

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
WEDNESDAY, DECEMBER 22, 1982.

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

82-55 The invocation was given by Rev. W. C. Ahlrich, Trinity Lutheran Church.

82-55 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

82-55 INTRODUCTION OF GUESTS

Mayor Cisneros introduced Mrs. Adeline Harrison, chief environmental official in the southwest region of the Environmental Protection Agency, and her husband visiting San Antonio from Dallas, Texas.

Mrs. Harrison spoke briefly of her visit to San Antonio.

82-55 MCCOLLUM HIGH SCHOOL CHOIR

The McCollum High School Choir, under the direction of their choir director, Mr. McDermitt, presented a brief program, singing a medley of show tunes and Christmas carols.

82-55 MRS. SADIE RAY GRAFF

Mayor Cisneros spoke of Mrs. Sadie Ray Graff's efforts in litter prevention and community improvement activities which led to her receiving the 1982 Mrs. Lyndon B. Johnson Award. He then read the following citation and asked the Council members to join him in its presentation to Mrs. Graff:

IN RECOGNITION OF HER MOST RECENT ACCOMPLISHMENT IN BEING HONORED WITH THE 1982 MRS. LYNDON B. JOHNSON AWARD. MRS. GRAFF HAS CONTRIBUTED IMMENSELY TO THE SAN ANTONIO COMMUNITY, SHE HAS DEMONSTRATED GREAT LEADERSHIP IN HER MANY LITTER PREVENTION AND COMMUNITY IMPROVEMENTS ACTIVITIES. SINCE 1968, ONLY 24 OTHER OUTSTANDING VOLUNTEER WOMEN HAVE RECEIVED THIS PRESTIGIOUS AWARD.

THE CITY COUNCIL COMMENDS MRS. GRAFF FOR HER EXEMPLARY PERFORMANCE AND EXTENDS BEST WISHES IN ALL HER FUTURE ENDEAVORS.

Mrs. Graff thanked the Council for this recognition and expressed her appreciation for being honored by the City of San Antonio.

GUADALUPE CULTURAL ARTS ASSOCIATION

Ms. Cynthia Spurlock, new executive director of Guadalupe Cultural Arts Association, displayed the group's new logo and presented prints of that logo to each member of the City Council, part of which depicts the tilework of the Guadalupe Theater, which is soon to be renovated.

Mayor Cisneros thanked Ms. Spurlock and her group for the gifts.

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82-55 The minutes of the regular meeting and the special meeting of December 9, 1982 were approved.

82-55 WINTER UTILITY RATE RELIEF FUND

Mr. Harrington reported on the status of the Winter Utility Rate Relief Fund, approved by City Council last week at his request. He stated that the mechanism for collections to this fund now are in place at City Public Service, and current utility billings going out to customers will allow them to make tax-deductible contributions to the relief fund in their return. He further stated that CPS had been very cooperative in setting up the program.

Mr. Harrington noted that the fund had received a check for \$101 from a Mr. Garcia to help kick off the fund, and that Valero Energy Corporation had elevated its initial contribution to the fund to \$100,000.

Mayor Cisneros thanked Mr. Harrington for his work in bringing this fund to fruition, and to Valero Energy for its contribution to begin the fund.

82-55 CONSENT AGENDA

Mr. Archer moved that items 5 - 38 constituting the consent agenda be approved with the exception of items 18, 25, 26, 27, 29 and 30, to be pulled for individual consideration. Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 56,277

ACCEPTING THE LOW BID OF JOHN H. SOROLA, INC., TO FURNISH THE CITY OF SAN ANTONIO PARKS AND RECREATION DEPARTMENT WITH A TRACTOR MOWER FOR A TOTAL PURCHASE PRICE OF \$4,425.

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AN ORDINANCE 56,278

ACCEPTING THE PROPOSAL OF THE MAIN LINE BOOK COMPANY TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH OUT-OF-PRINT BOOKS FOR A TOTAL PURCHASE PRICE OF \$4,993.05, PLUS SHIPPING AND HANDLING CHARGES.

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AN ORDINANCE 56,279

ACCEPTING THE PROPOSAL OF MUMFORD LIBRARY BOOK SALES, INC., TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH OUT-OF-PRINT BOOKS FOR A TOTAL PURCHASE PRICE OF \$9,375.80, PLUS SHIPPING AND HANDLING.

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AN ORDINANCE 56,280

ACCEPTING THE PROPOSAL OF THE NATIONAL ARCHIVES TRUST FUND BOARD TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH GENEALOGY MICROFILM FOR A TOTAL PURCHASE PRICE OF \$10,812.00.

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AN ORDINANCE 56,281

ACCEPTING THE BID OF LIGHTBOURN EQUIPMENT COMPANY TO FURNISH THE CITY OF SAN ANTONIO CONVENTION FACILITIES WITH EMERGENCY REPAIRS TO THE CONVENTION CENTER STANDBY GENERATOR SYSTEM, FOR A TOTAL COST OF \$4,356.00.

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AN ORDINANCE 56,282

ACCEPTING THE LOW BID OF FLETCHER DAVIS COMPANY, INCORPORATED, TO FURNISH THE CITY OF SAN ANTONIO WITH TIME RECORDERS FOR A TOTAL OF \$3,850.

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AN ORDINANCE 56,283

ACCEPTING THE LOW BID OF MARS UTILITY AND INDUSTRIAL SUPPLY COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH PIPE, VALVES AND FITTINGS FOR A TOTAL OF \$7,160.15.

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AN ORDINANCE 56,284

ACCEPTING THE BIDS OF VARIOUS COMPANIES FOR FURNISHING THE CITY OF SAN ANTONIO WITH MATERIALS AND SERVICES ON AN ANNUAL CONTRACT BASIS FOR AN ESTIMATED \$361,595.00.

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AN ORDINANCE 56,285

ACCEPTING THE LOW BID OF TOWNSEND FLOOR FINISHERS TO FURNISH LABOR AND MATERIALS TO SAND THE FLOOR OF THE NORTH BANQUET HALL IN THE CONVENTION CENTER FOR A TOTAL COST OF \$5,900.00.

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AN ORDINANCE 56,286

AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH M. W. CUDE ASSOCIATES, INC., FOR ENGINEERING SERVICES FOR THE 25 ACRE HUEBNER ROAD

TRACT - NEW COVENANT FAITH CENTER OFF-SITE SEWER
MAIN, APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 56,287

AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES
CONTRACT WITH VICKREY AND ASSOCIATES, INC. TO
PROVIDE ENGINEERING SERVICES FOR THE TOWERING OAKS I
SUBDIVISION OFF-SITE SANITARY SEWER, APPROPRIATING
FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 56,288

AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES
CONTRACT WITH PAPE-DAWSON ENGINEERS FOR ENGINEERING
SERVICES FOR THE 170 ACRE HAUSMAN TRACT OFF-SITE
SEWER MAIN, APPROPRIATING FUNDS AND PROVIDING FOR
PAYMENT.

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AN ORDINANCE 56,289

ACCEPTING THE BID OF RAM II GENERAL CONTRACTOR IN
THE AMOUNT OF \$109,400.00 FOR CONSTRUCTION OF THREE
PARKING AREAS AT THE RILLING ROAD WASTEWATER
TREATMENT PLANT; APPROVING A CONTRACT; APPROPRIATING
FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 56,290

ACCEPTING THE LOW BID OF HEATH CONSTRUCTORS INC. FOR
CONSTRUCTION OF THE FRELON STREET STORM DRAINAGE
PROJECT; APPROVING A CONTRACT, APPROPRIATING FUNDS;
PROVIDING FOR PAYMENT OF \$2,133,333.33 FOR THE
CONSTRUCTION AND ADDITIONAL PAYMENTS FOR
CONSTRUCTION CONTINGENCIES AND ADDITIONAL
ENGINEERING FEES.

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AN ORDINANCE 56,291

ACCEPTING THE LOW BID OF W. T. PENGELLY CORP. FOR
CONSTRUCTION OF THE 19TH STREET DRAINAGE PROJECT
(39-C MODIFIED); AUTHORIZING A CONTRACT;
APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT OF
\$536,024.23 FOR THE CONSTRUCTION AND FOR A
CONSTRUCTION CONTINGENCY ACCOUNT AND ENGINEERING
FEES.

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AN ORDINANCE 56,292

PROVIDING FOR PAYMENT OF \$508,200.00 TO THE SAN
ANTONIO RIVER AUTHORITY FOR CONSTRUCTION OF THE
JOHNSON STREET PEDESTRIAN BRIDGE AND RELATED
EXPENSES PURSUANT TO A CONTRACT WITH THE AUTHORITY
COVERING THE SAN ANTONIO RIVER FLOOD CONTROL
PROJECT.

* * * *

0563

AN ORDINANCE 56,293

ACCEPTING THE PROPOSAL OF GEORGE W. MUERY SERVICES, INC., TO PROVIDE NECESSARY SURVEY SERVICES DURING CONSTRUCTION OF THE INTERNATIONAL AIRPORT TERMINAL EXPANSIONS PROJECT AND RELATED AMENITIES.

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AN ORDINANCE 56,294

REVISING ORDINANCE NO. 55905 PASSED ON SEPTEMBER 30, 1982 WHICH AWARDED A PEDESTRIAN ACCESS PROGRAM CONTRACT TO E-Z BEL CONSTRUCTION CO., INC., SO AS TO CORRECT THE SOURCES OF FUNDS FOR PAYMENT OF THE CONTRACT.

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AN ORDINANCE 56,295

APPROPRIATING FROM CERTAIN FUNDS IN THE TOTAL SUM OF \$1,397.00 IN PAYMENT FOR EXPENSES INCURRED IN CALLES, HUERTA, OBREGON & MADERO STREET RECONSTRUCTION; COCKER LOOP - UNSEWERED AREA NO. 46; FAIRMEADOWS STREET: PALM BEACH TO SOMERSET; OAKLAND ESTATES - UNSEWERED AREA NO. 66; AND 105 ACRE BLANCO ROAD OFF-SITE SANITARY SEWER.

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AN ORDINANCE 56,296

AUTHORIZING EXPENDITURE OF THE SUM OF \$4,700.00 OUT OF VARIOUS FUNDS FOR THE PURPOSE OF ACQUIRING TITLE TO CERTAIN LANDS; ACCEPTING THE DEDICATION OF TITLE AND/OR 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 56,297

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

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AN ORDINANCE 56,298

AUTHORIZING PAYMENT OF REFUNDS TO PERSONS MAKING OVERPAYMENTS OR DOUBLE PAYMENTS ON 18 TAX ACCOUNTS.

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AN ORDINANCE 56,299

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

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AN ORDINANCE 56,300

AUTHORIZING WRITE-OFF AS UNCOLLECTIBLE OF

\$165,670.12 IN ACCOUNTS RECEIVABLE REPRESENTING SERVICES RENDERED BY THE EMERGENCY MEDICAL SERVICES DIVISION.

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AN ORDINANCE 56,301

APPROPRIATING \$35,464.54 FROM THE SEWER REVENUE FUND AND AUTHORIZING PAYMENTS AS REIMBURSEMENT FOR OVERPAYMENT OF SEWER SERVICE CHARGES.

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AN ORDINANCE 56,302

AUTHORIZING ADJUSTMENTS TO THE CITY TAX ROLL RECOMMENDED BY THE TAX ERROR BOARD OF REVIEW.

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AN ORDINANCE 56,303

AUTHORIZING THE SUBMISSION OF A GRANT AGREEMENT MODIFICATION REQUEST TO THE ECONOMIC DEVELOPMENT ADMINISTRATION (EDA) FOR THE LONG RANGE ECONOMIC DEVELOPMENT PLANNING PROJECT; ACCEPTING SUPPLEMENTAL FUNDING FROM EDA IN THE AMOUNT OF \$14,808 TO FINANCE A THREE-MONTH EXTENSION BEGINNING JANUARY 1, 1983 AND ENDING MARCH 31, 1983; AND ADOPTING A REVISED BUDGET.

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AN ORDINANCE 56,304

AMENDING CHAPTER 38 (TRAFFIC REGULATIONS) OF THE CITY CODE DESIGNATING STOP SIGN LOCATIONS; ESTABLISHING PARKING METER ZONES; PROHIBITING PARKING AT ALL TIMES ON CERTAIN STREETS; AND PROVIDING THAT VIOLATIONS HEREOF BE PUNISHABLE BY A FINE OF NOT LESS THAN \$1.00 NOR MORE THAN \$200.00.

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82-55

The Clerk read the following Ordinance:

AN ORDINANCE 56,305

ACCEPTING THE LOW BID OF MEADER CONSTRUCTION CO., INC. FOR CONSTRUCTION OF THE MARBACH ROAD RECONSTRUCTION PROJECT; APPROVING A CONTRACT, APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT OF \$1,183,410.88 TO THE CONSTRUCTION COMPANY AND PROVIDING FOR A \$59,170.54 MISCELLANEOUS CONTINGENCY.

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

Mr. Alderete expressed his concern that Meader Construction Company had had problems with City construction projects in the past, and spoke of having received reports from citizens that the firm's current replacement of plastic water pipes for City Water Board also is experiencing some problems. He also spoke of his concern that the City, through this pending contract, might not be getting its best work done,

and spoke of the need to establish some method of weeding out contractors with whom problems have developed concerning their contracts in the past.

Mr. Alderete moved to table action on this pending Ordinance until the City Council and City staff have had time to review policies on this matter. Mr. Eureste seconded the motion.

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

In response to a question by Mr. Alderete, Mr. Joe Aceves, Assistant Director of Public Works, spoke on departmental policies in handling problems with contractors, and how to insure the contractor acts responsibly on the contract in order to insure good performance.

Mayor Cisneros spoke of his concern because of actions by the contractor on an earlier contract, where property was damaged without compensation and employees of the contractor allegedly were insensitive to the complaints of area residents concerning actions taken.

Mr. Aceves stated that his department is currently working on a plan that would disqualify contractors for cause, in cases where records indicate bad work is done on City contracts.

Mr. Alderete spoke of his concern that perhaps Meader Construction is not doing a good job on its work for the City, and spoke to specifics of complaints he has heard of concerning the work done by the firm in replacement of plastic pipe for City Water Board in District 7.

Mr. Aceves stated that the City must first have a record of bad work done by a contractor in order to refuse to accept that firm's low bid for a project, a record that will stand up in a court of law should the refusal to accept the low bid be challenged. He stated that to his knowledge, Meader is doing a good job on a large City project at the present time.

Mr. Alderete stated that he feels the City is applying a double standard to selection of firms for City projects, blacklisting small firms but letting the big companies go.

A discussion then took place concerning the time element required for the City to install proper safeguards for construction projects, during which Mr. Aceves stated that a three-week period would be acceptable to staff.

Mr. Alderete moved to postpone consideration of this Ordinance until January 6, 1983. Ms. Berriozabal seconded the motion.

Mr. Thompson spoke of recent good work by Meader Construction on a project in District 6, and of a specific instance where the firm's employees worked on the project on a holiday, filling in dirt to allow area residents better access to their driveways, temporarily. He spoke of representatives of the firm working with District 6 residents on area street work, and spoke against any delay in implementing this Ordinance.

Mrs. Dutmer urged that caution be used in making charges against any firm, and also cited good work done by Meader Construction in District 3. She stated that matters of alleged bad work done by the firm on City projects should be taken to court, if necessary.

Mr. Eureste spoke of various problems encountered with work done by some firms, including the project mentioned by Mayor Cisneros. He noted that the motion only asks a two-week delay in the Ordinance, and spoke of his concern that the City Public Works Department might be too close to the contractors. He spoke of instances in which retired City employees went to work for certain contractors after leaving City employ, and stated his opinion that this should be declared illegal. He further stated that the City Council had voiced concern with Meader Construction earlier.

Mr. Aceves stated that a public hearing had been held in the area involved in this pending contract.

Mr. Alderete stated that his desire is for the citizens to have a good project, and stated that in the past, there has been no effective program to handle citizen complaints on construction projects such as street work. He stated that such a program should be developed.

A brief discussion was held on certain City projects done by Meader Construction.

Mr. Webb stated that he is not satisfied with the quality of work done on most City projects, and spoke to specific problems encountered by citizens and the number of complaints received by his office.

Ms. Berriozabal spoke in support of the postponement, recalling complaints and problems encountered with the Saunders Street project, cited by Mayor Cisneros. She spoke of her concern that employees of construction firms are not treating area citizens as clients, since it is their tax money that is paying for the work. She spoke to the need to signal contractors that they are to be accountable to the citizens on City projects, and stated that a brief delay in this project will not hurt it.

In response to a question by Mr. Wing, Mr. Aceves stated that it would cost the City more to take any other bid than the lowest one recommended.

Mr. Aceves further stated that he feels his department has enough safeguards built into specifications of projects.

Mr. Alderete stated that the City needs safeguards to insure that businesses along Marbach Road, in the case of this pending contract, are given adequate access to their property during the construction, and the same should hold true for schools along the construction route.

Mr. Frank Kiobassa, Director of Public Works, discussed the controls and safeguards already worked out on the Marbach Road project, and stated that he feels the City has enough safeguards now required for that project.

Mrs. Dutmer spoke of her concern for the allegations made against contractors during the discussion, and spoke against the postponement requested.

Mr. Thompson asked that the City proceed with the contract.

Mr. Harrington spoke of the safeguards built into the bid process of the City, and spoke against postponement. He further stated that he would support better safeguards that could be worked out on future bids, if necessary.

A discussion then took place concerning the system used to handle citizen complaints on construction projects, by notifying citizens of a given area by distribution of leaflets.

Mr. Alderete stated his opinion that a Public Works project manager on a particular project should have been appointed and in place by the time a public hearing is held in the construction project area, so that citizens know who to call in the event of a problem or complaint.

Mr. Hasslocher spoke of his faith in City staff in this matter.

Mr. Eureste spoke of the need for time to study the bid process and matters of safeguards on City projects, and discussed Mr. Alderete's earlier concerns about this project.

Mrs. Dutmer made a second substitute motion to direct the City Manager to integrate safeguards into Public Works contracts. Mr. Archer seconded the motion.

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

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

Mr. Alderete asked that he be allowed to sit in on any meetings with this contractor concerning safeguards to be applied to this project.

82-55 The Clerk read the following Ordinance:

AN ORDINANCE 56,306

CLOSING AND ABANDONING ALL OF ROCKLEDGE DRIVE AND PORTIONS OF RICHVIEW STREET AND OAKLAND BOULEVARD, ADJACENT TO NEW CITY BLOCKS 14685, 14686, 14692, 14693, AND 14694, AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNATE TO EXECUTE A QUITCLAIM DEED TO EDWARD K. MERY, THE ADJACENT OWNER, FOR A CONSIDERATION OF \$1.00.

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

Mrs. Dutmer spoke of her concern for the small amount of money recommended to be paid to the City for these properties, including those cited in three upcoming Ordinances under consideration today. She stated that in several cases, the small payment to the City allows the prospective purchaser to double his property for as little as \$1, and spoke of the value of this property.

Mr. Wing stated that in many cases, it costs too much for the City to adequately maintain these properties, and spoke in support of the City staff recommendation.

Mr. Eureste spoke in support of the motion.

In response to a question by Mr. Thompson, Mr. Joe Aceves, Assistant Director of Public Works, stated that the City frequently acquired street right-of-way from a developer, and in cases where that right-of-way is no longer needed, it is City Council policy for the City to offer it for sale to the adjacent property owners.

Mrs. Dutmer stated her opinion that this policy should be changed.

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

82-55 The Clerk read the following Ordinance:

AN ORDINANCE 56,307

CLOSING AND ABANDONING A NARROW STRIP OF LAND ADJACENT TO NEW CITY BLOCK 164, AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNATE TO EXECUTE A QUITCLAIM DEED TO ATHLONE INDUSTRIES, INC., A NEW JERSEY

CORPORATION FOR A CONSIDERATION OF \$170.00.

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

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

82-55 The Clerk read the following Ordinance:

AN ORDINANCE 56,308

CLOSING AND ABANDONING PRISCILLA STREET FROM WHITMAN AVENUE TO PYRON AVENUE, BETWEEN NEW CITY BLOCKS 8050 AND 8051, AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNATE TO EXECUTE QUITCLAIM DEEDS TO RAUL C. SANTOS, ET AL, ADJACENT OWNERS, FOR A CONSIDERATION OF \$1.00.

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

82-55 The Clerk read the following Ordinance:

AN ORDINANCE 56,309

CLOSING AND ABANDONING PORTIONS OF WEST CRAIG, HICKORY, AND EPWORTH STREETS BETWEEN NEW CITY BLOCKS 8340, 8341, 8342, 8344 and 8345, AND AN ALLEY IN NEW CITY BLOCK 8341, AUTHORIZING THE CITY MANAGER, OR HIS DESIGNATE TO EXECUTE A QUITCLAIM DEED TO ARCHBISHOP P. F. FLORES, OF THE ARCHDIOCESE OF SAN ANTONIO, THE ADJACENT OWNER, FOR A CONSIDERATION OF \$1.00.

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

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

82-55 The Clerk read the following Ordinance:

AN ORDINANCE 56,310

GRANTING A LICENSE TO THE GUNTER HOTEL TO OCCUPY SPACE AT ST. MARY'S AND EAST HOUSTON STREET OVER THE SIDEWALKS FOR BALCONIES AND UNDER THE SIDEWALKS FOR BASEMENTS ADJACENT TO THE BUILDING IN NEW CITY BLOCK

407, TO OCCUPY SPACE OVER AND UNDER A PORTION OF THE 14 FEET ALLEY ADJACENT TO THE EAST SIDE OF SAID BUILDING FOR BASEMENT AND CONSTRUCTION OF A SMOKE STACK, AND MANIFESTING AN AGREEMENT IN CONNECTION THEREWITH.

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

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

82-55 At the request of Mayor Cisneros, the City Council granted its informal concensus to take up agenda item 57 at this time, out of order.

The Clerk read the following Ordinance:

AN ORDINANCE 56,311

EXTENDING THE TERM OF THE CLEAN COMMUNITIES COMMISSION FOR AN ADDITIONAL TWO YEAR PERIOD.

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

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

ZONING HEARINGS

39. CASE 9097 - to rezone Tract 22-C, NCB 12061, 1827 Blue Crest Lane, from Temporary "A" Single Family Residence District to "R-3" Multiple Family Residence District, located north of the intersection of Blue Crest Lane and Jones Maltsberger Road, having 263.4' on Blue Crest Lane and 234.7' on Jones Maltsberger Road.

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.

In response to a question by Mr. Hasslocher, Mr. Andy Guerrero, Planner II, stated that the proponent wishes to use this property to develop multi-family dwellings.

Mrs. Dutmer moved that the recommendation of the Zoning Commission be approved provided that the applicant work with the Traffic Engineering Division for proper access and off-street parking. Mr. Archer seconded the motion.

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

AN ORDINANCE 56,312

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 TRACT 22-C, NCB 12061, 1827 BLUE CREST LANE, FROM TEMPORARY "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT, PROVIDED THAT THE APPLICANT WORK WITH THE TRAFFIC ENGINEERING DIVISION FOR PROPER ACCESS AND OFF-STREET PARKING.

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82-55

CITY CLERK - MUSKOGEE HTS., MICHIGAN

Mayor Cisneros recognized the presence in the audience today of Mr. Emeterio Cisneros, City Clerk of the City of Muskegon Heights, Michigan, visiting San Antonio as the guest of his brother, Mr. Jose Cisneros of the National Park Service, stationed in San Antonio.

ZONING HEARINGS (continued)

40. CASE 9093 - to rezone Lot 6, Block 11A, NCB 8751, 610 Lovett Ave., from "R-1" One Family Residence District to "R-2A" Three and Four Family Residence District, located on the southside of Lovett Ave., being 80' west of the intersection of Clarendon St. and Lovett Ave., having 60' on Lovett Ave. and a depth of 150'.

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

Mr. Andy Guerrero, Planner II, stated that because of the volume of opposition from within 200 feet of the property, nine affirmative votes would be needed to approve this case.

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

Mr. Robert Diaz DeLeon, Tri-Tech Engineering, speaking for the proponent, stated that his client wished to build a triplex on the property, which backs up to R-3 zoning.

Mr. Freddie Lopez, 614 Lovett, stated that there is no need for additional apartments in this area. He spoke of his concern with the applicant's ability to maintain the apartments properly, and noted that he was acting as spokesman for several neighbors in the area.

Mr. DeLeon stated that his client does not wish to detract from the neighborhood, but is only trying to upgrade the property.

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

Mr. Wing spoke against the request.

A discussion then took place concerning neighborhood integrity and the past uses of this property.

A substitute motion to deny the request was made by Mrs. Dutmer. Mr. Harrington seconded the motion.

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

CASE 9093 was denied.

0571

41. CASE 9084 - to rezone Parcel 23, NCB 12567, 13514 George Road, from Temporary "R-1" One Family Residence District to "B-3R" Restrictive Business District, located south of the intersection of N.W. Military Hwy and George Road, having 206' on George Road and 327' on N.W. Military Hwy.

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.

In response to a question by Mr. Harrington, the proponent, Dr. Ronald S. Hines, spoke to the background history of this property and his intent to sell it.

A brief discussion of area land uses then took place.

Mr. Harrington moved that the the recommendation of the Zoning Commission be approved provided that proper platting is accomplished and that off-street parking is provided. Mr. Alderete seconded the motion.

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

AN ORDINANCE 56,313

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 PARCEL 23, NCB 12567, 13514 GEORGE ROAD, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED AND THAT OFF-STREET PARKING IS PROVIDED.

* * * *

42. CASE 9091 - to rezone Parcel 6, NCB 15685, 12022 Nacogdoches, from Temporary "R-1" One Family Residence District to "B-3" Business District, located on the southeast side of Nacogdoches Rd., being approximately 200' northeast of the intersection of Old Perrin Beitel Road and Nacogdoches Road having 93' on Nacogdoches Road and a maximum depth of 230'.

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

No citizen appeared to speak in opposition.

Mr. Hasslocher moved that the recommendation of the Zoning Commission be approved provided that the applicant work with the Traffic Engineering Division for proper commercial access and paved off-street parking. Mr. Webb seconded the motion.

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

AN ORDINANCE 56,314

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 PARCEL 6, NCB 15685, 12022 NACOGDOCHES ROAD, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT THE APPLICANT WORK WITH THE TRAFFIC ENGINEERING DIVISION FOR PROPER COMMERCIAL ACCESS AND PAVED OFF-STREET PARKING.

* * * *

43. CASE 9080 - to rezone Lots 4 and 5, NCB 12176, 3701 thru 3703 Eisenhauer Road, from "F" Local Retail District to "B-3R" Restrictive Business District, located northeast of the intersection of Corinne Drive and Eisenhauer Road, having 310.33' on Eisenhauer Road, and approximately 115' on Corrine Drive.

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

No citizen appeared to speak in opposition.

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

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

AN ORDINANCE 56,315

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 4 AND 5, NCB 12176, 3701 THRU 3703 EISENHAUER ROAD, FROM "F" LOCAL RETAIL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT.

* * * *

44. CASE 9062 - to rezone Parcel 42 and the northeast 383.15' of Parcel 41, NCB 13664, in the 7200 Block of Lamb Road, from "R-3" Multiple Family Residence District to "P-1" (R-3) Planned Unit Development, Multiple Family Residence District, located on the northwest side of Lamb Road, being 940' southwest of the intersection of Oakdell Way and Lamb Road, having 860.64' on Lamb Road and a depth of 734.30'

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. Mr. Alderete seconded the motion.

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

AN ORDINANCE 56,316

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 PARCEL 42 AND THE NORTHEAST 383.15' OF PARCEL 41, NCB 13664, IN THE 7200 BLOCK OF LAMB ROAD, FROM "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT TO "P-1" (R-3) PLANNED UNIT DEVELOPMENT, MULTIPLE-FAMILY RESIDENCE DISTRICT.

* * * *

45. CASE 9103 - to rezone a 0.516 tract of land out of NCB 10880, being further described by field notes filed in the Office of the City Clerk, 9302 Old Corpus Christi Road, from "B" Residence District to "R-4" Mobile Home Residence District, located east of the intersection of Goliad Road and Gold Road and Old Corpus Christi Road, having 123.30' on Old Corpus Christi Road and a maximum depth of 211.9'.

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

AN ORDINANCE 56,317

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 0.516 ACRE TRACT OF LAND OUT OF NCB 10880, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 9302 OLD CORPUS CHRISTI ROAD, FROM "B" RESIDENCE DISTRICT TO "R-4" MOBILE HOME RESIDENCE DISTRICT.

* * * *

46. CASE 9102 - to rezone a 2.874 acre tract of land out of Block 1, NCB 16959, being further described by field notes filed in the Office of the City Clerk, in the 13800 Block of O'Connor Road, from "B-3" Business District to "R-3" Multiple Family Residence District, located on the northeast side of O'Connor Road, being 916.73' northwest of the intersection of Fountainwood Drive and O'Connor Road, having 404.76' on O'Connor Road and a maximum depth of 392.05'.

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

No citizen appeared to speak in opposition.

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

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

AN ORDINANCE 56,318

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 2.874 ACRE TRACT OF LAND OUT OF BLOCK 1, NCB 16959, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 13800 BLOCK OF O'CONNOR ROAD, FROM "B-3" BUSINESS DISTRICT TO "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT.

* * * *

47. CASE 9096 - to rezone Lots 1, 2, and the south 142.54' of Lot 3, NCB 14881, in the 100 Block of Nina Louise Drive, from Temporary "R-1" E.R.Z.D., One Family Residence, Edwards Recharge Zone District, to "B-3R" Restrictive Business, Edwards Recharge Zone District, and the north 80' of Lot 3, NCB 14881, in the 100 Block of Nina Louise Drive, from Temporary "R-1" E.R.Z.D. One Family Residence, Edwards Recharge Zone District to "I-1" Light Industry, Edwards Recharge Zone District, located northeast of the intersection of I.H. 10 Expressway and Nina Louise Drive, having 183.1' on I.H. 10 Expressway, 368.10' on Nina Louise Drive and a maximum depth of 281.09'.

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 provided that the applicant work with the Traffic Engineering Division for proper access and off-street parking. Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 56,319

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 1, 2, AND THE SOUTH 142.54' OF LOT 3, NCB 14881, IN THE 100 BLOCK OF NINA LOUISE DRIVE, FROM TEMPORARY "R-1" ERZD, ONE-FAMILY RESIDENCE, EDWARDS RECHARGE ZONE DISTRICT TO "B-3R" ERZD RESTRICTIVE BUSINESS, EDWARDS RECHARGE ZONE DISTRICT AND THE NORTH 80' OF LOT 3, NCB 14881, IN THE 100 BLOCK OF NINA LOUISE DRIVE, FROM TEMPORARY "R-1" ERZD ONE-FAMILY RESIDENCE, EDWARDS RECHARGE ZONE DISTRICT TO "I-1" ERZD LIGHT INDUSTRY, EDWARDS RECHARGE ZONE DISTRICT, PROVIDED THAT THE APPLICANT WORK WITH THE TRAFFIC ENGINEERING DIVISION FOR PROPER ACCESS AND OFF-STREET PARKING.

* * * *

48. CASE 9089 - to rezone a 0.5549 acre tract of land out of NCB 13667, being further described by field notes filed in the Office of the City Clerk, in the 8400 Block of Fredericksburg Road, from "B-3" Business District to "B-2" Business District, located on the west side of Fredericksburg Road being 367.33' northwest of the intersection of Hamilton-Wolfe Road and Fredericksburg Road, having a maximum depth of 393.20' and an average width of 96.48'.

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. Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 56,320

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 0.5549 ACRE TRACT OF LAND OUT OF NCB 13667, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 8400 BLOCK OF FREDERICKSBURG ROAD, FROM "B-3" BUSINESS DISTRICT TO "B-2" BUSINESS DISTRICT.

* * * *

49. CASE 9106 - to rezone Lot 52, and the southeast 35' of Lot 53, Block 3, NCB 11613, in the 2100 Block of Babcock Road, from "A" Single Family Residence District to "O-1" Office District, located southwest of the intersection of Babcock Road and Dorothy Louise Drive having 135' on Babcock Road and 245' on Dorothy Louise Drive.

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 provided that the applicant work with the traffic engineering division for a one-foot right-of-way required along Babcock Road and a 15-foot property line return. Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 56,321

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 52 AND THE SOUTHEAST 35' OF LOT 53, BLOCK 3, NCB 11613, IN THE 2100 BLOCK OF BABCOCK ROAD, FROM "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT, PROVIDED THAT THE APPLICANT WORK WITH THE TRAFFIC ENGINEERING DIVISION FOR A ONE-FOOT RIGHT-OF-WAY REQUIRED ALONG BABCOCK ROAD AND A 15-FOOT PROPERTY LINE RETURN.

* * * *

50. CASE 9099 - to rezone a 0.5637 acre tract of land out of NCB 14862, being further described by field notes filed in the office of the City Clerk, in the rear of 6131 Prue Road, from Temporary "R-1" One Family Residence District to "R-7" Small Lot Homes, located approximately 1700'

north of Prue Road, being approximately 4400' northeast of the intersection of Babcock Road and Prue Road, having a maximum width of 175' and a maximum depth of 148.48'.

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

AN ORDINANCE 56,322

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 0.5637 ACRE TRACT OF LAND OUT OF NCB 14862, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE REAR OF 6131 PRUE ROAD, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "R-7" SMALL-LOT HOMES.

* * * *

82-55 The Clerk read the following Ordinance:

AN ORDINANCE 56,133

PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LINES OF THE CITY OF SAN ANTONIO, TEXAS, AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF APPROXIMATELY 124 ACRES, MORE OR LESS, OF LAND, GENERALLY REFERRED TO AS THE NACO-SIMON PROPERTY, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF SAN ANTONIO, AND APPROVING A SERVICE PLAN FOR SAID TERRITORY.

* * * *

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

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

82-55 The Clerk read the following Ordinance:

AN ORDINANCE 56,134

PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LINES OF THE CITY OF SAN ANTONIO, TEXAS, AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF APPROXIMATELY 263 ACRES, MORE OR LESS, OF LAND, GENERALLY REFERRED TO AS THE MIDWAY DEVELOPMENT PROPERTY/AFTON OAKS AREA, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS

OF THE CITY OF SAN ANTONIO, AND APPROVING A SERVICE
PLAN FOR SAID TERRITORY.

* * * *

Mrs. Dutmer moved that the Ordinance be approved. Mr. Hasslocher 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, Alderete, Harrington, Archer, Hasslocher; NAYS: None; ABSENT: Thompson, Cisneros.

(At this point, Mayor Cisneros returned to the meeting to preside.)

82-55 PUBLIC HEARING - MAJOR THOROUGHFARE PLAN

Mayor Cisneros declared the Public Hearing open, and briefly described the Ordinance amending the Major Thoroughfare Plan. No citizens were registered to speak. Mayor Cisneros then declared the Public Hearing closed.

The Clerk read the following Ordinance:

AN ORDINANCE 56,323

ADOPTING PHASE I AMENDMENTS TO THE MAJOR
THOROUGHFARE PLAN.

* * * *

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

In response to a question by Mrs. Dutmer, Mr. Roland Lozano, Director of Planning, stated that the City Council in November had asked that a portion of North New Braunfels Avenue, between IH 35 and Fort Sam Houston, be removed from the Major Thoroughfare Plan. Subsequent City staff study revealed that the removal, or de-designation, perhaps should be all the way north from IH 35 to Funston Place, since much of the area in between is federal property and cannot be taken for right-of-way, anyway.

Mr. Hasslocher stated for the record that he would be opposed to any plan to close Bulverde Road.

Mr. Lozano stated that staff and the Planning Commission are not recommending its closure.

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

82-55 The Clerk read the following Ordinance:

AN ORDINANCE 56,324

APPROVING HOUSING POLICY GUIDE REVISIONS.

Mr. Thompson made a motion that the Ordinance be approved. Mr. Archer seconded the motion.

In response to a question by Mr. Thompson, Ms. Rhea Korsh, Department of Budget & Research, discussed the leveraging program and financing aspects as they relate to the Savings & Loan Association as well as the interest rates involved.

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.

82-55 The Clerk read the following Ordinance:

AN ORDINANCE 56,325

AMENDING THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM PLANS AS THEY PERTAIN TO THE AUTHORIZED FUNDS OR SCOPE OF THE AVENIDA GUADALUPE PROJECT, THE SAHA RESIDENTIAL RENTAL REHABILITATION DEMONSTRATION PROJECT AND THE ROTARY AND GIDDINGS STREET IMPROVEMENTS PROJECT.

* * * *

Mrs. Dutmer stated that she opposes the rental rehabilitation program on principle.

Mr. Winston Martin, Executive Director, San Antonio Development Agency, explained how the program works, noting that Section 8 renters are eligible for rent subsidies if they cannot pay the full rent required.

Mr. Alderete asked Ms. Korsh to report back to the City Council on how many of the 19 homes to be rehabilitated are rented to Section 8 renters, after the rehabilitation process is completed.

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

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

82-55 The Clerk read the following Resolution:

A RESOLUTION
NO. 82-55-77

APPROVING BASIC ASSUMPTIONS TO BE USED IN FORMULATING THE 1983-88 LONG RANGE FINANCIAL FORECAST.

* * * *

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

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

82-55 The Clerk read the following Ordinance:

AN ORDINANCE 56,326

AWARDING A CONTRACT FOR REPAIRS TO A SECTION OF THE RIVER WALL BETWEEN NAVARRO AND N. ST. MARY'S STREETS ON THE SOUTH SIDE OF THE RIVER ACROSS FROM THE LA MANSION HOTEL.

* * * *

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

Mr. Don Maddox, Assistant Director of Parks & Recreation, stated that the repairs to the section of river wall are necessitated because of the damage done when a large tree fell on it.

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

82-55 The Clerk read the following Ordinance:

AN ORDINANCE 56,327

APPROVING THE ABANDONMENT AND QUITCLAIM OF CERTAIN EXISTING EASEMENTS IN NEW CITY BLOCK 403, IN EXCHANGE FOR FUTURE EASEMENTS TO BE DEDICATED BY REPUBLIC BANK OF SAN ANTONIO, NA, ET AL; AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING PERTAINING TO SAME; AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN ABANDONMENT QUITCLAIM AND RELEASE TO REPUBLIC BANK OF SAN ANTONIO, NA., ET AL.

* * * *

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

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

82-55 The Clerk read the following Ordinance:

AN ORDINANCE 56,328

CREATING A NEW PERSONNEL POSITION TO BE KNOWN AS DEPUTY FIRE CHIEF, AND AMENDING THE BUDGET FOR THE FIRE DEPARTMENT TO ADD CERTAIN POSITIONS AND DELETE OTHER POSITIONS.

* * * *

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

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

82-55 The Clerk read the following Ordinance:

AN ORDINANCE 56,329

AMENDING CHAPTER 34 OF THE CITY CODE SO AS TO ADD REQUIREMENTS FOR OBTAINING A PERMIT TO ERECT A BILLBOARD, AND ESTABLISHING A PROCEDURE FOR MONITORING ISSUANCE OF SUCH PERMITS.

* * * *

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

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

82-55 The Clerk read the following Ordinance:

AN ORDINANCE 56,330

AUTHORIZING THE PAYMENT OF \$4,100.00 IN SETTLEMENT OF THE LAWSUIT STYLED AND REFERENCED ERICH B. OCHS AND WIFE, BETTY OCHS VS. CITY OF SAN ANTONIO, ET AL, CAUSE NUMBER 80-CI-8348.

* * * *

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

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

82-55 The Clerk read the following Ordinance:

AN ORDINANCE 56,331

AUTHORIZING PAYMENT OF ADDITIONAL ARCHITECTURAL FEES TO REYNA/CARAGONNE, ARCHITECTS FOR PROFESSIONAL SERVICES IN CONNECTION WITH THE BRANCH LIBRARY TO BE BUILT IN THE NOGALITOS AND PARK AREA, APPROPRIATING ADDITIONAL FUNDS AND AUTHORIZING PAYMENT.

* * * *

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

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

82-55 The Clerk read the following Ordinance:

AN ORDINANCE 56,332

AUTHORIZING A TRANSFER OF \$195,417.70 TO THE UDAG VISTA VERDE SOUTH PROJECT FUND FROM PROGRAM INCOME

OF THE COMMUNITY DEVELOPMENT BLOCK GRANT - YEAR 8
 FUND TO SUPPLEMENT VISTA VERDE SOUTH PROJECT FUNDS
 FOR EXPENDITURES OF THE PROJECT; APPROPRIATING FUNDS
 AND AUTHORIZING BUDGET REVISIONS.

* * * *

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

Mr. Louis J. Fox, City Manager, stated that a new letter has just been received from the Department of Housing and Urban Development, releasing some \$1.2 million to the Vista Verde South project.

Mr. David Garcia, Project Coordinator, stated that the letter from HUD arrived within the past half-hour, noting that the City needs this money to be authorized by the Ordinance in order to meet its current obligations. He further stated that the letter specifies that HUD will honor all obligations incurred before the November 29, 1982 freeze of funds, but no new obligations will be honored at this time, pending further word from HUD. He stated that the letter specifies that HUD still is assessing the firmness of Vanir's financing commitment from Crocker Bank.

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

82-55

POLICE RECRUITING

Mr. Webb spoke to a recent newspaper article on police recruiting by the City of San Antonio, and stated that he is disappointed with the results obtained, when compared to the goals sought. He noted that the current police cadet class contains only two blacks, both females, and stated his opinion that perhaps the Chief of Police is not sensitive to the minority needs of the city. He further stated that the criteria by which prospective cadets are judged is too hard, and noted that he might be forced to complain to the U.S. Justice Department for relief. Mr. Webb asked for a breakdown as to the number of blacks, hispanics and other minorities who applied for the Police Department, how many were tested, how many were rejected and how many were accepted, by ethnic group.

Mr. Webb stated his opinion that the City's hiring push for the Police Department, as documented in recent newspaper stories, was a very poor job, and that he felt that something different must be done in order to achieve results. He spoke of his concern with the low number of black officers recruited in the drive.

Mr. Louis J. Fox, City Manager, asked that this matter be placed on a January "B" Session for discussion.

Mr. Webb stated that the City needs sensitive people for the Police Department, citing one case where a person was disqualified for having too many traffic tickets.

Mayor Cisneros stated that Mr. Webb has a good point, and that a year ago he had spoken of the need to hire black officers in order to redress past grievances. He further stated his opinion that the staff had dropped the ball on this recruiting effort, and stated that if City Council sets a policy to be followed in order to hire more minority officers and it doesn't happen, then perhaps Council-Manager government is failing in San Antonio. Mayor Cisneros stated his belief that the City must recruit where the black applicants are, and something must be done on this, noting that the majority of City Council members have spoken on this matter in the past.

Mrs. Dutmer stated that part of the problem concerns qualified

candidates for police officers being able to find better-paying jobs in fields other than law enforcement. She spoke against changing the requirements for police cadet qualification, noting that the matter of permanent shifts also is a problem.

Mr. Hasslocher stated his opposition to lowering standards for recruiting, just to make the figures look good.

Mr. Eureste stated that people who continue to use the 'lowering of standards' response need to be re-educated and informed that the need to recruit more minorities does not mean a lowering of standards. He then read from statistics on how many blacks and Hispanics recently have been hired for the Police Department. He stated that more emphasis should be concentrated on the black and Hispanic communities and not so much emphasis placed on recruiting outside the City. He took exception to the manner in which lie detector tests are administered, and also stated his belief that the criteria which is being utilized is part of the program.

Ms. Berriozabal stated that the idea of having a "B" Session on this item is very good, and asked why a recruitment plan never has been included in the City's Affirmative Action Plan.

Mr. J. Rolando Bono, Assistant City Manager, stated that the standard state test which is being used by the City in testing police applicants is showing better results in the last two cadet classes, and there is some progress.

Ms. Berriozabal asked if police recruiters had ever met with leaders of the local Mexican-American community to discuss the recruiting problem, and stressed her belief that the recruiters need to go into the community, not the shopping malls. She outlined a specific case of a young woman applicant for the Police Department and her problems encountered in qualifying for this job, stating that others apparently are having trouble in other areas of employment, such as the Fire Department and general City employment.

Mr. Thompson stated that the question now is the fairness of the Police Department recruiting policies, and stated his belief that test standards should be scaled to San Antonio's particular needs, not strictly to a statewide standardized test.

Mr. Leroy Harvey, Director of Personnel, stated that Arthur Young & Company, the police management study consultant, had recommended use of the statewide-use test mechanism, and stated that this test has had a positive impact on minority testing in San Antonio. He also stated that in relation to women applicants, the City has done away with the physical agility test. He provided statistics on police hiring of the past year, and stated that the City is seeking police officers in good physical condition, high school graduates and with clean police records. He agreed that it is best to recruit inside San Antonio for San Antonio police officers, and outlined where recruiting visits have been made, including meetings with community groups. He provided details of the recruiting force used by the City.

Mr. Fox stated that police recruiting efforts are going slow, but are making strides in the process, and outlined past histories of police recruiting problems. He stated that he would return to the City Council in January with this matter, to address their concerns with answers, noting that City staff some time ago asked to take police recruiting from the Police Department, including testing, but Council had rejected the proposed move.

Mayor Cisneros stated that this was true; that Council had turned down the staff plan in the face of political pressure.

Mr. Fox stated that the staff should take another look at the selection process.

Mr. Webb stated that he would be in Washington, D.C. March 4, and if he is not satisfied with progress made in police recruiting, he will

ask the Justice Department to withhold funds from San Antonio until corrections are made. He spoke of the necessity to have Police Department top management sensitive to minorities, if recruiting efforts are to succeed, and again asked for a breakdown of police applications in the past year as to ethnicity, acceptance or rejection, in order to determine where the problem lies.

Mr. Archer stated his belief that it is best to use black officers to recruit more blacks, and that some offenses, such as use of marijuana, should not be held against someone forever.

Mrs. Dutmer spoke of her pride in San Antonio's police officers.

Mr. Eureste cited the instance of the shooting of a young person at the old Gillespie mansion on IH 10, when cornered by police, and the need to recruit more street-wise officers for the Police Department. He spoke to the City Manager's authority to name his department heads, and to order certain changes in the testing procedures for police applicants, if he wishes.

In response to a question by Mr. Alderete, Mr. George Johnson, Director of Equal Employment Opportunity for the City, spoke to the goals that had been set for the recruiting and hiring of Hispanics, blacks and females.

Mr. Bono stated that the Police Department had eight retirements and one resignation as a result of hiring efforts for new investigators in the District Attorney's office.

In response to a question by Mr. Alderete, Mr. Harvey discussed the possibility of removing responsibility for background investigations and screening from the Police Department in favor of placing those functions with the City Personnel Department.

Ms. Berriozabal moved to set up a "B" Session discussion on the matter of recruiting and testing for the Police Department. Mr. Alderete seconded the motion.

Mr. Wing stated that the City Manager has more control over the Personnel Department than he does over a Police Department panel, which is in part controlled by state law. He also spoke of the Council's overruling of the Manager's recommendations on police recruiting and screening in the past.

In response to a question by Mr. Hasslocher, Mr. Harvey spoke to the possibility of establishing a pre-police cadet program in San Antonio, in order to provide an early recruiting stage that would feed more police officers into cadet classes.

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

82-55

CITIZENS TO BE HEARD

MS. ELENA VERGARA

Ms. Vergara, Executive Director of the San Antonio YWCA, stated that the Las Palmas branch of the YWCA continues to have serious financial problems, and now is barely breaking even. She stated that the YWCA in San Antonio spends some \$12,000 annually on utilities, while the two YMCA branches pay nothing for their utilities. She read from a prepared statement asking funding assistance from the City, a copy of which is made a part of the papers of this meeting, proposing: 1) a one-time grant of \$40,000 to assist the Las Palmas Center in meeting its financial responsibilities; 2) installatin of an outside utility meter there; 3) payment by the City of outside electrical services beginning December 1, 1982; and 4) a committee to review contracts between the City and both

YMCA and YWCA to assure that equal treatment is given.

Mr. Alderete moved that this matter be placed on the Council's agenda for the January 6, 1983 meeting, and that City staff respond to the four points requested, recommending possible alternatives if not in concurrence with the requests. Mrs. Dutmer seconded the motion.

In response to a question by Mrs. Dutmer, Mr. Don Maddox, Assistant Director of Parks & Recreation, stated that the City Council provided the Eastside YMCA some \$60,000 in operating funds this past year.

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

82-55

WRECKER ORDINANCE

Mr. Archer stated his opinion that, based on reports he has received, the new wrecker ordinance is not as strong as he would like, and was not controlling the activities of wildcat wrecker operators in the City.

Mr. George Noe, Assistant to the City Manager, stated that staff would review and report on this matter.

Ms. Jane Macon, City Attorney, stated that the ordinance only recently went into effect, and her office would follow up on any complaints received about the ordinance.

Mrs. Dutmer cited a recent case reported to her of overcharging by a wrecker operator, and urged citizens to report such instances to the police.

In response to a question by Mr. Eureste, Ms. Macon discussed enforcement of the new ordinance, and stated that the City has received more wrecker operator licensing requests than ever before, since enactment of the new ordinance.

82-55

ELDRIDGE STREET DRAINAGE PROJECT

Mr. Thompson stated that some \$59,000 is available in the contingency fund from this project, and he would like to utilize those funds to provide approaches to driveways at a number of homes along that project.

Mr. Thompson moved to place this matter on a future Council agenda for action. Mr. Alderete seconded the motion.

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

82-55

4-WAY STOP SIGNS

Mr. Alderete asked for Council concensus to place on a future Council agenda for action his request for a four-way stop sign intersection at West Woodlawn Avenue and Ligustrum.

Mr. Wing asked to amend this request to also provide for consideration of a four-way stop sign intersection at Shelby and Pyron Avenue.

0585

Informal concensus was granted by voice vote.

82-55 The Clerk read the following Letter:

December 14, 1982

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

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

December 10, 1982

Petition submitted by Mr. Thomas E. Read requesting a license to operate a horse drawn carriage service in the City.

* * * *

/s/ Norma S. Rodriguez
City Clerk

There being no further business to come before the Council, the meeting was adjourned at 6:00 P.M.

A P P R O V E D

Henry Cisneros
M A Y O R

ATTEST: *Norma S. Rodriguez*
C i t y C l e r k