

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, JANUARY 28, 1982.

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

82-04 The invocation was given by Father Joseph Deane, Pastor, St. Ann's Catholic Church.

82-04 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

82-04 The minutes of the meeting of January 21, 1982 were approved.

82-04 HONORARIUM TO PETER MOLINA

Mayor Cisneros read the following Honorarium:

In recognition of the heroic actions of Peter Molina in saving the lives of several persons during a fire on Tuesday, January 5, 1982.

Fifteen-year old Peter Molina, playing football in the street with his brothers, saw some children running out of a house, sensing the impending danger, unhesitatingly raced inside the burning home, shoved open the bedroom door and grabbed one youngster as the mother, Mrs. Gorena, picked up the infant. Both ran out the door seconds before an explosion engulfed the house in flames.

The City Council officially commends Peter Molina for his bravery, quick thinking and decisive action which resulted in the saving of several lives.

Mayor Cisneros presented the Honorarium to Peter Molina, who thanked the Council for the award.

82-04 RESOLUTION OF APPRECIATION

THOMAS E. HUEBNER

The following Resolution of Appreciation was read by Mayor Cisneros:

WHEREAS, Mr. Thomas E. Huebner has served the City of San Antonio as its Chief Administrative Officer for the past five years, and

WHEREAS, under his leadership and direction, the Municipal Government has been realigned to more effectively and efficiently serve the citizens of San Antonio, and

WHEREAS, his devotion to the principles of Council-Manager government has strengthened the effectiveness of this form of government that has served San Antonio for three decades, and

January 28, 1982

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WHEREAS, during his tenure as City Manager, the City of San Antonio has forged a thoughtful, unique and lasting good relationship with many agencies of the federal government through understanding, diligence and hard work, and

WHEREAS, one result of this bond linking San Antonio with the federal government has been the well-planned development of the downtown area of the City, including the redevelopment of many areas where this unique partnership is vital to success, and

WHEREAS, Mr. Huebner has brought to his position as City Manager a new dimension of professional competence, which reflects great credit upon the City of San Antonio;
NOW, THEREFORE:

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

That Mr. Thomas E. Huebner be commended for his leadership of this community during a critical stage in its history, and the City Council expresses its appreciation for a job well done, at the same time wishing him every success in his future endeavors.

Councilwoman Dutmer moved to approve the Resolution.
Councilman Hasslocher seconded the motion.

Councilman Hasslocher offered special thanks to Mr. Huebner.

Councilwoman Dutmer expressed high commendation for his extraordinary job.

Councilman Harrington expressed his appreciation for his sensitivity and answers to questions that he confronted him with.

Mayor Cisneros stated some of Mr. Huebner's significant accomplishments such as the high degree of professionalism on the City staff, Modern City Management Techniques, EEO, Budget and Research, Project Management, and for his good judge of character.

Mr. Wing also expressed his thanks and quoting from Shakespeare "The noble Cesar did his job too well."

Councilman Eureste thanked him for the revitalization of the downtown area and the type of administration which is a credit to out-going City Manager, Thomas E. Huebner.

Councilman Thompson stated that Mr. Huebner acted in the best interest of the City and liked his clarity of purpose.

Mr. Huebner then expressed his appreciation to everyone and stated that these 5 years had been extraordinary. He then quoted from his favorite song "some days are diamonds, some days are stones, today was a day of diamonds".

On voice vote, the motion to approve the Resolution carried by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Harrington, Archer, Hasslocher, Cisneros.
NAYS: None. ABSENT: None.

82-04 Mayor Cisneros and Council welcomed Ms. Bedford, Teacher at St. John's School and her class of second graders.

January 28, 1982
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The Clerk the following Ordinance:

AN ORDINANCE 54,812

AN ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF SAN ANTONIO, TEXAS, PRIOR LIEN SEWER SYSTEM REVENUE BONDS, SERIES 1982

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Councilman Hasslocher moved to approve the Ordinance. Mr. Harrington seconded the motion.

Mr. Carl L. White, Director of Finance Department, stated that seven bids had been received for the 15 million Sewer System Revenue Bonds, Series 1982. The lowest bid was 12.557 and the highest was 12.715, thus Mr. White recommended the acceptance.

Councilman Eureste briefly, spoke of his trip to New York. He stated that the main concern of the bonding company was how strongly San Antonio would support the continued construction of the Wastewater system even if federal funds are cut. He also spoke of the difficulty of rating sewer bonds because of there priorities.

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

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82-04 CONSENT AGENDA

Councilwoman Dutmer moved that items 4-36 constituting the consent agenda be approved with the exception of items 15, 17, 21, and 34 to be pulled for individual consideration. Councilman Thompson seconded the motion.

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

AN ORDINANCE 54,813

ACCEPTING THE LOW BID OF THE PLETZ CORPORATION TO FURNISH THE CITY OF SAN ANTONIO WITH THE PRINTING OF THE NEWSLETTER "BESIDES THE ALAMO" FOR A NET TOTAL OF \$3,571.56.

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AN ORDINANCE 54,814

ACCEPTING THE PROPOSAL OF SVE SINGER TO FURNISH THE CITY OF SAN ANTONIO WITH FILM STRIPS/ CASSETTES FOR A NET TOTAL OF \$5,575.00 PLUS SHIPPING AND HANDLING.

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AN ORDINANCE 54,815

ACCEPTING THE PROPOSAL OF OSCAR B. STISKIN (ULVERSCROFT LARGE PRINT BOOKS) TO FURNISH THE CITY OF SAN ANTONIO WITH LIBRARY BOOKS FOR A NET TOTAL OF \$7,022.00.

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AN ORDINANCE 54,816

ACCEPTING THE LOW QUALIFIED BID OF RESEARCH TECHNOLOGY INTERNATIONAL TO FURNISH THE CITY OF SAN ANTONIO WITH A FILM INSPECTION MACHINE FOR A TOTAL OF \$13,535.00, LESS 1%-10 DAYS.

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AN ORDINANCE 54,817

ACCEPTING THE LOW BIDS OF LAW ENFORCEMENT EQUIPMENT COMPANY AND SARGENT-SOWELL, INC. TO FURNISH THE CITY OF SAN ANTONIO WITH REVOLVERS AND SHOTGUNS FOR A NET TOTAL OF \$4,689.90

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AN ORDINANCE 54,818

ACCEPTING THE LOW QUALIFIED BID OF CARLSON CLEANING EQUIPMENT TO FURNISH THE CITY OF SAN ANTONIO WITH A HIGH PRESSURE CLEANER FOR A TOTAL OF \$6,480.00, LESS 1%-10 DAYS.

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AN ORDINANCE 54,819

ACCEPTING THE LOW QUALIFIED BIDS OF AYERS DISTRIBUTING COMPANY AND CENTURY PAPERS, INC., TO FURNISH THE CITY OF SAN ANTONIO WITH FLOOR MACHINES FOR A TOTAL OF \$6,795.74

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AN ORDINANCE 54,820

ACCEPTING THE LOW BIDS OF ALAMO IRON WORKS AND OTTO DUKES MACHINERY CO., TO FURNISH THE CITY OF SAN ANTONIO WITH CARPENTER SHOP EQUIPMENT FOR A TOTAL OF \$7,215.00.

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AN ORDINANCE 54,821

ACCEPTING THE LOW QUALIFIED BID OF THE EASTMAN KODAK COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH A MICRO-FILMER AND ACCESSORIES FOR A NET TOTAL OF \$12,218.00

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AN ORDINANCE 54,822

ACCEPTING THE PROPOSAL OF CENTRAL DISTRIBUTING COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH REPAIR PARTS FOR THE ARENA TELESCOPIC PLATFORMS FOR A NET TOTAL OF \$14,346.78.

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AN ORDINANCE 54,823

ACCEPTING THE LOW BID OF BARKER SUPPLY TO FURNISH THE CITY OF SAN ANTONIO WITH GASOLINE POWERED BRUSH CUTTERS AND CHAIN SAWS FOR A TOTAL OF \$29,562.29, LESS 3%-10 DAYS.

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AN ORDINANCE 54,824

ACCEPTING THE LOW BID OF PLAINS MACHINERY COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH A MOTOR GRADER FOR A TOTAL OF \$41,107.00.

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AN ORDINANCE 54,825

AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH BROWN ENGINEERING CO., FOR SERVICES ON THE TOEPPERWEIN INDUSTRIAL PARK OFF-SITE SANITARY SEWER PROJECT AND AUTHORIZING PAYMENT OF THE SUM OF \$5,000.00.

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AN ORDINANCE 54,826

APPROPRIATING AN ADDITIONAL \$1,150.00 FOR ENGINEERING SERVICES ON THE BROADVIEW SANITARY SEWER OFF-SITE MAIN PROJECT.

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AN ORDINANCE 54,827

AUTHORIZING AN INCREASE IN THE CONSTRUCTION CONTINGENCY AMOUNT FOR THE LA VILLITA RECONSTRUCTION- PHASE II PROJECT AND AUTHORIZING TRANSFER OF \$36,000.00 THEREFOR FROM LA VILLITA APPROPRIATED OPERATING FUNDS IN THE GENERAL FUND.

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AN ORDINANCE 54,828

AMENDING AND EXTENDING FOR TWO ADDITIONAL ONE SEASON PERIODS THE EXISTING CONTRACTS WITH JUAN S. SANCHEZ AND MARCENT CONCESSIONS TO FURNISH THE CITY WITH FOOD AND BEVERAGE CONCESSIONS AT ROOSEVELT AND SAN PEDRO MUNICIPAL SWIMMING POOLS.

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AN ORDINANCE 54,829

ESTABLISHING THE TERMS AND CONDITIONS FOR SHORT TERM LEASING OF THE ARNESON RIVER THEATER, THE COS HOUSE, PLAZA NUEVA, PLAZA NACIONAL, PLAZA JUAREZ AND FOR EQUIPMENT TO BE USED THEREIN; AND ESTABLISHING MINIMUM RENTAL RATES THEREFORE, AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNATE TO EXECUTE SUCH LEASES ON BEHALF OF THE CITY.

AN ORDINANCE 54,830

AUTHORIZING THE CITY MANAGER TO EXECUTE AN ASSIGNMENT OF EASEMENT; MAKING AND MANIFESTING AN AGREEMENT BETWEEN THE CITY AND MOBIL PIPE LINE COMPANY FOR RELOCATION OF PRODUCTS LINE; AND AUTHORIZING THE PAYMENT OF ACTUAL COST \$50,319.00 ALL IN CONNECTION WITH ST. HEDWIG DRAINAGE PROJECT #114B.

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AN ORDINANCE 54,831

AUTHORIZING EXPENDITURE OF THE SUM OF \$810.00 OUT OF 1980 BOND FUNDS FOR THE PURPOSE OF ACQUIRING TITLE TO CERTAIN LANDS; AND ACCEPTING THE DEDICATION OF TITLE TO CERTAIN LANDS; ALL TO BE USED IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS.

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AN ORDINANCE 54,832

ACCEPTING THE DEDICATION OF TITLE AND/OR EASEMENTS TO CERTAIN LANDS; ACCEPTING AN AGREEMENT AND A RIGHT OF ENTRY AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAME; ALL TO BE USED IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS.

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AN ORDINANCE 54,833

AUTHORIZING THE CITY MANAGER TO EXECUTE A SPECIAL WARRANTY DEED CONVEYING A TRACT OF SURPLUS CITY-OWNED PROPERTY TO MARTIN D. PALMER FOR A CONSIDERATION OF \$800.00.

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AN ORDINANCE 54,834

AUTHORIZING PAYMENT OF REFUNDS TO PERSONS MAKING OVERPAYMENTS OR DOUBLE PAYMENTS ON 28 TAX ACCOUNTS.

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AN ORDINANCE 54,835

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

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AN ORDINANCE 54,836

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

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AN ORDINANCE 54,837

ACCEPTING THE HIGH BID (S) RECEIVED IN CONNECTION WITH \$15,000,000 IN CITY FUNDS AVAILABLE FOR DEPOSIT IN INTEREST-BEARING CERTIFICATES OF DEPOSIT.

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AN ORDINANCE 54,838

AUTHORIZING RENEWAL OF THE CITY'S COMPREHENSIVE GENERAL LIABILITY INSURANCE PROGRAM.

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AN ORDINANCE 54,839

AMENDING CHAPTER 38 (TRAFFIC REGULATIONS) OF THE CITY CODE SETTING FORTH LOCATIONS AT WHICH ELECTRIC TRAFFIC CONTROL SIGNALS ARE IN FULL OPERATIONS; DESIGNATING STOP SIGN LOCATIONS; DESIGNATING YIELD RIGHT-OF-WAY LOCATIONS; SETTING MAXIMUM SPEED LIMITS ON CERTAIN STREETS; PROHIBITING PARKING AT ALL TIMES ON CERTAIN STREETS; AND PROVIDING THAT VIOLATIONS HEREOF BE PUNISHABLE BY A FINE OF NOT LESS THAN \$1.00 NOR MORE THAN \$200.00.

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AN ORDINANCE 54,840

AUTHORIZING THE PAYMENT OF ANNUAL DUES INCLUDING LEGAL ASSESSMENT IN THE AMOUNT OF \$3,421.33 TO THE ASSOCIATION OF METROPOLITAN SEWERAGE AGENCIES.

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AN ORDINANCE 54,841

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE MISSOURI-KANSAS-TEXAS RAILROAD COMPANY WHEREBY THE CITY SHALL BE GRANTED THE RIGHT TO USE A PORTION OF RAILROAD RIGHT OF WAY AS A TEMPORARY PEDESTRIAN AND VEHICULAR PUBLIC CROSSING FROM 7 A.M. UNTIL 7 P.M. ON FEBRUARY 12, 1982.

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82-04

The Clerk read the following Ordinance:

AN ORDINANCE 54,842

EXTENDING THE CONTRACT OF HONEYWELL INC., TO FURNISH THE CITY OF SAN ANTONIO AND THE TOWER OF THE AMERICAS WITH FULL MAINTENANCE OF HONEYWELL TEMPERATURE CONTROL EQUIPMENT FOR A NET TOTAL OF \$40,562.00.

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Councilwoman Dutmer moved to approve the Ordinance. Councilman Thompson seconded the motion.

January 28, 1982

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

82-04 The Clerk read the following Ordinance:

(17) AN ORDINANCE 54,843

ACCEPTING THE LOW BID OF DAVIS TRUCK AND EQUIPMENT COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH GARBAGE COLLECTION BODIES FOR A NET TOTAL OF \$271,830.00.

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Mr. Hasslocher moved to approve the Ordinance. Mr. Wing seconded the motion.

In response to a question by Mr. Thompson as to why the City was buying more equipment and at the same time talking of not picking up the trash from the alleys, Mr. John Brooks, Director of Purchasing and General Services Department, replied that the trash in the alleys will be pick-up and that these particular vehicles were smaller in size and economical. Mr. Hasslocher stated that he and Mr. Frank Kiolbassa, Director of Public Works had visited the landfills and at the same time had the opportunity to see the new trucks and agree that they will be an asset to the City.

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

82-04 The Clerk read the following Ordinance:

AN ORDINANCE 54,844

AUTHORIZING JOE CONRAD, D/B/A 19th HOLE GOLF CENTER TO SUBLET TO LONE STAR BMX RACEWAY, INC., A 4.39 ACRE PARCEL OF CITY OWNED PROPERTY LEASED TO MR. CONRAD BY ORDINANCE 47362 NOVEMBER 11, 1976.

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Councilman Hasslocher moved to approve the Ordinance. Councilman Wing seconded the motion.

Mr. Ron Darner, Director of Parks and Recreation, stated that he had received several complaints of noise. Mr. Darner does not feel that the noise level is extreme. Mr. Darner recommended a one (1) year lease to give time to Mr. Chankin to find a more permanent home for these people, a program that they can live with.

Mrs. Ida Kenny spoke in opposition to the renewal of the lease stating that the noise was a nuisance, and asked for the denial of a renewal.

Mr. Roland Chankin, owner of Lone Star BMS Raceway, stated that they had tried to cooperate with citizens, and asked that Parks help them look for another site, also asked that a one year lease be approved.

Councilman Archer made a substitute motion to deny the Ordinance and Councilwoman Dutmer seconded the motion. On roll call the motion

January 28, 1982

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

Councilwoman Dutmer then made a substitute motion to allow a 90-day lease & turn the sound down to minimal, and reduce speakers to two. Councilman Harrington seconded the motion. On roll call the motion passed by the following vote: AYES: Berriozabal, Dutmer, Wing, Eureste, Thompson, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Webb, Alderete.

After further discussion Councilman Archer made an amendment to grant a 90-day period and reduce speakers to one. Councilwoman Berriozabal seconded the amendment to the motion. On roll call the amended motion failed by the following votes: AYES: Thompson, Archer; NAYS: Berriozabal, Dutmer, Wing, Eureste, Harrington, Hasslocher, Cisneros; ABSENT: Webb, Alderete.

The amended main motion to approve for 90-day term provided that the number of loudspeakers be reduced from four to two, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Berriozabal, Dutmer, Wing, Eureste, Thompson, Harrington, Archer, Hasslocher, Cisneros, NAYES; None; ABSENT: Webb, Alderete.

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The Clerk read the following Ordinance:

AN ORDINANCE 54,845

AUTHORIZING THE CITY MANAGER TO APPLY FOR AND ACCEPT A GRANT FROM THE STATE DEPARTMENT OF HEALTH IN THE AMOUNT OF \$28,912.00 IN SUPPORT OF OPERATING A RAPE PREVENTION AND CRISIS SERVICES PROJECT IN THE CITY'S DEPARTMENT OF HUMAN RESOURCES AND SERVICES; ESTABLISHING A FUND, ADOPTING A BUDGET AND APPROVING PERSONNEL POSITIONS SUBJECT TO AWARD OF THE GRANT.

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Councilman Hasslocher moved to approve the Ordinance. Councilman Harrington seconded the motion.

In response to a question by Councilwoman Dutmer as to why the department was asking for such a small amount, Mr. Kevin Moriaty, Assistant Director of Human Resources, stated that this amount will be used to enhance the program existing.

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

82-04 ZONING HEARINGS

(37) CASE 8706 - to rezone the east 172.30' of the north 100' of Lot 14, Block 2, NCB 8775, 244 and 256 Fenfield Avenue from "R-1" to "B-3R"; The east 172.30' of the north 410' of Lot 14 (save and except the north 100'). Block 2, NCB 8775, 244 and 256 Fenfield Avenue from "R-1" to "I-1" located on the southside of Fenfield Avenue, being 86.5' east of the intersection of Fleming Street and Fenfield Avenue, having 172.30' on Fenfield Avenue and a depth of 410'. The B-3R being on the north 100' of Lot 14 and I-1 on the remaining portion of subject property.

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.

Councilman Wing than made a substitute motion to grant a "B-3R" on all, with the understanding that the case will be reconsidered for "Provisional Zoning" once such is adopted by the City. Councilman Archer seconded the motion.

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

Councilman Erueste made a substitute motion that the staff come back in 6 months and ask for a down-zoning or consider for provisional zoning. Councilman Thompson seconded the motion. The motion carried by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Harrington, Archer, Hasslocher; NAYS: None; ABSENT: Alderete.

After consideration, Councilman Hasslocher moved that the recommendation of the Zoning Commission as substituted be approved provided that street dedication is provided if necessary, and that a 6-foot solid screen fence is erected and maintained on the west property line. Further, that a 6-foot solid screen fence is erected and maintained along the east property line adjacent to the single-family residences only if the applicant is not the owner of the property. On roll call, the motion carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Harrington, AVcher, Hasslocher, Cisneros; NAYS: None; ABSENT: Alderete.

AN ORDINANCE 54,846

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 EAST 172.30' OF THE NORTH 100' OF LOT 14, BLOCK 2, NCB 8775, 244 AND 256 FENFIELD AVENUE FROM "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT AND "I-1" LIGHT INDUSTRY DISTRICT; THE EAST 172.30' OF THE NORTH 410' OF LOT 14 (SAVE AND EXCEPT THE NORTH 100' BLOCK 2, NCB 8775, 244 AND 256 FENFIELD AVENUE, PROVIDED THAT STREET DEDICATION IS PROVIDED IF NECESSARY AND THAT A 6-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ON THE WEST PROPERTY LINE. FURTHER, THAT A 6-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE EAST PROPERTY LINE ADJACENT TO THE SINGLE-FAMILY RESIDENCES ONLY IF THE APPLICANT IS NOT THE OWNER OF THE PROPERTY.

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82-04 CASE 8728 - to rezone a 10.897 acre tract of land out of NCB 15259 and 15268 being further described by field notes filed in the Office of the City Clerk, in the 5800 block of Medina Base Road, from Temporary "R-1" One Family Residence District to "R-3" Multiple Family Residence District located on the south side of Medina Base Road, being approximately 1200' east of the intersection of Five Palms Drive and Medina Base Road, having 100' frontage on Medina Base Road, having approximate a maximum depth of 500' and a maximum width of 1318'.

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

January 28, 1982

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No citizen appeared to speak in opposition.

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

AN ORDINANCE 54,847

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 10.897 ACRE TRACT OF LAND OUT OF NCB 15259 AND 15268, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 5800 MEDINA BASE ROAD.

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82-04 CASE 8733 to rezone a Lot 56-C, NCB 11883, 350 W. Sunset Road, from "A" Single Family Residence District to "B-2" Business District, located on the south side of Sunset Road, being approximately 319.5' east of the intersection of Teak Lane and Sunset Road, having 65' on Sunset Road and a maximum depth of 298.45'.

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.

After consideration, Councilman Thompson moved that the recommendation of the Zoning Commission be approved provided that the applicant work with the Traffic Engineering Division for street dedication if necessary. Councilman Archer seconded the motion. On roll call, the motion carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Alderete.

AN ORDINANCE 54,848

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 56-C, NCB 11883, 350 W. SUNSET ROAD, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT THE APPLICANT WORK WITH THE TRAFFIC ENGINEERING DIVISION FOR STREET DEDICATION IF NECESSARY.

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82-04 CASE 8731 - to rezone Lots 3 and 4, Block 14, NCB 12920, 2710, 2714 S.E. Loop 410 Expressway from Temporary "R-1" Single Family Residence District to "B-3R" Restrictive business district, located on the east side of S.E. Loop 410, being 120' south of the intersection of Finis Avenue and S.E. Loop 410, having 120' on S.E. Loop 410 and a depth of 140'.

January 28, 1982

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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.

After consideration, Councilwoman Dutmer, moved that the recommendation of the Zoning Commission be approved provided that a 6-foot solid screen fence is erected and maintained along the east property line, and that the applicant work with the Traffic Engineering Division for proper ingress and egress. Councilman Webb seconded the motion. On rollcall, the motion carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Alderete.

AN ORDINANCE 54,849

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 3 AND 4, BLOCK 14, NCB 12920., 2710 AND 2714 S.W. LOOP 410 FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT A 6-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE EAST PROPERTY LINE, AND THAT THE APPLICANT WORK WITH THE TRAFFIC ENGINEERING DIVISION FOR PROPER INGRESS AND EGRESS.

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82-04 CASE 8727 to rezone a 2.322 acre out of NCB 15676, being further described by field notes filed in the Office of the City Clerk, from "R-2" Multiple Family Residence District to "B-2" Business District, located 200' north east of Thousand Oaks Drive, being approximately 468' southeast of the intersection of Henderson Pass and Thousand Oaks Drive, having a width of 539.89' and a maximum depth of 133.13.

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 from Councilman Hasslocher, Mr. Chesley Swann the proponent stated that he was developing the property for sale. Mr. Thompson made a motion to delete the requirement placed by the Zoning Commission for a 6-foot fence along the S.E. and N.E. property lines. Councilman Archer seconded the motion. Mr. Andy Guerrero, Planning Administrator, spoke to the background of the fence request. On roll call the motion carried by the following vote: Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Harrington, Archer, Hasslocher, Cisneros; NAYS: None. ABSENT: Alderete.

Mr. Webb moved to approve the Ordinance, as amended
Mr. Thompson seconded the motion.

After discussion, the motion to approve the request, but to delete the fence, carried by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Alderete.

January 28, 1982

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AN ORDINANCE 54,850

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 2.322 ACRE TRACT OF LAND OUT OF NCB 15676, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK IN THE 2500 BLOCK OF THOUSAND OAKS DRIVE.

* * * *

82-04

The Clerk read the following Ordinance:

AN ORDINANCE 54,851

BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS, APPROVING THE PURCHASE OF CERTAIN HEAVY EQUIPMENT AND AUTHORIZING PAYMENT THEREFORE: MAKING CERTAIN FINDINGS AND DETERMINATIONS IN REGARD TO SAID PURCHASE AND PAYMENT; AND DECLARING AN EMERGENCY.

* * * *

Councilman Harrington moved to approve the Ordinance. Councilman Hasslocher seconded the motion.

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

82-04

The Clerk read the following Ordinance:

AN ORDINANCE 54,852

AUTHORIZING EXTENSION OF EMPLOYEE GROUP LIFE AND ACCIDENTAL DEATH AND DISMEMBERMENT INSURANCE FOR ONE YEAR ENDING JANUARY 31, 1983 AND REVISION OF COVERAGE TO INCLUDE A WAIVER OF PREMIUM ENDORSEMENT AND AUTHORIZING PAYMENT OF PREMIUMS.

* * * *

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

82-04

The Clerk read the following Ordinance:

AN ORDINANCE 54,853

AN ORDINANCE ESTABLISHING LA VILLITA BUILDING RENTAL RATES AND RELATED POLICY.

* * * *

Councilwoman Berriozabal made a motion to establish a 40-cent per-square-foot rate for tenants, and review this rental rate in one year. Mr. Webb seconded the motion.

Councilman Eureste spoke of the need to reach an equitable rental compromise arrangement that would be favored by a majority of the La Villita tenants, and spoke further in support of a 40-cent-per square-foot rate with tenants bearing their own costs for utilities.

Councilman Eureste then made an amended motion to add to the main motion the provisions that the tenants would pay their own utilities costs, and also that there would be negotiated escalation of the rental rates. Councilman Wing seconded the motion.

In response to a question by Council Eureste, Mr. Darner stated that a study of the La Villita lighting situation and other provisions that might stimulate and improve the flow of visitors could be undertaken.

Councilwoman Dutmer discussed inclusion of City promotion of La Villita in the proposed 40-cent base rate, and spoke of the loss of revenues to the city if leases are approved at this rental rate.

Councilman Harrington stated his opinion that the 40-cent rate is too low, noting that he feels a 60-cent rate is a more realistic figure on a three-year lease. He spoke in support of a 65-cent-per-square-foot rate on a three-year contract, with the City bearing the utilities costs. Councilman Harrington stated that tenants need long-term leases.

Mayor Cisneros asked Mr. Darner, Director of Parks and Recreation, to prepare a spread-sheet on the various rental-rate options discussed, indicating the projected gain or loss of revenues to the City for each, with a view to seeking out an equitable breakeven figure.

Councilman Harrington made a substitute motion to reduce the proposed rental rates to 60-cents per square foot on three-year leases, with the City to bear the costs of utilities. Councilman Wing seconded the motion.

Councilwoman Berriozabal, spoke of the original premise of La Villita as a training ground for apprentices in the arts and crafts, then spoke against treating all proposed tenants the same way in leasing arrangements, citing the many differences in types of tenants involved.

In response to a question by Councilman Eureste, Mr. Darner stated that the City is bearing some \$450,000 of the \$2 million renovation cost for La Villita, with the Economic Development Administration bearing the remaining \$1.7 million.

Councilman Eureste spoke in favor of leaving La Villita rental rates the same as they were when renovation began, stating his opinion that La Villita need not be self-sustaining unless it can generate adequate gains in revenues for the tenants.

Councilwoman Dutmer asked for a breakdown on the various lease rates of tenants.

In response to a question by Councilwoman Berriozabal, Mr. Darner stated his belief that lessees such as restaurant operations in La Villita should pay on a negotiated rate schedule, since they use substantially more utilities than other tenants.

Councilwoman Berriozabal spoke in favor of the City adopting the 40-cent-per-square-foot lease rate with tenants paying their own utilities, and with fully negotiated lease rates for each tenant.

After consideration, the substitute motion prevailed by the following vote: AYES: Dutmer, Wing, Eureste, Harrington, Archer, Hasslocher, Cisneros; NAYS: Berriozabal, Thompson; ABSENT: Berriozabal Thompson.

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

82-04 The Clerk read the following Ordinance:

AN ORDINANCE 54,854

AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR THE LEASE OF 6,953 SQUARE FEET OF OFFICE SPACE IN HERITAGE PLAZA OFFICE BUILDING FOR A TERM OF TWO YEARS.

* * * *

Councilwoman Dutmer moved to approve the Ordinance. Councilman Hasslocher seconded the motion.

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

82-04 VISTA VERDE SOUTH UDAG PROJECT UPDATE

Councilman Eureste reported that representatives of Vanir Development and Control Data Corporation had met for two days this week, seeking some agreement on the stalemate of land lease costs in Vista Verde South. He spoke of their agreement to complete Phases II and III, and for Vanir to show its financial ability to complete the development of the project. Council Eureste stated that CDC carried the results of their talk back to Minneapolis and would report back on its decision concerning the latest offer from Vanir, with final work expected to reach City Council by its next week's meeting. He stated further that the two sides had agreed to work out an agreement, or tell Council that they cannot reach an agreement. He also asked City staff to notify members of the Council's Housing Task Force to attend a special meeting on this topic next Wednesday afternoon at City Hall.

Mayor Cisneros thanked Councilman Eureste for his efforts, and spoke to the need for firm recommendations as to which way the Council is to go in this matter.

A brief discussion followed relative to the City's options in the event it chooses to terminate agreements with the two parties concerning development in Vista Verde South.

82-04 Mayor Cisneros left the meeting. Mayor Pro-Tem Hasslocher presided

82-04 The Clerk read the following Ordinance:

AN ORDINANCE 54,855

APPOINTING MANUEL FLORES TO SERVE ON THE STEERING GROUP OF THE TASK FORCE ON DEVELOPMENT IN THE SOUTHERN SECTOR OF SAN ANTONIO, TO REPLACE ALTON NEWELL WHO CANNOT ACCEPT THE APPOINTMENT.

* * * *

Councilwoman Dutmer moved to approve the Ordinance.

6373

Councilman Eureste also stated that STNP cannot now shift to an alternate source of fuel, such as lignite, and expressed the consensus of the partners that the project must be completed.

Councilman Archer stated that he feels the partners agreed at the meeting not to criticize each other.

In response to a question by Councilman Thompson, Mayor Cisneros provided a brief status report on Bechtol's progress and what they will be doing with the project.

Mayor Cisneros stated that it is necessary to get the matter of new bonds for City Public Service before City Council for consideration soon.

Mr. Louis J. Fox, Deputy City Manager, stated that Mr. Jack Spruce, General Manager of CPS, would like to have this bond matter on next week's Council agenda for consideration.

A brief discussion then took place concerning the continuation of payments to the STNP project, when no actual construction is taking place. Mayor Cisneros asked City staff to look into how this can be, in view of the halt in construction activities on-site.

Mayor Cisneros stated that the rate increase that CPS will be seeking shortly is the one which Council delayed in action last October.

Mr. Fox stated that the CPS rate increase issue would be on the Council agenda next week, since February 11 is CPS' best estimate for the last day for action on the increase to take place before it runs out of necessary capital.

82-04

PRESIDENT REAGAN'S NEW FEDERALISM INITIATIVE

Mayor Cisneros distributed to members of the City Council printed copies of President Reagan's proposed new Federalism Initiative, and spoke to its two basic features: a program swap involving federal government assumption of the Medicaid program in return for releasing to the states the responsibility for the Food Stamp and Aid to Families with Dependent Children (AFDC) programs; and second, a turn back program which lumps some 40 federal urban programs together and turns their responsibility over to the states, financed in part for the first eight years by a trust fund created for that use.

Mayor Cisneros stated his opinion that some states will have financing problems after the eight-year trust fund runs out.

Mayor Cisneros spoke to two problems he envisions in the matter: One, no understanding of sensitive local issues at the state level; and two, no clear sorting-out of responsibilities in the Medicaid/AFDC-Food Stamp swap proposal. He spoke to the need for the federal government to create or mandate certain minimum levels for state governments to maintain in their administration of these urban programs.

Mayor Cisneros stated that a decision must soon be made by all concerned whether to fight the proposal, or not. He then stated his opinion that a good portion of these recommendations will be enacted into law, and spoke to the possible reasons why there recommendations will succeed in being enacted into law, stating that the federal government feels that it needs to spread these major programs down to a lower level of administration.

Councilman Thompson seconded the motion.

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

82-04 TRAVEL AUTHORIZATION- Granted:

Mayor Henry Cisneros to travel to Washington, D.C. to meet with President Reagon and the Federalism Council on the "State of the Union" Message.

* * * *

82-04 Mayor Cisneros returned to the meeting.

82-04 SOUTH TEXAS NUCLEAR PROJECT MEETING

Mayor Cisneros spoke of the recent meeting of all participants in the South Texas Nuclear Project, and noted that the group is to received a briefing from Bechtol Power Corporation, which now is phasing into the project from the previous contractor, Brown & Root, and reviewing the steps necessary to get the construction underway again. Mayor Cisneros stated that Bechtol would have a "project control system" created to keep close track of the progress of the project.

Mayor Cisneros spoke of two main subjects covered during that meeting: the relationships between the participants, and the configuration of the STNP project itself.

On the first topic, Mayor Cisneros stated that relationships between the partners need to be better, and noted his belief that the new "project control system" created by Bechtol will help in this matter. He spoke of the upgrading of management-level activities of the Chief Operating Officers of the partners in the project, and stated that the next meeting of the partners will take place on-site at STNP during February.

On the second topic, Mayor Cisneros stated that from the meeting, it is clear that it would be difficult to change the configuration of the nuclear project, perhaps to complete the first reactor but hold up on construction of the next phase, because of the equipment already purchased for the entire operation as originally planned. He stated that the current Bechtol study of the project will decide if this can be done.

Mayor Cisneros stated that the meeting was a good one, but he cannot promise the people of San Antonio any major changes. He further stated that San Antonio already has a \$700 million investment in the project, and is in too deep to just pull out. He stated that all the partners want to get their money's worth from their own shares of the project, and STNP must, then, become operational in order to yield the results all the partners desire.

Councilman Eureste, who also attended the meeting, stated that the meeting brought out that it would be almost impossible to change the project manager of the rproject at this time, since the license from the federal government is held by the managing partner, Houston Lighting and Power. He stated that the other partners are not prepared to undertake the investment necessary to become the managing partner, and noted that the partners cannot simply freeze half of the proposed project because of the equipment purchases already made.

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January 28, 1982
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Mayor Cisneros stated that a decision must soon be made by all concerned whether to fight the proposal, or not. He then stated his opinion that a good portion of these recommendations will be enacted into law, and spoke to the possible reasons why these recommendations will succeed in being enacted into law, stating that the federal government feels that it needs to spread these major programs down to a lower level of administration.

Mayor Cisneros expressed his belief that the proposals certainly will be a major budgetary matter in the fact of the impending \$100 million federal budget deficit under discussion at the moment, and further stated that he believes the recommendations have the potential to do permanent damage to the nation unless watched closely.

Mayor Cisneros stated that he feels three principles need to be applied to this matter of the Federalism Initiatives proposal:

1. The federal government must insure that the states do not drop these urban programs, since the federal government is seen by many as the final appeal possible for minorities concerning inequities.
2. It must be kept firmly in mind that these urban programs are vital and necessary to get the nation back into its feet.
3. It should be understood that for years, the federal government tended to equalize all sectors of the nation through a balancing of federal programs and where they were applied. Now, all 50 states will be actively competing against each other in this area.

Mayor Cisneros stated that he will work toward improving this program, rather than simply seeking its defeat. He stated that he is impressed that the Reagan administration is actively seeking input from all the nation's leaders in this matter, but stated his belief that the program has not been well thought-out, and fears that the states will be insensitive to local concerns and issues, with the result that the 'majority' will defeat the 'minority'.

Councilwoman Dutmer spoke to the proposed swap of the Medicaid program for the Food Stamp and AFDC programs, and stated that the proposal may have some problems in implementation. She also spoke to the possibility that a state income tax may yet be created to finance the state's programs.

Councilman Eureste commended Mayor Cisneros for his presentation and spoke of the advantages to San Antonio in having such a first-hand report of the proposals.

Mayor Cisneros also spoke briefly about the federal government's plans for Free Enterprise Zones.

82-04

EAST SIDE PLACE APARTMENTS

Councilman Eureste stated that he had received a report from Mr. Ray Doria, asking that when the City improves Dietrich Road, that the City staff first review the possibility of taking needed right-of-way from both sides of the roadway, rather than from only one side, and asked that the City staff report back to Council in one week with a replay.

Mr. Louis J. Fox, Deputy City Manager, stated that a report would be forthcoming to Council at its February 4, meeting.

January 28, 1982

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REVEREND L.A. WALKER

Reverend Walker, representing Bethel Day Care Center, 227 South Acme Road, spoke of the eight-month grant to the day care center made by City Council which ends on March 1. He stated that the center will need some \$60,000 to continue operations in the coming year after March 1. He stated that the Texas Department of Human Resources must be assured that the center has the needed \$60,000 in matching funds in order to receive a grant from that agency for next year, or the program will have to be cancelled.

Mr. William Donahue, Director of the City Department of Human Resources and Services, stated that he would like to meet with Reverend Walker and his group on the matter, and would provide a City staff report to City Council at its February 4, meeting.

82-04 AT this point, Mayor Cisneros asked Dr. Gene Rodriguez, Chairman of the Institute of the Americas, to introduce to the City Council a visitor from Mexico.

Dr. Rodriguez introduced Miss Patricia Aulestia, representing FONAPAS from Mexico City, and stated that she is responsible for scheduling the many appearances by San Antonio groups scheduled to take part in "Expo San Antonio en Mexico" in late February. He then displayed a newspaper supplement prepared for distribution in Mexico City, depicting many articles and photographs of San Antonio groups taking part in "Expo".

Mayor Cisneros spoke of Miss Aulestia as a former prima ballerina in Chile and Ecuador.

Miss Aulestia spoke to the Council of her efforts to publicize San Antonio as a part of "Expo", noting that the planned programs involving San Antonio groups are working out well in the planning stages, creating a great demand in Mexico City for appearances by San Antonio groups. She provided several examples of this demand, and spoke of the matchup of groups from San Antonio and Mexico during "Expo".

Mayor Cisneros thanked Miss Aulestia for his efforts, noting that radio advertising for "Expo" begins in Mexico tomorrow and spoke of the estimated \$1 million cost of that advertising, if San Antonio were to have to pay for it.

82-04

January 29, 1982

Honorable Mayor and member 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 26, 1982

Petition submitted by Mr. Ernest Jasso, requesting permission to leave standing a six foot high fence at 1126 Flanders.

January 26, 1982

Petition submitted by Mr. Robert L. Tomasini, Bexar County Road, Administrator, requesting that Pearsall Road

January 28, 1982

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between Loop 13 and the Atascosa
County Line be renamed "old
Pearsall Road".

* * * *

/s/ NORMA S. RODRIGUEZ
City Clerk

NSR:gg
January 29, 1982

82-04 There being no further business to come before the
Council, the meeting was adjourned at 6:52 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

January 28, 1982
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