

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, AUGUST 1, 1985.

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The Regular Meeting of the City Council was called to order by the presiding officer, Mayor Henry Cisneros, with the following members present: BERRIOZABAL, WEBB, DUTMER, WING, MARTINEZ, THOMPSON, VERA, HARRINGTON, ARCHER, HASSLOCHER, CISNEROS. Absent: NONE.

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85-44 The invocation was given by Reverend John Payne, Bellaire Baptist Church.

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85-44 The City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

85-44 MR. JUAN VILLALOBOS

Mayor Cisneros briefly explained the significance of the Honorarium award for the saving of a life, and read the following award:

IN RECOGNITION OF HIS QUICK THINKING AND RAPID REACTION THAT RESULTED IN SAVING THE LIFE OF TWO-YEAR OLD ELAINE SIKES.

MR. VILLALOBOS WAS PART OF A SOLID WASTE COLLECTION CREW WORKING IN THE 100 BLOCK OF BEATRICE STREET ON JULY 2, 1985, WHEN HE NOTICED A WOMAN SEVERAL HOUSES AWAY, WITH A SMALL CHILD IN OBVIOUS DISTRESS. HE RAN TO THE SCENE AND FOUND THE CHILD TURNING BLUE, CHOKING FROM SOME SUBSTANCE CAUGHT IN HER THROAT. REACTING BY INSTINCT, MR. VILLALOBOS FIRST TRIED WITHOUT SUCCESS TO CLEAR THE CHILD'S BREATHING BY STRIKING HER ON THE BACK. HE THEN TURNED HER OVER AND PUSHED SHARPLY ON HER STOMACH, FORCING AIR UPWARD, DISLODGING A PIECE OF MEAT THAT WAS CLOGGING HER BREATHING PASSAGE. WITHIN MINUTES, SHE HAD RETURNED TO NORMAL BREATHING.

THE CITY COUNCIL, ON BEHALF OF A GRATEFUL CITIZENRY,
OFFICIALLY COMMENDS MR. VILLALOBOS AND EXPRESSES ITS
SINCERE APPRECIATION FOR HIS WILLINGNESS TO ASSIST A
FELLOW HUMAN BEING IN DISTRESS.

Mayor Cisneros and other members of the City Council then offered their individual congratulations while members of the audience applauded Mr. Villalobos' feat.

Mr. Villalobos thanked the Mayor and Council for the honor, and stated that he was just happy that he was in that place at that particular time, in order to help someone else.

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85-44

MR. GENE BANKS, SAN ANTONIO SPURS

Mayor Cisneros introduced Mr. Gene Banks, former San Antonio Spurs basketball player, now with the Chicago Bulls, and spoke of his many community services performed while a San Antonio player. He thanked him for his good example to the community and for his commitment to youth, then read a formal Proclamation designating Mr. Banks as an Alcalde de La Villita.

Mr. Webb recalled Mr. Banks' hard work to form the Fiesta Basketball League for San Antonio's youth, and introduced others present in the audience who assisted Mr. Banks in that effort.

Mayor Cisneros and other members of the City Council then presented Mr. Banks with the Alcalde, as well as with the official book on San Antonio, the city buckle and official tie, congratulating him for his good works on behalf of San Antonio.

Mr. Banks thanked the City for recognizing his youth league as a good cause for San Antonio, and also thanked those other persons who assisted him with that league and supported its efforts. He stated that he would miss San Antonio very much as he goes to Chicago after four years with the Spurs.

Mayor Cisneros then presented scarves to Mrs. Banks and their young daughter.

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85-44

DEFENSE LANGUAGE INSTITUTE STUDENTS

Mayor Cisneros recognized the presence in the audience today of a group of students from the Defense Language Institute, Lackland Air Force Base. Each student then introduced himself by name and nation.

Mayor Cisneros welcomed each to City Hall.

85-44

MR. ARMANDO ALBARRAN

Mayor Cisneros noted that Mr. Armando Albarran, rehabilitation specialist with the Veterans Administration in San Antonio, has been recently selected as "Man of the Year" by the Disabled American Veterans (DAV), and has dedicated himself to assisting other disabled veterans since his own disabling injury incurred during the Vietnam conflict. He then asked Mr. Albarran to come forward, and briefly explained the significance of the City's Benefactor award. The Mayor then read the text of the presentation, and presented the award to Mr. Albarran. Other members of the City Council joined in offering their congratulations.

Mr. Albarran thanked the City Council for the award, and spoke of his pride in being a San Antonian.

85-44

NIPPON TELEVISION NETWORK CORPORATION

Mayor Cisneros noted the presence in the audience today of two individuals representing Nippon Television Network Corporation, Tokyo, Japan, and introduced Ms. Masako Ohori and Mr. Yoshinobu Kosugi.

Police Chief Charles Rodriguez noted that the two were in San Antonio in connection with a television production being made with San Antonio citizens, and explained that the program is similar to "That's Incredible", currently seen on television in this nation.

Mayor Cisneros then presented official books on San Antonio to the two visitors.

85-44

WORK HIGHLIGHTS OF CITY COUNCIL
MAY-JULY 1985

Mayor Cisneros spoke of this City Council's record of accomplishment during its first three months in office, a copy of which is made a part of the papers of this meeting.

He then spoke of the next three months as being replete with hard work for the Council, with a major surface water decision to be made in the second quarter of this new Council term. He thanked City Manager Louis J. Fox for streamlining the Council decision items in order to aid the Council in its decision-making chores.

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85-44 The minutes of the City Council Meeting of July 18, 1985 were approved.
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85-44 CONSENT AGENDA

Mr. Hasslocher made a motion to approve Agenda Items 5 - 32, constituting the Consent Agenda. Mrs. Dutmer seconded the motion.

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

AN ORDINANCE 61,106

AUTHORIZING AN ADDITIONAL \$6,023.86 FOR ENGINEERING FEES PAYABLE TO GARCIA ENGINEERING ASSOCIATES, IN CONNECTION WITH THE KELLER/REHMAN/STARK/STRIBLING RECONSTRUCTION PROJECT.

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AN ORDINANCE 61,107

AUTHORIZING AN ADDITIONAL \$14,030.00 FOR ARCHITECTURAL FEES PAYABLE TO JESSE Y. JUAREZ AND CO., INC., ARCHITECT, IN CONNECTION WITH THE SOUTH SAN COMMUNITY CENTER PROJECT.

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AN ORDINANCE 61,108

AUTHORIZING FIELD ALTERATION NO. 11 ON THE CONVENTION CENTER EXPANSION PHASE 1B IN THE AMOUNT OF \$125,000.00 PAYABLE TO KUNZ CONSTRUCTION CO., INC.; AND APPROPRIATING \$125,000.00 TO COVER THE COST OF THIS FIELD ALTERATION.

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AN ORDINANCE 61,109 .

AUTHORIZING FIELD ALTERATION NO. 1 ON THE BOGLE STREET RECONSTRUCTION PROJECT IN THE AMOUNT OF \$7,406.50 PAYABLE TO E-Z BEL CONSTRUCTION COMPANY; AND APPROPRIATING SAID AMOUNT TO COVER THE COST OF THIS ALTERATION.

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AN ORDINANCE 61,110 .

APPROPRIATING FUNDS AN AUTHORIZING THE CITY MANAGER TO EXECUTE FIELD ALTERATION #3 IN CONJUNCTION WITH THE RILLING ROAD W.W.T.P. DIGESTER ROOFS REHABILITATION PROJECT, FOR THE AMOUNT OF \$107,339.00 PAYABLE TO CONTEMPORARY ENTERPRISES, INC.; AND AUTHORIZING AN ADDITIONAL \$10,000.00 PAYABLE TO THE CONSULTANT, CUTLER-GALLAWAY SERVICES FOR CONSTRUCTION INSPECTION SERVICES.

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AN ORDINANCE 61,111 .

AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH HOWARD W. GADDIS, CONSULTING ENGINEER, IN THE AMOUNT OF \$158,673.13 TO PROVIDE ENGINEERING DESIGN ON THE RITTIMAN ROAD RECONSTRUCTION PROJECT.

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AN ORDINANCE 61,112 .

AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH CIVIL ENGINEERING CONSULTANTS, IN THE AMOUNT OF \$182,550.00 TO PROVIDE ENGINEERING DESIGN ON THE DOLLARHIDE OUTFALL DRAINAGE PROJECT #81.

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AN ORDINANCE 61,113 .

AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH GALBRAITH ENGINEERING CORPORATION, IN THE AMOUNT OF \$161,325.00 TO PROVIDE ENGINEERING DESIGN ON THE SALTILLO STREET RECONSTRUCTION PROJECT #81.

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AN ORDINANCE 61,114

AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH K.M. NG AND ASSOCIATES INC., IN THE AMOUNT OF \$118,325.00 TO PROVIDE ENGINEERING DESIGN ON THE LAREDO STREET RECONSTRUCTION PROJECT.

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AN ORDINANCE 61,115

AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH G.A. PRATT AND ASSOCIATES, INC. IN THE AMOUNT OF \$139,261.25 TO PROVIDE ENGINEERING DESIGN ON THE WEST COMMERCE RECONSTRUCTION PROJECT.

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AN ORDINANCE 61,116

AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH BROWN ENGINEERING CO., IN THE AMOUNT OF \$159,525.00 TO PROVIDE ENGINEERING DESIGN ON THE HUEBNER ROAD RECONSTRUCTION PROJECT.

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AN ORDINANCE 61,117

AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH STRUCTURAL ENGINEERING ASSOCIATES (SEA) IN THE AMOUNT OF \$54,125.00 TO PROVIDE ENGINEERING DESIGN ON THE EVERS ROAD BRIDGE AT THE W. FORK OFF THE APACHE CREEK.

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AN ORDINANCE 61,118

AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH STRUCTURAL ENGINEERING ASSOCIATES (SEA), IN THE AMOUNT OF \$41,196.25 TO PROVIDE ENGINEERING DESIGN ON THE VANCE JACKSON ROAD BRIDGE AT ROCK CREEK.

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AN ORDINANCE 61,119

ACCEPTING THE BID OF STODDARD CONSTRUCTION COMPANY, IN THE AMOUNT OF \$633,000.00 FOR THE CONSTRUCTION OF FIRE STATION #17 AT RECTOR AND JONES MALTSBERGER; PROVIDING A CONTINGENCY IN THE AMOUNT OF \$44,310.00; AND AUTHORIZING \$3,093.50 FOR ARCHITECTURAL FEES PAYABLE TO L.K. TRAVIS AND ASSOCIATES.

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AN ORDINANCE 61,120

AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH PAPE-DAWSON, CONSULTING ENGINEERS, IN THE AMOUNT OF \$108,300.00 TO PROVIDE ENGINEERING DESIGN ON THE HENDERSON PASS RECONSTRUCTION PROJECT.

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AN ORDINANCE 61,121

AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH GARCIA & WRIGHT, CONSULTING ENGINEERS, IN THE AMOUNT OF \$293,100.53 TO PROVIDE ENGINEERING DESIGN ON THE THOUSAND OAKS RECONSTRUCTION PROJECT.

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AN ORDINANCE 61,122

AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH PAPE-DAWSON CONSULTING ENGINEERS, IN THE AMOUNT OF \$52,750.00 TO PROVIDE ENGINEERING DESIGN ON THOUSAND OAKS RECONDITIONING PROJECT FROM U.S. 281 TO HENDERSON PASS.

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AN ORDINANCE 61,123

AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH M.H. MULLINS, INC., IN THE AMOUNT OF \$227,823.50 TO PROVIDE ENGINEERING DESIGN ON THE THOUSAND OAKS RECONSTRUCTION PROJECT FROM JONES MALTSBERGER TO M.P. RAILROAD.

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AN ORDINANCE 61,124

ACCEPTING THE BID OF R.L. JONES COMPANY, INC., IN THE AMOUNT OF \$109,301.17 FOR THE CONSTRUCTION OF THE RIO SECO SANITARY SEWER EXTENSION; PROVIDING A CONSTRUCTION CONTINGENCY IN THE AMOUNT OF \$11,198.83; APPROVING A CONTRACT; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 61,125

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$558,200.00 FOR THE PURPOSE OF ACQUIRING TITLE TO CERTAIN LANDS; ACCEPTING THE DEDICATION OF EASEMENTS TO CERTAIN LANDS; ALL IN CONNECTION WITH CERTAIN RIGHT OF WAY PROJECTS.

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AN ORDINANCE 61,126

AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE A PARTIAL RELEASE OF EASEMENT, RELEASING A PORTION OF THE EASEMENT IN LOT 13 (FORMERLY LOT 12), NEW CITY BLOCK 11690.

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AN ORDINANCE 61,127

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

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AN ORDINANCE 61,128

REPEALING SECTION 5, SUB-SECTION "A" OF ORDINANCE NUMBER 60394, DATED MARCH 14, 1985.

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AN ORDINANCE 61,129

AUTHORIZING THE CITY MANAGER TO EXECUTE A SEWER SERVICE CONTRACT BETWEEN THE CITY AND THE REDLAND BULVERDE JOINT VENTURE FOR A 256.0 ACRE TRACT OF LAND LOCATED NORTH OF FM 1604 AND REDLAND ROAD IN THE UPPER SALADO WATERSHED.

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AN ORDINANCE 61,130

DESIGNATING THE CITY'S DIRECTOR OF FINANCE AS THE INDIVIDUAL TO MAKE THE PROPERTY TAX CALCULATIONS AS REQUIRED BY SECTION 26.04(c) OF THE TEXAS TAX CODE.

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AN ORDINANCE 61,131

AMENDING SECTION 16-134(J) OF THE CITY CODE TO ALLOW PUSH CART FOOD VENDING IN SHOPPING MALLS.

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AN ORDINANCE 61,132

AUTHORIZING SUBMISSION OF AN APPLICATION TO THE PUBLIC HEALTH SERVICE, DEPARTMENT OF HEALTH AND HUMAN SERVICES TO CONTINUE THE CHILDHOOD IMMUNIZATION MAINTENANCE PROJECT FOR THE PERIOD JANUARY 1, 1986 TO DECEMBER 31, 1986.

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AN ORDINANCE 61,133

AUTHORIZING FORMAL SUBMISSION OF THE CITY OF SAN ANTONIO'S THREE YEAR HOUSING ASSISTANCE PLAN (OCTOBER 1, 1985 - SEPTEMBER 30, 1988) TO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD).

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ZONING HEARINGS

33. CASE Z85257 - to rezone a 2.238 acre tract of land out of Lot 39, Block 6, NCB 14977, being further described by field notes filed in the

Office of the City Clerk, from "B" Residence District to "R-2" Two Family Residence District; a 2.93 acre tract of land out of Lot 39, Block 6, NCB 14977, being further described by field notes filed in the Office of the City Clerk, from "B" Residence District to "B-2NA" Non-Alcoholic Sales District; a 7.912 acre tract of land out of Lot 39, Block G, NCB 14977 and Tract 6-B, NCB 11148, being further described by field notes filed in the Office of the City Clerk, from "B" Residence District and "B-3NA" Non-Alcoholic Sales District to "B-3NA" Non-Alcoholic Sales District Special Use Permit for a flea market; a 1.013 acre tract of land out of Tracts 6-B and 7-B, NCB 11148, being further described by field notes filed in the Office of the City Clerk, in the 700 Block of Chavaneaux Road, from "B" Residence District to "B-3NA" Non-Alcoholic Sales District Special Use Permit for a flea market, located on the westside of Moursund Blvd., between Buchanan Blvd. and Chavaneaux Road, having 487.40' on Buchanan Blvd., 174.60' on Moursund Blvd. and 190' on Chavaneaux Road.

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

Ms. Yolanda Gonzalez, attorney representing the proponent, distributed packets of information on the case and outlined the request for operation of a flea market. She also spoke against imposition of the recommended two-year SUP.

Mr. Jay Dauley, 207 West Chavaneaux Road, the proponent, noted that his flea market was operating for some 14 years on the site of an old drive-in theater on Mission Road, and was forced to move to a new site. He spoke of his efforts to curtail noise and traffic problems in the new area, and to provide increased police protection. He then distributed copies of rules that he imposes upon tenants of his flea market.

Mr. Alfonso Fernandez, architect, spoke of a new site plan for the site, including new buildings, improved traffic flow and parking, ingress and egress plans, and fencing. He then displayed an architect's rendering of the plan of development.

Mr. Thomas Adams, 3722 Southwest Military Drive, stated that this flea market provided his only means of livelihood, and addressed his plans to occupy one of the permanent areas of the flea market.

Ms. Natalie Akers, 266 West Villaret, Mr. Dave Mills, Pleasanton, and Ms. Lila Landes, representing Southwest Concerned Citizens, all spoke in support of the request.

Mr. Park Simms presented an additional 1800 names on petitions in favor of the flea market proposal.

Ms. Linda Pressley, 9710 Clamp, spoke against the heavy traffic and noise generated by a flea market, and its adverse effects upon property values in the neighborhood.

Rev. Dale Dunn, 406 East Mally, pastor of Kingsborough Ridge Baptist Church, stated that the flea market adversely affects the quality of life of neighbors, and he spoke of his fears for intrusion of an undesirable element of society into this area because of this usage. He asked the rezoning request be refused.

Ms. Faye Gonzalves, 300 West Villaret, spoke of her concerns for property values.

Mr. Donnie McCarter, 1134 Grosvenor, representing the Ashley Road Baptist Church, asked for a guarantee that the proposed flea market plans will be carried out as proposed.

Ms. Pressley asked Mayor Cisneros to meet with opponents of this issue to discuss certain concessions being sought from the proponent, including a high fence around the property, no use of the loudspeaker system, more police protection, a 1:00 P.M. Sunday opening-time, and a non-access easement on both Buchanan and Moursund Blvds.

Mayor Cisneros stated that Mr. Wing has worked on this case for some time and supports it, and asked that any Council motion for approval also include some or all of the concessions mentioned by Ms. Pressley.

Mr. Dauley stated that the flea market does not open until 11:00 A.M. on any day; that the public address system is used for primarily emergencies and to announce drawings and other flea market business; that he used plainclothes officers inside the flea market; that he plans to entrance on Buchanan Blvd.; and that fencing has his approval. He further stated that he will restrict use of the public address system to emergencies only, but asked that he be allowed to maintain opening hours of 6:00 A.M. to 6:00 P.M. on Saturdays and Sundays.

Mrs. Dutmer, noting that Mr. Wing is out of town until later today, read from a letter written by Mr. Wing in regard to this case, and of the restrictions planned for the flea market.

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

In response to questions by Mrs. Dutmer, Mr. Dauley spoke to the taxes paid by vendors at the flea market and to heavy traffic it causes in the neighborhood. He also spoke to details of providing a free lunch to persons who would agree to come to City Council with him in support of the flea market today, and to a promise that the same group would have a free supper tonight, at his expense.

Mrs. Dutmer made a motion to approve the first amendment which provides that the flea market will not open for business until 12 noon on Sundays; it will provide uniformed police officers for protection; the

public address system will not be used for any purpose before 11:00 A.M. on Sundays; a non-access easement will be imposed on both Buchanan and Moursund Blvds.; a six-foot wooden fence is to be erected and maintained around the entire property concerned; and the Special Use Permit is to be limited to a term of two years. Ms. Berriozabal seconded the motion.

Mr. Thompson made a motion to approve the second amendment which provides that a six-foot wooden fence is to be erected and maintained along the north property line; ingress and egress is to be limited to the expressway (Chavaneaux Road) side of the property; the public address system is to be used only for emergencies; and the Special Use Permit is granted for a period of two years only. Mr. Harrington seconded the motion.

After discussion, the vote on the second amendment, motion by Mr. Thompson and seconded by Mr. Harrington, prevailed by the following vote: AYES: Webb, Dutmer, Martinez, Thompson, Vera, Harrington, Archer, Hasslocher, Cisneros; NAYS: Berriozabal, Dutmer,; ABSENT: Wing.

Mrs. Dutmer made a motion to approve the third amendment which provides a six-foot wooden fence on the south and east property lines, as well. Ms. Vera seconded the motion.

After discussion, the vote on the third amendment, motion by Mrs. Dutmer and seconded by Ms. Vera, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Martinez, Thompson, Vera, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Wing.

After discussion, the vote on the first amendment, motion by Mrs. Dutmer and seconded by Ms. Vera, failed to carry by the following vote: AYES: Berriozabal, Dutmer, Archer,; NAYS: Webb, Martinez, Thompson, Vera, Harrington, Hasslocher, Cisneros; ABSENT: Wing.

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

Mayor Cisneros briefly summarized the effect of the votes by the City Council.

AN ORDINANCE 61,134

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 2.238 ACRE TRACT OF LAND OUT

OF LOT 39, BLOCK 6, NCB 14977, FROM "B" RESIDENCE DISTRICT TO "R-2" TWO FAMILY RESIDENCE DISTRICT; A 2.93 ACRE TRACT OF LAND OUT OF LOT 39, BLOCK 6, NCB 14977, FROM "B" RESIDENCE DISTRICT TO "B-2NA" NON-ALCOHOLIC SALES DISTRICT; A 7.912 ACRE TRACT OF LAND OUT OF LOT 39, BLOCK G, NCB 14977 AND TRACT 6-B, NCB 11148; A 1.013 ACRE TRACT OF LAND OUT OF TRACTS 6-B AND 7-B, NCB 11148, FROM "B" RESIDENCE DISTRICT TO "B-3NA" S.U.P. NON-ALCOHOLIC SALES DISTRICT SPECIAL USE PERMIT FOR A FLEA MARKET, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, PROVIDED THAT DRIVEWAYS & OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION; THAT 10' OF DEDICATION IS GIVEN ALONG CHAVANEUX RD.; THAT A 6' SOLID SCREEN WOOD FENCE IS ERECTED AND MAINTAINED ALONG THE NORTH, SOUTH AND EAST PROPERTY LINES; THAT A 1' NON-ACCESS EASEMENT IS IMPOSED ALONG BUCHANAN BLVD. AND MOURSUND BLVD; THAT LOUDSPEAKER USE IS LIMITED ONLY TO EMERGENCIES; AND THAT THE SPECIAL USE PERMIT ON THE B3NA PROPERTY IS LIMITED TO TWO YEARS.

85-44

PROVISION FOR SPECIAL MEETING

Mr. Archer stated that he would like to have City Council approval at this time to post notice of a special Council meeting to be held at 7:00 P.M. today for the purpose of considering a freeze on construction permits on a certain piece of north side property.

Mr. Archer made a motion to post notice of a special Council meeting to consider an Ordinance that would freeze construction permits on a certain parcel of property. Mr. Hasslocher seconded the motion.

After discussion, the motion was carried by the following vote: AYES: Berriozabal, Webb, Dutmer, Martinez, Thompson, Vera, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Wing.

Mayor Cisneros asked that the proper legal posting of the notice of this Special Meeting be effected.

85-44 - Agenda Item 3, being a presentation by the City Manager of the proposed 1986-86 Operating and Expenditures Budget, was taken up at this time.

Mayor Cisneros commended City Manager Louis J. Fox for an

outstanding job in preparing this proposed budget, stating his opinion that it reflects the City Council's direction to staff on two key themes: neighborhood development and an increase in crimefighting capacity.

Mr. Hasslocher noted that many City staff persons worked through the night to complete this budget presentation for today.

Mr. Fox spoke to details of the budget presentation, noting that the proposed budget totals some \$723 million, which is \$13 million below last year's budget because of a 14 per cent decrease in capital budget items. He also spoke to a \$9 million loss in revenue sharing funds from the federal government and to City staff's new focus on one-time uses for revenue sharing funds, in the future. His budget message addressed three key highlights: a public facilities package; increased police protection; and streets and drainage matters. Mr. Fox then outlined the key considerations in his budget recommendations, a copy of which is a part of the budget document. He further stated that the Bexar Appraisal District has reported a tax roll of some \$21.3 billions for the City of San Antonio, and recommended that the City Council consider setting a tax rate of \$1.44 per \$100 valuation.

Mayor Cisneros spoke of the need for the Council to discuss the budget process to be followed, hear from interested citizens, and then hear from Council members on the matter.

Mayor Cisneros recommended that the City Council reach general consensus on setting Council budget work sessions on August 15, 22 and 29, as a possibility, to discuss the three main budget areas, in addition to devoting perhaps one Tuesday night to cover the remaining budget items.

Ms. Helen Ayala, representing Communities Organized for Public Service, spoke in support of greater public participation in budget work sessions. She also recommended more personnel be added to the planning and zoning staffs, and to fire and police functions. She also discussed homestead law and the need to provide the best laws in this area in order to best benefit the homeowners with tax cuts.

Mr. Ken Fitch, chairman of the Greater San Antonio Chamber of Commerce's Budget Task Force, spoke in support of the recommendations of the City staff, and also more citizen participation in budget consideration, as well as Council appointment of citizens' groups to help review the budget proposals.

A Council discussion followed during which it was decided to handle budget considerations on August 15, 21, 22, 27 and 29, according to the following schedule:

Thursday, August 15....3:00 P.M. Work Session on leisure services, recreation.

Wednesday, August 21....3:00 P.M. Work Session on public works and developmental activities.

Thursday, August 22....3:00 P.M. Work Session on public safety.

Tuesday, August 27....7:00 P.M. Public Hearing on budget for FY 1985-86.

Thursday, August 29....3:00 P.M. Work Session on revenues, any closeout questions, all other budgetary matters prior to adoption.

Mr. Hasslocher made a motion to adopt the schedule as agreed to. Mr. Harrington seconded the motion.

Mr. Hasslocher asked that more Citizen Action officers be included in the budget.

A discussion took place concerning the request of several Council members for more secretaries in Council offices, and the enhancement of the City's emergency communications network in order to eliminate 'dead spots' in radio transmissions by emergency services.

In response to a question by Mr. Thompson, Mr. Fox stated that he was recommending a cut in the City tax rate, if Bexar Appraisal District estimates of current property values are true.

Mr. Hasslocher made the first amendment to the motion to adopt the schedule as agreed to. Mr. Harrington seconded the motion.

Mr. Archer spoke in favor of cutting taxes substantially, noting that many property values have doubled in San Antonio this year.

Mr. Webb asked for better vacant lot cleanup, especially in District 2 neighborhoods.

A discussion took place concerning the exact date at which a new tax rate would be established by the City Council.

Mr. Harrington spoke of the many variables that impact upon real estate property appraisals and the danger inherent in tying the City budget to BAD's estimates of property values.

Ms. Vera made a second amendment to the motion to limit ceremonial items on Council agendas on dates of budget work sessions. Mr. Martinez seconded the motion.

Mr. Fox addressed the need to stabilize the City's zoning work.

Ms. Vera stated her desire to increase the demolition of hazardous structures in the city, and also spoke in support of additional administrative help for Council members.

Mrs. Dutmer questioned why the City chose the hot summer months to work on the Police Department's central air conditioning system.

Mr. Frank Kiolbassa, Director of Public Works, stated that the cooling tower was deteriorating rapidly and the City was forced to work on it at this time, or perhaps face a six-month down-time, later, for more extensive repairs.

In response to a question by Mrs. Dutmer, Mr. Fox stated that he is recommending the hiring of 15 additional police officers in the next budget, and would recommend an increase in firefighters to staff new fire stations as they come on-line, in the future.

Mrs. Dutmer spoke in opposition to adding more administrative help in Council offices, citing the lack of room as one reason for that opposition.

Mr. Martinez spoke in support of COPS' request for a closer look by City staff at planning and zoning matters, such as additional staff. He also spoke in support for more administrative support for Council members.

After discussion, the vote on the second amendment, motion by Ms. Vera, seconded by Mr. Martinez, prevailed by the following vote: AYES: Berriozabal, Webb, Martinez, Thompson, Vera, Archer, Cisneros; NAYS: Dutmer; ABSENT: Wing, Hasslocher.

After discussion, the vote on the first amendment, motion by Mr. Archer, seconded by Mr. Harrington, failed to carry by the following vote: AYES: Archer; NAYS: Webb, Dutmer, Martinez, Thompson, Vera, Harrington, Hasslocher, Cisneros; ABSENT: Harrington.

After discussion, the vote on the main motion, as amended prevailed by the following vote: AYES: Webb, Dutmer, Martinez, Thompson, Vera, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Harrington.

ZONING HEARINGS (continued)

34. CASE Z85101 - to rezone Lots 1 thru 10, Tract A, B and C, NCB 3086, Lots 1 thru 29, NCB 3088, In the 200, 300, and 400 Block of E.

Huisache Avenue, for the expansion of the Historic District from "D" Apartment District to "D" Historic District, located on the southside of East Huisache Avenue between McCullough Avenue and Stadium Drive (McAllister Expressway, having 150' on Stadium Drive (McAllister Expressway) 184' on McCullough Avenue and approximately 2834' on E. Huisache 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.

Mr. Archer moved that the recommendation of the Zoning Commission be approved. Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 61,135

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 THRU 10, TRACT A, B AND C, NCB 3086, LOTS 1 THRU 29, NCB 3088, IN THE 200, 300, AND 400 BLOCK OF E. HUISACHE AVENUE, FOR THE EXPANSION OF THE HISTORIC DISTRICT FROM "D" APARTMENT DISTRICT TO "D" HISTORIC DISTRICT.

* * * *

35. CASE Z85226 - to rezone Lots 34, 35, and 36, Block 4, NCB 10939, 1000 Avondale Avenue from "B" Residence District to "B-1" Business District; Lots 16, 17, 18, 19, 20, 21, 37, 38, and 39, Block 4, NCB 10939, 100 Block of Grecian Drive, 1500 Block of Goliad Road, from "B" Residence District to "B-2NA" Non-Alcoholic Sales District, located on the southwest side of Goliad Road, Grecian Drive and Avondale Avenue, having 370' frontage on Goliad Road with a maximum depth of 400'.

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.

Mrs. Dutmer moved that the recommendation of the Zoning

Commission be approved provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division, and that 10' of dedication is given along Goliad Road; a 6' solid screen fence is erected and maintained along the west property line and a 1' non-access easement is imposed along the south property line. Mr. Webb seconded the motion.

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

AN ORDINANCE 61,136

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 34, 35, AND 36, BLOCK 4, NCB 10939, 1000 AVONDALE AVENUE, FROM "B" RESIDENCE DISTRICT TO "B-1" BUSINESS DISTRICT; LOTS 16, 17, 18, 19, 20, 21, 37, 38, and 39, BLOCK 4, NCB 10939, 100 BLOCK OF GRECIAN DRIVE, 1500 BLOCK OF GOLIAD ROAD, FROM "B" RESIDENCE DISTRICT TO "B-2NA" NON-ALCOHOLIC SALES DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION, AND THAT 10' OF DEDICATION IS GIVEN ALONG GOLIAD ROAD; A 6' SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE WEST PROPERTY LINE AND A 1' NON-ACCESS EASEMENT IS IMPOSED ALONG THE SOUTH PROPERTY LINE.

* * * *

36. CASE Z85249 - to rezone Lots 21, 22, 23, 24, 25, 26, 27, 28, 29, and 30, Block 9, NCB 10247, 3400 Block of Martin Luther King Drive, from "B" Residence District to "B-3R" Restrictive Business District, located on the northwest side of the intersection of Martin Luther King Drive and Bellinger Street, having 500' frontage on Martin Luther King Drive and 125' on Bellinger Street.

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.

Mrs. Dutmer moved that the recommendation of the Zoning Commission be approved provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 61,137

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 21, 22, 23, 24, 25, 26, 27, 28, 29, AND 30, BLOCK 9, NCB 10247, 3400 BLOCK OF MARTIN LUTHER KING DRIVE, FROM "B" RESIDENCE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

* * * *

37. CASE Z85253 - to rezone Lots 37, 38, 39, 43 and 46, Block 15, NCB 13115, 9000 Block of Contessa Drive, 200 Block of Downshire Drive, from "B" Residence District to "R-6" Townhouse Residence District, located approximately 472' south of the intersection of Isom Road and Contessa Drive, having a depth of 269' and a width of 278'.

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. Mr. Harrington seconded the motion.

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

AN ORDINANCE 61,138

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 37, 38, 39, 43, AND 46, BLOCK 15, NCB 13115, 9000 BLOCK OF CONTESSA DRIVE, 200 BLOCK OF DOWNSHIRE DRIVE, FROM "B" RESIDENCE DISTRICT TO "R-6" TOWNHOUSE RESIDENCE DISTRICT.

* * * *

38. CASE Z85145 P.P. - to rezone Lots 1, 2, 3, 5, thru 18, NCB 2173, in the 1500 Block of Ruiz Street, from "C" Apartment District to "O-1" S.U.P. Office District Special Use Permit, for a plant nursery, located between Arbor Street to the north and Ruiz Street to the south and Elmendorf Street to the west and Murry Street to the east, having an approximate depth of 340' on Elmendorf Street and Murry Street with an approximate width of 300' on Arbor Street and Ruiz Street.

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.

Ms. Berriozabal briefly explained the problems with drainage from the property occupied by the plant nursery, and the neighborhood meeting at which the proponent agreed to work on that drainage.

Ms. Berriozabal moved that the recommendation of the Zoning Commission be approved provided that 2.2' of dedication is given on both Ruiz Street and Elmendorf Streets, and that a 1' non-access easement is placed along Arbor Street and Murry Street. Mrs. Dutmer seconded the motion.

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

AN ORDINANCE 61,139

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, 2, 3, 5, THRU 18, NCB 2173, IN THE 1500 BLOCK OF RUIZ STREET, FROM "C" APARTMENT DISTRICT TO "O-1" S.U.P. OFFICE DISTRICT SPECIAL USE PERMIT, FOR A PLANT NURSERY, PROVIDED THAT 2.2' OF DEDICATION IS GIVEN ON BOTH RUIZ STREET AND ELMENDORF STREETS, AND THAT A 1' NON-ACCESS EASEMENT IS PLACED ALONG ARBOR STREET AND MURRY STREET.

* * * *

85-44 The City Council, by concensus, decided to temporarily bypass agenda item 39 at this time.

40. CASE Z85211 - to rezone Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, Block B, NCB 15705, from Temporary "R-1" One Family Residence District to "R-3" Multiple Family Residence District, located between Stahl Road and Durham Drive bounded by O'Connor road on the north east and Anacacho Road on the southwest, having a maximum depth of 1128.48' and a width of 486.25'.

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.

Mrs. Dutmer moved that the recommendation of the Zoning Commission be approved provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division, and that 18' of dedication is given along O'Connor and 13' of dedication is given along Stahl Road.

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

AN ORDINANCE 61,140

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, 2, 3, 4, 5, 6, 7, 8, 9 AND 10, BLOCK B, NCB 15705, FROM TEMPORARY "R-1" ONE

FAMILY RESIDENCE DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION, AND THAT 18' OF DEDICATION IS GIVEN ALONG O'CONNOR AND 13' OF DEDICATION IS GIVEN ALONG STAHL ROAD.

* * * *

41. CASE Z85256 - to rezone Lots 1, 2, 3, 4, 5, and the remaining portion of Lots 5, 6, 7, 8, Block 21, NCB 12135, 6700 and 6800 Block of Enfield Street, located south of the intersection of Kate Schenck Drive and Enfield Street, having 143.99' on Kate Schenck Drive and 400' on Enfield Street.

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

Mrs. Dutmer spoke of her concern with the nearby school pedestrian crossing and its possible effect upon this rezoning request. She spoke of her fear that heavy traffic might block the doctor's office at peak school hours, when children are being picked up by parents.

Mrs. Dutmer made a motion to approve except for the recommended one-foot non-access easement imposed by the Zoning Commission. Mr. Harrington seconded the motion.

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

AN ORDINANCE 61,141

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, 2, 3, 4, 5, AND THE REMAINING PORTION OF LOTS 5, 6, 7, 8, BLOCK 21, NCB 12135, 6700 AND 6800 BLOCK OF ENFIELD STREET, FROM "D" APARTMENT DISTRICT TO "O-1" OFFICE DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

* * * *

42. CASE Z85259 - to rezone a 4.1988 acre tract of land out of NCB 13837, being further described by field notes filed in the Office of the City Clerk, in the rear of 900 Block of Moss Arch Drive, located 240' southeast of Moss Arch Drive, having a width of 731.72' and a depth of 250'.

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. Harrington moved that the recommendation of the Zoning Commission be approved provided that parking is provided and submitted for approval by the Traffic Engineering Division. Mrs. Dutmer seconded the motion.

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

AN ORDINANCE 61,142

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 4.1988 ACRE TRACT OF LAND OUT OF NCB 13837, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE REAR OF 900 BLOCK OF MOSS ARCH DRIVE, PROVIDED THAT PARKING IS PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

* * * *

39. CASE Z85204 - to rezone Lot 31 and 32, Block K, NCB 11559, 2102 Bandera Road, from "A" Single Family Residence District to "B-2" Business District, located on the northeast side of Bandera Road, being 170' northwest of the intersection of Bandera Road and Skyview Drive, having 300.1' on Bandera Road and a maximum depth of 181.7'.

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

Mr. Robert Diaz de Leon, 5400 Callaghan Road, representing the proponent, displayed a site plan, including the use of the two-story structure presently located on the property, in the overall scheme of development. He stated that the proponent would be willing to deed-restrict any new structures to not more than one story in height.

Mr. Bill Wheeler, 4730 View Drive, and Mr. Joel Garza, 4738 View Drive, both spoke in support of the plan.

Mrs. Joe Bonugli, 130 West Skyview Drive, voiced her concerns with adding another strip-center to this area, and spoke against more commercial zoning in the vicinity of her home, fearing the decline of the neighborhood.

Mr. De Leon spoke to the deed restrictions that the proponent has agreed to.

Mr. Harrington spoke to certain restrictions he would like to see imposed, including limitations on lighting in the rear of buildings, a one-story height limitation on new buildings, and a 12-foot height limitation on signs.

Mr. John Pollack, the proponent, agreed to the restrictions as stated.

Mr. Harrington moved that the recommendation of the Zoning Commission be approved. Mr. Hasslocher seconded the motion.

Mr. De Leon stated that he would clear the deed restrictions with Mr. Harrington when the property comes up for replatting.

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

AN ORDINANCE 61,143

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 31 AND 32, BLOCK K, NCB 11559, 2102 BANDERA ROAD, FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION; THAT A 6' SOLID MASONRY FENCE

IS ERECTED AND MAINTAINED ALONG THE NORTHEAST AND THE NORTHWEST PROPERTY LINES; THAT A 15' GREENBELT IS IMPOSED ALONG THE NORTHEAST AND NORTHWEST PROPERTY LINES; A ONE-STORY HEIGHT LIMITATION IS IMPOSED ON ANY NEW BUILDING CONSTRUCTION; AND A 12' HEIGHT LIMITATION IS IMPOSED ON ANY SIGNS ERECTED ON SUBJECT PROPERTY.

* * * *

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85-44 Agenda Item 43, being a discussion of the Legal Department's Report on options available for the City to regulate charitable solicitations, was discussed at this time.

Mr. Patrick Bernal, Assistant City Attorney, briefly outlined the recent history of the solicitations ordinance of the City of San Antonio, and explained the proposed five options drawn up by the Legal Department for Council consideration. He voiced concern that the proposed new requirements being placed on professional fundraisers under the proposed new provisions might be tested in court.

Mayor Cisneros recommended that the Council ask Mr. Bernal to consult with Reverend Don Baugh, San Antonio Council of Churches, and representatives of other interested organizations, utilizing perhaps a public hearing format for the meeting, in order to Mr. Bernal to receive testimony on this matter and then come back to City Council with his final recommendations.

Mr. Hasslocher stated that he would like for the various school district superintendents to take part in the discussion process on this item.

Mrs. Dutmer spoke in favor of some combination of Options 1 and 2, and spoke of the need to eliminate the reporting requirement.

Mr. Archer made a motion to allow Assistant City Attorney Patrick Bernal to meet with interested parties in this matter, including school superintendents, then come back to City Council with a recommended Ordinance.

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

Mayor Cisneros asked the news media to give this as much publicity as possible.

- - -
85-44 The Clerk read the following Ordinance:

AN ORDINANCE 61,144

APPOINTING INDIVIDUALS TO SERVE ON THE ELECTRICAL EXAMINING AND SUPERVISING BOARD FOR TERMS TO EXPIRE ON JULY 31, 1987. (MEMBERS: HARRY KATZ (M); DAN BRATTON (2); NAUN DELGADO (4); CHARLIE SOLIZ (6); DICK MCGOON (5); FRANK VASQUEZ (7); JOHN R. COVEY (8).)

* * * *

Mr. Hasslocher made a motion to approve the proposed Ordinance. Mr. Thompson seconded the motion. AYES: Berriozabal, Webb, Dutmer, Martinez, Thompson, Vera, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Wing.

- - -
85-44 It was the concensus of the City Council to temporarily bypass, for later consideration, Agenda Item 46, until later in this meeting.

- - -
85-44 The Clerk read the following Ordinance:

AN ORDINANCE 61,145

GRANTING A WAIVER OF ORDINANCE NO. 58957 WHICH BANS ALCOHOL IN NORMOYLE PARK, IN CONNECTION WITH THE AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES CHARITY SOFTBALL TOURNAMENT.

* * * *

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

Mr. Archer noted that this waiver concerns a fundraising effort for the American Relief Fund, and stated his concern with the apparent lack of cooperation by the government of Ethiopia in relief efforts inside that nation.

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

85-44 The Clerk read the following Ordinance:

AN ORDINANCE 61,146

GRANTING ALAMO CARRIAGE SERVICE, INC., AN ANNUAL PERMIT TO OPERATE NOT MORE THAN FIVE HORSE DRAWN CARRIAGES FOR HIRE ON CITY STREETS; PROVIDING FOR AN EMERGENCY AND AN EFFECTIVE DATE.

* * * *

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

Mr. Archer stated his belief that Alamo Carriage has allegedly continued to violate City ordinances dealing with horse-drawn carriages permits, and spoke against enactment of this Ordinance.

Mrs. Dutmer spoke in support of the motion.

In response to a question by Mr. Hasslocher, Mr. Lowell Denton, City Attorney, spoke to the legal proceedings involving this firm and the City, and asked for Council support for this Ordinance.

In response to a question by Ms. Berriozabal, Mr. Denton spoke to several alternatives in this matter.

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

85-44 The Clerk read the following Ordinance:

AN ORDINANCE 61,147

GRANTING A FEE WAIVER TO THE GUARDIAN ANGELS FOR USE OF MAVERICK PARK AS A TRAINING SITE.

* * * *

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

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

- - -

CITIZENS TO BE HEARD

REV. R. A. CALLIES, SR.

Reverend R. A. Callies, Sr., spoke of the need for traffic lights at various intersections in the eastside, in particular:

1. Pecan Valley Drive and "F" Street.
2. W. W. White Road and Rice Road.
3. Rice Road and Hein Road East.

He then asked for traffic lights at the following locations also:

4. Kay Ann and W. W. White Road.
5. Creekmoor and W. W. White Road.
6. Seabreeze and W. W. White Road.

Pedestrian lights at the following locations:

7. Rigsby Street and W. W. White Road.
8. Martin Luther King Drive and Pecan Valley Drive.
9. North New Braunfels Ave. and East Houston Street.

A copy of Rev. Callies' statement is on file with the papers of this meeting.

Mrs. Dutmer stated that she is familiar with some of these intersections and the need to install traffic lights at these locations.

Mrs. Berriozabal asked Mr. David Steitle, Assistant Director of Public Works, to meet with Reverend Callies on his request.

* * * *

MR. LARRY ASHWORTH

Mr. Ashworth, newly elected President of the San Antonio Jaycees, spoke of their upcoming project, "San Antonio for Africa". He asked that the rental fee for use of the Sunken Garden Theatre be waived. He asked for City Council's endorsement of this project.

The motion failed to carry by the following vote: AYES: Berriozabal, Dutmer, Martinez, Vera,; NAYS: Thompson; ABSENT: Webb, Wing, Archer, Hasslocher, Cisneros.

Council advised Mr. Ashworth to meet with individual Council members and circulate the necessary memorandum to place this item on a future agenda.

* * * *

MR. FERNANDO RANGEL

Mr. Fernando Rangel, Southside Neighborhood Assistance Association, demonstrated to Council what type of financial assistance is given to a typical two person family. He spoke to the need existing in the community. He especially took issue with expenditures in the city budget that could be used to provide this type of assistance the needy.

* * * *

MS. MARIA DOMINGUEZ

Mrs. Maria Dominguez spoke against the increase in sewer fees proposed by the City Manager in the budget. She objected to the manner in which the fee is calculated.

A discussion took place on the formula which is used to calculate the sewer fee.

* * * *

- - -
85-44 The City Council recessed its regular meeting at 6:05 P.M. in order to convene a special meeting, reconvening in regular meeting at 7:30 P.M. for a "B" Session presentation. The "A" Session resumed at 7:58 P.M.
 - - -

85-44 The Clerk read the following Ordinance:

AN ORDINANCE 61,149

APPROVING THE ELEVENTH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT BUDGET; AND AUTHORIZING THE CITY MANAGER TO SUBMIT THE BUDGET APPLICATION TO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR FUNDS FOR THE 1985-86 PROGRAM YEAR.

Mr. Ralph Green asked that Phase II of the reconstruction of Martin Luther King Park be funded.

Mrs. E. Green asked for funding to revitalize the deteriorating eastside neighborhoods, and asked that \$135,000 be added to the Revolving Loan Fund of the Select Neighborhood Housing Program.

Mr. Abe Emerson, President, ROBBED, briefly recapped the projects requested for funding by his organization.

Ms. Frances Tillman, PACE Neighborhood Organization, asked for \$1.8 million funding for a community center at Millers Pond Park.

Mr. Neil Winslow, PACE, asked for complete development of Millers Pond Park.

Ms. Lucille Kemp, PACE, stated her belief that senior citizens need special facilities developed in Millers Pond Park.

Ms. Tillman then read into the record a letter from State Rep. Frank Madla, asking for development funds for Millers Pond Park.

Mr. Arturo Guajardo, 300 Chihuahua, representing Inner-City Development, spoke to the need for \$24,000 to complete the air-conditioning of the organizations building at 300 Chihuahua.

Ms. Terri Mabrito, Presa Community Service Center, asked for some \$63,559 in funding.

Ms. Helen Ayala, Communities Organization for Public Service, ~~stated~~ that her group feels like it has negotiated an equitable package of CDBG projects for the entire city with City staff.

Mr. Joe Perales, chairman of COPS' CDBG Committee, urged passage of the CDBG package as proposed by his group.

Mrs. Marcia Welsh, East Side Alliance; Mrs. Genevieve Flores, Metropolitan Congregational Alliance, and Ms. Virginia Ramirez, COPS, all asked for approval of the COPS package of funding recommendations.

Ms. Nina Schulte, St. Paul's Square Association, asked for funds to realign Center Street in the St. Paul's Square area.

Ms. Julia Knight, East Side Economic Development Council, spoke in support of the creation of jobs and economic development on the east side.

Brother Stanley Culotta, Holy Cross Center, spoke to the need for \$250,000 for a multi-use center on the Holy Cross property as leverage for some \$4 millions in loans.

Ms. Barbara Traugott, Highland Park Neighborhood Association, spoke of the decline of her neighborhood since the 1960's and her groups requests for funding of neighborhood improvements.

Sister Clared Coyne, Highland Park Neighborhood Association, spoke to the deterioration of the Highland park neighborhood and the need for funds to upgrade that area.

Mrs. W. A. Cole, 1901 Schley, asked for funds to upgrade Highland Park.

Mr. Ken Erfurth, President, Highland Park Recreation Center Advisory Board, stated that the Highland Park area parks are neglected and have received no major renovation work for some 30 years. He spoke of the need to renovate the Highland Park Recreation Center.

Rev. R. A. Callies, Sr., Youth Leadership Conference for Community Progress, asked for funding for an irrigation system for Martin Luther King Plaza and Pittman-Sullivan Park.

Mayor Cisneros spoke to Mr. Wing's leadership role in formulating the CDBG budget recommendations.

Mr. Wing made a motion to approve the main motion. Mr. Thompson seconded the motion.

Mr. Wing noted that his recommendations are some \$87,000 more than the expected funding level.

Mrs. Dutmer noted that two blocks in the Highland Park area now are eligible for CDBG rehabilitation funding.

Mr. Martinez made the first amendment to the motion to provide an additional \$50,000 for Avenida Guadalupe and deduct that amount from the Housing Rehabilitation Revolving Fund. Mrs. Berriozabal seconded the motion.

Mr. Thompson and Mrs. Dutmer spoke against taking funds from this revolving loan funding for housing rehabilitation.

Mr. Martinez spoke of the need for the funds for Avenida Guadalupe.

The first amendment failed to carry by the following vote: AYES: Berriozabal, Martinez, ; NAYS: Webb, Dutmer, Wing, Thompson, Vera, Hasslocher, Cisneros,; ABSENT: Harrington, Archer.

Mr. Wing made the second amendment to the motion allocating \$110,000 to ROBBED Outreach and \$376,000 to Zion Community Streets. Mr. Thompson seconded the motion.

The second amendment prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Vera, Hasslocher, Cisneros; NAYS: None; ABSENT: Harrington, Archer.

Mrs. Dutmer spoke to the imbalance in district allocations, as presented in the recommended package, and to the need for some \$50,000 for housing rehabilitation in District 3.

Mrs. Dutmer made the third amendment to take \$17,500 from the CDBG Monitoring and Administration and \$50,000 from the Contingency Fund, and allocate \$30,000 to Highland Park Housing Rehabilitation and \$37,000 more to Avenida Guadalupe.

The third amendment prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Vera, Cisneros; NAYS: Thompson; ABSENT: Harrington, Archer, Hasslocher.

Ms. Berriozabal stated that some \$100,000 is left over from last years's CDBG allocation to the Zarzamora Street Project, and asked that it be allocated to Delgado Street Project, bringing this re-allocation matter up to City Council consideration in three weeks.

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

85-44 The Clerk read the following Letter:

July 29, 1985

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

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

July 23, 1985

Petition submitted by Ms. Beverly A. Lawtum, Executive Assistant, Weisgarber Interests, Inc., 2161 N. W. Highway, Suite 201, requesting that the City of San Antonio annex certain property as described in her letter.

* * * *

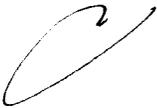
/s/ Norma S. Rodriguez
City Clerk

- - -
There being no further business to come before the City Council,
the meeting was adjourned at 7:30 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


August 1, 1985
sr

