

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, JANUARY 19, 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, ALDERETE, THOMPSON, HARRINGTON, ARCHER, HASSLOCHER, CISNEROS. Absent: NONE.

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84-03 The invocation was given by Reverend John A. Hall, Trinity Baptist Church.

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84-03 The Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

84-03 PARKS CLEANUP

Mayor Cisneros noted that the Greater San Antonio Chamber of Commerce is seeking to foster individual voluntary cleanup efforts at City parks, then spoke of the involvement of the Non-Commissioned Officers Association in this effort including the cleanup of five City parks on the weekends of December 3 and 10, 1983, an effort involving more than 500 persons.

Headquarters Fort Sam Houston (Command Sergeant Major Bill Pittman), Twelfth Flying Training Wing, Randolph Air Force Base (Chief Master Sergeant Wayne Smith), Air Force Manpower and Personnel Center, Randolph Air Force Base (Chief Master Sergeant Bud Humphries), Wilford Hall United States Air Force Medical Center, Lackland Air Force Base (Chief Master Sergeant Fred Pridgen), San Antonio Air Logistics Center, Kelly Air Force Base (Chief Master Sergeant Frank Barber and Chief Master Sergeant Glenn Lewis), Aerospace Medical Division, Brooks Air Force Base (Chief Master Sergeant Jerry Lewis), and Air Force Military Training Center, Lackland Air Force Base (Chief Master Sergeant Tom Suppa) were presented with Citations which read:

IN GRATEFUL APPRECIATION FOR THE INVALUABLE ASSISTANCE RENDERED BY THE SAN ANTONIO NCO ASSOCIATION IN BEAUTIFYING FIVE OF OUR CITY'S PARKS. A TOTAL OF 547 MILITARY PERSONNEL DEVOTED TWO CONSECUTIVE WEEKENDS TO ASSIST THE PARKS MAINTENANCE DIVISION IN THE CLEAN-UP OF TRASH, PAINTING PICNIC TABLES AND REMOVING 18 TRUCKLOADS OF BRUSH. THIS OUTSTANDING WORK RESULTED IN A TREMENDOUS COST SAVINGS TO THE CITY OF SAN ANTONIO.

ON BEHALF OF A GRATEFUL CITIZENRY, THE CITY COUNCIL COMMENDS THE SAN ANTONIO NCO ASSOCIATION FOR ITS EXCELLENT WORK AND CONTINUED SUPPORT OF COMMUNITY ENDEAVOR.

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The San Antonio Chamber of Commerce (Mrs. Barbara Banker, Chairperson, NCO Involvement Committee, Mr. Bill Bailey and Mr. Al Sonnenburg) were presented with the following Citation:

IN GRATEFUL APPRECIATION FOR THE INVALUABLE ASSISTANCE RENDERED BY THE GREATER SAN ANTONIO CHAMBER OF COMMERCE IN COORDINATING THE CLEAN-UP PROJECT OF OUR CITY'S PARKS WITH THE PARKS MAINTENANCE DIVISION AND

THE SAN ANTONIO NCO ASSOCIATION. THEIR KEEN ORGANIZATIONAL EFFORTS IN THIS PROJECT, RESULTED IN THE BEAUTIFICATION OF FIVE OF SAN ANTONIO'S PARKS, AND A TREMENDOUS COST SAVINGS TO THE CITY.

ON BEHALF OF A GRATEFUL CITIZENRY, THE CITY COUNCIL COMMENDS THE GREATER SAN ANTONIO CHAMBER OF COMMERCE FOR ITS EXCELLENT WORK AND CONTINUED SUPPORT OF COMMUNITY ENDEAVOR.

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Mayor Cisneros and Mayor Pro Tem Thompson then presented the Citations to the named individuals.

Mayor Cisneros spoke in recognition of the efforts of Ms. Barbara Banker, Chairperson of the Chamber of Commerce NCO Involvement Committee, for her work with the military of San Antonio. He then thanked all those named in the Citations for their work on behalf of the City of San Antonio.

84-03

MAYOR OF PARRAS, COAHUILA MEXICO

Mayor Cisneros noted that Sr. Gregorio Gonzales Nunez, Mayor of the City of Parras, Coahuila, Mexico currently is visiting San Antonio to seek technological assistance and exchange with the City of San Antonio. He then read a Proclamation, declaring Sr. Nunez to be an Alcalde de la Villita, and welcomed him to San Antonio. Mayor Cisneros then presented Sr. Nunez with the Alcalde and the official book on San Antonio.

Sr. Nunez brought greetings to the citizens of San Antonio from the Governor of Coahuila and the City of Parras, birthplace of Francisco Madero, leader of the 1910 revolution in Mexico. He then spoke of the beauty of the City and its products, and invited the Mayor and members of the City Council to take part in Parras' annual celebration August 3, 1984, which highlights the wine production in that area. He also spoke of his hopes that the queen of one of San Antonio's major events would visit Parras and participate in that City's celebration August 3.

Mayor Cisneros spoke of the possibilities of both cultural and technological exchanges between the two cities, noting the successful exchange between San Antonio and Guadalajara involving purchase of a firetruck by San Antonio on behalf of Guadalajara, and the subsequent donation of paving stones by Guadalajara for San Antonio, including the providing of skilled labor to lay the stones, as well. He spoke of the importance of working with our neighbors to the south.

84-03

PHOTOGRAPHY EXHIBIT

Mayor Cisneros introduced Ms. Michelle Breedwell, journalism student, University of Texas at Austin, present in the audience today.

Ms. Breedwell spoke of the success of a photography project held in San Antonio, the products of which now are on display in a special exhibit at Bolivar Hall, La Villita, held in conjunction with the San Antonio Conservation Society. She then distributed invitations to members of the City Council.

Mayor Cisneros stated that he looked forward to viewing the exhibit, and thanked the school for its effort.

Ms. Breedwell presented the Mayor with an exhibit poster.

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U.S. MODERN PENTATHLON

Mrs. Genie Lowry, representing the 4th United States Modern Pentathlon International Invitational Competition/First United States Olympic Trial, spoke to the background and dates for this important event, noting that some 17 nations already have responded to invitations for the March 9-13, 1984 event. She stated that San Antonio excels in this event, with the Modern Pentathlon training held here each year. She then spoke of the formation of an "adopt-an-athlete" program to help equip U.S. athletes for the Modern Pentathlon, and asked that the City support this event as an example for schools and other organizations to take part with bands and other representation.

Mayor Cisneros asked that Mrs. Lowry meet with Mr. Ron Darner, Director of Parks and Recreation, to plan for city support of the event.

Mrs. Lowry then handed out individual packets to members of the City Council.

84-03

MR. AIDEN AMES

Mayor Cisneros introduced Mr. Aiden Ames, National Youth Organizer from Ireland, present in the audience, and presented him with a San Antonio belt buckle and the official book on San Antonio.

Mr. Ames thanked all Americans for their assistance to Ireland over the years.

Mayor Cisneros spoke briefly on the importance of Ireland to San Antonio, and welcomed Mr. Ames to the City.

84-03 Minutes of the regular meeting of January 5, 1984 were approved.

84-03

WATER EXTENSION POLICY PUBLIC HEARING

Mayor Cisneros reminded members of the City Council about the 7:00 P.M. Public Hearing on the Water Extension Policy, set for the River Room at the Convention Center, this evening.

84-03

CONSENT AGENDA

Mr. Archer moved that items 6-17 constituting the consent agenda be approved. Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 58,135

ACCEPTING THE LOW QUALIFIED BID OF HEATH CONSTRUCTORS, INC., IN THE AMOUNT OF \$148,320.92, FOR THE CONSTRUCTION OF BRIGGS AVENUE, FROM SOMERSET ROAD TO BARLITE BLVD.; APPROVING A CONTRACT AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 58,136

ACCEPTING THE LOW QUALIFIED BID OF BEXAR ELECTRIC COMPANY, INC., IN THE AMOUNT OF \$361,000.00, FOR THE CONSTRUCTION OF AN EMERGENCY MONITORING SYSTEM TO MONITOR LIFT STATIONS AND TEMPORARY TREATMENT PLANTS; APPROVING A CONTRACT AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 58,137

AUTHORIZING EXECUTION OF A STANDARD PROFESSIONAL SERVICES CONTRACT WITH M.W. CUDE & ASSOCIATES. INC., TO PROVIDE ENGINEERING DESIGN SERVICES ON THE BRAUN FARM OFF-SITE SANITARY SEWER PROJECT; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 58,138

AUTHORIZING EXECUTION OF A STANDARD PROFESSIONAL SERVICES CONTRACT WITH U.R.S. ENGINEERS TO PROVIDE ENGINEERING DESIGN FOR THE SALADO CREEK LAGOON AERATION; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 58,139

AUTHORIZING AN ADDITIONAL \$16,550.00 PAYMENT TO FLAGG & ASSOCIATES, ENGINEERS, FOR ADDITIONAL PROJECT MANAGEMENT SERVICES RELATED TO THE MITCHELL LAKE POLDER CLEANING PROJECT; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 58,140

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$64,370.00 OUT OF VARIOUS FUNDS FOR THE PURPOSE OF ACQUIRING TITLE AND/OR EASEMENTS TO CERTAIN LANDS; ALL IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS. (SAN ANTONIO WASTEWATER FACILITIES IMPROVEMENTS PROGRAM, CATEGORY NO. 3, PROJECT I, RILLING ROAD TRANSFER LINE; GOLDEN STREET DRAINAGE PROJECT NO. 250, PHASE III; WURZBACH ROAD PROJECT - BABCOCK ROAD TO EVERS ROAD; VILLA CORONADO STREET PROJECT)

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AN ORDINANCE 58,141

GRANTING AND MANIFESTING A LICENSE TO 1776, INC., TO OCCUPY SPACE OVER SIDEWALK AT THE SOUTHEAST CORNER OF MAIN AVENUE AND ASHBY PLACE FOR ROOF OVERHANG WHICH ENCROACHES ABOVE THE RIGHT-OF-WAY ADJACENT TO LOT 7, NEW CITY BLOCK 1725.

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AN ORDINANCE 58,142

ACCEPTING THE BID OF BERTRAND O. BAETZ, JR. FOR AN

OIL AND GAS LEASE FROM THE CITY ON A TRACT OF LAND
IN BEXAR AND WILSON COUNTIES.

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AN ORDINANCE 58,143

ACCEPTING THE LOW QUALIFIED BID OF SANTEX
INTERNATIONAL TRUCKS, INC., TO FURNISH THE CITY OF
SAN ANTONIO WITH SIX (6) TRUCKS FOR A TOTAL COST OF
\$111,837.48.

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AN ORDINANCE 58,144

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 58,145

AUTHORIZING PAYMENT OF MEMBERSHIP DUES IN THE AMOUNT
OF \$31,440.92 FOR CALENDAR YEAR 1984 TO THE ALAMO
AREA COUNCIL OF GOVERNMENTS (AACOG).

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AN ORDINANCE 58,146

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

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ZONING HEARINGS

18. CASE Z83457 - to rezone Lots 2 and 3, Block 5, NCB 10937, 713-723
Hot Wells Blvd., from "B" Residence District to "B-3" Business District,
located on the north side of Hot Wells Blvd., being 140' west of the
intersection of IH 37 South Expressway and Hot Wells Blvd., having 268.48'
on Hot Wells Blvd. and a depth of 324.5'.

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

Mr. Andy Guerrero, Planner II, stated that the applicant's
representative has asked that the case be postponed.

Mr. Wallace Henderson, representing the proponent, stated that he
had only recently been retained by the proponent in this case, and had
just spoken to the opposition today. He stated that he felt that the
application might be modified as needed by both sides, and also noted that
no one in opposition to this case today was against the requested
postponement.

Mrs. Dutmer moved that this zoning case be postponed. Mr. Wing
seconded the motion.

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

Case Z83457 was postponed.

19. CASE Z83452 - to rezone Lot 10, Block 1, NCB 11900, 4474 Walzem Road, from "O-1" Office District to "B-1" Business District, located southwest of the intersection of Heights Drive and Walzem Road, having 62.09' on Walzem Road and 156.67' on Heights Drive.

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

Mr. Nicasio Dimas, representing the proponent, explained his request for a small beauty shop in a converted residence. He spoke of the zoning history of this immediate area and the business nature of Walzem Road, with businesses lining this block on the north side, and only two residences remaining on the south side. He distributed photographs of this area, showing changes made to property usage in the past three years. He stated his opinion that no appreciable increase in traffic will occur with installation of the requested beauty shop, and stated his contention that the area is transitioning toward business usage.

Mr. William E. Darr, 419 Laramie, spoke in support of the request.

Mr. Harry F. Kohnitz, 4466 Walzem Road, spoke in opposition to the request, noting that a previous rezoning request on this property had been rejected in 1980. He spoke of the increase in traffic in the area already, and of the improvements made to his home. He also spoke of recent work done to change the character of the subject property, and of the possibility that other such changes in zoning on other area properties might be sought as a result of any rezoning on this property.

Mr. Dimas stated that the property adjacent to the subject property is zoned I-1, with business usage immediately across the street.

Mr. Hasslocher noted that this area has changed in character over the past several years, and Walzem Road is becoming a very busy street, with heavy traffic.

Mr. Hasslocher moved that the requested rezoning be approved. Mr. Alderete seconded the motion.

Mrs. Dutmer spoke to the fact that a beauty shop already is located across the street.

Mr. Baldemar L. Garza, 4474 Walzem Road, the proponent, stated that he plans to install six chairs in the proposed beauty shop.

Mr. Archer spoke against the request, stating his belief that it is too intensive a zoning for this area.

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, Hasslocher, Cisneros; NAYS: Archer; ABSENT: Thompson.

AN ORDINANCE 58,147

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 10, BLOCK 1, NCB 11900, 4474 WALZEM ROAD, FROM "O-1" OFFICE DISTRICT TO "B-1" BUSINESS DISTRICT.

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20. CASE Z83481 - to rezone a 1.122 acre tract of land out of NCB 13887, being further described by field notes filed in the Office of the City Clerk, from Temporary "A" Single Family Residence District to "P-1(R-5)" Planned Unit Development, One Family Residence District; a 0.372 acre tract of land out of NCB 13887, being further described by field notes filed in the Office of the City Clerk, from Temporary "A" Single Family Residence District to "P-1(R-5)" Planned Unit Development One-Family Residence District; a 7.371 acre tract of land out of NCB 13837, being further described by field notes filed in the Office of the City Clerk, from Temporary "A" Single Family Residence District to "P-1(R-6)" Planned Unit Development, Townhouse Residence District; and a 8.309 acre tract of land out of NCB 13837, being further described by field notes filed in the Office of the City Clerk, in the 14300 Block of Jones Maltsberger Road, from Temporary "A" Single Family Residence District to "P-1(R-5)" Planned Unit Development, One Family Residence District, located on the northwest side of Jones Maltsberger Road, being 160' southwest of the intersection of Great Oak Drive and Jones Maltsberger having 260' on Jones Maltsberger Road, a depth of 1670' and a maximum width of 750'.

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

AN ORDINANCE 58,148

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 1.122 ACRE TRACT OF LAND OUT OF NCB 13887, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "P-1(R-5)" PLANNED UNIT DEVELOPMENT ONE-FAMILY RESIDENCE DISTRICT; A 0.372 ACRE TRACT OF LAND OUT OF NCB 13887, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "P-1(R-5)" PLANNED UNIT DEVELOPMENT ONE-FAMILY RESIDENCE DISTRICT; A 7.371 ACRE TRACT OF LAND OUT OF NCB 13837, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "P-1(R-6)" PLANNED UNIT DEVELOPMENT TOWNHOUSE RESIDENCE DISTRICT; AND A 8.309 ACRE TRACT OF LAND OUT OF NCB 13837, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 14300 BLOCK OF JONES-MALTSBERGER ROAD, FROM TEMPORARY "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "P-1(R-5)" PLANNED UNIT DEVELOPMENT ONE-FAMILY RESIDENCE DISTRICT.

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21. CASE Z83449 - to rezone a 5.452 acre tract of land out of NCB 15601, being further described by field notes filed in the Office of the

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City Clerk, in the 7500 Block of US Hwy 90 West Expressway, from Temporary "R-1" One Family Residence District to "B-2" Business District, and a 6.102 acre tract of land out of NCB 15601, being further described by field notes filed in the Office of the City Clerk, from Temporary "R-1" One Family Residence District to "R-3" Multiple Family Residence District, located on the southside of US Hwy 90 West Expressway, being 1100' east of the intersection of Springvale Drive, having 527.12' on US Hwy 90 West Expressway and a depth of 916.07'. The "B-2" being on the north 400' of subject property and the "R-3" being on the remaining portion.

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

No citizen appeared to speak in opposition.

Mrs. Dutmer moved that the recommendation of the Zoning Commission be approved. 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 58,149

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 5.452 ACRE TRACT OF LAND OUT OF NCB 15601, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 7500 BLOCK OF U.S. HIGHWAY 90 WEST EXPRESSWAY, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT; AND A 6.102 ACRE TRACT OF LAND OUT OF NCB 15601, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT.

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84-03 The Clerk read the following Ordinance:

AN ORDINANCE 58,150

CASTING VOTES FOR THE TEXAS MUNICIPAL LEAGUE WORKER'S COMPENSATION JOINT INSURANCE FUND AND JOINT SELF-INSURANCE FUND BOARD OF DIRECTORS.

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Mr. Archer 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.

84-03 The Clerk read the following Resolution:

A RESOLUTION NO. 84-03-04

APPROVING THE BASIC ASSUMPTIONS TO BE USED IN

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FORMULATING THE LONG RANGE FINANCIAL FORECAST FOR
FISCAL YEAR 1984-89.

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

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84-03 By informal concensus of the City Council, it was agreed to temporarily bypass Agenda Item 24 until later in the meeting.

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84-03 The Clerk read the following Ordinance:

AN ORDINANCE 58,151

CLOSING AND ABANDONING A PORTION OF KELLY DRIVE BETWEEN NEW CITY BLOCKS 7674 AND 8619 AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNATE TO EXECUTE A QUITCLAIM DEED TO FRANK SALINAS, THE ADJACENT OWNER, FOR A CONSIDERATION OF \$200.00.

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Mr. Wing explained the history of this proposed Ordinance, noting that it had taken several years of effort to reach this point. He spoke in favor of reducing the quitclaim deed consideration from the staff-recommended \$550.00 to \$200.00, noting that the property is quite small and has been maintained by the proposed purchaser for a number of years.

A discussion of the purchase price then took place.

Mr. Wing moved to approved the Ordinance with a cost to purchase of \$200.00. 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, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Harrington.

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84-03 The Clerk read the following Ordinance:

AN ORDINANCE 58,152

AMENDING SECTION 14-58 AND 14-59 OF THE CITY CODE BY INCREASING THE RESIDENCE HOMESTEAD EXEMPTION FOR THE ELDERLY FROM \$22,000.00 TO \$50,000.00 EFFECTIVE FOR THE 1984-1985 TAX YEAR.

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Mr. Eureste moved that the Ordinance be approved. Mr. Archer 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.

Mayor Cisneros stated his belief that this is a proper step to take, and thanked Mr. Archer for the original idea.

Mrs. Dutmer quoted from a paper, prepared by Mr. Bill Nation, for presentation later in this meeting (a copy of which is attached to Resolution 84-03-05, considered later in this meeting).

Mr. Bill Nation, Vice-President, Homeowner Taxpayer Association of Bexar County, stated that he is representing his Board of Directors in this matter, and questioned the legality of the action taken on the immediately-preceding Ordinance, utilizing funds from a supplemental tax roll for this purpose. He stated his belief that these funds represent a 14.5 per cent tax increase to City property owners, and stated his further belief that any excess from the supplemental tax roll proceeds should be returned to the taxpayers. He asked that the taxpayers be told all the facts about the streets bond issue proposal, and spoke to interest costs on the City's bonded indebtedness. He stated his contention that the voters need to decide the streets bond issue matter on its own merits, and spoke in favor of using the extra \$851,000 in unexpected sales tax revenues to the City to fund the increased senior citizen tax exemption of \$50,000. He recommended: 1) each matter must stand on its own merits; 2) the City pledge to return proceeds of the supplemental tax roll to homeowners-taxpayers via a tax rollback; 3) let the streets bond issue stand on its own merits; 4) find alternative funding for the increased senior citizen tax exemption; 5) find out why the tax rolls are so far off, and correct the matter.

He distributed copies of his statement to members of the City Council (a copy of which is made a part of the papers of this meeting).

Mr. Archer stated his belief that the City is all right on its present plans for use of the supplemental tax roll funds.

Mr. Carl White, Director of Finance, stated that his office had checked into this point closely, and City plans for use of the funds is legal, in his opinion. He stated that the City Council set the tax roll legally when last adopted, based upon the best information available from the Bexar Appraisal District, and without knowing the exact amount that might yet be forthcoming from any supplemental tax roll. He explained that not all properties in the City were reappraised by the Appraisal District prior to enactment of the tax rate, and these properties now are being reported as having been reappraised, upon which a supplemental tax roll is being prepared.

In response to a question by Mayor Cisneros, Mr. White stated that this is not a new tax, and he had checked out this matter with the State Attorney General.

In response to another question by Mayor Cisneros, Mr. Tom Finlay, Acting City Attorney, stated that he would check into this matter, closely.

Mr. Louis J. Fox, City Manager, stated his belief that the City acted prudently in this matter, noting that the former City Attorney also felt that everything was in order. He further stated that this does not represent a new tax, simply a reappraisal on some 25,000 properties not included in the original tax roll.

Mayor Cisneros stated his contention that monies from the supplemental tax roll do not constitute receipts from a new tax, and further stated his belief that the City should offer a choice to the voters.

Mr. Archer stated his opinion that the homeowners group has a good point, and then spoke to chronological events leading up to the

present situation in regard to the supplemental tax roll. He noted that Mr. White feels that applying a certain amount of these funds to the City's debt service does not impact the state law or its limitations of three per cent leeway in changes to the tax rate.

Mr. White then briefly explained his stance on the matter mentioned by Mr. Archer, above.

Mr. Archer urged the Council to allow the streets bond issue matter to stand on its own.

84-03 The Clerk read the following Resolution:

A RESOLUTION NO. 84-03-05

EXPRESSING THE CITY COUNCIL'S POLICY THAT IF THE 1984 STREET BOND ISSUE IS APPROVED, THE CITY COUNCIL WILL NOT RAISE THE PROPERTY TAX RATE IN FISCAL YEAR 1984-1985 TO RETIRE SAID BONDS.

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Mayor Cisneros stated his opinion that Mr. Archer's previously-stated alternate plan is somewhat risky, rolling back taxes before knowing fully the impact of next year's budget and its requirements.

A discussion of possible alternatives then took place.

Mayor Cisneros spoke in favor of having the streets work funded, in lieu of a tax rollback. He spoke in support of the Resolution, as prepared.

Mrs. Dutmer spoke in support of the streets bond issue.

In response to a question by Mrs. Dutmer, Mr. Carl White, Director of Finance, spoke to information available on the reappraisal program when the tax rate was set, noting that the City at that time did not know the full value of that part of the reappraisal program still not completed, and which was reflected in the supplemental tax roll.

Mr. Louis J. Fox, City Manager, explained the process of use of data from the Bexar Appraisal District in setting the City's tax rate.

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

Mr. Thompson made an amended motion to delete Section 2 of the proposed Resolution, and delete that portion of the caption that reflects the substance of Section 2. Mr. Alderete seconded the motion.

Mr. Thompson briefly restated the motion.

In response to a question by Mr. Thompson, Mr. Bill Nation, Vice-President of Homeowner Taxpayers Association of Bexar County, spoke to the 'truth in taxation' law provisions as it applies to San Antonio's tax rate setting. He stated his opinion that the City set an illegal tax rate at that time by not including all reappraised properties in the process.

Mr. Carl White, Director of Finance, spoke to the necessity for using conservatism in tax roll estimates, and noted that the tax rate is set on the certified tax roll, which contained the best figures available at the time.

In response to a question by Mr. Eureste, Mr. White explained the process of setting the tax rate with the certified tax roll supplied by

the Bexar Appraisal District, resulting in a three per cent increase in City taxes.

Mr. Eureste spoke to possible actions that could be taken by a court in this matter, in his opinion. He stated his contention that the City made the proper decision in setting the tax rate, and further stated his belief that the City Council can govern the City without going back to the voters each time a decision is required. He urged that the streets bond issue stand on its own before the voters, and stated that certain tax groups have been against the bond issue in the past.

Mr. Harrington spoke of his belief that this matter represents an effort to derail the streets bond issue, and stated his contention that the Homeowner Taxpayers Association of Bexar County is against the streets bond issue. He then urged passage of the bond issue by the voters.

Mr. Archer stated that the reappraisal program strikes hard at the homeowner, and stated further that he will join the Homeowner Taxpayers Association of Bexar County in seeking legal relief if the Resolution is enacted.

Mrs. Dutmer spoke of the need for written confirmation and clarification of the law as it applies to this entire matter.

Mr. Thompson noted that he planned to vote against his own amended motion in this matter.

Mr. Eureste urged the defeat of both motions.

Mayor Cisneros then briefly restated the two motions now pending action, and stated his belief that the Council needed to state its official position in this matter. He also spoke in favor of applying supplemental tax roll funds to retire the bonds, if passed.

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

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

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84-03 The Clerk read the following Resolution:

A RESOLUTION NO. 84-03-06

AUTHORIZING THE CITY MANAGER TO SOLICIT PROPOSALS FOR THE PROVISION OF HOUSING SERVICES AND ACCOMMODATIONS FOR THOSE PERSONS ARRESTED BY THE SAN ANTONIO POLICE DEPARTMENT WHOSE ONLY OFFENSE IS PUBLIC INTOXICATION.

* * * *

Mr. Wing moved that the Resolution be approved. Ms. Berriozabal 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.

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84-03 The Clerk read the following Ordinance:

AN ORDINANCE 58,153

328

REAPPOINTING & APPOINTING MEMBERS TO SERVE ON THE CENTRO 21 TASK FORCE FOR TERMS TO EXPIRE JANUARY 31, 1986.

* * * *

The City Clerk read the names of persons to be reappointed and appointed, and noted that the City Council needed to designate one person as Chairperson.

Mrs. Dutmer moved that the Ordinance be approved and that Virginia Van Steenberg be named as chairperson. Mr. Thompson seconded the motion.

A brief discussion then took place concerning the attendance record of Task Force member Norcell Haywood.

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

84-03 The Clerk read the following Ordinance:

AN ORDINANCE 58,154

APPOINTING LETICIA RODRIGUEZ TO SERVE ON THE PARKS & RECREATION BOARD, FOR THE UNEXPIRED TERM OF CARLOS GONZALES WHO HAS RESIGNED.

* * * *

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

84-03 The Clerk read the following Ordinance:

AN ORDINANCE 58,155

APPOINTING DR. DANIEL LUECKE TO SERVE ON THE TECHNICAL ADVISORY COMMITTEE FOR STUDYING WATER RESOURCE ISSUES, IN PLACE OF DR. CARL RABA WHO HAS BEEN APPOINTED CHAIRMAN OF THE COMMITTEE.

* * * *

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

84-03 The Clerk read the following Ordinance:

AN ORDINANCE 58,156

AUTHORIZING THE SCOPE OF THE FRELON DRAINAGE PROJECT TO BE ENLARGED TO INCLUDE THE INSTALLATION OF RETAINING WALLS AND AUTHORIZING PAYMENT TO THE CONTRACTOR.

* * * *

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

84-03 PUBLIC HEARING: ANNEXATION OF CHURCHILL ESTATES UNIT 9

Mayor Cisneros declared the Public Hearing open and briefly explained the proposed annexation. He noted that no citizen was signed to speak on the matter and declared the Public Hearing to be closed.

At this point, Mr. Harrington moved that the annexation process continue. Mr. Hasslocher seconded the motion.

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

84-03 The City Council then recessed for an Executive Session at 4:10 P.M., reconvening in regular session at 4:50 P.M.

84-03 The Clerk read the following Ordinance:

AN ORDINANCE 58,157

ACCEPTING A PROPOSAL FROM UNDERGROUND RESOURCE MANAGEMENT, INC., TO PROVIDE ENGINEERING SERVICES FOR PHASE I ONLY, PRELIMINARY INVESTIGATION FOR THE WEST AVENUE SANITARY LANDFILL LEACHATE MIGRATION ABATEMENT PROJECT; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

* * * *

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

84-03 POTHOLE PROGRAM

Mr. Harrington spoke in support of his proposal to ask citizens of San Antonio to underwrite costs of repairing potholes in the streets, on an individual basis, noting that without adequate repair, rainwaters are undercutting City streets to a serious extent.

He recommended a five-point program, including 1) establishing a telephone hotline for reporting potholes and for "purchasing" those potholes for repair by City crews; 2) set aside, on a trial basis, a certain day for the City staff to join with community groups and individuals in a given area, to undertake repair of potholes in that area; 3) encourage builders and developers to maintain street repair in their subdivisions for a period of five years after its creation, on a voluntary basis; 4) require a 12-19 month guarantee from private contractors making street cuts for any reason; and 5) consider issuing 'title' to potholes in return for a donation of \$15 each, to be used to defray costs of repairing them. He added that he would purchase the first two potholes, one for Former Mayor Charles Becker and one for Roddy Stinson.

Mayor Cisneros stated that this type program has been done in other cities around the nation with success, and stirs the voluntary participation of citizens in helping solve street problems. He thanked Mr. Harrington for this idea, as well as for the idea for "Project WARM", and asked the City Manager to give the program a fair chance of success.

Mr. Louis J. Fox, City Manager, spoke to the importance of the notification process concerning potholes.

Mr. Harrington moved that City staff be instructed to explore the above points for implementation. Mr. Alderete seconded the motion.

Mrs. Dutmer spoke in support of the proposal, stating that unusual ideas attract citizen attention.

In response to a question by Mr. Archer, Mr. Frank Kiolbassa, Director of Public Works, spoke to the process of repairing potholes in the streets, noting that citizens can help, even manually. He stated that a truck would be required for this special project.

The motion to instruct City staff to explore possible implementation of Mr. Harrington's five point plan prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: None.

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84-03

TRANSPORTATION ADVISORY BOARD

Mr. Thompson spoke to the need for City Council appointments for the newly-created Transportation Advisory Board, and that he would work with the matter toward quick resolution.

Mr. Thompson moved to put this item on the regular Council agenda for next week. Mr. Hasslocher seconded the motion.

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

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84-03

CITIZENS TO BE HEARD

MR. KENT MILLER

Mr. Kent Miller, representing the San Antonio Urban Council, spoke regarding their fairweather housing program. He explained in detail the problems they have encountered. He asked for the City Council or the Housing Task Force to review two possible sites and write a positive report for HUD's benefit in order to speed up the process since they are facing a HUD deadline.

Councilman Eureste, Chairman of the Housing Task Force, stated that he had been approached by Mr. Miller and he had advised Mr. Miller

that he would have to get a concensus from the Councilmembers in whose districts the proposed housing are to built. The two projects would be in Districts 3 and 4.

Mr. Wing stated that these types of projects have been built in his area without any problems. However, he feels that the groundwork has to be accomplished and everything set in place before a decision is made on location of such projects. He stated that the neighborhood has a right to be apprised before a decision is made as to where these projects are to be built.

Mrs. Dutmer reiterated Mr. Wing's comments and stated that she is not personally opposed to the building of one site in her district, however, as a member of the Housing Task Force, she expressed her disapproval.

Mr. Miller stated that these two separate properties have met all of the HUD guidelines and the sites can be separated.

Mr. Eureste stated that the problem is the time frame which was presented by Mr. Miller which does not give ample time for review by neighborhood residents.

At this point a discussion took place on placing this issue before the City Council next week or before the Housing Task Force.

Mr. Miller stated that next week would be too late to meet his deadline.

Mr. Louis J. Fox, City Manager, stated that he would be willing to meet with Mr. Miller and Mrs. Dutmer to prepare a letter to HUD approving the one parcel.

Mrs. Dutmer asked Mr. Miller to meet with her and the affected residents in her District. She stated that the project would be a densely residential area.

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MR. BEN HUERTA

Mr. Ben Huerta, representing R. L. Redding & Associates, distributed a prepared statement to the Council regarding the proposed feasibility study on an entertainment/sports complex. (A copy of Mr. Huerta's statement is on file with the papers of this meeting.)

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MS. RUTH MANGES

Mrs. Ruth Manges, Box 356, Freer, TX., spoke to the City Council about USFL approaching her husband on whether San Antonio was ready for professional football. She stated that there will only be nine home games and four of these will be played at night. She stated that her husband has put a lot of money into the stadium and USFL will give more boys a chance to play. She asked the City Council to support them in their efforts.

Mrs. Dutmer expressed her opinion on this matter, and her reasons for opposing the use of Alamo Stadium for professional sports.

Ms. Berriozabal also expressed her reservations about professional sports being played at Alamo Stadium. She cited that there were many neighborhood issues which were never addressed.

Mr. Thompson stated that he is very much in favor of professional football in San Antonio. He feels that Alamo Stadium is the place to start and if everyone works together, things will work out.

Mr. Eureste also thanked Mrs. Manges for coming to San Antonio. He stated that he feels that there will be professional football at Alamo Stadium. He also spoke about the investment made by Mr. Manges and his desire to see the community unite on this effort.

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MS. CLIFTON MCNEEL

Ms. Clifton McNeel, representing the River Road Association, asked the City Council not to consider the compromise offered by the Mayor. She asked that the River Road Association be allowed their day in court. She also expressed concerns about the detrimental effect professional football at Alamo Stadium would have on the San Antonio Zoo. She expressed the concern of the neighbors on this issue.

In response to Mayor Cisneros, Ms. McNeel stated that the Association wants their day in court and they feel that they can win.

Mayor Cisneros stated that if the River Road Association loses, a 60,000 seat stadium will result at Alamo Stadium.

At this point, Mayor Cisneros distributed a copy of a letter from Maloney and Maloney on the compromise. (A copy of which is on file with the papers of this meeting.)

In response to Mr. Eureste, Ms. McNeel stated that the Judson/Yates game resulted in tremendous traffic congestion and expressed her concern about the increasing of seating to 60,000. She also spoke to the deficits the zoo would experience when the USFL games are played at Alamo Stadium.

Mrs. Dutmer expressed her concern with the response as outlined in Marynell Maloney's letter.

Mayor Cisneros stated there were three major points: shorten the term of the lease, cap the stadium seating and, when the new stadium is built, USFL leave the stadium.

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MR. GENARO CANO

Mr. Genaro Cano appeared before the City Council for a report as requested last week. (A copy of the report is on file with the papers of this meeting.)

Mayor Cisneros stated that the Legal Department had determine that the City's Mobile Food Vending Code does prohibit and can be enforced against a mobile food vending operation located within 300 feet of a school on both public and private property.

Mayor Cisneros stated that the City Council would not be in favor of changing this ordinance for one particular case.

Mr. Thompson stated that he received a frantic call from a PTA member speaking against any change to this Ordinance.

Mr. Eureste stated that the question can be answered and the ordinance applies to everyone equally.

In response to Mrs. Dutmer, Mr. Louis J. Fox, City Manager, stated he will work with Mr. Cano to advise what is available to him.

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MR. LUIS MORALES

Mr. Luis Morales stated that he is a firefighter and represents only himself as a firefighter. He stated that the fire chief is violating a City ordinance and spoke against the fire department policy on sick leave. He stated that he had written a letter to Assistant City Attorney Jake Talley and had never received a response nor has he been able to meet with the City Manager, thus his reason for coming before the City Council.

He stated that the fire chief's policy on sick leave requires the firefighters to use more sick leave than necessary. He described his own personal experience of requiring only five hours of sick leave and being forced to use 48 hours. He asked for the City Council's support and stated that the fire chief is putting his policy above the arbitrator's rulings.

Mrs. Dutmer stated that the City Council has no right to interfere and asked the City Manager to discuss this matter with the City employee.

Ms. Berriozabal reiterated Mrs. Dutmer's statement and also expressed her concern about deactivating EMS stations. She added that she had been told that there is a problem with the sick leave practices.

Mr. Alderete also reiterated Mrs. Dutmer's statement.

Mr. Louis J. Fox, City Manager, stated that he would meet with this firefighter and with Chief Martinez on this issue.

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LIZ DAVIES

Liz Davies, representing the San Antonio Coalition of Neighborhood Associations, spoke to the City Council about their concerns that any stadium feasibility study include and address neighborhood concerns. She stated that Mr. Skip Noe, Assistant to the City Manager, had assured her that the recommendation from the City staff would make reference to neighborhood issues.

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There being no further business to come before the City Council, the meeting was adjourned at 6:15 P.M.

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A P P R O V E D

Henry Cisneros
M A Y O R

ATTEST: *Anne J. Rodriguez*
C I T Y C L E R K