

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, OCTOBER 22, 1981

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The meeting was called to order at 1:00 P.M. by the presiding officer, Mayor Henry Cisneros, with the following members present: BERRIOZABAL, WEBB, DUTMER, WING, EURESTE, THOMPSON, ALDERETE, HARRINGTON, HASSLOCHER, CISNEROS: Absent: ARCHER

81-55 The invocation was given by Reverend James M. Reid, Northridge Park Baptist Church.

81-55 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

81-55 SWEARING-IN CEREMONY

New City Council member G.E. "Ed" Harrington, District 8, elected by the City Council to succeed Council member Gene Canavan who resigned, was formally sworn into office by the City Clerk.

Members of the City Council congratulated Mr. Harrington on his election.

Mayor Cisneros presented Councilman Harrington with a gold tie tack/lapel pin of the emblem of the City of San Antonio.

Councilman Harrington introduced his wife Gloria, in attendance in the audience, then expressed appreciation to the Council, City staff and citizens of San Antonio for the honor of his appointment.

81-55 OFFICIAL EMBLEM

Mayor Cisneros provided a brief history of the emblem that has come to be the unofficial emblem of the City of San Antonio, and the man who hand-carved it from wood, Mr. Johannes (Hans) C. Scholze, who came to San Antonio from Dresden, Germany in 1925 as an expert woodcarver and, within weeks of his arrival in the city, designed the emblem and presented it to then Mayor John Tobin.

Mayor Cisneros spoke to the many ways that the emblem has come to be used by the City of San Antonio, and spoke to the need for formal recognition of Scholze and his work, asking City Councilman Hasslocher to make the formal presentation of a Citation to Mr. Scholze.

Mayor Cisneros read a Citation commending Mr. Scholze for his work, then thanked Councilman Hasslocher for bringing this matter to the attention of the City Council for action, thanking Mr. Scholze on behalf of the citizens of San Antonio.

Councilman Hasslocher then made the presentation of the Citation.

81-55 The City Clerk read the following Resolution:

A RESOLUTION
No. 81-55-96

DESIGNATING AN OFFICIAL CITY EMBLEM.

Mr. Thompson moved to approve the Resolution. Mr. Hasslocher seconded the motion.

Mr. Hasslocher displayed a page from the San Antonio Express of October 16, 1925 on which an article appeared concerning Mr. Scholze and the handcarved emblem he presented to the City.

Mayor Cisneros then read the entire newspaper article.

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

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81-55 VALERO ENERGY CORPORATION & MR. WILLIAM GREEHEY

Mayor Cisneros spoke to the rapid growth of Valero Energy Corporation since its formation as a spinoff of the settlement of the lawsuit with Coastal States Gas Producing Company, then read the Citation and spoke to the many accomplishments of the corporation's president, Mr. William Greehey.

Mayor Cisneros asked Mrs. Berriozabal to make the formal presentation of a Proclamation, making Mr. Greehey a "Benefactor de la Comunidad." Mrs. Berriozabal read the Citation naming the company president, Mr. William Greehey, as a "Benefactor de la Comunidad", then presented both the Citation and the Proclamation to Mr. Greehey.

Members of the City Council individually offered their congratulations to Mr. Greehey.

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81-55 BUSINESS & PROFESSIONAL WOMAN OF THE YEAR

Mayor Cisneros spoke of the recent honor bestowed upon Councilwoman Helen Dutmer by the Business and Professional Women of Bexar County, which named Mrs. Dutmer the "Business and Professional Woman of the Year", and presented Mrs. Dutmer a bouquet of flowers.

Mrs. Berriozabal stated that this was Business and Professional Women's Week throughout the nation, and spoke of paying tribute to the many contributions of women in the world of business and the professions.

Mrs. Dutmer thanked the organization and the City Council for the honor.

Mr. Alderete spoke of Mrs. Dutmer's contributions as a member of the City Council.

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81-55 MINUTES

The minutes of the meeting of October 8, 1981 were approved.

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Mr. Thompson moved that items 5-27 constituting the consent agenda be approved with the exception of item 11 to be pulled for individual consideration. Mr. Hasslocher second the motion.

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

AN ORDINANCE 54425

ASSIGNING THE CURRENT CONTRACT TO FURNISH THE CITY OF SAN ANTONIO WITH ARMORED CAR SERVICE FROM STANLEY SMITH SECURITY, INC., TO LOOMIS ARMORED CAR SERVICE

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AN ORDINANCE 54426

ACCEPTING THE LOW BID OF BEDELL TRAILER CO. TO FURNISH THE CITY OF SAN ANTONIO WITH UTILITY BODIES FOR A NET TOTAL OF \$6,726.30

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AN ORDINANCE 54427

ACCEPTING THE LOW BID OF A.M.A. ENTERPRISES, INC., TO FURNISH THE CITY OF SAN ANTONIO WITH DUMP AND STEEL PLATFORM BODIES FOR A TOTAL OF \$9,642.50, LESS 2%-10 DAYS.

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AN ORDINANCE 54428

ACCEPTING THE LOW BID OF POLY-AMERICA, INC., TO FURNISH THE CITY OF SAN ANTONIO WITH PLASTIC BAGS FOR A NET TOTAL OF \$35,019.00.

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AN ORDINANCE 54429

ACCEPTING THE BID OF DELTA MACHINE COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH REPAIR PARTS FOR SEWAGE TREATMENT PUMPS FOR A TOTAL OF \$3,639.54, LESS 5%-10 DAYS.

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AN ORDINANCE 54430

ACCEPTING THE LOW BIDS OF HALPRIN SUPPLY AND CLAUDE WRIGHT & ASSOCIATES TO FURNISH THE CITY OF SAN ANTONIO WITH PROTECTIVE CLOTHING FOR FIREFIGHTING FOR A NET TOTAL OF \$3,952.65

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AN ORDINANCE 54431

AUTHORIZING ADDITIONAL ENGINEERING FEES TO FERNANDEZ ENGINEERS, INC., IN THE AMOUNT OF \$82,907.27 FOR FEES DUE IN CONNECTION WITH THE FINAL DESIGN PHASE OF THE McLAUGHLIN DRAINAGE PROJECT 64C (MODIFIED).

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AN ORDINANCE 54432

ACCEPTING THE LOW QUALIFIED BID OF KC UTILITIES CONSTRUCTORS, INC. IN THE AMOUNT OF \$21,866.74 TO CONSTRUCT THE SUNRISE SUBDIVISION UNIT 3 OFF-SITE SANITARY SEWER PROJECT: AUTHORIZING THE CITY MANAGER OR HIS AUTHORIZED REPRESENTATIVE TO EXECUTE A STANDARD PUBLIC WORKS CONSTRUCTION CONTRACT COVERING SAID CONSTRUCTION; AND APPROPRIATING AND AUTHORIZING PAYMENT OF SAID SUM.

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AN ORDINANCE 54433

AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH MACINA, BOSE, COPELAND & ASSOCIATES, INC. TO PROVIDE PROFESSIONAL SERVICES AND PREPARE PLANS AND SPECIFICATIONS FOR THE BROADVIEW SANITARY SEWER MAIN; AND APPROPRIATING AND AUTHORIZING PAYMENT OF THE SUM OF \$2,600.00.

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AN ORDINANCE 54434

AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH MACINA, BOSE, COPELAND & ASSOCIATES, INC., TO PROVIDE PROFESSIONAL SERVICES AND PREPARE PLANS AND SPECIFICATIONS FOR THE SAN PEDRO HILLS SUBDIVISION UNIT 19 OFF-SITE SANITARY SEWER PROJECT, AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 54435

AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH FLAGG & ASSOCIATES, INC., FOR PROJECT MANAGEMENT SERVICES RELATED TO THE MITCHELL LAKE POLDER CLEANING PROJECT.

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AN ORDINANCE 54436

ACCEPTING A PROPOSAL FROM K. M. Ng & ASSOCIATES, INC., TO PREPARE PLANS AND SPECIFICATIONS AND FURNISH INSPECTION SERVICES FOR EXPANDING THE AIR CONDITIONING SYSTEM IN THE RIVER BEND PARKING STRUCTURE, AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 54437

ACCEPTING THE LOW QUALIFIED BID OF DAVIS CONSTRUCTORS, INC. IN THE AMOUNT OF \$67,282.00 TO CONSTRUCT THE RESTORATION OF THE ADMINISTRATIVE BUILDING FOR THE CITY ANIMAL CONTROL FACILITY; AUTHORIZING EXECUTION OF A CONTRACT FOR THE PROJECT; AND AUTHORIZING PAYMENT OF \$67,282.00 TO DAVID CONSTRUCTORS, INC. AND \$6,728.20 FOR CONTINGENT CONSTRUCTION EXPENSES.

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AN ORDINANCE 54438

AUTHORIZING EXECUTION OF AN AGREEMENT WITH SAN ANTONIO TENNIS ASSOCIATION FOR LEASE OF SPACE IN THE OLD PRO SHOP AT McFARLIN TENNIS CENTER.

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A RESOLUTION
NO. 81-55-97

REQUESTING THE STATE HIGHWAY AND PUBLIC TRANSPORTATION COMMISSION TO DECLARE AN EXISTING DRAINAGE CHANNEL EASEMENT APPURTENANT TO U.S. HIGHWAY 87 (INTERSTATE HIGHWAY 10) AND WURZBACH ROAD (M.H.66) IN THE CITY OF SAN ANTONIO SURPLUS TO THE NEEDS OF THE STATE; AND TO EFFECT THE RELEASE OF SAID CHANNEL EASEMENT TO THE OWNER OF THE FEE IN THE LAND.

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AN ORDINANCE 54439

AUTHORIZING EXPENDITURE OF THE SUM OF \$315.00 OUT OF THE COMMUNITY DEVELOPMENT FUND FOR THE PURPOSE OF ACQUIRING EASEMENTS TO CERTAIN LANDS TO BE USED IN CONNECTION WITH THE HILDEBRAND DRAINAGE PROJECT #84, PHASE B.

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AN ORDINANCE 54440

CLOSING AND ABANDONING PORTIONS OF HEREFORD STREET AND EDGEMONT DRIVE, ADJACENT TO NEW CITY BLOCKS 15713, 15715 AND 15716 AND AN ALLEY IN NEW CITY BLOCK 15715, IN EXCHANGE FOR NECESSARY RIGHT-OF-WAY FOR THE RE-ALIGNMENT OF HEREFORD STREET AND EDGEMONT DRIVE AND THE DEDICATION OF OTHER STREETS AND CUL-DE-SACS; AND AUTHORIZING A QUITCLAIM DEED TO R.C.S. CORPORATION, THE ADJACENT OWNER.

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AN ORDINANCE 54441

CLOSING AND ABANDONING SAN LUIS STREET FROM SOUTH FRIO AND SOUTH MEDINA STREETS BETWEEN NEW CITY BLOCKS 269 AND 270, VISTA VERDE SOUTH U.R.P.; AND AUTHORIZING A QUITCLAIM DEED TO THE SAN ANTONIO DEVELOPMENT AGENCY OF SAN ANTONIO, THE ADJACENT OWNER.

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AN ORDINANCE 54442

AUTHORIZING EXPENDITURE OF THE SUM OF \$108,114.00 OUT OF 1980 BOND FUNDS FOR THE PURPOSE OF ACQUIRING TITLE TO CERTAIN LANDS TO BE USED IN CONNECTION WITH A FIRE STATION SITE AT THOUSAND OAKS DRIVE AND HENDERSON PASS.

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AN ORDINANCE 54443

ACCEPTING THE HIGH BID RECEIVED IN CONNECTION WITH \$3,000,000.00 IN CITY FUNDS AVAILABLE FOR DEPOSIT IN INTEREST-BEARING CERTIFICATES OF DEPOSIT.

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AN ORDINANCE 54444

PROVIDING FOR ENDORSEMENTS TO THE PRESENT CITY HELICOPTER INSURANCE POLICY ADDING ADDITIONAL HELICOPTERS TO THE COVERAGE.

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AN ORDINANCE 54445

AUTHORIZING PAYMENT OF REFUNDS TO PERSONS MAKING OVERPAYMENTS OR DOUBLE PAYMENTS ON SIX (6) TAX ACCOUNTS.

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81-55

The Clerk read the following Ordinance:

AN ORDINANCE 54446

ACCEPTING THE LOW BID OF COASTAL PLAINS SALES AND SERVICE, INC., TO FURNISH THE CITY OF SAN ANTONIO WITH ELECTRIC GOLF CARTS FOR A NET TOTAL OF \$91,740.00.

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

In response to a question by Mr. Thompson as to the apparent low trade-in for used equipment involved, Mr. Ron Darner, Director of Parks & Recreation, stated that most of the golf carts were six years old, suffering from wear and tear, and many had been cannibalized for parts.

In response to a question by Mr. Thompson as to why the City did not choose to auction the golf carts in an attempt to receive more money for them, Mr. Darner stated that it was the golf course managers who recommended the trade-in option, and again spoke to the condition of the vehicles, noting that many were in very bad shape.

Mr. Thompson then made a Substitute Motion to instruct City staff to auction the golf carts. Mr. Webb seconded the motion.

Mr. Hasslocher spoke to major problems with municipal golf carts he has observed first-hand.

Mr. Brooks stated that in all probability, the City would have to obtain the agreement of the successful low bidder on purchase of the new golf carts, if the trade-ins were to be deleted from the bid, since trade-ins were a basis on which the bids were called for on new golf carts.

In response to questions by Mr. Eureste, Mr. Brooks spoke to a comparison of three-wheeled versus four-wheeled golf carts; the possible effect upon the new golf cart purchase bid by withdrawal of the trade-ins; and the possible value of the old golf carts if they were to be auctioned rather than traded-in.

Mr. Eureste spoke in favor of using the older carts as trade-ins.

In response to a question by Mr. Thompson, Mr. Brooks stated that the department involved recommended the trade-in option for the older golf carts, and stated further that there might be legal problems concerning the purchase of the new carts on bid, if the trade-ins were pulled back.

Mr. Harrington spoke to the possibility of rebidding the entire purchase.

Ms. Jane Macon, City Attorney, recommended the City rebid this item if the older golf carts were not going to be used as trade-ins, as the bid advertising put forth.

After discussion, the Substitute Motion failed to carry by the following vote: AYES: Berriozabal, Webb, Thompson, Alderete, Cisneros; NAYS: Dutmer, Wing, Eureste, Harrington, Hasslocher; ABSENT: Archer.

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

81-55

RABIES VACCINATION DRIVE

Mayor Cisneros noted that the City's annual rabies vaccination drive began today, and that low-cost rabies vaccinations for pet dogs and cats were available October 22-24 at Pablo's Grove, Highway 90 West and Callaghan Road, from 9 a.m. to 5 p.m., and on October 28-30 at the Animal Control Facility, 210 Tuleta Drive, from 9 a.m. to 5 p.m. He further stated that the vaccinations and license tags cost only \$5.00.

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Mr. Hasslocher urged the public to take advantage of this opportunity.

Mr. Thompson stated that the annual City drive was an excellent idea.

Dr. Courand Rothe, Director of the Metropolitan Health District, spoke to the amount of publicity being given to the rabies vaccination campaign.

81-55

Mayor Cisneros asked for Council concurrence to take up agenda items 40 and 43 out of sequence at this time.

Mr. Wing moved to approve the request to take up items 40 and 43 out of sequence. Mr. Thompson seconded the motion. Concensus was granted.

81-55

The Clerk read the following Resolution:

A RESOLUTION
NO. 81-55-98

RESOLUTION OF THE CITY COUNCIL APPROVING THE
ISSUANCE OF BONDS BY THE CITY OF SAN ANTONIO
INDUSTRIAL DEVELOPMENT AUTHORITY TO FINANCE
A PROJECT FOR LA QUINTA MOTOR INNS, INC.;
AND DECLARING AN EMERGENCY.

Mr. Victor Miramontes, representing La Quinta Motor Inns, Inc., stated that his firm proposed to build a 120-unit motor hotel between Dolorosa, San Saba and Nueva next to the HUD office building, and provided details of the proposed financing through these bonds, coupled with private financing. He stated that the firm hoped to break ground on the new facility within the next 90 days.

A discussion then took place concerning the many benefits of construction of this new facility, both to San Antonio as a whole and the Santa Rosa Medical Center area, specifically.

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

81-55

The Clerk read the following Resolution:

A RESOLUTION
NO. 81-55-99

MAKING CERTAIN FINDINGS REGARDING THE LA
QUINTA MOTOR INNS, INC., PROJECT: CONTAIN-
ING A SEVERABILITY CLAUSE: PROVIDING FOR
AN EFFECTIVE DATE: CONTAINING OTHER
PROVISIONS RELATING TO THE SUBJECT: AND
DECLARING AN EMERGENCY.

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

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28. CASE 8626 - to rezone Lot 1, Block 1, NCB 15829, in the 1300 Block of Oblate Drive and the 7400 block of Jones-Maltsberger Road, from "A" Single Family Residential District to "O-1 Office District, located on the southside of Oblate Drive, between Skipper Drive East and Jones-Maltsberger Road, having 279.93' on Oblate Drive, 532.76' on Skipper Drive East, and 533.84' on Jones-Maltsberger Road.

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

Mr. Hasslocher moved that the recommendation of the Zoning Commission be approved, provided that the applicant work with the Traffic Engineering Division for proper ingress and egress, that a non-access easement is imposed on Skipper Drive. Also, that a 6' solid screen fence is erected and maintained on the west property line. Mr. Thompson seconded the motion.

Mr. Herb Quiroga, Director of Land Planning for Ellison Industries, spoke of the prevailing character of the area, stating his belief that office development on this property would improve the area.

Mr. Frank Manupelli, Executive Vice-President of Ellison Industries, stated that he feels that office usage is the the highest and best use for this property, and spoke on the history of zoning on this property.

Speaking in opposition, Mr. Billy Quinn, 374 Barbara, stated that some 80 per cent of the subject property at one time was within the 728 contour flood line and could not be filled in. He further stated that Ellison Industries bought the property in 1973, and in 1975 portions of the property were filled in with dirt brought into the site, and spoke of a letter to the owner from Mr. Sam Granata of the City, ordering that the fill be stopped, after a section of the property already had been filled in with dirt.

Mr. Quinn stated that some 22 area homeowners met with Mr. Quiroga of Ellison Industries and discussed a two-story facility on the property, but the property owners in the area would only agree to a one-story structure.

Mr. Quinn then spoke of having met in his office with representatives of Gulf & Western, developers, stating that they wanted assurances from him that there would be no problems with obtaining a rezoning on the property. He spoke of having seen at that meeting a development plan for the subject property that called for an eight-story building, instead of the one discussed with Mr. Quiroga earlier. Mr. Quinn also produced a copy of a letter to him from Mr. Tom Berg of Ellison Industries, speaking to the property in question, and to the meeting of the homeowners with Mr. Quiroga.

Mr. Quinn stated his belief that the area homeowners had not been treated right, and asked City Council to reject the request for rezoning.

Mr. Wayne R. Gallentine, 1363 Oblate Drive, stated that at the most recent Council consideration of a rezoning request on this property some one year ago, a petition bearing the signatures of some 40, more or less, landowners in the area was presented to Council. He read several points from that petition, and stressed that this is a residential area and feels that Ellison is only seeking the rezoning in order to enhance the property's value in order to sell it.

Speaking in rebuttal, Mr. Quiroga stated that the property always has been undeveloped, and stated that the City Public Works

Department has said that the owner could build on the property within certain restrictions. He also stated that the City Attorney's office has stated that no law prevents the development of this property.

Mrs. Dutmer stated that the developer of land across Jones-Maltsberger Road has been denied certain use of a portion of his land because it is within the 728 contour flood line.

In response to a question by Mr. Alderete, Mr. Quiroga stated that his firm has no building plans for the property at this time.

In response to another question by Mr. Alderete, Mr. Quinn restated details of the meeting of area homeowners with Mr. Quiroga, during which the height of any building was discussed in detail, yet representatives of Gulf & Western developers displayed to him plans for an eight-story building when the rezoning matter later was discussed with him.

Mr. Thompson spoke of the possible size of any building to be erected on the property and its exact location on the property, stating that he feels that an office zoning perhaps is the best use for the land, but that height and placement on any building is a problem to be considered.

A brief discussion then took place concerning possible alternatives to office zoning, including the possibility of rezoning only a portion of the property in order to effect a limitation to the height of any building to be erected on the property.

Mrs. Berriozabal spoke to the three main problems being traffic, landscaping and the height of any building on the property.

Mr. Quinn stated that it is his opinion that Ellison Industries cannot sell the property to another developer for a reported \$750,000 if that developer cannot have a building of more than two stories in height.

In response to a question by Mrs. Dutmer, Mr. Quiroga stated that his firm is opposed to deed-restricting the property to allow only two and one-half stories on any building erected there.

Mrs. Dutmer stated that the City should allow the owner some use for his land, or else purchase it from him for City use.

Mrs. Dutmer then called the question. Mr. Hasslocher seconded the motion. The motion calling the question failed by the following vote: AYES: Dutmer, Harrington, Hasslocher; NAYS: Berriozabal, Webb, Wing, Eureste, Thompson, Alderete, Cisneros; ABSENT: Archer.

Mr. Eureste spoke of favoring development of this property as a matter of course, and spoke in favor of granting the requested rezoning.

Mr. Webb spoke in favor of the rezoning.

After consideration, on roll call, the motion to approve the rezoning failed by the following vote: AYES: Berriozabal, Webb, Dutmer, Eureste, Thompson, Alderete, Harrington, Hasslocher, Cisneros; NAY: Wing; ABSENT: Archer.

Mrs. Dutmer then asked, as she was on the prevailing side of the preceding vote, for reconsideration of zoning case 8626. Mr. Webb seconded the motion. After consideration, the motion to reconsider the zoning case was approved by the following vote: AYES: Berriozabal, Webb, Durmer, Wing, Eureste, Thompson, Alderete, Harrington, Hasslocher, Cisneros; NAYS: None; ABSENT: Archer.

Mr. Eureste moved that the recommendation of the Zoning Commission be approved provided that the applicant work with the Traffic Engineering Division for proper ingress and egress, that a non-access easement is imposed on Skipper Drive. Also, that a 6' solid screen fence is erected and maintained on the west property line. Mr. Webb seconded the motion. On roll call, the motion carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Eureste, Thompson, Alderete, Harrington, Hasslocher, Cisneros, NAYS: Wing; ABSENT: Archer.

AN ORDINANCE 54447

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 1, BLOCK 1, NCB 15829, IN THE 1300 BLOCK OF OBLATE DRIVE, IN THE 7400 BLOCK OF JONES-MALTSBERGER ROAD, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "O-1" OFFICE DISTRICT

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81-55

29 CASE 8629 - to rezone Tract 11-k, NCB 11186, 8016 South Pan Am Expressway, from "B" Two Family Residential District to "B-3R" Restrictive Business District and "R-3" Multiple Family Residence District, located on the east side of Hwy. 16, between Hutchins Blvd. and IH 35 South, having 554.87' on Hwy. 16, 1930.2' on Hutchins Blvd. and 1213.75' on IH 35 South Expressway; and to rezone Tract 11-L, NCB 11186, in the 8100 block of South Pan Am Expressway, from "B" Two Family Residential District to "B-3R" Restrictive Business District, located on the north side of IH 35 South Expressway, between Palo Alto Road and Hwy. 16, having 246.78' on IH 35 South Expressway, 575.9' on Hwy. 16, and 650' on Palo Alto Road.

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

No citizen appeared to speak in opposition.

After consideration, Mr. Wing moved that the recommendation of the Zoning Commission be approved, provided that proper platting is accomplished, and that a 6' solid screen fence is erected and maintained on the west property line of Tract 11-L. Also, that a non-access easement is imposed on the west property line. Mr. Webb seconded the motion. On roll call, the motion carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Harrington, Hasslocher, Cisneros; NAYS: None; ABSENT: Archer.

AN ORDINANCE 54448

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 "B" to "R-3", TRACT 11-K, NCB 11186, 8016 SOUTH PAN AM EXPRESSWAY, "B" to "B-3R", TRACT 11-L, NCB 11186, IN THE 8100 BLOCK OF SOUTH PAN AM EXPRESSWAY FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT AND "R-3" MULTIPLE FAMILY RESIDENCES DISTRICT.

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81-55

30. CASE 8622 - to rezone Lot 7, Block 1, NCB 8673, 831 Parkridge Drive, from "A" Single Family Residential District to "O-1" Office District, located northwest of the intersection of Parkridge Drive and Western Ave., having 35' on Parkridge Drive and 294-94' on Western Avenue.

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

No citizen appeared to speak in opposition.

In response to a question by Mrs. Dutmer, Mr. Burton Louie, 84 N.E. Loop 410, the proponent, stated that the new owner of the property desired to use it as a parking lot.

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

AN ORDINANCE 54449

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 7, BLOCK 1, NCB 8673, 831 PARKRIDGE DR.,
FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT
TO "O-1" OFFICE DISTRICT.

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81-55

31. CASE 8637 - rezone 0.685 acre tract of land out of NCB 111894, being further described by field notes filed in the Office of City Clerk, 7870 Broadway, from "A" Single Family Residential District to "O-1" Office District, located on the eastside of Broadway being 159.05' south of the intersection of East Terra Alta Drive and Broadway, having 170' on Broadway and a maximum depth of 176.5'.

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

No citizen appeared to speak in opposition.

After consideration, Mr. Hasslocher moved that the recommendation of the Zoning Commission be approved, provided that street dedication is provided if necessary, a 6' solid screen fence is erected and maintained along the east and south property lines until such time as the adjacent vacant lot transitions to non-residential and that proper platting is accomplished if necessary. Also, that the applicant work with the Traffic Engineering Division for proper ingress and egress. Mr. Harrington seconded the motion. On roll call, the motion carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Harrington, Hasslocher, Cisneros; NAYS: None; ABSENT: Archer.

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AN ORDINANCE 54450

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 0.685 ACRE TRACT OF LAND OUT OF NCB 111894, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF CITY CLERK, 7870 BROADWAY, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "O-1" OFFICE DISTRICT.

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81-55

32. CASE 8649- to rezone Parcels P-1, P-1B and P-3, NCB 15670, 17427 San Pedro Avenue (U.S. Hwy 281), from Temporary "R-1" Single Family Residential Edwards Recharge Zone District to "R-3" Multiple Family Edwards Recharge Zone District, located on the west side of San Pedro Avenue, being approximately 2000' south of the intersection of F.M. 1604, and San Pedro Avenue, having 911.2' on San Pedro Ave. and a depth of 1000'.

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

No citizen appeared to speak in opposition.

Mr. Hasslocher moved that the recommendation of the Zoning Commission be approved, provided that a 6' solid screen fence is erected and maintained along the northwest property line, and that the applicant work with the Aquifer Protection Office to insure that they meet all the requirements imposed by the Texas Water Quality Board. Mr. Thompson seconded the motion.

In response to a question by Mrs. Dutmer, Ms. Deborah K. Duncan, Aquifer Protection Officer, stated that this change of zone would affect the Edwards Aquifer REcharge Zone. Ms. Duncan further explained that part of the property in question includes a large sinkhole which filters into the Aquifer below, and distributed to the City Council copies of a letter from Mr. Thomas P. Fox, Jr., General Manager of the Edwards Underground Water District, speaking on the sinkholes located on the land in question.

Mr. Skip Francis, District Supervisor of the Texas Department of Water Resources, spoke to the need for the property owner to clear with TDWR on any development upon the property in Question, if City Council grants the rezoning request.

Mr. Thomas P. Fox, Jr., General Manager, Edwards Underground Water District, spoke in agreement with comments made by Mr. Francis, and expressed concern with drainage into the sinkholes on the property. He stated that such drainage water needs to be either treated or diverted away from the sinkhole, to protect the Aquifer.

Mr. Wendell Davis, planning consultant, spoke on behalf of the proponent, stating that this request for change of zoning is only the first step in a process toward developing a plan for good development including protection for the Aquifer below. He spoke of steps remaining to be taken before any development of the land could take place.

Mrs. Dutmer moved to postpone consideration of this case until such time as the City Council receives the approval report from

the Edwards Underground Water District (EUWD). Ms. Berriozabal seconded the motion.

Mr. Thompson spoke in favor of seeing a plan of development before voting on changing the zoning on the property.

Mrs. Berriozabal stated that she cannot vote on this large an area until she knows exactly what development is planned.

Mr. Francis spoke to the detailed review process involved.

Mr. Wing stated that he cannot approve development of the property until the TDWR approves it, first.

Mr. Jack Harper, the proponent, stated that he would accept a move to postpone the item, if necessary.

Mr. Webb quoted from records of the case, indicating the sensitive nature of the development area.

A brief discussion then took place concerning drainage runoff into the area in question and the question of any pollution danger to the Aquifer, in addition to a discussion of possible alternatives to the approval.

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

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

81-55 PUBLIC HEARING ON AND CONSIDERATION OF A RESOLUTION
ADOPTING THE PARKS AND RECREATION PLAN AS PART OF
THE SAN ANTONIO MASTER PLAN.

Mayor Cisneros declared the public hearing open.

No citizens were registered to speak on the matter.

Mr. Roland Lozano, Director of Planning, read into the record a letter to the City Council from Mr. William Dodds, Chairman of the Planning Commission, who spoke in favor of adoption of the Parks Master Plan. (A copy of this letter is on file with the papers of this meeting).

Mr. Webb spoke of security problems prevalent in the City parks, and asked how this matter is being handled.

Mr. Ron Darner, Director of Parks & Recreation, stated that the department's new budget provides for addition of nine new Park Ranger positions, and with the existing vacancies, some 20 openings now exist in this force. When it is brought up to full strength, it will help in the patrol of City parks.

In response to a question by Mr. Webb, Mr. Darner stated that Fairchild Park on the City's east side is currently patrolled often, and Park Rangers also walk through the park. He further stated that no fulltime person is assigned to Fairchild park, at present.

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In response to another question by Mr. Webb, Mr. Darner stated that the Parks Master Plan is a general plan and does not speak to individual parks in the City's system. He then briefly discussed ingress and egress into and out of Martin Luther King Park.

Mr. Webb spoke of his concern for this restricted ingress and egress.

Mrs. Berriozabal spoke to her concern for parks security in order to protect the citizens who use them.

Mrs. Dutmer moved to approve the Resolution adopting the Parks & Recreation Plan as part of the San Antonio Master Plan. Mr. Hasslocher seconded the motion.

Mr. Eureste then moved to postpone this item pending a "B" Session discussion on it. Mrs. Berriozabal seconded the motion.

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

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

81-55

33. CASE 8569 - to rezone the southeast 184' of Lot 19, Block 1, NCB 11965, 419 Portland, from "A" Single Family Residential District to "B-2" Business District, located north of the intersection of McCullough Avenue and Portland Road, having 79' on Portland Road and 184' on McCullough Avenue.

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

No citizen appeared to speak in opposition.

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

AN ORDINANCE 54451

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 SOUTHEAST 184' OF LOT 19, BLOCK 1, NCB 11965, 419 PORTLAND, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT.

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81-55

34. CASE 8644 - to rezone 4.714 acre tract of land out of NCB 15724, being further described by field notes filed in the Office of City Clerk, in the 11900 block of I.H. 35 North Expressway, from Temporary "R-1" Single Family Residential District to "B-3" Business District, located northwest of the intersection of Bludau-Bishop Road and I.H. 35 North Expressway, having 506' on I.H. 35 North Expressway and 310.47' on Bludau-Bishop Road.

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

No citizen appeared to speak in opposition.

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

AN ORDINANCE 54452

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 4.714 ACRE TRACT OF LAND OUT OF NCB 15724, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF CITY CLERK, IN THE 11900 BLOCK OF H.H. 35 NORTH EXPRESSWAY, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT.

* * * *

81-55 At 4:30 P.M., the City Council recessed the regular meeting and convened the informal "B" Session in order to discuss pertinent items with representatives of Bexar County.

81-55 The regular meeting reconvened at 5:39 P.M.

81-55
35. The Clerk read the following Ordinance:

AN ORDINANCE 54453

AUTHORIZING EXECUTION OF A CONTRACT WITH THE TEXAS DEPARTMENT OF WATER RESOURCES FOR THE UNITED STATES GEOLOGICAL SURVEY PROGRAM PERTAINING TO WATER QUALITY AND FLOOD PREVENTION IN FISCAL YEAR 1982; AND AUTHORIZING PAYMENT.

* * * *

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

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

81-55
36.

The Clerk read the following Ordinance:

AN ORDINANCE 54454

WAIVING THE PROVISIONS OF ORDINANCE NO. 52865 PROHIBITING COLLECTION OF FUNDS ON PUBLIC STREETS SO THAT THE AMERICAN LEGION AUXILIARY CAN CONDUCT ITS ANNUAL POPPY DRIVE DURING CERTAIN HOURS ON NOVEMBER 7, 10 AND 11, 1981.

* * * *

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

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

81-55
37.

The Clerk read the following Ordinance:

AN ORDINANCE 54455

WAIVING THE "NO ALCOHOL" PROVISION OF THE SUNKEN GARDEN THEATER USE POLICY FOR A SPECIAL EVENT.

* * * *

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

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

81-55
38.

The Clerk read the following Ordinance:

AN ORDINANCE 54456

AUTHORIZING THE CITY ATTORNEY TO INSTITUTE ALL LEGAL PROCEEDINGS NECESSARY TO COLLECT DELINQUENT SEWER SERVICE CHARGES OWED TO THE CITY IN CONNECTION WITH A CONTRACT BETWEEN THE CITY OF SAN ANTONIO AND GATEWAY WATER SUPPLY CORPORATION

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

81-55

STAFF REPORT ON EXPENDITURE OF \$5 MILLION

39. Mayor Cisneros stated that the City Council need only receive at this time the City staff report on the proposed expenditure of some \$5 million, and no formal action is required.

Mrs. Dutmer moved to set a "B" Session discussion on the matter. Mr. Hasslocher seconded the motion.

Mr. Louis J. Fox, Deputy City Manager, stated that the sequence of proceedings relative to possible approval of Certificates of Obligation for purchase of certain heavy equipment was underway, and the Council has until November 5, 1981 to stop that chain of events and cancel the sale, if necessary.

A brief discussion took place concerning various methods of handling the purchase of heavy equipment.

Mayor Cisneros recommended to the City Council that it set an agenda item at the regular meeting of November 5, 1981, early in that meeting, to consider options relative to this matter.

On voice vote, it was the consensus of the City Council to do this. AYES: Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Harrington, Hasslocher, Cisneros; NAYS: None; ABSENT: Berriozabal, Archer.

81-55

41.

The Clerk read the following Ordinance:

AN ORDINANCE 54457

APPOINTING MR. RICK SWEET TO SERVE ON
THE BOARD OF EXAMINERS AND APPEALS FOR
THE DURATION OF THE UNEXPIRED TERM OF
MR. BILL GOULD WHO HAS RESIGNED.

* * * *

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

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

81-55

RAND BUILDING

Mayor Cisneros stated that he has received a message stating that Mr. Glass, representing the development team from Houston interested in the matter of the Rand Building restoration and construction of the Banking Corridor Parking Garage, had reached an agreement with representatives of Church's Chicken relative to relocation of Church's facility on the first floor of the Rand Building. He also stated that, concerning the legalities of the contracts

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dealing with sale of the Rand Building, it was his understanding that the development team including Mr. Glass would be the San Antonio Conservation Society's "designee" on the Rand Building restoration project.

Mayor Cisneros also stated that it was his understanding that an agreement of some type had also been worked out with Macro Investments on their requirements for parking space in the new Banking Corridor Parking Garage.

Mr. Fox stated that the City has been in discussions with the developers on the size of the parking garage, and would be meeting with them again on Monday, October 26, 1981 concerning the size of the municipal contribution to the project.

81-55

CITIZENS TO BE HEARD

MRS. JANET AHMAD

Mrs. Ahmad, 331 Whisper Wood, stated that she as well as other citizens have been aware for some time about the activities of the City's building inspectors. She then spoke about the sprinkler systems which have been installed in San Antonio which do not comply with the City Codes. She said that the Director of Building Inspections had been granting variances. She cited La Mansion del Norte and Southwest General Hospital as two instances.

She then referred to the latest news about the possible replacement of plastic water pipes by the City Water Board and she said that she had spoken to the Council about these same concerns on many occasions.

Mayor Cisneros stated that at this week's City Water Board the issue of the plastic water pipes was discussed at length by the General Manager. He then asked for a report in two weeks about the status of this matter.

Mr. Rolando Bono, Assistant City Manager, in response to Mayor Cisneros' question on the granting of variances by the Director of Building Inspections, stated a report will be forth coming on this matter.

Mrs. Ahmad asked if Brown and Root had a Performance Bond in connection with the S.T.N.P. Project and what legal action could be taken by the City Council.

After discussion, staff was asked to review and report on the degree of installation of plastic pipes for water service and the possibility of reviewing the Building Code of the City of San Antonio.

MR. RAUL RODRIGUEZ

Mr. Rodriguez stated he had voted against all the Constitutional Amendments on the Ballot.

Mr. Rodriguez then took issue with a Notice of Public Hearing which was published in the newspaper. He said that the wording was such that no one can understand it. He said that he feels it misleads the public.

City Attorney Macon stated that she will look into putting these notices into lay language.

At this point Mrs. Helen Dutmer stated that she took issue with six members attending a meeting of the COPS Organization and felt it was not good judgment on the part of these members to attend since the members present constituted a quorum.

City Attorney Macon explained the state statute on the open meetings law and the exception to this statute.

Mayor Cisneros felt there was no violation since the meeting was not called for by the City's governing body. He said that there was no vote taken.

Mrs. Berriozabal stated that she did not feel she had committed any impropriety by meeting with the citizens at last evening's meeting.

Mr. Eureste also concurred with statements made by Mrs. Berriozabal and stated he felt there was no impropriety on their part by attending the meeting.

Mr. Wing stated that there was no vote taken at the C.O.P.S. meeting.

Mr. Dutmer stated that she did not say that the meeting was illegal, but it did not look proper for six members of the City Council to attend.

81-55BOOK ON SAN ANTONIO

Mayor Cisneros suggested that a book on San Antonio be prepared for presentation by the City Council to distinguished visitors and asked for a "B" Session in order to discuss the procedure and process. Council concurred with his suggestion.

81-55AMENDMENT TO CITY CODE ON DEMOLITION OF HISTORIC STRUCTURES

Mrs. Berriozabal referred to a report by the City Attorney on possible amendments to the City Code on demolition of historic structures.

The City Attorney stated that she is also in contact with the state legislators about revisions to the State Statutes as well. At this point Mrs. Berriozabal moved to have the amendments brought to "A" Session seconded by Councilman Thompson. AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Harrington, Hasslocher, Cisneros; NAYS: None; ABSENT: Archer.

81-55OFFICIAL MEDAL

Mr. Thompson suggested that a medal also be presented to those persons who are presented with Benefactors Citations. Staff was asked to investigate the designing of the medals.

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There being no further business to come before the Council, the meeting was adjourned at 6:30 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

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