

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, DECEMBER 14, 1989.

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The meeting was called to order by the Presiding Officer, Mayor Lila Cockrell, with the following members present: BERRIOZABAL, WEBB, DUTMER, WING, MARTINEZ, THOMPSON, VERA, WOLFF, LABATT, HASSLOCHER, COCKRELL. Absent: NONE.

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89-52 The invocation was given by Father Frank Vanhee, St. John Berchmann's Catholic Church.

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89-52 The members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

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89-52 RESOLUTION OF RESPECT:
PAUL THOMPSON

Mayor Cockrell spoke of the life and service to the community newspaper columnist, Paul Thompson, then read the following Resolution of Respect:

A RESOLUTION
NO. 89-52-101

WHEREAS, life came to a close on September 5, 1989 for longtime newspaperman and columnist Paul Thompson; and

WHEREAS, his untimely death ended a newspaper career spanning more than four decades, from New York to Georgia to Florida to Texas; and

WHEREAS, since 1953, his front-page columns in the San Antonio Express-News established him among the premier crusading journalists in the Nation and an outspoken defender of the 'Little Man'; and

WHEREAS, his 36 years of journalistic excellence in San Antonio and South Texas brought him both kudos and brickbats, but nevertheless played a major role in the shaping of the substance of what has become today's San Antonio and

tomorrow's future; and

WHEREAS, his commitment to investigative journalism, long before its popularity, became the benchmark against which other media efforts in this field were measured; now therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

- SECTION 1. That with the passing of Mr. Paul Thompson, the City of San Antonio has lost a true friend and valuable asset to its past, present and future.
- SECTION 2. That this City Council joins with his family and friends in their sorrow over his death, and extends its sincerest sympathy and prayer of comfort to those who were near him.
- SECTION 3. And it is hereby directed that a copy of this Resolution be spread upon the minutes of this meeting and a copy thereof presented to his family as a token of our deepest sympathy.

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

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

Mayor Cockrell introduced Mrs. Susan Thompson, accompanied by Mr. Jim Moss, Executive Editor, and Ms. Veronica Salazar, both representing the San Antonio Express-News. She presented the Resolution of Respect to Mrs. Thompson.

The Mayor and other members of the City Council then individually expressed their condolences to Mrs. Thompson on her loss.

89-52

SWEARING-IN OF NEW BOARD/COMMISSION MEMBERS

Mayor Cockrell recognized incoming members of City boards/commissions who are taking their official Oaths of Office.

City Clerk Norma S. Rodriguez then administered the Oath of Office to the group as a whole, and congratulated the new members.

The members of City Council then distributed individual

Certificates of Appointment to their appointees.

89-52

REPORT: MATERNAL AND INFANT HEALTH CARE

Dr. E. Phyllis Bowie, chairperson of the Commission for Children and Families, provided the Council with a brief verbal report on the recent forum on Maternal and Infant Health Care, including a number of formal recommendations made to the City of San Antonio.

Mayor Cockrell asked Councilwoman Vera's Plans and Policies Committee to schedule a future "B" Session for consideration of this matter.

Ms. Berriozabal spoke to the importance of the recommendations made by this forum.

89-52

THOMAS CRAWFORD, JR. CITATION

Mayor Cockrell presented a Citation for outstanding service rendered by Mr. Thomas Crawford, Jr. as chairman of the Tri-Party Downtown Transportation Initiative.

Mr. Crawford, thanking the Mayor and Council for the Citation and his own board and staff for their support, noted he is stepping down as chairman due to a pending move to Atlanta, Georgia.

Councilmembers lauded Mr. Crawford's leadership in the Tri Party program.

89-52

OUR LADY OF THE LAKE UNIVERSITY:
DOCTORAL PROGRAM

Mayor Cockrell introduced Sister Elizabeth Sueltenfuss, President of Our Lady of the Lake University, and spoke of the Council's continuing interest in economic development and the educational achievements of the city's young students.

Sister Elizabeth Sueltenfuss spoke to the history of the advanced-degree programs at OLLU, culminating in the Doctorate of Psychology now being offered. She then spoke to the successes of many OLLU advanced-degree graduates.

The Mayor and City Council joined the audience in a round of applause for the new program and Our Lady of the Lake's successes in this

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area.

Mr. Labatt, Mr. Thompson and Mr. Martinez spoke of the school's record of service to its community.

Sister Sueltenfuss then introduced Dr. Glen Gardner, Vice President for Academic Affairs at Our Lady of the Lake, who is in charge of the new Doctorate of Psychology program.

89-52

PLANE CRASH RESCUE AWARDS

Mayor Lila Cockrell spoke to details of the lightplane crash near Kelly Air Force Base on October 19, 1989 and the roles played by various City Departments in rescue and lifesaving duties. She noted that special certificates are being awarded to Fire, Police and EMS employees and their departments by the commander of Eglin Air Force Base, the home base of the occupants of the crashed airplane, such presentation being coordinated by Kelly Air Force Base on behalf of Eglin AFB, Florida officials.

Mayor Cockrell then read the various citations and certifications, and Mr. Thompson joined her in awarding them to representatives of Police, Fire and EMS organizations of the City of San Antonio.

Meritorious Service Awards from the City of San Antonio then were read and presented to Robert Mikel and Martin Conner, EMS Unit 808; Hector Ayala, San Antonio Police Department; and to Anthony Stinson, Gilbert Morales and Reuben Sanchez, firefighters of Engine Company 333 of the San Antonio Fire Department.

Mayor Cockrell then congratulated each for their lifesaving efforts, on behalf of the City Council. The audience joined the Mayor and City Council members in a round of applause for the awardees.

Various recipients of the awards then individually recited circumstances of the event and their roles in it.

89-52

CONSENT AGENDA

Mr. Hasslocher made a motion to approve Agenda Items 7 through 38, constituting the Consent Agenda, with items 12, 13, 18, 21, 31, 35 and 38 to be pulled for individual consideration. Ms. Vera seconded the motion.

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

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Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Vera, Wolff, Labatt,
Hasslocher, Cockrell; NAYS: None; ABSENT: None.

* * * *

AN ORDINANCE 70,738 .

ACCEPTING THE LOW BID OF GRAYBAR ELECTRIC COMPANY TO
FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS
DEPARTMENT WITH TRAFFIC CABLE FOR A TOTAL OF
\$12,020.00.

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AN ORDINANCE 70,739 .

ACCEPTING THE LOW BID OF INDEPENDENT PUMP SERVICE
FOR THE INSTALLATION OF MONITORING EQUIPMENT FOR THE
CITY OF SAN ANTONIO AVIATION DEPARTMENT AUTOMATED
FUELING SYSTEM FOR A TOTAL OF \$5,859.00.

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AN ORDINANCE 70,740 .

AUTHORIZING THE EXECUTION OF A CHANGE ORDER IN THE
AMOUNT OF \$6,466.00 PAYABLE TO D & M PUMP SERVICE OF
SAN ANTONIO, INC., IN CONNECTION WITH THE
MODERNIZATION OF THE AUTOMOTIVE FUELING FACILITY AT
THE DOWNTOWN POLICE STATION.

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AN ORDINANCE 70,741 .

ACCEPTING THE LOW BIDS OF VARIOUS VENDORS TO FURNISH
THE CITY OF SAN ANTONIO WITH VARIOUS MATERIALS AND
SERVICES ON AN ANNUAL CONTRACT BASIS.

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AN ORDINANCE 70,742 .

AUTHORIZING THE PAYMENT IN THE AMOUNT OF \$7,971.00
TO SIMON/LADDER TOWERS, INC., FOR THE PURCHASE OF
ONE GENERATOR FOR THE SAN ANTONIO FIRE DEPARTMENT
AERIAL LADDER TRUCK.

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AN ORDINANCE 70,743

AUTHORIZING THE EXECUTION OF FIELD ALTERATION NO. 6 IN THE AMOUNT OF \$28,144.35 PAYABLE TO S. A. WINCO, INC., FOR THE CONSTRUCTION OF CURBS, SIDEWALKS AND RETAINING WALLS IN CONNECTION WITH THE VANCE JACKSON ROAD FROM JACKSON KELLER TO WURZBACH ROAD PROJECT, AND TRANSFERRING FUNDS.

* * * *

AN ORDINANCE 70,744

AWARDING A CONSTRUCTION CONTRACT TO H.B. ZACHRY COMPANY IN THE AMOUNT OF \$74,323.00 FOR WORK INVOLVING CHANNEL IMPROVEMENTS AND THE CONSTRUCTION OF A DRIVEWAY ON BULVERDE ROAD IN CONNECTION WITH THE NACOGDOCHES ROAD - BITTERS TO NACO-PERRIN BOULEVARD PROJECT; AUTHORIZING AN ADDITIONAL \$7,432.30 FOR THE CONSTRUCTION CONTINGENCY; AND TRANSFERRING FUNDS.

* * * *

AN ORDINANCE 70,745

AMENDING ORDINANCE NO. 66934 TO INCREASE THE AMOUNT PAYABLE TO THE SOUTHERN PACIFIC TRANSPORTATION COMPANY IN THE AMOUNT OF \$3,046.41 FOR ADDITIONAL WORK INVOLVING A NEW RAILROAD CROSSING AT HOOD STREET AND SOUTHERN PACIFIC RAILROAD TRACKS IN CONNECTION WITH THE FRANK STREET/HOOD STREET PROJECT, AND TRANSFERRING FUNDS.

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AN ORDINANCE 70,746

AUTHORIZING PAYMENT OF AN ADDITIONAL \$2,340.00 TO PI ENGINEERING, INC., FOR ENGINEERING SERVICES INVOLVING ADDITIONAL PLAT AND FIELD NOTES IN CONNECTION WITH THE NEW ACCESS STREET PROJECT, AND TRANSFERRING FUNDS.

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AN ORDINANCE 70,747

AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF

\$2,840.00 TO PAPE CONSTRUCTION COMPANY FOR WORK INVOLVING THE RESTORATION OF WOOD LINTALS AND CANALES AT THE GOVERNOR'S PALACE; AUTHORIZING \$710.00 FOR THE CONSTRUCTION CONTINGENCY; APPROPRIATING FUNDS; AND AUTHORIZING PAYMENT.

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AN ORDINANCE 70,748

AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$71,500.00 TO BOYLE GENERAL CONTRACTOR, INC., FOR WORK INVOLVING THE REPAIR/RENOVATION OF THE ENTIRE HIDALGO WALKWAY LOCATED IN LA VILLITA ALONG JUAREZ PLAZA, THE RENOVATION OF THE CURB AND SIDEWALK ON THE EAST SIDE OF PRESA STREET, AND REPAIRING PORCH DECKING ON BUILDINGS 4 AND 5; AUTHORIZING \$3,575.00 FOR THE CONSTRUCTION CONTINGENCY; TRANSFERRING AND APPROPRIATING FUNDS; AND AUTHORIZING PAYMENT.

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AN ORDINANCE 70,749

AUTHORIZING A PHASE II JOINT CITY/VIA PROFESSIONAL DESIGN SERVICES CONTRACT WITH PLAZA JOINT VENTURE AT A COST NOT TO EXCEED \$12,178.91 FOR DESIGN OF THE OTHER BUS STOP IMPROVEMENTS COMPONENT OF THE TRIPARTY DOWNTOWN TRANSPORTATION IMPROVEMENTS.

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AN ORDINANCE 70,750

AUTHORIZING THE SALE OF THE CITY WATER BOARD'S EASTSIDE SERVICE CENTER AT 310 NEVADA STREET.

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AN ORDINANCE 70,751

AUTHORIZING THE CITY WATER BOARD TO PURCHASE 16.3454 ACRES OF LAND LOCATED AT 3930 EAST HOUSTON STREET, SAN ANTONIO, TEXAS, AT A COST OF \$2,094,814.00 FOR USE AS ITS EASTSIDE SERVICE CENTER.

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AN ORDINANCE 70,752

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$2,390.00 OUT OF GENERAL OBLIGATION BONDS TO ACQUIRE TITLE TO A PARCEL IN CONNECTION WITH THE HI-LIONS DRAINAGE PROJECT #80; ACQUIRING TITLE TO TWO (2) PARCELS IN CONNECTION WITH THE DRIFTWOOD DRAINAGE PROJECT #39 B-F SOUTH; ACQUIRING TITLE TO A PARCEL IN CONNECTION WITH THE ELMENDORF STREET DRAINAGE PROJECT #38, PHASE II; AND ACQUIRING AN EASEMENT AND A CONSTRUCTION EASEMENT IN CONNECTION WITH THE TERESA STREET PROJECT - I.H. 35 TO PLEASANTON ROAD.

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AN ORDINANCE 70,753

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH AMERICAN AIRLINES, INC. FOR LEASE OF SPACE IN THE AIR CARGO BUILDING AT THE SAN ANTONIO INTERNATIONAL AIRPORT FOR A TOTAL ANNUAL RENTAL OF \$13,406.73.

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AN ORDINANCE 70,754

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH AMERICA WEST AIRLINES, INC. FOR LEASE OF SPACE IN THE AIR CARGO BUILDING AT THE SAN ANTONIO INTERNATIONAL AIRPORT FOR A TOTAL ANNUAL RENTAL OF \$31,130.70.

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AN ORDINANCE 70,755

ACCEPTING THE PROPOSAL OF MIDWEST INTERNATIONAL, INC. AND DIRECTING THE EXECUTION OF AN AGREEMENT PURSUANT THERETO FOR THE T.V. CHAIR CONCESSION AT THE SAN ANTONIO INTERNATIONAL AIRPORT FOR A THREE YEAR PRIMARY TERM AND PROVIDING FOR ANNUAL PAYMENT TO THE CITY OF THE GREATER OF \$3,000.00 OR A PERCENTAGE OF GROSS RECEIPTS GENERATED THEREUNDER.

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AN ORDINANCE 70,756

ACCEPTING THE PROPOSAL OF JACQUELINE VON HONTS D/B/A LOVE TEXAS GALLERY AND DIRECTING THE EXECUTION OF AN

AGREEMENT PURSUANT THERETO FOR THE ART GALLERY CONCESSION AT THE SAN ANTONIO INTERNATIONAL AIRPORT FOR A THREE YEAR PRIMARY TERM AND PROVIDING FOR ANNUAL PAYMENT TO THE CITY OF THE GREATER OF \$12,000.00 OR A PERCENTAGE OF GROSS RECEIPTS GENERATED THEREUNDER.

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AN ORDINANCE 70,757

ACCEPTING THE PROPOSAL OF RELIABLE AMUSEMENT CO., INC. AND DIRECTING THE EXECUTION OF AN AGREEMENT PURSUANT THERETO FOR THE GAME ROOM CONCESSION AT THE SAN ANTONIO INTERNATIONAL AIRPORT FOR A THREE YEAR PRIMARY TERM AND PROVIDING FOR PAYMENT TO THE CITY OF FIFTY PERCENT OF ALL GROSS RECEIPTS GENERATED THEREUNDER.

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AN ORDINANCE 70,758

ACCEPTING THE PROPOSAL OF SAN ANTONIO FOREIGN EXCHANGE, INC. AND DIRECTING THE EXECUTION OF AN AGREEMENT PURSUANT THERETO FOR THE CURRENCY EXCHANGE CONCESSION AT THE SAN ANTONIO INTERNATIONAL AIRPORT FOR A THREE YEAR PRIMARY TERM AND PROVIDING FOR ANNUAL PAYMENT TO THE CITY OF THE GREATER OF \$16,800.00 OR A PERCENTAGE OF GROSS RECEIPTS GENERATED THEREUNDER.

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AN ORDINANCE 70,759

ACCEPTING THE PROPOSAL OF ACKERLY AIRPORT ADVERTISING/MUNGUIA-SANCHEZ ADVERTISING, A JOINT VENTURE, AND DIRECTING THE EXECUTION OF AN AGREEMENT PURSUANT THERETO FOR THE ADVERTISING CONCESSION AT THE SAN ANTONIO INTERNATIONAL AIRPORT FOR A THREE YEAR PRIMARY TERM AND PROVIDING FOR ANNUAL PAYMENT TO THE CITY OF THE GREATER OF A MINIMUM ANNUAL GUARANTEE RANGING FROM \$162,000.00 TO \$185,000.00 OR A PERCENTAGE OF GROSS RECEIPTS GENERATED THEREUNDER.

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AN ORDINANCE 70,760

APPROVING AND AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT WITH RAYCO, INC. AS LICENSEE FOR THE PURPOSE OF CONSTRUCTING TWO (2) MONUMENT TYPE ENTRY SIGNS TO ENCINO BLUFF SUBDIVISION AT CARDITA STREET, ADJACENT TO CALIZA DRIVE, AND AT SALANO STREET, ADJACENT TO BULVERDE ROAD.

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AN ORDINANCE 70,761

AUTHORIZING THE APPLICATION FOR AND ACCEPTANCE OF AN HHS GRANT FOR THE HEAD START EARLY CHILD CARE PROGRAM YEAR 12 IN THE AMOUNT OF \$5,008,878; AUTHORIZING A PERSONNEL COMPLEMENT; AUTHORIZING THE APPLICATION FOR AND ACCEPTANCE OF ANY SUPPLEMENTAL GRANTS FOR THE HEAD START PROGRAM DURING THE PROGRAM YEAR 12; AND AUTHORIZING AN AGREEMENT WITH PARENT-CHILD, INCORPORATED TO OPERATE THE PROGRAM.

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AN ORDINANCE 70,762

AUTHORIZING THE EXECUTION OF A CONTRACT WITH TREEHOUSE SOFTWARE, INC., TO PROVIDE ACCESS TO THE CITY'S COMPUTER FACILITIES THROUGH A LEASED OR DIAL-UP LINE FROM TSI HEADQUARTERS IN SEWICKLEY, PENNSYLVANIA, FOR A TWO YEAR PERIOD WITH A 120 DAY CANCELLATION PROVISION.

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89-52 The Clerk read the following Ordinance:

AN ORDINANCE 70,763

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH S. M. GALINDO ENGINEERS, INC., IN THE AMOUNT OF \$80,214.65 FOR THE RECONSTRUCTION OF ASHLEY ROAD FROM BASCUM TO S. FLORES INCLUDING CURBS, SIDEWALKS, DRIVEWAYS AND DRAINAGE; AUTHORIZING AN ADDITIONAL \$10,695.28 FOR MISCELLANEOUS CONTINGENCY EXPENSES AND \$250.00 FOR ADVERTISING EXPENSES; APPROPRIATING FUNDS; AND AUTHORIZING PAYMENT AND TERMINATING THE CONTRACT WITH SCOTT-WALKER & ASSOCIATES, INC.

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

Ms. Dutmer seconded the motion.

In response to a question by Mrs. Dutmer, Mr. Joe Aceves, Director of Public Works, explained the reasons why the engineering firm hired for this project had to be replaced, in the interests of timing of the project.

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

89-52 The Clerk read the following Ordinance:

AN ORDINANCE 70,764

AUTHORIZING PAYMENT IN THE AMOUNT OF \$5,700.00 TO MRS. CHARLES BONDURANT FOR FENCE REPAIRS IN CONNECTION WITH THE NACOGDOCHES ROAD FROM IH 410 TO NORTH NEW BRAUNFELS PROJECT, APPROVING A CONTRACT WITH SAID PERSON TO COVER THE WORK, AND TRANSFERRING FUNDS.

* * * *

Mr. Labatt briefly explained the ordinance.

Mr. Labatt made a motion to approve the proposed Ordinance, with payment being made only after work is completed and accepted by the City of San Antonio. Mrs. Dutmer seconded the motion.

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

89-52 The Clerk read the following Ordinance:

AN ORDINANCE 70,765

AUTHORIZING THE EXECUTION OF AMENDMENT NO. 2 TO THE GRANT AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION TO INCLUDE THE RECONSTRUCTION OF THE BLAST PAD FOR RUNWAY 30L IN THE RECONSTRUCTION OF RUNWAY 3-21 PROJECT AT SAN ANTONIO INTERNATIONAL AIRPORT.

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In response to a question by Mr. Martinez, Mr. Mike Kutchins, Director of Aviation, spoke to the estimated costs for the entire project and the Federal Aviation Administration grant involved. He then explained the savings to be realized by this amendment and addressed minority participation goals involved.

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

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

89-52 At this time, it was the concensus of the City Council to temporarily suspend consideration of the remainder of the Consent Agenda Item.

89-52

PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE
CLOSING AND ABANDONING ANCONA AVENUE AND
EXECUTING A QUITCLAIM TO TRINITY UNIVERSITY.

TRINITY UNIVERSITY SOUTH CAMPUS PLAYFIELDS

Mayor Cockrell declared the Public Hearing to be open.

The Clerk read the following Ordinance:

AN ORDINANCE 70,766

ABANDONING AND CLOSING A PORTION OF ANCONA AVENUE BETWEEN LOTS 1, 3, 4 AND 24, BLOCK 12, NEW CITY BLOCK 3096 AND LOTS 20 THROUGH 26, BLOCK 11, NEW CITY BLOCK 3095, SAN ANTONIO, BEXAR COUNTY, TEXAS AND AUTHORIZING THE CITY MANAGER OR ANY ASSISTANT CITY MANAGER TO EXECUTE A QUITCLAIM TO TRINITY UNIVERSITY FOR A TOTAL CONSIDERATION OF \$11,000.00.

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Mr. Bill Kaufman, attorney representing Trinity University, briefly explained the "South Campus Plan" and its progress as part of the university's master plan. He complimented the City's Historic Review Board for its work in this matter, explained plans for playfields in this new part of the south campus, and spoke to negotiations that had been held to reach a concensus agreement on all issues of this agreement. He then displayed an architect's sketch of the South Campus Plan, scheduled to be completed next summer.

Mr. Labatt noted that one property, that being the home at 122 Ancona, remains to be acquired by Trinity.

Mr. Boyd Burkholder, 38 Ledge Lane, submitted petitions to the City Clerk concerning requests for action dealing with a possible 10:00 P.M. curfew on the playfields and other points. He spoke to the noise and light impact upon adjacent neighborhoods, and voiced his concern for the noise of bulldozers clearing the property.

Ms. Terttia Emerson, 415 East Huisache Avenue, spoke to the area's net loss of residences to other development and cited both this action of Trinity University and the recent clearing of other homes to make way for a parking lot across the street from Trinity Baptist Church. She also spoke in favor of the 10:00 P.M. curfew and use of City funds for area streets.

Mr. Bill Toudouze, Real Estate Division, Public Works Department, noted that of the 70 notices mailed out to area residents within 200 feet of these properties, 23 were returned in opposition to the request, of which 14 were conditional upon installation of the requested curfew.

Ms. Irene Kissling, 418 East Huisache Avenue, spoke to this neighborhood being surrounded by other-than-residential development, and spoke in support of the requested 10:00 P.M. curfew.

Mr. Kaufman spoke to findings made by a Dallas-based noise consultant hired by Trinity to study the matter, and read portions of the report dealing with expected noise levels. He then spoke to certain noise-reducing measures that have been taken.

Mr. Frank Cortez, area resident, spoke to the impact of noise upon residents of the neighborhood, as well as the matter of increased parking problems. He spoke in favor of a no-parking designation along one side of Huisache Avenue in this area.

Mr. Burkholder addressed the high noise levels coming from the existing Trinity soccer field in the same area, and spoke in support for the curfew.

There being no further citizens to speak on this issue, Mayor Cockrell declared the Public Hearing to be closed.

Dr. Ken Daly, Director of Budget and Research, stated that he would need to have a budget adjustment from the Council to amend the capital improvements reserve fund balance by \$11,000.

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

Mr. Lloyd Garza, City Attorney, stated that the City as a governmental body cannot impose the requested curfew, unless criminal activity were involved. He stated his opinion that such a designation would not be appropriate in this case.

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In response to a question by Mr. Labatt, Mr. Kaufman stated that Trinity University would be willing to work with the neighborhood on the matter of noise.

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

In response to a question by Mr. Martinez, Mr. Kaufman discussed the possibility of the use of the subject playfields exceeding the 10:00 P.M. time-frame, and he also spoke to the matter of lighting.

A discussion then took place concerning the rationale for the 10:00 P.M. curfew.

Mr. Martinez spoke in support of an agreement on a 10:30 P.M. curfew on the use of the playfields.

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

Mrs. Dutmer spoke of her concern for Trinity's ability to keep unauthorized persons from using the playfields to the detriment of neighbors.

In response, Mr. Kaufman noted that Trinity's internal security forces would be patrolling this area.

Ms. Berriozabal spoke of her concern with the adverse impact of this action on residences south of Mulberry Avenue, and noted that Trinity, as an educational institution, was protected from certain processes others must follow in regard to expansion of its campus. She also spoke of her concern with increased noise levels when homes are removed from the area and their buffering effect is also removed. She spoke to her belief that the City government must develop rules to protect homes from excess noise levels, and stated that she would vote against this action.

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

An informal motion was then offered by Mr. Labatt, seconded by Mr. Wing, that an \$11,000 sum, equal to that being received from Trinity University in return for this closure of Ancona Avenue, be set aside from the general fund of the City to be used for noise and traffic issues related to this matter being decided today.

Mr. Wolff stated that Trinity and Mr. Kaufman, its attorney, both have a sense of the Council's feeling on protection of the integrity of the neighborhood.

After consideration, the informal motion, prevailed by the following vote: AYES: Berriozabal, Dutmer, Wing, Martinez, Vera, Wolff, Labatt, Hasslocher, Cockrell; NAYS: Thompson; ABSENT: Webb.

89-52

APPEAL OF HISTORIC REVIEW BOARD RULING:
KCOR RADIO

Mr. Gene Camargo, Director of Building Inspections, outlined the background of this issue concerning signage painted on the Casa International Building, a designated historical landmark. He noted that City staff recommends that the ruling of the Historic Review Board be upheld, and stated that the permit to paint the large sign on the building in Day-Glo paint was awarded in error.

Mr. Gerard Pastrano, representing KCOR Radio, asked that the Council support his firm's desire to have the sign remain for 24 months before having to go back before the HRB for review and to consider redesigning its colors.

Ms. Berriozabal spoke of her concern for penalizing KCOR when the City had approved its permit for the new sign, in the first place. She spoke in support of the appeal by KCOR.

Mr. Wing also spoke in support of the KCOR appeal.

Mr. Wing made a motion to grant the appeal of KCOR Radio. Mr. Hasslocher seconded the motion.

Mr. Labatt spoke in support of the appeal, since the City had issued the permit.

In response to a question by Mr. Thompson, Ms. Patricia Osborne, Historic Preservation Officer, stated that the black background for the painted sign was the problem, which is needed to make the Day-Glo painted color stand out.

Mayor Cockrell also spoke in support of the appeal.

There being no further testimony to be given, the City Council granted the appeal of KCOR Radio from the ruling of the Historic Review Board by the following vote: AYES: Berriozabal, Dutmer, Wing, Martinez, Thompson, Vera, Wolff, Labatt, Hasslocher, Cockrell; NAYS: None; ABSENT: Webb.

PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE:
CDBG \$6.5 (M) REPROGRAMMING

Mayor Cockrell declared the Public Hearing to be open.

No citizen appeared to speak on this matter.

Mayor Cockrell declared the Public Hearing to be closed.

The City Clerk read the following Ordinance:

AN ORDINANCE 70,767

AUTHORIZING THE CANCELLATION OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECTS DETERMINED TO BE INFEASIBLE; APPROVING THE REPROGRAMMING OF \$6,637,440.34 FROM CANCELLED AND COMPLETED PROJECTS TO IDENTIFIED PROJECT SHORTFALLS AND NEW PROJECT PRIORITIES; AND AUTHORIZING THE EXECUTION OF REQUIRED PROJECT CONTRACTS.

* * * *

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

Mrs. Dutmer made a motion for an Amendment to restructure the available \$60,000 for District 3 to include \$10,000 for Presa Community Center; \$40,000 for SAHA/Fair Avenue Apartments; and \$10,000 for SAILS, if it is eligible to receive them.

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

Mr. Wing made a motion for an Amendment that the \$50,000 originally programmed for SAHA: Midway Apartments instead be placed into a District 4 Contingency Fund for future reprogramming. Mrs. Dutmer seconded the motion.

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

After consideration, the Main Motion, as amended, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Berriozabal, Dutmer, Wing, Martinez, Thompson, Vera, Wolff, Labatt,

Hasslocher, Cockrell; NAYS: None; ABSENT: Webb.

89-52 The Clerk read the following Ordinance:

AN ORDINANCE 70,768

ACCEPTING THE PROPOSAL OF FARAKLAS & ASSOCIATES, INC., IN THE AMOUNT OF \$4,600.00 FOR STRUCTURAL ENGINEERING SERVICES TO DESIGN FOUNDATION REPAIRS TO THE HARLANDALE COMMUNITY CENTER; APPROPRIATING FUNDS; AND AUTHORIZING PAYMENT.

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

In response to a question by Mrs. Dutmer, Mr. Ron Darner, Director of Parks and Recreation, addressed the rationale for the foundation repair needs.

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

89-12 The Clerk read the following Ordinance:

AN ORDINANCE 70,769

ACCEPTING THE PROPOSAL OF THE CLOTHES HANGAR, INC. AND DIRECTING THE EXECUTION OF AN AGREEMENT PURSUANT THERETO FOR THE APPAREL CONCESSION AT THE SAN ANTONIO INTERNATIONAL AIRPORT FOR A THREE YEAR PRIMARY TERM AND PROVIDING FOR ANNUAL PAYMENT TO THE CITY OF THE GREATER OF \$65,000.00 OR A PERCENTAGE OF GROSS RECEIPTS GENERATED THEREUNDER.

* * * *

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

In response to a question by Mr. Martinez, Mr. Mike Kutchins, Director of Aviation, spoke to the vigorous outreach effort made in this

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matter, even though only one bid was received.

Mr. Martinez stated that he was disappointed in the efforts of City staff, and the Small and Minority Business Division of the Department of Economic and Employment Development in this case, citing an alleged lack of outreach. He voiced his concern with what he considers a quick deadline set for response to the formal Request for Proposal, and stated that he feels that an 'advocacy attitude' is not apparent in this case, in encouraging minority participation. He stated his opinion that more time should have been allowed for response to the proposal.

Mr. Thompson spoke in support for the rationale for Mr. Martinez's remarks and stated his own opinion that some process should be developed for an appeal to the details of the Request for Proposal.

In response to a question by Mayor Cockrell, Mr. Kutchins stated that no impediment exists to the naming of a Small and Minority Business Enterprise Advocate for the Department of Aviation.

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

- - -
89-52 The Clerk read the following Ordinance:

AN ORDINANCE 70,770 .

.
AUTHORIZING THE EXECUTION OF A CONTRACT WITH WORK/
FAMILY DIRECTIONS TO PROVIDE CHILD CARE REFERRALS;
ACCEPTING A PAYMENT OF \$12,400.00; APPROVING
PERSONNEL, AND ADOPTING A BUDGET.

* * * *

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

In response to a question by Ms. Berriozabal, Mr. Kevin Moriarty, Director of the Department of Human Resources and Services, discussed possible ways to increase the City's fees for child care referrals, noting that this is a good revenue-producer for the City.

In response to a question by Mr. Webb, Mr. Moriarty noted that child care providers are concerned with the state's centralization of grant allocations into a single entity in a community. He explained that there are referrals of agencies for employees of any organization that asks for it, and the firm then decides which agency to use.

Mr. Webb spoke to his concern that City staff is making direct recommendation of a single agency.

Mr. Moriarty stated that he would be happy to meet with Mr. Webb on this matter.

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

- - -

89-52 The Clerk read the following Ordinance:

AN ORDINANCE 70,771

AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND GENERAL MILLS RESTAURANTS, INC., D/B/A THE OLIVE GARDEN RESTAURANTS, PROVIDING FOR RESTORATION FO THE CITY-OWNED VENETIAN GONDOLA IN CONSIDERATION FOR PERIODIC USE OF SAID GONDOLA WITH RESTAURANT ADVERTISING AND PROMOTIONS.

* * * *

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

Mr. Webb spoke of his concern that the City had earlier rejected a request for gondola service on the river, and now apparently is recommending that it be allowed.

Mr. Ron Darner, Director of Parks and Recreation, explained that following restoration, the Venetian gondola will not be used on the river by the firm except perhaps in the River Parade. He then explained the gondola will be used as a promotional piece for the Olive Garden Restaurants.

A discussion then took place concerning insurance and maintenance needs of the gondola.

In response to a question by Mrs. Dutmer, Mr. Darner noted that this is a five-year contract, and the City still is considering the ultimate long-term usage for the valuable gondola, donated to the City.

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

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ABSENT: Wing, Martinez.

- - -
89-52 The Clerk read the following Ordinance:

AN ORDINANCE 70,772 .

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

* * * *

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

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

- - -
89-52 The Clerk read the following Ordinance:

AN ORDINANCE 70,773 .

.
AUTHORIZING PAYMENTS OF REFUNDS TO PERSONS MAKING A
DOUBLE PAYMENT, OVERPAYMENT OR AS A RESULT OF A
VALUE CHANGE ON 8 TAX ACCOUNTS.

* * * *

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

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

- - -
89-52 The Clerk read the following Ordinance:

AN ORDINANCE 70,774 .

.
AUTHORIZING PAYMENT IN THE AMOUNT OF \$7,500.00 IN
SETTLEMENT OF CAUSE NO. 86-CI-03879, STYLED JO-ANN

RIOJAS VS. CITY OF SAN ANTONIO, ET. AL.

* * * *

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

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

89-52 The Clerk read the following Ordinance:

AN ORDINANCE 70,775

AUTHORIZING CITY SPONSORSHIP OF THE U. S. CENSUS BUREAU'S CENSUS SUNDAY, TO BE HELD APRIL 1, 1990; AND FURTHER AUTHORIZING THE USE OF THE SOUTH EXHIBIT HALL OF THE CONVENTION CENTER TO HOLD SAID EVENT AND WAIVING ALL COSTS ASSOCIATED WITH THE FACILITY.

* * * *

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

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

89-52 The Clerk read the following Ordinance:

AN ORDINANCE 70,776

ALLOCATING \$1,000.00 FROM THE DISTRICT 3 DISCRETIONARY AND IMPROVEMENTS FUND TO BE UTILIZED FOR THE SAN ANTONIO WOMAN'S HALL OF FAME TO RECOGNIZE LEADERSHIP OF OUTSTANDING WOMEN IN SAN ANTONIO.

* * * *

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

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

89-52 The Clerk read the following Ordinance:

AN ORDINANCE 70,777

AUTHORIZING EXECUTION OF AN AGREEMENT WITH RALPH ANDERSEN AND ASSOCIATES TO PROVIDE EXECUTIVE SEARCH SERVICES RELATED TO THE RECRUITMENT FOR THE POSITION OF CITY MANAGER FOR A FEE OF \$17,500 PLUS EXPENSES, TRANSFERRING FUNDS, AND PROVIDING FOR PAYMENT.

* * * *

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

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

89-52 The Clerk read the following Ordinance:

AN ORDINANCE 70,778

AUTHORIZING AN AMENDMENT TO THE CITY WATER BOARD'S REGULATIONS FOR WATER SERVICE TO PROVIDE FOR THE SALE OF WATER IN BULK QUANTITIES FROM A WATER SYSTEM FACILITY FOR THE PURPOSE OF MAKING WATER SERVICE AVAILABLE TO THOSE PERSONS WHO DO NOT HAVE REASONABLE ACCESS, AS DETERMINED BY THE CITY WATER BOARD, TO A POTABLE WATER SUPPLY.

* * * *

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

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Thompson, Vera, Labatt, Hasslocher, Cockrell; NAYS: None;

ABSENT: Wing, Martinez, Wolff.

89-52 The Clerk read the following Ordinance:

AN ORDINANCE 70,779

AMENDING THE ANNEXATION SERVICE PLANS FOR THE GREAT NORTHWEST, MISTY OAKS, TIMBER CREEK, AND TWIN CREEK AREAS TO INCLUDE A SUMMARY OF THE SERVICE EXTENSION POLICIES OF THE MUNICIPAL WATER AND WASTEWATER UTILITIES.

* * * *

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

In response to a question by Mr. Thompson, Ms. Rebecca Q. Cedillo, Director of Planning, explained the need for these amendments, as required by a new state law.

In response to a question by Ms. Berriozabal, Ms. Cedillo discussed the agreements that have been made for provision of City services to the areas involved in the annexation ordinance.

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

89-52 The Clerk read the following Ordinance:

AN ORDINANCE 70,780

APPOINTING RON AGRON TO SERVE ON THE CONVENTION AND VISITORS BUREAU ADVISORY COMMITTEE FOR A TERM TO EXPIRE ON JUNE 30, 1991.

* * * *

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

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

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

ZONING HEARINGS

49. CASE Z89186 - to rezone Lot 4-A, NCB 9024, 4805-B West Commerce Street, from "B-2" Business District to "B-3R" Restrictive Business District, being the north 270.0 feet of the west 160.0 feet of the east 637.0 feet of Lot 4-A, NCB 9024, located 477 feet west of north General McMullen and 449 feet north of West Commerce, being a tract of land, having a width of 160.0 feet and a length of 270.0 feet.

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

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

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

AN ORDINANCE 70,781

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE NORTH 270.0 FEET OF THE WEST 160.0 FEET OF THE EAST 637.0 FEET OF LOT 4-A, NCB 9024, FROM "B-2" BUSINESS DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, 4805-B WEST COMMERCE STREET. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

50. CASE Z89187 - to rezone Tract 3 (8.295 acres), NCB 12830, Ewing Halsell Drive, from Temporary "A" Single Family Residence District to "B-2" C.C. Business District with City Council approval for a hospital, located on the northeast side of Ewing Halsell Drive, being 290.0 feet southeast of the intersection of Ewing Halsell Drive and Wurzbach Road, having 756.83 feet on Ewing Halsell Drive with a depth of 465.03 feet.

The Zoning Commission has recommended that this request of change

of zone be approved by the City Council.

Mr. Wolff made a motion to approve the recommendation of the Zoning Commission. 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, Webb, Dutmer, Wing, Vera, Wolff, Hasslocher, Cockrell; NAYS: None; ABSENT: Martinez, Thompson, Labatt.

AN ORDINANCE 70,782

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS TRACT 3 (8.295 ACRES), NCB 12830, FROM TEMPORARY "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "B-2" C.C. BUSINESS DISTRICT WITH CITY COUNCIL APPROVAL FOR A HOSPITAL. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

51 CASE Z89188- to rezone a 2.761 acres tract of land out of NCB 16589, being further described by field notes filed in the Department of Planning, 8640 East Evans Road, located between East Evans Road and M.K. & T. Railroad, having 927.89 feet on Evans Road with a depth of 255.2 feet.

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

Mr. Hasslocher made a motion to approve the recommendation of the Zoning Commission. Mr. Wing 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, Wing, Vera, Wolff, Hasslocher, Cockrell; NAYS: None; ABSENT: Martinez, Thompson, Labatt.

AN ORDINANCE 70,783

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 2.761-ACRE TRACT OF LAND OUT OF NCB 16589, BEING FURTHER DESCRIBED BY FIELD NOTES

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FILED IN THE OFFICE OF THE CITY CLERK, FROM "B-2"
BUSINESS DISTRICT TO "B-3" BUSINESS DISTRICT, 8640
EAST EVANS ROAD. "THE PENALTY FOR VIOLATION IS A
FINE NOT TO EXCEED \$1,000.00."

* * * *

89-52 On a Point of Personal Privilege, Mr. Webb asked that he be recorded as having voted Aye on Agenda Item Number 5, the CDBG Reprogramming ordinance, because he was temporarily out of the Council chambers on City business at the time of that vote.

52. CASE Z89197(CC) - to rezone Lots 11 and 12, Block 2, NCB 14888, 13535 Babcock Road, from "B-3" ERZD Business Edwards Recharge Zone District to "B-3" ERZD C.C. Business Edwards Recharge Zone District with City Council approval for a carwash, located northwest of the intersection of Glenney Street and Babcock Road, having 125.0 feet on Glenney Street, 105.0 feet on Babcock Road and 34.8 feet on the cutback between these two streets.

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

Mr. Wolff moved for approval, provided that storage of detergents is indoors and in closed containers; that the floor of the storeroom slopes to the center of the room to the collection sump to facilitate proper disposal; and that if any solution openings, caves, or sinkholes are discovered on this site during land clearing, excavating or blasting, the developer will immediately notify the City of San Antonio Water Resources Division. Ms. Vera seconded the motion.

Mr. Wolff explained the low impact on runoff from any change in zoning on this property and spoke to the two stipulations recommended by City staff for inclusion in the Ordinance.

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

AN ORDINANCE 70,784

AMENDING CHAPTER 35 OF THE CITY CODE THAT
CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF
THE CITY OF SAN ANTONIO BY CHANGING THE
CLASSIFICATION AND REZONING OF CERTAIN PROPERTY

DESCRIBED HEREIN AS LOTS 11 AND 12, BLOCK 2, NCB 14888, FROM "B-3" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT TO "B-3" ERZD C.C. BUSINESS EDWARDS RECHARGE ZONE DISTRICT WITH CITY COUNCIL APPROVAL FOR A CARWASH, PROVIDED THAT STORAGE OF DETERGENTS IS INDOORS AND IN CLOSED CONTAINERS; THAT THE FLOOR OF THE STOREROOM SLOPES TO THE CENTER OF THE ROOM TO THE COLLECTION SUMP TO FACILITATE PROPER DISPOSAL; AND THAT IF ANY SOLUTION OPENINGS, CAVES, OR SINKHOLES ARE DISCOVERED ON THIS SITE DURING LAND CLEARING, EXCAVATING OR BLASTING, THE DEVELOPER WILL IMMEDIATELY NOTIFY THE CITY OF SAN ANTONIO WATER RESOURCES DIVISION.

* * * *

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

53. CASE 289135 - to rezone Target area bounded on the north by I.H. 35 Expressway, on the west by I.H. 37 Expressway, on the south by East Commerce Street and on the east by New Braunfels Avenue (this being known as the Dignowity Hill Rezoning Plan), from "C" Apartment District, Historic "C" Apartment District, "D" Apartment District, Historic "D" Apartment District, "E" Office District, "F" Local Retail District, Historic "F" Local Retail District, "H" Local Retail District, Historic "H" Local Retail District, "I" Business District, "J" Commercial District, Historic "J" Commercial District, "K" Commercial District, Historic "K" Commercial District, "L" First Manufacturing District, Historic "L" First Manufacturing District, "JJ" Commercial District, Historic "JJ" commercial District, "R-3" Multiple Family Residence District, Historic "R-3" Multiple Family Residence District, "O-1" Office District, "B-1" Business District, Historic "B-1" Business Office District, "B-2" Business District, Historic "B-2" Business District, "B-3" Business District, "B-3NA" Non-Alcoholic Sales Business District, Historic "B-3NA" Non-Alcoholic Sales Business District and "B-3R" Restrictive Business District TO "R-1" Single Family Residence, "R-2" Two Family Residence District, "R-2" Two Family Residence District, "R-3 Multiple Family Residence District, Historic "R-3" Multiple Family Residence District, "R-5" Single Family Residence District, "R-7" Small Lot Home District, Historic "R-7" Small Lot Home District, "O-1" Office District, Historic "O-1 Office District, "B-2" Business District, Historic "B-2" Business District, "B-3" Business District, Historic "B-3" Business District, "B-3R" Restrictive Business District, "B-1" Business District, "I-1" Light Industry District, Historic "I-1" Light Industry, "I-2" Heavy Industry District, "B-3" S.U.P. Business District with Special Use Permit for outside storage of stoves,

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"R-1" C.C. Single Family Residence District with Special City Council approval for a day care center, "R-1" S.U.P. and Historic "R-1" S.U.P. Single Family Residence District with Special Use Permit, "R-2" S.U.P. and Historic "R-2" S.U.P. Single Family Residence District with Special Use Permit, "R-5" S.U.P. and Historic "R-5" Single Family Residence District with Special Use Permit for triplexes, fourplexes, and two or more houses within one lot.

Mr. Andy Guerrero, Planner III, explained the zoning changes in this area, noting that nine affirmative votes of the City Council would be necessary to approve any zoning other than that agreed to by the property owner.

A discussion then took place concerning the sale of liquor on properties in the area of Bethel AME Church.

Mr. Idolio Alaniz, 259 Craigmont, property owner, asked for approval of B-3 rezoning on this property at 218 North Cherry Street, noting that the church faces onto Swiss Street.

Dr. I. C. Gordon, Sr., pastor of Bethel AME Church, noted that the church has a membership of 900 and asked that the property owner be denied the right to sell liquor at 218 North Cherry Street, adjacent to the church property.

Mr. Nathaniel I. Sanders, representing the church, spoke to the zoning laws involved and spoke to the various measurements from points on the church property to the nearest point on the subject property for which the owner seeks a rezoning which allows sale of liquor.

Ms. Rita Randall, representing the church, reiterated Pastor Gordon's comments and asked for B-3NA on the property.

Albert Wainwright, Leroy Pittman and Ms. Jessie Mae Hicks all spoke against B-3 zoning on the property and in favor of B-3NA, citing the impact that B-3 would have on the area.

Mr. Webb stated that the neighborhood does not want beer to be sold next to the church and spoke with Mr. Guerrero concerning the possible zonings that could be obtained.

Mr. Guerrero stated that the current "J" zoning permits the sale of alcoholic beverages, and even if the zoning classification is changed today, the current use of the property would be 'grandfathered', allowing continued sale of alcoholic beverages there.

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

Mr. Webb offered an amendment to zone the Alaniz property at 218

North Cherry Street as B-3NA. Mr. Thompson seconded the motion.

After consideration, the amendment prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Thompson, Vera, Wolff, Labatt, Hasslocher; NAYS: None; ABSENT: Martinez, Cockrell.

Mr. Frank Washington, 234 Bemis, asked for "O-1" on his property.

Mr. Webb then offered an amendment approving O-1 on property at 234 Bemis. Ms. Vera seconded the motion.

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

Mr. Jim Otterpohl, 518 West Mulberry Avenue, owner of properties along North New Braunfels Avenue, between Burleson and Sherman Streets, stated that he has in his possession a bill of sale on a portion of those properties, contingent upon securing an "I-1" zoning for a warehouse and tire shop.

Mr. Webb spoke in favor of rezoning only those lots required to complete the property sale, at this time, and briefly explained his rationale.

Mr. Webb then offered a third amendment approving I-1 on Lot 32, 34, 36, 38 and 40; R-7 on Lots 26, 27, 28 and 29; and B-3NA on Lots 31, 33, 35, 37 and 39. Mr. Thompson seconded the motion.

The third amendment prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Thompson, Vera, Wolff, Labatt; NAYS: None; ABSENT: Martinez, Hasslocher, Cockrell.

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

AN ORDINANCE 70,785

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS NCB 549, LOT A-11; NCB 538, THE NORTH 66' OF LOT 14, FROM HISTORIC "D" APARTMENT DISTRICT TO HISTORIC "R-1" ONE FAMILY RESIDENCE DISTRICT; NCB 1293, LOTS 4 THRU 8 AND 11 THRU 14; NCB 1294, LOTS 1, 2, 3, AND THE WEST IRR. 100' OF LOT 14; NCB 1295, LOTS A-9 AND A-10; NCB 1297, LOTS

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9 THRU 15 AND 17 THRU 24; NCB 1299, ALL OF NCB, SAVE AND EXCEPT LOTS 9 AND 26; NCB 1298, ALL OF NCB, SAVE AND EXCEPT LOTS 22 and 23 FROM "C" APARTMENT DISTRICT, "D" APARTMENT DISTRICT, "J" COMMERCIAL DISTRICT TO "R-5" ONE FAMILY RESIDENCE DISTRICT; NCB 1299, LOT 9, FROM "C" APARTMENT DISTRICT TO "R-5" S.U.P. SINGLE FAMILY RESIDENCE DISTRICT SPECIAL USE PERMIT FOR TWO RESIDENCES; NCB 1295, LOT 11; NCB 1297, LOT 16; NCB 1298, LOTS 22 AND 23 FROM "C" APARTMENT DISTRICT AND "D" APARTMENT DISTRICT TO "R-5" S.U.P. SINGLE FAMILY RESIDENCE DISTRICT SPECIAL USE PERMIT FOR A DUPLEX; NCB 1336, LOT 6 AND THE EAST 14' OF LOT 5, NCB 6062, LOT 10 FROM "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT TO "R-7" C.C. SMALL LOT HOME RESIDENCE DISTRICT WITH CITY COUNCIL APPROVAL FOR A DAY CARE CENTER; NCB 1375, ALL OF NCB; NCB 1381, ALL OF NCB; NCB 1382, ALL OF NCB; NCB 1383, ALL OF NCB FROM HISTORIC "K" COMMERCIAL DISTRICT TO HISTORIC "R-7" C.C. SMALL LOT HOME RESIDENCE DISTRICT FOR A CEMETARY OR MAUSOLEUM; NCB 1023, ALL OF NCB; NCB 1376, ALL OF NCB; NCB 1384, ALL OF NCB; NCB 1417, ALL OF NCB, NCB 1418, ALL OF NCB FROM "K" COMMERCIAL DISTRICT TO "R-7" C.C. SMALL LOT HOME RESIDENCE DISTRICT FOR A CEMETARY OR MAUSOLEUM; NCB 1374, ALL OF NCB, SAVE AND EXCEPT LOTS 1, 2, 3, AND 4 FROM HISTORIC "C" APARTMENT DISTRICT TO HISTORIC "R-7" SMALL LOT HOME DISTRICT; NCB 1006, ALL OF NCB, SAVE AND EXCEPT THE EAST 94.9' OF LOT 14; NCB 1007, ALL OF NCB; NCB 1008, ALL OF NCB, SAVE AND EXCEPT LOTS 31 THRU 40, 46, 48, 50, 52, 54 AND THE EAST 127.25' OF LOTS 14 AND 16; NCB 1315, ALL OF NCB; NCB 1316, ALL OF NCB; NCB 1317, ALL OF NCB, SAVE AND EXCEPT LOTS 8, 9 AND 10; NCB 1318, ALL OF NCB, SAVE AND EXCEPT LOTS 8, 9 AND 10; NCB 1319, ALL OF NCB; NCB 1320, ALL OF NCB; NCB 1321, ALL OF NCB; NCB 1322, ALL OF NCB, SAVE AND EXCEPT LOTS 8, 9 AND 10; NCB 1335, ALL OF NCB, SAVE AND EXCEPT LOTS 6, 9, 11 AND 12; NCB 1336, ALL OF NCB, SAVE AND EXCEPT LOTS 8, 9 AND 10; NCB 1337, ALL OF NCB, SAVE AND EXCEPT LOTS 8, 9 AND 10; NCB 1338, ALL OF NCB; NCB 1339, ALL OF NCB; NCB 1340, ALL OF NCB; NCB 1341, ALL OF NCB; NCB 1342, ALL OF NCB; NCB 1343, ALL OF NCB; NCB 1349, ALL OF NCB; NCB 1379, ALL OF NCB; NCB 3079, ALL OF NCB; NCB 3080, LOTS 1 THRU 10; NCB 3123, LOTS 1 THRU 5; NCB 3393, ALL OF NCB; NCB 3394, LOTS 1 THRU 10; NCB 3593, ALL OF NCB; NCB 6000, ALL OF NCB; NCB 6001, ALL OF NCB; NCB 6002, ALL OF NCB, SAVE AND EXCEPT LOT 10; NCB 6003, LOTS 1, 2, 3 AND 13 THRU 18; NCB 6004, ALL OF NCB; NCB 6005, ALL OF NCB; NCB 6006, ALL OF NCB; NCB

6007, LOTS 1, 2, 3 AND 12 THRU 16; NCB 6205, ALL OF NCB; NCB 6206, ALL OF NCB; NCB 6207, ALL OF NCB; NCB 6208, ALL OF NCB; NCB 6209, 1 THRU 18; NCB 6210, 1 THRU 18; NCB 6211, LOTS 1 THRU 18 FROM "C" APARTMENT DISTRICT, "D" APARTMENT DISTRICT, "E" OFFICE DISTRICT AND "L" FIRST MANUFACTURING DISTRICT TO "R-7" SMALL LOT HOME DISTRICT; NCB 584, ALL OF NCB, SAVE AND EXCEPT THE LOTS 4, A-6, A-8, 10, 11, 13 AND 14 FROM "C" APARTMENT DISTRICT AND "F" LOCAL RETAIL DISTRICT TO "R-2" TWO FAMILY RESIDENCE DISTRICT; NCB 512, ALL OF NCB, SAVE AND EXCEPT LOTS 5, 6, AND THE WEST 99.5' OF LOTS 2 AND 3, THE NORTH 39' OF THE WEST 104.15' OF LOT 7, THE WEST 56.47' OF THE SOUTH 13.9' OF LOT 7 AND THE WEST 56.47' OF LOT 8, THE EAST 47.68' OF THE WEST 104.15' OF THE SOUTH 13.9' OF LOT 7 AND THE EAST 47.68' OF THE WEST 104.15' OF LOT 8; NCB 513, ALL OF NCB, SAVE AND EXCEPT LOTS 1, 2, 4 AND 17; NCB 514, ALL OF NCB; NCB 515, SAVE AND EXCEPT LOTS 8, 9 AND A-15; NCB 519, ALL OF NCB, SAVE AND EXCEPT LOTS 1, 2, 3, 4, 9, 11, 12, A-17 AND THE WEST 58.28' OF LOT 10; NCB 520, ALL OF NCB, SAVE AND EXCEPT LOT 6; NCB 521, LOTS 7, 11, 12 AND A-15; NCB 522, ALL OF NCB; NCB, 528, LOTS 4, 5, 6, 7, 12, 13, 14, 15 AND 16; NCB 529, ALL OF NCB, SAVE AND EXCEPT LOTS 11, 13, AND 15; NCB 530, ALL OF NCB; NCB 531, ALL OF NCB, SAVE AND EXCEPT LOT A-12 AND THE EAST 232.01' OF LOT 10; NCB 537, ALL OF NCB, SAVE AND EXCEPT LOTS 1, 2, 3, 10 AND THE NORTH 61.1' OF LOT 8; NCB 538, LOTS 8, 9, 11, 12, 13 AND THE SOUTH 117' OF LOT 14; NCB 539, ALL OF NCB; NCB 540, SAVE AND EXCEPT LOTS A-4C AND A-8G; NCB 546, ALL OF NCB, SAVE AND EXCEPT LOT 19; NCB 547, ALL OF NCB, SAVE AND EXCEPT LOT 13; NCB 548, ALL OF NCB; NCB 549, ALL OF NCB, SAVE AND EXCEPT LOTS 6, A-11 AND A-13; NCB 560, ALL OF NCXB, SAVE AND EXCEPT LOTS 12 AND A-20; NCB 561, ALL OF NCB, SAVE AND EXCEPT LOTS 1, 5, THE WEST 54.14' OF LOT 6, AND THE WEST 50.4' OF LOT 11; NCB 562, LOTS 15, 16, 17, 18, A-20 AND A-22; NCB 563, ALL OF NCB, SAVE AND EXCEPT LOTS 1, 3, 7 AND 16; NCB 568, LOTS 3, 5, 6, 7, 8, 9, 10 AND THE SOUTH 50' OF LOTS 1 AND 2; NCB 569, LOTS 1 THRU 8; NCB 570, ALL OF NCB, SAVE AND EXCEPT LOTS 11, 13, 15 AND A-17; NCB 571, ALL OF NCB, SAVE AND EXCEPT LOTS A-20, A-21 AND THE SOUTH 90.4' OF LOTS 11 AND 12; NCB 576, BLOCK A, ALL OF BLOCK, SAVE AND EXCEPT LOT 6; NCB 576, BLOCK B, ALL OF BLOCK, SAVE AND EXCEPT LOTS 1 AND 7; NCB 577, ALL OF NCB, SAVE AND EXCEPT LOTS 1, 2, 3, 4, A-12, A-14 AND A-15; NCB 578, BLOCK A, ALL OF BLOCK, SAVE AND EXCEPT LOTS 15 AND 19; NCB 578, BLOCK B, ALL OF BLOCK< SAVE AND

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EXCEPT LOTS 1, 2, 5 AND A-6; NCB 578, BLOCK C, ALL OF BLOCK; NCB 578, BLOCK D, ALL OF BLOCK, SAVE AND EXCEPT LOT 1; NCB 582, ALL OF NCB, SAVE AND EXCEPT LOTS 4, 5, 6, 8, 11, 15, A-18, A-19, 21 AND THE EAST 99' OF LOT 10; NCB 583, ALL OF NCB, SAVE AND EXCEPT LOTS 1, 2, 11, 13, 16 AND 17; NCB 585, ALL OF NCB; NCB 590, ALL OF NCB, SAVE AND EXCEPT LOTS 8, A-16, A-18, A-28 AND LOTS 12 THRU 17; NCB 591, ALL OF NCB, SAVE AND EXCEPT LOTS 7, 8, 18, 20, AND 21 THRU 26; NCB 592, BLOCK "A", ALL OF BLOCK; NCB 592, BLOCK "B", ALL OF BLOCK, SAVE AND EXCEPT LOT 12; NCB 593, BLOCK B, LOTS 25 THRU 29, AND 33 THRU 36; NCB 1300, ALL OF NCB; NCB 1301, ALL OF NCB; NCB 1302, ALL OF NCB; NCB 1367, ALL OF NCB; NCB 1368, ALL OF NCB; NCB 1369, ALL OF NCB; NCB 1370, ALL OF NCB, SAVE AND EXCEPT LOTS 13, 14, 20 THRU 25, 36, 37 AND 38; NCB 1371, ALL OF NCB, SAVE AND EXCEPT LOTS 4 THRU 10, LOT 12, LOTS 20 THRU 28, LOTS 37 AND 38; NCB 1372, LOTS 3, 4, 5, 6, 7 AND 10; NCB 1373, ALL OF NCB, SAVE AND EXCEPT LOTS 12, 29, 30 AND THE WEST 77.9' OF LOTS 9 AND 10; NCB 1653, ALL OF NCB; NCB 1654, ALL OF NCB; NCB 1655, ALL OF NCB; NCB 1656, ALL OF NCB, SAVE AND EXCEPT LOT 9; NCB 1657, ALL OF NCB, SAVE AND EXCEPT THE EAST 16.2' OF THE NORTH 141' OF LOT 7; NCB 1658, ALL OF NCB, SAVE AND EXCEPT LOT 18; NCB 1659, LOTS 1, 2, 3, 9, 10, 11 AND 12; NCB 1660, ALL OF NCB, SAVE AND EXCEPT LOTS 1, 8-A, 12 AND 16; NCB 1665, ALL OF NCB, SAVE AND EXCEPT LOTS 11 AND 18; NCB 1666, ALL OF NCB, SAVE AND EXCEPT LOTS 1, 2, 5 AND 6; NCB 1667, ALL OF NCB; NCB 1668, ALL OF NCB; NCB 2871, ALL OF NCB; NCB 2872, ALL OF NCB FROM HISTORIC "C" APARTMENT DISTRICT, HISTORIC "D" APARTMENT DISTRICT, HISTORIC "F" LOCAL RETAIL DISTRICT, HISTORIC "H" LOCAL RETAIL DISTRICT, HISTORIC "J" COMMERCIAL DISTRICT, HISTORIC "K" COMMERCIAL DISTRICT AND HISTORIC "L" FIRST MANUFACTURING DISTRICT TO HISTORIC "R-2" TWO FAMILY RESIDENCE DISTRICT; NCB 563, LOT 16; NCB 1371, LOT 12 FROM HISTORIC "D" APARTMENT DISTRICT TO HISTORIC "R-2" S.U.P. TWO FAMILY RESIDENCE DISTRICT SPECIAL USE PERMIT FOR A BOARDING HOUSE; NCB 561, LOT 1 FROM HISTORIC "D" APARTMENT DISTRICT TO HISTORIC "R-2" S.U.P. TWO FAMILY RESIDENCE DISTRICT SPECIAL USE PERMIT FOR A TRIPLEX AND TWO RESIDENCES; NCB 515, LOT 9; NCB 520, LOT 6; NCB 529, LOTS 11 AND 13; NCB 538, LOT 10; NCB 547, LOT 13; NCB 562, LOTS 7, 8 AND 21; NCB 563, LOT 3; NCB 568, LOT 4; NCB 578, BLOCK A, LOT 15; NCB 584, LOT 4; NCB 591, LOT 18; NCB 1656, LOT 9; NCB 1657, THE NORTH 141' OF LOT 8; NCB 1660, LOTS 1 AND 12 FROM HISTORIC "D" APARTMENT

DISTRICT AND HISTORIC "K" COMMERCIAL DISTRICT TO HISTORIC "R-2" S.U.P. TWO FAMILY RESIDENCE DISTRICT SPECIAL USE PERMIT FOR A TRIPLEX; NCB 528, LOT 8; NCB 531, THE EAST 232' OF LOT 10 FROM HISTORIC "D" APARTMENT DISTRICT TO HISTORIC "R-2" S.U.P. TWO FAMILY RESIDENCE DISTRICT SPECIAL USE PERMIT FOR A QUADRAPLEX AND A DUPLEX; NCB 531, LOT A-12; NCB 1659, LOT 13 FROM HISTORIC "D" APARTMENT DISTRICT TO HISTORIC "R-2" S.U.P. TWO FAMILY RESIDENCE SPECIAL USE PERMIT FOR QUADRAPLEX AND A RESIDENCE; NCB 540, LOT A-4C; NCB 549, LOT 6; NCB 561, THE WEST 50.4' OF LOT 11; NCB 563, LOT 7; NCB 576, BLOCK A, LOT 6; NCB 576, BLOCK B, LOTS 1 AND 7; NCB 578, BLOCK A, LOT 19; NCB 578, BLOCK B, LOT 2; NCB 578, BLOCK D, LOT 1; NCB 1370, LOTS 13 AND 14; NCB 1372, LOTS 8 AND 9; NCB 1665, LOT 11; NCB 1658, LOT 18; NCB 1659, LOT 4 FROM HISTORIC "D" APARTMENT DISTRICT, HISTORIC "C" APARTMENT DISTRICT, HISTORIC "J" COMMERCIAL DISTRICT TO "R-2" S.U.P. TWO FAMILY RESIDENCE DISTRICT SPECIAL USE PERMIT FOR A QUADRAPLEX; NCB 549, LOT A-13; NCB 1370, LOT 20 FROM HISTORIC "D" APARTMENT DISTRICT TO HISTORIC "R-2" S.U.P. TWO FAMILY RESIDENCE DISTRICT SPECIAL USE PERMIT FOR TRIPLEX AND A DUPLEX; NCB 540, LOT A-8G; FROM HISTORIC "D" APARTMENT DISTRICT TO HISTORIC "R-2" S.U.P. TWO FAMILY RESIDENCE DISTRICT SPECIAL USE PERMIT FOR A RESIDENCE AND A SECOND LIVING QUARTER; NCB 519, LOT A-17 FROM HISTORIC "D" APARTMENT DISTRICT TO HISTORIC "R-2A" THREE-FOUR FAMILY RESIDENCE DISTRICT; NCB 521, LOTS 8, 9 AND 10 FROM HISTORIC "D" APARTMENT DISTRICT TO HISTORIC "R-3" C. C. MULTIPLE FAMILY RESIDENCE DISTRICT WITH CITY COUNCIL APPROVAL FOR A PRIVATE CLUB; NCB 515, LOT A-15; NCB 521, LOTS 1 THRU 6 AND LOTS 13 AND 14; NCB 538, LOTS 1 THRU 7; NCB 562, LOTS 1, 2, 3, 4, A-15 AND A-23; NCB 582, LOTS 4, 8, 15, THE EAST 99.5' OF LOT 10 AND LOTS A-18 AND A-19; NCB 1665, LOT 18; NCB 1373, LOT 12 AND THE WEST 77.9' OF LOTS 9 AND 10 FROM HISTORIC "D" APARTMENT DISTRICT, HISTORIC "C" APARTMENT DISTRICT AND HISTORIC "H" LOCAL RETAIL DISTRICT TO HISTORIC "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT; NCB 1295, LOTS 2, 3 AND 4 FROM "D" APARTMENT DISTRICT AND "J" COMMERCIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT; NCB 562, LOTS 11, 12, 13 AND 14; NCB 563, LOT 1; NCB 1370, AND LOTS 21 THRU 25 FROM HISTORIC "D" APARTMENT DISTRICT AND HISTORIC "H" LOCAL RETAIL DISTRICT TO HISTORIC "O-1" OFFICE DISTRICT; NCB 1297, LOT 3 FROM "C" APARTMENT DISTRICT TO "O-1" OFFICE DISTRICT; NCB 561, LOTS 5 AND 6; NCB 577, LOTS A-14 AND A-15;

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NCB 583, LOTS 1, 2, 11, 13, 16 AND 17; NCB 584, LOT 14, NCB 1372, LOTS 20 THRU 25, 38 AND 39; NCB 1659, LOTS 5, 6, A-7 AND 14 THRU 18 FROM HISTORIC "D" APARTMENT DISTRICT, HISTORIC "F" LOCAL RETAIL DISTRICT HISTORIC "H" LOCAL RETAIL DISTRICT AND HISTORIC "JJ" COMMERCIAL DISTRICT TO HISTORIC "B-1" BUSINESS DISTRICT; NCB 584, LOT A-8 FROM "F" LOCAL RETAIL DISTRICT TO "B-1" BUSINESS DISTRICT; NCB 512, LOTS 5, 6, THE WEST 99.5' OF LOTS 2 AND 3, THE NORTH 39' OF WEST 104.15' OF LOTS 7 AND 8; NCB 513, LOTS 1, 2 AND 4; NCB 519, LOTS 1, 2, 3, 4, 9, 11, 12 AND THE WEST 58.28' OF LOT 10; NCB 528, LOTS 1, 2, 3, THE SOUTH 130' OF LOTS 9, 10, 11, AND THE EAST 10' OF THE NORTH 55' OF LOT 11; NCB 537, LOTS 1, 2, 3, 10 AND THE NORTH 61.1' OF LOT 8; NCB 560, LOT A-20; NCB 569, LOTS 15, 16, 17 AND 18; NCB 570, LOTS 13, 14 AND 15; NCB 571, LOTS A-20, A-21, AND THE SOUTH 90.4' OF LOTS 11 AND 12; NCB 577, LOTS 1, 2, 3, 4 AND A-12; NCB 578, BLOCK B, LOTS 1 AND 5; NCB 591, LOTS 7, 8 AND 20; NCB 1371, LOTS 4 THRU 10 AND 20 THRU 28; NCB 1372, LOTS 1, 2 AND 11 THRU 19 FROM HISTORIC "D" APARTMENT DISTRICT, HISTORIC "C" APARTMENT DISTRICT, HISTORIC "H" LOCAL RETAIL DISTRICT, HISTORIC "J" COMMERCIAL DISTRICT TO HISTORIC "B-2" BUSINESS DISTRICT; NCB 1293, THE WEST 68.5' OF LOTS 15 AND 16; NCB 1296, LOTS A-1, A-12 AND A-13 FROM "J" COMMERCIAL DISTRICT AND "C" APARTMENT DISTRICT TO "B-2" BUSINESS DISTRICT; NCB 582, LOT 21; NCB 1008, LOTS 31, 33, 35, 37 AND 39; NCB 1297, LOT 7 AND THE SOUTH 50' OF LOT 8 FROM "D" APARTMENT DISTRICT AND "J" COMMERCIAL DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES DISTRICT; NCB 494, LOTS A, B, C, D, E, A-18, A-19, A-27, A-28 AND A-29; NCB 495, ALL OF NCB, SAVE AND EXCEPT LOTS 30, 44 AND A-44; NCB 1008, LOTS 34, 36, 38 AND 40; NCB 1296, LOTS 14, 15 AND 16 FROM "C" APARTMENT DISTRICT, "F" LOCAL RETAIL DISTRICT, "J" COMMERCIAL DISTRICT AND "B-3" BUSINESS DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT; NCB 493, LOTS 1 THRU 8; NCB 494, LOTS A-20 AND 37; NCB 584, LOTS A-6, 10, 11 AND 13; NCB 591, LOTS 21 THRU 26; NCB 594, ALL OF NCB; NCB 991, LOTS 7, 8 AND 9; NCB 1008, LOTS 46, 48, 54 AND THE EAST 127.25' OF LOTS 14 AND 16; NCB 1293, LOTS 1, 2, 3, A-9, A-10 AND THE EAST 68.5' OF LOTS 15 AND 16; NCB 1294, LOT 4; NCB 1295, LOT A-8; NCB 1317, LOTS 8, 9 AND 10; NCB 1318, LOTS 8, 9 AND 10; NCB 1322, LOTS 8, 9 AND 10; NCB 1335, LOTS 8, 11 AND 12; NCB 1336, LOTS 8, 9 AND 10; NCB 1337, LOTS 8, 9 AND 10; NCB 1370, LOTS 36, 37 AND 38; NCB 1373, LOTS 29 AND 30; NCB 3080, LOTS 11, 12 AND 13; NCB 3123,

LOTS 23, 25, 226, 27, 28, 33 AND THE SOUTH 121.20' OF LOTS 30 AND 31; NCB 3124, ALL OF NCB, SAVE AND EXCEPT THE NORTH 110' OF THE EAST 160' OF WEST 280' OF NCB; NCB 3125, LOTS 4, 5, 6, 7, 8, 14 AND THE EAST 24.5' OF LOT 13; NCB 3126, ALL OF NCB; NCB 3394, LOTS 11, 12 AND 13; NCB 6003, LOTS 4 THRU 12; NCB 6007, LOTS 4 THRU 11; NCB 6209, LOTS 19 THRU 28; NCB 6210, LOTS 19 THRU 28; NCB 6211, LOTS 22 THRU 29 FROM "D" APARTMENT DISTRICT, "C" APARTMENT DISTRICT, "F" LOCAL RETAIL DISTRICT, "H" LOCAL RETAIL DISTRICT, "J" COMMERCIAL DISTRICT, "K" COMMERCIAL DISTRICT, "L" FIRST MANUFACTURING DISTRICT AND "B-2" BUSINESS DISTRICT TO "B-3" BUSINESS DISTRICT; NCB 1008, LOTS 50 AND 52; FROM "J" COMMERCIAL DISTRICT TO "B-3" S.U.P. BUSINESS DISTRICT SPECIAL USE PERMIT FOR OUTSIDE STORAGE AND REPAIRS; NCB 513, LOT 17; NCB 515, LOT 8; NCB 568, THE NORTH 110' OF LOTS 1 AND 2; NCB 582, LOTS 5, 6, AND 11; NCB 570, LOT A-17; NCB 590, LOTS 8, 12 THRU 17, A-16, A-18 AND A-28; NCB 1666, LOTS 1, 2, 5 AND 6; NCB 1659, LOT 8, THE EAST 30' AND THE SOUTH 4' OF LOT 7; NCB 1371, LOTS 37 AND 38 FROM HISTORIC "F" LOCAL RETAIL DISTRICT, HISTORIC "H" LOCAL RETAIL DISTRICT, HISTORIC "J" COMMERCIAL DISTRICT AND HISTORIC "B-3NA" NON-ALCOHOLIC SALES TO HISTORIC "B-3" BUSINESS DISTRICT; NCB 493, LOTS 20 AND 21; NCB 495, LOT 44 AND THE NORTH 21.5' OF LOT 30; NCB 500, ALL OF NCB; NCB 501, ALL OF NCB; NCB 505, ALL OF NCB; NCB 506, ALL OF NCB; NCB 507, ALL OF NCB; NCB 508, ALL OF NCB; NCB 593, BLOCK A, ALL OF BLOCK; NCB 593, BLOCK B, LOTS 19 THRU 24, 30, 31 AND 32; NCB 595, ALL OF NCB; NCB 991, ALL OF NCB, SAVE AND EXCEPT LOTS 7, 8 AND 9; NCB 1008, LOTS 32, 34, 36, 38 AND 40; NCB 1294, ALL OF NCB, SAVE AND EXCEPT LOTS 1, 2, 3, 4, AND 14; NCB 1295, LOTS A-5, A-6, 6, 7, 12, 13 AND A-15; NCB 1296, LOTS 6, 7, 8, 9, 10 AND A-11 FROM "C" APARTMENT DISTRICT, "D" APARTMENT DISTRICT, "J" COMMERCIAL DISTRICT, "K" COMMERCIAL DISTRICT, "L" FIRST MANUFACTURING DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT; NCB 528, NORTH 55' OF LOTS 9 AND 10, NORTH 55' OF THE WEST 42.08' OF LOT 11; NCB 546, LOT 19; NCB 568, LOTS 11 THRU 18; NCB 569, LOTS 9 THRU 14; NCB 575, ALL OF NCB FROM HISTORIC "J" COMMERCIAL DISTRICT TO HISTORIC "I-1" LIGHT INDUSTRY DISTRICT; NCB A-39, PORTION OF NCB BETWEEN NEW BRAUNFELS AVENUE AND PINE STREET; NCB 498, ALL OF NCB; NCB 499, ALL OF NCB; NCB 504, ALL OF NCB FROM "L" FIRST MANUFACTURING DISTRICT AND "K" COMMERCIAL DISTRICT TO "I-2" HEAVY INDUSTRY DISTRICT; NCB 163, ALL OF NCB; NCB 168, ALL OF NCB;

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NCB 496, ALL OF NCB; NCB 497, ALL OF NCB; NCB 502, ALL OF NCB; NCB 510, ALL OF NCB; NCB 511, ALL OF NCB; NCB 517, ALL OF NCB; NCB 518, ALL OF NCB; NCB 525, ALL OF NCB; NCB 526, ALL OF NCB; NCB 527, ALL OF NCB; NCB 534, ALL OF NCB; NCB 535, ALL OF NCB; NCB 536, ALL OF NCB; NCB 543, LOTS 4, 5, 6, 7, 8, 10, 15, 16, 17 AND 18; NCB 544, ALL OF NCB; NCB 545, ALL OF NCB; NCB 556, LOTS A-7, A-8, A-9, 10-A AND 11-A; NCB 557, LOTS 5 THRU 14; NCB 558, ALL OF NCB; NCB 559, ALL OF NCB; NCB 564, ALL OF NCB; NCB 565, ALL OF NCB; NCB 566, ALL OF NCB; NCB 567, ALL OF NCB; NCB 572, ALL OF NCB; NCB 573, ALL OF NCB; NCB 574, ALL OF NCB; NCB 579, ALL OF NCB, SAVE AND EXCEPT LOTS 16-A THRU 30-A; NCB 580, ALL OF NCB, SAVE AND EXCEPT LOTS 6 THRU 13; NCB 581, ALL OF NCB; NCB 589, ALL OF NCB; NCB 869, ALL OF NCB FROM "I" BUSINESS DISTRICT, "J" COMMERCIAL DISTRICT, "K" COMMERCIAL DISTRICT AND "L" FIRST MANUFACTURING DISTRICT TO "B-4" CENTRAL BUSINESS DISTRICT; NCB 543, LOTS 1, 2, 3, 9, 11, 12, 13 AND 14; NCB 556, LOTS 12, 13, 14, 15, AND A-16; NCB 557, LOTS 1, 2, 3 AND 4; NCB 579, LOTS 16-A THRU 30-A; AND NCB 580, LOTS 6 THRU 13 FROM HISTORIC "J" COMMERCIAL DISTRICT, HISTORIC "K" COMMERCIAL DISTRICT, HISTORIC "L" FIRST MANUFACTURING DISTRICT TO HISTORIC "B-4" CENTRAL BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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89-52 The Clerk read the following Ordinance:

AN ORDINANCE 70,786

APPROVING THE DISBURSEMENT OF \$11,150.00 FROM THE INTEREST INCOME OF THE CITY OF SAN ANTONIO HOUSING TRUST AS A COMMITMENT FEE TO SPONSOR A LOCAL INITIATIVE FOCUSED RATE MORTGAGE PROGRAM THROUGH THE TEXAS HOUSING AGENCY; AUTHORIZING THE FINANCE DIRECTOR TO SEEK REIMBURSEMENT FROM THE BEXAR COUNTY HOUSING FINANCE CORPORATION FOR \$5,575 AS ONE-HALF OF THE COMMITMENT FEE; AND DECLARING AN EMERGENCY.

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Ms. Berriozabal made a motion to approve the proposed Ordinance.

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Mr. Hasslocher seconded the motion.

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

89-52 The Clerk read the following Ordinance:

AN ORDINANCE 70,787

APPROPRIATING SIXTY-FIVE THOUSAND (\$65,000) DOLLARS OUT OF 1983 GENERAL OBLIGATION DRAINAGE BOND FUNDS FOR USE AS A SECURITY DEPOSIT WITH THE COURT PURSUANT TO ORDER OF THE 45th JUDICIAL DISTRICT COURT OF BEXAR COUNTY, TEXAS IN CAUSE NO. 89CI-19110 STYLED BILL NEWTON VS. CITY OF SAN ANTONIO IN ORDER TO PROCEED WITH CONSTRUCTION OF HARRY WURZBACH DRAINAGE PROJECT NO. 75, AND DECLARING AN EMERGENCY.

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

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

89-52 DISCUSSION OF STORAGE TANKS

Mr. Webb spoke to the need to direct City staff to draft an Ordinance governing storage tanks of certain liquids near schools.

Mr. Wolff spoke to ten specific points raised by citizens at the recent public hearing on this particular issue, and asked for a staff report on the status of these ten concerns.

Fire Chief Raul Losoya spoke to the status of these expressed points of concern and the status of permits for the storage tanks, point by point. He noted that City staff now is looking at a possible new ordinance governing erection of storage tanks.

Mr. Bill Donahue, Assistant City Manager, noted that City staff was to have responded today on five particular questions raised at the

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hearing, but stated that they would take until next week to fully research and prepare an answer.

Mr. Webb stated that he is satisfied that this gives City staff proper direction to proceed toward a new ordinance in this area.

In response to a question by Mr. Thompson, Chief Losoya spoke to the measure of danger felt because of these particular storage tanks and their proximity to Sam Houston High School, and stated that he feels that there is no danger to the school from the tanks involved.

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89-52

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CITIZENS TO BE HEARD

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INA HERLOCKER

Ina Herlocker, 214 Losoya, spoke to the City Council regarding the problems she is encountering with the 'No Parking' zones located in front of her business. She had been to the City Council on this issue in October of 1989. She spoke to the many discussions she has had with different City departments on this issue with no resolution. She then presented the City Council a written statement and suggestions to revise Article X, Ser. 38-77.

(Mayor Cockrell returned to the meeting at this time to preside.)

Mr. Joe Aceves, Director of Public Works, spoke to the proposition of having a sign affixed to vehicles in order to allow them to park in "Loading Zones." He spoke of the long standing arrangement with the downtown business owners on this issue. He also stated that he will be willing to discuss Ms. Herlocker's concerns and suggestions with this group.

Ms. Berriozabal spoke to downtown residents also experiencing similar problems when unloading groceries, for example. She asked that Mr. Aceves work with Mr. Frank Perry on the whole comprehensive issue, not just Ms. Herlocker's problem.

Frank Perry, Assistant Director of Planning, stated that he has discussed the issues with Mr. Aceves and will be coming back with a final report to Council in a few months.

In response to Mrs. Berriozabal, Mr. Aceves stated that he will attempt to assist Ms. Herlocher during this interim period.

Several councilmembers urged the need to encourage downtown residents to remain downtown.

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GREATER SAN ANTONIO CHAMBER OF COMMERCE

Dr. William Thornton, President of Greater San Antonio Chamber of Commerce, and Mr. James Reed, spoke to the City Council about their December Board of Directors' meeting and read a press release opposing passage of the Tax Roll Back Election. Dr. Thornton stated that they recognize the importance of defeating this election. He urged the City Council to lead the City in this effort. He then introduced Mr. Jim Reed, new Director of the Greater San Antonio Chamber of Commerce, who reiterated Dr. Thornton's statements. (A copy of the press release is on file with the papers of the meeting.) Mr. Reed also spoke about the decision to come forward on this issue.

Mayor Cockrell expressed her appreciation to the Chamber for their stance on this issue.

Several City Council members spoke of the significance of the Greater San Antonio Chamber of Commerce joining the City Council on this issue. They expressed appreciation to the members and leadership of the Chamber for their support. They also stressed that the City Council has directed the City Manager to begin working on the budget for next year, and that he has already begun this process.

The meeting was recessed at 6:35 P.M. to go into Executive Session for the purpose of discussing the RV Ordinance and the Covell Road Landfill.

There being no further business to come before the Council, the meeting was adjourned at 7:42 P.M.

A P P R O V E D

Lila Cockrell

M A Y O R

ATTEST:

Thomas J. Rodriguez
C i t y C l e r k

DEC 14 1989