P-1"(R-6) PLANNED UNIT DEVELOPMENT TOWNHOUSE RESIDENCE, EDWARDS RECHARGE ZONE DISTRICT AND A 1.88 ACRE TRACT OF LAND OUT OF NCB 13827, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 15431 U.S. HWY 281 NORTH (SAN PEDRO AVENUE) FROM TEMPORARY "A" SINGLE-FAMILY RESIDENCE, EDWARDS RECHARGE ZONE DISTRICT TO "O-1" OFFICE, EDWARDS RECHARGE ZONE DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED, AND THAT A 6-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTHEAST AND SOUTHEAST PROPERTY LINES.

* * * *

32. CASE 9087 - to rezone Lots 1 and 2, Block 6, NCB 1297, 1902-1906 Pan Am Hwy North (I.H. 35 Expressway) from "D" Apartment District to "O-1" Office District, located southeast of the intersection of Muncey Street and Pan Am Hwy, having 113.3' on Pan Am Hwy and 139' on Muncey Street.

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

No citizen appeared to speak in opposition.

Mr. Webb moved that the recommendation of the Zoning Commission be approved provided that a 6-foot solid screen fence is erected and

maintained along the south property line. Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 56,267

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 1 AND 2, BLOCK 6, NCB 1297, 1902-1906 PAN AM HWY NORTH (IH 35 EXPRESSWAY), FROM "D" APARTMENT DISTRICT TO "O-1" OFFICE DISTRICT, PROVIDED THAT A 6-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE SOUTH PROPERTY LINE.

* * * *

33. CASE 9085 - to rezone Lots 1 and 2, Block 14, NCB 12920, 2702 S.E. Loop 410 Expressway, from Temporary "R-1" One Family Residence District to "B-3R" Restrictive Business District, located southeast of the intersection of Finis Avenue and S.E. Loop 410 Expressway having 120' on S.E. Loop 410 Expressway and 140' on Finis Avenue.

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.

Mrs. Dutmer moved that the recommendation of the Zoning Commission be approved. Mr. Webb seconded the motion.

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

AN ORDINANCE 56,268

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 1 AND 2, BLOCK 14, NCB 12920, 2702 SOUTHEAST LOOP 410 EXPRESSWAY, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT.

* * * *

82-54 The Clerk read the following Ordinance:

AN ORDINANCE 56,269

GRANTING A ONE YEAR LICENSE TO OPERATE A LIMOUSINE SERVICE WITHIN THE CITY OF SAN ANTONIO TO SOUTHERN COMFORT LIMOUSINE SERVICE.

* * * *

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

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

82-54 Agenda Item 35, being a proposed Ordinance amending the agreement with the Young Women's Christian Association entered into pursuant to Ordinance 44,237, for occupancy and operation of the recreation center located in the 500 block of Castroville Road, was withdrawn from consideration.

82-54 The Clerk read the following Ordinance:

AN ORDINANCE 56,270

AWARDING A CONCESSIONS CONTRACT TO PASEO DEL RIO BOATS FOR OPERATION OF BOATS AND BARGES ON THE SAN ANTONIO RIVER.

* * * *

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

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

82-54 The Clerk read the following Ordinance:

AN ORDINANCE 56,271

AUTHORIZING PAYMENT OF \$8,085.00 TO THE U.S. DEPARTMENT OF LABOR FOR DISALLOWED COSTS IN CONNECTION WITH THE CETA TITLE VII PRIVATE SECTOR INITIATIVE PROGRAM 1979/80.

* * * *

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

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

82-54 The Clerk read the following Ordinance:

AN ORDINANCE 56,272

AMENDING SECTION 6-34(b) AND 6-35 OF THE CITY CODE OF THE CITY OF SAN ANTONIO BY REQUIRING THE DOG LICENSING PERIOD TO BEGIN WITH THE DATE OF VACCINATION, AND BE VALID FOR A PERIOD OF TWELVE (12) MONTHS THEREFROM; AND AMENDING SECTION 6-45.6 TO CHANGE THE BOARDING FEE INTO COMPLIANCE WITH SECTION 6-45(a)(2).

* * * *

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

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

82-54 The Clerk read the following Resolution:

A RESOLUTION
NO. 82-54-76

SETTING A PUBLIC HEARING FOR JANUARY 20, 1983, AT 3:00 P.M. IN THE COUNCIL CHAMBERS ON THE PROPOSED AVENIDA GUADALUPE ASSOCIATION URBAN RENEWAL PLAN.

* * * *

Mr. Harrington moved that the Resolution be approved. Mr. Archer seconded the motion.

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

82-54 At the request of Mayor Cisneros, Council gave informal concensus to bypass Agenda Item 41 for the moment.

82-54 The Clerk read the following Ordinance:

AN ORDINANCE 56,273

AUTHORIZING SETTLEMENT OF CAUSE NO. SA-81-CA-100, LUIS MORALES AND INTERNATIONAL ASSOCIATION OF PROFESSIONAL FIREFIGHTERS, LOCAL #624 VS. CITY OF SAN ANTONIO, ET AL.

* * * *

Mr. Harrington made a motion that the Ordinance be approved. Mr. Alderete seconded the motion.

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

82-54 The Clerk read the following Ordinance:

AN ORDINANCE 56,274

AUTHORIZING SETTLEMENT OF A LAWSUIT STYLED PLANTO FURNITURE MANUFACTURING COMPANY, INC. vs. SOUTHERN PACIFIC TRANSPORTATION COMPANY AND CITY OF SAN ANTONIO, CAUSE NO. 77-CI-11953 IN THE 166TH JUDICIAL DISTRICT COURT OF BEXAR COUNTY, TEXAS.

* * * *

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

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

82-54 The Clerk read the following Ordinance:

AN ORDINANCE 56,275

APPROPRIATING \$30,000 PAYABLE TO THE SAN ANTONIO FOOD BANK; APPROVING A DELEGATE AGENCY AGREEMENT; AND REVISING THE BUDGET OF THE COMMUNITY SERVICES PROGRAM 1982/83.

* * * *

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

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

82-54 The Clerk read the following Ordinance:

AN ORDINANCE 56,276

AUTHORIZING THE CITY MANAGER TO EXECUTE A FIVE YEAR CONTRACT WITH THE MARKET SQUARE ASSOCIATION AND THE EL MERCADO MERCHANTS ASSOCIATION FOR ACTIVITIES AT MARKET SQUARE DURING FIESTA WEEK; AND PROVIDING FOR THE DISPOSITION OF REVENUES FROM THE MARKET SQUARE FIESTA ACTIVITIES.

* * * *

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

Mr. I. Diaz, President of the Market Square Association, stated that he is pleased with the contract agreement.

Mr. Carlos Herrejon, President of El Mercado Merchants Association, thanked the City for its consideration, and the Council for approving the contract.

Mr. Webb thanked both men for the work done by their respective associations.

Ms. Berriozabal thanked City staff for its work in this matter.

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

82-54 DISCUSSION ON INTERIM BILLBOARD ORDINANCE

Mayor Cisneros stated that the City staff would be making certain

recommendations for an interim billboard Ordinance, while a final Ordinance was being studied.

Mr. Roland Lozano, Director of Planning, reviewed the staff's four options as outlined on a staff paper, a copy of which is made a part of the papers of this meeting, noting that the selected option would be followed during development of final billboard regulations. He stated that City staff recommends Option 4: monitoring and revised permitting process.

Mayor Cisneros stated that the option selected would enact safeguards to be enforced by the City while a final Ordinance is being developed.

Ms. June Kachtik, Zoning Commissioner, spoke of her concern for Option 3, which involved permit averaging, and stated that if Council adopts Option 3, it might consider using data collected over the past 3-4 years, rather than taking only last year's data. She spoke in favor of Option 4.

Mr. Webb also spoke in support of Option 4.

Mr. Webb moved to approve Option 4. Mr. Hasslocher seconded the motion.

In response to a question by Mr. Thompson, Mr. Lozano stated that it would take some 6-9 months to develop the final billboard regulations.

Mr. Thompson asked that a time-line be plotted on development of the regulations, and stated his support for Option 1, a full moratorium on all billboard activity until new regulations are passed by the Council. He further stated that the potential exists for abuse of the City ordinance on billboards, in the interim.

A discussion of the various options then took place.

Mr. Alderete spoke in support of Option 4.

In response to a question by Mr. Alderete, Mr. Lozano discussed the mechanism to be used in developing the final recommendations on billboards.

Mrs. Dutmer spoke in support of Option 4, and asked for a crackdown on illegal signs, including unsightly signs, in the City.

Mr. Hasslocher and Mr. Wing spoke in support of Option 4.

In response to a question by Mr. Eureste, Mayor Cisneros explained that City staff was asked to prepare certain recommendations that would restrict a "run" on billboard permits while a new Ordinance is being developed.

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

82-54

UTILITY RATE RELIEF PROGRAM FOR THE NEEDY

Mayor Cisneros briefly explained the program.

Mr. Harrington elaborated on the explanation, explaining that it would involve establishing a special fund through City Public Service to assist crisis cases due to utility costs. He further noted that persons paying their utility bills could indicate an 'overpayment', and that amount would be put into the special fund. Mr. Harrington noted that some 2,000 of CPS' 320,000 utility connections were cut off last year because of inability to pay the bills, and stated that winter is a crisis time for this, since anyone can live without air conditioning in the summer but

cannot live without sufficient heat during the winter. He estimated that, based on previous experience, a significant number of San Antonians will have problems with their winter heating bills this year. He stated his belief that qualification of persons to be benefitted by this fund should be handled by the social service agencies rather than the City, and stated further that Valero Energy Corporation has offered to kick off the program with several thousand dollars. According to CPS officials, the program is a viable one.

Mr. Hasslocher moved to ask CPS to review the proposal. Mr. Harrington seconded the motion.

Mayor Cisneros asked Mr. Harrington to be present at the next CPS Board meeting to explain his proposal further to that Board.

Mr. Wing spoke in support of the proposal.

Mayor Cisneros asked Mr. Harrington to chair an ad-hoc committee of City Council, City staff and City Public Service to work on this matter. He then asked Mr. Hasslocher and Mr. Wing to serve with Mr. Harrington on the ad-hoc committee.

Mr. Thompson spoke in support, and stated that the program must cover the whole spectrum of CPS customers.

Mr. Webb spoke in support, noting a recent case of a family in his district without electricity on Thanksgiving Day, and the work of City staff and members of the City Council in assisting to resolve this problem in order that the family might have their electricity restored.

Mrs. Dutmer posed a number of questions which the committee would then take under advisement.

Mr. Archer stated that he would support the idea, but voiced his concern that the program might not generate many funds.

Ms. Berriozabal stated her belief that people care about other people in trouble and are generous, and she further stated her belief that the program will be successful.

Mr. Harrington stated his belief that San Antonians care about each other, and emphasized that the program will not be exclusive, and will help those genuinely in need.

Mr. Eureste stated his support for the program, at the same time voicing his concern for the amount of money the program might generate.

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

A brief discussion then took place concerning publicizing of assistance to ratepayers.

(Mayor Cisneros returned to the meeting to preside.)

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

82-54

SCHEDULE OF MEETINGS WITH LEGISLATORS

Mayor Cisneros distributed to other members of the City Council a schedule of meetings with state legislators. (A copy of this schedule is on file with the papers of this meeting.)

82-54BID AWARDS

Mrs. Dutmer stated that there were two bids on several parks projects, and the low bidder admits he did not fill out the bid form properly. However, the second-low bidder was awarded the bid even though he also was in default. She stated her belief that in this case, the bid should have not been awarded, and asked for a review of this matter.

82-54CITIZENS TO BE HEARDREV. S. CLIFTON BYRD

Rev. Byrd spoke in support of Mr. Harrington's program of paying part of the utility costs of the needy, then thanked the Council for its support of last year's June 19 holiday and the Mayor's proclamation of 'Freedom Week'. He then spoke of plans for the Emancipation Day Week Festival this coming year, and asked Council for financial support of the project.

Mayor Cisneros stated that the Festival is expensive since it involved usage of a number of facilities and payments for entertainment. He noted that Rev. Byrd feels that the City should support the project with funds, but the budget constraints are a problem in this matter. He stated that there are no plans in the present budget for such financial support, but stated his willingness to meet with other council members, individually, to seek a possible answer.

RICARDO JASSO

Mr. Jasso, representing NOSOTROS, INC. as its executive director, thanked the Council and City staff for their support of his group's programs on toxicant inhalants.

GUADALUPE CORONA

Ms. Corona, president of Cassiano Homes Association, read a prepared statement concerning the problem of toxicant inhalants in the Homes area.

JOE GALLEGOS, JR.

Mr. Gallegos, representing the San Antonio Toxic Inhalation Task Force, thanked the Council for its past support of the task force projects, and spoke to some 19 court cases recently filed by San Antonio Police Department against a number of store personnel for violating the law by selling spray paint to minors. He stated that checks of area stores for such violations is an ongoing program with his group, and spoke in support of sending a strong message to all of San Antonio, warning of the effects of toxicant inhalation. He asked that the City ordinance against spray paint sale to minors be strongly enforced, and also asked that the City's legislative consultant, Mr. Jerry Henckel, also lobby for passage of a strong bill on the same topic before the state legislature.

Mr. Gallegos asked that proceedings against the 19 persons cited recently for violating the law be held in the open and that City prosecutors be instructed to press for maximum fines in each case. He also spoke in support of any move that would result in heavier fines in such cases, and urged Municipal Court judges to levy maximum fines in such instances. He also asked that the Council pass a strong Ordinance on this.

Mr. Eureste stated his concern that there is not yet full public acceptance in San Antonio that toxicant inhalation is a major public health problem in some sectors of the community, much like drugs and alcohol. He spoke to statistics of San Antonio Police Department

arrests for drugs, alcohol and toxicant inhalation violations, and to recent specific events of abuse of toxicant inhalants. He spoke in support of extreme action being taken against merchants and store employees who violate this law on toxicant inhalant sales to minors, such as the cancelling of store licenses to operate in the City. He also asked for strong enforcement of the law against the 19 persons arrested, and stated that some nine persons managed plea bargains the last time mass arrests were made for this violation.

Mayor Cisneros stated that perhaps a future "B" Session could be held with the Chief of Police, where a discussion of strong law enforcement of toxicant inhalant laws in San Antonio could be held.

Mr. Wing stated that there is pending before the state legislature an increase in the penalties for violation of the toxicant inhalation laws, and spoke to the need for City Council to find some manner of thanks for members of Explorer Post 830, who did the undercover work in purchasing the spray paint from San Antonio stores, leading to the 19 arrests.

Mrs. Dutmer stated her opinion that City ordinances on this matter are not strong enough, and spoke to the need for support by the state legislature, such as that which resulted in an additive being placed into airplane glue. She also stated that perhaps a state license should be required for sale of any mind-altering matter, such as spray paints.

Ms. Berriozabal thanked the local groups supporting this work, and spoke of her support for state legislative efforts in this regard, noting that there are volunteer groups in District 1 who can help.

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REV. R. A. CALLIES, SR.

Rev. Callies distributed a packet of papers to members of the City Council, and spoke of three areas of concern: 1) the dangerous curve on the east side of the Rice Road Bridge, and asked when work would begin to correct this problem; 2) the guardrail on the east end of Freedom Bridge, where several automobiles have gone over the embankment; and 3) a renewal of the Proclamation of Brotherhood, similar to the one enacted in January, 1982. He then distributed photos of the Rice Road Bridge, and spoke of his concern for the lack of any activity by the City in correcting these matters.

Mrs. Dutmer stated that she would have the matter looked into.

In response to a question by Mr. Webb, Mr. Frank Kiolbassa, Director of Public Works, spoke to the question of whether or not actual monies had been set aside by the Council for work to straighten out the curve at the east end of Rice Road Bridge.

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ROY RODRIGUEZ

Mr. Rodriguez, representing E-Z Bel Construction Company, spoke of problems with the award of bids on two projects involving handicapped access construction in two City parks facilities, Brackenridge Park and the Botanical Center.

Mr. Frank Kiolbassa, Director of Public Works, reviewed last week's comments on handicapped access work planned for the two projects, and noted that Mr. Rodriguez feels that since his was the second-low bid, and the low bidder could not be awarded the bid, he should be given the bid instead of the City re-advertising for bids. Mr. Kiolbassa stated that there was not sufficient funds in the account to cover Mr. Rodriguez' second-low bid. Mr. Kiolbassa called attention to a staff paper being handed out to Council members, a copy of which is made a part of the papers of this meeting. He spoke of possible changes to the City's bidding process, to insure that all bidders understand the process

involved.

Mr. Ron Darner, Director of Parks & Recreation, stated that the architect still feels that \$40,000 is a good estimate for handicapped access work to be done in Brackenridge Park and the Botanical Center, even though the bids came in much higher.

Mr. Kiolbassa explained that the low bidder, Villareal, was asked to extend past the normal 30-day period for bids so that the contract could go before City Council for approval. When Mr. Villareal declined to do so, the City staff, without enough funds to go to the second bidder Mr. Rodriguez (E-Z Bel Construction Company), decided to restructure the requirements and re-advertise the bid.

Mr. Roy Rodriguez stated that he had been told that the architect estimates the cost of the projects at \$60,000 and not \$40,000. He also stated that the bid specifications supplied to each bidder did not say anything about a 30-day holding policy on bids.

Mr. Wing reiterated that the amount of money set aside for the projects was not sufficient to accept even the low bidder, much less the second-low bidder. He spoke in favor of the City staff recommendation to cut specifications and re-advertise for bids, to save money.

In response to a question by Mr. Alderete, Mr. Kiolbassa stated that if not enough money is available in the fund to pay for a bid, then the City staff often re-advertises the project as common practice.

Mr. Kiolbassa stated that, with the contingency funds included, the staff would have had sufficient funds for the Villareal bid if he had agreed to hold to the same bid-level past the normal 30-day period, but there definitely was not enough available to cover the second-low bid.

Mr. Eureste stated his opinion that Mr. Villareal should have to honor his bid or not be allowed to bid on City projects again.

A discussion took place concerning the City's policy for bidders to guarantee their bids for a 30-day period from date of opening of bids.

Mr. Eureste asked that all bidders in the future be made to guarantee their bids for 45 days, in lieu of the current 30-day period.

Mr. Darner emphasized that this two-project bid was but part of a city-wide program of handicapped access modifications to City projects.

Mr. Eureste stated his belief that the City's bid policies have problems, or those policies would not be before City Council today for discussion.

A discussion then took place concerning the possibility of finding some \$22,000 more from contingency funds to cover the second-low bid.

Mr. Eureste spoke of his concern that abuse of the system could happen, noting that there are a number of gray areas in the bid process that could create problems. He also spoke of his concern that because of an error, the entire job must be re-bid.

In response to a question by Mr. Alderete, Mr. Kiolbassa stated that City staff always seeks the lowest cost available, to do the job.

A discussion then took place concerning the use of estimates versus actual bids on projects.

Mr. Kiolbassa stated that he would clarify the City's bidding guidelines in the future, to insure that all bidders are familiar with them.

Mr. Rodriguez stated that bidders have only the specifications to follow in making bids, and asked that all City policies on bids be reduced

to writing.

82-54 The Clerk read the following Letter:

December 8, 1982

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.

December 3, 1982

Petition submitted by Mr. R. L. Macon requesting a designation as an industrial district of fifteen acres of land which is a portion of Northwest Crossroads Industrial District #2, and requesting fire protection, extension of all the rules and regulations governing plats and the subdivision of land to this specific portion of land.

* * * *

December 7, 1982

Petition submitted by Mr. A. A. Wottlin and other residents of 13th Street requesting opposition to the re-naming of a portion of 13th Street to Roy Smith Street.

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/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

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