

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, SEPTEMBER 25, 1980.

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The meeting was called to order at 1:00 P.M. by the presiding officer, Mayor Pro-Tem John Steen, in the absence of the Mayor, with the following members present: CISNEROS, WEBB, DUTMER, WING, EURESTE, THOMPSON, ALDERETE, CANAVAN, ARCHER, STEEN; Absent: COCKRELL.

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80-48 The invocation was given by Reverend Dr. Frank Pollard, First Southern Baptist Church.

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80-48 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

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80-48 The minutes of the meeting of September 11, 1980 were approved.

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80-48 SWEARING IN CEREMONY

Councilman Bernardo Eureste was administered the Oath of Office as Mayor Pro-Tem by City Clerk, Norma S. Rodriguez. Mr. Eureste will serve during the period of September 29, 1980 through December 10, 1980.

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80-48 PRESENTATION OF CITATION

Mayor Pro-Tem John Steen then read the following Citation to Fire Captain Hans Mangold on the occasion of his retirement after forty-one years of service with the Fire Department. Fire Chief I.O. Martinez noted that Captain Mangold had missed only six days of work in his 41 years of service.

THE CITY OF SAN ANTONIO
(State of Texas)

Hereby presents this

CITATION

TO

HANS MANGOLD

On the occasion of his retirement after forty-one years of service as a member of the San Antonio Fire Department, during which Captain Mangold achieved an outstanding record of service, loyalty and efficiency towards the betterment and welfare of the City of San Antonio and its citizens.

The City Council on behalf of the citizens of San

September 25, 1980
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Antonio commends Captain Hans Mangold for his accomplishments and extends best wishes in his future endeavors.

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Captain Mangold thanked the City Council for the award and the citizens of San Antonio for his job for the past forty-one years.

80-48

RESOLUTION OF RESPECT - ALVIN CROAN
NO. 80-48-75

At the request of Mayor Pro-Tem Steen, Councilwoman Dutmer read the following Resolution of Respect:

- WHEREAS, Life came to a close for Alvin Croan on September 22, 1980, and
- WHEREAS, Mr. Croan, a very respected civic leader on the Southside of San Antonio, founded the South San Antonio Chamber of Commerce, and
- WHEREAS, Mr. Croan was very active in the affairs of the entire community and worked diligently in the Harlandale School System, and
- WHEREAS, By his passing the City has lost a loyal and valued friend; NOW, THEREFORE:

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

- SECTION 1. That this City Council joins with his family and friends in their sorrow and recognition of that great loss, and extends its sincerest sympathy and prayers of comfort to those who were near and dear to him.
- SECTION 2. And it is hereby directed that a copy of this Resolution be spread upon the minutes of this meeting and a copy thereof be presented to his family as a small token of our deepest sympathy.

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Dr. Cisneros moved to approve the Resolution. Mr. Canavan seconded the motion.

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

80-48

CONSENT AGENDA

Dr. Cisneros moved that items #5-34 constituting the consent agenda be approved with the exception of items 9, 12, and 13 to be considered individually. Mr. Canavan seconded the motion.

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

AN ORDINANCE 52,796

AUTHORIZING PAYMENT OF \$4,243.00 TO THE DICTAPHONE CORPORATION FOR MAINTENANCE SERVICE FOR CERTAIN DICTAPHONE EQUIPMENT LOCATED IN THE POLICE DEPARTMENT FOR THE PERIOD OF AUGUST 1, 1980 THROUGH JULY 31, 1981.

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AN ORDINANCE 52,797

ACCEPTING THE LOW QUALIFIED BID OF ALAMO IRON WORKS TO FURNISH THE CITY OF SAN ANTONIO AVIATION DEPARTMENT WITH WIRE FENCE FOR A TOTAL OF \$4,498.55 LESS 2% - 10 DAYS.

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AN ORDINANCE 52,798

ACCEPTING THE LOW BID OF SOUTHWESTERN PIPE COMPANY TO FURNISH THE TRAFFIC AND TRANSPORTATION DEPARTMENT WITH TRAFFIC SIGN POSTS FOR A NET TOTAL OF \$28,850.01.

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AN ORDINANCE 52,799

ACCEPTING THE LOW QUALIFIED BID OF GILLETTE AIR CONDITIONING COMPANY TO FURNISH THE CITY AUTOMOTIVE OPERATIONS DIVISION WITH THE MODIFICATION OF THE HEATING AND VENTILATING SYSTEM AT THE NORTHWEST MAINTENANCE SHOP FOR A NET TOTAL OF \$17,656.00.

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AN ORDINANCE 52,800

ACCEPTING A CONTRIBUTION OF \$25,872.00 FROM SAN ANTONIO PROFESSIONAL SPORTS, INC., IN SUPPORT OF THE INSTALLATION OF ONE ADDITIONAL ROW OF SEATS IN THE MEZZANINE OF THE CONVENTION CENTER ARENA; ESTABLISHING A FUND AND APPROPRIATING SAID SUM; AND ACCEPTING THE LOW QUALIFIED BID OF AMERICAN DESK MANUFACTURING COMPANY TO INSTALL THE SEATS AND AUTHORIZING A CONTRACT AND PAYMENT.

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AN ORDINANCE 52,801

ACCEPTING A CITY WATER BOARD PROPOSAL FOR WATER MAIN RELOCATION AT THE INTERNATIONAL AIRPORT.

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80-48 Item 14, being a proposed ordinance appropriating the sum of \$134,438.28 and accepting the low qualified bid of Utilities Consolidated, Inc., in the amount of \$128,038.28 to construct the "NUF" Subdivision Unit 2 Sanitary Sewer Lift Station and "Force Main" Project; authorizing the City Manager to execute a standard Public

September 25, 1980
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Works Construction Contract; appropriating funds and adopting a budget for the project was withdrawn from consideration.

AN ORDINANCE 52,802

ACCEPTING THE LOW QUALIFIED BID OF A.L. MARTIN, INC., D/B/A LAMAR CONSTRUCTION IN THE AMOUNT OF \$206,754.16 TO CONSTRUCT THE BUNDY/BADGER STREETS RECONSTRUCTION PROJECT; AUTHORIZING A CONTRACT; ESTABLISHING A FUND AND ADOPTING A BUDGET; AND AUTHORIZING TRANSFER OF FUNDS FROM COMMUNITY DEVELOPMENT PROGRAM AND 1980 SEWER REVENUE BONDS FUNDS.

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AN ORDINANCE 52,803

CLOSING THE 900 BLOCK OF KENTUCKY STREET BETWEEN ZARZAMORA AND ELMENDORF STREETS FROM OCTOBER 4 TO OCTOBER 5 IN ORDER TO HOLD A PARISH FESTIVAL.

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AN ORDINANCE 52,804

CLOSING HOWARD STREET BETWEEN MULBERRY AND HUISACHE IN CONNECTION WITH THE ST. ANTHONY SCHOOL ANNUAL FALL FESTIVAL.

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AN ORDINANCE 52,805

APPROVING THE PRICE AND CONDITIONS OF SALE BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF CERTAIN SINGLE-FAMILY RESIDENTIAL LOTS LOCATED WITHIN THE COLONIA SAN ALFONSO COMMUNITY DEVELOPMENT PROJECT.

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AN ORDINANCE 52,806

APPROVING THE PRICE AND CONDITIONS OF SALE BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF CERTAIN SINGLE-FAMILY RESIDENTIAL LOTS LOCATED WITHIN THE COLONIA SANTA CRUZ COMMUNITY DEVELOPMENT PROJECT.

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AN ORDINANCE 52,807

AMENDING THE CITY'S AGREEMENT WITH NORTHEAST INDEPENDENT SCHOOL DISTRICT RELATED TO CITY'S LEASE OF SCHOOL PROPERTY FOR PARK PURPOSES.

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AN ORDINANCE 52,808

AUTHORIZING THE CITY MANAGER TO EXTEND A LEASE AGREEMENT BETWEEN THE CITY AND QUEST HOMES, INC., FOR A LEASE ON 2.471

ACRES OF LAND IN WESTWOOD VILLAGE.

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AN ORDINANCE 52,809

MANIFESTING THE EXTENSION AND MODIFICATION OF THAT CERTAIN CONCESSION AGREEMENT WITH MIDWEST INTERNATIONAL COMPANY EXECUTED PURSUANT TO ORDINANCE NO. 38676 OF JUNE 25, 1970, AND EXTENDED BY ORDINANCE 45789 OF OCTOBER 2, 1975, AT INTERNATIONAL AIRPORT FOR A FIVE (5) YEAR PERIOD.

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AN ORDINANCE 52,810

MANIFESTING AN AGREEMENT WITH EMERY AIR FREIGHT CORPORATION TO AMEND AND EXTEND THE PRESENT LEASE AGREEMENT FOR SPACE IN THE AIR CARGO TERMINAL AT INTERNATIONAL AIRPORT.

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AN ORDINANCE 52,811

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

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AN ORDINANCE 52,812

PROVIDING FOR THE SALE AND CONVEYANCE OF A PARCEL OF LAND WITHIN THE CORPORATE LIMITS OF THE CITY OF ALAMO HEIGHTS, IN BEXAR COUNTY, TO R.L. STEWART FOR A CONSIDERATION OF \$12,505.00.

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AN ORDINANCE 52,813

AUTHORIZING EXPENDITURE OF THE SUM OF \$1,270.00 OUT OF VARIOUS FUNDS FOR THE PURPOSE OF ACQUIRING TITLE AND/OR EASEMENTS TO CERTAIN LANDS; ACCEPTING THE DEDICATION OF TITLE AND/OR EASEMENTS TO CERTAIN LANDS; ALL TO BE USED IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS.

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AN ORDINANCE 52,814

FINDING THAT CERTAIN TAX ASSESSMENTS ARE INVALID AND ORDERING THAT THE INVALID ASSESSMENTS AND THE TAXES BASED THEREON BE CANCELLED.

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AN ORDINANCE 52,815

AUTHORIZING PAYMENT OF REFUNDS TO PERSONS.
MAKING OVERPAYMENTS OR DOUBLE PAYMENTS
ON 101 TAX ACCOUNTS.

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AN ORDINANCE 52,816

AUTHORIZING RENEWAL OF CERTAIN INSURANCE
ON TWO POLICE HELICOPTERS OPERATED BY
THE POLICE DEPARTMENT.

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AN ORDINANCE 52,817

ACCEPTING THE HIGH BIDS RECEIVED IN
CONNECTION WITH \$3,000,000 IN CITY
FUNDS AVAILABLE FOR DEPOSIT IN
INTEREST-BEARING CERTIFICATES OF
DEPOSIT.

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Travel Authorization-granted

Mayor Lila Cockrell - to travel to Washington D.C. for the
"SA" to "DC" '80 trip and meet with top military and Congressional
leaders to demonstrate San Antonio's strong support of its military
installations and a viable national defense from September 28, 1980
to October 1, 1980.

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Travel Authorization - granted

Councilman Henry Cisneros - to travel to Washington D.C. to
attend the Chamber of Commerce's "SA" to "DC" trip from September 28,
1980 to October 1, 1980.

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Travel Authorization - granted

Councilman Robert Thompson - to travel to Washington D.C. and
Virginia Beach to attend the Chamber of Commerce's "SA" to "DC" trip
from September 28, 1980 to October 1, 1980.

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Travel Authorization - granted

Councilman Gene Canavan - to travel to Washington D.C. to
attend the Chamber of Commerce's "SA" to "DC" trip from September 28,
1980 to October 1, 1980.

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80-48 The Clerk read the following Ordinance:

AN ORDINANCE 52,818

ACCEPTING THE BID OF FRED STRUCHTRUP FOR

September 25, 1980
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A FOOD AND BEVERAGE CONCESSION AT THE
BRACKENRIDGE GOLF COURSE CLUBHOUSE (5.25%
OF GROSS RECEIPTS TO THE CITY, WITH A
MINIMUM GUARANTEE.)

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Dr. Cisneros moved to approve the Ordinance. Mrs. Dutmer seconded the motion.

In response to a question by Mr. Webb on how the City arrives at the percentage figures for concession rights, Mr. Ron Darner, Director of Parks and Recreation, explained that bids are submitted by interested persons and the recommended percentage figure is the highest qualified bidder's own bid.

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

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80-48 The Clerk read the following Ordinance:

AN ORDINANCE 52,819

ACCEPTING THE LOW QUALIFIED BID OF WATSON DISTRIBUTING COMPANY IN THE AMOUNT OF \$34,469.00, TO CONSTRUCT THE "JOHN JAMES PARK IRRIGATION" PROJECT; AUTHORIZING THE EXECUTION OF A STANDARD CITY PUBLIC WORKS CONSTRUCTION CONTRACT; APPROPRIATING FUNDS AND ADOPTING A BUDGET FOR THE PROJECT.

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Dr. Cisneros moved to approve the Ordinance. Mr. Webb seconded the motion.

In response to a question by Mrs. Dutmer, Mr. Darner, Director of Parks and Recreation, stated that John James Park is located at Rittiman Road and Salado Creek, and the grant in question is from the State.

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

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80-48 The Clerk read the following Ordinance:

AN ORDINANCE 52,820

AUTHORIZING THE CITY MANAGER TO EXECUTE FIELD ALTERATION NO. 3 IN THE AMOUNT OF \$7,551.44 TO THE CONTRACT FOR CONSTRUCTION OF THE LEON CREEK WASTEWATER TREATMENT PLANT UPGRADING PHASE A.

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Dr. Cisneros moved to approve the Ordinance. Mr. Wing seconded the motion.

In response to a question by Mrs. Dutmer, Public Works Director, Mr. Frank Kiolbassa explained the details of the Field Alteration to Leon Creek Plant Upgrading.

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

80-48

CITY COUNCIL TRAVEL

Mr. Wing asked why the cost of travel varies between City Council members on agenda items 31-34, already approved as part of the Consent Agenda.

Mr. Thompson spoke to his own travel authorization, stating that he would be going from Washington D.C. to observe the solid waste disposal plant operations at Virginia Beach, Virginia.

City Clerk, Norma S. Rodriguez explained that the secretaries to the City Council members from their instructions, ordinarily prepare travel authorizations for Council trips.

Mrs. Dutmer stated that each Council member must itemize his or her expenses upon return from the trip.

Mr. Canavan spoke to the worthiness of the upcoming "SA to DC" trip to Washington.

80-48 ZONING HEARINGS

35. CASE 8226 - to rezone Lot 31, NCB 8409, in the 3600 Block of Fredericksburg Road, from "F" Local Retail District to "B-3" Business District, located north of the intersection of Fredericksburg Road and Gardina Street, having 1300' on Fredericksburg Road and 972' on Gardina Street.

Mr. Andy Guerrero, Planning Administrator, explained the proposed change which the Zoning Commission recommended be approved by the City Council.

Ms. Shelley Bennack, Attorney for the proponent, explained the need for a second-hand store and flea market usage on the location in question.

Mrs. Hilda Hewitt, 923 Vance Jackson Road, stated that not all homeowners within 200 feet of the property were notified of the zoning change request. She also stated that all residents at a recent meeting on the subject were against the requested change in zoning, and she handed to City staff a series of petitions on the issue (these petitions are on file with the official minutes of this meeting.) She outlined her objections to the rezoning, including noise pollution, tax increases and much activity in the area when nearby residents are away from home. She expressed fears that the proponent plans to utilize part of the building on the site as a muffler shop, resulting in a decrease in nearby property value.

In response to a question by Mr. Alderete, Mr. Andy Guerrero spoke about allowed uses under "B-3" zoning and explained that notices on the proposed zoning were sent to all listed owners. He stated that the existing flea market usage outside the building on the property was in violation of City laws.

In response to a question by Mr. Thompson, Mrs. Hewitt spoke to who was notified of the zoning change request and the possibilities of loss of property values in the area.

Mr. Andy Guerrero stated that twenty-seven condominium owners were among those persons who were notified of the request.

A discussion of the City's notification procedures then took place.

In response to a question by Mrs. Dutmer, Ms. Bennack spoke to allowed uses under "B-3" zoning.

Mrs. Dutmer stated that this zoning is the first step in downgrading the neighborhood and spoke of the problems surrounding large flea market operations in the City.

Ms. Bennack stated that the proponent is willing to work to alleviate problems of the nearby residents, insulating the flea market operation from nearby homes.

Mr. Eureste spoke against the rezoning request.

In response to a question by Mr. Webb, Mr. Guerrero stated that the difference between "B-3" and "F" Local Retail Zoning was in the items to be sold under the zoning restrictions, such as only "new" retail items under "F" zoning, whereas used material could also be sold under a "B-3" type of zoning.

Mr. Webb then spoke in opposition to the requested zoning change.

Ms. Bennack stated that the proponent would be willing to limit the "B-3" request to only the building on the property.

A discussion then took place relative to the hours of operation of the flea market, the thrift store on the property, the size of the building, and any possible expansion plans.

During this discussion, Mr. Webb stated that he must disqualify himself from any further participation in this case because he has learned that a store owned by his employer is also located on the property.

Mr. Alderete then made a motion to zone only the building on the property to "B-3". Dr. Cisneros seconded the motion.

In response to a question by Mr. Eureste as to the acceptability of this proposal, Mrs. Hewitt stated that her opposition is to any outside flea market activity and also to additional heavy traffic that it would generate on a roadway near the condominiums adjacent to the property; a roadway that carries heavy traffic into and out of the site.

Mr. Wing spoke in opposition, noting that a "B-3" zoning would allow such things as a muffler shop in the future.

In response to a question by Mr. Wing, Mr. Guerrero noted that the flea market had been operating in violation of zoning laws for a number of years, apparently without any complaints from the neighbors.

Mr. Alderete then made a motion to call the question. Mr. Archer seconded the motion. On roll call, the motion failed to carry by the following vote: AYES: Cisneros, Thompson, Alderete, Canavan, Steen; NAYS: Dutmer, Wing, Eureste, Archer; ABSENT: Webb, Cockrell.

A discussion then was held on zoning for specific announced uses for a property, rather than what a zoning classification would allow.

After discussion, the motion to rezone only the building on the property "B-3" failed to carry by the following vote: AYES: Cisneros, Thompson, Alderete, Canavan, Steen; NAYS: Dutmer; Wing, Eureste, Archer; ABSENT: Cockrell; DISQUALIFICATION: Webb.

CASE 8226 was denied.

36. CASE 8225 - to rezone the west and north 100' of P-46 and the west 100' of P-46C, NCB 14862, in the 5800 Block of DeZavala Road, from "R-3" Multiple Family Residential District and "B-2" Business District to "B-3R" Restrictive Business District, located on the south side of DeZavala Road, being 1693.49' west of the intersection of I.H. 10 Expressway and DeZavala Road, having 1459' on DeZavala Road and a maximum depth of 2077.49'; P-46, save and except the west and the north 100'; P-46C, save and except the west 100', from "R-3" Multiple Family Residential District and "B-2" Business District to "I-1" Light Industry District; a 0.75 acre tract of land out of NCB 14862, being further described by field notes filed in the Office of the City Clerk, from "B-2" E.R.Z.D. Business Edwards Recharge Zone District to "I-1" E.R.Z.D. Light Industry Edwards Recharge Zone District, located on the southside of DeZavala Road, being 1693.49' west of the intersection of I.H. 10 Expressway and DeZavala Road, being 100' off of DeZavala Road, having a width of 1359' and a depth of 1977.49'.

Mr. Andy Guerrero, Planning Administrator, explained the proposed change which the Zoning Commission recommended be approved by the City Council.

In response to a question by Mrs. Dutmer as to how the Major Thoroughfare Plan would affect this land, Mr. Andy Guerrero explained that the property still be must be replatted to meet City final approval and various City departments must approve after review before any final approval is given on replatting.

No citizen appeared to speak in opposition.

After discussion, Mr. Canavan moved that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished. Dr. Cisneros seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Dutmer, Wing, Eureste, Thompson, Canavan, Archer, Steen; NAYS: Alderete; ABSENT: Webb, Cockrell.

AN ORDINANCE 52,821

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE WEST AND NORTH 100' OF P-46, AND THE WEST 100' OF P-46C, NCB 14862, IN THE 5800 BLOCK OF DEZAVALA ROAD, FROM "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT, AND "B-2" BUSINESS DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT; P-46, SAVE AND EXCEPT THE WEST AND NORTH 100'; P-46C, SAVE AND EXCEPT THE WEST 100', FROM "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT AND "B-2" BUSINESS DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT; A 0.75 ACRE TRACT OF LAND OUT OF NCB 14862, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM "B-2" E.R.Z.D. BUSINESS EDWARDS RECHARGE ZONE DISTRICT TO "I-1"

E.R.Z.D. LIGHT INDUSTRY EDWARDS RECHARGE
ZONE DISTRICT, PROVIDED THAT PROPER PLATTING
IS ACCOMPLISHED.

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37. CASE 8209 - to rezone a 13.849 acre tract of land out of NCB 14862, being further described by field notes filed in the Office of the City Clerk, from "B-3" Business District to "I-1" Light Industry District, located 1350' west of I.H. 10 Expressway and 2310' south of De Zavala Road, having a length of 1930' and a width of 630'.

Mr. Andy Guerrero, Planning Administrator, explained the proposed change which the Zoning Commission recommended be approved by the City Council.

No citizen appeared to speak in opposition.

After consideration, Dr. Cisneros moved that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished. Mr. Canavan seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen; NAYS: None; ABSENT: Webb, Cockrell.

AN ORDINANCE 52,822

AMENDING CHAPTER 42 OF THE CITY CODE
THAT CONSTITUTES THE COMPREHENSIVE ZONING
ORDINANCE OF THE CITY OF SAN ANTONIO BY
CHANGING THE CLASSIFICATION AND REZONING
OF CERTAIN PROPERTY DESCRIBED HEREIN AS AN
13.849 ACRE TRACT OF LAND OUT OF NCB 14862,
BEING FURTHER DESCRIBED BY FIELD NOTES FILED
IN THE OFFICE OF THE CITY CLERK, FROM "B-3"
BUSINESS DISTRICT TO "I-1" LIGHT INDUSTRY
DISTRICT, PROVIDED THAT PROPER PLATTING
IS ACCOMPLISHED.

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38. CASE 8216- to rezone the remaining portion of Lot 8, NCB 14064, in the 2900 Block of Mossrock Drive, from "B-2" Business District to "B-3" Business District, located on the southeast side of Mossrock Drive, being 650' northeast of the intersection of N.W. Loop 410 Expressway and Mossrock Drive, having 296.4' on Mossrock Drive and a maximum depth of 264.28'.

Mr. Andy Guerrero, Planning Administrator, explained the proposed change which the Zoning Commission recommended be approved by the City Council.

No citizen appeared to speak in opposition.

After consideration, Dr. Cisneros moved that the recommendation of the Zoning Commission be approved. Mrs. Dutmer seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen; NAYS: None; ABSENT: Webb, Cockrell.

AN ORDINANCE 52,823

AMENDING CHAPTER 42 OF THE CITY CODE

THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE REMAINING PORTION OF LOT 8, NCB 14064, IN THE 2900 BLOCK OF MOSSROCK DRIVE, FROM "B-2" BUSINESS DISTRICT TO "B-3" BUSINESS DISTRICT.

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80-48 The following Ordinances were read by the Clerk and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Cisneros, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen; NAYS: None; ABSENT: Webb, Cockrell.

AN ORDINANCE 52,824

PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LINES OF THE CITY OF SAN ANTONIO TEXAS AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF APPROXIMATELY 45 ACRES OF LAND COMPRISING THE AREA KNOWN AS CASTLE HILLS FOREST SUBDIVISION UNITS 3 AND 4 WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF SAN ANTONIO.

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AN ORDINANCE 52,825

AUTHORIZING THE CITY MANAGER TO EXECUTE A MUNICIPAL SERVICES CONTRACT BETWEEN THE CITY OF SAN ANTONIO, BEXAR COUNTY, AND PERSONS REPRESENTING THE CASTLE HILLS FOREST HOMEOWNER'S ASSOCIATION WHEREBY FIRE PROTECTION AND FIREFIGHTING SERVICES WILL BE PROVIDED TO CASTLE HILLS FOREST UNITS 3 AND 4 PENDING ANNEXATION.

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AN ORDINANCE 52,826

EXTENDING PUBLIC HEALTH SERVICES TO BEXAR COUNTY RESIDENTS NOT LIVING WITHIN THE CITY OR OTHER INCORPORATED AREAS FOR THE PERIOD OCTOBER 1, 1980 THROUGH SEPTEMBER 30, 1981 AT A COST TO THE COUNTY COMPUTED ON A PERCENTAGE OF POPULATION.

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80-48 The Clerk read the following Ordinance:

AN ORDINANCE 52,827

AUTHORIZING EXECUTION OF A \$186,050 GRANT CONTRACT WITH THE TEXAS DEPARTMENT OF COMMUNITY AFFAIRS TO CARRY OUT A YOUNG ADULT CONSERVATION CORPS HORTICULTURAL SERVICES PROGRAM; ESTABLISHING A BUDGET

AND PERSONNEL COMPLEMENT FOR THE PROJECT;
AUTHORIZING AMENDMENT AND EXTENSION OF A
PROFESSIONAL SERVICES CONTRACT FOR PROJECT
ADMINISTRATION AND A CONTRACT WITH TEXAS
EMPLOYMENT COMMISSION FOR RECRUITMENT
OF ENROLLEES FOR SAID PROGRAM.

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Dr. Cisneros moved to approve the Ordinance. Mr. Canavan seconded the motion.

In response to a question by Mrs. Dutmer, Mr. Ron Darner, Director of Parks and Recreation, stated that participants would receive on-the-job training, receiving instruction and actual job experience at the same time.

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

80-48 The following Ordinance was read by the Clerk and after consideration, on motion of Dr. Cisneros, seconded by Mr. Archer, was passed and approved by the following vote: AYES: Cisneros, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen; NAYS: None; ABSENT: Webb, Cockrell.

AN ORDINANCE 52,828

AUTHORIZING THE CITY'S DEPARTMENT OF TRAFFIC AND TRANSPORTATION TO PROCEED WITH TRAFFIC BUTTON LANE LINING ON PORTIONS OF NINE STREETS OVERLAYED BY THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION UNDER THE URBAN SYSTEMS PROGRAM AND ESTABLISHING A FUND AND ACCOUNTS FOR THE PROJECT.

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80-48 The Clerk read a proposed ordinance regulating the rates for electric and gas service through the San Antonio electric and gas systems operated by the City Public Service Board of San Antonio.

Mr. Alderete made a motion to deny the proposed ordinance. The motion died for a lack of a second.

Mr. Canavan then made a motion to approve the ordinance. Mr. Archer seconded the motion.

A discussion was then held relative to the procedures for removing a tabled item from table and returning it for consideration by the City Council.

City Attorney, Jane Macon explained that this can be brought back up by the City Council at any time, since it was not tabled to a time certain. She stated that Mr. Roger Ibarra, Public Utilities Supervisor was instructed to return this item to the Council agenda

when he felt that it was necessary and this was his way of advising Council of his feeling that the case needed to be heard again now.

Several Councilmembers then stated their feelings that the item was out of order at this time.

Mayor Pro-Tem Steen then made a decision to withdraw item 44 from consideration at this time.

Mr. Thompson then moved to appeal the decision of the Chair. Mr. Canavan seconded the motion. On roll call, the motion failed to carry by the following vote: AYES: Thompson, Canavan; NAYS: Cisneros, Dutmer, Wing, Eureste, Alderete, Archer, Steen; ABSENT: Webb, Cockrell.

City Manager, Thomas E. Huebner then read a portion of the verbatim minutes of the Council minutes of July 24 dealing with this issue, and asked for Council direction as to procedures to bring the matter up for consideration.

After discussion, the City Manager was advised by the Council to schedule the item for "B" Session consideration on October 2, 1980.

Item 44 was withdrawn from consideration.

80-48 The Clerk read the following Ordinance:

AN ORDINANCE 52,829

APPROVING AN INCREASE IN RATES FOR WATER AND SEWER SERVICE PROVIDED BY LACKLAND CITY WATER COMPANY TO CUSTOMERS WITHIN THE CITY LIMITS OF THE CITY OF SAN ANTONIO.

* * * *

Mr. Archer moved to approve the Ordinance. Mr. Canavan seconded the motion.

In response to a question by Mr. Thompson, Mr. Roger Ibarra, Supervisor of Public Utilities, urged the passage of this Ordinance, stating that he feels that the increase is needed. He explained the matter has been through hearings and other requirements called for in new procedures mandated by the Council for such requests.

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

80-48 The following Ordinances were read by the Clerk and after consideration, on motion made and duly seconded were each passed and approved by the following vote: AYES: Cisneros, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen; NAYS: None; ABSENT: Webb, Cockrell.

AN ORDINANCE 52,830

AUTHORIZING THE SUBMISSION OF A PROPOSAL AND ACCEPTANCE OF A HHS GRANT FOR THE HEADSTART EARLY CHILD CARE PROGRAM-YEAR 3 IN THE AMOUNT OF \$1,762,748.00; AUTHORIZING THE ESTABLISHMENT OF ACCOUNTS FOR THE

PROGRAM; AUTHORIZING A PERSONNEL COMPLEMENT AUTHORIZING THE ACCEPTANCE OF ANY SUPPLEMENTAL GRANTS FOR THE HEADSTART PROGRAM DURING THE PROGRAM - YEAR 3, AND AUTHORIZING AN AGREEMENT WITH PARENT-CHILD, INC., TO OPERATE THE PROGRAM.

* * * *

AN ORDINANCE 52,831

PROVIDING FOR THE ADMINISTRATION OF THE HOMEMAKER-HOME HEALTH SERVICES PROGRAM, THIRD YEAR, BY THE CITY DEPARTMENT OF HUMAN RESOURCES AND SERVICES; AUTHORIZING THE CHANGE TO FAMILY CARE SERVICES; ADOPTING A BUDGET; AUTHORIZING FULL AND PART-TIME POSITIONS; APPROVING AN OFFICE LEASE AGREEMENT; ESTABLISHING A FUND; AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION TO THE TEXAS DEPARTMENT OF HUMAN RESOURCES FOR A GRANT OF \$1,141,344 IN SUPPORT OF THE PROGRAM; AND AUTHORIZING CONTRIBUTIONS FROM THE GENERAL FUND.

* * * *

- - -
80-48 Item 48, being a proposed ordinance authorizing the Director of the Department of Human Resources and Services to appoint an employee grievance committee for Community Action Delegate Agencies was withdrawn from consideration.

- - -
80-48 Item 49, being a proposed ordinance authorizing the reprogramming of certain Community Development Block Grant Funds was withdrawn from consideration.

- - -
80-48 The Clerk read the following Resolution:

A RESOLUTION
NO.80-48-76

APPROVING BASIC ASSUMPTIONS TO BE USED IN FORMULATING THE 1981-86 LONG RANGE FINANCIAL FORECAST.

* * * *

Mr. Canavan moved to approve the Resolution. Dr. Cisneros seconded the motion.

Dr. Cisneros asked the City Manager to comment on how this will influence the view of future City budgets, since the Long Range Financial Forecasts have been very accurate in past years.

Mr. Thomas Huebner, City Manager called on Mr. Marcus Jahns, Director of Budget and Research, who discussed the matter and noted that the Assistant City Manager, Mr. Louis Fox has been working closely with the new appraisal program, and noted that reappraisals will be ready about January of 1981.

City staff was then directed to prepare a brief report on the completion of the appraisal program; when those figures can be incorporated into the City budget and the month when the rendition will reflect these new values.

In response to a question by Dr. Cisneros relative to any large revenue changes that might be foreseen in the Long Range Forecast, other than the property reappraisal, Mr. Jahns pointed out a number of assumptions that will affect the City's revenue picture in future years.

In response to a question by Mr. Alderete on use of Revenue Sharing Funds, Mr. Jahns stated that he would try to use them for capital projects unless they were needed for balancing budgets.

Mr. Alderete stated his feeling that Revenue Sharing funds should only be used for capital improvement projects. He stated that the City must find ways to balance its budget without relying on federal Revenue Sharing funds, and stated that he could not support the Long Range Financial Forecast unless its wording was changed to reflect this change in the usage of Revenue Sharing funds.

Mrs. Dutmer stated that she would rather use Revenue Sharing funds when they are available for such things as balancing the City budget, rather than raising taxes to do so.

A discussion then took place relative to the new City Public Service agreement to sell excess power to Houston Power and Light and the projected revenues to be derived from that sale.

Mrs. Dutmer asked the City Manager to determine from CPS the exact provisions of the new contract, especially who is to cover any losses incurred through that new contract.

Mrs. Dutmer noted that many streets throughout the City need cleaning badly, since the City stopped cleaning the residential streets through budgetary restraints. She noted also that many show lack of maintenance.

City Staff was then instructed to report on the feasibility of reimplementing the street-cleaning program.

After discussion, the motion to approve the Resolution, prevailed by the following vote: AYES: Cisneros, Dutmer, Wing, Eureste, Canavan, Archer, Steen; NAYS: Alderete; ABSENT: Webb, Cockrell; ABSTAIN: Thompson.

80-48 The Clerk read the following Ordinance:

AN ORDINANCE 52,832

REAPPOINTING AND APPOINTING MEMBERS TO
SERVE ON THE ZONING COMMISSION OF
SAN ANTONIO FOR A TWO (2) YEAR TERM,
EXPIRING APRIL 30, 1982.

* * * *

The following individuals are hereby reappointed and appointed to serve on the Zoning Commission:

REAPPOINTMENT

MRS. JUNE KACHTIK

APPOINTMENT

MR. RANDY DYM
(Replaces Anthony Specia)

* * * *

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Mr. Eureste moved to approve the Ordinance. Dr. Cisneros seconded the motion.

A brief discussion was held concerning appointments by Councilmembers to the Zoning Commission.

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

80-48 The following Ordinances were read by the Clerk and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Cisneros, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen; NAYS: None; ABSENT: Webb, Dutmer, Cockrell.

AN ORDINANCE 52,833

REAPPOINTING AND APPOINTING MEMBERS
TO SERVE ON THE HANDICAPPED ACCESS ADVISORY
COMMITTEE OF SAN ANTONIO, FOR A TWO (2)
TERM EXPIRING APRIL 26, 1982.

* * * *

The following individuals are hereby reappointed and appointed to serve on the Handicapped Access Advisory Committee:

REAPPOINTMENTS

SYLVIA GARCIA
WILLIE MAY CLAY
BILL JOHNSON

* * * *

APPOINTMENTS

PAULINE RUHNKE
ESTEBEN GONZALEZ
TOMMY LEIFESTER
JOAN BELL

* * * *

AN ORDINANCE 52,834

CONFIRMING THE APPOINTMENTS OF REVEREND
DANIEL WEBB AND J. MAITLAND RUTLEDGE TO
SERVE ON THE INSURANCE ADVISORY COMMITTEE
OF SAN ANTONIO FOR A ONE (1) YEAR TERM
EXPIRING NOVEMBER 23, 1981.

* * * *

80-48 The Clerk read the following Resolution:

A RESOLUTION
NO.80-48-77

SUPPORTING PROVISIONS IN THE RAILROAD

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ACT OF 1980 WHICH WOULD CONTROL RATES
CHARGED BY THE BURLINGTON NORTHERN
RAILROAD TO TRANSPORT COAL FROM WYOMING.

* * * *

Dr. Cisneros moved to approve the Resolution. Mrs. Dutmer seconded the motion.

Mr. Canavan thanked the City Councilmembers for their support of this Resolution, noting that it was done in the interest of the citizens of San Antonio. He stated that ratepayers of the City would save some \$40 million over the next seven years as a result.

Mr. Thompson spoke to the activities of all U.S. Representatives from Bexar County in securing passage of this.

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

80-48 The following Ordinance was read by the Clerk and after consideration, on motion of Mrs. Dutmer, seconded by Dr. Cisneros, was passed and approved by the following vote: AYES: Cisneros, Dutmer, Eureste, Thompson, Alderete, Canavan, Archer, Steen; NAYS: None; ABSENT: Webb, Wing, Cockrell.

AN ORDINANCE 52,835

AUTHORIZING THE EXTENSION OF THE CURRENT CONTRACTS WITH THE ALAMO AREA COUNCIL OF GOVERNMENTS FOR CONTINUATION OF THE CITY'S NUTRITION PROGRAM, SUPPORTIVE SERVICES FOR THE ELDERLY PROGRAM AND AACOG FUNDED HOMEMAKER PROGRAM FOR PERIODS NECESSARY AS DIRECTED BY THE GOVERNOR'S COMMITTEE ON AGING TO AACOG.

* * * *

80-48

HEMISFAIR REDEVELOPMENT

Mr. Eureste noted that he had received a letter from D.B. Harrel Company relative to the current redevelopment study for Hemisfair Plaza, and stated that he wanted the City staff to also consider the Casa Bonita proposal in its continuing study.

City Manager, Thomas Huebner explained that in his follow-up direction to City staff, following last's week "B" Session on Hemisfair Plaza redevelopment, he included this consideration for Casa Bonita.

After discussion, the motion that consideration be given to Casa Bonita in connection with Hemisfair Development prevailed by the following vote: AYES: Cisneros, Dutmer, Eureste, Thompson, Alderete, Canavan, Archer, Steen; NAYS: None; ABSENT: Webb, Wing, Cockrell.

80-48

METRO COMMUNITY CORRECTIONS COMMITTEE
OF THE ALTERNATIVE SENTENCING PROGRAM

Mr. Thompson stated that he still needs the Council-recommended names of persons to serve on the Committee, and

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noted that he feels that he and City Attorney Jane Macon should serve on this Committee. He also noted that he had received the names of Attorneys Marty Tanner and Tim Johnson to serve on the Committee. He asked for any additional names to be recommended by Council members.

80-48

TAXICABS AT INTERNATIONAL AIRPORT

In response to a question by Dr. Cisneros as to the status of a staff report on this situation, Ms. Karen Davis, Executive Assistant to the City Manager, stated that staff has met with the Council's Taxicab Committee on this and discussed the assignment of an Airport Security person to function as someone to watch over the taxicab area there.

In response to a question by Dr. Cisneros as to the status of the City possibly providing a Starter for taxicabs at the Airport, Ms. Davis spoke to the costs involved.

Dr. Cisneros stated that he feels that this is a staff matter, not one for the taxicab people to handle.

A discussion then took place relative to possible alternatives to the Starter proposal, its costs, and related matters.

Mr. Thompson stated that the Taxicab Committee had addressed these matters and decided not to recommend that the City hire a Starter because of the costs involved.

80-48

HUD FUNDING PROBLEM IN LOMA LINDA PARK AREA

Mr. Alderete stated that a recent letter to the City from Mr. Finis Jolly, Local Manager of the Housing and Urban Development Office, noted that HUD objected to federal funding for several drainage projects in the Loma Linda Park area because they did not meet federal guidelines that they must benefit a majority of low and moderate income persons in any given area. He stated that this was not the case in this area, since it made up of many persons in those categories. He stated that he feels HUD is in error in this case.

Mayor Pro-Tem Steen directed the City staff to prepare a report identifying the income brackets in the Loma Linda Park area and define the service area involved prior to preparing a formal response to the HUD letter.

Mr. Marcus Jahns, Director of Budget and Research, stated that he would meet with the Parks and Recreation Director, Mr. Ron Darner to review that service area question.

80-48

ALTERNATE SENTENCING PROGRAM

In response to a question by Mr. Archer as to the parameters of this program, City Attorney, Jane Macon stated that the Metro Community Corrections Committee would be drawing up those parameters.

Mr. Archer stated that he wants the program applied to the Municipal Court, too, if possible.

80-48HOW FOUNDATION

Mr. Archer spoke to the need of removing transients and public drunks from the streets, and asked if they could be sent to the HOW Foundation.

City Manager, Thomas Huebner replied that he would check with the Police Chief on this matter.

Mr. Archer then spoke to the possibility of such persons working off their sentences instead of remaining in jail.

A discussion then took place on how the HOW Foundation works and the guidelines for admission to that program.

City staff was directed to prepare a report for Mr. Archer on the How Foundation Program and the City's position on including more people from the jail in that program.

80-48CITIZENS TO BE HEARDMR. FRED WILSON

Mr. Wilson, speaking for CLOUT (Consumers League of Utilitarian Tactics), spoke on VIA bus fares, lack of available bus benches, and courtesy problems he has observed on VIA buses and VIA's service area.

He also stated that certain persons employed by the Library System were disrespectful and the library's equipment is not kept in good repair. He also spoke to the library showing atheistic movies to children.

80-48 The meeting was recessed at 4:10 P.M. and reconvened at 5:00 P.M.

80-48MR. SAM T. ALVARADO

Mr. Sam Alvarado, Business Manager of the United Public Employees Association, stated that they have appeared before the City Council previously on policies they feel are illegal. He stated that they feel that the absenteeism and tardiness policy is illegal. He stated that they also feel that twenty-four hour notice is very unreasonable. He stated that this policy contradicts the fourteenth amendment and asked the City Council to change the policy to a more reasonable one.

Mrs. Dutmer stated that illness and emergencies cannot be predicted. She asked staff to explain the twenty-hour stipulation.

Mr. Leroy Harvey, Assistant Director of Personnel, gave the background history of the reasons for implementing the policy. He stated that the policy is on a six-month trial period and adjustments will probably have to be made. He then spoke about the savings to the City since this policy became effective. He also stated that the twenty-four hour stipulation only applies to annual leave. Mr. Harvey stated that persons have been suspended for excessive absenteeism.

Mrs. Dutmer asked that staff clarify the rules and regulations.

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Mr. Harvey stated that an updated version of the policy will be ready in two weeks.

Ms. Karen Davis, Executive Assistant to the City Manager, stated that counseling is provided to each employee after the second and third occasion.

In response to a question by Mr. Eureste, Ms. Davis explained the definition of occasion.

Mr. Eureste stated that he has been approached by many employees and feels that it has a negative reaction on them. He stated that he also feels that this is an unfair application of the rules.

Mr. Alexander Briseno, Assistant to the City Manager, stated that there are incidents where the policy is not being applied correctly. He stated that this is on a test period and comments are needed to make the policy work. He also stated that there has been a substantial reduction in sick leave and annual leave. He explained that different departments in the past had different rules and now the rules are uniform throughout the City. He stated that productivity has improved and then went on to speak about the increased accumulation of sick and annual leave as a means to encourage City employees to save their leave.

Mr. Wing stated that Mr. Alvarado has brought up legitimate concerns and the supervisors should have some leeway in making decisions. He asked Mr. Alvarado to make suggestions to the policy.

Mr. Briseno stated that the Personnel Department will evaluate the policy and see how it can be improved.

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MRS. ROSA ROSALES

Mrs. Rosales also spoke on the policy which she feels is not clear. She stated that the Personnel Department was used as a testing department and the policy has been in existence since November of 1979. She stated that she feels that the policy punishes every City employee and creates discord. She asked the City Council to revise the existing policy.

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80-48

PROPOSED ORDINANCE REGARDING THE WASHING OF
AUTOMOBILE WINDSHIELDS BY CHILDREN AT
INTERSECTIONS

Dr. Cisneros asked for Council's concurrence to place on the agenda next week an ordinance addressing the problem of children washing automobile windshields at intersections.

Council concurred with Dr. Cisneros' request.

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80-48

DISCUSSION REGARDING CPSB PROPOSED RATE INCREASE

Mayor Pro-Tem Steen asked for Council concurrence to place the City Public Service Board proposed rate increase discussion for an upcoming "B" Session.

Council concurred with Mr. Steen's request.

There being no further business to come before the Council,
the meeting was adjourned at 6:05 P.M.

A P P R O V E D

Lila Cockull

M A Y O R

ATTEST: *Norma J. Rodriguez*
City Clerk