

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, MAY 12, 1983.

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

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83-23 The invocation was given by Reverend Willie Harper, Shiloh Baptist Church.

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83-23 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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83-23 E. J. BURKE, JR.

Mayor Cisneros spoke of the many contributions the late Mr. E. J. Burke, Jr. made to the City of San Antonio, then read the following Resolution of Respect on his passing.

WHEREAS, life came to an end May 1, 1983 for E. J. Burke, Jr., and

WHEREAS, Mr. Burke for many years was a moving force in the development of San Antonio's south side, constructing more than 7,500 homes there, and

WHEREAS, development of the Pecan Valley area in particular brought much positive exposure to San Antonio when his Pecan Valley Country Club hosted the United States Open Golf Championship, and

WHEREAS, Mr. Burke found the time in his busy life as a businessman to serve many professional and civic organizations as member, officer or director, including one term as a City Council member, and

WHEREAS, he was particularly noted for his leadership and dedication to education in the San Antonio area, establishing programs at the level for legal research in homebuilding; NOW, THEREFORE:

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

SECTION 1. that with the death of Mr. E. J. Burke, Jr., the City of San Antonio has lost a valuable asset to its past, present and future.

SECTION 2. that this City Council joins with his family and friends in their sorrow over his death and extends its sincerest sympathy and prayer of comfort to those who were near him.

SECTION 3. and it is hereby directed that a copy of this Resolution be spread upon the minutes of this

00310

meeting and a copy thereof presented to his family as a token of our deepest sympathy.

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

Mayor Cisneros asked all the members of the Council to assist him in presenting this Resolution of Respect to members of the Burke family.

Mrs. Dutmer spoke of the "greatness" of Mr. Burke and the work he had done.

Mayor Cisneros spoke of the example Mr. Burke left for others to follow. He then recognized Mr. & Mrs. Tom Vickers, members of Mr. Burke's family, and Mr. Bob Billa, a long time friend of Mr. Burke.

Mrs. Dutmer also expressed her condolences to Mr. Bob Billa whose brother had passed away this past week.

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83-23

VISITORS FROM LEXINGTON, KENTUCKY

Mayor Cisneros introduced Mayor Scotly Baesler and Councilmembers Pam Miller, Edgar Wallace, John Wigginton, Jim Gardner and Bill Rice from Lexington, Kentucky who are visiting San Antonio. The group is here to study some of this City's programs, such as our tourism and convention program for possible implementation in their city. Mr. Ed Houlihan, who organized the trip, was also introduced.

Mayor Cisneros then invited Mayor Baesler to speak.

Mayor Baesler thanked the Council for all the courtesies his delegation had been extended and congratulated the City for all it has to offer.

Mayor Baesler and the Councilmembers were presented gifts by the Mayor Cisneros and members of our City Council.

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83-23

HISPANIC ARTS ASSOCIATION PRESENTATION

Mayor Cisneros recognized Ms. Pricilla Ingle, representing the San Antonio Hispanic Arts Association, Inc., who announced the upcoming "Stroh-ling Down the River Concert Series" beginning on May 14 and offering six nights of free entertainment. She introduced Mr. Bernard Lynch, President of Schlitz Co. and local distributor of Stroh's beer, who donated \$44,000 to the San Antonio Hispanic Arts Association, Inc. for this event.

Mr. Lynch named some of the co-sponsors of the event and introduced Mr. Remick Stroh, Manager of Sales of Stroh's beer, Mr. Craig Kraftcheck, Manager of Sales & Marketing Development and Mr. Hunter Hastings.

Mayor Cisneros noted that this series is a world class event in that local and international entertainment is featured.

Mayor Cisneros then read and presented an Alcalde, making Mr. Peter W. Stroh, Chairman of the Board of Stroh's beer from Detroit, Michigan, an Alcalde de La Villita. Mayor Cisneros also presented him with a gift from the City.

Several members of the Council commented on the upcoming festival and on the introduction of Stroh's beer to this part of the Country.

83-23

SWEARING IN OF COUNCILMAN JAMES HASSLOCHER

City Clerk Norma S. Rodriguez administered the oath of office to Councilman James Hasslocher to serve as Mayor Pro Tem.

83-23

SAN ANTONIO HISPANIC ARTS ASSOCIATION

Mr. Bernard Lynch, President of Schlitz Co., introduced Ms. Blanquita Cullum, Mr. Bruce Hathaway, Mr. Charles Kilpatrick, Mr. Joe Ernst, KTAS General Manager and Ms. Yolanda Arellano who continued the presentation to the Council regarding the "Stroh-ling Down the River" Concert Series.

83-23

CITATION PRESENTATIONS

The Mayor and members of the City Council presented citations to their individual appointees to the Campaign Committee for the 1983 Drainage Bond Issue.

83-23

DR. LARRY HUFFORD

Mayor Cisneros recognized Dr. Larry Hufford, member of the Planning Commission and professor at Incarnate Word College. He noted that Dr. Hufford had been voted one of the top 10 professors from the State of Texas by the Minnie Piper Foundation.

83-23

SALE OF \$100,000,000 CITY OF SAN ANTONIO, TEXAS
ELECTRIC AND GAS SYSTEMS REVENUE IMPROVEMENT BONDS, NEW SERIES 1983

Mayor Cisneros referred to the opening of bids in the City Clerk's office at 11:00 A.M. Three bids were received in connection with this bond sale. The best being the bid of The First Boston Corporation with an 8.8575% rate.

The bids received were as follows:

SALOMON BROTHERS, INC.

Gross Interest Cost	\$155,635,275.00
Less Premium	4,980.50
Net Interest Cost	155,630,294.50

Effective Interest Rate 8.9503%

THE FIRST BOSTON CORP.

Gross Interest Cost	154,015,925.00
Less Premium	616.50
Net Interest Cost	154,015,308.50

Effective Interest Rate 8.8575%

GOLDMAN, SACHS & COMPANY

Gross Interest Cost	157,185,170.83
Less Premium	104,368.25
Net Interest Cost	157,080,802.58

Effective Interest Rate 9.033819%

The Clerk read the following Ordinance:

AN ORDINANCE 56,933

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS, AUTHORIZING THE ISSUANCE OF \$100,000,000 "CITY OF SAN ANTONIO, TEXAS, ELECTRIC AND GAS SYSTEMS REVENUE IMPROVEMENT BONDS, NEW SERIES 1983"; PROVIDING THE TERMS, CONDITIONS AND SPECIFICATIONS FOR SUCH BONDS; MAKING PROVISIONS FOR THE PAYMENT AND SECURITY THEREOF; STIPULATING TERMS AND CONDITIONS FOR THE ISSUANCE OF ADDITIONAL REVENUE BONDS ON A PARITY THEREWITH; ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE; AND DECLARING AN EMERGENCY.

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

In answer to questions by Mr. Thompson on the present condition of the market and the interest rate, Mr. Howard Freeman, Assistant General Manager of the City Public Service Board, noted that our interest rate was lower as compared to recent sales of bonds by other cities.

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

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83-23 The minutes of the meeting of April 21, 1983 were approved.
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83-23 CONSENT AGENDA

Mr. Hasslocher moved that items 7-33 constituting the consent agenda be approved with the exception of items 11, 29, and 32 to be pulled for individual consideration. Ms. Berriozabal seconded the motion.

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

AN ORDINANCE 56,934

ACCEPTING THE LOW BID OF ARMCO, INC. TO FURNISH THE CITY OF SAN ANTONIO WITH GUARD RAILING FOR A TOTAL OF \$5,157.00.

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AN ORDINANCE 56,935

ACCEPTING THE LOW BID OF ELKCO, INC., TO FURNISH THE CITY OF SAN ANTONIO WITH EXHAUST FANS FOR THE GOLF CART STORAGE SHEDS FOR A TOTAL OF \$3,171.00.

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AN ORDINANCE 56,936

ACCEPTING THE PROPOSAL OF R. L. POLK AND COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH CITY DIRECTORIES FOR A TOTAL OF \$11,766.00.

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AN ORDINANCE 56,937

ACCEPTING THE LOW BID OF CATO ELECTRIC COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH A NEW ELECTRICAL SYSTEM AT THE WILLOW SPRINGS GOLF CART BUILDING FOR A TOTAL OF \$3,160.54.

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AN ORDINANCE 56,938

ACCEPTING THE LOW QUALIFIED BIDS OF AMFAC ELECTRIC SUPPLY AND CONSOLIDATED ELECTRICAL DISTRIBUTORS, INCORPORATED TO FURNISH THE CITY OF SAN ANTONIO WITH ELECTRICAL MATERIAL FOR A TOTAL OF \$19,563.33.

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AN ORDINANCE 56,939

ACCEPTING THE LOW BID OF WINNERS TO FURNISH THE CITY OF SAN ANTONIO WITH EMPLOYEE SERVICE AWARD PINS FOR A TOTAL OF \$9,866.25.

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AN ORDINANCE 56,940

ACCEPTING THE LOW QUALIFIED BID OF CATO ELECTRIC COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH THE REPLACEMENT OF ELECTRICAL DISTRIBUTION POLES FOR A TOTAL OF \$6,800.00.

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AN ORDINANCE 56,941

ACCEPTING THE LOW BID OF SEAGRAVE FIRE APPARATUS TO FURNISH THE CITY OF SAN ANTONIO WITH A FIRE TRUCK FOR A TOTAL OF \$102,674.00.

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AN ORDINANCE 56,942

ACCEPTING THE LOW BID OF MOORE BUSINESS FORMS TO FURNISH THE CITY OF SAN ANTONIO WITH COMPUTER FORMS FOR A TOTAL OF \$16,419.00.

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AN ORDINANCE 56,943

ACCEPTING THE LOW BID OF TEXAS TURF SUPPLY TO FURNISH THE CITY OF SAN ANTONIO WITH HERBICIDES FOR A TOTAL OF \$3,276.00

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AN ORDINANCE 56,944

ACCEPTING THE LOW QUALIFIED BIDS OF ALAMO FIRE AND SAFETY EQUIPMENT COMPANY, AUSTIN CARBONIC COMPANY, FIRE APPLIANCE COMPANY OF TEXAS, INC., HALPRIN SUPPLY COMPANY, TEXAS FIREFIGHTERS AND SAFETY EQUIPMENT COMPANY, AND WESTERN FIREFIGHTING EQUIPMENT TO FURNISH THE CITY OF SAN ANTONIO WITH FIREFIGHTING EQUIPMENT FOR A TOTAL OF \$7,259.62.

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AN ORDINANCE 56,945

CANCELLING THE CONTRACT WITH MCKESSON CHEMICAL COMPANY AND ACCEPTING THE LOW QUALIFIED BID OF MISSION SALES AND JANITOR SUPPLY COMPANY, INC., TO FURNISH THE CITY OF SAN ANTONIO WITH CALCIUM HYPOCHLORITE FOR A TOTAL OF \$15,380.00.

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AN ORDINANCE 56,946

AUTHORIZING EXECUTION OF A CONTRACT WITH J. W. FRENCH & ASSOCIATES, INC. FOR PROFESSIONAL SERVICES AND PREPARATION OF PLANS AND SPECIFICATIONS ON THE ELM CREEK SEWER OUTFALL PROJECT; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 56,947

AUTHORIZING PAYMENT OF \$12,500.00 TO SELIGMANN & PYLE CONSULTING ENGINEERS FOR SERVICES RELATED TO PERFORMANCE TESTING OF THE BELT FILTER PRESSES AT RILLING ROAD WASTEWATER TREATMENT PLANT.

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AN ORDINANCE 56,948

AUTHORIZING EXECUTION OF FIELD ALTERATION NO. 3 IN THE AMOUNT OF \$13,768.26 TO THE CONTRACT FOR THE 19TH STREET DRAINAGE PROJECT 39C MODIFIED (REPLACEMENT OF DETERIORATED SANITARY SEWER MAINS).

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AN ORDINANCE 56,949

AWARDING A CONTRACT TO INSTALL AN EVAPORATOR FOR THE AIR CONDITIONING SYSTEM AT CITY HALL; APPROVING A CONTRACT AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 56,950

AUTHORIZING EXPENDITURE OF THE SUM OF \$15,000.00 FOR THE PURPOSE OF ACQUIRING TITLE TO CERTAIN LANDS; ACCEPTING THE DEDICATION OF EASEMENTS TO CERTAIN LANDS; ACCEPTING A PIPE LINE LICENSE AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAME; ALL IN CONNECTION WITH CERTAIN RIGHT OF WAY PROJECTS.

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AN ORDINANCE 56,951

APPROPRIATING \$504.00 IN PAYMENT FOR EXPENSES INCURRED IN DE ZAVALA ROAD DRAINAGE, EAST FOREST HILLS AND WOODLAWN HILLS - UNSEWERED AREA NO. 49 AND 50, GOLDEN TRIANGLE OFF-SITE SANITARY SEWER, AND TEZEL ROAD 98 ACRE OFF-SITE SANITARY SEWER.

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AN ORDINANCE 56,952

PROVIDING FOR THE SALE AND CONVEYANCE OF A PARCEL OF

LAND IN BEXAR COUNTY, TEXAS, TO BEN F. FRIEDMAN FOR
A CONSIDERATION OF \$10,800.00.

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AN ORDINANCE 56,953

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 56,954

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

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AN ORDINANCE 56,955

AUTHORIZING EXECUTION OF A CONTRACT WITH
SOUTHWESTERN LAW ENFORCEMENT INSTITUTE FOR A 40 HOUR
MANAGEMENT COURSE TO BE GIVEN ALL OFFICERS OF THE
POLICE DEPARTMENT WITH A RANK OF LIEUTENANT OR
ABOVE, TO IMPROVE MANAGEMENT PROCESSES WHERE
WEAKNESSES HAVE BEEN IDENTIFIED.

* * * *

A RESOLUTION
NO. 83-23-38

SETTING A PUBLIC HEARING ON THE 9TH YEAR CDBG
PROGRAM, THE FIVE YEAR CDBG CAPITAL IMPROVEMENT
PLAN, AND THE ENTITLEMENT FUNDS FROM THE EMERGENCY
JOBS BILL.

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AN ORDINANCE 56,956

APPROVING A CONTRACT WITH BYWATERS & ASSOCIATES,
INC., TO PERFORM A TECHNICAL ASSISTANCE AUDIT OF THE
CITY HALL ANNEX, POLICE BUILDING, AND MAIN LIBRARY
AS AN EXTENSION OF THE CITY'S COMPREHENSIVE ENERGY
MANAGEMENT PROGRAM.

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83-23 The Clerk read the following Ordinance:

AN ORDINANCE 56,957

ACCEPTING THE LOW BID OF LAFAYETTE INSTRUMENT
COMPANY, INCORPORATED, TO FURNISH THE CITY OF SAN
ANTONIO WITH POLYGRAPH EQUIPMENT FOR A TOTAL OF
\$3,769.00.

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

Mr. Thompson expressed concern with the use of polygraph

equipment by the City of San Antonio. He added he felt there were other methods that could be used and did not support the use of polygraph equipment in any form as it creates a lot of ill will.

Mr. George K. Noe, Assistant to the City Manager, stated that this equipment will be used in the investigation of arson cases in the Arson Division of the San Antonio Fire Department.

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

83-23 The Clerk read the following Ordinance:

AN ORDINANCE 56,958

AUTHORIZING EXECUTION OF AGREEMENTS WITH AGENCIES FOR OPERATING SITES IN THE SUMMER RECREATION SUPPORT PROGRAM AND AUTHORIZING RENTAL OF OFFICE SPACE FROM OUR LADY OF SORROWS CHURCH.

* * * *

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

Mrs. Dutmer stated that she supported the funding of these activities but that southeast residents need to also have facilities and activities for their children. She added that the Lions' Club or the Southside Boys' Club should be brought up to their former service levels.

Mr. Don Maddox, Assistant Director of Parks and Recreation, stated that staff will study the situation on the southeast part of town.

In reply to a question by Ms. Berriozabal, Mr. Maddox pointed out the SANYO sites and stated that there are no activities planned for Page Middle School.

Ms. Berriozabal noted that she had spoken to residents in the area of Page Middle School who expressed concern that a critical need exists for this type of activity in their neighborhood.

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

83-23

ALCALDE PRESENTATION

Mayor Cisneros introduced Mrs. Kathryn Crosby, widow of the late Bing Crosby, who was visiting San Antonio promoting a book she wrote on her years with Bing Crosby. She presented Mayor Cisneros with a copy of the book.

Mayor Cisneros read an Alcalde, making Mrs. Crosby an Alcalde de La Villita.

Mrs. Crosby thanked the Council for this honor and spoke briefly of her book.

83-23 The Clerk read the following Ordinance:

AN ORDINANCE 56,959

GRANTING A ONE YEAR LICENSE TO OPERATE A LIMOUSINE SERVICE WITHIN THE CITY OF SAN ANTONIO TO F&F SERVICES.

* * * *

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

Mr. Thompson noted that the Taxicab Committee had met and Mr. Roger Ibarra, Supervisor of Public Utilities, stated he had reviewed these two requests and found them to be similar to existing limousine ordinances for non-limousine airport pick up and, therefore, he recommended their approval.

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

In answer to a question by Mr. Eureste on whether this affected the airport operations, Mr. Thompson stated that these are not "for hire" limousines in the open market. These limousines are contracted from a private party to a private party on a pre-arranged contract.

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83-23 The Clerk read the following Ordinance:

AN ORDINANCE 56,960

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

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

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

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34. CASE Z83116 - to rezone the most northern 120' of Lot 16, Block D, NCB 14656, 6222 Welles Brook Drive, from "B-2" Business District to "R-1" One Family Residence District, located on the south side of Welles Brook Drive, being 299' west of the intersection of Welles Edge Drive and Welles Brook Drive, having 70' on Welles Brook Drive and a depth of 120'.

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

No citizen appeared to speak in opposition.

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

AN ORDINANCE 56,961

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 MOST NORTHERN 120' OF LOT 16, BLOCK D, NCB 14656, 6222 WELLES BROOK DRIVE, FROM "B-2" BUSINESS DISTRICT TO "R-1" ONE FAMILY RESIDENTIAL DISTRICT.

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35. CASE Z83119 - to rezone a 6.61 acre tract of land out of NCB 17035, being further described by field notes filed in the Office of the City Clerk, in the 14500 Block of Bitters Road, from "R-6" Townhouse Residence District to "P-1(R-5)" Planned Unit Development One Family Residence District and a 14.16 acre tract of land out of NCB 17035, being further described by field notes filed in the Office of the City Clerk, in the 14500 Block of Bitters Road from "R-6" Townhouse Residence District to "P-1(R-6)" Planned Unit Development, Townhouse Residence District.

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

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

AN ORDINANCE 56,962

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 6.61 ACRE TRACT OF LAND OUT OF NCB 17035, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 14500 BLOCK OF BITTERS ROAD, FROM "R-6" TOWNHOUSE RESIDENTIAL DISTRICT TO "P-1(R-5)" PLANNED UNIT DEVELOPMENT ONE FAMILY RESIDENTIAL DISTRICT AND A 14.16 ACRE TRACT OF LAND OUT OF NCB 17035, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 14500 BLOCK OF BITTERS ROAD, FROM "R-6" TOWNHOUSE RESIDENTIAL DISTRICT TO "P-1(R-6)" PLANNED UNIT DEVELOPMENT, TOWNHOUSE RESIDENTIAL DISTRICT.

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36. CASE Z83118 - to rezone Lot 45, Block 7, NCB 11971, 535 Mathilda Road, from "A" Single Family Residence District to "B-3R" Restrictive Business District, located on the northeast side of Mathilde Road, being approximately 400' southeast of the intersection of Isom Road and Mathilde Road, having approximately 55' on Mathilde Road and a width of 125' and a maximum depth of 200'.

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 provided that proper access and off-street parking is provided. Mr. Thompson seconded the motion.

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

AN ORDINANCE 56,963

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 45, BLOCK 7, NCB 11971, 535 MATHILDA ROAD, FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT PROPER ACCESS AND OFF-STREET PARKING IS PROVIDED.

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37. CASE 283117 - to rezone Lot 5, Block 1, NCB 15616, in the 7800 Block of Clegg Drive, from Temporary "R-1" One Family Residence District to "R-4" Mobile Home District, located on the west side of Clegg Drive, being 289' north of the intersection of Hillburn Drive and Clegg Drive having 72.30' on Clegg Drive and a depth of 132.07'.

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. Thompson moved that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished if necessary. Mr. Hasslocher seconded the motion.

In reply to a question by Mr. Archer, Mr. Andy Guerrero, Planner II, stated that in order for a mobile home to be permitted on this piece of property, the owner must first obtain a variance through the Board of Adjustment.

Mr. Thompson gave a brief description of the composition of the neighborhood adding that a large portion of the neighborhood is composed of mobile homes.

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

AN ORDINANCE 56,964

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 5, BLOCK 1, NCB 15616, IN THE 7800 BLOCK OF CLEGG DRIVE, FROM TEMPORARY "R-1" ONE FAMILY RESIDENTIAL DISTRICT TO "R-4" MOBILE HOME DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED IF NECESSARY.

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38. CASE 283122 - to rezone Lots 1 and 2, Block 18, NCB 3812, 1202

Vanderbilt Street, from "A" Single Family Residence District to "R-2" Two Family Residence District, located southeast of the intersection of Mittman Street and Vanderbilt Street, having 50' on Vanderbilt Street and 125' on Mittman Street.

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

No citizen appeared to speak in opposition.

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

Mrs. Dutmer stated that the staff had recommended denial of this request noting that "R-2" zoning would exist in a single family residential area. She added that the makeup of the neighborhood had changed and that the resident of the property, Mrs. Willa Chichester, had been paying taxes on this property as a duplex. It was further explained that it was originally constructed as a duplex but when the zoning laws changed, this whole area was designated "A" Single Family Residential District.

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

AN ORDINANCE 56,965

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 1 AND 2, BLOCK 18, NCB 3812, 1202 VANDERBILT STREET, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-2" TWO FAMILY RESIDENTIAL DISTRICT.

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83-23 The Clerk read the following Ordinance:

AN ORDINANCE 56,966

CLOSING AND ABANDONING A PORTION OF HATHAWAY DRIVE, BETWEEN NEW CITY BLOCKS 9131 AND 9133, AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE TO EXECUTE A QUITCLAIM DEED TO RAUL C. GARCIA, ADJACENT OWNER, FOR A CONSIDERATION OF \$15,350.00, AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF AGREEMENT IN CONNECTION THEREWITH.

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

Mr. Woody McGill, Bel Meade Addition resident, spoke of the benefits of closing Hathaway Drive, i. e., decreasing the vehicular and pedestrian traffic and improving the value of single family homes. He noted that a 138-Unit apartment complex would be demolished and twin-towers for retirement homes for military officers would be built.

Mr. Archer spoke of the very ambitious project proposed and stated he was in favor of closing Hathaway Drive. He cautioned that the project may not be approved by the Board of Adjustment because of its proposed height.

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

83-23 The Clerk read a proposed Ordinance authorizing a ten year concession contract with Alamo Concessions Supply Company, Inc., for operation of pedal boats in Brackenridge and Koehler Parks.

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

On roll call, 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; ABSENT: Harrington.

At this point, Mr. Hasslocher stated that he had some concerns about the terms of the contract and asked that Council reconsider this item.

Mrs. Dutmer then moved to reconsider this item. Mr. Hasslocher seconded the motion.

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

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

Mr. Louis J. Fox, City Manager, stated that Mr. Phil Sheridan, Concessionaire, does not have any outstanding bills with the City and he recommended that this Ordinance be approved.

Mr. Hasslocher expressed concern with the clean-up of the area where the pedal boats are to be operated and housed.

Mr. Don Maddox, Assistant Director of Parks and Recreation, stated that Mr. Sheridan would be responsible for the upkeep of the specified area and will build a building to house the pedal boats.

Mr. Archer expressed concern about Council approval of a 10 year contract.

Mr. Maddox noted that under the terms of the contract, payment terms for the sixth through tenth years can be renegotiated.

In answer to a question by Mr. Hasslocher, Ms. Jane Macon, City Attorney, stated that the contract could be negotiated on a five year lease with an additional five year lease option.

Mr. Hasslocher made an amended motion to reflect this five year lease with five year renewal option. Mr. Thompson seconded the motion.

Mrs. Dutmer and Mr. Archer both spoke against the amendment as this option was already stated in the original agreement.

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

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

AN ORDINANCE 56,967

AUTHORIZING A TEN YEAR CONCESSION CONTRACT WITH ALAMO CONCESSIONS SUPPLY COMPANY, INC., FOR OPERATION OF PEDAL BOATS IN BRACKENRIDGE AND KOEHLER PARKS.

* * * *

83-23 The Clerk read the following Ordinance:

AN ORDINANCE 56,968

APPROVING THE 1983 SUMMER YOUTH EMPLOYMENT PROGRAM AND AUTHORIZING SUBMISSION OF THE PLAN TO THE DEPARTMENT OF LABOR FOR APPROVAL AND AWARD OF A GRANT FOR SAID PROGRAM; AUTHORIZING CONTRACTS WITH AND ALLOCATING FUNDS TO PROGRAM OPERATORS.

* * * *

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

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

83-23 The Clerk read the following Resolution:

A RESOLUTION
NO. 83-23-39.

DESIGNATING PROJECTS AND ESTABLISHING PRIORITIES FOR TRANSPORTATION IMPROVEMENTS UNDER THE FEDERAL AID URBAN SYSTEMS PROGRAM FOR 1983-86.

* * * *

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

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

83-23 The Clerk read the following Resolution:

A RESOLUTION
NO. 83-23-40

PLEDGING SUPPORT FOR THE OPPORTUNITIES INDUSTRIALIZATION CENTERS OF AMERICA, INC. "HIRE ONE YOUTH CAMPAIGN" WHICH PROPOSES THAT EACH OF THE TEN MILLION PRIVATE SECTOR EMPLOYERS IN THE UNITED STATES, AS IS ABLE, HIRE "JUST ONE YOUTH" TO HELP ALLEVIATE THE INCREASINGLY CRITICAL PROBLEMS OF YOUTH UNEMPLOYMENT THROUGHOUT THE COUNTRY AND THE LACK OF ALTERNATIVES FOR NEEDY YOUNG ADULTS.

* * * *

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

Mr. Archer stated that consideration should be given so that employers can offer these untrained youth jobs at lower than the minimum wage, thereby making it more attractive to hire young people.

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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83-23 The Clerk read the following Resolution:

A RESOLUTION
NO. 83-23-41

PLEDGING FINANCIAL SUPPORT FOR THE SAN ANTONIO LITTLE THEATRE TO REPRESENT THE UNITED STATES AT THE INTERNATIONAL FESTIVAL OF COMMUNITY THEATERS TO BE HELD IN TOYAMA, JAPAN, SHOULD IT WIN THE NATIONAL COMPETITION NOW UNDERWAY.

* * * *

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

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

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83-23 The Clerk read the following Ordinance:

AN ORDINANCE 56,969

ALLOWING THE SAN ANTONIO FESTIVAL TO UTILIZE THE CONVENTION CENTER STAGE PLATFORMS FOR THE UPCOMING PERFORMANCES SPONSORED BY THE SAN ANTONIO FESTIVAL AT NO COST.

* * * *

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

In answer to a question by Mr. Wing, Mr. William Donahue, Assistant City Manager, stated that the City will incur costs between \$300 to \$1,200 for City employees to assemble and disassemble the platforms.

Mrs. Dutmer stated she could not support this Ordinance as she did not concur with waiving of fees for City facilities.

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

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83-23 The Clerk read the following Ordinance:

AN ORDINANCE 56,970

ESTABLISHING THE PRIVATE INDUSTRY COUNCIL AS
 PRESCRIBED BY THE JOB TRAINING PARTNERSHIP ACT AND
 APPOINTING MEMBERS THERETO.

* * * *

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.

The following persons were appointed to the New Private Industry Council:

BUSINESS:

Gloria Iruegas, Curtis Neal, Mary Powell, Bob Flores, Alex Viera, David Saks, Richard J. Jauregui, Paul Herder, William Roegelein, Vernon Shade, Hull Youngblood, Irene Florida, Baxter Grier, Charles Williams and Herman Segovia.

COMMUNITY-BASED ORGANIZATIONS:

Gene C. Becker

EDUCATION:

Pat Turner and Margarita R. Huantes

LABOR:

Joan Suarez

ECONOMIC DEVELOPMENT:

Terry Britton

EMPLOYMENT SERVICE:

Earnest Leake

83-23

ANIMAL CONTROL KENNEL FACILITY

Mr. William Donahue, Assistant City Manager, reported to Council that monies had been allocated in the FY82-83 Capital Improvement Reserve fund to construct a new 4,600 sq. ft. kennel and to repair existing kennels at the Animal Control Facility. He requested Council direction on whether to construct a new facility at a site tentatively chosen at Culberson and Zarzamora Streets or to expand the present facility at Brackenridge Park.

In answer to a question by Mr. Archer, Mr. Donahue noted that both small and large dogs are picked up by the Animal Control personnel.

Mr. Wing expressed concern at constructing new kennels at Culberson and Zarzamora Streets. He stated that monies should be used to improve the existing facility.

Mr. Wing then moved that the monies be used to expand the existing facility at Brackenridge Park. Mrs. Dutmer seconded the motion.

In answer to the question by Mrs. Dutmer, Mr. Donahue noted that

expansion of the existing facility is architecturally feasible.

Mr. Hasslocher noted that he would support selection of an alternate site.

Mr. Alderete suggested the Animal Advisory Committee study alternate sites.

In answer to a question by Mr. Thompson, Dr. C. N. Rothe, Director of the Metropolitan Health District, was unable to estimate the length of time the Brackenridge facility would be adequate should it be expanded.

Mr. Donahue stated that, based on the City's growth, expansion of the Brackenridge facility would serve the City for another five years.

Mr. Hasslocher made an amended motion to request the Animal Advisory Board report to Council in 30 days any available alternative locations for construction of a new kennel but that none of the sites be located in residential areas. Mr. Harrington seconded the motion.

A discussion followed on the merits of constructing a new site versus expansion of the present site.

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

After discussion, the motion to expand the existing facility prevailed by the following vote: AYES: Berriozabal, Dutmer, Wing, Eureste, Thompson, Archer, Cisneros; NAYS: Harrington, Hasslocher; ABSENT: Webb, Alderete.

83-23 The Clerk read the following Resolution:

A RESOLUTION
NO. 83-23-42

EXPRESSING THE SENSE OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO AS TO THE NEED FOR EXPANDING THE AUTHORIZED LEVEL OF THE FEDERAL WASTEWATER CONSTRUCTION GRANTS PROGRAM TO ENABLE COMPLIANCE WITH THE 1988 DEADLINE FOR WATER QUALITY STANDARDS MANDATED BY THE CLEAN WATER ACT.

* * * *

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

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

83-23 The Clerk read the following Resolution:

A RESOLUTION
NO. 83-23-43

SUPPORTING HOUSE BILL 1562 AND SENATE BILL 1090
RELATING TO NONPARTISAN ELECTIONS IN HOME RULE
CITIES.

* * * *

00325

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

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

83-23 The Clerk read the following Resolution:

A RESOLUTION
NO. 83-23-44

OPPOSING PENDING LEGISLATION AS CONTAINED IN HOUSE BILL 1039 RELATING TO THE NUMBER OF SIGNATURES REQUIRED ON AN APPLICATION FOR A PLACE ON THE BALLOT IN A MUNICIPAL ELECTION.

* * * *

Mrs. Dutmer made a motion that the Resolution be approved. Mr. Hasslocher seconded the motion.

Mrs. Dutmer noted that passage of this Bill would place a burden on the City Clerk's office.

Mr. Archer noted that lessening the number of signatures required cheapens the electoral process.

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

83-23 The Clerk read the following Resolution:

A RESOLUTION
NO. 83-23-45

OPPOSING PENDING LEGISLATION AS CONTAINED IN SENATE BILL 540 AND HOUSE BILL 1271 RELATING TO RESIDENCY REQUIREMENTS FOR MUNICIPAL EMPLOYEES.

* * * *

Mrs. Dutmer moved that the Resolution be approved. Ms. Berriozabal seconded the motion.

Ms. Karen Kliwer, Director of Intergovernmental Relations, stated that current City policy mandates a person must live in the City of San Antonio in order to obtain employment with the City.

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

83-23 The Clerk read the following Resolution:

A RESOLUTION
NO. 83-23-46

OPPOSING PENDING LEGISLATION AS CONTAINED IN COMMITTEE SUBSTITUTE HOUSE BILL 2265.

* * * *

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

Ms. Karen Kliever, Director of Intergovernmental Relations, noted that this Resolution addressed Extraterritorial Jurisdiction for home rule cities.

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

83-23 The Clerk read the following Resolution:

A RESOLUTION
NO. 83-23-47

SUPPORTING PENDING LEGISLATION AS CONTAINED IN SENATE BILL 862 AND HOUSE BILL 1902 RELATING TO THE EXEMPTION OF CERTAIN PEACE OFFICERS FROM REGULATION UNDER THE PRIVATE INVESTIGATORS AND PRIVATE SECURITY AGENCIES ACT.

* * * *

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

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

83-23 The Clerk read the following Resolution:

A RESOLUTION
NO. 83-23-48

OPPOSING PENDING LEGISLATION AS CONTAINED IN HOUSE BILL 2128 RELATING TO PAYMENTS BY CERTAIN MUNICIPALLY OWNED UTILITIES.

* * * *

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

Ms. Karen Kliever, Director of Intergovernmental Relations, noted that passage of this Resolution would place a limit on the revenue transfers from the City Public Service Board to the City's general fund.

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

83-23 The Clerk read the following Resolution:

A RESOLUTION
NO. 83-23-49

SUPPORTING HOUSE BILL 1015 AND SENATE BILL 929 RELATING TO FIREMEN'S AND POLICEMEN'S CIVIL SERVICE.

* * * *

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

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

83-23 The Clerk read the following Resolution:

A RESOLUTION
NO. 83-23-50

SUPPORTING HOUSE BILL 2161 AND SENATE BILL 855
PROVIDED THAT PROVISIONS BE INCLUDED FOR FUTURE
PROTECTION OF SAN ANTONIO.

* * * *

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

Ms. Karen Kliewer, Director of Intergovernmental Relations, stated that these bills would require a permit for transportation of water from the Edwards Underground Water District.

Mr. Tom Fox, General Manager of the Edwards Underground Water District, noted that these bills protect the City of San Antonio and requested Council support as they are close to being passed.

In answer to a question by Mr. Thompson, Mr. Fox noted that a permit would be required to transport water outside the District and interested parties would have to apply to the District for such a permit.

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

83-23 CONSIDERATION OF RESOLUTION NO. 83-23-51

Ms. Karen Kliewer, Director of Intergovernmental Relations, stated that this bill pertained to regulation of wrecker operators. She added that Mr. Gerald Henckel, Legislative Liaison for the City of San Antonio, would be present at 4:30 P.M. to answer any questions the Council may have in reference to this piece of legislation. She requested this item be postponed until Mr. Henckel arrived.

Mr. Eureste stated that this bill is bad for the City and he would like to discuss it at this time.

In reply to a question by Mr. Wing, Ms. Kliewer noted that the Senate bill increasing fines for littering and weeds in vacant lots had run into problems. She added that the City Council has gone on record supporting legislation increasing the fines.

Mr. Archer questioned the effectiveness of the Council passing resolutions pertaining to pending bills in Austin.

Mayor Cisneros asked for Council consensus on delaying discussion on this item until Mr. Henckel arrived to speak on this item.

Mr. Hasslocher then moved to hear this item at 4:30 P.M. Mrs. Dutmer seconded the motion.

The motion to postpone until 4:30 P.M. prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Harrington, Archer, Hasslocher, Cisneros; NAYS: Eureste; Thompson; ABSENT: Alderete.

Mrs. Dutmer stated that she had met with Governor Mark White who complimented our staff for being properly prepared for the meeting by having everything to be discussed at hand. He commended Ms. Karen Kliever in particular.

Mr. Thompson noted that there are two issues to be discussed, one is the wrecker bill and the other Mr. Henckel's performance as a lobbyist for the City.

Mrs. Dutmer stated that Governor Mark White is aware of the resolutions passed by the City Council throughout the State.

Consideration of this Resolution was postponed until later on in the meeting (See Page 22).

83-23 The Clerk read the following Ordinance:

AN ORDINANCE 56,971

AMENDING SECTION 4 OF ORDINANCE 37,812, THE HOME IMPROVEMENT ADVISORY BOARD, SO AS TO PROVIDE FOR MEMBERSHIP OF 11 MEMBERS AND REAPPOINTING AND APPOINTING MEMBERS THERETO; FOR A TERM TO EXPIRE MAY 23, 1985.

* * * *

Mr. Hasslocher moved that the Ordinance reappointing Ely Bergmann and Lon Platt and appointing Irene Canales de Jensen, Fritz Duelm, Rev. Glinwood S. Russ, Bill Johnson, Thomas C. Epperson, Dan Gonzales, Raymond Damysh and Sam Lopez to the Advisory Board 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: Dutmer, Wing, Eureste, Harrington, Hasslocher, Cisneros; NAYS: None; ABSENT: Berriozabal, Webb, Thompson, Alderete, Archer.

83-23

CITY MANAGER'S REPORT

SUMMER RECREATION PROGRAMS

Mr. Louis J. Fox, City Manager, stated that the Parks and Recreation staff is planning the summer recreation program, including the District talent show program.

Mr. Don Maddox, Assistant Director of Parks and Recreation, stated that some Councilmembers have already selected their sites for the District Talent Shows.

Mayor Cisneros mentioned a memo he had forwarded to the City Manager's office on different types of activities in lieu of strictly physical activities.

A discussion followed on the sites and dates of scheduled activities.

Ms. Berriozabal noted that she had not as yet received any information on the talent shows and her District would be the first one scheduled.

* * * *

00329

ROCKY MOUNTAIN FEVER DISCUSSION

Dr. C. N. Rothe, Director of the Metropolitan Health District, gave a brief report on the cases of Rocky Mountain fever recently reported in San Antonio. He noted the symptoms of the fever and the precautions San Antonians should take to reduce the risk of contracting this disease.

* * * *

83-23

SENATE BILL 862 AND HOUSE BILL 1902

Mayor Cisneros recognized Mr. Manuel Quintanilla, representing the Bexar County Sheriffs' Reserves, and informed him of the passage of Resolution No. 83-23-47 supporting subject bills. He further instructed Norma S. Rodriguez, City Clerk, to draft a letter for Mr. Quintanilla indicating Council support to this legislation.

83-23 The Clerk read a proposed resolution opposing Section 5(c) of Committee Substitute for Senate Bill 672 and proposing an amendment thereto.

Ms. Karen Kliever, Director of Intergovernmental Relations, stated that the proposed resolution includes an amendment that clarifies the "home rule" status.

Mr. Eureste stated that the City should oppose the bill outright. He stated that there was no mention of this legislation last week, and stated that it was not brought up by Ms. Kliever. He felt that the bill would pass on regulation of the automobile wreckers to the Railroad Commission and he opposed this. He felt that the wrecker industry is seeking relief from the State. He stated that Mr. Gerald Henckel, the City's Legislative Liaison, had written a memo to the City Council on this bill. He stated that if the bill is passed, it would preclude the City from extending its regulations and rules over the wrecker industry.

Mr. Eureste further stated that he is opposed to this bill and explained in detail the reasons for his feelings, which are due, in part, to the many complaints from citizens. Mr. Eureste added that Mr. Henckel is lobbying for this bill and he feels it is in direct conflict with the City's interest. He expressed concern with the constant shifting in position by the City's legislative liaison. He thinks that the City Council should retain its enforcement and regulatory powers over the wrecker industry.

Mr. Eureste moved that Council go on record as opposing the Bill. Ms. Berriozabal seconded the motion.

In response to a question by Mr. Thompson, Mr. Henckel stated that the State now has authority to control wreckers, the purpose of the bill is to do statewide what the City does locally. The only change to the legislation is that it requires operators to have insurance, and meet safety specifications. He added that he went to the Texas Municipal League to ensure that the municipalities' authority is retained in the bill. They wrote Section 5 for the protection of the cities.

Councilman Thompson then reviewed each section of the legislation and the bill which is pending in Congress.

Mrs. Dutmer stated that the Railroad Commission only regulates the permits. She stated that before the ordinance, wreckers were running wild throughout the City. She stated that there was so much confusion prior to having the one wrecker contract here in the City. She feels that they are doing a good job. Mrs. Dutmer also stated that she believes that the money spent by Mr. Henckel is well-spent in that Mr. Henckel is

responsible for saving the City an extraordinary amount of money.

Mr. Henckel stated that this is just a difference of opinion with Mr. Eureste. He stated that he will do his utmost to represent the City as long as he is employed by the City.

In response to Mayor Cisneros, Mr. Henckel stated if the Council takes the position that it will oppose this bill, then he will withdraw his support.

In response to Mr. Wing's question, Mr. Tom Finlay, Assistant City Attorney, stated that as the bill was originally introduced, the Railroad Commission would have the power to regulate and, if an area existed where our Ordinance conflicted with the Railroad Commission's regulations, the Railroad Commission's regulations would govern. He added that if the bill is amended to read that if a conflict between state and local regulations exist, that local regulations would prevail, then this amendment could turn the bill around.

In response to a question by Mr. Wing, Mr. Henckel stated that he didn't feel the City Council had to take a position on this issue. He spoke to the Attorney General and noted that any state regulation would not preempt the City's authority. He didn't feel that the City is affected by this bill.

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

In response to Mr. Alderete's question, Mr. Finlay stated that if the Railroad Commission makes a rule, certainly the City cannot make a different rule.

Mr. Henckel stated that Triple A has been the most vocal opponent; however, the rates will not be increased. He then explained why Triple A is opposed to this bill. He also stated that in lieu of 5(c) that stronger language could be implemented to cover the City's latest ordinance. He added the only method of amendment would be afloor amendment. He stated that Senator Traeger would not do anything to hurt a City.

Mr. Alderete stated that Mr. Henckel has done an outstanding job in the City's lobbying effort, and the savings the City has realized has been in the millions.

Mr. Henckel stated he would like the opportunity to meet with the Council on future bills that he may be representing other clients on. He also stated that lobbyists who have multiple clients are those who are more effective.

Mr. Eureste then stated that the City Council has been lobbied; he stated that after this vote he will have personal differences with Mr. Henckel and repeated that this is a conflict of interest. He stated that 5(c) has been intact and now Mr. Henckel is supporting an amendment to this section.

Mr. Henckel stated that there is a possibility that the Supreme Court may make a decision which would preempt the City's regulatory powers if these powers have not been given to the City by the State.

Mr. Henckel also mentioned the fact that he favors regulations of wreckers on private property. He added that regulations are not imposed by the Railroad Commission unless the Commission holds hearings.

At this time the Council postponed this issue until after Citizens to be Heard.

(Mayor Cisneros returned to the meeting and presided.)

CITIZENS TO BE HEARDMR. TOMMY LEIFESTER

Mr. Tommy Leifester, representing the Paralyzed Veterans of America, spoke to the Council about VIAtrans service for the handicapped. They are concerned that the Transit System is not adequately providing service to the handicapped. There are no main line accessible buses. The 25 vans which are in operation will be sold and 14 will be bought. There are only 17 drivers trained for the Para Transit System. He also stated that the hours of operation are not satisfactory. He also stated that other cities, i.e., Dallas, are providing much better service.

In response to Mayor Cisneros, he asked the City Council to take a position on this issue and relate this position to VIA Metropolitan Transit.

Mr. Alderete moved that a resolution be placed at an upcoming Council session stating Council's position on the VIAtrans. Mr. Wing seconded the motion.

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

Mr. Leifester asked that the City Council appoint someone like Colonel Wally Hill, who is sensitive to the needs of the handicapped, to the Board.

* * * *

MR. WALTER B. HILL

Mr. Walter Hill, Chairman of VIA's Special Services Advisory Committee, stated that this Committee had voted that they only wanted VIAtran-type service. He had personally objected to this vote. The lift-equipped trolleys were originally designed to provide a lift. He stated that they are desirous of an adequate system.

Mrs. Dutmer stated she would be in favor of main line accessible buses and spoke in favor of statements made by Mr. Leifester and Mr. Hill.

* * * *

MR. MORRIS ED DAVIS

Mr. Morris E. Davis, representing 35 residents from the 200 Block of W. Lullwood, spoke to the City Council about Eads Avenue. They are asking the City Council to address the problems on this street. He stated that Eads Avenue has been a main cross street in the area. He stated that this street has not received any attention in close to 80 years and asked Council's attention to this issue.

Mrs. Dutmer stated that she has investigated this street and feels that due to budget constraints she would not recommend spending money on a street that is in relatively good shape in comparison with other streets in the district.

* * * *

REVEREND R. A. CALLIES, SR.

Reverend R. A. Callies, Sr., representing the Youth Leadership Conference, presented a statement to the Council expressing concern on the inadequacies of Martin Luther King, Jr. Park. He stated that there are unsafe conditions at the Park and cited the following suggestions. (A copy of his statement is on file with the papers of this meeting.)

1. Provide police protection in the area;

2. Provide two or more entrances to the park area, there is only one now;
3. Provide two or more parking lots that will accommodate several hundred vehicles;
4. Clear out the undergrowth of weeds, prune the trees so one can see through out the park area during the day;
5. Improve the night lighting in and around the park area.

Mr. Webb stated that he does not take or share responsibility for the killing at the park. However, he is concerned about conditions at the park. He especially noted the one entrance and the lack of parking area. Mr. Webb then asked about police protection on Sundays.

Mr. William Donahue, Assistant City Manager, stated that he will obtain a response for Mr. Webb on this issue.

Mr. Webb concurred with suggestions made by Reverend Callies.

Mrs. Dutmer also shared Reverend Callies' concern about the traffic situation at this park.

* * * *

MS. LILA LANDEZ

Ms. Lila Landez, Southwest Concerned Citizens, spoke on the status of their request on Mr. Joe Quinones being reassigned to the Zarzamora Service Center.

Mr. Frank Kiolbassa reported that Mr. Quinones was transferred as part of an overall transfer of several employees. Mr. Kiolbassa then stated that Mr. Quinones' transfer is a fair one and Mr. Quinones has not filed an official grievance. Mr. Kiolbassa stated he will stand by the transfer.

Ms. Landez stated that they received excellent service by Mr. Quinones and they are trying to get him reassigned to the Zarzamora Service Center.

Mr. Eureste spoke about the request made by Ms. Landez. He added that Mr. Quinones is getting ready to retire and he wants to be reassigned to the center where he is closer to his home. He then read from a memo written to Mr. Quinones from the Public Works Department. Mr. Eureste felt that Mr. Quinones has been greatly inconvenienced. He felt that the City is showing a certain amount of insensitivity.

Mayor Cisneros stated that while the City Council cannot dictate personnel matters, they can express their compassion and ask Mr. Kiolbassa to take into consideration the situation at hand.

In response to a questions by Mr. Webb, Mr. Kiolbassa stated that the move was part of a general personnel reassignment and stated that once Mr. Quinones files a formal grievance then he will reconsider the case.

Mr. Webb asked Ms. Landez if she will speak to Mr. Quinones on this procedure.

Mr. Eureste expressed concern about the fact that Mr. Quinones has a hardship with a handicapped son and also has served the City well for over 32 years. He asked for more sensitivity from the City staff.

Mrs. Dutmer stated this issue should never have been brought to the City Council and said that this should have been brought to the City Manager.

Mr. Eureste asked Ms. Landez to come back next week on this issue.

00333

83-23 The Council resumed discussion on the proposed resolution relating to the wrecker companies.

Mrs. Dutmer referred to the proposed bill. She stated that the Railroad Commission will only regulate insurance, safety features on the wrecker and speed limits. Mrs. Dutmer then moved that the City take the position to amend the bill by stipulating under Section 5(c) that the Railroad Commission may only regulate on matters not regulated by the municipalities and under Section 5(d) that municipalities retain the right to regulate wrecker operators on private property as well as public property within the corporate limits of the municipality. Mr. Thompson seconded the motion.

Ms. Berriozabal stated that this is a very important bill. She stated she would have preferred to have heard about this issue before. She will not vote on the amendment.

Mr. Webb stated that he, too, would have preferred to have heard from Mr. Henckel on this issue beforehand. He will be voting with Mr. Eureste's motion.

Mr. Archer moved that the City Council negotiate terms of the contract with lobbyist for the City of San Antonio. Mrs. Dutmer seconded the motion.

Mayor Cisneros asked that this issue be referred to the Personnel Committee.

By general consensus, this issue was referred to the Personnel Committee and no vote was taken on Mr. Archer's motion for Council to negotiate the terms of Mr. Henckel's contract.

In response to Mr. Wing, Mr. Tom Finlay stated that the amendments would protect the City's interest and would cover the City's jurisdiction.

Mr. Eureste asked the City Council to oppose the bill in total. He feels that the amendments are gutting the bill.

Mrs. Dutmer did not agree with Mr. Eureste's statements. She stated that the author of the bill wanted regulation of wrecker service in unincorporated cities.

In response to Mr. Eureste, Mr. Finlay stated that the bill as it is does not provide the protection to the cities.

Mrs. Dutmer reiterated the regulatory powers of the Railroad Commission on this issue and the amendment clarifies the language.

Mrs. Dutmer's motion to amend the bill failed to carry by the following vote: AYES: Dutmer, Thompson, Alderete, Archer, Hasslocher; NAYS: Berriozabal, Webb, Wing, Eureste, Cisneros; ABSENT: Harrington.

Mr. Eureste's motion to oppose the bill in total failed to carry by the following vote: AYES: Berriozabal, Webb, Wing, Eureste, Cisneros; NAYS: Dutmer, Thompson, Alderete, Archer, Hasslocher; ABSENT: Harrington.

Mrs. Dutmer moved that Section 5(c) be deleted and Section 5(d) be included in the Resolution. Mr. Alderete seconded the motion.

Mr. Wing stated that regulation of the Railroad Commission will not apply when cities have legislation in the area. He then moved to protect the interest of the City and to maintain the entire integrity of the City's wrecker ordinance by passage of the Resolution. Mrs. Dutmer seconded the motion.

Mrs. Dutmer and Mr. Alderete agreed to withdraw their motion from consideration.

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

A RESOLUTION
NO. 83-23-51

OPPOSING SECTION 5(c) OF COMMITTEE SUBSTITUTE FOR
SENATE BILL 672 AND PROPOSING AN AMENDMENT THERETO.

* * * *

83-23 The Clerk read the following Letter:

May 9, 1983

Honorable Mayor and Members of the City Council
City of San Antonio

The following petitions were received in my office and forwarded to the City Manager for investigation and report to the City Council.

April 29, 1983

Petition submitted by Ms. Robyn Barnes requesting the closure of certain streets in connection with the 1983 Parade of Homes.

* * * *

April 28, 1983

Petition submitted by Mr. Mayo J. Galindo on behalf of Gilbert Zepeda requesting the City Council restore 132 sick leave days and 32 vacation days to Mr. Zepeda and that these days be charged to injury leave.

* * * *

May 4, 1983

Petitions submitted by Col. & Mrs. A. M. Wright, Ms. June W. Burnette, Mr. & Mrs. J. B. Horner, Mr. & Mrs. C. M. Franklyn, and Ms. Jackie Bizzelle requesting that the Mayor and City Council continue their efforts to prevent the Olmos, the Josephine and any neighborhood theaters from showing X-rated movies, and to encourage the enforcement of Ordinance #49724 and Ordinance #55118, and all such anti-pornography legislation.

* * * *

May 6, 1983

Petition submitted by Mr. Stephen L. Golden on behalf of Fifth Avenue Ltd. requesting the City of San Antonio to allow the brick and wrought iron fence built within Vance Jackson Road right-of-way and along the old property line to remain in place until such time as the City determines that such right-of-way is needed for expansion of Vance Jackson Road or other City purposes.

* * * *

May 12, 1983
mlr

00336

There being no further business to come before the Council, the meeting was adjourned at 7:45 P.M.

A P P R O V E D

Henry Casimiro
M A Y O R

ATTEST: *Norma S. Rodriguez*
C I T Y C L E R K