

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, APRIL 13, 1989.

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The meeting was called to order by Mayor Pro Tem Webb, in the temporary absence of the presiding officer, Mayor Henry Cisneros, with the following members present: BERRIOZABAL, WEBB, DUTMER, WING, MARTINEZ, THOMPSON, VERA, WOLFF, LABATT, HASSLOCHER, CISNEROS. Absent: NONE.

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89-16 The invocation was given by Reverend James Morgan, Shepherd of the Hills Church of God.

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89-16 The members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

89-16 "CANCER CONTROL MONTH"

Mayor Pro Tem Webb read a proclamation designating the month of April as "Cancer Control Month" in San Antonio and announced that the campaign is being jointly sponsored by the America Cancer Society and Sun Harvest Farms.

Councilman Nelson Wolff spoke to the importance of eating the right foods in order to help combat cancer and he explained details of the "Eat Smart Poster Contest", and introduced the winner Jenny Willhite, third grader from Crestview Elementary School. Mr. Wolff then introduced the winner's parents and her teacher and announced that the printing of the winning poster will appear on 120,000 Sun Harvest Farms grocery bags.

Mayor Pro Tem Webb presented the proclamation to representatives of the American Cancer Society.

Ms. Jenny Willhite briefly spoke of her school.

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89-16 FIESTA COMMISSION

Mayor Pro Tem Webb introduced representatives of the Fiesta Commission, present in the audience, including President Roger Flores and

Executive Vice President Marleen Pedroza, who came forward and distributed Fiesta medals to members of the City Council and City staff.

Mayor Pro Tem Webb then commended the Fiesta Commission for its hard work each year in staging Fiesta in San Antonio.

Mr. Labatt, a former president of the Fiesta Commission, spoke of the events to take place during Fiesta Week in San Antonio.

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89-16

NIGHT IN OLD SAN ANTONIO

Mayor Pro Tem Webb introduced Ms. Cindy Thomas, Chairman of Night in Old San Antonio (NIOA), and her co-chairman who will present the 1989 version of NIOA posters to the Mayor and City Council members.

Ms. Thomas introduced her fellow NIOA workers and joined with them in distributing NIOA pins and posters to members of the City Council.

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89-16

REY FEO

Mayor Pro Tem Webb recognized the presence in the audience today of Mr. Nick Garza, Rey Feo for 1989, and Mr. Abelardo Garza, his Prime Minister, who were in attendance in honor of Rey Feo and Fiesta Week.

A group of mariachis played for the entrance of El Rey Feo and serenaded the Council and the audience with several selections.

Mr. Nick Garza thanked the Mayor and the City Council, as well as the City staff, for bringing Fiesta to San Antonio and he introduced his wife, his prime minister and his aides.

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89-16

"JOHN F. KENNEDY PEACE CORPS VOLUNTEER OF THE YEAR"

Mayor Pro Tem Webb recognized Mr. Michael Bainum, recently named the "John F. Kennedy Volunteer of the Year" for the Peace Corps. Mr. Bainum is present in the audience to received his official citation.

Mayor Pro Tem Webb then read the formal citation designating Mr. Bainum as the 1989 John F. Kennedy Peace Corps Volunteer of the Year. Mayor Pro Tem Webb then presented Mr. Bainum with a San Antonio clock as a memento of his visit.

Mr. Michael Bainum stated that ne has been in the Phillipine Islands for the past two years and he spoke of his award for environmental work with Phillipine farmers. He stated that he was a graduate of Duke University who previously lived in San Antonio and graduated from Robert E. Lee High School. He then urged others to join the Peace Corps.

89-16 CONSENT AGENDA

Mrs. Dutmer made a motion to approve Agenda Items 7 - 47, constituting the Consent Agenda, with Items 15, 24, 29, 32, 34, 39, and 42 to be pulled for individual consideration. Mr. Labatt seconded the motion.

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

AN ORDINANCE 69,232

ACCEPTING THE PROPOSAL OF QUALITY BOOKS, INC. TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH BUSINESS AND SCIENCE BOOKS FOR A TOTAL OF \$5,587.33.

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AN ORDINANCE 69,233

ACCEPTING THE PROPOSAL OF GRYPHON HOUSE EARLY CHILDHOOD BOOKS TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH CHILD DEVELOPMENT BOOKS FOR A TOTAL OF \$5,615.50.

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AN ORDINANCE 69,234

ACCEPTING THE PROPOSAL OF GLOBE BOOK COMPANY TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH LITERATURE AND REFERENCE BOOKS FOR A TOTAL OF \$4,140.44 PLUS TRANSPORTATION.

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AN ORDINANCE 69,235

ACCEPTING THE LOW QUALIFIED BID OF BUCKSTAFF COMPANY TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY

WITH CHAIRS FOR A TOTAL OF \$6,244.56.

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AN ORDINANCE 69,236

ACCEPTING THE LOW BIDS OF GROLIER EDUCATIONAL CORPORATION, MACMILLAN PUBLISHING COMPANY, ENCYCLOPEDIA BRITANNICA EDUCATION CORPORATION, AND WORLD BOOK-CHILDCRAFT FOR A TOTAL OF \$30,298.50.

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AN ORDINANCE 69,237

ACCEPTING THE PROPOSAL OF INFORMATION ACCESS COMPANY TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH A FILM SUBSCRIPTION SERVICE FOR A TOTAL OF \$99,900.

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AN ORDINANCE 69,238

ACCEPTING THE LOW BID OF GLEN L. JOHNSON AIR CONDITIONING, INC. FOR THE REPLACEMENT OF HOT WATER COILS FOR THE CITY OF SAN ANTONIO CONVENTION FACILITIES FOR A TOTAL OF \$6,948.

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AN ORDINANCE 69,239

ACCEPTING THE LOW BID OF SMEAL FIRE EQUIPMENT COMPANY, INC. TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH FIRE PUMPERS FOR A TOTAL OF \$289,776.88.

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AN ORDINANCE 69,240

ACCEPTING THE LOW BID OF WILLIAMS-STACKHOUSE, INC. TO FURNISH THE CITY OF SAN ANTONIO WITH AN AERIAL SURVEY FOR THE CITY OF SAN ANTONIO ENVIRONMENTAL MANAGEMENT DEPARTMENT FOR A TOTAL OF \$3,300.

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AN ORDINANCE 69,241

ACCEPTING THE BIDS OF EDUCATIONAL RECORD AND TAPE DISTRIBUTORS OF GT DISTRIBUTORS, INC. TO FURNISH THE CITY CERTAIN ITEMS ON AN ANNUAL CONTRACT BASIS.

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AN ORDINANCE 69,242

AUTHORIZING AN ADDITIONAL \$3,300.00 FOR ARCHITECTURAL AND ENGINEERING FEES PAYABLE TO FORD, POWELL & CARSON, INC., IN CONNECTION WITH THE TIENDAS DEL RIO - HANDICAPPED ACCESS AND COMMERCE STREET BRIDGE IMPROVEMENTS PROJECT.

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AN ORDINANCE 69,243

APPROVING A CONSTRUCTION CONTRACT WITH OLMOS ABATEMENT INC. IN THE AMOUNT OF \$23,329.00 FOR THE DEMOLITION OF UNSAFE STRUCTURES - PACKAGE 4, AND AUTHORIZING A CONSTRUCTION CONTINGENCY.

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AN ORDINANCE 69,244

ACCEPTING A PROPOSAL FROM CARLOS W. COON, JR. IN THE AMOUNT OF \$9,420.00 IN CONNECTION WITH THE REMODELING AND REHABILITATION OF FIRE STATIONS, PHASE II PROJECT; AND AUTHORIZING A CONTINGENCY.

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AN ORDINANCE 69,245

ACCEPTING A \$23,400.00 PROPOSAL FROM MENDOZA & ASSOCIATES, A.I.A., FOR ARCHITECTURAL EXPENSES; AND AUTHORIZING \$800.00 FOR MISCELLANEOUS ARCHITECTURAL CONTINGENCY EXPENSES IN CONNECTION WITH THE REMODELING & REHABILITATION OF FIRE STATIONS, PHASE II PROJECT.

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AN ORDINANCE 69,246

ACCEPTING A PROPOSAL OF BRYANT-MCCLELLAND

CONSULTANTS, IN THE AMOUNT NOT TO EXCEED \$2,388.00
IN CONNECTION WITH THE STREET OVERLAY - 1989
PROJECT.

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AN ORDINANCE 69,247

AUTHORIZING AN ADDITIONAL \$6,279.84 FOR ENGINEERING
FEES PAYABLE TO OZUNA & ASSOCIATES, INC., AND
AUTHORIZING AN ADDITIONAL \$739.55 FOR GEOTECHNICAL
SERVICES PAYABLE TO RABA-KISTNER CONSULTANTS, INC.,
IN CONNECTION WITH THE ELMENDORF STREET DRAINAGE
PROJECT NO. 38.

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AN ORDINANCE 69,248

AWARDING A CONSTRUCTION CONTRACT TO CLEMCO BUILDERS,
INC. IN THE AMOUNT OF \$29,267.00; AND AUTHORIZING A
MISCELLANEOUS CONSTRUCTION CONTINGENCY IN THE AMOUNT
OF \$7,316.75 FOR REROOFING THE NORTHWEST SERVICE
CENTER MAINTENANCE BUILDING.

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AN ORDINANCE 69,249

AUTHORIZING PAYMENT IN THE AMOUNT OF \$12,802.76 TO
THE CITY WATER BOARD FOR A SECOND ADJUSTMENT OF THE
WATER FACILITIES IN CONNECTION WITH THE JONES
MALTSBERGER/NORTH LOOP ROAD PHASE I PROJECT.

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AN ORDINANCE 69,250

AWARDING A \$11,946.00 CONSTRUCTION CONTRACT FOR THE
DEMOLITION OF UNSAFE STRUCTURES, PACKAGE 5 TO
LITTLE-TEX INSULATION CO., INC.; AND AUTHORIZING
\$2,986.50 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY
EXPENSES.

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AN ORDINANCE 69,251

AUTHORIZING THE CITY MANAGER TO EXECUTE A FUNDING
AGREEMENT FOR THE REHABILITATION OF THE BUENA VISTA

OVERPASS AT COMAL STREET WITH THE STATE DEPARTMENT
OF HIGHWAYS AND PUBLIC TRANSPORTATION AND
AUTHORIZING CITY PARTICIPATION IN THE AMOUNT OF
\$525,175.03.

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AN ORDINANCE 69,252 .

AUTHORIZING FIELD ALTERATION NO. 9 IN THE AMOUNT OF
\$7,682.20 PAYABLE TO R. L. JONES CO., IN CONNECTION
WITH THE MITCHELL, WELLINGTON, NOGALITOS, MARGIL,
RIPFORD PROJECT.

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AN ORDINANCE 69,253 .

AUTHORIZING FIELD ALTERATION NO. 2 IN THE AMOUNT OF
\$29,984.00 PAYABLE TO HEATH CONSTRUCTORS, INC., IN
CONNECTION WITH THE QUINTANA ROAD DRAINAGE NO. 64
(KING STREET) PROJECT.

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AN ORDINANCE 69,254 .

ACCEPTING THE LOW QUALIFIED BID OF S. H. TOLIVER
COMPANY, IN THE AMOUNT OF \$318,325.75, TO CONSTRUCT
THE JOHN SAUNDERS ROAD REALIGNMENT - UNIT II PROJECT
AT SAN ANTONIO INTERNATIONAL AIRPORT AND APPROVING A
CONTRACT; ACCEPTING A PROPOSAL FOR TESTING SERVICES;
AUTHORIZING ADDITIONAL ENGINEERING FEES;
APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 69,255 .

AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT
CHANGE ORDER NO. 11 IN THE AMOUNT OF \$57,045.54,
PAYABLE TO FRU-CON CONSTRUCTION CORPORATION, FOR THE
DOS RIOS WASTEWATER FACILITY, CONTRACT NO. 4A.

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AN ORDINANCE 69,256 .

APPROPRIATING ADDITIONAL ENGINEERING FUNDS PAYABLE
TO HOWARD W. GADDIS CONSULTING ENGINEER, INC., TO

PROVIDE ADDITIONAL ENGINEERING AND GEOTECHNICAL SERVICES IN THE AMOUNT OF \$12,866.15; AND PROVIDING AN ADDITIONAL \$1,286.62 FOR CONTINGENCY EXPENSES IN CONNECTION WITH THE WOODLAWN AREA SANITARY SEWER REHABILITATION PROJECT, PHASES I AND II.

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AN ORDINANCE 69,257

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$13,910.00 OUT OF GENERAL OBLIGATION BONDS FOR THE PURPOSE OF ACQUIRING TITLE AND/OR EASEMENTS TO CERTAIN LANDS; ACCEPTING THE DEDICATION OF EASEMENTS TO CERTAIN LANDS; ALL IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS. (PACIFIC DRAINAGE PROJECT #66A, HARRY WURZBACH DRAINAGE PROJECT #75; HI-LIONS DRAINAGE PROJECT #80)

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AN ORDINANCE 69,258

AUTHORIZING THE SALE OF TREES FROM THE CITY TREE NURSERY AND AUTHORIZING THE USE OF SALE PROCEEDS FOR MAKING IMPROVEMENTS TO SAID TREE NURSERY.

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AN ORDINANCE 69,259

AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH THE TEXAS DEPARTMENT OF HUMAN RESOURCES TO PROVIDE TUITION FOR A HEALTH DEPARTMENT NURSE TO ATTEND THE UNIVERSITY OF TEXAS SOUTHWESTERN MEDICAL CENTER WOMEN'S HEALTH CARE ADVANCED NURSE PRACTITIONER PROGRAM.

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AN ORDINANCE 69,260

AUTHORIZING SUBMISSION OF AN APPLICATION TO THE UNITED STATES PUBLIC HEALTH SERVICE IN THE AMOUNT OF \$250,000.00 TO FUND A PRE-SCHOOL IMMUNIZATION DEMONSTRATION PROJECT FOR THE PERIOD JULY 1, 1989 TO JUNE 30, 1990.

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A RESOLUTION NO. 89-16-28

APPROVING THE FINANCING BY THE BELL COUNTY HEALTH FACILITIES DEVELOPMENT CORPORATION OF A HEALTH FACILITY LOCATED WITHIN THE CITY OF SAN ANTONIO, TEXAS.

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AN ORDINANCE 69,261

ESTABLISHING A CENTRAL COUNTING STATION FOR THE PURPOSE OF TABULATING ABSENTEE BALLOTS FOR THE REGULAR MUNICIPAL AND BOND ELECTION OF MAY 6, 1989, AND APPOINTING A CENTRAL COUNTING STATION MANAGER AND TABULATION SUPERVISOR, AND APPROVING ASSISTANTS TO SAID SUPERVISOR.

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AN ORDINANCE 69,262

NAMING AN ABSENTEE BALLOT BOARD FOR THE PURPOSE OF PROCESSING ABSENTEE BALLOTS CAST BY PERSONAL APPEARANCE AND BY MAIL FOR THE REGULAR MUNICIPAL AND BOND ELECTION OF MAY 6, 1989.

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AN ORDINANCE 69,263

AUTHORIZING THE CITY MANAGER TO EXECUTE AN ELECTION CONTRACT WITH BEXAR COUNTY TO PROVIDE CERTAIN SERVICES IN CONNECTION WITH THE CONDUCT OF ABSENTEE VOTING IN PERSON AND BY MAIL FOR THE MAY 6, 1989 ELECTION.

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AN ORDINANCE 69,264

AUTHORIZING THE TRANSFER OF \$28,000 FROM PUBLIC WORKS ACTIVITY CODE 23-01-01, INDEX NO. 279026, TO CODE COMPLIANCE UNIT ACTIVITY CODE 80-18-01.

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89-16 The Clerk read the following Ordinance:

AN ORDINANCE 69,265

ACCEPTING THE BIDS OF STAR TANK AND TRAILER MANUFACTURING COMPANY AND OWENS- CORNING FIBERGLASS CORPORATION FOR THE EMERGENCY REPAIR AND REPLACEMENT OF FUEL STORAGE TANKS FOR THE CITY OF SAN ANTONIO AUTOMOTIVE OPERATIONS DIVISION FOR A TOTAL OF \$11,339.60.

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

In response to a question by Ms. Berriozabal, Mr. Archie Titzman, Director of the Department of Purchasing and General Services, explained the fuel leak involved a City fuel storage tank, and he noted that the leak did not occur over the Edwards Aquifer recharge zone. He then spoke of the removal of all tanks in the area as well as any contaminated soil.

Ms. Berriozabal voiced her concern with leaks from any underground fuel tanks over the Edwards Aquifer recharge zone.

Mr. Titzman explained that tank "liners" were adequate to prevent the loss of fuel into the soils, but he noted that one tank nevertheless ruptured as it was being removed and had to be replaced with a new tank.

In response to a question by Ms. Berriozabal, Mr. Roland Lozano, Director of Planning, spoke to the extra precautions taken in installing fuel tanks over the Edwards aquifer. He then briefly described the City's monitoring process.

Ms. Berriozabal stated that she would like to have data that the City is ensuring that fuel tanks being installed over the recharge zone cannot pollute the Edwards aquifer.

A discussion then took place concerning how underground leaks are detected.

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

April 13, 1989
mlr

89-16 The Clerk read the following Ordinance:

AN ORDINANCE 69,266

AUTHORIZING THE CITY MANAGER TO EXECUTE A FINANCIAL AGREEMENT WITH THE STATE DEPARTMENT OF HIGHWAYS & PUBLIC TRANSPORTATION RELATED TO THE OVERLAY OF ROOSEVELT FROM STEVES TO LOOP 13, AND ROLAND AND RIGSBY FROM IH 10 TO LOOP 13 AND AUTHORIZING CITY PARTICIPATION IN THE AMOUNT OF \$18,725.00.

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

In response to a question by Mrs. Dutmer, Mr. Joe Aceves, Director of Public Works Department, spoke to the drainage channel involved where Tillie Drive crosses Rigsby Avenue. He then addressed the reconstruction requirements of Rigsby Avenue.

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

89-16 The Clerk read the following Ordinance:

AN ORDINANCE 69,267

AUTHORIZING A REFUND IN THE AMOUNT OF \$13,702.78 TO LA CANTERA PARTNERSHIP FOR OVERPAYMENT IN THE COST OF A TURNAROUND LANE AT IH 10 AND FM 1604.

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

In response to a question by Mr. Martinez, Mr. Joe Aceves, Director of the Public Works Department, described the lower cost involved in constructing the turn-around lane at I.H. 10 and the resultant refund to be made to La Cantera Partnership.

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

Dutmer, Wing, Martinez, Thompson, Wolff, Labatt, Hasslocher; NAYS: None;
ABSENT: Vera, Cisneros.

89-16 The Clerk read the following Ordinance:

AN ORDINANCE 69,268

APPROVING FIELD ALTERATION NO. 4, IN THE AMOUNT OF \$25,953.00, TO THE CONTRACT WITH H. B. ZACHRY COMPANY FOR THE TERMINAL 2 APRON RECONSTRUCTION PROJECT AT SAN ANTONIO INTERNATIONAL AIRPORT; REVISING THE BUDGET; AND PROVIDING FOR PAYMENT.

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

In response to a question by Mr. Martinez, Mr. Carl Baber, representing the Aviation Department, spoke to the status of construction on the Terminal II Apron Reconstruction Project at the International Airport and spoke as to whether minority business enterprise efforts were made in this area.

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

89-16 The Clerk read the following Ordinance:

AN ORDINANCE 69,269

AWARDING A CONSTRUCTION CONTRACT TO MISSION CONTRACTORS INC., FOR THE CONSTRUCTION OF THE WEST BLANCO SANITARY SEWER EXTENSION PROJECT IN THE AMOUNT OF \$196,928.52; AND PROVIDING AN ADDITIONAL \$29,539.28 FOR A CONSTRUCTION CONTINGENCY.

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

In response to a question by Ms. Berriozabal, Mr. Frank Kiolbassa, Director of the Department of Environmental Management,

explained the impact of the sewage discharge from abandoned septic tanks. He noted that the Texas Water Commission is now pursuing possible penalties against the owner of the septic tanks involved. He further noted that this project will relieve the current problem with septic tanks and he noted that the Texas Water Commission has said there has been no contamination of the Edwards aquifer water. Mr. Kiolbassa then noted that the problem is a large holding tank into which septic tanks flow. He also stated that the area is outside of the City of San Antonio in Bexar County.

Ms. Berriozabal voiced her concern that the City will have to pay for a sewage system for this area when it is annexed into the City of San Antonio. She spoke of this as being a good use of impact fees, and asked the Council's Annexation Committee to look closely at areas such as this and perhaps decide not to annex them.

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

Mr. Wolff voiced his concerns with this major problem area in San Antonio's sewer service area, and noted that the City will partially recover its costs for this sewer line through the use of impact fees.

Mr. Kiolbassa addressed the history of the property involved which was abandoned by an out-of-state owner. He noted that there is a possibility that fines will be levied against the land owners as well as the business park users.

Mr. Labatt addressed the need to annex areas and to get rid of septic tanks in all possible cases.

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

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89-16 The Clerk read the following Ordinance:

AN ORDINANCE 69,270

AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION AND ACCEPT A GRANT FOR \$1,148,612.00 FROM THE TEXAS DEPARTMENT OF HUMAN SERVICES FOR THE 1989 SUMMER FOOD AND SERVICE PROGRAM AND APPROVING A BUDGET AND PERSONNEL COMPLEMENT.

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

In response to a question by Mr. Martinez, Mr. Ron Darner, Director of Parks and Recreation, discussed the bids being prepared on food providers for the Summer Nutrition Program.

Mr. Martinez questioned how the Request for Proposal was prepared. He spoke of the need to keep such requests local if at all possible and he also spoke to the need to have the winning company located on a transportation net for the convenience of its workers.

In response to a question by Ms. Berriozabal, Mr. Darner addressed the number of sites involved, and stated he would provide data on the number of children who are being served by this program.

In response to a question by Mr. Wing, Mr. Darner spoke to the criteria used in selecting the contractor involved.

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

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89-16 The Clerk read the following Ordinance:

AN ORDINANCE 69,271 .

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ADOPTING CERTAIN AMENDMENTS TO THE DOCUMENT ENTITLED
THE NEIGHBORHOOD PLANNING PROCESS A COMPONENT OF THE
SAN ANTONIO MASTER PLAN.

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

In response to a question by Mr. Labatt, Mr. Roland Lozano, Director of Planning, noted that this is Phase I of the proposed changes to the neighborhood planning process and he spoke to the involvement in such planning process by neighborhood groups involved.

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

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April 13, 1989
mlr

89-16 The Clerk read the following Ordinance:

AN ORDINANCE 69,272

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

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

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

89-16 The Clerk read the following Resolution:

A RESOLUTION NO. 89-16-29

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS, APPROVING AND AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE NOT TO EXCEED \$18,500,000 OF CERTIFICATES OF OBLIGATION; AND RESOLVING OTHER MATTERS IN CONNECTION THEREWITH.

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

Mrs. Dutmer voiced her concern with the borrowing of some \$18 million for dome development when voters during the election process were assured that no tax funds would be involved. She also voiced her concern that the firm involved is owned by Indianapolis mayor, William Hudnut, who is a major contractor in dome development.

Mayor Cisneros noted that some interim borrowing is required, and was addressed in the electoral campaign. He then spoke to why interim funds are needed prior to the time when the sales tax funds begin coming in.

Mayor Cisneros then spoke of a financial paper prepared by Mr. John Gatti, member of the Dome Advisory Committee, and presented at the Committee's last meeting. He asked that copies of this financial paper be

distributed to City Council members for their information. (A copy of this paper is made a part of the papers of this meeting.)

Mr. Alexander Briseno, Assistant City Manager, addressed the funding forecast for dome development. He noted that sales tax revenues are running some 8.75% above last year's figures so far, although City staff had expected only a 3% annual growth.

Mayor Cisneros spoke to various aspects of the financial paper presented by Mr. Gatti to the dome committee indicating that surplus funds probably will be available on the dome project.

Mrs. Dutmer questioned whether the projected numbers will stand up in growth of sales tax revenues.

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

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89-16 The Clerk read the following Ordinance:

AN ORDINANCE 69,273

APPROPRIATING \$4,467.00 IN COSTS FOR A PERMANENT EASEMENT OVER LOTS 1, 2 & 3; NCB 6393, AS PART OF THE CHICAGO/FAIR/SO. PRESA PROJECT AND AUTHORIZING DISBURSEMENT AND DISPOSITION OF SUCH SUMS.

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

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

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89-16 The Clerk read the following Ordinance:

AN ORDINANCE 69,274

AUTHORIZING SETTLEMENT OF 86CI-05070, HARLANDALE HOUSING CORPORATION V. CITY OF SAN ANTONIO, 288TH DISTRICT COURT FOR THE SUM OF \$10,000 AND ACCEPTING

DEDICATION OF A DRAINAGE EASEMENT.

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

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

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89-16 Agenda Item 52, being a proposed ordinance rescinding previous ordinances related to vending of raspa-snowcones, etc. at six Valero Plaza locations, was temporarily bypassed for consideration later in this meeting.

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89-16 Agenda Item 53, being a proposed ordinance amending Chapters 28 and 35 of the City Code to permit placement of prescribed temporary menu and sandwich board signage, was removed earlier by the City Manager from consideration.

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89-16 The Clerk read the following Ordinance:

AN ORDINANCE 69,275

AWARDING THE CONTRACT TO ALLIED ADVERTISING FOR
OPERATION OF BUS BENCH ADVERTISING ON PUBLIC
RIGHT-OF-WAY.

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

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

89-16 The Clerk read the following Ordinance:

AN ORDINANCE 69,276

AUTHORIZING APPROVAL OF A RUN/WALK PERMIT FOR THE
"WALK FOR ISRAEL" SPONSORED BY THE JEWISH COMMUNITY
CENTER TO BE HELD SUNDAY, MAY 7, 1989.

* * * *

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

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

89-16 Agenda Item 56, being a proposed ordinance relating to approval
of a parade/run permit for the Olmos Kiwanis 10K and 5K Run, was
temporarily bypassed for consideration later in this meeting.

89-16 The Clerk read the following Ordinance:

AN ORDINANCE 69,277

AUTHORIZING CITY CO-SPONSORSHIP FOR "SAVOR DE MI
CULTURA" REQUESTED BY THE HARLANDALE INDEPENDENT
SCHOOL DISTRICT TO BE HELD MAY 13, 1989.

* * * *

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

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

89-16 Agenda Item 58, being a proposed ordinance authorizing City

co-sponsorship for the Cinco de Mayo Celebration, was temporarily bypassed for consideration later in the meeting.

89-16 The Clerk read the following Resolution:

A RESOLUTION NO. 89-16-30

STATING SUPPORT FOR THE INCREASE OF RESIDENCY SLOTS
IN PODIATRY IN THE UNIVERSITY OF TEXAS HEALTH
SCIENCE CENTERS.

* * * *

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

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

89-16 The Clerk read the following Ordinance:

AN ORDINANCE 69,278

AUTHORIZING THE TRANSFER OF \$300.00 FROM THE
DISTRICT 3 DISCRETIONARY ACCOUNT TO THE DEPARTMENT
OF INTERNATIONAL RELATIONS IN ORDER TO CO-SPONSOR A
LUNCHEON HONORING THE OUTGOING CONSUL GENERAL OF
MEXICO, MR. HECTOR MENDOZA-CAAMANO.

* * * *

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

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

89-16 Agenda Item 61, being a proposed resolution directing the new Library Director to lead an evaluation process at how the City currently delivers library services, was temporarily bypassed for consideration

later in the meeting.

89-16 The Clerk read the following Resolution:

A RESOLUTION NO. 89-16-31

SUPPORTING H.B. 1417, WHICH ESTABLISHES A TRANSITIONAL HOUSING PILOT PROGRAM IN FOUR SELECTED AREAS OF THE STATE AND AN INTERAGENCY COUNCIL FOR SERVICES TO THE HOMELESS.

* * * *

Mr. Webb made a motion to approve the proposed Resolution. Mrs. Dutmer seconded the motion.

Mr. Wayne Fleenor, Legislative Liaison for the City of San Antonio, briefly explained the Resolution.

In response to a question by Mr. Thompson, Mr. Kevin Moriarty, Director of the Department of Human Resources and Services, spoke to the local advantages of legislation in providing transitional housing for the homeless.

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

89-16 PUBLIC HEARING & CONSIDERATION OF AN ORDINANCE: CARVER CENTER RENOVATION PHASE I

Mayor Cisneros declared the Public Hearing to be opened.

No citizen appeared to speak on this matter.

Mayor Cisneros declared the Public Hearing to be closed.

The Clerk read the following Ordinance:

AN ORDINANCE 69,279

APPROVING AN AMENDMENT TO THE CARVER CENTER RENOVATION PHASE I PROJECT SO AS TO PROVIDE FOR THE DEVELOPMENT OF A 10,000 SQUARE FOOT LANDSCAPED GARDEN TO INCLUDE VEGETABLE PLOTS AND PAVING FOR

89-16 The Clerk read the following Resolution:

A RESOLUTION NO. 89-16-32

SUPPORTING HOUSE BILL 2245, WHICH CREATES A HOUSING FOR THE HOMELESS FUND WITHIN THE TEXAS HOUSING AGENCY.

* * * *

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

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

89-16 The Clerk read the following Resolution:

A RESOLUTION NO. 89-16-33

OPPOSING S.B. 225 WHICH WOULD ALLOW MUNICIPALITIES TO EXEMPT CERTAIN ENTITIES FROM PAYING LOCAL HOTEL OCCUPANCY TAX.

* * * *

Mr. Wolff made a motion to approve the proposed Resolution. Ms. Vera seconded the motion.

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

89-16 The Clerk read the following Resolution:

A RESOLUTION NO. 89-16-34

OPPOSING H.B. 1147 WHICH WOULD ALLOW MUNICIPALITIES TO EXEMPT CERTAIN ENTITIES FROM PAYING LOCAL HOTEL OCCUPANCY TAX.

* * * *

Mr. Labatt made a motion to approve the proposed Resolution. Mrs. Dutmer seconded the motion.

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

- - -
89-16 The Clerk read the following Resolution:

A RESOLUTION NO. 89-16-35 .

OPPOSING H.B. 1023 WHICH WOULD ALLOW MUNICIPALITIES TO EXEMPT CERTAIN ENTITIES FROM PAYING LOCAL HOTEL OCCUPANCY TAX.

* * * *

Mrs. Dutmer made a motion to approve the proposed Resolution. Mr. Labatt seconded the motion.

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

- - -
ZONING HEARINGS

64. CASE Z88025 - to rezone a 0.618 acre tract of land out of NCB 15329, southeast corner of Military Drive West and Potranco Road (FM 1957), from Temporary "R-1" One Family Residence District to "B-3" Business District, located southeast of the intersection of Potranco Road (FM 1957) and Military Drive West, having 139.88' on Potranco Road (FM 1957), 140' on Military Drive West.

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

Following a brief discussion among City Council members, Ms. Vera made a motion to approve "B-3R" zoning on the property. Mr. Hasslocher seconded the motion.

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

April 13, 1989
mlr

None; ABSENT: Thompson.

AN ORDINANCE 69,281

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 0.618 ACRE TRACT OF LAND OUT OF NCB 15329, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, SOUTHEAST CORNER OF MILITARY DRIVE WEST AND POTRANCO ROAD (FM 1957), FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

* * * *

65. CASE Z89058 - to rezone Lots 1 and 2, NCB 7344, from "F" Local Retail District to "B-3R" Restrictive Business District and Lot 7, NCB 7344, from "C" Apartment District to "O-1" S.U.P. Office District, Special Use Permit for a welding shop, 2402 Nogalitos Street, located southeast of the intersection of Nogalitos Street and Glenn Avenue, having 75.8' on Nogalitos Street and 133.1' on Glenn Avenue.

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

Mr. Wing made a motion to approve the recommendation of the Zoning Commission provided that a six-foot solid screen fence is erected and maintained along the east and south property lines. Mrs. Dutmer seconded the motion.

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

AN ORDINANCE 69,282

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 1 AND 2, NCB 7344, FROM "F" LOCAL RETAIL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT AND LOT 7, NCB 7344, FROM "C" APARTMENT

DISTRICT TO "O-1" S.U.P. OFFICE DISTRICT WITH SPECIAL USE PERMIT FOR A WELDING SHOP, 2402 NOGALITOS STREET, PROVIDED THAT A SIX-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE EAST AND SOUTH PROPERTY LINES. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

* * * *

- - -
89-16 Agenda Item 66, being Zoning Case Z89045, was temporarily bypassed for consideration later in the meeting.

- - -
67. CASE Z89061 - to rezone Lot 14, NCB 1207, Runnels Street, from "C" Apartment District to "B-2" Business District, located on the north side of Runnels Street, being 225 feet northeast of the intersection of Runnels Street and Locke, having 45 feet on Runnels Street, with a depth of 120 feet.

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

Mr. Webb made a motion to deny the requested rezoning. Mr. Hasslocher seconded the motion.

Mr. Rudy Hettler, representing the proponent, briefly explained the request for a small convenience store on this property. He noted that the proponent currently operates a mobile grocery store in nearby neighborhoods.

Mr. Webb voiced his concern with commercial zoning being located next to residences, when so much vacant commercial property exists nearby.

A discussion then took place concerning the proponent's ability to maintain his vehicle on the property so long as he does not sell from the property itself.

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

Case Z89061 was denied.

- - -
68. CASE Z89052 - to rezone a 7.136 acre tract of land out of NCB 13665, North Hollow, from "B-2" Business District to "B-3R" Restrictive Business District, located on the southeast side of North Hollow, being

230.87 feet southwest of the intersection of North Hollow and Eckhert Blvd., having 533.07 feet on North Hollow, with a depth of 524.29 feet.

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

Mr. Joe Nix, representing the proponent, spoke of plans for use of the property.

A discussion then took place among City Council members concerning the acceptability of "B-3R" zoning so long as a fifty foot wide strip of "B-2" buffer is maintained along the southwest property line.

Mr. Wolff made a motion to approve "B-3R" on the subject property with the exception of a fifty foot strip of "B-2" to remain along the southwest property line. Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 69,283

AMENDING CHAPTER 35 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 6.533 ACRE TRACT OF LAND OUT OF NCB 13665, NORTH HOLLOW, FROM "B-2" BUSINESS DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

* * * *

69. CASE Z89056 - to rezone the north 45 feet of Parcels 16 and 18, Block 17, NCB 18837, from Temporary "R-1" One Family Residence District to "B-2" Business District and Parcels 16 and 18, NCB 18837, save and except the north 45 feet, from Temporary "R-1" One Family Residence District to "B-3R" Restrictive Business District, located on the north side of Culebra Road, being 175 feet southwest of the intersection of Lee Harrison Drive and Culebra Road, having 171.59' on Culebra Road and a maximum depth of 213.8 feet.

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

Mr. Wolff made a motion to approve the recommendation of the Zoning Commission. Mrs. Dutmer seconded the motion.

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

AN ORDINANCE 69,284

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE NORTH 45 FEET OF PARCELS 16 AND 18, BLOCK 17, NCB 18837, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT AND PARCELS 16 AND 18, BLOCK 17, NCB 18837, SAVE AND EXCEPT THE NORTH 45 FEET, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

* * * *

70. CASE Z89057 - to rezone the north 75 feet of Parcel 13-A, NCB 15097, from Temporary "R-1" One Family Residence District to "B-2" Business District and Parcel 13-A, NCB 15097, save and except the north 75 feet, from Temporary "R-1" One Family Residence District to "B-3R" Restrictive Business District, located northeast of the intersection of Culebra Road and Cliffbrier Drive, having 400 feet on Culebra Road and 320 feet on Cliffbrier Drive.

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

Mr. Wolff made a motion to approve the recommendation of the Zoning Commission. Ms. Vera seconded the motion.

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

April 13, 1989
mlr

AN ORDINANCE 69,285

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE NORTH 75 FEET OF PARCEL 13-A, NCB 15097, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT AND PARCEL 13-A, NCB 15097, SAVE AND EXCEPT THE NORTH 75 FEET, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

* * * *

71. CASE Z89032 - to rezone property generally located south of S.E. Loop 410 Expressway, being west of U.S. 281 South and F.M. 1937 and extending west of Mitchell Lake, from Temporary "R-1" One-Family Residence District, "R-1" One-Family Residence District, "B" Residence District, "R-4" Mobile Home Residence District, "B-3NA" Non-Alcoholic Sales Business District and "B-3R" Restrictive Business District to "R-1" One-Family Residence District, "R-A" Residence-Agriculture District, "R-3" Multiple Family Residence District, "B-2" Business District, "B-3" Business District, "B-3R" Restrictive Business District, "B-3R" S.U.P. Restrictive Business District with Special Use Permit for a truck terminal and storage tanks.

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

Mrs. Dutmer stated that she fully agrees to the proponent's plans for use of this property, except that she would like to have "B-3NA" zoning instead of "B-3R" zoning on the property nearest to the new City Police Academy.

Mrs. Dutmer made a motion to approve the rezoning request except changing the recommended "B-3R" zoning on certain property located next to the Police Academy to "B-3NA". Mr. Webb seconded the motion.

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

April 13, 1989

mlr

AN ORDINANCE 69,286

AMENDING CHAPTER 35 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 NCB 11166, PARCELS 8, 9, 10, 11, 12, 13, 14, 21, 25, 31, 33, 33A, 34, 35, 36, 37, 37A, 38, 40, 42A, AND 60, PARCELS 39, SAVE AND EXCEPT THE NORTH 580 FEET OF THE EAST 870 FEET, PARCELS 15, 17, 18, 19, 20, 22, 23, 24, 24A, 26, 27, 28, 32, 105, 106, 107, 108, SAVE AND EXCEPT THE EAST 130 FEET, PARCEL 2, SAVE AND EXCEPT THE 130 FEET AND THE NORTH 455 FEET, LOT 8C, SAVE AND EXCEPT THE NORTH 185 FEET, LOT 8D, SAVE AND EXCEPT THE NORTH 455 FEET, LOT 8F, SAVE AND EXCEPT THE NORTH 330 FEET, NCB 15647, PARCELS 45 AND 46, SAVE AND EXCEPT THE WEST 130 FEET, PARCELS 49 AND 59, NCB 15667, PARCEL 13, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "R-A" RESIDENCE-AGRICULTURE DISTRICT; NCB 11156, LOTS 11 AND 12, PARCELS 7-A, 22 AND THE WEST 240 FEET OF PARCEL 23, FROM "B" RESIDENCE DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT; NCB 11166, LOTS 1, 2, 3, 4, 5, 6, 7, 8, 8A, 8B, 8G, 8H, 8M, 8N, 10 AND 11, TRACTS 1 AND 2, PARCELS 100, 101, 102 AND 103, THE NORTH 455 FEET OF PARCEL 2, THE NORTH 185 FEET OF LOT 8C, THE NORTH 455 FEET OF LOT 8D, THE NORTH 330 FEET OF LOT 8F, NCB 15647, ALL OF THE NCB, SAVE AND EXCEPT PARCELS 45, 46, 49 AND 59, NCB 15667, PARCELS 11 AND 12, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT, "R-1" ONE FAMILY RESIDENCE DISTRICT, "B" RESIDENCE DISTRICT, "R-4" MOBILE HOME RESIDENCE DISTRICT, "B-3R" RESTRICTIVE BUSINESS DISTRICT TO "B-2" BUSINESS DISTRICT; NCB 11166, PARCEL 16 AND THE EAST 130 FEET OF PARCEL 2, 15, 17, 18, 19, 20, 22, 23, 24, 24A, 26, 27, 28, 32, 105, 106, 107, AND 108, NCB 15647, THE WEST 130 FEET OF PARCELS 45 AND 46, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT, "B" RESIDENCE DISTRICT, "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT; NCB 15665, LOT 1, NCB 11166, THE EAST 870 FEET OF THE NORTH 580 FEET OF PARCEL 39, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-3R" S.U.P. RESTRICTIVE BUSINESS DISTRICT, SPECIAL USE PERMIT FOR REFINED OIL, FUEL STORAGE AND TRANSPORT TRUCKS TERMINAL; PROPERTY AS SHOWN ON ATTACHED EXHIBIT AND ON THE OFFICIAL ZONING MAPS AT THE PLANNING DEPARTMENT, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "R-1" ONE FAMILY

RESIDENCE DISTRICT, "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT, "B-2" BUSINESS DISTRICT AND "B-3" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00". (SOUTHSIDE MUNICIPAL GOLF COURSE)

* * * *

72. CASE Z89033 - to rezone from Temporary "R-1" One-Family Residence District to "R-A" Residence-Agriculture District, "R-1" One-Family Residence District, "R-4" Mobile Home Residence District, "B-2" Business District and "I-1" Light Industry District, property located northeast of the intersection of I.H. 35 South and S.W. Loop 410 Expressway and including 500 feet south of S.W. Loop 410 Expressway and extending east to the present city limits.

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

Mr. Wing made a motion to approve the recommendation of the Zoning Commission. Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 69,287

AMENDING CHAPTER 35 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 NCB 11212, LOT 1, PARCELS 2, 3A, 3B AND 4, NCB 11295, PARCELS 1, 1A, 1B, 1C, 2, 3, 5, 58 AND 59, NCB 14566, PARCELS 7, THE EAST 750 FEET OF 6 AND THE NORTHERN PORTIONS OF 4, 4A, 4B, BEING NORTH OF THE CENTER LINE OF LEON CREEK, NCB 14568, PARCELS 4D, SAVE AND EXCEPT THE NORTH 200 FEET AND THE WEST 300 FEET, NCB 14569, PARCELS 9D, 24, AND 23, SAVE AND EXCEPT THE NORTH 200 FEET AND THE EAST 300 FEET, PARCELS 22, 22A, 23A, 23C, 23D, SAVE AND EXCEPT THE NORTH 200 FEET, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "R-A" RESIDENCE-AGRICULTURE DISTRICT; NCB 11237, BLOCK 21, PORTION OF LOTS 6, 7, 8, 9, 10 AND 11, ANNEXED BY THE CITY OF SAN ANTONIO ON DECEMBER 31, 1988, NCB 11240, BLOCK 24, PORTION OF LOTS 15, 16, AND 17,

ANNEXED BY THE CITY OF SAN ANTONIO ON DECEMBER 31, 1988, NCB 11240, BLOCK 25, LOTS 1 THROUGH 9, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "R-1" ONE FAMILY RESIDENCE DISTRICT; NCB 14566, PARCELS 6A, 6B, AND 6, SAVE AND EXCEPT THE EAST 750 FEET AND A PORTION OF LAND BEING ON THE WEST SIDE OF CENTER LINE OF LEON CREEK, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "R-4" MOBILE HOME RESIDENCE DISTRICT; NCB 14566, PARCELS 4C, 4J, 19A, THE WEST 200 FEET OF 4B AND 43, THE WEST AND SOUTH 200 FEET OF 4 AND 4F, THE WESTERN PORTION OF P-6, BEING ON THE WEST SIDE OF THE CENTER LINE OF LEON CREEK, NCB 14567, THE NORTH AND EAST 200 FEET OF PARCELS 3 AND 50, THE EAST 200 FEET OF PARCELS 3A AND 3C, THE NORTHWEST 200 FEET OF PARCELS 13, 14, AND 15A, THE SOUTH 200 FEET OF PARCEL 15, THE SOUTH 200 FEET AND THE EAST 200 FEET OF PARCEL 22, THE NORTHWEST AND SOUTH 200 FEET OF PARCEL 10-B, FRONTING ON I.H. 35 AND LOOP 410 EXPRESSWAY, NCB 14568, THE NORTH 200 FEET AND WEST 300 FEET OF PARCEL 4D, NCB 14569, PARCELS 22F, 23B, 23E, 23F, 23G, THE NORTH 200 FEET OF PARCELS 22, 22A, 23A, 23C, 23D, THE NORTH 200 FEET AND THE EAST 300 FEET OF PARCEL 23, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT, NCB 14566, PARCELS 39, 40, 41, 42, AND 47, PARCEL 43, SAVE AND EXCEPT THE WEST 200 FEET, PARCEL 4, SAVE AND EXCEPT THE WEST AND SOUTH 200 FEET AND THE NORTHERN PORTION BEING NORTH OF THE CENTER LINE OF LEON CREEK, PARCEL 4A, SAVE AND EXCEPT THE NORTHERN PORTIONS, BEING NORTH OF THE CENTER LINE OF LEON CREEK, PARCEL 4B, SAVE AND EXCEPT THE WEST 200 FEET AND NORTHERN PORTION, BEING NORTH OF THE CENTER LINE OF LEON CREEK, PARCEL 4F, SAVE AND EXCEPT THE WEST AND SOUTHEAST 200 FEET, NCB 14567, PARCEL 3, SAVE AND EXCEPT THE NORTHWEST AND THE EAST 200 FEET, PARCEL 3A AND 3C, SAVE AND EXCEPT THE EAST 200 FEET, PARCELS 13, 14, AND 15A, SAVE AND EXCEPT THE NORTHWEST 200 FEET, PARCEL 50, SAVE AND EXCEPT THE SOUTH 200 FEET, PARCEL 10B, SAVE AND EXCEPT THE NORTHWEST AND SOUTH 200 FEET FRONTING ON I.H. 35 AND LOOP 410 EXPRESSWAY, PARCEL 50, SAVE AND EXCEPT THE NORTH AND EAST 200 FEET, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00". (SOMERSET ROAD ZONING PLAN)

* * * *

73. CASE Z89024 - to rezone from Temporary "R-1" One Family Residence District to "R-A" Residence-Agriculture District, B-2" Business District, "B-3R" Restrictive Business District, property located between Quintana Road, Pearsall Road and bounded on the west by both sides of Southwest Loop 410.

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

Mr. Hasslocher made a motion to approve the recommendation of the Zoning Commission. Mr. Labatt seconded the motion.

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

AN ORDINANCE 69,288

AMENDING CHAPTER 35 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 NCB 14992, ALL OF NCB, NCB 14991, PARCELS 6, 18, NCB 14492, PARCELS 4B, 68, SAVE AND EXCEPT THE EAST 200 FEET, FRONTING ON LOOP 410 EXPRESSWAY, NCB 14494, PARCELS 17, 17A, 18, SAVE AND EXCEPT THE EAST 200 FEET FRONTING ON LOOP 410 EXPRESSWAY, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "R-A" RESIDENCE-AGRICULTURE DISTRICT; NCB 14991, THE SOUTH 100 FEET OF PARCEL 67A, NCB 14993, THE EAST 200 FEET OF PARCELS 4B AND 68, FRONTING ON LOOP 410 EXPRESSWAY, NCB 14494, PARCELS 16 AND THE EAST 200 FEET OF PARCELS 17A, 17 AND 18, FRONTING ON LOOP 410 EXPRESSWAY, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT; NCB 14491, PARCEL 67A, SAVE AND EXCEPT THE SOUTH 100 FEET, FROM TEMPORARY "R-1" ONE FAMILY RESIDENC DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00". (SOUTHWEST LOOP 410 ZONING PLAN)

* * * *

74. CASE Z88203 - to rezone a 0.949 acre tract of land out of NCB 11625 and NCB 11627, from "R-3 Multiple Family Residence District to "B-3"

Business District and a 7.188 acre tract of land, save and except a 0.949 acre tract of land out of NCB 11625 and NCB 11627, from "R-3" Multiple Family Residence District to "B-2" Business District, Callaghan Road and Horizon Hill Blvd., located on the southwest side of Horizon Hill Blvd., between Mockingbird Lane and Callaghan Road, having 389.41' on Callaghan Road, 916.05' on Horizon Hill Blvd., and 398.68' on Mockingbird Lane.

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

Zoning Case Z88203 was tabled at last week's City Council meeting.

Mr. Wolff addressed the months of work that have been put in by both sides in this rezoning request, and he spoke of the negotiations that have resulted in a list of deed restrictions which are acceptable to both sides.

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

Attorney Bill Kaufman, representing the opponents to the rezoning request, spoke of the agreement that has been reached with representatives of the proponents.

Kenneth Gindy, attorney for the proponents, addressed the agreements that have been reached in negotiations on certain deed restrictions to the property. He asked that the zoning be granted, contingent on the agreed upon deed restrictions.

Mr. Wolff stated that he wants to see the deed restrictions turned in to the City Clerk in final form within 120 days of today's action.

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

Mr. Wolff made a motion to untable Agenda Item 74, being Zoning Case Z88203. Mrs. Dutmer seconded the motion.

The motion to untable this item prevailed by the following vote: Berriozabal, Webb, Dutmer, Wing, Martinez, Vera, Wolff, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: Thompson.

Mr. Wolff made a motion to approve the proposed rezoning. Mr. Labatt seconded the motion.

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

None; ABSENT: Thompson.

AN ORDINANCE 69,289

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 0.949 ACRE TRACT OF LAND OUT OF NCB 11625 AND NCB 11627, FROM "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT AND A 7.188 ACRE TRACT OF LAND, SAVE AND EXCEPT A 0.949 ACRE TRACT OF LAND OUT OF NCB 11625 AND 11627, FROM "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT, CALLAGHAN ROAD AND HORIZON HILL BLVD. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

* * * *

66. CASE Z89045 - to rezone Lot 2, NCB 17946, 8432 Bandera Road, from Temporary "R-1" One Family Residence District to "B-3R" Restrictive Business District for tractor sales with outside storage, located on the northeast side of Bandera Road, being 329.25' northwest of the intersection of Bandera Road and Bristlecone Drive, having 209.44' on Bandera Road with a maximum depth of 202.95'.

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

Mr. Richard Specia, the property owner, explained his request for "I-1" rezoning, which he has now modified to a request for "B-3R" zoning. He stated that he wishes to continue the existing use of the property.

Mr. Lonnie Northrup, a nearby resident of 8711 Woods End, distributed photographs of the area showing an accumulation of vehicles and boats on the subject property up for rezoning, and spoke also to the excess noise coming from that property.

Dr. F. Ionescu, 8428 Bandera Road, stated that he is not opposed to "B-3R" rezoning on this property, only opposed to "I-1".

Mr. Specia stated that he needs the flexibility of the new rezoning in order to allow the sale of alcoholic beverages on the property if the current occupants leave.

Mr. Wolff asked the proponent to erect a fence to screen the unsightly rear area from nearby residential areas.

Mr. Wolff made a motion to approve the recommendation of the Zoning Commission provided that a six-foot solid screen fence is erected and maintained along the east property line. Ms. Vera seconded the motion.

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

AN ORDINANCE 69,290

AMENDING CHAPTER 35 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 2, NCB 17946, 8432 BANDERA ROAD, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-3R" S.U.P. RESTRICTIVE BUSINESS DISTRICT WITH A SPECIAL USE PERMIT FOR TRACTOR SALES AND REPAIR SERVICE WITH OUTSIDE STORAGE. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

* * * *

89-16 Agenda Item 56, being a proposed ordinance authorizing approval of a parade/run permit for the Olmos Kiwanis 10K and 5K Run, was taken up for consideration at this time.

In response to a question by Mr. Hasslocher, Ms. Karen Davis, Assistant to the City Manager, stated that the San Antonio Police Department feels that this is an unsafe route for a run because of the high traffic in the area and the fact that it is both inside and outside the City of San Antonio, and thus is difficult to police.

Mr. Hasslocher made a motion to deny the requested ordinance. Mr. Labatt seconded the motion.

The motion to deny was approved by the following vote: AYES: Webb, Dutmer, Vera, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: Berriozabal, Wing, Martinez, Thompson, Wolff.

89-16 The Clerk read the following Ordinance:

AN ORDINANCE 69,291

APPROPRIATING AND AUTHORIZING PAYMENT IN DISTRICTS 1, 3, 7, AND 10 DISCRETIONARY AND IMPROVEMENT FUND MONIES FOR THE CINCO DE MAYO CELEBRATION SPONSORED BY THE MEXICAN AMERICAN CULTURAL CENTER TO BE HELD MAY 5-7, 1989; AND AUTHORIZING CLOSURE OF CERTAIN STREETS IN CONNECTION WITH SAID EVENT.

* * * *

In response to a question by Mrs. Dutmer, Ms. Karen Davis, Assistant to the City Manager, stated that the City Council's current policy is that co-sponsorship of events be for a maximum of three years whereas, in this case, this particular event is now in its tenth year and the sponsors are requesting co-sponsorship again. She noted that it will cost the City some \$5,000 to co-sponsor this event.

Ms. Berriozabal stated that she feels that some groups set their budgets based upon planned co-sponsorship and thus need the help of co-sponsorship in order to raise sufficient funds.

A discussion then took place concerning the possible use of Council district discretionary funds. During the discussion, it was agreed to that District 1 discretionary funds in the amount of \$1,440 would be used for staging charges; District 3 discretionary funds in the amount of \$1,050 would be used for street sweeping charges; District 7 discretionary funds in the amount of \$1,740 would be used for San Antonio Police Department traffic control services; and that District 10 discretionary funds in the amount of \$770 would be used for San Antonio Police Department security services.

Ms. Berriozabal made a motion to approve the Ordinance authorizing payment and use of the discretionary funds of four City Council districts. Ms. Vera seconded the motion.

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

89-16 The Clerk read the following Resolution:

A RESOLUTION NO. 89-16-36

REQUESTING THE CITY STAFF TO ENGAGE IN PLANNING

ACTIVITIES, NEEDS ASSESSMENTS, AND STUDIES PRIOR TO
THE EXPENDITURE OF CAPITAL LIBRARY AND LITERACY
CENTER FUNDS.

* * * *

Mayor Cisneros spoke of the critical need for more library space at the San Pedro Branch Library especially. He then urged the City Council members to work hard on passage of the upcoming Library Bond election.

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

Ms. Vera spoke to the need for library bonds, and she addressed the omnibus nature of the resolution.

A discussion then took place concerning the concentrated efforts necessary to pass the library bond issue.

Mayor Cisneros announced that he would be cancelling his trip to Japan scheduled at the time prior to the bond vote, in order that he might remain in San Antonio to campaign for the library bond issue.

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

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89-16 The Clerk read the following Ordinance:

AN ORDINANCE 69,292

RESCINDING ORDINANCE 56453, DATED JANUARY 27, 1983,
AND ORDINANCE 55408, DATED JUNE 3, 1982, SO AS TO
PROVIDE FOR VENDING OF SNOW CONE-RASPAS, AT (6)
LOCATIONS AT VALERO PLAZA; APPROVING THE ALAMO EAST
TRAFFIC PLAN TO RELOCATE CERTAIN ACTIVITIES FROM
PUBLIC RIGHT OF WAY WITHIN THE HISTORIC 1836 ALAMO
FORTRESS COMPOUND; PROHIBITING THE SALE OF TOURS ON
ALL PUBLIC RIGHT-OF-WAYS IN THE CENTRAL BUSINESS
DISTRICT, WITH LIMITED EXCEPTIONS; AUTHORIZING A
LEASE AGREEMENT AT AN AVAILABLE ALTERNATIVE LOCATION
FOR THE SALE OF TOURS; AND PRESCRIBING A PENALTY OF
NOT LESS THAN \$100.00 NOR MORE THAN \$500.00 FOR
VIOLATION THEREOF.

* * * *

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

Mr. Ron Darner, Director of Parks and Recreation, explained City staff plans to move all nine raspa vendors from the area immediately in front of the Alamo, as part of an overall ordinance to move raspa and souvenir vendors as well as tour guide services from areas immediately in front of the Alamo.

Mr. Frank Perry, Director of Downtown Initiatives, explained staff plans to move tour operators from in front of the Alamo, and he also spoke to the restrictions on the use of the area in front of the Alamo.

Ms. Rosalinda Vasquez, a raspa vendor, stated that she feels she will lose business in raspa sales if she has to move from the area in front of the Alamo. She noted that already 43 raspa vendors vie for the nine available slots.

Mr. Guadalupe Villarreal, a raspa vendor, stated that he is speaking on behalf of his father and family in opposition to the proposed relocation of the raspa vendors. He stated that there is no business where the City plans to move the vendors.

Ms. Frances Garcia, raspa vendor, reiterated statements made by the previous speakers.

Mr. Mario M. Zamora, representing Fiesta City Fun Tours, also spoke in opposition to the ordinance and the impact on the tour services and their present operations.

In response to a question by Mayor Cisneros, Mr. Darner explained the present location of the raspa vendors and the proposed relocation site.

Mayor Cisneros stated that he personally feels that the relocation is not really detrimental to the raspa vendors, since it is only moving them a very short distance.

Mr. Wing stated that he is not in favor of the ordinance as he was not in favor of the original ordinance to limit the number of raspa vendors in Alamo Plaza. He stated further that he fears the loss of the raspa vendors as a result of this ordinance. He also spoke against moving the tour buses from the area in front of the Alamo as well.

A discussion then took place concerning prime sites for raspa vendors.

Mr. Martinez made an amended motion to move the south-most two raspa vendor sites to the north end of the Valero Park area in

front of the Alamo and leave the remaining four raspa sites as they are proposed for relocation by the City staff. Mr. Webb seconded the motion.

A discussion then took place concerning the Alamo Plaza usage by the tour buses and school buses, as well as the effect of the proposed Martinez amendment thereto.

Mr. Martinez stated that he feels the matter of the raspa vendors and the matter of the tour buses are two separate and different usages.

Mr. Wolff spoke to the need to move buses from in front of the Alamo, and he spoke in favor of the amendment on the raspa vendors.

Ms. Berriozabal stated that she would like to meet with the tour bus operators in order to discuss certain problems concerning the narrations used by some drivers on tour buses. She voiced her concern some of their remarks are uncomplimentary in nature.

Mrs. Dutmer voiced her concern that raspa vendors are not required to have hot water available on their carts. She also questioned the lack of the City audit of the books of the raspa vendors, stating that she feels they are not fair to nearby businesses who must pay taxes to the City. She then spoke against large bus usage near the Alamo as well and spoke in support of City staff recommendations.

Mr. Martinez made an amended motion to allow the tour guide services twenty-five minutes of parking time at locations selected by the City staff, with a ten-minute limit for school buses and charter buses. Mr. Wing seconded the motion.

Assistant City Attorney Veronica Madrid stated that the proposed ordinance would not allow the tour guide services to sell their services while also having their vehicles parked at Alamo Plaza. She stated that she feels they are operating illegally by selling tour guide services at the present time. Ms. Madrid stated that she feels that City Council action must be given in order to allow this to happen.

The amendment to regulate parking time for tour services, school buses and charter buses failed to carry by the following vote: AYES: Martinez; NAYS: Berriozabal, Webb, Dutmer, Wing, Vera, Wolff, Labatt, Cisneros; ABSENT: Thompson, Hasslocher.

The amendment to move two raspa vendor sites to the north end of Valero Park and leave four rapsa sites as proposed by City staff prevailed by the following vote: AYES: Berriozabal, Webb, Wing, Martinez, Vera, Wolff, Labatt, Cisneros; NAYS: Dutmer; ABSENT: Thompson, Hasslocher.

Mr. Martinez made a new amended motion to ask the City staff to compromise on the tour guide service matter and report back to the City Council in two weeks. Mr. Webb seconded the motion.

Mr. Martinez stated that he feels that the staff should seek some compromise on this matter because tour operators state that they will be put out of business if the ordinance passes.

After consideration, the motion on the newest amendment failed to carry by the following vote: AYES: Webb, Wing, Martinez, Thompson; NAYS: Berriozabal, Dutmer, Vera, Wolff, Labatt, Cisneros; ABSENT: Hasslocher.

After consideration, the main motion, as amended and carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Vera, Wolff, Labatt, Cisneros; NAYS: None; ABSENT: Hasslocher.

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89-16

JOHN F. KENNEDY STUDENTS

Mayor Cisneros welcomed a group of students from John F. Kennedy High School present in the audience. The students are participating in the Hispanic Association for Junior Leadership Development, a project developed through the MALDEF Leadership Program.

Each Kennedy student then came forward to receive a City pen and to introduced himself to the Mayor and City Council.

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89-16

CURFEW

Mr. Thompson explained his proposal for a possible curfew to be applied especially in three subdivisions off Pearsall Road. He noted that in this particular area of his District 6, one out of every four homes is vacant, and many have suffered from theft, burglary, vandalism and arson. He noted that eight houses recently have burned in a three day period, and he noted that a large group of young people aged 12 to 18 are roaming the streets late at night in that area.

Mr. William Donahue, Assistant City Manager, stated that a curfew would be difficult to recommend by the City staff because it cannot be enforced adequately throughout the City. He then suggested employing the Special Operation Unit of the San Antonio Police Department, in such a manner as was used on the City's eastside to discourage dope sales in the area once known as "the Hill". Mr. Donahue stated the Council also needed to address the matter of getting people into the vacant houses in order to discourage vandalism.

Mr. Donahue then announced that a suspect in the burning of eight homes in Mr. Thompson's district was apprehended by police this

afternoon and has since confessed to the fires in that area last weekend. He asked that the Council hold in abeyance the question of a curfew and to explore other alternatives.

Mr. Thompson spoke in support of the City's staff recommendations to this matter and noted that he is grateful for the arrest and the ultimate confession of the suspect in the weekend fires.

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89-16

POLICE MATTERS

A discussion then took place concerning the City's staff report which is due to the City Council concerning the details of the shooting of Officer Williams, and a report on the possible funding on the Eastside Substation.

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89-16

MOBILE POLICE STATION

Mayor Cisneros stated that perhaps now might be a good time to reconsider his proposal of last year that City Council find the funds to purchase a Mobile Police Substation, to be moved from place to place into specific areas for a short period of time.

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89-16

ARSON PERSONNEL

Mayor Cisneros distributed to other members of the City Council a copy of a report made more than a year ago dealing with the matter of arson in San Antonio and the requirements of the Fire Department to cope with this matter. A copy of the paper is made a part of the papers of this meeting. Mayor Cisneros spoke of the cramped quarters now occupied by arson personnel and he addressed the matter of recent warehouse fires in San Antonio as definitely arson cases.

Mayor Cisneros then made a two point proposal suggesting:

(1) that the City Council consider upgrading the Arson Unit in the upcoming budget; and (2) commit to new arson personnel each year over a period of years, such as is done with new police officers for the city.

Fire Chief Raul Lasoya stated he agrees with the Mayor's assessment of the needs in the arson area.

April 13, 1989
mlr

A discussion then took place concerning dangerous premises and the lack of adequate fire staffing.

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89-16 911 SYSTEM

Mayor Cisneros mentioned the editorial on the 911 System which appeared in the San Antonio Light and commended Council member Hasslocher for his efforts.

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89-16 CITIZENS TO BE HEARD

LAWRENCE FRANKLIN

Lawrence Franklin spoke to the City Council regarding an advertisement proposal for the Henry B. Gonzalez Convention Center. A copy of his proposal is on file with the papers of this meeting.

Members of the Council advised Mr. Franklin to present his proposal to Mr. Joe Madison, Director of the Convention Facilities.

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89-16 The Clerk read the following Letter:

April 5, 1989

Honorable Mayor and Members of the City Council of the 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.

March 28, 1989

Petition submitted by Mr. J. Anthony Guajardo, 106 S. St. Mary's, Suite #500, San Antonio, Texas 78205, requesting that the drainage easement as well as the property on both sides of the easement be replatted and the remaining property be given a lot designation on both sides and that a retainer wall be constructed by the City of San Antonio.

* * * *

April 13, 1989

mlr

March 31, 1989

Petition submitted by Ms. Joyce M. Parker, and concerned neighbors/residents of the Valley Forge area, 12427 McDermots Farm, San Antonio, Texas 78233, requesting the immediate clean-up of public property behind 12427 McDermots Farm area by the City of San Antonio.

* * * *

/s/Norma S. Rodriguez
City Clerk

The City Council recessed its Regular Meeting at 5:10 P.M. to convene a "B" session. The Regular Session was then reconvened at 6:44 P.M. There being no further business to come before the Council, the meeting was adjourned at 6:45 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

April 13, 1989
mlr