

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, MARCH 29, 1973.

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The meeting was called to order at 9:30 A. M. by the presiding officer, Mayor John Gatti, with the following members present: HABERMAN, HILL, BECKER, MENDOZA, CALDERON, NAYLOR, PADILLA, GATTI; Absent: HILLIARD.

73-14 The invocation was given by The Reverend Robert A. Brown, Jr., Pastor of Divine Redeemer United Presbyterian Church.

73-14 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States of America.

73-14 The minutes of the meeting of March 22, 1973, were approved.

73-14 PAINTING BY MR. JOSE VIVES ATSARA

Mayor Gatti stated that he and former Mayor Walter McAllister had always wanted to display some of the original art by a local artist, Mr. Jose Vives Atsara. Mr. Atsara has finished and given to the City a beautiful painting named "Wildflower" which was hung in the Council Chamber. He invited Mr. Jose Vives Atsara to say a few words.

Mr. Atsara stated that he brought his family to San Antonio in 1956, and is very grateful for this lovely City. It is with love and respect and devotion that he presented this painting to the City.

73-14 JUNIOR AMERICAN CITIZEN CLUB WEEK

Mayor Gatti recognized three young people who are members of the Junior American Citizens Club sponsored by the Daughters of the American Revolution. They were Jeff Morgan from Kate Schenck Elementary School; Charles Alfaro from Lamar Elementary School; and Minu Ibarra from Storm Elementary School. Each student spoke briefly to the Council about citizenship and patriotism. After the remarks, Mayor Gatti presented them with a Proclamation which proclaimed the week of April 1 through 7, 1973, as "Junior American Citizen Club Week."

73-14 Mayor Gatti recognized a class of government students from Jefferson High School and their instructor, Mrs. Oma Marshall.

73-14 The following Ordinances were read by the Clerk and explained by Mr. John Brooks, Director of Purchasing, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Haberman, Hill, Becker, Mendoza, Calderon, Naylor, Padilla, Gatti; NAYS: None; ABSENT: Hilliard.

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AN ORDINANCE 42,003

ACCEPTING THE LOW QUALIFIED BID OF WHITE PLAINS ELECTRICAL SUPPLY COMPANY, INC. TO FURNISH THE CITY WITH CERTAIN INDUSTRIAL FLASHLIGHTS AND BATTERIES FOR THE SUM OF \$2,228.40.

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AN ORDINANCE 42,004

ACCEPTING THE LOW QUALIFIED BIDS OF CENTURY PAPERS, INC., AND POLLOCK PAPER COMPANY TO FURNISH THE CITY WITH CERTAIN CUSTODIAL PAPER PRODUCTS FOR A TOTAL OF \$7,164.00.

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AN ORDINANCE 42,005

ACCEPTING THE LOW QUALIFIED BID OF THE ROY KLOSSNER COMPANY, A CORPORATION, TO FURNISH THE CITY OF SAN ANTONIO WITH CERTAIN HEAVY EQUIPMENT - TRAILERS FOR A TOTAL SUM OF \$4,995.00.

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AN ORDINANCE 42,006

APPROPRIATING \$1,625.53 OUT OF 1970 IMPROVEMENT BONDS PAYABLE TO THE CITY WATER BOARD FOR WATER SERVICES FURNISHED AT FIRE STATION NO. 34.

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AN ORDINANCE 42,007

AUTHORIZING PAYMENT OF \$13,562.00 TO HONEYWELL, INC. FOR TEMPERATURE CONTROL MAINTENANCE CONTRACT FOR VARIOUS CITY DEPARTMENTS FROM THE PERIOD OF MARCH 1, 1973 TO MARCH 1, 1974.

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73-14

The Clerk read the following Ordinance:

AN ORDINANCE 42,008

APPROPRIATING \$124,100 OUT OF 1970 STREET IMPROVEMENT BONDS PAYABLE TO THE STATE TREASURER, PERTAINING TO THE BLANCO ROAD WIDENING PROJECT.

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The Ordinance was explained by Mr. John Miller, Assistant Director of Traffic and Transportation, who stated that the additional funds are needed for the Blanco Road widening because bid prices for the project exceeded the estimates.

After consideration, on motion of Mr. Calderon, seconded by Mr. Becker, the Ordinance was passed and approved by the following vote: AYES: Haberman, Hill, Becker, Mendoza, Calderon, Naylor, Padilla, Gatti; NAYS: None; ABSENT: Hilliard.

73-14 The following Ordinances were read by the Clerk and explained by Members of the Administrative Staff, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Haberman, Hill, Becker, Mendoza, Calderon, Naylor, Padilla, Gatti; NAYS: None; ABSENT: Hilliard.

AN ORDINANCE 42,009

AUTHORIZING RENEWAL OF A LEASE AGREEMENT WITH THE ECONOMIC OPPORTUNITY DEVELOPMENT CORPORATION FOR USE OF FIVE (5) MOBILE RECREATION UNITS FOR THE PERIOD OF MARCH 31, 1973 TO APRIL 1, 1974.

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AN ORDINANCE 42,010

GRANTING THE PETITION OF MR. AND MRS. FEDERICO SANCHEZ TO RETAIN AN EXISTING 9 FOOT HIGH DECORATIVE WALL AT 2214 BARNEY AVENUE AS RECOMMENDED BY THE DIRECTOR OF HOUSING AND INSPECTIONS.

\* \* \* \*

73-14 The Clerk read the following Ordinance:

AN ORDINANCE 42,011

AMENDING SECTION 20-8 OF THE CITY CODE SO AS TO REDUCE THE ANNUAL LICENSE FEE FOR OPERATION OF A JUNK OR SALVAGE YARD FROM \$100.00 TO \$50.00; AND PROVIDING THAT ANY VIOLATION SHALL BE PUNISHED BY A FINE NOT EXCEEDING \$200.00.

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The Ordinance was explained by Mr. George Vann, Director of Building and Planning Administration, who stated that his department has surveyed other cities in Texas and found that San Antonio has the highest fee for junk dealers in the State. Accordingly he recommended passage of the Ordinance reducing the fee from \$100 to \$50.

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After consideration, on motion of Mr. Calderon, seconded by Mr. Becker, the Ordinance was passed and approved by the following vote: AYES: Haberman, Hill, Becker, Calderon, Naylor, Padilla, Gatti; NAYS: None; ABSTAIN: Mendoza; ABSENT: Hilliard.

73-14 The following Ordinance was read by the Clerk and explained by Mr. Carl White, Director of Finance, and after consideration, on motion of Mr. Hill, seconded by Mr. Becker, was passed and approved by the following vote: AYES: Haberman, Hill, Becker, Mendoza, Calderon, Naylor, Padilla, Gatti; NAYS: None; ABSENT: Hilliard.

AN ORDINANCE 42,012

AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH LIVE OAK WATER COMPANY PROVIDING FOR SAID COMPANY TO COLLECT THE CITY'S SEWER SERVICE CHARGE FROM USERS OF ITS WATER SYSTEM IN THE HIDDEN FORREST SUBDIVISION WHO UTILIZE SAN ANTONIO SEWER SERVICES, RETAINING 3 PERCENT OF COLLECTIONS AS A COLLECTION FEE.

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73-14 The Clerk read the following Ordinance:

AN ORDINANCE 42,013

EXTENDING THE OPERATING PERIOD OF THE CITY OF SAN ANTONIO YOUTH SERVICES PROJECT (EAST TERRACE HOMES CENTER) AND REVISING THE PROGRAM BUDGET.

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Associate City Manager William Donahue stated that this Ordinance will extend the Youth Services Project from its projected closing date of March 31, 1973 to August 31, 1973. Funds for this extension will come from monies that were left over from having a slow start in hiring of personnel.

After consideration, on motion of Mrs. Haberman, seconded by Mr. Mendoza, the Ordinance was passed and approved by the following vote: AYES: Haberman, Hill, Becker, Mendoza, Calderon, Naylor, Padilla, Gatti; NAYS: None; ABSENT: Hilliard.

73-14 The following Ordinances were read by the Clerk and explained by Mr. Winston Martin, Executive Director of the Urban Renewal Agency, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Haberman, Hill, Becker, Mendoza, Calderon, Naylor, Padilla, Gatti; NAYS: None; ABSENT: Hilliard.

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AN ORDINANCE 42,014

APPROVING THE PRICE AND CONDITIONS OF THE SALE BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF LOTS 4 AND 5, NEW CITY BLOCK 13416, LOCATED WITHIN THE CENTRAL WEST PROJECT, TEX. R-39, TO INDUSTRIAS DEL MAUC FOR THE SUM OF \$191,676.07.

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AN ORDINANCE 42,015

APPROVING THE PRICE AND CONDITIONS OF THE SALE BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF LOT 7, NEW CITY BLOCK 13419, LOCATED WITHIN THE CENTRAL WEST PROJECT, TEX. R-39, TO BILL MILLER BAR B-Q ENTERPRISES, INC. FOR THE SUM OF \$10,465.83.

\* \* \* \*

73-14 The Clerk read the following Ordinance:

AN ORDINANCE 42,016

AUTHORIZING THE MAYOR TO EXECUTE A DEED OF DEDICATION, DEDICATING CERTAIN LAND AND IMPROVEMENTS LOCATED IN THE CIVIC CENTER URBAN RENEWAL PROJECT, TEX. R-83 TO THE PUBLIC FOR USE AS A PUBLIC PARK FOR THE LIFE OF THE URBAN RENEWAL PROJECT.

\* \* \* \*

Mr. Winston Martin, Executive Director of the Urban Renewal Agency, stated that in the Civic Center Project on land that was improved by the HemisFair Corporation, claim was made for a non-cash grant in aid for approximately \$1,200,000 which helped to defray the cost of the Civic Center Project and the Rosa Verde Project. HUD asked that this dedication be made by deed rather than the filing of a plat. This Ordinance is to comply with HUD's request.

After consideration, on motion of Mr. Becker, seconded by Mr. Hill, the Ordinance was passed and approved by the following vote: AYES: Haberman, Hill, Becker, Mendoza, Calderon, Naylor, Padilla, Gatti; NAYS: None; ABSENT: Hilliard.

73-14 The Clerk read the following Resolution:

A RESOLUTION  
NO. 73-14-15

PROVIDING THAT A PUBLIC HEARING BE HELD BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO ON THE 10TH DAY OF MAY,

1973, at 10:30 O'CLOCK A. M. IN THE COUNCIL CHAMBER OF THE CITY HALL IN THE CITY OF SAN ANTONIO ON THE PROPOSED SAN ANTONIO NEW TOWN IN TOWN URBAN RENEWAL PROJECT WITHIN THE SAN ANTONIO RIVER CORRIDOR AREA, AND THE URBAN RENEWAL PLAN THEREFOR AS PROPOSED BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO; DIRECTING THE CITY CLERK TO ADVERTISE NOTICE OF SAID HEARING AS PRESCRIBED BY LAW; IDENTIFYING THE PROJECT AREA; STATING THE PURPOSE OF SAID PUBLIC HEARING AND OUTLINING THE GENERAL SCOPE OF THE URBAN RENEWAL PROJECT UNDER CONSIDERATION; AND PROVIDING THAT ANY PERSON OR ORGANIZATION WILL BE AFFORDED AN OPPORTUNITY TO BE HEARD AT SAID PUBLIC HEARING.

\* \* \* \*

Mr. Winston Martin, Executive Director of the Urban Renewal Agency, stated that a public hearing on this project had been scheduled earlier but was advertised as a neighborhood development project rather than a conventional project. In order to comply with legal requirements it must be reset for hearing.

After consideration, on motion of Mrs. Haberman, seconded by Mr. Hill, the Ordinance was passed and approved by the following vote: AYES: Haberman, Hill, Becker, Mendoza, Calderon, Naylor, Padilla, Gatti; NAYS: None; ABSENT: Hilliard.

73-14 Mayor Gatti said to Mr. Martin that it appears that the State of Texas has selected a site for the State Office Building which is other than the site offered by the City. A number of developers have asked about developing the Arciniega property into a garden type apartment area. Since the state has declined the City's offer it would be wise to ask for proposals for development.

Mr. Martin stated that he would handle the advertising and get it underway.

Mr. Alvin Padilla stated that he has had inquiries from owners adjacent to the Arciniega property who are concerned about the state taking their property. Now that this area is not being considered he asked if Mr. Martin would notify these property owners by mail to let them know the status.

Mr. Martin stated he would prepare a letter.

Mr. Hill suggested that as an immediate measure, he felt, that the property should be opened for parking for HemisFair visitors.

Mayor Gatti asked that the City Manager look into this matter and get something started.

73-14 The following Ordinance was read by the Clerk and explained by Mr. E. J. Wagner, City Tax Attorney, and after consideration, on motion of Mr. Hill, seconded by Mr. Mendoza, the Ordinance was passed and approved by the following vote: AYES: Haberman, Hill, Becker, Mendoza, Calderon, Naylor, Padilla, Gatti; NAYS: None; ABSENT: Hilliard.

AN ORDINANCE 42,017

AUTHORIZING THE CITY MANAGER IN CONCURRENCE WITH OTHER TAXING ENTITIES TO EXECUTE QUITCLAIM DEEDS TO CERTAIN PURCHASERS TO PROPERTIES ACQUIRED THROUGH TAX FORECLOSURES AND AUTHORIZING PAYMENT TO OTHER TAXING ENTITIES AND COSTS INCURRED THEREIN.

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<u>CAUSE NO.</u>	<u>DESCRIPTION</u>	<u>PURCHASER</u>	<u>AMOUNT</u>
C-13,426	Lot 19, Block 2 New City Block 3,054	Benigno Nieto et ux	\$1,500.00
C-13,634	Lot 25 and the north 12.5 feet of Lot 24, Block 39, New City Block 8,656	W. Furman	300.00
C-14,144	Lots 29 and 30, Block B, New City Block 3,242	William W. Atwell	1,055.67
C-14,185	Lot 29, Block 12, New City Block 8,962	A. R. Sanchez, Jr.	3,500.00
C-14,255	Lot 5, New City Block 3,797	Jesus T. Santos, et ux	400.00
C-14,289	Lot 7, Block 8, New City Block 3,727	G. Kinder	934.89
C-14,405	Lots 15 and 35 and west 16.66 feet of Lots 16 and 36, Block 3, New City Block 2,088, Also known as: Lots 15, 16A, 35 and 36A Block 3, New City Block 2,088	W. Furman	1,700.00
C-15,122	Lots 5, 6, 16, 17, and 18, Block 1, New City Block 3,983	Santa G. Martinez	1,413.68
C-15,139	Lot 28, Block 6, New City Block 3,163	Julia Villarreal	398.43
C-15,979	Lot 1, New City Block 10,750	Eastside Properties	3,750.00
C-17,192	North 50 feet of the south 208.2 feet of Lot 38 and the north 50 feet of the south 208.2 feet of the east 15.6 feet of Lot 37, Block 34, New City Block 3,693.	Roy Martinez, Jr.	328.50

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The Clerk read the following Ordinance:

AN ORDINANCE 42,018

AMENDING SECTION 36-13 (a) OF THE CITY CODE ESTABLISHING THE RULES APPLICABLE TO THE INSTALLATION OF WATER SUPPLY AND DISTRIBUTION SYSTEMS WITHIN THE CITY OF SAN ANTONIO AND ITS EXTRA-TERRITORIAL JURISDICTION; PROVIDING THAT ANY VIOLATION SHALL BE PUNISHED BY A FINE NOT TO EXCEED \$200.00.

\* \* \* \*

The following discussion took place:

MAYOR GATTI: The public hearing is hereby opened. Mr. Zachry chaired a committee of outstanding businessmen who have been working on this problem for several months. Mr. Zachry has to leave town.

MR. GEORGE VANN, DIRECTOR OF BUILDING AND PLANNING ADMINISTRATION:

I just want to report that the Planning Commission heard Mr. Zachry's report yesterday and the members present unanimously voted to refer it to the City Council, and it was recommended.

MAYOR GATTI: Mr. Zachry.

MR. H. B. ZACHRY: Mr. Mayor and Council members, following a controversy between the City Water Board and the Greater San Antonio Builders Association where the City Water Board requested Council enactment of their January 17 procedure and February 18 proposed rules and furthered by my request that more time and effort be applied to a reconciliation you asked, this Council asked for a return of the question to the Mayor's Special Committee and for their recommendations. Mayor Gatti's March 6 letter to his Special Mayor's Committee members emphasizes this fact and instituted proceedings and resulted in the conclusion that I report today.

We met on March 26th, an adjourned meeting of a previous March 21 meeting, at which those present were: Biggs, Calvert, Frost, Lewis, McCombs, Zachry. Also present at the meetings were Granata, Sueltenfuss, Kaufmann, Van Dyke, Deeley, Morton, Parnes, Ellison, Manupelli. These men were all invited to all our meetings. Assertainable issues taken from this Committee December 11th recommendation of which you approved on the 14th, and the City Water Board January 17, 1973 procedure statement including proposed rules submitted to the Planning Commission on February 28, and the Greater San Antonio Builders Association, Mr. Morton presiding, his concept difference between the two were listed by this Committee as we entered into our discussion of the problems. After our first session on March 22, we requested one, that the Greater San Antonio Builders Association prepare their written comment on the City Water Board's March 20 comment. We received a letter from Mr. Sam J. Parnes of the Greater San Antonio Builders Association, and it reads as follows: 1) The cover sheet states plainly that all feel an injustice is being done by means of the confiscation route when the City takes over free for nothing, so to speak, the water systems that are installed in all developments.

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In other words, that procedure has been in effect since 1960. They further conclude that all points raised could be labeled confiscation of property by some, acquisition without value consideration by others. The fact remains that the general purpose of the development of private water companies is to avoid this confiscation, to provide for confiscation while attempting to solve a problem that resulted from confiscation is circular in direction.

Summary: In addition to the alternations and so forth within this package it is requested the City Water Board regulations be amended to allow a private water company to operate both inside and outside the City. Further to allow a private water company to purchase wholesale water from the City Water Board. At the same meeting we asked Mr. Ray Ellison for his opinion of the report that had come in and received from him this comment. He had taken the time through Manupelli and his other staff to go over the City Water Board's proposal and had made certain suggestions thereon. Ray Ellison was personally asked, "Do we infer your willingness to sell your water system to the City Water Board after these corrections are made?" His answer, "We'll sell, but not on systems installations appraised value that was recommended by this Special Committee to City Council on December 14." We must sell on a time-earning ratio basis as increments are operated and over 15 years of currently planned development of presently owned property. In other words, its procedure of development would run for 15 years. Please don't infer from what I said that there is anything intended as a slur on what Mr. Ellison's attitude and his ideas are. They're perfectly, rightfully, his own and I, personally, give him great credit for the development that he has done in San Antonio and that increment of growth that he has been responsible for. That's his way of seeing it.

So, after receiving those two comments, the Committee's interpretation of Greater San Antonio Builders Association's response seems to revolve around this - that the Greater San Antonio Builders Association demands full reimbursement for total water systems value developed and to be developed in the recently annexed areas in the ETJ and inside and outside of all parts of the City. Pertinent considerations that this Committee had to look into in connection there with were: What will repeal of income source? That's the distribution system that is now being turned over to the City Water Board with each new subdivision that is being built. What will the repeal of that source mean to the City water rate structure? Bond indentures and things that we now have. Two, What is the over-all equity consideration to water users who have had included in their lot cost their prorata cost of the distribution system in having their water rates now raised to pay new home buyers cost of same. Third, considering a recently annexed and ETJ only the following applies: Should the City Water Board subsidize developers going outside of the City limits. They have gone there to buy cheaper land and hopefully, profit therefrom as its increased value becomes as the land is developed including the possibility of new community centers and other added increments of possible profit. They have moved outside the City limits to escape City taxes. They're not subject to the City Code and inspections. They are able in having large areas to secure more construction volume in one area and thereby obtain a cost reduction. Therefore, it seems to this Committee that if a potential profit in the development is sizeable, then that the risk taken by the developers is worth the odds even without the possible water system ownership profits.

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Now, we find no fault with a desire on their part to have it considered the same as these the CPSB does its electric power lines and gas system. Those were based on a different concept that the charge that was being made for the power and gas delivered were amortized on those costs when the product was used and therefore, it was right and proper for the City Public Service Board to incur and maintain those expenses. The City Water Board was never set up on that kind of a consideration and to go back now and try to undo all those things and set it up exactly like our gas and electric systems would be an almost impossible task. So, looking at it strictly in this manner, and the Committee determined an original concept by which it was going to measure all questions presented to it, namely, the City's best interest, our recommendation to the Mayor was and to you I read:

"March 26, 1973 Committee meeting reviewed all these items I have referred to and approved unanimously the City Water Board's report to the Mayor's Special Committee dated March 20, 1973 with two rather minor changes that were subsequently accepted by the City Water Board. So, we feel that this is the proper concept in view of our present water systems creation and its operations and do not see how we constructively change in the City's best interests. With this same unanimity the Committee requests through you that: First, the City Water Board defer letter enforcement of its provisions other than that of the quality of installations to be made for a sufficient period to preclude any work delay or any construction stoppage. In other words, the technicalities on plats and things of that kind are just something properly (inaudible)..... Second, that the City Water Board adopt a determined policy of builders and developers cooperation in spite of provocaments that they have had. Third, that the City and the City Water Board and the City Public Service Board consider the creation of a one contact center with the heads dedicated to good public relations. In other words, instead of having to run from one department to an other and instead of going backwards and forward to get the thing finally adjusted, they can all go to one place; and it will be handled directly through there. Fourth, that the City Public Service Board and the City Water Board jointly seek and plan surface water to serve for future power plant cooling and back up City Water Board needs. They should jointly be working on this and not separately. Fifth, that the City and County cooperatively join forces for planned utility and construction controls in the entire country. Gentlemen, this is our report and is respectfully submitted to you.

MAYOR GATTI: Mr. Zachry, I thank you very much. I know the tremendous amount of work and time and effort that your Committee put into this and I, for one, salute you and we are really indebted to your dedication. I think you've done a fine job with a very difficult charge, and I'm sure the Council will so act. Sam, you might speak to that one situation on the one stop thing.

CITY MANAGER SAM GRANATA: Yes, I think that's a very excellent idea and we're having it done now in Mr. Vann's department. It may necessitate a Water Board staff member being assigned in that area, and we'll work toward that end.

MAYOR GATTI: Thank you, Mr. Zachry. Mr. Kaufmann, do you want to say anything?

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MR. JACK KAUFMANN: My name is Jack Kaufmann. I'm Chairman of the City Water Board, and I would like just to express our appreciation for the time and patience of Mr. Zachry, Mr. Frost, Mr. Calvert, Mr. Biggs, Mr. McCombs, and Dr. Lewis for the tremendous amount of time and patience they spent listening to our needs and what we wanted, listening to the developers' needs and what they wanted and knocking a few heads together and coming up with some compromises that we can live with, that we can recommend to you as in the best interest of the City and at the same time take care of this interim period where a developer is not unduly restricted in the operation of his business. I think it would be more appropriate for me to maybe come back later in rebuttal or answer any questions that may be asked.

MAYOR GATTI: Okay, we have a Mr. Sam Parnes.

MR. SAM PARNES: I represent the San Antonio Builders Association. We ask that no action be taken on this proposal this morning. That action be delayed until Councilmen have further time to study this. We understand that this was presented no earlier than this past Tuesday to the Council. I think it's possible that some Council members prior to this meeting here have not seen this. We still feel that we have some differences here that need consideration and we greatly respect Mr. Zachry's report. However, we do ask for postponement of this action.

MAYOR GATTI: What would be done during this week? What would this postponement period, what would be - this thing has been doing on since December 26th. Everyone has had all kinds of input. The Committee has searched its soul, has worked with everyone involved. I don't see where there would be anything gained by postponing it again. We postponed it a month ago for the Committee to review it again. The Water Board who are the agents of the City in this have passed it. The City Planning Commission has passed it. What, specifically, do you have in mind as far as what are your objections to this?

MR. PARNES: Very specifically, of course, this would be up to each Council member, I have not seen this latest plan, and as I just indicated Council members have.....

MAYOR GATTI: Your membership was in the deliberations. Mr. Morton, as I understand it, was a part of this. Is that not right, Mr. Zachry?

MR. PARNES: Mr. Morton was not at the last meeting. I attended the last meeting. However, we were asked to be excused other than the members of the Committee could deliberate among themselves without members of the Water Board or the Builders Association being there. So, the last number of minutes, howsoever many, I'm not aware of what went on in that meeting. I have not seen anything on paper since then, and as I say that each Council member can certainly speak for himself, but I understand that Council members, some have not seen this. Others have seen it only as late as Tuesday. I feel that this is not sufficient time to make a .....

MAYOR GATTI: Did you talk to these Councilmen?

MR. PARNES: No, not directly. Not exactly, no sir.

MAYOR GATTI: Okay, fine.

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MR. CHARLES L. BECKER: Mr. Parnes, in order to bear out what you state with regards to this resolution, this is the first time I have seen this resolution. It was placed on my desk here this morning. It was not in my packet that I received Tuesday afternoon. This is my first acquaintanceship with this 28 page document, as of this morning. Now, is it not so that Mr. Morton developed a set of figures, hypothetical figures, I grant you, whereby that if the undeveloped lands within the City limits of the City of San Antonio were developed and the undeveloped land within the ETJ were developed that the net gain to the City of San Antonio, not for the Water Board, to the City of San Antonio, which is, really can be viewed as the parent cooperation in this instance if the Public Service, the Water Board and the Transit Authority are viewed as subsidiary operations of the City of San Antonio, is it not so that there is a net gain of a million some odd hundred thousands of dollars per annum as a trade out of taxable properties that would bear revenue to the City of San Antonio in taxes versus the two and a half million dollar refund that the Water Board seems to enjoy every year? Am I stating that correctly?

MR. PARNES: Yes, Mr. Becker, substantially so, as best I recall. Mr. Morton, as President of the Builders Association, did prepare these figures. I do recall the figure of somewhat over a million dollars in taxes that we look upon as being tax revenue that would have possibly or probably come to the City had not the developers.....

MAYOR GATTI: What were these figures based on? I mean is this a hypothetical cat and rat farm that, you know, this was going to develop and this wasn't going to develop and therefore, you get this much income?

MR. BECKER: I said it was a hypothesis.

MAYOR GATTI: A hypothesis?

MR. BECKER: I didn't say it was a cat and rat farm.

MAYOR GATTI: There's no basis for it in fact only.

MR. PARNES: There is some basis, Mayor.

MAYOR GATTI: Did the Committee look into this, Mr. Zachry?

MR. ZACHRY: Yes, sir. It looked at it, Mr. Mayor, and of course, there's always two or three approaches to any question. Now, the way we approached it and the results that we obtained we differed greatly from that which was presented in Mr. Morton's (inaudible). To go into all the details of it takes a little time. I will be very glad to do so asking to be excused, if I may, Mr. Van Dyke can carry it on because I am due in Tyler at 12:00, and I don't have much time.

MAYOR GATTI: Okay, thank you, sir.

MR. ZACHRY: Let me say one thing more, Mr. Mayor, that yes, at our final meeting of our special Committee, long towards the end after we had heard everybody's comments, I did make it a special meeting and released everyone else except the members of the Committee plus Sam Granata, our City Manager. But, there was no argument, no controversies, and everything was unanimous in their decision. Let me say once more, we would like very much to have been able to go along with the Builders and what they requested that there be no charge whatsoever of ultimately to their account for installation of systems in and out of new and old areas. But, that's not the way it has been set up and to change it all, and to refinance it, Mr. Mayor, you're more familiar with what would be involved in time to do that than anybody, I say it is an impossible task.

MAYOR GATTI: Thank you, Mr. Zachry. Mr. Parnes, do you have anything else?

MR. PARNES: Well, sir, you had asked a question - was this based on hypothesis alone? Not exactly, there is the knowledge among builders, that certain builders have moved outside of the City to develop for certain reasons. One particular reason, and it varies among developers, but it seems to be high on the list of many or most is the ability to operate a water system outside of the City and regain their investment which they have.....

MAYOR GATTI: Thank you, sir. Anyone else care to be heard on this?

MR. LEO MENDOZA: Mr. Mayor, I'd like to ask a very simple question, you know I, also, received this today. Now, is there any reason for this. If there is, of course, I would understand. But, it seems to me like we had everything that we're discussing this morning on our agenda, in our packet, and one of the most important items was completely left out, and we just get this information right now. So, could I ask that question, and could I get an answer to that please from someone.

MAYOR GATTI: Well, I'll be happy to answer it. Yes, the Committee had their final meeting, I think it was Monday, and I don't think that the statement that no one knew about this is true because this Council in my absence a month ago asked the Zachry Committee to prepare this report. This information has been available to anybody that wanted it. There is not anything in substance that is different. The fact that if you'll read it carefully you'll find that the Water Board has made many, many concessions over what they originally came up with. The basic fundamental thing here, and I think that this is what the Council is going to have to decide is the provision of on-site mains. It's a question of whether you're going to ask the citizens Water Board payers now or to subsidize the \$2 and one-half million for the developers. It's just as simple as that. Do you want to raise the water rates - the minimum water rates - to the people that are presently using the water to turn over to the developers \$2,500,000 a year. Now, that's the basic question. All of the other things in here are mechanical; they've been worked out very carefully with your Water Board which is the arm, as I said before, of the City, with your Planning Commission and I don't see where there's any more time needed to.....

MR. LEO MENDOZA: No, my question was - this information was not provided prior to this meeting so that we would have ample time to read it. Now, you just made the statement that this information is here, and we can read it very carefully, but we can't read it very carefully during the session and this was placed right on.....

MAYOR GATTI: Mr. Mendoza, I'm not saying that you shouldn't read it carefully. I'm saying that I don't know when the Council in the past has gotten into the minute mechanical details of any proposal. I don't think that any member of the Council would stand here and say that they investigate each comma and paragraph and so on. I'm saying that this is based on the principle that this Council gave its approbation to and that is that the developers pay for the on-site mains and that there be an equitable method of purchasing these mains and that the developers be allowed to develop in the ETJ and in the City within reason to the extent of their existing capabilities. That the Water Board be the sole purveyors of water. These are the principles which this is based on. These are the things that Mr. Zachry and his Committee evaluated very carefully. The other things in here are just

procedures and so on, and I don't know when in the past this Council has gotten into each individual procedure. Now, it's up to the Council to do whatever they want to do.

MRS. CAROL R. HABERMAN: In light of Mr. Zachry's Committee report, I personally asked about various informational items as late as yesterday. I would like to move at this time that we adopt this report and this ordinance as stipulated.

MR. ED. H. HILL: I second it.

MR. BECKER: I make a substitute motion that inasmuch as this report was given to us this morning - a 28 page document - inasmuch as I am unfamiliar with the contents of this particular document that I cannot see how anybody can rationally vote on something they are unfamiliar with to that extent. Now, it has been customary in the past in matters such as this - of this import - that we be given a week's stay to investigate the matter and study it and take it under advisement and at least understand what it is that we are voting on. Anything short of that I consider to be an act of railroading, and I cannot be a party to it. So I make a motion.....

MAYOR GATTI: Mr. Becker, you've been a party to this thing since the beginning, you are as eminently familiar with this document as anybody in this City.

MR. BECKER: I have not seen.....

MAYOR GATTI: The input that you gave, Mr. Becker, now let's be honest with each other.

MR. BECKER: I'm trying to be with you.

MAYOR GATTI: You've gone step by step with the developers. You know everything that's in this thing word for word. Now, don't give us this business that you don't know anything about it.

MR. BECKER: I have not seen this document.

MAYOR GATTI: No, but you know what's in it. You know what's in here. You had plenty of input in this thing.

MR. BECKER: I still make my motion.

MAYOR GATTI: Well, all right.

MR. BECKER: I still make my substitute motion.

MR. PADILLA: I second it for the same reasons.

MR. BECKER: I see postponement for one week until we've had sufficient time to at least investigate it.

MR. MENDOZA: Well, I'd like to say that as long as I sit on this Council I think I owe it to the citizens to review anything that I vote on, and for that reason I certainly support the substitute motion.

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MAYOR GATTI: I'm very pleased, Mr. Mendoza, that you're taking citizens into consideration because this document is designed to help the citizens and the people that pay the water bill. I'm very pleased to hear you say that. Okay, we have a substitute motion. Call the roll.

AYES: Becker, Mendoza, Padilla.  
NAYS: Haberman, Hill, Calderon, Naylor, Gatti.  
ABSENT: Hilliard.

CITY CLERK: The motion failed.

MAYOR GATTI: Now, we'll have the motion of Mrs. Haberman, seconded by Mr. Hill.

AYES: Haberman, Hill, Calderon, Naylor, Gatti.  
NAYS: Becker, Mendoza, Padilla.  
ABSENT: Hilliard.

MAYOR GATTI: The motion carried. Now, we'll proceed with the regular order of business.

\* \* \* \*

73-14 ZONING HEARINGS

Mayor Gatti announced that only eight Council members were present. The proponents in the two appeal cases were given the choice of asking for a postponement since seven affirmative votes are required to overrule the recommendation of the Planning Commission. No one asked for a postponement.

A. CASE 4160 - to rezone Lots 13 and 14, Block 5, NCB 1534, 718 South Gevers Street, from "B" Two Family Residential District to "B-3" Business District, located on the east side of South Gevers Street, 100' north of the intersection of Iowa Street and South Gevers Street; having 100' on South Gevers Street and a depth of 147.7'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be denied by the City Council.

Mr. Francis Zuehl, the applicant, spoke in favor of the rezoning. He pointed out other commercial uses in the area and stated that he wished to put in an auto repair garage. The area is predominately single family residences.

In answer to questions from the Council, Mr. Camargo stated that there are two other repair garages in the block. They are non-conforming uses, but he could not say whether they had been registered as non-conforming.

No one spoke in opposition.

After consideration, Mr. Becker moved that the recommendation of the Planning Commission be overruled and the application for rezoning be granted. The motion was seconded by Mr. Calderon. On the following roll call vote the motion failed to obtain the necessary seven affirmative votes and accordingly the rezoning was denied: AYES: Haberman, Becker, Mendoza, Calderon, Padilla, Gatti; NAYS: Hill, Naylor; ABSENT: Hilliard.

B. CASE 4848 - to rezone Lots 9, 10 and 11, Block 21, NCB 10096, 234 and 242 Maurine Drive, from "A" Single Family Residential District to "B-2" Business District, located on the southeast side of Maurine Drive between South New Braunfels Avenue and Interstate Highway 10; having 145' on South New Braunfels Avenue, 125' on Interstate Highway 10 and 277.22' on Maurine Drive.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be denied by the City Council.

Mr. Douglas Van Buren, representing K.D.R. Enterprises, spoke to the Council in favor of the proposed rezoning. He used color slides to show the location of the property on which a Sizzler Steak House would be constructed. His slides also showed the commercial development in the area and the traffic patterns. He pointed to changes that had occurred in the neighborhood since November, 1971 when this Case was last heard.

Mr. J. H. Caperton, 251 Maurine Drive, spoke in opposition. He stated that since his neighborhood was built it has been subjected to McCreless Shopping Center as well as the expressway. He objected to any further encroachment that would create additional traffic or air pollution. He asked that the request be denied.

Mr. Hilmer Merz, 434 Pamela Drive, echoed the statements made by Mr. Caperton and stated that he wanted the neighborhood to remain strictly residential.

Mr. Ed Hill stated that he was entirely familiar with the area being considered and that he could not support the request for rezoning.

After consideration, Mr. Hill made a motion that the recommendation of the Planning Commission be upheld and that the application for rezoning be denied. The motion was seconded by Mr. Padilla and carried by the following roll call vote: AYES: Haberman, Hill, Becker, Mendoza, Calderon, Naylor, Padilla, Gatti; NAYS: None; ABSENT: Hilliard.

73-14 Mayor Gatti was obliged to leave the meeting, and Mayor Pro-Tem Haberman presided.

C. CASE 4666 - to rezone Lot 25, Block 79, NCB 2794, 1502 West Hildebrand Avenue, from "B-1" Business District to "B-2" Business District, located southwest of the intersection of Hildebrand Avenue and Neer Avenue; having 100' on Hildebrand Avenue and 107.63' on Neer Avenue.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, Mr. Becker made a motion that the recommendation of the Planning Commission be approved, provided that a six foot solid screen fence is erected along the south property line. Mr. Hill seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Haberman, Hill, Becker, Mendoza, Calderon, Naylor, Padilla; NAYS: None; ABSENT: Hilliard, Gatti.

AN ORDINANCE 42,019

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 25, BLOCK 79, NCB 2794, 1502 WEST HILDEBRAND AVENUE, FROM "B-1" BUSINESS DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED ALONG THE SOUTH PROPERTY LINE.

\* \* \* \*

D. CASE 4900 - to rezone .899 acres out of NCB 13837, being further described by field notes filed in the office of the City Clerk, from Temporary "A" Single Family Residential District to "B-2" Business District; and 13.365 acres out of NCB 13837, being further described by field notes filed in the office of the City Clerk, 1700 Block of Heimer Road, from Temporary "A" Single Family Residential District to "B-3" Business District.

Subject property located 367' southeast and 296' southwest of the intersection of Heimer Road (N.W. to S.E.) and Heimer Road (N.W. to S.W.); having 446' on Heimer Road (N.W. to S.E.) and 668.6' on Heimer Road (N.E. to S.W.). The "B-2" zoning being on the southwest 50' of the subject property and the "B-3" on the remaining portion.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, Mr. Becker made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished and that a six foot solid screen fence be erected along the southwest property line. Mr. Hill seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Haberman, Hill, Becker, Calderon, Naylor, Padilla; NAYS: None; ABSENT: Hilliard, Mendoza, Gatti.

AN ORDINANCE 42,020

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 .899 ACRES OUT OF NCB 13837, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT; AND 13.365 ACRES

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OUT OF NCB 13837, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 1700 BLOCK OF HEIMER ROAD, FROM TEMPORARY "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED AND THAT A SIX FOOT (6') SOLID SCREEN FENCE IS ERECTED ALONG THE SOUTHWEST PROPERTY LINE.

\* \* \* \*

E. CASE 4901 - to rezone Lots 1 and 2, Block 15, NCB 11114, Lots 169 and south 50' of Lot 168, Block 15, NCB 11111, 300 Block of Moursund Boulevard, from "B" Two Family Residential District to "B-3" Business District, located northwest of the intersection of Moursund Boulevard and Gillette Boulevard; having 135.6' on Gillette Boulevard and 269.40' on Moursund Boulevard.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be approved by the City Council.

Mr. Dick Knight, representing the applicant, spoke stating that the Planning Commission had stipulated that their recommendation to rezone was provided that a six foot fence is erected along the north property line. He distributed copies of a letter from Mr. Joseph H. Myers, owner of the adjoining property, objecting to this requirement as being unnecessary. He asked that such a requirement be deleted from the Ordinance.

After discussion, Council members agreed with the request, and the fence requirement was omitted.

No one spoke in opposition.

After consideration, Mr. Becker made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished. Mr. Hill seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Haberman, Hill, Becker, Calderon, Naylor, Padilla; NAYS: None; ABSENT: Hilliard, Mendoza, Gatti.

#### AN ORDINANCE 42,021

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 1 AND 2, BLOCK 15, NCB 11114, LOTS 169 AND THE SOUTH 50' OF LOT 168, BLOCK 15, NCB 11111, 300 BLOCK OF MOURSUND BOULEVARD, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

\* \* \* \*

F. CASE 4902 - to rezone Lots 4 and 5, Block 6, NCB 1297, 1900 Block of Pan Am Expressway, from "D" Apartment District to "O-1" Office District, located on the south side of Interstate Highway 35 Expressway, being 168.5' west of the intersection of Palmetto Street and Interstate Highway 35 Expressway; having 110' on Interstate Highway 35 Expressway and a depth of 139'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, on motion of Mr. Becker, seconded by Mr. Calderon, the recommendation of the Planning Commission was approved, by the passage of the following Ordinance by the following vote: AYES: Haberman, Hill, Becker, Mendoza, Calderon, Naylor, Padilla; NAYS: None; ABSENT: Hilliard, Gatti.

AN ORDINANCE 42,022

AMENDING CHAPTER 42 OF THE CITY CODE  
THAT CONSTITUTES THE COMPREHENSIVE  
ZONING ORDINANCE OF THE CITY OF SAN  
ANTONIO BY CHANGING THE CLASSIFICATION  
AND REZONING OF CERTAIN PROPERTY  
DESCRIBED HEREIN AS LOTS 4 AND 5,  
BLOCK 6, NCB 1297, 1900 BLOCK OF  
PAN AM EXPRESSWAY, FROM "D" APARTMENT  
DISTRICT TO "O-1" OFFICE DISTRICT.

\* \* \* \*

73-14 Mayor Gatti returned to the meeting and presided.

G. CASE 4903 - to rezone Lots 37 through 42, Block 6, NCB 6554, 300 Block of Ridgewood Court, from "B" Two Family Residential District and "E" Office District to "B-2" Business District, located northeast of the intersection of San Pedro Avenue and Ridgewood Court; having 143' on San Pedro Avenue and 150' on Ridgewood Court.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be approved by the City Council.

Mr. Ned Wells, representing the applicant, stated that a drug store would be built at this location if rezoning is granted. He said that access would be on Ridgewood Court. He described the area and pointed out other commercial zoning.

Speaking in opposition were:

Mr. Edward J. Prucual, 326 West Norwood  
Bertha M. Gerum, 314 West Norwood  
Richard Berard, 326 West Norwood

Opposition was based on a predicted increase in traffic on the residential streets and a desire to retain the whole block as strictly residential.

After consideration, Mr. Hill moved that the recommendation of the Planning Commission be overruled and the rezoning be denied. The motion was seconded by Mr. Padilla, and carried by the following vote: AYES: Hill, Becker, Mendoza, Calderon, Padilla; NAYS: Haberman, Naylor, Gatti; ABSENT: Hilliard.

H. CASE 4904 - to rezone a 3.422 acre tract of land out of NCB 13782, being further described by field notes filed in the office of the City Clerk, from Temporary "A" and "R-1" Single Family Residential District to "R-3" Multiple Family Residential District, located northwest of the intersection of Grand Park Drive and Royal Ridge Drive, having 349' on Grand Park Drive and 417' on Royal Ridge Drive.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, Mr. Becker made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished and that a six foot solid screen fence be erected along the north property line. Mr. Hill seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Haberman, Hill, Becker, Mendoza, Calderon, Naylor, Gatti; NAYS: None; ABSTAIN: Padilla; ABSENT: Hilliard.

AN ORDINANCE 42,023

AMENDING CHAPTER 42 OF THE CITY CODE  
 THAT CONSTITUTES THE COMPREHENSIVE  
 ZONING ORDINANCE OF THE CITY OF SAN  
 ANTONIO BY CHANGING THE CLASSIFICATION  
 AND REZONING OF CERTAIN PROPERTY  
 DESCRIBED HEREIN AS A 3.422 ACRE TRACT  
 OF LAND OUT OF NCB 13782, BEING FURTHER  
 DESCRIBED BY FIELD NOTES FILED IN THE  
 OFFICE OF THE CITY CLERK, FROM TEMPORARY  
 "A" AND "R-1" SINGLE FAMILY RESIDENTIAL  
 DISTRICT TO "R-3" MULTIPLE FAMILY  
 RESIDENTIAL DISTRICT, PROVIDED THAT  
 PROPER REPLATTING IS ACCOMPLISHED AND  
 THAT A SIX FOOT SOLID SCREEN FENCE BE  
 ERECTED ALONG THE NORTH PROPERTY LINE.

\* \* \* \*

I. CASE 4907 - to rezone the northwest 250' of P-94, NCB 15686, from Temporary "R-1" Single Family Residential District to "B-2" Business District; and P-1 and P-94, save and except the northwest 250', NCB 15686, 4200 Block of Feathercrest Road, from Temporary "R-1" Single Family Residential District to "B-3" Business District.

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Subject property located on the southwest side of Feathercrest Road between Bulverde Road and Nacogdoches Road, having 1149.26' on Feathercrest Road, 772.34' on Bulverde Road, 726.9' on Nacogdoches Road, 69.6' on the cutback between Feathercrest Road and Nacogdoches Road, and 34.5' on the cutback between Feathercrest Road and Bulverde Road. The "B-2" zoning being on the northwest 250' of the subject property and the "B-3" zoning being on the remaining portion.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, Mr. Becker made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished. Mr. Calderon seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Haberman, Hill, Becker, Mendoza, Calderon, Naylor, Padilla, Gatti; NAYS: None; ABSENT: Hilliard.

AN ORDINANCE 42,024

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 NORTHWEST 250' OF P-94, NCB 15686, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, AND P-1 AND P-94, SAVE AND EXCEPT THE NORTHWEST 250', NCB 15686, 4200 BLOCK OF FEATHERCREST ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

\* \* \* \*

J. CASE 4908 - to rezone the south 100' of Lots 29 and 30, Block 1, NCB 7185, from "A" Single Family Residential District to "R-2" Two Family Residential District; and the north 75' of Lot 30 and Lot 29, save and except the south 100' of Block 1, NCB 7185, 257 Sherwood Drive, from "A" Single Family Residential District and "R-2" Two Family Residential District to "B-2" Business District.

Subject property located between I. H. 10 Expressway and Sherwood Drive, being 420' east of Vance Jackson Road; having 102.2' on I. H. 10 Expressway and 102.0' on Sherwood Drive and a maximum distance of 295' between I. H. 10 Expressway and Sherwood Drive. The "R-2" zoning being on the south 100' of the subject property and the "B-2" zoning being on the remaining portion.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, Mr. Calderon made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished, that a one foot non-access easement be imposed along the south property line, that a three foot screen fence be erected along the south property line, and that a six foot solid screen fence be erected along the east property line. Mr. Becker seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Haberman, Hill, Becker, Mendoza, Calderon, Naylor, Padilla, Gatti; NAYS: None; ABSENT: Hilliard.

AN ORDINANCE 42,025

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE SOUTH 100' OF LOTS 29 AND 30, BLOCK 1, NCB 7185, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-2" TWO FAMILY RESIDENTIAL DISTRICT; AND THE NORTH 75' OF LOT 30 AND LOT 29, SAVE AND EXCEPT THE SOUTH 100' OF BLOCK 1, NCB 7185, 257 SHERWOOD DRIVE, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT AND "R-2" TWO FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED, THAT A ONE FOOT NON-ACCESS EASEMENT BE IMPOSED ALONG THE SOUTH PROPERTY LINE, THAT A THREE FOOT SCREEN FENCE BE ERECTED ALONG THE SOUTH PROPERTY LINE, AND THAT A SIX FOOT SOLID SCREEN FENCE BE ERECTED ALONG THE EAST PROPERTY LINE.

\* \* \* \*

K. CASE 4909 - to rezone the east 80' of Tract 3, NCB 11687, 2400 Block of Jackson Keller Road, from "D" Apartment District to "B-1" Business District, located on the southwest side of Jackson Keller Road, being 218.52' northwest of the cutback between West Avenue and Jackson Keller Road having 100' on Jackson Keller Road and a maximum depth of approximately 295'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, Mr. Hill made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished. Mr. Becker seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Haberman, Hill, Becker, Mendoza, Calderon, Naylor, Padilla, Gatti; NAYS: None; ABSENT: Hilliard.

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AN ORDINANCE 42,026

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE EAST 80' OF TRACT 3, NCB 11687, 2400 BLOCK OF JACKSON KELLER ROAD, FROM "D" APARTMENT DISTRICT TO "B-1" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

\* \* \* \*

L. CASE 4912 - to rezone 0.936 acres out of NCB 10838, being further described by field notes filed in the office of the City Clerk, from "A" Single Family Residential District to "B-2" Business District; and 9.407 acres out of NCB 10838, being further described by field notes filed in the office of the City Clerk, 4200 Block of East Southcross Boulevard, from "A" Single Family Residential District to "R-3" Multiple Family Residential District.

Subject property is located on the southside of East Southcross Boulevard, 2661.91' west of the intersection of East Southcross and W. W. White Road; having 573.89' on East Southcross Boulevard and a maximum depth of 784.78'. The "B-2" being on the north 155' of the east 263' of the subject property and the "R-3" being on the remaining portion.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, Mr. Hill made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished. Mr. Becker seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Haberman, Hill, Becker, Mendoza, Calderon, Naylor, Padilla, Gatti; NAYS: None; ABSENT: Hilliard.

AN ORDINANCE 42,027

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 0.936 ACRES OUT OF NCB 10838, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT; AND 9.407 ACRES OUT OF NCB 10838, 4200 BLOCK OF EAST SOUTHCROSS BOULEVARD, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

\* \* \* \*

M. CASE 4920 - to rezone Tracts P-2, P-2A, P-2B, and P-2C, NCB 15684, 10200 Block of Perrin-Beitel Road, from Temporary "R-1" Single Family Residential District to "I-1" Light Industry District, located on the west side of Perrin-Beitel Road being approximately 1510' north of the intersection of Longvale Drive and Perrin Beitel Road; having 1084.82' on Perrin-Beitel Road and a maximum depth of 1818.4'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, Mr. Becker made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished. Mrs. Haberman seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Haberman, Hill, Becker, Mendoza, Calderon, Naylor, Padilla, Gatti; NAYS: None; ABSENT: Hilliard.

AN ORDINANCE 42,028

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 TRACTS P-2, P-2A, P-2B, and P-2C, NCB 15684, 10200 BLOCK OF PERRIN-BEITEL ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

\* \* \* \*

73-14 Mayor Gatti announced that he has called a Special Meeting of the City Council for 1:30 P. M., Wednesday, April 4, 1973, for the purpose of canvassing the General Election to be held on April 3, 1973.

73-14 CITIZENS TO BE HEARD

MR. RAUL RODRIGUEZ

Mr. Raul Rodriguez stated that he had heard that the City Council intended to offer a contract to Mr. Sam Granata to be City Manager. Mr. Rodriguez spoke in opposition to this procedure if it's true.

MR. PERRY DILLON AND MR. SAM ARMSTRONG

Mr. Perry Dillon and Mr. Sam Armstrong, both members of the Student Council at John Jay High School on Marbach Road, appeared before the Council to discuss the traffic and safety problems around

the school. There are no sidewalks or traffic signals in the vicinity. They recommended that Marbach Road be widened and improved, that sidewalks be constructed on both sides of Marbach Road and that traffic signals be installed.

Councilman Padilla stated that this is the area he has had complaints about and asked Mr. Miller of the Traffic and Transportation Department to discuss the situation.

Mr. John Miller, Assistant Director of Traffic and Transportation, stated that the matter has been investigated and the situation is very bad. He did not feel that a signal light at Wrangler and Marbach is a complete answer because of turning movements of the traffic. He stated that a pedestrian crossing light would be installed in front of the school by next fall.

After discussion of the problem, City Manager Granata was instructed to do what can be done as soon as possible to improve the situation.

- - -  
MR. JOE LOPEZ

Mr. Joe Lopez asked the Council to support a bill now in the Legislature which would reinstate the death penalty as a measure to reduce crime.

- - -  
MRS. M. L. WILLIAMS

Mrs. M. L. Williams complained about different City employees.

- - -  
MRS. HELEN DUTMER

Mrs. Helen Dutmer, 739 McKinley Avenue, stated that there should be a state law to allow reversion of zoning classifications. With this provision, zoning could be amended as neighborhoods develop.

Mrs. Dutmer also spoke in opposition to rampant development over the Edwards recharge zone.

- - -  
73-14      The Clerk read the following letter:  
March 23, 1973

Honorable Mayor and Members of the City Council  
City of San Antonio, Texas

Gentlemen and Madam:

The following petition was received by my office and forwarded to the City Manager for investigation and report to the City Council.

March 23, 1973      Petition of Mr. John P. Castillo and others, requesting the City to take immediate action to correct a deplorable condition which they claim now exists in the 500 block of Avondale Avenue.

/s/      J. H. INSELMANN  
City Clerk

\* \* \* \*

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There being no further business to come before the Council,  
the meeting adjourned at 12:10 P. M.

A P P R O V E D

*John Garty*  
M A Y O R

ATTEST: *J. H. Duclwan*  
C i t y C l e r k

March 29, 1973  
nsr