

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, MARCH 15, 1984.

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

84-11 The invocation was given by Reverend W. H. Long, Northeast Baptist Church.

84-11 The Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

84-11 KATE SCHENCK ELEMENTARY SCHOOL

Mayor Cisneros introduced a group of students from Kate Schenck Elementary School, representing the third, fourth and fifth grades, present in the audience, accompanied by their counselor, Ms. McKinney. He noted that these students are among the school's gifted and talented contingent, and spoke of some of their expressed career interests for the future.

84-11 ALFRED G. BECKMANN

Mayor Cisneros spoke of the leadership exemplified by the late Mr. Alfred G. Beckmann, and of his business, civic and community interests, including his service as a member of the City Council. He read Resolution No. 84-11-21:

WHEREAS, the City Council of the City of San Antonio has learned of the passing of one of its citizens, Mr. Alfred G. Beckmann, and

WHEREAS, Mr. Beckmann's years of service have been marked by exemplary dedication to the best interests of the community, as he worked for the betterment of its economic, cultural and aesthetic development, and

WHEREAS, Mr. Beckmann served as a member of the San Antonio City Council and was also a member of numerous prestigious organizations such as the Texas Cavaliers where he served as King Antonio XLIV in 1966, and

WHEREAS, he also served on the Boards of the San Antonio Stock Show and Rodeo, the Southwest Methodist Hospital and was chairman of the Board for Sunshine Cottage School for Deaf Children, his legacy of service to San Antonio is unparalleled, and

WHEREAS, he justly earned the respect, admiration and high regard of all with whom he came into contact, and this community has sustained a great loss in his death; NOW THEREFORE:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. that this Council on behalf of City officials and citizens of this City, does hereby express profound regret on the occasion of the death of Mr. Alfred G. Beckmann.

SECTION 2. that this Resolution be spread upon the minutes of this meeting and a copy thereof be given to the bereaved family.

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

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

Mayor Cisneros and members of the City Council presented the Resolution of Respect to Mrs. Beckmann, and expressed their condolences on his passing.

Mrs. Beckmann thanked the Mayor and Council for this honor.

84-11

INTER-AMERICAN ECONOMIC AND TRADE RELATIONS

Mayor Cisneros called attention to the presence in the audience today of a group of persons, all participants in the regional project on Inter-American Economic and Trade Relations, in the United States from February 27-March 26, 1984 studying economic and trade matters in the Americas. He further stated that the group is sponsored by the U.S. State Department, and introduced each person by name, occupation and nationality. A list of the attendees is made a part of the papers of this meeting.

Mrs. Dutmer welcomed the group to San Antonio and spoke of the presence of a number of women, in higher echelons of government of the nations involved.

84-11

MRS. WALTER GERMAN

Mayor Cisneros stated that Mrs. Walter German, widow of the composer of the song "San Antonio", is present in the audience today, visiting from her home in Vienna, Austria. He also spoke of the singer who made the song famous, Rosita Fernandez of San Antonio.

Mrs. German thanked the City for considering the adoption of this song as its official song, as written by her late husband.

Mayor Cisneros asked the City Council to consider setting up ceremonies at various plazas and public places around the City, where

various versions of this song would be performed in various musical mediums, in order to properly recognize its adoption as the City's official song.

(At a previous Council meeting the City Council had moved to formally consider "San Antonio" as its official song and to celebrate this action with appropriate ceremonies.)

84-11

ALAMO CITY RUN

Mayor Cisneros introduced Mr. Bob Coopman, Director of Pharmacies, H.E. Butt Company, and spoke of the "Alamo City Run" set for March 25.

Mr. Coopman, in turn, introduced Mr. John Purnell, owner of the Run-A-Way Running Stores and Mr. Gary Thomas, San Antonio District Manager, H. E. Butt Company. He then provided brief details of the Run and its downtown route, and displayed a framed poster of the Run, signed by a number of local runners.

Mayor Cisneros asked Mr. Louis J. Fox, City Manager, to accept the framed poster on behalf of the city, and noted that proceeds from the run will go to the UTSA Track Team.

84-11

SESAME STREET LIVE

Mayor Cisneros read a Proclamation designating Family Entertainment Week in San Antonio, and introduced Ms. Julie Moller and "Grover", of Sesame Street TV production.

Ms. Moller thanked the Mayor and Council for the Proclamation, and briefly spoke to the background of the Muppets characters.

84-11

CITY WATER RATES PUBLIC HEARING

Mayor Cisneros read a news release prepared concerning the City Council and City Water Board public hearing on the City Water Board's capital improvements program and rate increase request, set for Centro de Artes in Market Square at 7:00 P.M. Thursday, March 29, 1984. He stated that the Public Hearing was set for a Thursday for the convenience of the Council, and various community groups involved in this matter approved the date and time.

84-11

The City Clerk read the following Ordinance:

AN ORDINANCE 58,415

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS, AUTHORIZING THE ISSUANCE OF "CITY OF SAN ANTONIO, TEXAS, PRIOR LIEN SEWER SYSTEM REVENUE BONDS, SERIES 1984"; MAKING PROVISION FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS; STIPULATING TERMS AND CONDITIONS FOR THE ISSUANCE OF ADDITIONAL REVENUE BONDS ON A PARITY THEREWITH; PRESCRIBING THE FORM, TERMS, CONDITIONS, AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, AND DELIVERY OF SAID BONDS, INCLUDING THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING THERETO; AND DECLARING AN EMERGENCY.

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

Mayor Cisneros stated that the 9.85 per cent interest rate is a good rate, some .6 lower than the current average for such bonds.

Mr. Carl White, Director of Finance, stated that the bid is some 64 basis points lower than the current index.

Mayor Cisneros noted that San Antonio's bond rating has remained the same, while that of many other cities have fallen in past months.

Ms. Berriozabal spoke of the recent bond rating trip to New York, and of the impact that political stability such as that in San Antonio has on the bond ratings given.

Mr. Archer spoke against the proposed Ordinance, stating his belief that the money should be spent to remodel the Rilling Road wastewater treatment plant, instead.

Mr. Jorge Garza, financial consultant, stated that San Antonio has a good name with the bond rating companies.

Mr. Hasslocher and Mayor Cisneros both congratulated Mr. Garza for his work in this effort.

In response to a question by Mr. Thompson, Mr. Garza briefly explained the bond rating involved.

Mr. Thompson spoke of the tremendous amount of money required to operate a large modern city such as San Antonio and of the skilled professional staff required, all of which reflects on bonds and their ratings.

Mrs. Dutmer stated that Mr. Archer is to be commended for standing up for his beliefs. She further stated that nevertheless, it is money well-spent when cities travel to bond rating companies to boost their bonds and ratings.

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.

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84-11 The minutes of the Council meeting of March 8, 1984 were approved.

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84-11 CONSENT AGENDA

Mr. Alderete moved that items 5 - 14 constituting the consent agenda be approved with item 7 to be pulled for individual consideration and item 10 removed from consideration. Mr. Thompson seconded the motion.

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

AN ORDINANCE 58,416

AUTHORIZING THE EXECUTION OF A STANDARD PROFESSIONAL SERVICES CONTRACT WITH MACINA, BOSE, COPELAND AND ASSOCIATES, INC. TO PROVIDE ENGINEERING DESIGN SERVICES ON THE QUINCY LEE AND ROGERS TRACT OFF-SITE SANITARY SEWER PROJECT; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

AN ORDINANCE 58,417

AMENDING A FINANCIAL AGREEMENT WITH THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION TO PROVIDE ADDITIONAL SANITARY SEWER WORK IN THE RECONSTRUCTION OF CULEBRA ROAD FROM CALLAGHAN ROAD TO 24TH STREET INCLUDING AN ALL WEATHER CROSSING AT ZARZAMORA CREEK AND AUTHORIZING AN ADDITIONAL \$18,180.00 TO PAY THE CITY'S SHARE OF THE PROJECT; APPROPRIATING FUNDS AND AUTHORIZING PAYMENT.

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AN ORDINANCE 58,418

AUTHORIZING THE EXECUTION OF FIELD ALTERATION NO. 13, IN THE AMOUNT OF \$74,084.00, TO THE CONTRACT FOR THE INTERNATIONAL AIRPORT TERMINAL ELECTRICAL CONSTRUCTION (STAGE 2, PACKAGE 11); APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 58,419

AUTHORIZING FIELD ALTERATION NUMBER 7 IN THE AMOUNT OF \$25,451.00 TO THE TRAVIS PARK REHABILITATION PROJECT; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 58,420

AUTHORIZING THE SALE AND EXECUTION OF QUITCLAIM DEEDS FOR FOUR PROPERTIES HELD FOR TAXES.

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AN ORDINANCE 58,421

APPROPRIATING \$9835.00 FOR ACQUISITION COSTS FOR PERMANENT EASEMENTS AND TEMPORARY CONSTRUCTION EASEMENTS FOR PARCEL E-2378, SAN ANTONIO WASTEWATER FACILITIES IMPROVEMENTS PROGRAM, CATEGORY NO. 3, RILLING ROAD TRANSFER LINE AND AUTHORIZING DISBURSEMENT AND DISPOSITION OF SUCH SUM.

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AN ORDINANCE 58,422

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

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AN ORDINANCE 58,423

AUTHORIZING THE ADDITIONAL PAYMENT OF \$14,000.00 TO CHARLES T. MAIN FOR THE SAN ANTONIO ENERGY STUDY.

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84-11 The Clerk read the following Ordinance:

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AN ORDINANCE 58,424

ACCEPTING THE BID OF HOUSTON BRIDGE & ENGINEERING CO., INC., IN THE AMOUNT OF \$6,690,704.00 FOR THE CONSTRUCTION OF THE "GOLDEN DRAINAGE PROJECT #250 PHASE II MODIFIED"; AUTHORIZING ADDITIONAL ENGINEERING FEES; APPROVING A CONTRACT AND AUTHORIZING PAYMENT.

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

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

84-11 At the request of Mr. Wing, informal Council concensus was granted to take up agenda item 25 immediately after the first zoning case, agenda item 15.

ZONING HEARINGS

15. CASE Z84048 - to rezone Lots 7 and 8, NCB 966, 723-727 S. Main Street, from "D" Apartment District to "O-1" Office District, located on the west side of Main Street, being 59' north of Sheridan Street and Main Street, having 100' on Main Street and a depth of 108'.

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

Mr. Marvin Miller, Attorney, stated that he had purchased two old houses in order to convert them to his own use, including law offices. He briefly described the request, noting that this area is becoming commerical.

Ms. Mary Fenstermaker, 2nd Vice-President, San Antonio Conservation Society, spoke against the request, since the adjacent property is residential. She also spoke to actions being taken to preserve the residential character of this area.

Ms. Isabel Cervantes, 718 South Main Avenue, asked that the Council help maintain the residential character of the area, and spoke of her concern for a possible domino effect, should one commercial zoning be granted.

Ms. Michael Nye, 806 South Main Avenue, spoke against the request, displaying a map depicting the residential character of the area.

Mr. Justin Arcocchi, 119 Adams, representing the King William Association spoke of the work involved in upholding the residential character of a neighborhood.

Ms. Ruth Sandoval, 710 South Main Avenue, spoke against the request.

Mr. Miller stated his contention that his planned uses for the property would not harm the area, noting that it would mostly entail office usage by day with little additional traffic.

Ms. Berriozabal spoke of the area as an established residential neighborhood.

Ms. Berriozabal moved to deny the requested rezoning. Mr. Alderete seconded the motion.

Mrs. Dutmer noted that the area once contained a small insurance office building.

In response to a question by Mr. Thompson, Mr. Miller stated that both buildings on the property are residences at the present time.

A discussion took place concerning the aspects of "D" Apartment District zoning and the densities allowed.

Mr. Thompson spoke in favor of the request for O-1 usage, over the possibility of apartment usage of the property involved, using the present zoning.

In response to a question by Ms. Berriozabal, Mr. Andy Guerrero, Planner II, stated that despite the "D" Apartment zoning prevalent in the area, most of the residential uses there are single-family at this time. He also spoke of plans for a park nearby, to be provided by the San Antonio Housing Authority.

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

Case Z84048 was denied.

25. CASE Z84057 - to rezone Tract 2-A, NCB 11212, in the 8700 block of Somerset Road, from "B" Residence District to "R-4" Mobile Home Residence District, located southeast of the intersection of Fairmeadows and Somerset Road having 752.64' on Somerset Road, approximately 341.06' on Fairmeadows and a maximum depth of 2787.08'.

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

Mr. George D. Vann, Jr., attorney, explained plans to create a good mobile home park on the property, at a cost in excess of \$1 million, with some eight spaces per acre. He also spoke of planned restrictions to be imposed on the mobile home park.

Ms. Nicki Salinas, 5514 South Zarzamora Avenue, Zoning Committee Chairperson, Communities Organized for Public Service (COPS), spoke against the request for a mobile home park.

Ms. Esperanza Gandara, 311 Wainwright, spoke against the increased traffic that would result from creation of a large mobile home park, and the impact of more children on overcrowded area schools.

Mr. Robert Valenzuela, 3402 Lowland, stated that area schools already are overcrowded, and fears detrimental effects on property values.

Mr. Jesus O. Baeza, 8931 Palm Crest, spoke against the request and of the impact such a mobile home park would have on the neighborhood.

Ms. Josephine Villarreal, representing St. Bonaventure COPS, spoke of the impact such a park would have on area schools, and of the need to increase the tax base in the area with development. She also spoke of the impact of increased traffic on the streets.

Mr. Vann noted that it would take some three years to fill the mobile home park, and that by that time, perhaps another school would be constructed in the area. He displayed a diagram showing the ingress-egress plans onto Somerset Road.

Mr. Wing moved to deny the requested rezoning. Mr. Alderete seconded the motion.

Mrs. Dutmer spoke in support of single-family development on the property.

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

CASE Z84057 was denied.

84-11 At the request of Mr. Eureste, informal Council approval was given to take up agenda item 31 at this time.

84-11 BOND RATINGS

Mayor Cisneros thanked Mr. Eureste and Ms. Berriozabal for assisting in securing of a good bond rating for the sale of the sewer bonds, approved today.

84-11 JOB TRAINING PARTNERSHIP ACT PLAN

Dr. Ken Daly, Acting Director, Department of Economic and Employment Development, stated that City staff is asking City Council for approval of the recommendations of the Private Industry Council in this matter.

Mr. Hull Youngblood, Chairman, PIC, spoke of the coordination necessary between training programs and job availabilities via the Private Industry Council. He spoke of the objectives of the PIC and the Joint Training Partnership Act, and its advantages over the old CETA Program, and its two fold purpose of serving more people with limited funds and elimination of duplication. He then spoke of the individual recommendations of the PIC and certain objections to those recommendations as raised by Project SER and Veterans Outreach Program.

Mr. Youngblood then addressed the reasons why certain of the bids as proposed by those groups were not recommended, over others. He then distributed an analysis sheet, stating his contention that contractors recommended by the PIC in lieu of Project SER can do the job in a very satisfactory manner.

Mr. Jack Waldrin, On-the-Job Specialist, Project SER, spoke to the Council regarding the decision of the PIC not to award SER the contract. He explained that a closer analysis of their bid would reveal that SER supports the concept of performance, not promises. He further stated that SER was at a disadvantage because they didn't know what the other proposals were. He noted that the PIC has recommended awarding certain monies to the San Antonio Alliance of Business, and that a compromise has been made with SER on this matter. He stated that Project SER has maintained an 86 per cent job placement rate, while the San Antonio Alliance of Business has a placement rate of 66 per cent. He then described a detailed comparative analysis of the two agencies, and asked the Council not to approve the PIC recommendations.

Mr. Eureste stated that if there is disagreement at the City Council or the Bexar County level, then the JTPA plan goes to an arbitration committee, and if it can be resolved there, it goes on to the state.

Mr. Eureste moved to approve the recommendations of the PIC, except to grant \$100,000 to Project SER for classroom skills training and \$217,000 in on-the-job training funds; and to grant \$80,000 to Veterans Outreach Program in job factory/pre-employment training funds; and that the City-County arbitration committee then redistribute the funding with

the proviso that the Texas A&M allocations remain the same. Mr. Wing seconded the motion.

In response to a question by Mr. Alderete, Dr. Daly explained the recommended allocations.

A discussion of funding for the San Antonio Alliance of Business versus other agencies then took place, including the proposed 30 per cent increase in funding for that agency.

Mr. Alderete spoke of his concern with the trend toward more funding of San Antonio Alliance of Business, noting that he feels that Project SER has a good track record.

In response to a question by Mr. Alderete, Mr. Carlos Martinez, Veterans Outreach Program, stated that VOP is the only veterans employment center in Bexar County, and spoke of the need for \$80,000 in funding.

Mr. Webb spoke against the pending motion.

Ms. Berriozabal spoke of her concern that Bexar County Women's Center would be losing some of its recommended funding, if the motion passes. She spoke of the need for job training for women, especially black and Hispanic women. She spoke in favor of taking funds from the allocation for San Antonio Alliance of Business, only.

Mayor Cisneros stated his opinion that the motion would, in effect, force this matter into arbitration, and would then serve to give guidance in those arbitration sessions to our representatives.

Mr. Eureste and Mrs. Dutmer both spoke in support of women's programs.

Dr. Daly stated that he anticipates problems with the pending motion, if funding restrictions only apply to several agencies versus across-the-board.

Mr. Webb made an amended motion to exclude Bexar County Opportunities Industrialization Corporation from any funding revisions. Mr. Archer seconded the motion.

Mayor Cisneros spoke in support of both motions, noting that it signals the City Council's protection for funding to certain agencies.

Mr. Eureste offered an amended motion to redistribute funding from the entire list of recommendations, and not restrict redistribution of funds to column classifications. Mr. Thompson seconded the motion.

The second amendment to redistribute funding was approved by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Archer, Hasslocher, Cisneros; NAYS: Alderete, Harrington; ABSENT: None.

The first amendment to exclude Bexar County Opportunities Industrialization Corporation was approved by the following vote: AYES: Berriozabal, Webb, Wing, Eureste, Thompson, Harrington, Archer, Hasslocher, Cisneros; NAYS: Dutmer, Alderete; ABSENT: None.

Ms. Berriozabal then offered an amended motion to exclude Bexar County Womens Center from any funding redistribution. Mr. Webb seconded the motion.

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

Mr. Harrington made a substitute motion to approve the recommendations of the Private Industry Council. Mr. Hasslocher seconded the motion.

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

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

84-11 Ordinance number 58425 was voided.

ZONING HEARINGS (CONTINUED)

16. CASE Z84020 - to rezone Lot 71, Block 15, NCB 9003, 166-168 El Monte Blvd., from "B" Residence District to "R-3" Multiple Family Residence District, located on the eastside of El Monte Blvd. being south of the intersection of Howard Street and El Monte Blvd., having 151' on El Monte Blvd. and a depth of 124.6'.

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

Mr. Archer moved for approval of "R-2" Multiple Family Residence District. Mr. Harrington seconded the motion.

Ms. Maria Rodriguez, the proponent, asked that her request be amended to R-2A, because the property already has three tenants, and this is the zoning she needs to provide separate electric meters for the tri-plex on the property.

Mr. Hasslocher made a substitute motion that the zoning be R-2A. Mr. Alderete seconded the motion.

A discussion then took place concerning the possible need to seek a waiver from the Zoning Board of Adjustment for use of this property as a tri-plex.

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

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

AN ORDINANCE 58,426

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 71, BLOCK 15, NCB 9003, 166-168 EL MONTE BLVD, FROM "B" RESIDENCE DISTRICT TO "R-2" MULTIPLE FAMILY RESIDENCE DISTRICT.

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17. CASE Z84063 - to rezone Lots 1, 2 and 3, Block 12, NCB 1612, 548 Delmar Street, from "B" Residence District to "B-3" Business District, located southeast of the intersection of Gevers and Delmar Street, having 75' on Delmar Street and 150' on Gevers Street.

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

Mr. Webb moved that the property be rezoned B-3NA. Mr. Wing seconded the motion.

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

AN ORDINANCE 58,427

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, 2 AND 3, BLOCK 12, NCB 1612, 548 DELMAR STREET, FROM "B" RESIDENCE DISTRICT TO "B-3NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES.

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18. CASE Z84035 - to rezone the south 153' of the west 70' of Lot 1 and the east irregular 290' of the west 360' of Lot 1, Block 7, NCB 14658, 6187 Whitby Road, from "P-1(R-3)" Planned Unit Development Multiple Family Residence District to "R-3" Multiple Family Residence District, located on the northside of Whitby Road, being approximately 450' east of the intersection of Wellesley Manor Drive and Whitby Road, having approximately 360' on Whitby Road and a maximum depth of 600'.

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

Mr. Steve Anderson, 250 West Olmos Drive, representing SABB Investments, spoke to plans for the property, stating that he could accept a 35-foot setback but not a 50-foot setback.

Mr. Albert Cortez, 8734 Welles Harbor, spoke in opposition to the request, stating his belief that it would lower property values in the area.

Ms. Kathy Harding, representing the Alamo Farmsteads/Babcock Road Neighborhood Association, spoke in support of a 50-foot setback, if the zoning is granted.

Mr. Bill Telford, representing the proponent, asked that the proponent be allowed to penetrate the proposed 50-foot setback in three places because of the site plan for development of the property.

Mr. Harrington moved to deny the requested rezoning. Mrs. Dutmer seconded the motion.

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

CASE Z84035 was denied.

19. CASE Z84032 - to rezone the east irregular 342.37' of Lot 25, Block E, NCB 14657, in the 6100 Block of Whitby Road, from Temporary "R-1" One Family Residence District to "R-3" Multiple Family Residence District, located on the southside of Whitby Road, being 3,337' east of the intersection of Abe Lincoln Road and Whitby Road, having 342.37' on Whitby Road and a depth of 321.73'.

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

Mr. Bill Telford, representing SABB Investments, Inc., briefly explained the request for rezoning.

Ms. Kathy Harding, representing Alamo Farmsteads/Babcock Road Neighborhood Association, spoke against multi-family housing in this area, noting that this is forcing single-family housing out of the neighborhood. She also stated her opinion that the streets in this area cannot support additional traffic.

Mr. Telford stated his belief that development in this immediate area is going toward multi-family, rather than single-family, and displayed a map of the area, depicting those two separate uses.

A discussion of existing R-3 uses in this area then took place.

Mr. Harrington moved that the recommendation of the Zoning Commission be approved provided that proper access and off-street parking are provided; that a 50-foot building setback is imposed along Whitby Road; and that a maximum density of 24 housing units per acre is imposed. Mr. Hasslocher seconded the motion.

Ms. Harding spoke to the desires of her group, should the zoning be granted, including housing density and access to Huebner Road.

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

AN ORDINANCE 58,428

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE EAST IRREGULAR 342.37' OF LOT 25, BLOCK E, NCB 14657, IN THE 6100 BLOCK OF WHITBY ROAD, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT, PROVIDED THAT PROPER ACCESS AND OFF-STREET PARKING ARE PROVIDED; THAT A 50-FOOT BUILDING SETBACK IS IMPOSED ALONG WHITBY ROAD; AND THAT A MAXIMUM DENSITY OF 24 HOUSING UNITS PER ACRE IS IMPOSED.

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20. CASE Z84034 - to rezone Lot 13, Block 12, NCB 8965, in the 700 Block of Brighton Ave., from "B" Residence District to "B-3NA" Business, Non-Alcoholic Sales, located southeast of the intersection of Brighton Avenue and IH 35 South Expressway, having 68.7' on Brighton Avenue and 130.53' on IH 35 South Expressway.

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

Mr. Wing moved that the recommendation of the Zoning Commission be approved provided that right-of-way dedication is given along Brighton Avenue in accordance with Subdivision Regulations; that the parking area is surfaced; and that a 6-foot solid screen fence is erected and maintained along the east and south property lines abutting the single-family residential area and further stipulating that a one-foot non-access easement is imposed along Brighton Avenue. 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, Thompson, Alderete, Harrington, Hasslocher, Cisneros; NAYS: None; ABSENT: Archer.

AN ORDINANCE 58,429

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 13, BLOCK 12, NCB 8965, IN THE 700 BLOCK OF BRIGHTON AVENUE, FROM "B" RESIDENCE DISTRICT TO "B-3NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES, PROVIDED THAT RIGHT-OF-WAY DEDICATION IS GIVEN ALONG BRIGHTON AVENUE IN ACCORDANCE WITH SUBDIVISION REGULATIONS; THAT THE PARKING AREA IS SURFACED; AND THAT A 6-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE EAST AND SOUTH PROPERTY LINES ABUTTING THE SINGLE-FAMILY RESIDENTIAL AREA. FURTHER PROVIDED THAT A ONE-FOOT NON-ACCESS EASEMENT IS IMPOSED ALONG BRIGHTON AVENUE.

* * * *

21. CASE Z84044 - to rezone the southeast 75' of Tract 19, NCB 14952, 6111 Randolph Blvd., from Temporary "R-1" One Family Residence District to "B-3" Business District and Tract 23-A and Tract 19, save and except the southeast 75' of Tract 19, NCB 14952, in the rear of 6111 Randolph Blvd, from Temporary "R-1" One Family Residence District to "I-1" Light Industry District, located between IH 35 North Expressway and Randolph Blvd., being approximately 540' southwest of the intersection of O'Connor Road and Randolph Road, having 554' on Randolph Road and a maximum depth of 1127'.

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

Mr. Webb moved that the recommendation of the Zoning Commission be approved provided that proper access and off-street parking are provided. Mr. Alderete seconded the motion.

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

AN ORDINANCE 58,430

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 SOUTHEAST 75' OF TRACT 19, NCB 14952, 6111 RANDOLPH BLVD., FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT AND TRACT 23-A AND TRACT 19, SAVE AND EXCEPT THE SOUTHEAST 75' OF TRACT 19, NCB 14952, IN THE REAR OF 6111 RANDOLPH BLVD, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT PROPER ACCESS AND OFF-STREET PARKING ARE PROVIDED.

* * * *

22. CASE Z84066 - to rezone a 3.255 acre tract of land out of NCB 13753, being further described by field notes filed in the Office of the City Clerk, in the 10500 Block of Nacogdoches Road, from "P-1 (R-1)" Planned Unit Development One Family Residence District and "O-1" Office District to "B-3" Business District, located southwest of the intersection of Wayward Drive and Nacogdoches Road, having approximately 370' on Nacogdoches Road, approximately 175' on Wayward Drive and approximately 450' on Town Lake Drive.

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

Mr. Hasslocher moved that the recommendation of the Zoning Commission be approved provided that street dedication is given along Nacogdoches Road, and that proper access and off-street parking are provided. Mrs. Dutmer 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 58,431

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 3.255 ACRE TRACT OF LAND OUT OF NCB 13753, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 10500 BLOCK OF NACOGDOCHES ROAD, FROM "P-1(R-1)" PLANNED UNIT DEVELOPMENT, ONE-FAMILY RESIDENCE DISTRICT AND "O-1" OFFICE DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT STREET DEDICATION IS GIVEN ALONG NACOGDOCHES ROAD, AND THAT PROPER ACCESS AND OFF-STREET PARKING ARE PROVIDED.

* * * *

23. Zoning Case Z84067 had been previously withdrawn from consideration.

24. CASE Z84041 - to rezone Lots 2 and 4, NCB 14854, 16200 IH 10 West Expressway, from Temporary "R-1" ERZD, One Family Residence Edwards Recharge Zone District to "B-3" ERZD Business Edwards Recharge Zone District, located on the west side of IH 10 West Expressway, being 710' south of the intersection of Fredericksburg Road & IH 10 West Expressway, having 600' on IH 10 Expressway and a depth of 370.72'.

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

Mr. Harrington moved that the recommendation of the Zoning Commission be approved provided that access to the property is cleared with the Texas Department of Highways and Public Transportation. 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 58,432

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 2 AND 4, NCB 14854, 16200 IH 10 WEST EXPRESSWAY, FROM TEMPORARY "R-1" ERZD ONE-FAMILY RESIDENCE, EDWARDS RECHARGE ZONE DISTRICT TO "B-3" ERZD BUSINESS, EDWARDS RECHARGE ZONE DISTRICT, PROVIDED THAT ACCESS TO THE PROPERTY IS CLEARED WITH THE TEXAS DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION.

* * * *

26. CASE Z84055 - to rezone the west 25' and the north 50' of Lot 6 and the north 50' of Lot 7, Block 4, NCB 14905, 5422 Highway 90 East Expressway, from "A" Single Family Residence District to "B-3R" Restrictive Business District and Lots 6 and 7 save and except the west 25' and the north 50' of Lot 6 and the north 50' of Lot 7, Block 4, NCB 13905, from "A" Single Family Residence District to "I-1" Light Industry District, located on the southside of Hwy 90 East Expressway being 260' east of the intersection of Peggy Drive and Hwy 90 East having 106.8' on Hwy 90 East Expressway, and a maximum depth of 360'. The "B-3R" being on the west 25' and the north 50' of subject property, the "I-1" being on the remaining portion.

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

Mr. Webb moved that the recommendation of the Zoning Commission be approved provided that a driveway access permit is obtained from the Texas Department of Highways and Public Transportation. Mr. Alderete seconded the motion.

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

AN ORDINANCE 58,433

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 25' AND THE NORTH 50' OF LOT 6, AND THE NORTH 50' OF LOT 7, BLOCK 4, NCB 13905, 5422 HIGHWAY 90 EAST EXPRESSWAY, FROM "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, AND LOTS 6 AND 7, SAVE AND EXCEPT THE WEST 25' AND THE NORTH 50' OF LOT 6, AND THE NORTH 50' OF LOT 7, BLOCK 4, NCB 13905, FROM "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT A DRIVEWAY ACCESS PERMIT IS OBTAINED FROM THE TEXAS DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION.

* * * *

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84-11 The Clerk read the following Ordinance:

AN ORDINANCE 58,434

NAMING THE COMMUNITY CENTER AT HENDRICK ARNOLD PARK FOR PATROLMAN GILBERT E. RAMIREZ, JR.

* * * *

Mr. Wing moved 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, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Eureste, Thompson.

84-11 The Clerk read the following Ordinance:

AN ORDINANCE 58,435

AUTHORIZING PAYMENT OF REFUNDS TO PERSONS MAKING OVERPAYMENTS OR DOUBLEPAYMENTS ON 323 TAX ACCOUNTS.

* * * *

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, Alderete, Harrington, Archer, Cisneros; NAYS: None; ABSTAIN: Hasslocher; ABSENT: Eureste, Thompson,.

84-11 The Clerk read the following Ordinance:

AN ORDINANCE 58,436

SETTING DATES, TIMES AND LOCATIONS FOR PUBLIC HEARINGS ON THE PROPOSED ANNEXATION OF APPROXIMATELY 48.3 ACRES OF LAND LOCATED SOUTH OF THE INTERSECTION OF WEST AVENUE AND BITTERS ROAD; AND AUTHORIZING AND DIRECTING THE CITY MANAGER TO PUBLISH NOTICE OF SUCH PUBLIC HEARINGS.

* * * *

Mr. Hasslocher 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, Dutmer, Wing, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: Webb; ABSENT: Eureste, Thompson.

84-11 The Clerk read the following Resolution:

A RESOLUTION NO. 84-11-22

ENDORING THE CITY OF SAN ANTONIO'S PLANNING ISSUES
FOR THE METROPOLITAN PLANNING ORGANIZATION 1984-85
WORK PROGRAM.

* * * *

Mr. Hasslocher moved that Resolution 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, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Eureste, Thompson.

84-11 The Clerk read the following Ordinance:

AN ORDINANCE 58,437

AUTHORIZING ADDITIONAL PAYMENT TO MALCOLM PIRNIE, INC. IN THE AMOUNT OF \$640,000.00 FOR PROFESSIONAL SERVICES IN CONJUNCTION WITH DESIGN OF THE DOS RIOS FACILITY AND AUTHORIZING ADDITIONAL PAYMENT TO THE JOINT VENTURE OF PAPE-DAWSON, INC. VICKREY & ASSOCIATES, INC., AND LOCKWOOD, ANDREWS & NEWMAN, INC. IN THE AMOUNT OF \$80,000.00 FOR PROJECT MANAGEMENT AND VALUE ENGINEERING SERVICES IN THE STEP 2 DESIGN PHASE OF CATEGORY NO. 1.

* * * *

Mr. Hasslocher 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, Alderete, Harrington, Hasslocher, Cisneros; NAYS: Archer; ABSENT: Eureste, Thompson.

84-11 The Clerk read the following Ordinance:

AN ORDINANCE 58,438

AMENDING THE MUNICIPAL PERSONNEL RULES, RULE XVII, SO AS TO ALLOW SUSPENDED EMPLOYEES TO "WORK OFF" SUSPENSIONS OF UP TO FIVE (5) DAYS, OR TO FORFEIT ANNUAL LEAVE IN LIEU OF TAKING LEAVE WITHOUT PAY FOR THE SUSPENSION.

* * * *

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

Mr. Leroy Harvey, Director of Personnel, stated that this Ordinance will apply to all City employees except for fire and police personnel, who are covered by contracts.

In response to a question by Mrs. Dutmer, Mr. Harvey explained why a municipal employee cannot appeal a suspension to the Municipal Civil Service Commission, if that employee accepts the "work off" provision, beforehand.

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.

84-11 The Clerk read the following Resolution:

A RESOLUTION NO. 84-11-23

IN SUPPORT OF THE CLEAN COMMUNITY SYSTEMS COMMISSION TO ADMINISTER THE COMMUNITY SERVICE PROGRAM FOR THE CITY OF SAN ANTONIO AND BEXAR COUNTY.

* * * *

Mr. Hasslocher moved that the Resolution be approved. Mr. Wing 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.

84-11 The Clerk read the following Ordinance:

AN ORDINANCE 58,439

APPOINTING LADDIE DENTON TO SERVE ON THE 201 AREA WASTEWATER ADVISORY COMMITTEE, FOR THE REMAINING UNEXPIRED TERM OF PAUL SWORD, WHO HAS RESIGNED.

* * * *

Mrs. Dutmer 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, Eureste, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Thompson.

84-11 The Clerk read the following Ordinance:

AN ORDINANCE 58,440

REAPPOINTING AND APPOINTING MEMBERS TO SERVE ON THE BOARD OF APPEALS FOR A TERM TO EXPIRE MARCH 20, 1986. (REAPPOINTMENTS: CALVIN DUDLEY (DISTRICT 2); APPOINTMENT: ANN BENSON (DISTRICT 1).)

* * * *

Ms. Berriozabal 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, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Thompson.

84-11 The City Clerk explained that the City Council must at this time elect one person to serve on the Metropolitan Transit Authority Board.

The names of Ms. Linda Ramirez, Mr. Vic Pisano and Ms. Pat Pace were entered into nomination by members of the City Council.

A brief discussion then took place relative to representation on the board by union interest persons, and of the overall board makeup.

Ms. Julia Castellano-Hoyt read the names of the City's appointees to the MTA.

Mr. Eureste spoke of his concern that only two of the 10 members are Hispanics.

After discussion, by hand vote, the following results were obtained:

Ramirez.....5 votes
Pisano.....2 votes
Pace.....1 vote

Ms. Pace therefore was eliminated from consideration, and a runoff vote then was held between the top two vote-getters, with the following election results obtained:

Ramirez.....5 votes
Pisano.....3 votes

Mayor Cisneros stated that Ms. Ramirez at this time does not have a majority vote of the City Council.

(SEE PAGE 20 FOR RECONSIDERATION OF THIS ORDINANCE.)

- - -
84-11 Item No. 37 was pulled from consideration.

- - -
84-11 The Clerk read the following Ordinance:

AN ORDINANCE 58,441

PROVIDING TRANSPORTATION FOR A BALL TEAM FROM THE VILLA CORONADO RECREATION CENTER TO GO TO SIX FLAGS OVER TEXAS.

* * * *

Mr. Hasslocher 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: Dutmer, Wing, Eureste, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Berriozabal, Webb, Thompson.

- - -
84-11 By informal Council concensus, it was agreed to temporarily bypass agenda item number 39.

84-11 The Clerk read the following Ordinance:

AN ORDINANCE 58,442

AUTHORIZING PAYMENT OF \$6,852.90 FROM THE GENERAL FUND CONTINGENCY ACCOUNT FOR A MAIN LINE WATER EXTENSION ON S. NAVIDAD STREET; DIRECTING THE CITY MANAGER TO REQUEST REIMBURSEMENT FOR SAID EXPENDITURE FROM THE CITY WATER BOARD.

* * * *

Mr. Hasslocher 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: Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None: ABSENT: Berriozabal.

84-11 Discussion resumed at this point on agenda item 35-C, during which it was decided that, since no majority vote was received by any candidate, the election of a person for a slot on the VIA board as the City's appointment would begin, again.

The names of Ms. Linda Ramirez and Mr. Abe Gonzalez were placed in nomination. After discussion, by hand vote, the following election results were obtained:

Ramirez.....6 votes
Gonzalez....1 vote

The City Clerk read the following Ordinance:

AN ORDINANCE 58,443

APPOINTING A MEMBER TO SERVE ON THE METROPOLITAN TRANSIT AUTHORITY FOR THE REMAINING UNEXPIRED TERM OF JOHN A. LONGORIA, WHO HAS RESIGNED. (APPOINTED: LINDA RAMIREZ)

* * * *

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

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

84-11 The City Council then recessed the regular meeting at 5:18 P.M. in order to take up a special posted meeting to consider a proposed Ordinance concerning the contract with Nosotros, Inc. The regular meeting reconvened at 5:22 P.M. (SEE SPECIAL MEETING MINUTES OF MARCH 15, 1984.)

84-11 DISCUSSION - CONFLICT OF INTEREST ORDINANCE

Mr. Thompson stated that the City's conflict of interest ordinance arose from questions concerning tickets for City Council members to San Antonio Spurs basketball games. He stated that a new state law has been enacted that sets up guidelines in this area, and he stated his opinion that the City's conflict of interest Ordinance is weak in several

areas, such as in the giving of gifts to members of the City Council or City employees. He spoke to a number of exemptions involved and certain recent problem areas in this regard, such as the giving of San Antonio Zoo tickets to Council members for distribution by them to citizens of their district, and the giving of San Antonio Gunslingers tickets to Council members. He further stated his belief that the City's Ordinance was ill-conceived and that the electors of the City should judge the ethics of any City Council member. He spoke in favor of doing away with the ethics code.

A brief discussion then took place concerning the background of the ethics code/conflict of interest Ordinance.

Mr. Thompson made a motion that an Ordinance be placed on next week's City Council agenda to abolish the code of ethics/conflict of interest Ordinance. The motion died for lack of a second.

Mr. Archer stated his opinion that it was an individual's decision to accept or reject tickets.

Mr. Eureste stated that he has used the Gunslingers tickets given him by the team, and spoke of the publicity generated by this usage and certain adverse comments that have been made in that regard. He then displayed a packet of tickets for the San Antonio Zoo, and stated that the Ordinance holds that it is illegal to accept gifts valued at more than \$150 from a single source. He stated his belief that it is not wrong to use complimentary tickets to go to the zoo or to pro football games either. He spoke in favor of removing the \$150 limit from the Ordinance, but making it reportable. He then spoke of other free tickets given to Council members in the past.

In response to a question by Mayor Cisneros, Mr. Tom Finlay, Acting City Attorney, discussed the Ordinance provisions that address the giving of tickets to City employees or the City Council.

Mr. Eureste moved to remove the \$150 limit, but make it reportable. Mr. Thompson seconded the motion.

Mayor Cisneros stated his belief that the Ordinance seeks to bring about disclosure of gifts to City Council members. He stated that he does not favor lifting the cap on the gifts, or otherwise changing the Ordinance.

In response to a question by Mayor Cisneros, Mr. Finlay stated his opinion that he is not sure whether the San Antonio Zoo tickets given to Council members for distribution to District citizens falls under this category, because of how it was proposed, noting that the Council member is only a 'funnel' through which the tickets are distributed to district citizens. He stated that he would reduce to writing his legal opinion on this issue, and would ask the zoo director to rewrite the letter, in order to clarify how the tickets are to be used.

In response to another question by Mayor Cisneros, Mr. Finlay stated his opinion that if the idea behind distribution of Gunslinger tickets to Council members was to seek ultimate funneling to constituents, then his opinion would be the same as in the zoo ticket matter, but would constitute a violation of the Ordinance if they were to go strictly to the Council member for usage.

Mayor Cisneros then briefly restated the legal opinions of the Acting City Attorney.

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

Mr. Wing stated his opinion that it was all a matter of interpreting the intent of the gift. He spoke in support of the present Ordinance.

Mrs. Dutmer stated that the Ethics Committee was advisory in nature when it drafted the ethics code ordinance, and the City Council adopted those recommendations by Ordinance after review. She further stated that she didn't feel that the zoo director meant to influence the City Council by providing tickets to the City Council for use by Council members' constituents. Mrs. Dutmer also stated that the tickets from the Gunslingers were not a blanket gift, and were given to only those Council members who voted with the Gunslingers in the lawsuit matter. She then spoke in behalf of retaining the ethics code and its disclosure requirements.

Mr. Thompson stated that he is not opposed to the disclosure requirements, and that if that is the intent of the Ordinance, then he would support it. He then took issue with the selective enforcement of the Ordinance.

Mr. Webb stated that he had accepted the zoo tickets for his constituents, and that he would repay this money himself. He then apologized to his constituents and stated that he did not mean to violate the code of ethics by accepting and distributing them to constituents.

Mr. Eureste took issue with certain comments made by Mr. Thompson, and also took exception to the \$150 limit under terms of the Ordinance. He also took exception to the statement made that it is all right to accept the zoo tickets but not the Gunslingers tickets. He then compared the Acting City Attorney's logic with the zoo tickets matter as opposed to the Gunslingers tickets, and spoke of his concern with the disparity involved.

In response to a question by Mr. Alderete, Mr. Finlay differentiated between the two cases, noting that in one, the City Council member is only the 'funnel' through which to distribute tickets to his or her constituents.

Ms. Berriozabal stated that she cannot accept the zoo tickets herself, but spoke to the possibility of them being sent by the zoo to area churches for distribution in the various districts. She spoke in support of the code of ethics Ordinance as a good Ordinance.

Mayor Cisneros briefly discussed the alternatives, and spoke of his belief that the Acting City Attorney ruled in good faith.

Mrs. Dutmer spoke of the possibility of zoo tickets for District 3 being disseminated to area merchants, then given to their customers.

A discussion then took place concerning perhaps structuring a cover letter from South Texas Sports, Inc. concerning complimentary Gunslingers tickets to make them comparable to the zoo tickets' distribution.

Mr. Wing stated that he had returned both sets of tickets.

Mrs. Dutmer asked that San Antonio Zoo keep track of the use of tickets by District 3 residents, and she would pay for them herself.

Mr. Finlay stated that maximum fine for violation of the Ordinance is \$200, and conviction must be preceded by proving 'criminal intent' upon the part of the Council member.

Mr. Eureste stated that he expects to have "District 5 Day" at the zoo, as scheduled, on March 31.

Mayor Cisneros stated that no legal action has yet been filed in this case.

The motion to remove the \$150 limit in the ethics code but make anything over \$20.00 reportable failed to carry by the following vote:

AYES: Thompson; NAYS: Berriozabal, Webb, Wing, Alderete, Hasslocher, Cisneros; ABSTAIN: Eureste; ABSENT: Dutmer, Harrington, Archer.

84-11

CITIZENS TO BE HEARD

Mr. Louis J. Fox, City Manager, stated that the Americar airport limousine contract had expired on March 18, 1984, and the City is planning to use VIA Metropolitan Transit vehicles as temporary airport limos for about six months, while new airport limo proposals are sought and a new contract granted.

Mr. Bob Stark, Manager of Operational Planning, VIA, briefly explained VIA's proposal to supply airport limo service, in a cost-sharing program with the City. He stated that a six-month proposal would be acceptable, if his board were to approve, and spoke of plans to use the rubber-tire 'streetcars', such as those used in downtown San Antonio.

Mr. Derek B. Childers, Casablanca Limousine Service, stated that their company wanted to take over the interim contract at the airport.

Mayor Cisneros stated that the City Council intended to use VIA as a public service until contracts can be let.

Mr. Mike Buffer, Marriott Hotel, spoke in support of the position taken by the City Council at this time.

Mr. Marty Weiss, Convention & Visitors Bureau, thanked the City Council for continuing the interim airport limousine service.

Mr. Douglas Browne and Mr. Brent Bott stated that everything had been said and reiterated the comment that limousine service at the airport be continued.

Mayor Cisneros stated that the City Council had expressed its concern that the interim service continue until a contract can be let.

In response to a question by Mr. Alderete, Mr. Fox stated that within eight weeks proposals can be received and reviewed and the contract can be let.

Mr. Stark stated that VIA could consider small buses precluding the use of trolleys.

Mr. Alderete expressed concern about the amortization of costs expended by VIA in a short term contract and the cost sharing of these expenses by the City.

Mr. Alderete stated that it probably would be better to have Americar remain as the interim contractor for financial reasons and the City Council would avoid potential problems.

Mayor Cisneros stated that previous City Council policy had been to direct the staff to proceed with negotiations with VIA for interim limousine service. He then stated that to change this policy another motion would have to be made.

In response to Mr. Thompson's question, Mr. Hap Veltman, Chairman of the Transportation Advisory Board, stated that the committee was concerned about the trolleys to be used.

Mayor Cisneros stated that the problems at the airport will not be resolved until the physical configuration at the airport is changed and also have a starter who will be in complete control.

Mr. Thompson stated that he also was concerned about the type of vehicle to be used.

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In response to Mr. Thompson, Mr. Stark stated that there would be no impact on El Centro activity if VIA vehicles are used at the airport.

Mr. Stark then spoke of the terms of the contract.

Ms. Berriozabal also expressed her concern on the use of trolleys.

The City Council accepted the report and asked the VIA board to proceed negotiating with the staff.

* * * *

MR. DIC McGOON

Mr. Dic McGoon spoke to the Council about the proposed "B" Session item on signs and billboards to be discussed by the City Council. He stated that he has not had enough time to digest the report and feels this is the case with other people in the industry. He asked the City Council to delay voting on this issue until more time is given to completely digest it.

Mr. Webb stated that tonight's "B" Session is to hear the report and review it. The Council will not attempt to vote on this issue tonight.

Mr. Eureste commended Mr. McGoon for his work in the community.

Mr. Alderete reiterated the remarks made by Mr. Eureste.

* * * *

MS. MARJO ROGERS

Ms. MarJo Rogers, representing the San Antonio Bicycle Racing Club, spoke to the City Council about a major world class race that will be held in San Antonio on March 25. She asked the City Council to come to the race and bring their families. She then described the routes which will be utilized.

Mr. Archer thanked Ms. Rogers for her visit.

* * * *

There being no further business to come before the Council, the meeting was adjourned at 8:00 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