

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, MAY 23, 1985.

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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, MARTINEZ, THOMPSON, VERA, HARRINGTON, ARCHER, HASSLOCHER, CISNEROS. Absent: NONE.

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85-33 The invocation was given by Reverend Manuel G. Ortiz, Jr., First Mexican Fundamental Baptist Church.

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85-33 The members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

85-33 UNDERSECRETARY OF THE AIR FORCE

Mayor Cisneros introduced Ms. Stella Guerra, Undersecretary of the Air Force, EEO Division, Washington, D.C., who was present in the audience. He stated that Ms. Guerra had lived briefly in San Antonio.

Ms. Guerra spoke briefly of the Air Force's EEO program.

Mayor Cisneros presented her with mementos of her visit to San Antonio.

Ms. Berriozabal spoke of the Air Force's cooperation in providing lieutenant engineers to work with the engineering programs for young people at UTSA and San Antonio College.

Mr. Thompson spoke to the positive spirit of workers at Kelly Air Force Base with regard to their EEO program. He stated that the Air Force's EEO program is people-oriented.

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85-33 JAMES MADISON HIGH SCHOOL PARLIAMENTARY PROCEDURES TEAM

Mayor Cisneros invited James Madison High School's Parliamentary Procedures Team to come forward and read a Citation presented to the team for outstanding honors they received in District 5

and State Competitions on parliamentary procedures. Mayor Cisneros stated that the team would next compete in the national competition in Phoenix, Arizona.

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85-33

W. W. WHITE ELEMENTARY SCHOOL

Mayor Cisneros announced that Ms. Hampton's class at W. W. White Elementary School as a class project was observing the City Council meeting on television.

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85-33

LANIER HIGH SCHOOL

Mayor Cisneros introduced Ms. Sonia Ramos, student at Lanier High School, who announced that their Student Council had collected \$1,079 for the UNICEF'S Skip a Meal Program and wanted to present a check for that amount to Mayor Cisneros who is Honorary Chairman of the UNICEF program.

Mr. Walter Martinez stated that the collection of this money reflected a total community effort.

Ms. Gloria Almaraz and Ms. Pamela Bain, representatives of UNICEF, received the check from Mayor Cisneros and thanked the students on behalf of UNICEF.

Mr. Archer stated that UNICEF is a good organization but expressed his concern that the government in Ethiopia is not allowing all the contributed goods to reach the needy people.

Mayor Cisneros stated that some of the relief agencies are attempting to bypass government channels.

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85-33

WOODLAKE ELEMENTARY SCHOOL

Mayor Cisneros announced that the principal of Woodlake Elementary School in the Judson Independent School District had called to announce that students at Woodlake had collected \$2,093 for UNICEF.

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85-33

ASSISTANT SURGEON GENERAL OF THE U.S.

Mayor Cisneros introduced the distinguished Assistant Surgeon General of the United States Robert Mecklenburg who was present in the

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audience to speak on an issue coming before the Council later in the meeting. He welcomed him to San Antonio and presented him with the official book on San Antonio.

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85-33

JOHN LEE HUDSON

Mayor Cisneros introduced John Lee Hudson, candidate for mayor of Houston, Texas, and welcomed him to San Antonio.

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85-33

JIM VON SCHOUNMACHER

Mayor Cisneros introduced Mr. Bill Bailey, member of the Executive Committee of the American Red Cross, who gave a brief history of Mr. Jim Von Schounmacher, his twenty-five years as a life-saving techniques instructor, and the event which led to his receiving the Red Cross Certificate of Merit Award, the highest award given by the American Red Cross and signed by the President of the United States.

Mayor Cisneros read and presented Mr. Von Schounmacher with the award which commended him for saving the life of a sixty year-old choking victim on September 30, 1984 by using Red Cross life-saving techniques.

Mr. Von Schounmacher thanked the Mayor for the presentation and demonstrated the procedure he had used to save the woman's life.

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85-33

MARKET ON WHEELS

Ms. Berriozabal invited the Council and citizens of San Antonio to the Market on Wheels and Senior Citizen's Arts and Crafts Show and Sale at San Fernando Cathedral on Saturday from 8:00 A.M. to 12:00 P.M.

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85-33 The minutes of the City Council meeting of May 9, 1985 were approved.

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85-33

REPORT ON MEETINGS IN NEW YORK

Mayor Cisneros reported on the meetings held in New York with the bonds houses of Standard and Poors and Moodys. He spoke to the

anticipated bond ratings and complimented City Manager Louis Fox and his staff for their excellent presentations. He spoke to the criteria used to award cities triple A ratings.

Ms. Berriozabal added that, according to a representative from one of the bond companies, San Antonio must elevate its median family income in order to qualify for a triple A rating.

85-33 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE AMENDING MAJOR THOROUGHFARE PLAN

Mayor Cisneros declared the Public Hearing to be open.

No citizen appeared to speak.

Mayor Cisneros declared the Public Hearing to be closed.

The City Clerk read the following Ordinance:

AN ORDINANCE 60,721

AMENDING THE MAJOR THOROUGHFARE PLAN.

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Mrs. Dutmer made a motion to approve the proposed Ordinance. Mr. Hasslocher seconded the motion.

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

85-33 CONSENT AGENDA

Mr. Harrington made a motion to approve Agenda Items 8 - 36, constituting the Consent Agenda, with items 8, 17, and 27 pulled for individual consideration. Mr. Hasslocher 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, Martinez, Thompson, Vera, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: None.

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AN ORDINANCE 60,722

ACCEPTING THE LOW BIDS OF FRIEDRICH AIR CONDITIONING & REFRIGERATION, INSCO DISTRIBUTING AND SEARS CONTRACT SALES TO FURNISH THE CITY OF SAN ANTONIO WITH WINDOW AIR CONDITIONERS FOR A TOTAL OF \$12,464.

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AN ORDINANCE 60,723

ACCEPTING THE LOW QUALIFIED BID OF Menco, Inc., D/B/A GRAVELY SALES AND SERVICE CO. TO FURNISH THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH ROTARY MOWERS FOR A TOTAL OF \$7,848.

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AN ORDINANCE 60,724

ACCEPTING THE LOW QUALIFIED BID OF RAY GONZALES TO PAINT THE LIGHT STANDARDS FOR THE PARKS AND RECREATION DEPARTMENT FOR A TOTAL OF \$5,200.00.

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AN ORDINANCE 60,725

EXERCISING THE OPTION TO RENEW THE CURRENT CONTRACT WITH MAI/SORBUS AND TERMINAL MAINTENANCE SERVICE, INC., FOR MAINTENANCE OF IBM DATA PROCESSING EQUIPMENT.

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AN ORDINANCE 60,726

ACCEPTING THE LOW BID OF SOUTH TEXAS STEEL MANUFACTURING TO FURNISH THE CITY OF SAN ANTONIO AVIATION DEPARTMENT WITH A FACILITIES MAINTENANCE STORAGE MEZZANINE FOR A TOTAL OF \$14,800.

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AN ORDINANCE 60,727 .

ACCEPTING THE LOW QUALIFIED BIDS OF MISSION SALES & JANITOR SUPPLY COMPANY, INC., AND CENTURY PAPERS, INC., TO FURNISH THE CITY OF SAN ANTONIO WITH FLOOR CLEANING EQUIPMENT FOR A TOTAL OF \$7,811.40.

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AN ORDINANCE 60,728 .

ACCEPTING THE BID OF CL SYSTEMS, INC. TO FURNISH THE CITY OF SAN ANTONIO LIBRARY WITH AN 8 CHANNEL TERMINAL CONTROLLER FOR A TOTAL OF \$5,608.00.

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AN ORDINANCE 60,729 .

ACCEPTING THE LOW QUALIFIED BIDS OF WATSON DISTRIBUTING COMPANY AND SATLIFT CORPORATION TO FURNISH THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH FOUR WHEEL UTILITY VEHICLES FOR A TOTAL OF \$20,474.00.

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AN ORDINANCE 60,730 .

APPROVING FIELD ALTERATION NO. 5 IN THE AMOUNT OF \$41,161.00 TO THE CONTRACT FOR THE INTERNATIONAL AIRPORT TERMINAL 2 RENOVATIONS, PACKAGE 4, GENERAL CONSTRUCTION.

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AN ORDINANCE 60,731 .

AUTHORIZING AN ADDITIONAL \$11,548.49 FOR DESIGN SERVICES ON THE NOCK/AMBER STREET RECONSTRUCTION PROJECT PAYABLE TO SOMERVILLE-GONZALES & ASSOCIATES.

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AN ORDINANCE 60,732 .

ACCEPTING THE BID OF MARTIN K. EBY CONSTRUCTION CO., INC., IN THE AMOUNT OF \$5,967,514.32 FOR THE CONSTRUCTION OF THE WESTFALL DRAINAGE PROJECT #17, AUTHORIZED BY THE 1983 DRAINAGE BOND PROGRAM;

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AUTHORIZING A CONTINGENCY; AUTHORIZING PAYMENT TO HOWARD W. GADDIS CONSULTING ENGINEER, INC., IN THE AMOUNT OF \$25,947.85 FOR THE ENGINEERING FEES FOR THE CONSTRUCTION PHASE AND AUTHORIZING PAYMENT.

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AN ORDINANCE 60,733

AUTHORIZING FIELD ALTERATION NO. 2 ON THE INGRAM ROAD PROJECT IN THE AMOUNT OF \$71,208.25; AND AUTHORIZING AN ADDITIONAL \$25,000.00 FOR THE MISCELLANEOUS CONSTRUCTION CONTINGENCY.

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AN ORDINANCE 60,734

AUTHORIZING FIELD ALTERATION NO. 3 ON THE KENWOOD DRAINAGE PROJECT 84A AND 84B, PART "B" IN THE AMOUNT OF \$74,434.78.

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AN ORDINANCE 60,735

TRANSFERRING FUNDS FROM THE CONSTRUCTION CONTINGENCY FUND FOR THE LEON CREEK TREATMENT PLANT EXPANSION AND AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER #18 IN THE AMOUNT OF \$69,721.00, PAYABLE TO SANDERS CO. PLUMBING & HEATING, INC., DBA/SANDERS INDUSTRIES LTD.

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AN ORDINANCE 60,736

ACCEPTING THE BID OF L&J CONSTRUCTION AND PROPERTIES IN THE AMOUNT OF \$32,849.32, FOR THE CONSTRUCTION OF THE CULEBRA CROSSING SHOPPING CENTER SUBDIVISION OFF-SITE SEWER MAIN; PROVIDING A CONTINGENCY IN THE AMOUNT OF \$3,150.68; APPROVING A CONTRACT AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 60,737

AUTHORIZING A JOINT USE AGREEMENT WITH THE WATER WORKS BOARD OF TRUSTEES OF SAN ANTONIO AND THE EDWARDS UNDERGROUND WATER DISTRICT FOR THE USE OF CITY-OWNED PROPERTY IN WILLOW SPRINGS GOLF COURSE AND DAFOSTE PARK FOR THE CONSTRUCTION AND OPERATION OF MONITORING WELLS AND APPURTENANCES AUTHORIZED BY SAN ANTONIO CITY COUNCIL RESOLUTION NO. 85-21-35.

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AN ORDINANCE 60,738

GRANTING A LICENSE TO THE EMILY MORGAN HOTEL FOR ENCROACHMENT OF CANOPIES OVER THE PUBLIC SIDEWALKS AND THE BASEMENT UNDER THE PUBLIC SIDEWALK, BEING ADJACENT TO LOT 2, BLOCK 22, NEW CITY BLOCK 424, AND MANIFESTING AN AGREEMENT IN CONNECTION THEREWITH.

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AN ORDINANCE 60,739

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 60,740

CLOSING THE EAST CURB LANE OF SOUTH MAIN BETWEEN COMMERCE STREET AND DOLOROSA FOR FOURTEEN (14) SATURDAYS BETWEEN THE HOURS OF 7:00 A.M. AND 12:00 P.M. IN CONNECTION WITH THE HOLDING OF THE MARKET ON WHEELS AND A SENIOR CITIZEN'S ART AND CRAFT SHOW AND SALE; AND DECLARING AN EMERGENCY.

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AN ORDINANCE 60,741

ACCEPTING THE LOW QUALIFIED BID OF RUIZ CONSTRUCTION TO PREPARE AND PAINT THE CEILING AT THE CITY-OWNED YWCA POOL FOR TOTAL OF \$8,900.00.

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AN ORDINANCE 60,742

SETTING A PUBLIC HEARING FOR JUNE 6, 1985, TO
CONSIDER A CDBG BUDGET ADJUSTMENT TO PROVIDE
ADDITIONAL FUNDING FOR THE S.W.
34TH/BARNEY/WESCOTT RECONSTRUCTION PROJECT.

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AN ORDINANCE 60,743

AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE
AGREEMENT FOR THE RENTAL OF OFFICE SPACE FOR THE NEW
EMPLOYEE ASSISTANCE PROGRAM. (HERITAGE PLAZA)

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AN ORDINANCE 60,744

REPROGRAMMING \$60,000.00 FROM THE 8TH YEAR CDBG
CONTINGENCY - DISTRICT 4 TO THE VINCENT STREET
RECONSTRUCTION PROJECT TO PROVIDE FUNDS FOR
ENGINEERING FEES.

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AN ORDINANCE 60,745

EXTENDING THE CONTRACTS WITH ALEXANDER & ALEXANDER,
INC., FOR INSURANCE CONSULTANT SERVICES APPROVED BY
ORDINANCE #57774 ON OCTOBER 17, 1983 AND BY
ORDINANCE #58555 ON APRIL 5, 1984 IN AN AMOUNT NOT
TO EXCEED \$40,000.00.

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AN ORDINANCE 60,746

ACCEPTING A LETTER OF CREDIT FROM THE STONE OAK
JOINT VENTURE IN THE AMOUNT OF \$844,514.00;
AUTHORIZING THE CITY MANAGER TO AWARD A CONSTRUCTION
CONTRACT TO UNITED UTILITY CORPORATION, FOR THE
CONSTRUCTION OF THE PANTHER SPRINGS CREEK SANITARY
SEWER OFF-SITE OVERSIZE OUTFALL LINE, PHASE 1 IN THE
AMOUNT OF \$767,740.00; AND \$76,774.00 FOR A CON-
STRUCTION CONTINGENCY AND APPROPRIATING \$128,021.00
FROM THE DEVELOPER CUSTOMER FUND FOR OVERSIZING OF
THE ABOVE OUTFALL LINE.

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85-33 The Clerk read the following Ordinance:

AN ORDINANCE 60,747

ACCEPTING THE BID OF GRIMM'S GARDEN CENTERS TO FURNISH THE CITY OF SAN ANTONIO AVIATION DEPARTMENT WITH PLANTS FOR A TOTAL OF \$19,197.40.

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Mr. Harrington made a motion to approve the proposed Ordinance. Mr. Wing seconded the motion.

In response to a question by Mrs. Dutmer, Mayor Cisneros stated that Grimm's Garden Centers had been sold by the Grimm family to Mr. Rudy Chavez.

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

85-33 The Clerk read the following Ordinance:

AN ORDINANCE 60,748

ACCEPTING THE LOW BID OF BROWNING FERRIS INDUSTRIES TO FURNISH THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH DUMPSTER SERVICE FOR THE 1985 SUMMER NUTRITION PROGRAM FOR A TOTAL OF \$5,400.00.

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Mr. Hasslocher made a motion to approve the proposed Ordinance. Mr. Harrington seconded the motion.

In response to a question by Mrs. Dutmer, Mr. Frank Kiolbassa, Director of Public Works, stated that Browning Ferris Industries could accommodate this contract at their present capacity and would not require expansion of their facilities.

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

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Wing, Martinez, Thompson, Vera, Harrington, Archer, Hasslocher, Cisneros;
NAYS: Dutmer; ABSENT: None.

85-33 The Clerk read the following Ordinance:

AN ORDINANCE 60,749

APPROVING THE PRICE AND CONDITIONS OF THE SALE BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF PARCEL 1494-I-2, CONTAINING APPROXIMATELY 10,743.85 SQUARE FEET, LOCATED WITHIN THE NEW BRAUNFELS CORRIDOR COMMUNITY DEVELOPMENT PROJECT, TO TRANS-TOOL CORPORATION FOR THE SUM OF \$14,500.00.

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Mrs. Dutmer made a motion to approve the proposed Ordinance. Mr. Thompson seconded the motion.

In response to a question by Mr. Archer, Mrs. Dutmer stated that Trans-Tool is attempting to utilize the land for additional building space and she concurs with its planned use.

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

ZONING HEARINGS

37. CASE Z85141 (S.R.) - to rezone Lots 15 and 16, Block 42, NCB 260, 1115 W. Martin Street, from "B-2" Business District to "B-3NA" Business Non-Alcoholic Sales District for a radio station transmitting tower, bounded by W. Martin Street, North Frio Street, and N. Medina Street, having approximately 675.75' on N. Frio Street, 255.35' on W. Martin Street and 655.38' on N. Medina Street.

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

Ms. Berriozabal moved that the recommendation of the Zoning Commission be approved provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 60,750

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 15 AND 16, BLOCK 42, NCB 260, 1115 WEST MARTIN STREET, FROM "B-2" BUSINESS DISTRICT TO "B-3NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES, FOR A RADIO STATION WITH TRANSMITTING TOWER, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

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38. CASE Z85143 - to rezone Lot 16, NCB 10626, in the 3800 Block of E. Commerce Street, from "A" Single Family Residence District to "B-3" Business District, located approximately 258.0' southwest of the intersection of E. Commerce Street (U.S. Hwy 90) and Interstate Highway 10, having approximately 200' frontage on E. Commerce Street, approximately 410' on Interstate Hwy 10, approximately 200' on E. Houston (St. Hedwig) with an approximate width of 160'.

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

Mr. Webb moved that the recommendation of the Zoning Commission be approved provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. 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, Martinez, Thompson, Vera, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: None.

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AN ORDINANCE 60,751

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 16, NCB 10626, IN THE 3800 BLOCK OF EAST COMMERCE STREET FROM "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

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39. CASE Z85149 - to rezone a 5.012 acre tract of land out of NCB 14945, being further described by field notes filed in the Office of the City Clerk, from Temporary "R-1" One Family Residence District to "I-1" Light Industry District, located approximately 1800' east of the intersection of Perrin Beitel on Post Office Drive, having a frontage of Post Office Drive of approximately 75' with a maximum depth of 696.10'.

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

In response to a question by Mr. Hasslocher, Mr. David McNeill, 109 Northoak, stated that they are requesting the change of zoning for possible business park use.

Mr. Hasslocher moved that the recommendation of the Zoning Commission be approved provided that access to public right-of-way is provided, and that off-street parking is provided and submitted for approval by the Traffic Engineering Division. 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, Martinez, Thompson, Vera, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: None.

AN ORDINANCE 60,752

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 5.012 ACRE TRACT OF LAND OUT

OF NCB 14945, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 10000 BLOCK OF PERRIN-BEITEL ROAD, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT ACCESS TO PUBLIC RIGHT-OF-WAY IS GIVEN, AND THAT OFF-STREET PARKING IS PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

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40. CASE Z85163 - to rezone the south 425.6' of Lot 8, Block 1, NCB 11253, in the 3500 Block of S.W. Military Drive, from "B" Residence District to "B-3" Business District, located on the southside of S.W. Military Drive, being approximately 500' east of the intersection of S.W. Military Drive and U.S. 81 South, having 100' on S.W. Military Drive with a maximum depth of 435.6'.

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

Mr. Wing made a motion to approve B-3R zoning. Mr. Hasslocher seconded the motion.

In response to a question by Mr. Wing, Dr. Francisco Gallegos, the proponent, stated that B-3 would be more in character with the area but he would accept B-3R.

Mr. Wing then made a substitute motion to approve B-3 zoning provided that 5' of street right-of-way dedication is given along S.W. Military Drive and that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 60,753

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 SOUTH 425.6' OF LOT 8, BLOCK 1, NCB 11253, IN THE 3500 BLOCK OF SOUTHWEST

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MILITARY DRIVE, FROM "B" RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT FIVE FEET OF STREET RIGHT-OF-WAY DEDICATION IS GIVEN ALONG SOUTHWEST MILITARY DRIVE, AND THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

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41. CASE Z85162 - to rezone a 0.484 acre tract of land out of Block C, NCB 11525, being further described by field notes filed in the Office of the City Clerk, from "A" Single Family Residence District to "O-1" Office District, located on the eastside of N.W. 36th Street in a northwesterly direction from the corner of S. Cheryl Drive and N.W. 36th Street, having 169.06' frontage on N.W. 36th Street with a maximum depth of 228.77'.

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

Ms. Vera moved that the recommendation of the Zoning Commission be approved provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. Mr. Hasslocher 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, Martinez, Thompson, Vera, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Berriozabal.

AN ORDINANCE 60,754

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 0.484 ACRE TRACT OF LAND OUT OF BLOCK C, NCB 11525, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

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42. CASE Z85139 - to rezone Lot 7, Block 50, NCB 17167, 12900 Block of Park Crossing, from "R-3" Multiple Family Residence District to "B-2" Business District, located on the southeast side of Park Crossing being 452' northeast of the intersection of Thousand Oaks Drive and Park Crossing, having 115.00' of frontage on Park Crossing with a depth maximum of 129.72'.

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

Mr. Hasslocher made a motion to deny the requested zoning. Mr. Thompson seconded the motion.

Mr. Bill Daffin, 10918 Vance Jackson, stated that he is requesting the change of zoning to allow for construction of a health club and a food facility.

In response to a question by Mr. Harrington, Mr. Daffin stated that the health club would include an exercise facility with a snack bar.

In response to questions by Mr. Thompson, Andy Guerrero, Planner III, stated that B-2 zoning is needed for any kind of eating facility and Mr. Hasslocher stated he was going with staff recommendation for denial.

Mr. Guerrero, responding to questions by Mrs. Dutmer, stated that the other business developments in the area are separated from this area by a drainage easement. He added that the building would be in close proximity to an area that should be maintained residential in character.

Mr. Archer expressed his opinion this zoning was proper as most of the area is comprised of multi-family structures.

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

Case Z85139 was denied.

43. CASE Z85165 - to rezone Lots 9 and 10, Block 20, NCB 16530, in the 6600 Block of Westfield, from Temporary "R-1" One Family Residence District to "B-3" Business District, located on the westside of the intersection of Westfield Drive and Winkle Court, having approximately 170' frontage and approximately 199' on Winkle Court with a depth of 110'.

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

Mr. Lewis Sanchez, representing Mr. Bernard Leiser, the proponent, in response to a question by Mr. Thompson, stated B-3 zoning on the subject property would allow the proponent to construct an office for his personal use.

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

Mr. Thompson made a motion to approve "B-1" zoning for the subject property provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. Mrs. Dutmer seconded the motion.

In response to a question by Mrs. Dutmer, Andy Guerrero, Planner III, stated that O-1 office zoning allows for professional offices only and commercial-type offices need B-1 to B-3 zoning.

The motion to approve B-1 zoning prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Martinez, Thompson, Vera, Harrington, Archer, Hasslocher; NAYS: None; ABSENT: Wing, Cisneros.

AN ORDINANCE 60,755

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 9 AND 10, BLOCK 20, NCB 16530, IN THE 6600 BLOCK OF WESTFIELD, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-1" BUSINESS DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

* * * *

85-33 The Clerk read the following Ordinance:

AN ORDINANCE 60,756

AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE DEPARTMENT OF DEFENSE, THROUGH THE DEFENSE LOGISTICS AGENCY, FOR A GRANT UNDER THE COOPERATIVE AGREEMENT PROGRAM TO SHARE IN THE COST OF ESTABLISHING A

PROCUREMENT TECHNICAL ASSISTANCE PROGRAM;
AUTHORIZING ACCEPTANCE OF THE GRANT; AUTHORIZING THE
CREATION OF AN ADMINISTRATIVE ASSISTANT II POSITION
UNDER THIS GRANT; AND AUTHORIZING THE CITY'S SHARE
IN THE COST OF THE PROGRAM.

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* * * *

Mr. Thompson made a motion to approve the proposed Ordinance.
Mr. Hasslocher seconded the motion.

Mr. Kenneth Daly, Director of DEED, stated that the City's One Stop Business Service has been working for the last two years on this project. Their basic goal is to assure that local San Antonio businesses get a larger share of the contracts for goods and services from the Department of Defense. He added that the grant would fund an Administrative Assistant II position to assist local businesses in preparation of bids and related paperwork.

(Mayor Cisneros returned to the meeting and presided.)

Mr. Daly, responding to a question by Mrs. Dutmer, stated that no additional funds other than those included in the FY 1985-86 proposed budget would be required.

Mayor Cisneros requested that Mr. Thompson's committee on business work on this effort with the One Stop Business Service.

In response to a question by Ms. Berriozabal, Mr. Daly stated that the services previously provided by the defunded Minority Contractors' Assistance Program are now being provided by UTSA.

Mayor Cisneros, Mr. Martinez, and Mr. Thompson individually expressed their approval for this program.

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

85-33 The Clerk read the following Ordinance:

AN ORDINANCE 60,757

MANIFESTING AN AGREEMENT TO AMEND AND EXTEND THE
CATERING CONTRACT BETWEEN THE CITY OF SAN ANTONIO

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AND CATERING BY ROSEMARY, INC., AND ACCEPTING A
PROPOSAL FROM CATERING BY ROSEMARY, INC.

* * * *

Mr. Thompson made a motion to approve the proposed Ordinance.
Mr. Harrington seconded the motion.

In response to questions by Ms. Berriozabal and Mr. Martinez,
Mr. Joe Madison, Director of the Convention Center Facilities, briefly
spoke to some of the terms of the agreement.

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

- - -
85-33 The Clerk read the following Ordinance:

AN ORDINANCE 60,758

WAIVING THE FEE FOR THE USE OF THE MUNICIPAL
AUDITORIUM ON SEPTEMBER 1, 1985, IN CONNECTION WITH
THE 1985 MARIACHI FESTIVAL AND CONFERENCE IN SAN
ANTONIO.

* * * *

Ms. Berriozabal made a motion to approve the proposed Ordinance.
Mr. Martinez seconded the motion.

Mr. Archer expressed concern with the number of fee waivers
granted.

Mr. Thompson stated that a fee of \$2,500 is a higher than average
fee waiver request.

Ms. Belle San Miguel Ortiz explained that the Municipal
Auditorium will be used to hold the 1985 Mariachi Festival and
Conference in San Antonio. She stated that this event was originally
initiated by the City Council but has recently been receiving funds from
the business community. She named some of the community sponsors and
stated that the budget for this event will be approximately \$30,000.

Mr. Martinez stated that this group brings in well-known
entertainment to the City.

Ms. Vera spoke of the many fee waivers granted by the Council and stated that waiver guidelines should be established.

Mrs. Dutmer spoke to the dollar amount of fees waived thus far this year and noted that the budget is predicated in part from fees paid to the City.

Mr. Hasslocher spoke against passage of this Ordinance, stating that \$2,500 is too large an amount for the Council to waive.

Mr. Archer proposed an amendment to the motion calling for the waiving of all fees for City-owned facilities. The motion died for lack of a second.

Ms. Berriozabal, Mr. Wing, and Mrs. Dutmer spoke to fee waiver guidelines and their implementation.

Mr. Webb, as Chairman of the Fiesta Commission, stated that the Commission would look into the question of fee waivers and report back to the Council.

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

85-33

STATUS REPORT - REGIONAL WATER RESOURCES STUDY

Ms. Rebecca Cedillo, Assistant Director of the Planning Department, spoke to the Regional Water Resources Study which had been authorized by the City Council and the Edwards Underground Water District Board in November, 1984. She briefly spoke to its progress and the \$600,000 cost.

Mr. Carl Raba, Chairman of the Technical Advisory Committee, advised the Council on the time schedule for presentation of this study to its sponsors, the public, and the five county region. Mr. Raba recognized members of the Technical Advisory Committee and Mr. Tom Fox, from Edwards Underground Water District, who were present in the audience.

Mr. Allan Mauzy gave a brief overview of the type of work which had been accomplished over the last six month period. He stated that data had thus far been collected, analyzed and summarized. He spoke to probable deficit vs. demand on water needs in the future and added that within the next 20-30 years an additional water source would need to be identified to meet the City's demands.

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Mr. Raba stated that the final study would provide dates and quantities needed from alternate water sources in order to meet the City's future demands.

In response to a question by Mrs. Dutmer, Mr. Raba stated that, in his judgement, it would be premature to consider a treatment plant at this time as this study was six months from completion and more detailed information would be available then on which to base Council's future action.

Mayor Cisneros stated that the presentation required more time than could presently be allotted and suggested the Council consider scheduling another briefing on this issue on a day other than Thursday.

By general concensus, the Council tentatively agreed to meet Monday, May 27, 1985 at 5:30 P.M. to hear this issue and work on board appointments.

- - -
85-33 The Clerk read the following Ordinance:

AN ORDINANCE 60,759

CLOSING AND ABANDONING A PORTION OF CITY RIGHT OF WAY, ADJACENT TO LOT 29, NEW CITY BLOCK 8711, AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE TO EXECUTE A QUITCLAIM DEED TO NATIONAL CONVENIENCE STORES INCORPORATED, FOR A CONSIDERATION OF \$10,125.00.

* * * *

Mr. Harrington made a motion to approve the proposed Ordinance. Mrs. Dutmer seconded the motion.

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

- - -
85-33 Agenda Item 5B, being an ordinance closing and abandoning Fratt Road, was pulled earlier from consideration.

85-33

PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE
REPROGRAMMING CDBG FUNDS

Mayor Cisneros declared the Public Hearing to be open.

No citizen appeared to speak.

Mayor Cisneros declared the Public Hearing to be closed.

The Clerk then read the following Ordinance:

AN ORDINANCE 60,760

REPROGRAMMING \$30,000.00 FROM 9TH YEAR CDBG PROGRAM INCOME, HOUSING REHABILITATION LOAN AND PRINCIPAL REPAYMENTS, TO THE SADA EMERGENCY HOUSING REPAIR PROGRAM.

* * * *

Ms. Berriozabal made a motion to approve the proposed Ordinance. Mrs. Dutmer seconded the motion.

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

85-33

DELINQUENT TAX COLLECTION

The City Clerk read a proposed ordinance directing the City Manager to execute a contract with the law firm of Heard, Goggan and Blair for the collection of delinquent ad valorem taxes for the City of San Antonio, said contract providing for a consideration to be paid for such collection services equal to 15% of the amount collected, assessing an additional penalty equal to 15% of the amount of the year in which the taxes become delinquent, and the penalty and interest due thereon, for the purpose of defraying the cost of collection, and providing for notice of the delinquency and the penalty to be sent to taxpayers by the tax assessor-collector through the aforesaid law firm.

Mr. Hasslocher made a motion to approve the proposed Ordinance. Mr. Harrington seconded the motion.

Mayor Cisneros stated that representatives from Communities Organized for Public Service (COPS) had met with him and requested a one

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week postponement for consideration of this item. He added that COPS wanted to assure that certain safeguards would be included that had not been properly addressed and elaborated on these items.

Ms. Marilyn Stubblefield, employee of Heard, Goggan and Blair, explained the firm's policy towards senior citizens and hardship cases.

Dr. Rostam Kavoussi, economist, spoke to whether City tax collections could be improved and the effect of private collection on low income taxpayers. He then distributed charts to the Council which reflected distribution of delinquent taxes, multiple ownership of small parcels on delinquent tax rolls, and delinquent accounts placed on hold due to age or hardship (copies of which are filed with the papers of this meeting).

Ms. Valerie Alvarado, 107 North Drive, spoke against the City 'contracting out' its delinquent tax collection function. She requested that action on this item be postponed until it is thoroughly investigated.

Mr. John Compiere, attorney, spoke in favor of contracting with the firm of Heard, Goggan and Blair.

Ms. Gloria Perez, employee of Heard, Goggan and Blair, spoke to procedures followed to collect taxes from senior citizens, legal aide accounts, payment arrangements for people who owe more than five years worth of taxes and arrangement of payment requests.

Mr. Frank Herrera, 450 Mary Louise, urged a positive vote from the Council on this proposed ordinance.

Ms. Laquita Jones, employee of Heard, Goggan and Blair, spoke to treatment afforded identified hardship cases who are delinquent in their payment of taxes.

Mr. D. Hull Youngblood and Mr. Lupe Zamarripa, attorneys, urged Council to vote for this contract.

Mr. Oliver Heard spoke to improvements his firm brings to tax collection efforts, safeguards that have been built into the contract, makeup of delinquent taxpayers in San Antonio and to other large metropolitan cities in Texas his firm represents.

Mr. Bernardo Eureste spoke against the concept of 'contracting out' the delinquent tax collection effort.

Mr. Charles Gorham spoke in favor of the contract.

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Ms. Helen Ayala, President of COPS, stated that the organization is not against collecting taxes but rather against the Council moving to hire an outside delinquent tax collection firm in such haste. She stressed the need to analyze the current delinquent tax collection operation prior to voting to contract for this service.

Ms. Marcia Welch, Eastside Alliance, stated her opposition to hiring an outside agency to collect delinquent taxes at this time.

Mr. Jose Siller, COPS, spoke to his unpleasant experience with the firm of Heard, Goggan and Blair. He stated that this firm had filed suit against him for taxes he did not owe.

Ms. Margaret de la Torre, COPS, stated that after attending several meetings over the past several days she had not been presented with any concrete statistics to convince her that an outside collection firm was needed.

Ms. Ayala expressed her concern with treatment of the poor during the delinquent tax collection effort.

Ms. Maria Dominguez spoke against the hiring of an outside firm.

Mayor Cisneros spoke in favor of contracting an outside agency to collect the City's delinquent taxes; however, he stated he would like to see several amendments and modifications to the contract.

In response to questions by Mayor Cisneros, Mr. Heard spoke to his firm's handling of hardship cases, procedures used when lawsuits are filed against property owners, and types of property that are normally sold for taxes due.

Mr. Lowell Denton, City Attorney, responding to Mayor Cisneros, stated that wording could be added to the contract to protect a taxpayer, identified as a hardship case, from having to vacate his home for failure to pay taxes.

Mr. Mago Garcia, Tax Assessor & Collector, stated his opinion that the staff could do in-house what the Heard firm proposed to accomplish in the collection effort. He cited percentages and monies collected in previous years.

Mrs. Dutmer explained her objections were not directed at any of the three law firms that had submitted proposals but rather with the method used to determine the 'best qualified' firm. She stated that she had wanted an evaluation-type report from the City Manager and not a recommendation. She cited some figures she had secured from the state on city and county taxes and stated her opinion that the City would do better

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to hire a tax attorney rather than pay a large fee to the Heard firm. She also spoke of a case where a couple over 65 had their home sold for taxes.

Mrs. Dutmer stated that a videotape recording of last week's Council meeting indicated that the Council planned to vote this week on hiring an outside firm for collection of delinquent City taxes, and stated her belief that this idea came from within City government. She spoke of the good delinquent tax collection rate of current City staff, and spoke to political contributions made by attorneys in the firm of Heard, Goggan and Blair.

In response to a question by Mr. Webb, Mr. Louis J. Fox, City Manager, spoke of the need to collect as much of the delinquent tax total as possible, and expressed his belief that an outside firm can do a better job. He explained what is required to improve on the collection record of City staff, noting that it would require acquisition of additional software.

Mr. Webb voiced his concern with absentee landlords in District 2 and the need to do something about their properties.

Mr. Fox stated that some 21 per cent of San Antonio property is owned by persons living outside San Antonio.

In response to a question by Mr. Webb, Mr. Heard stated that some 15 per cent of the delinquent City tax cases involve so-called 'hardship' cases. He then invited representatives of Communities Organized for Public Service to take part in a special committee to deal with drafting of guidelines which would serve to protect these hardship cases in San Antonio.

Ms. Vera stated her belief that she had received conflicting data from City staff on this matter, and was not convinced of the need for an outside tax collector. She spoke in favor of postponing action today in order to allow more time to study the contract involved.

(At this point, Mayor Cisneros was obliged to leave the meeting. Mr. Archer presided.)

In response to a question by Mr. Martinez, Mr. Denton provided details of the proposed contract and its preparation, including guidelines provided for handling of hardship tax cases. He stated that the City Council must approve criteria for exempting certain taxpayers from foreclosure, stating his opinion that it exemplifies the sensitivity of present City staff and its policies. He then spoke to the cancellation provisions of the contract and collection procedures involved.

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(Mayor Cisneros returned to the meeting and presided.)

Mr. Martinez expressed concern with the amount of misinformation presented and with allegations made against him regarding his anticipated vote on this issue.

Ms. Berriozabal expressed her belief that the Council lacked sufficient data with which to make an informed decision. She quoted figures with regard to our collection of taxes cited in the Official Statement of the City of San Antonio, Texas which had recently been used in presentations in New York City. She spoke to several issues brought up during the discussion and elaborated on each one.

Ms. Berriozabal made a substitute motion to postpone decision on this issue for one year. Mrs. Dutmer seconded the motion.

The motion to postpone failed to carry by the following vote:
 AYES: Berriozabal, Dutmer; NAYS: Webb, Wing, Martinez, Thompson, Vera, Archer, Cisneros; ABSENT: Harrington, Hasslocher.

Mrs. Dutmer then made a substitute motion to postpone consideration of this issue until May 30, 1985. Ms. Berriozabal seconded the motion.

A discussion by several Council members followed on the feasibility of postponing consideration of this Ordinance for one week, safeguard provisions to the contract, and selective confiscation of property for non-payment of taxes.

The motion to postpone consideration of this case for one week prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Thompson, Vera, Cisneros; NAYS: Wing, Martinez, Harrington, Archer; ABSENT: Hasslocher.

Mr. Heard requested the authority to obtain from City records the information his firm would need to prepare the delinquent tax notices in anticipation of next week's vote.

Mr. Thompson made a motion to allow Oliver Heard the authority to have access to City records necessary to prepare delinquent tax mailouts for use after May 30, 1985. Mr. Harrington seconded the motion.

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

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85-33

PUBLIC HEARING - FLUORIDATION

Mayor Cisneros opened the Public Hearing.

Dr. Louis Tomaino, Dean of the Worden School of Social Service, spoke to his interest in the oral health of the community and stated that an overwhelming number of health, public service, and other community organizations favor fluoride in the City's water supply.

Mr. Colin Kauffman, from St. Mary's University School of Law, addressed some of the issues brought up by individuals in opposition to fluoridation.

Dr. Frank Harrison, University of Texas Health Science Center (UTHSCSA), stated that the addition of fluoride to the water will enhance quality of life for the citizens of San Antonio.

Dr. Eleanor Young, UTHSCSA, stated that from a nutritional prospective, fluoride is an essential nutrient and citizens of San Antonio need to receive it in required amounts.

Dr. Bill Stavinoha, UTHSCSA, stated that the addition of fluoride to the drinking water is a safe and effective process.

Dr. William Kniker, UTHSCSA, stated that he strongly supported the move to fluoridate the drinking water.

Dr. Michael Capps spoke in support of fluoride.

Dr. Randy Preissg, Bexar County Medical Society, spoke in support of fluoride and reported that there was no documented evidence of harmful effects from fluoride.

Dr. Richard G. Rouse, President of the American Heart Association, stated that there is no evidence to link fluoride with coronary heart disease.

Drs. Marilyn Escobedo, Edward Masaro, Guy Newell, Milton Marshall, Jeffrey Weiss, and Barbara Boyd, specialists in their respective fields, spoke in support of fluoride.

Tom Reeves, Center for Disease Control, Atlanta, GA., stated that he had inspected the San Antonio water system and found it easy to fluoridate.

Dr. Dominich DePaola, dentist, stated that fluoride is the single most cost effective public health measure to fight tooth decay and urged fluoridation of the City's water supply.

Dr. John Brown, dentist, read from a prepared statement which cited details of his research on the dental effects of water fluoridation (a copy of his statement is made a part of the papers of this meeting.).

A number of community leaders, representing different organizations, businesses, and agencies within the City of San Antonio, spoke to their positive support of the proposed fluoridation ordinance. These leaders included the following individuals: Jimmy Vasquez, Superintendent of the Edgewood Independent School District; Ms. Blanche Russ, Parent Child, Inc.; Rose Valdez, Greater San Antonio Chamber of Commerce; Juan Reyna, Mexican-American Physicians' Association, Richard Ecklund, San Antonio Dental Society; Edmund Morris; Andy Deal; Glen Petersen, AFGE; Ray Ramirez, LULAC; Pauline Ruhnke, San Antonio Oral Health; Lupe Torres-Venema, San Antonio Housing Authority, and Rev. John Roen, Greater Community of Churches of San Antonio.

Dr. Robert Berstein, Commissioner of Health for the State of Texas, stated that fluoride is a safe and effective public health measure and noted that San Antonio is the only major city in Texas that does not add fluoride to its water.

Dr. Robert Mecklenburg, Assistant Surgeon, U. S. Public Health Service and Chief Dental Officer, Rockville, MD, read from a prepared statement (a copy of which is filed with the papers of this meeting) in which he expressed his support of fluoridation and spoke to the years of study which have strengthen the belief that fluoridation is extremely safe and even more effective than first believed.

Dr. Fernando Guerra, Barrio Comprehensive Health, stated that daily he sees a significant number of children and adults with rampant dental caries and other mouth diseases and spoke in support of of fluoridation.

Mayor Cisneros requested those individuals present in the audience who favored fluoridation but had not addressed the Council to stand and be recognized.

Mayor Cisneros stated that Mr. Harrington desired a 'test vote' today and final action on an Ordinance at next week's Council meeting.

Mr. C.A. Stubbs, President, Homeowners Taxpayers Association of Bexar County, stated his belief that fluoridation represents an economic burden upon the taxpayer, and spoke of the need for a cost/benefit analysis on this matter. He noted that much of the fluoridated water really is not swallowed but rather lost in such things as lawn-watering. He stated that figures reveal that San Antonio uses some 62 billion gallons of water each day, and only a small portion is actually consumed

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by citizens. He stated his belief that fluoride should be dispensed to citizens in another manner.

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

Mr. Andrew Billie, 330 Goodhue, states his contention that San Antonio does not have to copy other cities in the matter of fluoridation of its water supply, and that neglect of proper hygiene is the main cause of tooth decay. He spoke against fluoridation of the City water supply.

Mr. Karl Wurz, 820 Florida, spoke against fluoridation of the water supply.

Mr. E. L. Richey, 1118 W. Craig, stated his belief that anyone who desires fluoride can purchase it themselves, and asked that the citizens be allowed to vote on this matter.

Ms. Bonnie Sunvision, 142 Harcourt, stated her belief that fluoride did not prevent cavities in her case, and noted that the Mayor already had endorsed its addition to the water supply.

Ms. Maria Dominguez, 250 Freiling, stated her belief that the City cannot afford to fluoridate the water supply, and asked that the matter of water pollution be cleared up, first.

Mr. E. H. Owings, 13798 FM 471W, noting that he is allergic to some chemicals, stated his contention that the City can find better ways to spend its money than by fluoridating the water supply.

Ms. Monica Lisa, 310 Northvalley, stated that there are two sides to this issue, and it should be put to a vote by the citizens.

Pastor John M. Bell, 3015 Gainesborough, asked that the City's water supply be left pure and unadulterated, stating his belief that fluoridation is not the cure to decay in teeth. He spoke to statistics showing a greater amount of tooth decay in areas where the water supply is fluoridated, and urged that the citizens be given the right to vote on this matter.

Ms. Ruth Bell, 3015 Gainesborough, asked that the water supply be protected, and spoke against fluoridation.

Ms. Mary C. Newell, 1234 Avant, spoke against fluoridation of the City's water supply.

Ms. Norma Taylor, 708 Everest, quoted from a medical journal that stated that fluoride has no effect upon incidents of osteoporosis. She also contended that fluoride mottles teeth.

Mr. Curtis Bell, 910 San Pedro, asked for an environmental impact study of the effects of fluoridation before it is added to the water supply, noting that a number of things harm teeth.

Mr. Lawrence E. Magnuson, P. O. Box 1334, spoke against fluoridation of the water supply.

Ms. Mary Hicks, 315 Ware, stated her belief that fluoride is not an essential element for the human body, and spoke against mass medication of the public by adding fluoride to the water supply. She spoke to statistics on water consumption in San Antonio, and stated her belief that personal medication is a matter to be decided by each individual citizen.

(Mayor Cisneros returned to the meeting and presided.)

Ms. Chris Bressan, 3731 Mary Mont, stated that it should be each individual's choice on whether or not to take fluoride.

Mr. Gene Hicks, 315 Ware, noted that 12 Nobel Prize winners have come out in opposition to fluoridation of water supplies, and stated his belief that fluoride is good for younger children only, those who make up only 20 per cent of the population. He spoke of the work involved in adding fluoride to water, much of which is lost and not consumed by citizens, and urged that fluoride be given only to those who want it.

Ms. Theresa Doyle, 8202 Brixton, stated her opinion that fluoridation of the water supply violates her free will.

Mr. Alex Snead, 126 E. Ridgewood, noted that legislation is now before Congress to outlaw fluoridation of public water supplies, and stated that three-fourths of the Texas electorate has voted against adding fluoride to public water supplies.

Dr. Eva Lee Snead, 126 E. Ridgewood, stated her opinion that backers of the move to fluoridate the public water supply are not telling the truth in their testimony, and spoke to alleged erroneous data used in one such medical study. She asked the City Council to fund a laboratory study of fluoride in the food supply.

Mr. Jack deVault, 2012 Hickory Hill, stated his opinion that the question now before the Council is whether or not the Council has the right to medicate the citizens, and spoke in question as to who benefits from fluoridation of the public water supply.

Mr. Robert Cernie, 2319 Clower, spoke against fluoridation of the water supply.

Mr. Tom Walsh stated that his figures indicate that fluoride costs some \$8.99 for 100 tablets.

Dr. Albert W. Burgstahler, University of Kansas, made a brief slide presentation on the effects of fluoride, and spoke to the gradual decline of tooth decay in the public over the past 15 years without fluoridation of public water supplies involved. He stated his opinion that adding fluoride to the water supply is of no benefit, and spoke to medical studies involving the incidents of tooth-mottling in areas where water supplies are fluoridated. He spoke to one specific study from New Zealand, stating that the study showed that the mottling was linked to the fluoridated water supply. He spoke to other side-effects of fluoridation, and spoke of cases of adverse impact upon flowers and hamsters. He stated his belief that there is much adverse evidence to fluoridation of public water supplies.

Mayor Cisneros requested all those individuals who were present in the audience who were against fluoridation but did not address the Council to stand in place and be recognized.

Mayor Cisneros declared the Public Hearing to be closed.

Mr. Harrington stated that he respects all positions in this matter, and spoke to the need for a public debate on this. He spoke against holding a referendum on fluoridating the water supply because it would cost some \$200,000 in city tax funds to conduct. He then spoke of his conviction of the benefits of fluoridation, noting that many persons are either too poor or uninformed to afford fluoride. He urged that all citizens consult their dentists or physicians about this matter, and noted that at least 20,000 studies have been conducted around the world on fluoride. He stated that some 115 million Americans today are drinking fluoridated water, and spoke to the estimated costs of adding fluoride to the San Antonio water supply. He stated his belief that fluoride is safe in municipal water supplies.

In response to a question by Mr. Harrington, Dr. Preissig noted that no medical school in the United States supports statements made by anti-fluoride presenters, and further noted that some 50,000 medical articles have been written on fluoridation.

Mr. Harrington made a motion to direct preparation of an ordinance for next week's City Council meeting directing the City Water Board to implement the addition of optimum levels of fluoride to the water supply. Mr. Hasslocher seconded the motion.

Mrs. Dutmer made a substitute motion to bring back an ordinance calling for a referendum on fluoridation. Mr. Archer seconded the motion.

Mrs. Dutmer took exception to government prescribing fluoridation. She spoke of preserving the freedom of choice to citizens of San Antonio by allowing them their personal right to vote on what is added to the water supply. She stated that it is her belief that forced medication under any circumstances will not be tolerated by the citizens of San Antonio. She added that good teeth result from good dental hygiene and good nutrition.

Mr. Thompson stated that he did not favor fluoridation of the water supply. He added that many of his constituents fear having fluoride added to the water and the issue has created much anxiety.

Ms. Vera stated that she would have an independent poll conducted in District 7 before making a final decision on this issue, however, preliminary feedback from her constituents indicated their acceptance of adding fluoride to the water. She spoke to several questions which she felt should be addressed prior to her making a decision.

Mr. Martinez stated that he had extensively researched this issue and spoke of the many studies conducted on fluoride.

Drs. Burgstahler, Preissg, and Brown responded individually to questions raised by Mr. Martinez.

Mr. Archer expressed concern that Council would decide the fluoridation issue. He stated his contention that this issue should be put on a referendum.

Ms. Berriozabal spoke to the different views that had been offered and to her concerns with some of the statements that were made. She stated that the Council, as a governmental body, has a responsibility to make decisions for the public on this issue just as it does on other issues that affect the citizens of San Antonio. She further stated that there is strong support in her district for fluoridated water.

Mrs. Dutmer warned that studies are not always accurate and can be affected by the personal preferences of the individual researchers.

The substitute motion to call a referendum failed to carry by the following vote: AYES: Webb, Dutmer, Archer; NAYS: Berriozabal, Wing, Martinez, Thompson, Vera, Harrington, Hasslocher, Cisneros; ABSENT: None.

The main motion to prepare an ordinance to implement the addition of fluoride to the water supply prevailed by the following vote: AYES: Berriozabal, Wing, Martinez, Vera, Harrington, Hasslocher, Cisneros; NAYS: Webb, Dutmer, Thompson, Archer; ABSENT: None.

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85-33 The Clerk read the following Ordinance:

AN ORDINANCE 60,761

ACCEPTING THE BID OF MOTOROLA, INC., TO FURNISH THE CITY OF SAN ANTONIO WITH A MOBILE DIGITAL TERMINAL SYSTEM FOR A TOTAL OF \$78,414.

* * * *

Mr. Hasslocher made a motion to approve the proposed Ordinance. Mrs. Dutmer seconded the motion.

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

85-33 The Clerk read the following Ordinance:

AN ORDINANCE 60,762

ACCEPTING THE BID OF SOUTH TEXAS CONSTRUCTION, INC., IN THE AMOUNT OF \$892,185.60 FOR THE CONSTRUCTION OF THE JACKSON-KELLER BRIDGE AT THE OLMOS CREEK; PROVIDING A CONSTRUCTION CONTINGENCY IN AN AMOUNT OF \$62,452.99; APPROVING A CONTRACT; PROVIDING FOR PAYMENT; AUTHORIZING FIELD ALTERATION #8 OF THE OLMOS/ROCK CREEK DRAINAGE PROJECT #88 PHASE II, AND #87 AND PROVIDING A \$456,665.50 CREDIT TO THE JACKSON KELLER BRIDGE PROJECT.

* * * *

Mr. Hasslocher made a motion to approve the proposed Ordinance. Mrs. Dutmer seconded the motion.

In response to questions by Mrs. Dutmer, Frank Kiobassa, Director of Public Works, stated that it is not feasible to construct a by-pass during work on this project and noted that this is a time-certain contract.

Mr. Archer stated that, after meeting with individuals that will be affected by this project, it was agreed to delay work until June 1 in order to minimize disruption to businesses.

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

85-33 The Clerk read the following Ordinance:

AN ORDINANCE 60,763

AUTHORIZING THE CITY MANAGER TO EXECUTE A FINANCIAL AGREEMENT WITH VIA METROPOLITAN TRANSIT, WHICH SETS FORTH CERTAIN PROCEDURES FOR DISBURSING AND ADMINISTERING FUNDS AVAILABLE THROUGH VIA FROM THE URBAN MASS TRANSPORTATION ADMINISTRATION, GRANT NO. TX-05-0088, TO THE CITY OF SAN ANTONIO IN THE AMOUNT OF \$645,074.00 TO BE UTILIZED BY THE CITY FOR ENGINEERING AND CONSTRUCTION ON CERTAIN TRANSIT ROUTES ON CITY STREETS.

* * * *

Mr. Hasslocher made a motion to approve the proposed Ordinance. Mr. Archer seconded the motion.

A brief discussion by several council members followed. They expressed concerns with conditions of streets on bus routes in their districts and discussed the criteria used to select the streets that will be repaired.

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

85-33 The Clerk read the following Ordinance:

AN ORDINANCE 60,764

SETTING A PUBLIC HEARING AT 3:00 P.M. ON JULY 3, 1985, TO CONSIDER USING A PORTION OF MCALLISTER PARK TO CONSTRUCT A POLICE SUBSTATION.

* * * *

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mlr

Mr. Hasslocher made a motion to approve the proposed Ordinance. Mr. Thompson seconded the motion.

Mr. Archer spoke against placing a police substation at McAllister Park and in favor of putting it at the International Airport.

Mr. Hasslocher stated that the substation would be constructed on the southern boundary of the park off Jones-Maltsberger Road.

City Manager Louis J. Fox stated that covenants on the airport agreement prohibit the use of airport property for other than airport uses. He added that McAllister Park was considered because the bond issue did not provide for any land acquisition.

Ron Darner, Director of Parks & Recreation, stated that unanimous agreement of the McAllister Park site had been reached by everyone concerned.

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

- - -
85-33 Agenda Item No. 51, being a discussion on the acquisition and installation of the Tillett Tapestry in the Convention Facilities expansion area, was withdrawn earlier from consideration.

- - -
85-33 The Clerk read the following Ordinance:

AN ORDINANCE 60,765

BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS, RELATING TO THE ISSUANCE AND SALE OF "CITY OF SAN ANTONIO, TEXAS, GENERAL IMPROVEMENT BONDS, SERIES 1985", INCLUDING THE APPROVAL AND DISTRIBUTION OF AN "OFFICIAL NOTICE OF SALE" AND "OFFICIAL STATEMENT"; AND DECLARING AN EMERGENCY.

* * * *

Mr. Hasslocher made a motion to approve the proposed Ordinance. Mr. Thompson seconded the motion.

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

Wing, Martinez, Thompson, Vera, Harrington, Archer, Hasslocher, Cisneros;
 NAYS: None; ABSENT: Webb, Dutmer.

85-33 The Clerk read the following Ordinance:

AN ORDINANCE 60,766

AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO
 EXECUTE A QUITCLAIM DEED TO GRAHAM L. BURRIS,
 CONVEYING LOT 31, NEW CITY BLOCK 14214, FOR A
 CONSIDERATION OF \$1.00.

* * * *

Mr. Hasslocher made a motion to approve the proposed Ordinance.
 Mr. Wing seconded the motion.

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

85-33 The Clerk read the following Resolution:

A RESOLUTION NO. 85-33-56

URGING THE TEXAS STATE DEPARTMENT OF HIGHWAYS AND
 PUBLIC TRANSPORTATION TO RENAME A PORTION OF THE PAN
 AMERICAN EXPRESSWAY TO WATER PARK DRIVE AND TO POST
 SIGNS NEAR THE SITE ADVISING TOURISTS OF THE
 ATTRACTION.

* * * *

Mr. Hasslocher made a motion to approve the proposed Resolution.
 Ms. Berriozabal seconded the motion.

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

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85-33 TRAVEL AUTHORIZATION - Approved.

Mayor Henry Cisneros to travel to Japan, Taiwan and Korea from June 1, 1985 to June 16, 1985 to participate in the Corridor Investment Mission.

85-33 POLICE SUBSTATION

Mr. Wing stated that three acres of land on the southside were now available for development and he would like to have them considered for construction of a southside police substation.

Mayor Cisneros stated that a public hearing would have to be set.

Mr. Wing made a motion to place an item on a future agenda setting a public hearing to consider use of available land on the southside for a police substation. Mr. Thompson seconded the motion.

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

There being no further business to come before the City Council, the meeting was adjourned at 10:38 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