

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, FEBRUARY 2, 1984.

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

84-05 The invocation was given by Reverend S. Arthur Kroon, Pastor of Church of God of Prophecy.

84-05 NATIONAL ASSOCIATION FOR THE ADVANCEMENT
OF COLORED PEOPLE (NAACP)

Mayor Cisneros spoke of the 75th anniversary of the NAACP, and asked Mr. Webb to join him in making the presentation of a Proclamation to San Antonio NAACP President Charles Hudspeth. He then read the following Proclamation:

WHEREAS, the National Association for the Advancement of Colored People, founded February 12, 1909, will celebrate its seventy-fifth anniversary in 1984, with a year-long series of commemorative activities, and

WHEREAS, the NAACP is the oldest and only national civil rights organization with membership in the fifty states, and

WHEREAS, the state conferences, branches, youth councils, and college chapters in each state will also participate in this diamond jubilee celebration, and

WHEREAS, during the seventy-five year history of the NAACP the Association has worked unremittingly within the system to achieve equal opportunity and justice for all citizens,

NOW, THEREFORE, I, HENRY CISNEROS, Mayor of the City of San Antonio, in recognition thereof, do hereby proclaim February 12 - 18, 1984, as

"NAACP WEEK"

in San Antonio, Texas, and I urge all citizens to recognize the worthy endeavors of this organization.

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Mayor Cisneros noted that the NAACP has helped all Americans on behalf of liberty and justice for all. He then noted that two San Antonians are members of the National Board of Directors of the NAACP: Mr. A. C. Sutton, the regional representative, and Mr. S. L. Deckard, a member of that Board, both of whom are present in the audience today.

Mayor Cisneros then introduced two other men present in the audience today: Mr. Valmo Bellinger and Mr. Harry Burns, both associated with the NAACP.

Mayor Cisneros and Mr. Webb presented the proclamation.

Mr. Webb spoke of his pride in being a member of this organization, and of taking part in this presentation ceremony.

84-05

MR. KIRK COLLIER, MAYOR OF BALCONES HEIGHTS

Mayor Cisneros introduced Mr. Kirk Collier, Mayor of Balcones Heights, present in the audience.

Mr. Collier spoke of the creation of the Balcones Heights Area Chamber of Commerce, and of the recent designation of San Antonio as an All-America City, which benefits everyone in the area.

Mr. Collier and representatives of the newly-formed Chamber of Commerce then handed out to members of the City Council bumper strips with the designation: "Balcones Heights...We Believe in San Antonio, Too".

Mayor Cisneros spoke of his pleasure at this demonstration of cohesiveness developing in order that everyone in the San Antonio area can work better together.

Mr. Thompson then spoke of Mr. Collier's efforts in development of both Balcones Heights and San Antonio, in general.

84-05

MS. KATHLEEN LOWMAN

Mayor Cisneros asked Ms. Kathleen Lowman to come forward to receive an Honorarium for her heroic actions in saving the life of another woman during an automobile accident. He then read the Honorarium, as follows:

IN RECOGNITION OF HER LIFESAVING EFFORTS IN PULLING AN AUTOMOBILE ACCIDENT VICTIM FROM HER BURNING CAR, THUS SAVING HER LIFE. ON OCTOBER 30, 1983, MS. LOWMAN HAPPENED TO BE BY THE SCENE OF AN EARLY MORNING AUTOMOBILE ACCIDENT AT BANDERA HIGHWAY AND LOOP 410, IN WHICH ONE CAR BURST INTO FLAMES. WITHOUT HESITATION, MS. LOWMAN STOPPED HER AUTOMOBILE AND RAN TO THE BURNING VEHICLE, WHOSE OCCUPANT WAS TRAPPED IN THE WRECKAGE. RISKING HER OWN LIFE, MS. LOWMAN EXTRACTED THE INJURED WOMAN FROM THE BURNING WRECKAGE AND PULLED HER TO SAFETY. DESPITE HER SEVERE INJURIES, WHICH REQUIRED OPEN HEART MASSAGE AT ONE POINT, THE VICTIM SURVIVED, LARGELY BECAUSE OF MS. LOWMAN'S IMMEDIATE, INSTINCTIVE REACTIONS.

THE CITY COUNCIL OFFICIALLY COMMENDS MS. KATHLEEN LOWMAN FOR HER QUICK THINKING AND UNSELFISH ACTIONS IN SAVING THE LIFE OF A FELLOW HUMAN BEING.

Members of the audience joined the Mayor and City Council in a round of applause for Ms. Lowman.

Ms. Lowman then briefly described the details of the lifesaving incident, noting that the injured woman, Ms. Debbie Ansaldua, was entangled in her safety belt harness and could not get free of the burning car by herself.

Ms. Ansaldua stated that she fell asleep at the wheel of her car, the auto crashed, and she was trapped inside when the auto burst into

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flames. She then described how Ms. Lowman arrived and pulled her to safety.

Mayor Cisneros then introduced the parents of both women, present in the audience, then presented Ms. Lowman with the Honorarium.

Members of the City Council then individually congratulated Ms. Lowman for her actions.

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84-05

UTSA-ST. MARY'S UNIVERSITY BASKETBALL GAME

Ms. Priscilla Ingle, President of the UTSA Alumni Association, spoke of the first University of Texas at San Antonio-St. Mary's University basketball game, scheduled for next Monday at the Arena.

Mr. Rudy Davalos, Athletic Director, UTSA, introduced two cheerleaders present and the Roadrunner mascot, noting that the February 6 game is for the Mayor's Challenge Cup, a contest which Mr. Webb and Mr. Archer helped to arrange.

The cheerleaders and mascot then handed out to members of the Council UTSA shirts, and invited members of the Council to attend the game.

Mr. Davalos noted that UTSA now is 13-6 for the season, and seeking a playoff berth. He spoke of the team's pride in being able to represent San Antonio.

Mayor Cisneros thanked Mr. Webb and Mr. Archer for fostering the idea for this game.

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84-05

GO WESTERN, GO RODEO DAYS

Mayor Cisneros noted that the annual Rodeo Week festivities begin Friday, February 10 with the annual Western Parade.

Ms. Janice Ricks then introduced Mr. Russell Kyse, President of the North San Antonio Chamber of Commerce, who in turn introduced Mr. Wayne Laxson, Chairman of the Go Western, Go Rodeo Days, who briefly introduced other leaders of the event.

Mr. Dale Kane then presented Mayor Cisneros with a Stetson hat.

Mayor Cisneros then presented the Go Western, Go Rodeo Days Proclamation which read:

WHEREAS, the San Antonio Stock Show and Rodeo is recognized as one of the City's educational and entertainment events of the year, and

WHEREAS, this event facilitates growth for Texas agri-business and provides an opportunity for Texas youth to learn and participate in educational endeavors, and

WHEREAS, this event is the second largest economic generator for our City, and

WHEREAS, all businesses, educational institutions, and individuals are encouraged to support the 36th Annual San Antonio Stock Show and Rodeo by decorating their places of business in a western theme, encouraging employees to wear western attire during

those days, and by making supportive contributions, thus helping to serve the education and development of Texas youth.

NOW, THEREFORE, I, HENRY CISNEROS, Mayor of the City of San Antonio, in recognition thereof, do hereby proclaim February 3 - 19, 1984, to be

"GO WESTERN, GO RODEO DAYS"

in San Antonio, Texas.

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Mr. Laxson provided details of the Cowboy Breakfast to be held at Central Park Mall, and thanked the City Council for its support of the Stock Show and Rodeo.

Members of the Go Western, Go Rodeo Days event then presented members of the City Council with western belt buckles and ties.

Ms. Ricks then presented a belt buckle and tie to City Clerk Norma S. Rodriguez.

84-05 CONSENT AGENDA

Mrs. Dutmer moved that items 5 - 26 constituting the consent agenda be approved with items 21 and 26 to be pulled for individual consideration. Mr. Thompson seconded the motion.

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

AN ORDINANCE 58,207

ACCEPTING THE LOW BID OF HALL SIGNS, INC., TO FURNISH THE CITY PUBLIC WORKS DEPARTMENT WITH ALUMINUM SIGN BLANKS, FOR A TOTAL OF \$36,147.15.

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AN ORDINANCE 58,208

ACCEPTING THE LOW QUALIFIED BIDS OF DYNA MED, INC., AND FIRST RESPONDER POUCHES TO FURNISH THE CITY FIRE DEPARTMENT WITH MEDICAL EQUIPMENT, FOR A TOTAL OF \$5,941.95.

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AN ORDINANCE 58,209

ACCEPTING THE PROPOSAL OF PMI TO FURNISH THE CITY PUBLIC WORKS DEPARTMENT WITH A SELF PRIMING SEWAGE PUMP FOR A TOTAL OF \$3,612.00.

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AN ORDINANCE 58,210

ACCEPTING THE LOW BID OF CRUMLEY'S INVESTIGATION AND SECURITY COMPANY TO FURNISH THE CITY PUBLIC LIBRARY

WITH AN ANNUAL CONTRACT FOR SECURITY SERVICE, FOR AN APPROXIMATE TOTAL OF \$3,200.00.

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AN ORDINANCE 58,211 .

ACCEPTING THE LOW BIDS OF PAUL ANDERSON COMPANY & BARDO BUSINESS FURNITURE TO FURNISH THE CITY OF SAN ANTONIO WITH OFFICE DESKS FOR A TOTAL OF \$6,393.86.

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AN ORDINANCE 58,212 .

ACCEPTING THE LOW BID OF PAK-MOR MANUFACTURING COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH REFUSE COLLECTION BODIES, FOR A TOTAL OF \$450,625.00.

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AN ORDINANCE 58,213 .

ACCEPTING THE LOW QUALIFIED BIDS OF ANCIRA-WINTON CHEVROLET COMPANY, BROADWAY DODGE, GILLESPIE MOTOR COMPANY, GRANDE FORD TRUCK SALES, INC., NORTH CENTRAL FORD, RED MCCOMBS FORD AND SANTEX INTERNATIONAL TRUCKS TO FURNISH THE CITY OF SAN ANTONIO WITH TRUCKS, FOR A TOTAL OF \$2,428,266.32.

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AN ORDINANCE 58,214 .

ACCEPTING THE LOW BID OF VAN DELDEN COMPANY, INC., TO FURNISH THE CITY PUBLIC WORKS DEPARTMENT WITH TRANSPORT SERVICES, FOR A TOTAL OF \$7,265.00.

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AN ORDINANCE 58,215 .

ACCEPTING THE LOW QUALIFIED BID OF SAN ANTONIO MANUFACTURING COMPANY TO FURNISH THE CITY AUTOMOTIVE OPERATIONS DIVISION WITH DUMP BODY COVERS FOR A TOTAL OF \$30,583.62.

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AN ORDINANCE 58,216 .

ACCEPTING THE LOW BID OF ELDER AUDIO VISUAL SERVICE CENTER TO FURNISH THE SAN ANTONIO MAJOR RESOURCE CENTER LIBRARY SYSTEM WITH AN ANNUAL CONTRACT FOR MAINTENANCE OF 16MM FILM PROJECTORS, FOR AN APPROXIMATE TOTAL OF \$3,300.00.

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AN ORDINANCE 58,217 .

ACCEPTING THE PROPOSAL OF MUMFORD LIBRARY BOOKS TO FURNISH THE CITY PUBLIC LIBRARY WITH BOOKS FOR A TOTAL OF \$4,925.79, PLUS FREIGHT.

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AN ORDINANCE 58,218

ACCEPTING THE PROPOSAL OF MAINLINE BOOK COMPANY TO FURNISH THE CITY PUBLIC LIBRARY WITH BOOKS FOR A TOTAL OF \$5,100.20, PLUS POSTAGE.

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AN ORDINANCE 58,219

ACCEPTING THE LOW QUALIFIED BID OF COMFORT AIR ENGINEERING, INC., TO REPLACE THE AIR CONDITIONING SYSTEM AT THE LEON CREEK SEWER TREATMENT PLANT, FOR A TOTAL OF \$3,121.00.

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AN ORDINANCE 58,220

ACCEPTING THE PROPOSAL OF TEZEL & COTTER AIR CONDITIONING CO. TO FURNISH THE CITY OF SAN ANTONIO WITH THE EMERGENCY REPLACEMENT OF CHILLED AND HOT WATER SYSTEMS AT THE HEMISFAIR PLAZA - TOWER OF THE AMERICAS, FOR A TOTAL OF \$29,811.00.

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AN ORDINANCE 58,221

AUTHORIZING THE CITY MANAGER TO EXECUTE A RIGHT OF WAY EASEMENT AND CONSTRUCTION AND MAINTENANCE EASEMENT CONCERNING VALLEY ROAD WITH BEXAR COUNTY.

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AN ORDINANCE 58,222

ACCEPTING THE BID OF H.B. ZACHRY COMPANY FOR THE CONSTRUCTION OF THE 39TH STREET DRAINAGE PROJECT #58M (PHASE "C"); APPROVING A CONTRACT AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 58,223

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$37,625.00 OUT OF SEWER FUNDS FOR THE PURPOSE OF ACQUIRING AN EASEMENT TO CERTAIN LANDS; ACCEPTING THE DEDICATION OF AN EASEMENT TO CERTAIN LANDS; ALL IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS.

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AN ORDINANCE 58,224

DECLARING A TRACT OF LAND OUT OF NEW CITY BLOCK 6622 SURPLUS TO THE CITY'S NEEDS AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE TO EXECUTE A SPECIAL WARRANTY DEED TO LELA WASHINGTON, ADJACENT OWNER, FOR A CONSIDERATION OF \$1,250.00.

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AN ORDINANCE 58,225

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

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AN ORDINANCE 58,226

AUTHORIZING THE EXECUTION OF ATTACHMENTS TEN AND ELEVEN TO THE CONTRACT WITH THE TEXAS DEPARTMENT OF HEALTH THAT PROVIDES STATE AID TO THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT; AUTHORIZING THE CREATION OF A SPECIAL T.B. TEAM PROJECT AND A FAMILY PLANNING SUPPLEMENTAL PROJECT; ADOPTING A BUDGET, AUTHORIZING BUDGET MODIFICATIONS IN THE PUBLIC HEALTH STATE SUPPORT PROJECT 1983/84 ESTABLISHED IN ORDINANCE #58024 PASSED DECEMBER 15, 1983.

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84-05 The Clerk read the following Ordinance:

AN ORDINANCE 58,227

APPROVING AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE A LICENSE AGREEMENT WITH SLAGLE CONSTRUCTION CO. INC., TO USE A TRIANGULAR TRACT OF LAND BETWEEN NEW CITY BLOCKS 3368, 3799, 6577 AND 6655, AT THE INTERSECTION OF SCHLEY AND CANDLER STREETS, FOR STORAGE OF MATERIALS AND EQUIPMENT.

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

Mrs. Dutmer spoke of this limited area as once a very attractive, grassy area badly in need of a clean-up and full restoration when the construction firm is finished storing equipment on it.

Mr. Joe Aceves, Assistant Director of Public Works, stated that he would see that this is done.

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

84-05 The Clerk read a proposed ordinance authorizing the City Manager or his designated representative to execute a contract with the Alamo Area Council of Governments (AACOG) providing for City personnel to conduct a Criminal Justice Information System Needs Assessment Study for the City of San Antonio and AACOG.

Mr. Archer moved that the ordinance be approved. Mr. Thompson seconded the motion.

In response to a question by Ms. Berriozabal, Mr. Louis J. Fox, City Manager, spoke to the details of the contract, noting that City staff is on the way to Council chambers to further amplify his remarks.

Ms. Berriozabal made a substitute motion to postpone consideration of this Ordinance until later in the meeting. Mrs. Dutmer seconded the motion.

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

Agenda Item 26 then was postponed until later in the meeting.

ZONING HEARINGS

27. CASE Z84001 - to rezone Parcel 42, NCB 14861, 6391 DeZavala Road, from Temporary "R-1" One Family Residence District to "O-1" Office District, located on the northside of DeZavala Road, being 380' west of the intersection of Bristlewood Drive & DeZavala Road, having 223.8' on DeZavala Road and a depth of 242.08'.

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

Mr. David Hunsucker, 9030 Wurzbach Road, spoke to details of plans for an office building with such occupants as a CPA firm, builder, architect, real estate office and dental office.

Mr. Dave Robinson, 6329 Robinsnest, stated that DeZavala Road once was a prime residential roadway, and spoke of the intrusion of commercial zoning west from the DeZavala/IH 10 intersection, creating commercial sprawl into a residential area. He stated his opinion that this was a result of poor planning.

Mr. Hunsucker stated that he had spoken with five of the seven property owners within the 200-foot area surrounding the property, and stated his belief that any opposition to the rezoning could be overcome by full discussion with those involved.

Mr. Harrington stated that he had received many calls on this case, and asked for assurances that the structures will be restricted to a single story in height, and that the proponent would commit to fencing across the rear of the property.

Mr. Hunsucker displayed a site plan to the Council and spoke of the many oak trees on the site which would be maintained. He then displayed an architect's rendition of the planned structures with tile roofs, and pledged to abide by details of his site plan as presented.

Mr. Harrington noted that DeZavala Road is now a commercial area, and this rezoning request is a 'soft' zoning, as opposed to a harsh rezoning request for more intensive usage, with low density planned. He spoke in favor of the O-1 zoning as acceptable to him.

Mr. Harrington moved that the recommendation of the Zoning Commission be approved provided that proper access and off-street parking are provided, and that a 6-foot solid screen fence is erected and maintained along the north property line. Mrs. Dutmer seconded the motion.

Mrs. Dutmer stated her belief that it would be unreasonable to assume a busy thoroughfare such as DeZavala Road would remain residential in character, and spoke of the rezoning request as good zoning for this area.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES:

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

AN ORDINANCE 58,228

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, NCB 14861, 6391 DEZAVALA ROAD, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT, PROVIDED THAT PROPER ACCESS AND OFF-STREET PARKING ARE PROVIDED, AND THAT A 6-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTH PROPERTY LINE.

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28. CASE Z84000 - to rezone Lots 2 and 3, Block 18, NCB 14728, 12005-12025 Huebner Rd., from Temporary "R-1" ERZD One Family Residence, Edwards Recharge Zone District to "O-1" ERZD Office, Edwards Recharge Zone District, located on the northwest side of Huebner Road, being 104.16' northeast of the intersection of Honey Comb Dr. & Huebner Rd., having 192.62' on Huebner Road, and a depth of 157.50'.

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

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

Mrs. Dutmer noted that the site is not presently served with a sewer line.

Mr. Andy Guerrero, Planner II, stated that this will be required to hook onto the nearest City sewer line in replatting.

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

AN ORDINANCE 58,229

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 2 AND 3, BLOCK 18, NCB 14728, 12005-12025 HUEBNER ROAD, FROM TEMPORARY "R-1" ERZD ONE-FAMILY RESIDENCE, EDWARDS RECHARGE ZONE DISTRICT TO "O-1" ERZD OFFICE, EDWARDS RECHARGE ZONE DISTRICT, PROVIDED THAT PROPER ACCESS AND OFF-STREET PARKING ARE PROVIDED.

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29. CASE Z84006 - to rezone a 10.967 acre tract of land out of NCB 15670, being further described by field notes filed in the Office of the City Clerk, from "R-3" ERZD Multi-Family Residence, Edwards Recharge Zone

District, to "P-1(B-1)" PUD, Business, Edwards Recharge Zone, Planned Unit Development District; and a 9.924 acre tract of land out of NCB 15670, being further described by field notes filed in the Office of the City Clerk, 17427 San Pedro Avenue (US Hwy 281 North), from "R-3" Multi-Family Residence, Edwards Recharge Zone District to "P-1(B-3)" PUD, Business, Edwards Recharge Zone District, Planned Unit Development, located on the west side of San Pedro Avenue, being 2200' south of the intersection of FM 1604 & San Pedro Avenue, having 910.10' on San Pedro Avenue and depth of 1000'.

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

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

In response to a question by Mrs. Dutmer, Mr. Skip Francis, Texas Department of Water Resources, noted that a critical sinkhole is located on this property above the Edwards Aquifer, and his department is awaiting the developer's final plans for development before granting approval. He also noted that the Aquifer will be protected in any development.

In response to a question by Mr. Webb, Ms. Barbara Townsend-Smith, Acting Aquifer Protection Officer, spoke of the restrictions on any site development because of the sinkhole.

In response to another question by Mr. Webb, Mr. John J. McCarthy, the proponent, explained the background on a series of meetings held to discuss the uses for this property, and he presented a development plan with settlement ponds used to catch any contaminants and hold them above the sinkhole, on the surface. He further stated that he would build office condominiums on the site, with retail and restaurant development, as well. He noted that previously, he had planned to erect apartments on the site.

A discussion then took place concerning the sinkhole and the general topography of the property.

In response to a question by Ms. Berriozabal, Ms. Townsend-Smith spoke of her department's concerns with development in this immediate area.

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

AN ORDINANCE 58,230

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 10.967 ACRE TRACT OF LAND OUT OF NCB 15670, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM "R-3" ERZD MULTIPLE-FAMILY RESIDENCE, EDWARDS RECHARGE ZONE DISTRICT TO "P-1(B-1)" ERZD PLANNED UNIT DEVELOPMENT, EDWARDS RECHARGE ZONE DISTRICT AND A 9.924 ACRE TRACT OF LAND OUT OF NCB 15670, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 17427 SAN PEDRO AVENUE (U.S. HWY 281 NORTH), FROM "R-3" ERZD MULTIPLE-FAMILY RESIDENCE, EDWARDS RECHARGE ZONE DISTRICT TO

"P-1(B-3)" ERZD PLANNED UNIT DEVELOPMENT, EDWARDS RECHARGE ZONE DISTRICT, PROVIDED THAT PROPER ACCESS AND OFF-STREET PARKING ARE PROVIDED.

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30. CASE Z84004 - to rezone a 2.739 acre tract of land out of NCB 15676, being further described by field notes filed in the Office of the City Clerk, 2823 Thousand Oaks Drive, from "B-3R" Restrictive Business District to "B-2" Business District, located 168' northeast and 400' northwest of the intersection of Jones Maltsberger Road & Thousand Oaks Drive, having 154' on Thousand Oaks Drive and 150' on Jones Maltsberger Road.

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 percentage of registered opposition within the 200-foot limit from the property, nine affirmative votes would be needed for enactment of the rezoning request.

Mr. Paul Allison, 2902 Skycliff, representing Nash Phillips/Copus Developers, discussed the present zoning on the property, noting that they seek only to rezone the property to allow full development of restaurant usage. He further stated that the proponent plans a park-like mall with a restaurant.

Mr. Craig Reinold, 2718 Pebble Breeze, stated that area homeowners oppose the rezoning request to allow businesses in their own backyards, in buildings already under construction. He also spoke of the opposition to the towers of the structure, which look down on the backyards of nearby homes. He spoke against on-site consumption of alcoholic beverages, traffic congestion and more noise in the area.

Dr. Thomas P. Ryan, 2714 Pebble Breeze, spoke against bringing more liquor into the area, and also spoke to the possibility of liquor establishments under any rezoning. He then displayed for the City Council a series of color slides depicting the proponent's current commercial development structures located immediately behind a number of area homes, noting that the parking lot is against the residential properties.

Mr. Richard L. Garza, 15218 Pebble Dew, spoke against having alcoholic beverages in a family residential area.

Mr. Jim Ernst, 2726 Pebble Breeze, stated that his backyard faces the commercial development by the proponent, and spoke of his concerns for more noise, lights and other impediments to residential dwelling.

Mr. Allison stated that the mall structure, now under construction, is within the present zoning granted for the site, and reiterated that he only wants the B-2 to allow a good restaurant to locate in the mall to serve liquor with food. He stated that he would try to curtail any adverse use of lights shining into area backyards from the structure, and would work with the neighbors to help solve any other problems they might experience.

Mr. Hasslocher stated his belief that the commercial center is overbearing and does not blend with the rest of the neighborhood. He spoke of his concerns with the building's overall height and the two towers. He asked that this case be postponed for 30 days in order that the complaints and problems might be talked about and perhaps worked out, but also noted that the homeowners are against the postponement. He stated that if something agreeable to both sides cannot be worked out, he would move to postpone the matter at that time. He spoke of the need to

work out the problems with the aesthetics of the mall, and stated that he would meet with both sides in any attempt to work the matter out satisfactorily.

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

Mrs. Dutmer noted that the proponent is able to place onto this site very intense zoning uses other than those already planned and under construction, if he chose to do so, and spoke in favor of the request for rezoning.

Mr. Allison stated that he would talk with the neighbors on possibly screening the windows of the mall structure that face the residential area.

In response to a question by Ms. Berriozabal, Mr. Reinold noted that the strip of land next to the residential area is already zoned B-2, and was prior to construction of the homes. He spoke against making the entire tract B-2, and spoke against on-site consumption of liquor.

Ms. Berriozabal stated her opinion that the proponent should have shown more architectural sensitivity to the neighbors, when the mall structure was planned.

Mr. Wing noted that a B-3R zoning is more intense than the zoning being sought, with a package store able to locate in the mall at the present time, without new zoning.

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

Mayor Cisneros noted that it is parliamentary procedure that, in this case, should both motions fail to carry, the case then can be returned for Council consideration, perhaps after negotiations as proposed by Mr. Hasslocher.

Mr. Thompson also noted that B-3R allows more intensive zoning uses, and that a B-2 should, on balance, be better for the neighborhood.

Mayor Cisneros then briefly restated the pending motions.

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

Case Z84004 was denied.

31. CASE Z83473 - to rezone the west 200' of Lot 15, Block B, NCB 11508, 256-260 W. Ligustrum Drive, from "R-3 S.R.", Multiple Family Residential District, for a Day Care Center caring for over twenty (20) children to "R-1" One Family Residence District, located on the east side of W. Ligustrum Drive, being 520' northwest of the intersection of Woodlawn Drive and Ligustrum Drive, having 210' on Ligustrum Drive and a 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.

Mr. Alderete moved that the recommendation of the Zoning Commission be approved. Mr. Wing seconded the motion.

Mr. Alderete asked that City staff check on any outside storage on the property.

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

AN ORDINANCE 58,231

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE WEST 200' OF LOT 15, BLOCK B, NCB 11508, 256-260 WEST LIGUSTRUM DRIVE, FROM "R-3" S.R. MULTIPLE-FAMILY RESIDENCE DISTRICT FOR A DAY CARE CENTER CARING FOR OVER TWENTY (20) CHILDREN TO "R-1" ONE-FAMILY RESIDENCE DISTRICT.

* * * *

84-05 The minutes of the meeting of January 19, 1984 were approved.

84-05 AMERICAN INSTITUTE OF ARCHITECTS 1984 INSTITUTE HONOR

Mayor Cisneros announced that the American Institute of Architects has chosen San Antonio's River Walk to receive its 1984 Institute Honor at the AIA National Convention in Phoenix May 5 - 9, 1984. He then read a news release from AIA, citing details of the selection and honor.

Mayor Cisneros asked that the City be officially represented in Phoenix to receive the honor. Noting that he will not be able to attend because of a previous commitment, he asked Ms. Berriozabal, in whose Council district the River Walk is located, to officially represent the City and receive the award.

ZONING HEARINGS (Continued)

32. CASE Z83471 - to rezone Lot 8, the south 4' of Lot 7 and the east 28.4' of the north 50' of Lot 7 (ARB-8), Block G, NCB 1659, 702 N. Pine Street, ZONED: "B-3 N.A." and "F", to a Historic District, located northeast of the intersection of Nolan Street and Pine Street, having 58' on Pine Street and 206.8' on Nolan 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.

In response to a question by Mr. Webb, Mrs. Pat Osborne, Historic Preservation Officer, briefly explained why the proponent's property was left out of the recent Historic Designation of this entire area.

Mr. Andy Guerrero, Planner II, noted that the proponent's rezoning request was pending when the Dignowity Hill area was designated an Historic District.

Mr. Webb moved that the recommendation of the Zoning Commission be approved. Mr. Thompson seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES:

February 2, 1984

mlr

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

AN ORDINANCE 58,232

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 8, THE SOUTH 4' OF LOT 7, AND THE EAST 28.4' OF THE NORTH 50' OF LOT 7 (ARB-8), BLOCK G, NCB 1659, 702 NORTH PINE STREET, ZONED: "B-3" NA AND "F" TO A HISTORIC DISTRICT.

* * * *

33. CASE Z84009 - to rezone a 11.67 acre tract of land out of NCB 14865, being further described by field notes filed in the Office of the City Clerk, in the rear of 15000 block of Babcock Road, from "B-2" ERZD Business, Edwards Recharge Zone District and "B-3" ERZD Business, Edwards Recharge Zone District to "P-1 R-1" ERZD Planned Unit Development, One Family Residence, Edwards Recharge Zone District, located approximately 550' west of Babcock Road, being approximately 1100' south of the intersection of FM 1604 Road & Babcock Road, having a width of 680' and a depth of 800'.

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. Wing seconded the motion.

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

AN ORDINANCE 58,233

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS AN 11.67 ACRE TRACT OF LAND OUT OF NCB 14865, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE REAR OF 15000 BLOCK OF BABCOCK ROAD, FROM "B-2" ERZD BUSINESS, EDWARDS RECHARGE ZONE DISTRICT AND "B-3" ERZD BUSINESS, EDWARDS RECHARGE ZONE DISTRICT TO "P-1(R-1)" ERZD PLANNED UNIT DEVELOPMENT, ONE-FAMILY RESIDENCE, EDWARDS RECHARGE ZONE DISTRICT.

* * * *

34. CASE Z83475 - to rezone the north 61' of Lots 9, 10, & 11, Block 13, NCB 2951, in the 100 Block of Waleetka Street, from "F" Local Retail District to "B-3" Business District, located on the south side of Waleetka Street, being 100' west of the intersection of Gevers Street and Waleetka Street, having 100' on Waleetka Street and a depth of 61'.

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 Mrs. Dutmer, Mr. Robert Pizzini, 505 Rhapsody, spoke to Mrs. Dutmer's comments that she felt that the property was capable of a higher use than a pawn shop, and stated further that he would accept a B-3NA zoning on the property.

Mrs. Dutmer moved that this property be zoned "B-3NA" Business District, Non-Alcoholic Sales. Mr. Wing 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, Thompson, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Berriozabal, Eureste.

AN ORDINANCE 58,234

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 NORTH 61' OF LOTS 9, 10 AND 11, BLOCK 13, NCB 2951, IN THE 100 BLOCK OF WALEETKA STREET, FROM "F" LOCAL RETAIL DISTRICT TO "B-3NA" BUSINESS DISTRICT, NON ALCOHOLIC SALES.

* * * *

35. CASE Z84024 - to rezone a 4.3 acre tract of land out of NCB 15837, being further described by field notes filed in the Office of the City Clerk, in the 1400 block of Bell Drive, located on the southwest side of Bell Drive, being 273' southeast of the intersection of Stahl Road and Bell Drive, having 375' on Stahl Road and a depth of 555.26' and a 12.0 acre tract of land out of NCB 15837, being further described by field notes filed in the Office of the City Clerk, located on the southeast side of Stahl Road, being approximately 1300' southwest of the intersection of Bell Drive and Stahl Road, having 582.95' on Stahl Road and a depth approximately 2204', from "R-3" Multiple Family Residence District to "R-5" One Family 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. Wing moved that the recommendation of the Zoning Commission be approved. Mr. Thompson 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, Thompson, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Berriozabal, Eureste.

AN ORDINANCE 58,235

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 4.3 ACRE TRACT OF LAND OUT OF NCB 15837, BEING FURTHER DESCRIBED BY FIELD NOTES

FILED IN THE OFFICE OF THE CITY CLERK, IN THE 1400 BLOCK OF BELL DRIVE AND A 12.0 ACRE TRACT OF LAND OUT OF NCB 15837, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT TO "R-5" ONE-FAMILY RESIDENCE DISTRICT.

* * * *

84-05 TAX RATES, UTILITY COSTS AND PER CAPITA GENERAL FUND
EXPENDITURES FOR SELECTED TEXAS CITIES

Mayor Cisneros distributed to City Council copies of a memo from Mr. S. Marcus Jahns, Assistant City Manager, making this comparison, and commented briefly on certain of the figures involved, noting that San Antonio is very low in comparison to other Texas cities selected for comparison.

Mr. Archer stated his belief that many San Antonians already feel that they are taxed too heavily, and spoke of other projected or possible increases in various fees, taxes and assessments. He further stated his belief that the City Council should appoint a commission to study the proposed sewage plant at Dos Rios and the entire sewage treatment matter in San Antonio, as well as the overall utility picture.

Mr. Thompson spoke of the need for some increases, needed for the City to properly function and do its job. He stated his contention that the City does not have the time to bog down in costly studies at this time, but rather needs to move on to improve the effluent going downstream from our sewage treatment plants.

Mrs. Dutmer stated her belief that the City already has adequate professional expertise on hand to handle the future plant, and spoke of her concern that the federal government might declare a moratorium on any new construction in the City because of the effluent problem. She also spoke of her concern that downstream cities might sue San Antonio because of the sewage plant discharges at this time. She stated her belief that the City is doing everything in its power to upgrade the effluent discharged from the plants, and spoke of possible new uses for upgraded water from the plants.

84-05 The Clerk read the following Ordinance:

AN ORDINANCE 58,236

CLOSING AND ABANDONING A PORTION OF BROOKHAVEN DRIVE, BETWEEN NEW CITY BLOCKS 13560 AND 13561, AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE A QUITCLAIM DEED TO BEXAR SAVINGS ASSOCIATION, ADJACENT OWNER, FOR A CONSIDERATION OF \$58,200.00.

* * * *

Mr. Webb moved that the Ordinance be approved. Mr. Eureste 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, Cisneros; NAYS: None; ABSENT: Berriozabal, Hasslocher.

84-05 The Clerk read the following Resolution:

A RESOLUTION NO. 84-05-09

SETTING TIMES, DATES, AND LOCATIONS FOR SEVENTEEN CITIZEN PARTICIPATION MEETINGS AND THREE CITY COUNCIL PUBLIC HEARINGS FOR THE CITY'S ANNUAL COORDINATED BUDGETING PROCESS FOR CAPITAL PROJECTS AND PROGRAMS FUNDED WITH CDBG, REVENUE SHARING, GENERAL FUND, AND OTHER REVENUES.

* * * *

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

Mrs. Dutmer spoke of her concern that no sites in the southeastern portion of the City were included.

Mr. Stuart Sommers, Director of Budget and Research, stated that he would add a southeast site to the list.

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

84-05 Mr. Alderete moved that a proposed Ordinance authorizing abolishment of a uniformed position and creation of a civil position with the Fire Department be pulled from consideration until after the review of certain materials in an upcoming Executive Session. Mrs. Dutmer seconded the motion.

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

84-05 The Clerk read the following Ordinance:

AN ORDINANCE 58,237

AUTHORIZING THE SETTLEMENT OF CAUSE NO. 82-CI-00414; STYLED MANAGEMENT GUIDANCE CORPORATION V. CITY OF SAN ANTONIO; IN THE 57th JUDICIAL DISTRICT COURT OF BEXAR COUNTY, TEXAS.

* * * *

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

84-05 The Clerk read the following Ordinance:

AN ORDINANCE 58,238

ABOLISHING THE TAXICAB COMMITTEE.

* * * *

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

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

84-05 The Clerk read the following Ordinance:

AN ORDINANCE 58,239

AUTHORIZING EXECUTION OF A STANDARD PROFESSIONAL SERVICES CONTRACT WITH PEAT, MARWICK, MITCHELL & CO. TO CONDUCT AN AIRPORT SYSTEM AND PLANNING STUDY FOR THE SAN ANTONIO METROPOLITAN AREA; APPROPRIATING FUNDS AND AUTHORIZING PAYMENT.

* * * *

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

In response to a question by Mr. Thompson, Mr. Michael Kutchins, Director of Aviation, briefly explained the Ordinance. He spoke of the 1975 Airport Master Plan Study, and of the availability at this time of grant monies to upgrade that study. He spoke of the need for the City to establish policy on such things as new helicopter landing policies, etc., noting that this study is projected to take some six months to complete.

Mr. Louis J. Fox, City Manager, stated that the FAA will bear some 90 per cent of the cost of that study.

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

84-05 The Clerk read the following Ordinance:

AN ORDINANCE 58,240

APPOINTING DOROTHY HOPKINS TO SERVE ON THE HIGHER EDUCATION AUTHORITY, INC. BOARD OF DIRECTORS.

* * * *

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

84-05 The Clerk read the following Resolution:

A RESOLUTION NO. 84-05-10

RENAMING THE THEATRE FOR THE PERFORMING ARTS TO THE LILA M. COCKRELL THEATRE.

* * * *

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

Mayor Cisneros stated that formal ceremonies are tentatively set for 11:00 A.M. on February 24, 1984 to mark this naming event, followed at 8:00 P.M. by a Henry Mancini concert that is being dedicated to Mrs. Cockrell in honor of the renaming of the Theater for the Performing Arts.

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

84-05 The Clerk read the following Ordinance:

AN ORDINANCE 58,241

REDEDICATING THE MUNICIPAL AUDITORIUM IN HONOR OF ALL WHO HAVE GIVEN THEIR LIFE IN THE DEFENSE OF LIBERTY FOR THIS COUNTRY.

* * * *

Mayor Cisneros noted that there has been much discussion about rededication of Municipal Auditorium, and stated his opinion that the City Council needs to reaffirm its previous decision and position in this regard.

Mrs. Dutmer stated that she favors naming Municipal Auditorium after "those who have served in defense of their country."

Mayor Cisneros stated that Municipal Auditorium was originally dedicated as a memorial to the City's war dead of World War I, and later extended to cover the City's war dead in all wars.

Mr. Archer stated his opinion that a good name for the facility would be "Municipal Memorial Auditorium" or "War Memorial Auditorium".

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

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

84-05 The Clerk read the following Ordinance:

AN ORDINANCE 58,242

WAIVING THE FEE FOR USE OF THE CONVENTION CENTER BANQUET HALL #1 ON MARCH 31, 1984, FOR THE FOURTH ANNUAL WOMAN'S FAIR.

* * * *

Ms. Berriozabal 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, Wing,

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

84-05 The Clerk read the following Resolution:

A RESOLUTION NO. 84-05-11

REQUESTING THE TEXAS TURNPIKE AUTHORITY TO FUND A
 PRELIMINARY FEASIBILITY REPORT FOR A REVENUE BASED
 TOLL ROAD FACILITY BETWEEN SAN ANTONIO AND AUSTIN.

* * * *

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

Mr. Eureste spoke against the project, stating his belief that it is a waste of time. He spoke in favor of expanding the capacity of IH 35 to six lanes, instead, and spoke against the principle of toll roads, noting his contention that they adversely affect the poorer citizens. He then stated that gasoline taxes are a better way, in his opinion, to raise needed funds for highway improvement.

Mayor Cisneros stated his confidence that the Austin/San Antonio corridor will develop, as projected, and spoke to several instances of development already taking place in this corridor. He noted that the four lanes of IH 35 already are heavily trafficked, with a 50 per cent increase in population in Texas by 1990. He then spoke of a possible alternate route to IH 35, to the east of the present highway, or perhaps over other selected routes, between San Antonio and Austin, stating his contention that toll roads will be needed to fund the construction of alternate routes between these two points. He further noted that, if such a route were constructed as a toll road, IH 35 would remain free of any charge to motorists, if they chose that route. He spoke in favor of a study to determine the feasibility of a toll road, noting it is very expensive to expand existing highways.

Mr. Archer spoke in support of the Mayor's remarks.

Mayor Cisneros then stated that the idea for the feasibility report has come from persons involved with the Austin/San Antonio Corridor Task Force.

Mr. Thompson stated that the gasoline tax is an indirect manner of paying for roadway improvements, and stated that while he will vote in favor of the pending Resolution, he is concerned about the toll road concept. He then stated that he would like to see an array of other possible options, with the toll road option as a last resort.

Mayor Cisneros stated that this proposed Resolution represents the City of San Antonio's official request for such a study.

Mr. Eureste expressed concern about the cost of this alternative highway construction, and again spoke against the toll road concept in Texas. He stated that, in his opinion, the idea will not be accepted.

In response to Mr. Eureste, Mayor Cisneros stated that the Mayor of Austin, as chairman of the Austin/San Antonio Corridor Task Force, proposed this matter.

Mrs. Dutmer stated her support for the pending Resolution because it provided for the study which will then determine any needs for such a roadway.

Ms. Berriozabal also spoke in support of the study, but expressed concern about the need to study alternate modes of mass transit such as

subways, metros, etc. She then spoke of the importance of tying the southern sector of San Antonio into any Austin/San Antonio corridor.

Mr. Eureste stated his opinion that the substance of agenda item 49, being a resolution requesting the State Commission on Highways and Public Transportation to conduct a feasibility study for alternative highway routes between Austin and San Antonio, presents a good case and he would favor passage of that Resolution. He stated his opinion that San Antonio, being part of South Texas, cannot afford toll roads.

Mrs. Dutmer stated that a toll road represents a choice for motorists.

Mr. Webb noted that turnpikes exist over the entire nation, and this would be an option. He then spoke of the heavy traffic already on IH 35 between San Antonio and Austin.

Mr. Eureste spoke against any charging for the use of a highway in Texas.

Mr. Hasslocher stated his belief that the future of San Antonio and of Austin is tied together, and noted his contention that too little planning in this matter has been done in the past.

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

- - -
84-05 The Clerk read the following Resolution:

A RESOLUTION NO. 84-05-12

REQUESTING THE STATE COMMISSION ON HIGHWAYS & PUBLIC TRANSPORTATION TO CONDUCT A FEASIBILITY STUDY FOR ALTERNATIVE HIGHWAY ROUTES BETWEEN AUSTIN AND SAN ANTONIO.

* * * *

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

Mr. Eureste spoke in favor of the Resolution as a very logical responsibility of the Department of Highways and Public Transportation.

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

- - -
84-05 FEE WAIVER REQUEST FOR SAN ANTONIO FESTIVAL

Mr. Webb distributed copies of a one-page report to the City Council on the subject, a copy of which is made a part of the papers of this meeting. He stated his opinion that no fees should be waived for the Festival this year, and all costs should be applied equally.

Mrs. Dutmer moved to affirm the committee's recommendations. Ms. Berriozabal seconded the motion.

A discussion then took place concerning the fact that representatives of San Antonio Festival had appeared before the Committee.

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

84-05 The Clerk read the following Ordinance:

AN ORDINANCE 58,243

AUTHORIZING THE CITY MANAGER OR HIS DESIGNATED REPRESENTATIVE TO EXECUTE A CONTRACT WITH THE ALAMO AREA COUNCIL OF GOVERNMENTS (AACOG) PROVIDING FOR CITY PERSONNEL TO CONDUCT A CRIMINAL JUSTICE INFORMATION SYSTEM NEEDS ASSESSMENT STUDY FOR THE CITY OF SAN ANTONIO AND AACOG.

* * * *

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

Mr. Jim Paxson, Information Resources, explained that this Ordinance involves an assessment of the needs of the Alamo Area Council of Governments region relative to criminal justice information needs.

A discussion then was held on the fact that the 911 emergency telephone system was a part of the overall study.

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

84-05 The City Council recessed at 5:07 P.M., reconvening at 5:25 P.M. to consider approving and adopting the recommendations of the Water Extension Policy Task Force.

84-05 The Clerk read the following Ordinance:

AN ORDINANCE 58,244

APPROVING AND ADOPTING THE RECOMMENDATIONS OF THE WATER EXTENSION POLICY TASK FORCE.

* * * *

Mayor Cisneros noted that the matter of water extension policy is a major community matter of concern, and stated his opinion that the Task Force did a good job of moving this policy matter toward a final solution. He stated also that it might be possible that the Council can reach a concensus on this important matter today, and commended Mr. Wing for his leadership on the Task Force. He noted that all major issues apparently have been resolved with the exception of two outstanding issues: 1) who makes the decision on oversizing of water mains, and 2) the length of time developers will be allowed to collect for oversizing, either five or seven years.

Mr. Wing thanked members of the Task Force, and recognized the presence of some of them in the audience today. He spoke of two pivotal issues remaining: the areas to be served, and how customers get back their 'up-front' money.

Mr. Wing moved that the Ordinance be approved provided that the City Council be the reviewing body on recommendations from the Water Works; and that the refunding period be seven years. Mrs. Dutmer seconded the motion.

Mr. Mike Hogan, member of the Task Force, spoke of having several disappointments with the Task Force work and results, stating his opinion that even though not enough comes to the south side of the City as a result, still, it represents a compromise. He then endorsed the Task Force recommendations, and asked the Council not to remove the incentives for private investment.

Mr. Ed Day, representing the South Side Chamber of Commerce, stated that his Board of Directors endorses the Task Force recommendations.

Mr. Bill Chapman, representing the San Antonio Board of Realtors, stated that his group also endorses the Task Force recommendations.

Mr. Dick Howe, representing the Greater San Antonio Chamber of Commerce as chairman of its Water Resources Task Force, stated that the Chamber Executive Committee endorses the Task Force recommendations.

Mr. Walter Embrey, representing the North San Antonio Chamber of Commerce, stated that his organization endorses the Task Force recommendations.

Ms. Marcia Welch, representing the Eastside Apostolate, stated that her organization favors the City Council making the decisions on oversizing, designation of any area outside Loop 1604 to be outside the service area, and a five-year return on up-front monies.

Mr. James Foster, Eastside Apostolate, stated his opinion that the east side of the City has long been neglected, and he spoke against diminishing water service to the overall community in order to extend such water service to expensive new homes outside Loop 1604.

Ms. Sonia Hernandez, President, Communities Organized for Public Service (COPS), spoke of COPS' efforts in making water service equal to all in the City, and spoke of her organization's concerns with the number of years to be given for recovery of refunds on oversizing mains, and also who decides the oversizing issue. She stated that COPS prefers a five-year refunding period, with the City Council the responsible body to decide on oversizing.

In response to a question by Mr. Raul Fernandez, President, Greater San Antonio Builders Association, Mr. Wing explained plans for the City Council to review and certify oversizing requests made to the Water Works, and described that plan as a good check and balance mechanism.

Mr. Fernandez spoke of his concern that developers cannot recapture all their front-end costs for water service, and stated his belief that seven years is a minimum amount of time for recapturing refunds. He spoke in favor of Task Force original recommendations.

Mayor Cisneros briefly explained how the policy will affect new developments.

Ms. Genevieve Flores, Metropolitan Congregational Alliance, stated her opinion that new development must pay for itself, and spoke of the need for new policies of growth that don't penalize older neighborhoods. She spoke in favor of reducing the refunding years and designation of City Council to approve oversizing matters.

Mr. Harrington stated that the Task Force did good work, and spoke of his concern that the pending motion dilutes that recommendation.

In response to a question by Mr. Harrington, Mr. Alexander Briseno, Assistant City Manager, stated that the "service area" boundary

is Loop 1604, while the "certificated area" is the City's extra-territorial jurisdiction line, and indicated these areas and lines on a map for the City Council. He spoke to a number of proposed exemptions on the southside, for areas outside Loop 1604, as to the service area boundaries, and spoke to the status of certain other areas outside the City limits and Loop 1604, in the U.S. Hwy. 281 North area.

Mr. Harrington spoke of his concern with the possibility that developers might be able to recapture only a percentage of their 'up-front' water extension costs, and stated his belief that the Planning Commission can handle oversizing requests, with the City Council to review the most difficult cases. He stated his opinion that the original Task Force recommendations were fair, as they were negotiated, but nevertheless, these policy considerations represent an excellent policy to be enacted.

Mr. Harrington moved to amend the motion that any areas within the City limits not in the service area would be included, and the service area would be defined. Mr. Archer seconded the motion.

Mr. Harrington further moved to amend the motion that the Planning Commission will be the reviewing body for oversizing requests. Mr. Archer seconded the motion.

Mayor Cisneros spoke in support of Mr. Wing's motion, and spoke to the need for the City Council to be representative of the entire city, and the need for a unanimous vote in order to show unified support for the new policy.

Mr. Thompson spoke in support of Mr. Wing's motion and the need for full Council concensus.

Mr. Eureste noted that there was much 'give-and-take' in this entire matter, and that the COPS organization has forced the City Council to deal with the water extension policies. He spoke in support of Mr. Wing's motion, and stated his belief that the City Council is "pro-San Antonio", not "pro-business", necessarily.

Ms. Berriozabal noted that she represents the inner-city area, and spoke in favor of having the City Council review the oversizing matters. She asked representatives of the COPS organization if they would accept the seven-year recapture provision, if the other side would then accept the City Council in lieu of the Planning Commission as the oversizing review authority.

Ms. Hernandez, speaking on behalf of COPS, stated that her organization would agree to the seven-year term.

Both Ms. Flores, representing the Metropolitan Congregational Alliance, and Mr. Foster, representing the Eastside Apostolate, agreed that their respective organizations would also accept the seven-year provision.

Ms. Berriozabal spoke of these groups now being willing to move further toward a compromise.

Mrs. Dutmer spoke in support of the seven-year provision, and in support of the motion for the City Council to be the oversizing review authority.

Mr. Eureste urged the Council to vote unanimously on this matter.

Mrs. Dutmer urged speedy action on developer requests to City Water Board on oversizing matters, with equally-speedy review by the City Council.

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

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

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84-05

CITIZENS TO BE HEARD

MR. FERNANDO RANGEL

Mr. Fernando Rangel, 430 Pinehurst, spoke to the City Council regarding an incident he had been involved in dealing with the Police Department. He stated that his son-in-law had been stabbed and he had been very concerned that the responsible party had not been apprehended. He called the Police Department and was told that they wanted to wait until his son-in-law would be out of the hospital. He stated that the individual who had done the stabbing has made threatening phone calls to his family. He got the impression that the Police Department did not want to do anything about this stabbing incident. He stated that the problem has been resolved; however, his main concern is that it took so long to have the Police Department respond.

Assistant City Manager Rolando Bono stated that the issue involves the factors at the scene which involved the arrest warrant.

Lt. Jack Summey stated that he talked to Mr. Rangel about this at length. He spoke about insufficient information at the scene of the incident. The issue has been resolved, and spoke about the Police Department's attempts to resolve it.

Mr. Eureste stated that the question deals with the policy of the Police Department in the pursuit of such incidents. He feels that if he had not been personally involved the matter would still be unresolved. He spoke about possible delays that can occur. Mr. Eureste expressed concern that similar incidents will not reoccur.

Lt. Summey spoke about the many legal processes and circumstances of the necessity for a warrant after the suspect disappears from the scene of the incident.

Mr. Thompson stated that there is nothing wrong with the process and spoke of the benefits of having a grand jury.

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MR. TOBEY FLORES

Mr. Tobey Flores, 141 Taft, spoke to the City Council expressing his concern about a transaction which took place regarding the Black Cat Taxicab Company. He received word that the staff had granted a permit to an individual instead of the City Council granting the permit.

Mr. Roger Ibarra, Director of Public Utilities Department, explained the circumstances of the incident and the method of rectifying the matter.

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84-05PRAYER BREAKFAST

Mayor Cisneros distributed information to the City Council regarding the 9th Annual Prayer Breakfast to be held on February 24, 1984.

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84-05"B" SESSION CALENDAR

Mayor Cisneros distributed a schedule of future "B" Sessions as follows:

February 9, 1984	Target 90 Update (Van Steenberg) Resource Recovery Follow-up
February 16, 1984	Assignments on Sister Cities Industrial District Policies
February 23, 1984	Downtown Siphon/River Improvements Enterprise Zones
March 1, 1984	Teleports Board Appointments Work Session
March 8, 1984	Applewhite Dam Briefing Water Rate Increases
PENDING	Prevailing Water Rates Policy on Naming Public Places Bill Boards

Ms. Berriozabal asked that the City staff provide cost estimates on the river improvements, options, etc.

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84-05 The Clerk read the following Letter:

January 27, 1984

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.

January 17, 1984	Petition submitted by Mr. Joe Roy Hollaway, Alzafar Temple, requesting permission to solicit and collect donations for the purpose of sending the money to their Shrine Crippled Children's Hospital in Houston and Burns Center in Galveston.
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January 18, 1984	Petition submitted by Mr. Harry B. Jewett, III, requesting that Section 4 of Ordinance No. 57955, approved the 1st day of December, 1983, be amended as outlined in his letter.
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February 2, 1984

mlr

January 18, 1984

Petition submitted by Mr. Ysidoro P. Segovia, 8531 Eastern, San Antonio, TX 78216, requesting the renewal of his City Chauffeurs license.

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January 20, 1984

Petition submitted by Mr. Bill Lane, owner of Bill's Wrecker Service, 6550 Old Highway 90 West, San Antonio, Texas 78227 requesting permission to increase the licensed wrecker storate fee of \$3.00 to \$4.00 in reference to City Ordinance 55743, pp. 8-7(11) dated August 23, 1982.

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January 26, 1984

Petition submitted by Mr. Richard H. Gutin, President, Style Limousine Service, 11417 West Avenue, San Antonio, TX 78227 requesting a permit to operate a limousine service in the City of San Antonio.

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/s/Norma S. Rodriguez
City Clerk

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