

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL ON
THURSDAY, SEPTEMBER 4, 1980.

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The meeting was called to order at 1:00 P.M. by the presiding officer, Mayor Lila Cockrell with the following members present: CISNEROS, WEBB, DUTMER, WING, EURESTE, THOMPSON, ALDERETE, CANAVAN, ARCHER, STEEN, COCKRELL; ABSENT: None.

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80-45 The invocation was given by Mayor Pro-Tem John Steen.

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80-45 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

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80-45 The minutes of the meetings of August 14, 1980 and August 21, 1980 were approved.

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80-45 CONSENT AGENDA

Mr. Steen moved that items constituting the consent agenda be approved with the exception of items 7 and 8 to be considered individually. Dr. Cisneros seconded the motion.

On roll call, the motion carrying with it the passage of the following Ordinances prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Thompson, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: Eureste, Alderete.

AN ORDINANCE 52,716

AUTHORIZING PAYMENT TO THE EIM COMPANY, INC., FOR EMERGENCY REPAIRS TO THE CONTROL MODULE FOR GATE 4 ON THE DOWNTOWN SAN ANTONIO RIVER FOR A NET TOTAL OF \$7,326.05.

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AN ORDINANCE 52,717

APPROPRIATING FUNDS FOR AND AUTHORIZING THE PURCHASE OF ONE (1) 4" DUPLEX SUBMERSIBLE SEWAGE LIFT STATION FROM P.M.I. FOR A NET TOTAL OF \$11,980.00.

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AN ORDINANCE 52,718

ACCEPTING THE LOW BID OF THE DALWORTH QUIKSET COMPANY TO FURNISH THE PUBLIC WORKS DEPARTMENT WITH PRECAST REINFORCED CONCRETE BOX CULVERTS FOR A NET TOTAL OF \$22,320.00.

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AN ORDINANCE 52,719

APPROPRIATING THE SUM OF \$60,773.98 AS REIMBURSEMENT TO RAY ELLISON INDUSTRIES FOR CONSTRUCTION OF AN OVER-SIZE ON-SITE SANITARY SEWER MAIN IN WILDWOOD SUBDIVISION UNIT 11.

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AN ORDINANCE 52,720

ACCEPTING THE LOW QUALIFIED BID OF M.S.A. GENERAL CONTRACTORS, INC., IN THE AMOUNT \$51,772.00 TO CONSTRUCT THE MARKET SQUARE COMPLEX MODIFICATIONS FOR HANDICAPPED ACCESS; AUTHORIZING THE CITY MANAGER TO EXECUTE A STANDARD PUBLIC WORKS CONSTRUCTION CONTRACT; AND AUTHORIZING PAYMENT.

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AN ORDINANCE 52,721

APPROPRIATING FROM CERTAIN FUNDS AMOUNTS IN THE TOTAL SUM OF \$342.00 IN PAYMENT FOR EXPENSES INCURRED IN CONNECTION WITH MEADOW WOOD NORTH SUBDIVISION UNIT 2A SANITARY SEWER, OAKHILL ROAD ELEMENTARY SCHOOL SUBDIVISION OFF-SITE SEWER MAIN, OLMOS CREEK DRAINAGE #88-87 AND YOLANDA DRAINAGE #58G.

* * * *

AN ORDINANCE 52,722

AUTHORIZING AND DIRECTING THE CITY TO EXECUTE AN EXTENSION OF THE LEASE AGREEMENT COVERING THE PREMISES LOCATED AT 526 SOUTH MEDINA STREET, SAN ANTONIO, TEXAS.

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AN ORDINANCE 52,723

AUTHORIZING THE CITY MANAGER TO EXECUTE AN EXTENSION OF THE LEASE AGREEMENT WITH HAYES PRODUCTIONS, INC., FOR LEASE OF BUILDING NO. 606 AT HEMISFAIR PLAZA.

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AN ORDINANCE 52,724

APPROVING THE ASSIGNMENT OF AN EL MERCADO LEASE AGREEMENT.

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(Ms. Wanda J. Ecrette, D/B/A "Roses for Someone Special", is hereby authorized to transfer or assign her standard lease agreement to Ms. Mary Reyes Rodriguez.

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AN ORDINANCE 52,725

MANIFESTING AN AGREEMENT WITH DOBBS

HOUSES, INC., TO ADD APPROXIMATELY
282 SQUARE FEET OF SPACE TO ITS PRESENT
INTERNATIONAL AIRPORT TERMINAL BUILDING
LEASE, TO BE USED IN CONNECTION WITH THE
DOBBS HOUSE GIFT SHOP.

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AN ORDINANCE 52,726

AUTHORIZING EXECUTION OF A LEASE OF
SPACE AT INTERNATIONAL AIRPORT TO
SKYWAYS AVIATION OF TEXAS, INC., D/B/A
AIR AMERICANA.

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AN ORDINANCE 52,727

AUTHORIZING PAYMENTS OF REFUNDS TO PERSONS
MAKING OVERPAYMENT OR DOUBLE PAYMENTS
ON 49 TAX ACCOUNTS.

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AN ORDINANCE 52,728

ACCEPTING THE HIGH BIDS RECEIVED IN
CONNECTION WITH \$8,000,000 IN CITY FUNDS
AVAILABLE FOR DEPOSIT IN INTEREST-BEARING
CERTIFICATES OF DEPOSIT.

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AN ORDINANCE 52,729

AUTHORIZING THE GENERAL MANAGER OF THE
WATER WORKS BOARD OF TRUSTEES OF SAN
ANTONIO TO EXECUTE A RELEASE OF CERTAIN
WATER PIPELINE EASEMENT RIGHTS.

* * * *

80-45 The Clerk read the following Ordinance:

AN ORDINANCE 52,730

ACCEPTING THE LOW BIDS OF PROPANE SERVICES,
INC., AND SUPPLEMENTAL CARBURETION SYSTEMS
COMPANY TO FURNISH THE CITY OF SAN ANTONIO
WITH AN ANNUAL CONTRACT FOR PROPANE CON-
VERSION.

* * * *

Mr. Webb moved to approve the Ordinance. Dr. Cisneros
seconded the motion.

Mr. Webb asked that Mr. Larry Hoodye, minority contractor in
the audience, to be recognized. Mr. Hoodye was the low bidder on
conversion of City vehicles to propane.

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

80-45 The Clerk read the following Ordinance:

AN ORDINANCE 52,731

AUTHORIZING THE CITY MANAGER TO EXECUTE
FIELD ALTERATION NO. 6 IN THE AMOUNT
OF \$29,184.80 TO THE CONTRACT FOR
CONSTRUCTION OF THE SAUNDERS STREET
DRAINAGE PROJECT NO. 47D.

* * * *

Dr. Cisneros moved to approve the Ordinance. Mr. Webb seconded the motion.

Mr. H.S. Patrick, 2805 Monterey, spoke against the Ordinance and against the work already underway in the area, stating that the work had caused his driveway to be unusable.

Mr. Joe Aceves, Assistant Director of Public Works, explained the need for the work and stated that he would take steps to correct the driveway situation after an investigation of the problem.

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

80-45 ZONING HEARINGS

20. CASE 8206 - to rezone a 2.423 acre tract of land out of NCB 14653 and 14656, being further described by field notes filed in the Office of the City Clerk, in the 5800 Block of Babcock Road and in the 5900 Block of Whitby Road, from Temporary "R-1" Single Family Residential District to "B-3" Business District, located northwest of the cutback between Babcock Road and Whitby Road, having 319.9' on Babcock Road, 353.2' on Whitby Road and 93.2' on the cutback between Babcock Road and Whitby Road.

Mr. Andy Guerrero, Planning Administrator, explained the proposed change which the Zoning Commission recommended be approved by the City Council. He also explained that there was opposition present in the Council Chambers.

Mr. Melbourne O'Banion III, 6359 Whitby Road, the proponent explained his request and noted that there already was business zoning in the area. He stated that he has assured opponents that he did not plan to put a dance hall on the subject property and in fact planned a retail development there.

In response to a question by Mrs. Dutmer as to whether he would consider accepting "B-3R" Restrictive Business District zoning, Mr. O'Banion stated that he needed the requested zoning change so that he could establish a restaurant with alcoholic beverages permitted for on-site consumption with sale of food, and also for construction of a planned convenience store with gas pumps.

Mr. Canavan noted that steps were being taken to upgrade the zoning along Babcock Road and noted that the proponent could accomplish his stated changes on the property by rezoning only

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'islands' on the site, leaving the remainder of the property in its present zoning. He suggested that perhaps a postponement of the zoning request in order to work out the details of such a request.

Mr. James Peterson, 5830 Babcock Road, stated that he objected to "B-3" zoning because of what it allows, once Mr. O'Banion sells the property.

A discussion then took place concerning the highest possible zoning for the property consistent with its planned use by the proponent.

Planning Administrator, Mr. Andy Guerrero suggested rezoning the property to "B-3R" Restrictive Business District, after which the proponent could then return to the City for a rezoning request on a specific portion of the property for establishment of the restaurant with liquor consumption allowed.

Mr. Canavan then made a motion to approve "B-3R" zoning on the subject property in lieu of the requested "B-3" zoning provided that proper platting is accomplished. Mrs. Dutmer seconded the motion.

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

AN ORDINANCE 52,732

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 2.423 ACRE TRACT OF LAND OUT OF NCB 14653 AND 14656, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 5800 BLOCK OF BABCOCK ROAD, IN THE 5900 BLOCK OF WHITBY ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

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21. CASE 8205 - to rezone Lot 4, Block 3, NCB 14687, in the 5700 Block of Babcock Road, from Temporary "R-1" Single Family Residential District to "B-3R" Restrictive Business District, located on the northeast side of Babcock Road, being 303.21' southeast of the cutback between Babcock Road and Huebner Road, having 130' on Babcock Road and a depth of 200'.

Mr. Andy Guerrero, Planning Administrator, explained the proposed change which the Zoning Commission recommended be approved by the City Council.

No citizen appeared to speak in opposition.

After consideration, Mr. Steen moved that the recommendation of the Zoning Commission be approved provided that street dedication is provided in accordance with the Traffic Department's recommendations. Dr. Cisneros seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Thompson, Canavan, Steen, Cockrell; NAYS: None; ABSENT: Alderete, Archer.

AN ORDINANCE 52,733

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 4, BLOCK 3, NCB 14687, IN THE 5700 BLOCK OF BABCOCK ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT STREET DEDICATION IS PROVIDED IN ACCORDANCE WITH THE TRAFFIC DEPARTMENT'S RECOMMENDATIONS.

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22. CASE 8196 - to rezone P-119, P-120 and the west 200' of P-118, NCB 10614, in the 200 Block of S.W.W. White Road, from Temporary "A" Single Family Residential District to "B-3" Business District, located on the east side of W.W. White Road, being 660' south of the intersection of I.H. 10 Expressway and S.W.W. White Road having 272.9' on S.W.W. White Road and a maximum depth of 200'; to rezone P-118, save and except the west 200' and P-121, NCB 10614, from Temporary "A" Single Family Residential District to "I-1" Light Industry District, located on the east side of S.W.W. White Road, being 660' south of the intersection of I.H. 10 Expressway and S.W.W. White Road, being 200' east off of S.W.W. White Road, having a width of 272.9' and a depth of 2560'.

Mr. Andy Guerrero, Planning Administrator, explained the proposed change which the Zoning Commission recommended be approved by the City Council.

No citizen appeared to speak in opposition.

After consideration, Mr. Webb moved that the recommendation of the Zoning Commission be approved provided that the applicant work with the Traffic Department for proper ingress and egress; the Department of Highways and Public Transportation; and that proper platting is accomplished.

AN ORDINANCE 52,734

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 P-118 SAVE AND EXCEPT THE WEST 200', AND P-121, NCB 10614, FROM TEMPORARY "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT; P-119, P-120, AND THE WEST 200' OF P-118, NCB 10614, IN THE 200 BLOCK OF S.W.W. WHITE ROAD, FROM TEMPORARY "A" SINGLE FAMILY RESIDENTIAL DISTRICT, TO "B-3" BUSINESS DISTRICT, PROVIDED THAT THE APPLICANT WORK WITH THE TRAFFIC DEPARTMENT FOR PROPER INGRESS AND EGRESS, THAT HE WORK WITH THE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION, AND THAT PROPER PLATTING IS ACCOMPLISHED.

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23. CASE 8201 - to rezone the west 72.6' of Lot 29, NCB 11888, 210 W. Sunset Road, from "A" Single Family Residential District to "B-1" Business District, located on the south side of Sunset Road, having 290.4' east of the intersection of Sunset Road and Everest Street, having 72.6' on Sunset Road and a depth of 300'.

Mr. Steen moved that the recommendation of the Zoning Commission be approved provided that a six foot solid screen fence is erected and maintained along the south property line. Dr. Cisneros seconded the motion.

Mr. Andy Guerrero, Planning Administrator explained the proposed change which the Zoning Commission recommended be approved by the City Council. He explained that his office had received a letter from an adjacent property owner, requesting that the requirement for a six foot solid screen fence be no longer required for the approval of a zoning change.

The maker and seconder of the motion agreed to remove the fencing requirement from their motion.

No citizen appeared to speak in opposition.

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

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

AN ORDINANCE 52,735

AMENDING CHAPTER 42 OF THE CITY CODE
THAT CONSTITUTES THE COMPREHENSIVE
ZONING ORDINANCE OF THE CITY OF SAN
ANTONIO BY CHANGING THE CLASSIFICATION
AND REZONING OF CERTAIN PROPERTY DESCRIBED
HEREIN AS THE WEST 72.6' OF LOT 29,
NCB 11888, 210 W. SUNSET ROAD, FROM "A"
SINGLE FAMILY RESIDENTIAL DISTRICT TO
"B-1" BUSINESS DISTRICT.

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24. CASE 8203 - to rezone Tract G, NCB 13827, in the 14800 Block of San Pedro Avenue, from Temporary "A" Single Family Residential District to "O-1" Office District, located on the northeast side of Oak Shadows between San Pedro Avenue and Timber Oak, having 350' on San Pedro Avenue, 434.14' on Oak Shadows and 395' on Timber Oak.

Mr. Andy Guerrero, Planning Administrator, explained the proposed change which the Zoning Commission recommended be approved by the City Council.

In response to a question by Mrs. Dutmer, Mr. Guerrero discussed possible available options for ingress and egress on the subject property.

Mr. Steen stated that he had received a letter from the property owners adjacent to the San Pedro Presbyterian Church, stating its members' support for plans to construct an office building on the subject property. (This letter is on file with the official minutes of this meeting.)

Mr. John Echols of Embrey Investments, the proponent, stated that the firm has plans for a 42,000 square foot office building on the site, and stated that he had met with representatives of the nearby church to explain the plans. Mr. Echols noted that opposition was present during the case's hearing before the Zoning Commission, primarily because of questions about possible traffic problems.

Mr. J.L. Marchbanks, 14342 Oak Shadows, spoke in favor of the request.

Ms. Shirley M. Gutting, 14339 Oak Shadows stated that she was not opposed to the office building zoning, but was concerned that a three-story office building such as the proponent was proposing would not be acceptable, as it would be an eyesore to the neighborhood. She also objected to the anticipated traffic increase in the area over the coming years.

In rebuttal, Mr. Echols explained that the proponent had presented to neighbors at a neighborhood meeting on the property plans, a projection of both a three-story and a two-story structure, stating that a two-story structure would require more ground-space than would a three-story building in order to come up with an economically feasible square footage of office space. He stated that he felt a three-story, smaller-ground-footage structure was more acceptable to the neighborhood.

After discussion, Mr. Canavan moved that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished and in lieu of a six foot solid screen fence, a green belt along Timber Oaks Drive and a six foot solid planted area is accomplished and maintained. Dr. Cisneros seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Thompson, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: Alderete.

AN ORDINANCE 52,736

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS TRACT G, NCB 13827, IN THE 14800 BLOCK OF SAN PEDRO AVENUE, FROM TEMPORARY "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "O-1" OFFICE DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED; A NON-ACCESS EASEMENT IS IMPOSED ALONG TIMBER OAK, ALSO THERE IS TO BE A GREEN BELT ALONG TIMBER OAK AREA TO BE A HEIGHT APPROXIMATELY SIX FOOT SOLID, PLANTED AND MAINTAINED.

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25. CASE 8198 - to rezone a 49.53 acre tract of land out of NCB 14861, being further described by field notes filed in the Office of the City Clerk, in the 6300 Block of Hausman Road, from Temporary "R-1" Single Family Residential District to "R-3" Multiple Family Residential District, located on the south side of Hausman Road, being approximately 4,400' west of the intersection of I.H. 10 Expressway and Hausman Road, having 1462.4' on Hausman Road and a maximum depth of 1480'.

Mr. Andy Guerrero, Planning Administrator, explained the proposed change which the Zoning Commission recommended be approved by the City Council.

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No citizen appeared to speak in opposition.

After consideration, Mr. Canavan moved that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished. Dr. Cisneros seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Thompson, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: Alderete.

AN ORDINANCE 52,737

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 49.53 ACRE TRACT OF LAND OUT OF NCB 14861, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK IN THE 6300 BLOCK OF HAUSMAN ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

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26. CASE 8191 - to rezone a 53.7622 acre tract of land out of NCB 14861, being further described by field notes filed in the Office of the City Clerk, from "B-3" Business District to "I-1" Light Industry District; an 8.2499 acre tract of land out of NCB 14861, being further described by field notes filed in the Office of the City Clerk, from "B-3" E.R.Z.D. Business Edwards Recharge Zone District to "I-1" E.R.Z.D. Light Industry Edwards Recharge Zone District; a 6.8334 acre tract of land out of NCB 14861, being further described by field notes filed in the Office of the City Clerk, from "B-3" Business District to "B-3R" Restrictive Business District; a 2.5728 acre tract of land out of NCB 14861, being further described by field notes filed in the Office of the City Clerk, in the 5700 and 5800 Blocks of De Zavala Road, from "B-3" E.R.Z.D. Business Edwards Recharge Zone District to "B-3R" E.R.Z.D. Restrictive Business Edwards Recharge Zone District; subject property is located on the north side of De Zavala Road, being 100' west of I.H. 10 Expressway, having 2093.9' on De Zavala Road and a depth of 1469.03'. The "B-3R" and the "B-3R" E.R.Z.D. is a 100' strip of land on the north side of De Zavala Road, extending to the north on the west property line and extending 545.65' to the east on the north property line. The "I-1" and "I-1" E.R.Z.D. is on the remaining portion of the subject property.

Mr. Andy Guerrero, Planning Administrator, explained the proposed change which the Zoning Commission recommended be approved by the City Council.

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

In response to a question by Mr. Webb as to whether or not the City's Aquifer Protection Officer had approved the request, Planning Administrator, Mr. Andy Guerrero produced a signed letter from Mr. Frank Vega, the City's Aquifer Protection Officer, stating that he had no objections to the rezoning.

Mr. Webb noted that the request would encompass a large tract of land with intensive zoning changes and a consequent large traffic increase, and stated that the City had spent much money on studies designed to protect our Aquifer and he felt that this requested zoning involves extensive industrial zoning uses.

Mayor Cockrell stated that the Metcalf and Eddy report indicated that the City's water supply was not affected by recharge water from this area or indeed any area within the City's area of jurisdiction. She stated that a developer also must comply with rigid State requirements in this area.

Mrs. Dutmer asked what kind of industry is planned in this area and whether or not this area is within our 208 area.

Mr. Canavan stated that although the developer cannot as yet formally announce exactly what type use is planned for the property, light industrial usage is called for in those areas sought for that type of zoning.

Mr. Harry Jewett III, representing the landowner, stated that since this property is over the recharge zone, the proponents had to file a detailed plan of usage with the State, and it calls only for light industrial usage.

Mr. Joe Aceves, Assistant Director of Public Works, then stated that the property is within the City's 208 area.

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

AN ORDINANCE 52,738

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 53.7622 ACRE TRACT OF LAND OUT OF NCB 14861, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK FROM "B-3" BUSINESS DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT; AN 8.2499 ACRE TRACT OF LAND OUT OF NCB 14861, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM "B-3" E.R.Z.D. BUSINESS EDWARDS RECHARGE ZONE DISTRICT TO "I-1" E.R.Z.D. LIGHT INDUSTRY EDWARDS RECHARGE ZONE DISTRICT; A 6.8334 ACRE TRACT OF LAND OUT OF NCB 14861, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK FROM "B-3" BUSINESS DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT; A 2.5728 ACRE TRACT OF LAND OUT OF NCB 14861, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 5700 AND 5800 BLOCKS OF DE ZAVALA ROAD, FROM "B-3" E.R.Z.D. BUSINESS EDWARDS RECHARGE ZONE DISTRICT TO "B-3R" E.R.Z.D. RESTRICTIVE BUSINESS EDWARDS RECHARGE ZONE DISTRICT PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

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27. CASE 8133 - to rezone Lots 3, 4, 5, 7 and 8, Block 2, NCB 11901, in the 4500 Block of Walzem Road, from "A" Single Family Residential District to "O-1" Office District, located on the south side of Walzem Road, Lots 3, 4, and 5 are located 120.3' east of the intersection of N. Heights Drive and Walzem Road, having 180' on Walzem Road and a maximum depth of 136'. Lots 7 and 8 are located 360.3' east of the intersection of N. Heights Drive and Walzem Road, having 120' on Walzem Road and a depth of 120'.

Mr. Andy Guerrero, Planning Administrator, explained the proposed change which the Zoning Commission recommended be approved by the City Council.

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No citizen appeared to speak in opposition.

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

AN ORDINANCE 52,739

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, 4, 5, 7, AND 8, BLOCK 2, NCB 11901, IN THE 4500 BLOCK OF WALZEM ROAD, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "O-1" OFFICE DISTRICT.

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28. CASE 8195 - to rezone Arbitrary Tracts 6-D and 6-E, NCB 12887, 2110 Semlinger Road, from "A" Single Family Residential District to "B-3R" Restrictive Business District, located between Semlinger Road and S.E. Loop 410 Expressway, being 950' north of Rigsby Avenue, having 200' on Semlinger Road, 210' on S.E. Loop 410 Expressway and a maximum distance of 435.6' between Semlinger Road and S.E. Loop 410 Expressway.

Mr. Andy Guerrero, Planning Administrator, explained the proposed change which the Zoning Commission recommended be approved by the City Council.

No citizen appeared to speak in opposition.

After consideration, Mrs. Dutmer moved that the recommendation of the Zoning Commission be approved provided that a non-access easement is placed along the west property line; that a six foot solid screen fence is erected and maintained along the west property line, and that proper platting is accomplished. Mr. Steen seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 52,740

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 ARBITRARY TRACTS 6-D AND 6-E, NCB 12887 2110 SEMLINGER ROAD, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT A NON-ACCESS EASEMENT IS PLACED ALONG THE WEST PROPERTY LINE; A SIX FOOT SOLID SCREEN FENCE IS ERRECTED AND MAINTAINED ALONG THE WEST PROPERTY LINE AND THAT PROPER PLATTING IS ACCOMPLISHED.

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80-45 The Clerk read the following Ordinance:

AN ORDINANCE 52,741

AMENDING ORDINANCE 49756 OF AUGUST 31, 1978 AND REVISING FEE COLLECTION OF THE PARKING FACILITIES AT THE INTERNATIONAL AIRPORT.

* * * *

Mr. Steen moved to approve the Ordinance. Mr. Thompson seconded the motion.

In response to a question by Mr. Archer concerning problems at the International Airport with persons losing their parking tickets, Aviation Director, Mr. Tom Raffety stated that there was such a problem there, both accidental loss and otherwise, and he spoke in favor of the projected \$4 charge in case of lost tickets.

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

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80-45 The Clerk read the following Ordinance:

AN ORDINANCE 52,742

AMENDING 1980-1981 ANNUAL BUDGET OF THE AIRPORT PARKING FACILITIES SECTION OF THE DEPARTMENT OF AVIATION SO AS TO INCREASE THE APPROPRIATION AND THE PERSONNEL COMPLEMENT.

* * * *

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

Dr. Cisneros asked if this would be the proper forum to speak on the need for a City employee to serve as a taxicab starter at International Airport, to supervise the taxi situation there, commenting on the problems of late in the area.

Mr. Raffety stated that he recently had spoken to representatives of the taxicab operators serving the airport and had offered them the same situation as that enjoyed by the franchise limousine service, including their own starter booth, etc. outside the main terminal. The discussion also included the provision that the taxicab operators would provide their own starter. He noted that he had not yet heard their response on the offer. He stated that the costs would come to about \$44,000 the first year of operation. He also stated that it is his opinion that the City would be forced to raise taxicab fees to cover this cost.

Dr. Cisneros stated that he wants the City to provide the taxicab starter at the airport to maintain firm control over the cab situation there, and asked if such a position could be financed from airport revenues. He spoke to the benefits such a position would provide the City, and noted his opposition to having the taxicab industry bear the cost for a starter.

City Manager, Thomas E. Huebner stated that he would submit a report to the City Council, addressing the question of where funds could be found to cover the position of a starter at the airport. He

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stated that staff would be reviewing the taxicab Ordinance regarding provision of services, in particular short-hauls and drive courtesy.

Mr. Thompson then spoke to the traffic problems at the International Airport and how they affect taxicabs. He stated that since the limousine service enjoys the privilege of parking in front of the terminal, the taxicabs should also be allowed close to the terminal doors.

A discussion then took place concerning possibilities of allowing 'lead' cab drivers into the same area as the limousine driver, altercations between cab drivers at the airport, the problem of the reluctance of cab drivers to making 'short-hauls', and the possibility of limiting the number of taxicabs allowed at the airport taxi stand near the terminal.

Mr. Thompson stated that he wants the Council's Taxicab Committee invited to future meetings on these matters dealing with problems at the airport.

Mr. Steen and Mr. Eureste both spoke to the reluctance of cab drivers to making short-hauls. Mr. Eureste further noted that taxicab drivers themselves wanted regulations forcing operators to provide service regardless of the passenger's distance request, and wanted suspensions enforced for those who don't comply with the law.

Mrs. Dutmer spoke in support of such an enforcement.

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

80-45 The Clerk read the following Ordinance:

AN ORDINANCE 52,743

APPROVING THE PRICE AND CONDITIONS OF SALE BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF PARCEL 588-D-4, CONTAINING APPROXIMATELY 5,391 SQUARE FEET, LOCATED WITHIN THE ST. PAUL SQUARE COMMUNITY DEVELOPMENT PROJECT, TO AMEA GROUP, A PARTNERSHIP, FOR THE SUM OF \$184,200.00.

* * * *

Dr. Cisneros moved to approve the Ordinance. Mrs. Dutmer seconded the motion.

Mr. Steen asked that in the future, the names of the partners be made known in instances, where a partnership is awarded a contract with the City.

Mr. Ray Doyle, representing the San Antonio Development Agency, identified the names of the partners in the firm receiving this segment of Urban Renewal property.

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

80-45 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Steen, seconded by Mr. Archer, was passed and approved by the following vote: AYES: Cisneros, Webb,

Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 52,744

APPROVING THE PRICE AND CONDITIONS OF SALE BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF PARCEL 588D CONTAINING APPROXIMATELY 2,301.54 SQUARE FEET, LOCATED WITHIN THE ST. PAUL SQUARE COMMUNITY DEVELOPMENT PROJECT, TO CURTIS E. NEAL, JR., FOR THE SUM OF \$46,200.00.

* * * *

80-45 The Clerk read the following Ordinance:

AN ORDINANCE 52,745

CLOSING THE 100 BLOCK OF SOUTH PRESA STREET FOR PERFORMANCE ARTIST NUCLEUS ON SEPTEMBER 6 AND SEPTEMBER 7, 1980, AND PROVIDING FOR ALTERNATIVE DATES IN THE EVENT OF INCLEMENT WEATHER.

* * * *

Mr. Steen moved to approve the Ordinance. Mr. Thompson seconded the motion.

In response to a question by Mr. Archer as to why a portion of Presa Street should be closed down for such an event, when La Villita is near by for use, Assistant to the City Manager, Mr. Alexander Briseno stated that this involves only the 100 block of South Presa, between Market and Villita Streets.

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

80-45 The Clerk read the following Ordinance:

AN ORDINANCE 52,746

MANIFESTING AN AGREEMENT WITH CITY PUBLIC SERVICE REGARDING STREET LIGHTING

* * * *

Mr. Steen moved to approve the Ordinance. Mrs. Dutmer seconded the motion.

In response to a request from Mr. Webb for an explanation of this Ordinance, Public Utilities Supervisor, Mr. Roger Ibarra stated that this is the solution to a longstanding misunderstanding concerning City street lights, and involves a "fair adjustment of the records." Mr. Ibarra then spoke to the replacement of street lights, and outlined that this Ordinance involves City Public Service replacing eighteen-year-old mercury vapor street lights.

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

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80-45 The following Ordinance was read by the Clerk and after consideration, on motion of Mrs. Dutmer, seconded by Mr. Steen, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 52,747

AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO SUBMIT A GRANT APPLICATION TO THE ENVIRONMENTAL PROTECTION AGENCY THROUGH THE TEXAS DEPARTMENT OF WATER RESOURCES IN THE AMOUNT OF \$1,811,743.00 FOR STEP III CONSTRUCTION OF LEON CREEK WASTEWATER TREATMENT PLANT PRIMARY CLARIFIER ADDITIONS WITH TOTAL PROJECT ESTIMATED AT \$2,415,658.00.

* * * *

80-45 The Clerk read the following Ordinance:

AN ORDINANCE 52,748

RELEASING AN APPROXIMATE 52 ACRE TRACT OF LAND FROM THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF SAN ANTONIO IN ORDER TO ALLOW SUCH AREA TO BE ANNEXED BY THE CITY OF KIRBY.

* * * *

Mrs. Dutmer moved to approve the Ordinance. Mr. Webb seconded the motion.

Mrs. Dutmer and Mr. Webb both spoke to the issue and explained that plans had been developing for some time concerning a park adjacent to the City of Kirby. They both spoke in favor of the Ordinance releasing San Antonio's ETJ rights to the property concerned.

Mrs. Dutmer then asked that the City work out an ETJ agreement with the City of China Grove relative to Lakeside similar to such arrangements with other outlying towns.

City Manager, Thomas E. Huebner stated that he would look into the matter.

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

80-45 The Clerk read the following Ordinance:

AN ORDINANCE 52,749

REPEALING ORDINANCE NO. 46722 ADOPTED AND APPROVED JUNE 3, 1976 AS AMENDED BY ORDINANCE NO. 46830 ADOPTED AND APPROVED JULY 1, 1976; APPROVING THE ADOPTION OF A SCHEDULE OR RATES TO BE CHARGED CUSTOMERS OF THE WATER WORKS BOARD OF TRUSTEES OF SAN ANTONIO WATER SERVICE; PRESCRIBING

REGULATIONS PERTAINING TO PRIVATE FIRE
PROTECTION WATER; AND PROVIDING A SEVERA-
BILITY CLAUSE.

* * * *

Mr. Steen moved to approve the Ordinance. Mr. Thompson seconded the motion.

Mr. Karl Wurz appeared to speak in opposition to the rate increase request, stating that it also involves making a commitment to a high-cost surface water project for the future.

Mayor Cockrell then stated that the City Council had conducted a Public Hearing recently on the issue, had the City's Public Utilities Supervisor investigated the issue and finally adopted a lesser water increase than had been sought by the City Water Board.

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

80-45 The Clerk read the following Ordinance:

AN ORDINANCE 52,750

DESIGNATING UMBRELLA AGENCY(IES) FOR
CONTRACTURAL PURPOSES RELATED TO
FISCAL YEAR 1980-81 AGENCY FUNDING
AUTHORIZED BY BUDGET ORDINANCE NO.
52519, JULY 24, 1980.

* * * *

Dr. Cisneros moved to approve the Ordinance. Mr. Thompson seconded the motion.

Mr. Nicolas A. Diaz, 524 Gould, appeared to speak in favor of funding for additional hispanic art groups and advanced a proposed \$10,000 budget.

Mayor Cockrell noted that these groups were not included among those being funded by the Ordinance at issue and recommended that Mr. Diaz develop his funding proposal and submit it for next year's funding.

Mr. Eureste stated that this Ordinance was designed to fund groups specified much earlier.

Mr. Juan B. Ortiz, 1715 Hillcrest, spoke in support of Mr. Diaz' proposal and stated that they represented groups and individuals who did not know that public funds were available.

Mr. Ralph Garcia, representing the San Antonio Consortium, explained that his group was now working on securing matching funds from both state and federal sources, and would refer Mr. Diaz' group to the Arts Council for assistance.

Mr. Rudy Trevino, President of the Community Cultural Arts Organization requested funding for his group through one of the organizations (PAN) identified for funding under the Ordinance, and stated that his group was now in the process of securing the necessary letter of non-profit status from the Internal Revenue Service in order to qualify for public support.

After discussion, the motion, to approve the Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Cockrell; NAYS: Canavan, Archer, Steen; ABSENT: None.

80-45 The following Ordinance was read by the Clerk and after consideration, on motion of Mrs. Dutmer, seconded by Mr. Wing, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 52,751

APPOINTING ANTONIO JIMENEZ, III, JUDGE OF THE MUNICIPAL COURT OF THE CITY OF SAN ANTONIO AND ASSIGNING HIM TO SERVE AS NIGHT MAGISTRATE AND SETTING HIS SALARY.

* * * *

80-45 The meeting was recessed at 3:20 P.M., and reconvened at 5:05 P.M., with Mayor Pro-Tem Steen presiding in the absence of the Mayor.

80-45 The following Ordinance was read by the Clerk and after consideration, on motion of Mrs. Dutmer, seconded by Mr. Thompson, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Thompson, Alderete, Canavan, Steen; NAYS: None; ABSENT: Wing, Eureste, Archer, Cockrell.

AN ORDINANCE 52,752

APPOINTING AND REAPPOINTING MEMBERS TO THE PLANNING COMMISSION.

* * * *

Ruth Jones and Manny Anaya are hereby reappointed as members of the Planning Commission of the City of San Antonio. Said reappointments shall be for a two year term.

Gloria Martinez, Ralph Bender, and Chesley Swann are hereby appointed as new members of the Planning Commission of the City of San Antonio. The terms of the new members shall be for two years, terminating July 31, 1982, except for Mr. Bender who will be taking the place of Mr. M. O. Turner, this membership to expire on July 31, 1981.

* * * *

80-45

ZONING CASE

Councilman Webb stated that he had been in contact with the City Attorney with regard to a zoning case recently approved by the City Council. It seems that Mr. Willie Hardy, the applicant, is en-

countering difficulty in obtaining a certificate of occupancy. Mr. Webb then moved that the statement requiring the dedication of 2½ feet of right-of-way at Houston and Piedmont be deleted from the Ordinance. Mr. Canavan seconded the motion. On roll call, the motion, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Thompson, Alderete, Canavan, Steen; NAYS: None; ABSENT: Eureste, Archer, Cockrell.

City Attorney Macon stated that the legal department will further pursue the case as per the Council's direction.

80-45

CITIZENS TO BE HEARD

MRS. JANET AHMAD

Mrs. Janet Ahmad, representing H.O.B.B., asked what the status was of the report staff was working on with regard to the plastic pipe issue. She also spoke to the Council about the fire at Randy's Rodeo and asked that the City Council instruct the staff to report to the Council on flammable materials (insulation) used in construction. Mrs. Ahmad also spoke about a home that she had invited Council members to personally view and the report made by staff with reference to this house.

Mrs. Dutmer stated that there seemed to be definite problems with this home and feels that there needs to be more strict enforcement by building inspectors.

Mayor Pro-Tem Steen then stated that the house in question was handled through the courts, and the courts ruled against the homeowners.

After further discussion, the staff was instructed to report on the status of the plastic pipe issue and have the Fire Chief report on the use of flammable materials (insulation) used in home construction.

MRS. MARIA DOMINGUEZ

Mrs. Maria Dominguez concurred with the remarks made by Mrs. Janet Ahmad and stated that City officials should be more responsive to its citizens. She also expressed concern about the increase in bus rates.

REV. R. A. CALLIES, SR.

Rev. R. A. Callies, Sr. asked for a status report on his request presented to the City Council on August 21, 1980 regarding the conditions of the property under the Rice Road bridge, and the request of the residents in the area with regard to alternatives in City acquisition and fencing of the subject area.

Ms. Karen Davis, Executive Assistant to the City Manager, stated that the report is not yet finalized, however the staff will be contacting Rev. Callies when it is completed.

There being no further business to come before the Council,
the meeting was adjourned at 5:40 P.M.

A P P R O V E D

Lila Cockell

M A Y O R

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