

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, OCTOBER 12, 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, VERA, WOLFF, LABATT, HASSLOCHER, COCKRELL. Absent: THOMPSON.

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89-44 The invocation was given by Reverend John Bell, Revival Temple.

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89-44 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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89-44 RESOLUTION OF RESPECT:
THOMAS HUEBNER

Mayor Cockrell spoke to the recent untimely death of former San Antonio City Manager Thomas Huebner, and read into the record the following Resolution of Respect:

RESOLUTION
NO. 89-44-77

Whereas, a life of service to his fellow man and to civic service came to a close for Thomas E. Huebner on September 8, 1989, and

Whereas, he served in various and increasingly important municipal positions, including some five years as City Manager of the City of San Antonio; and

Whereas, during his service to the City of San Antonio, this City experienced unprecedented growth and development, particularly in the downtown area so vital to the integrity of a metropolitan center, and

Whereas, his concept and devotion to Council-Manager government led to a strengthening of its effectiveness and responsiveness in San Antonio, bringing local government even closer to the public it serves, and

Whereas, though he opted for a position in the private sector after some two decades of public service, he nevertheless responded to the call when yet another City sought his guidance and wisdom of leadership, and

Whereas, Thomas Huebner made his indelible mark and footnote in history for his many lasting contributions to effective government of the people he serves, Now, Therefore,

Be it resolved by the City Council of the City of San Antonio,

Section 1. That with the death of Thomas E. Huebner, the City of San Antonio has lost a 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 be presented to his family as a token of our deepest sympathy.

Passed and approved this 12th day of October, 1989.

/s/LILA COCKRELL
M A Y O R

Attest: Norma S. Rodriguez
City Clerk

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

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

Mayor Cockrell presented the Resolution of Respect to Ms. Carol Huebner, and each member of City Council then offered their condolences on the loss of Mr. Huebner.

Mayor Cockrell spoke of her pride in Mr. Huebner's accomplishments while City Manager of San Antonio, including his excellent staff team, many of which remain in San Antonio city government, including current City Manager Louis J. Fox.

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50TH ANNIVERSARY:
LA VILLITA ORDINANCE

Mayor Cockrell read a proclamation designating October 12, 1989 to be "La Villita 50th Anniversary Day" in San Antonio, said Proclamation reading as follows:

Whereas, fifty years ago the City of San Antonio and the National Youth Administration joined hands in the rescue of La Villita, the original "Little Town" of San Antonio, from an advanced state of neglect and disrepair; and

Whereas, through the dedicated efforts of many civic and historical groups the City, on October 12, 1939, adopted what has become known as the Villita Ordinance, ordering the preservation and restoration of La Villita and its immediate surrounding area, and

Whereas, this ordinance brought immediate action to accuire and restore, among other buildings, the seven original homes remaining in the block known as LaVillita, with plans for new Plazas, an interior street, and a building for "a museum-library-forum-restaurant" as its centerpiece; and

Whereas, under stringent guidelines laid down for the restoration, including the ;charge to preserve the valued heritage of early Texas, the restored La Villita was to have the specific purpose of being a 'people-place' for "the promotion of peace, friendship and justice between the United States of America and all other nations of the Western Hemisphere"; and

Whereas, La Villita and its environs were duly restored under the specific charge that "the Center shall not be a restoration and reconstruction of the dead past and a ghost village for the mincing walk and dusty ways of scholars, but likewise for the average living citizen."

Now, therefore, I, Lila Cockrell, Mayor of the City of San Antonio, do hereby recognize October 12, 1989, to be the 50th Anniversary of the restoration of La Villita, the original "Little Town" of San Antonio, and urge all citizens to note and observe this half-century-old action to preserve our heritage and historic City.

In witness whereof, I have hereunto set my hand and caused the Seal of the City of San Antonio to be affixed this 12th day of October, 1989.

/s/LILA COCKRELL
M A Y O R

October 12, 1989
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Mayor Cockrell invited Ms. Berriozabal, in whose Council district La Villita is located, to join her in making the presentation of the Proclamation to representatives of the San Antonio Conservation Society.

Ms. Liz Davies, President, San Antonio Conservation Society, accepted the Proclamation on behalf of the various civic organizations, friends of La Villita, and tenants.

Ms. Berriozabal addressed the importance of the restoration work done at La Villita as a result of the 1939 City ordinance, and thanked the Conservation Society and other interested groups and individuals for helping maintain La Villita as a "people-place".

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89-44

MARTIN LUTHER KING COMMISSION

Mayor Cockrell and Mr. Webb jointly announced that Ms. Dorothy Pickett has accepted the chairpersonship of the Martin Luther King Commission, and addressed her background as a San Antonian and teacher of some 38 years in public schools, as well as her many civic contributions to the community.

Mr. Webb thanked Ms. Pickett for accepting the leadership of the important commission.

Ms. Pickett thanked the Council, then introduced others accompanying her to City Hall today, including outgoing Chairman Rev. Claude W. Black.

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89-44

CONSENT AGENDA

Mrs. Dutmer made a motion to approve Agenda Items 6 through 33, constituting the Consent Agenda, with Items 7, 12, 13, 16, 17, 24, 25, 26 and 29 to be pulled for individual consideration. Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 70,361

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ACCEPTING THE PROPOSAL OF DIONEX CORPORATION FOR A
SERVICE AGREEMENT FOR DIONEX LABORATORY

INSTRUMENTATION FOR THE CITY OF SAN ANTONIO ENVIRONMENTAL MANAGEMENT DEPARTMENT FOR A TOTAL OF \$8,400.00.

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AN ORDINANCE 70,362 .

ASSIGNING LEASE PAYMENTS FOR POLICE MOTORCYCLES FROM FIVE TEX, INC., DBA CYCLE WORLD TO GE/CAPITAL FLEET CREDIT SERVICES.

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AN ORDINANCE 70,363 .

ACCEPTING THE LOW BID OF HERTZ CORPORATION TO FURNISH THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH TASK FORCE VEHICLES FOR AN ESTIMATED TOTAL OF \$180,000.00.

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AN ORDINANCE 70,364 .

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 70,365 .

APPROVING AND AUTHORIZING THE EXECUTION OF FIELD ALTERATION NO. 20 IN THE AMOUNT OF \$20,923.32 PAYABLE TO HEATH CONSTRUCTORS, INC., INVOLVING THE RECONSTRUCTION OF ONE SIDE OF CEVALLOS STREET IN CONNECTION WITH THE CEVALLOS, FURNISH, GOODWIN, SCUTHOLME, MERIDA, KECK, "A" AND "B" PROJECT.

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AN ORDINANCE 70,366 .

AUTHORIZING AN ADDITIONAL \$3,360.00 PAYABLE TO B.F. JOHNSON & ASSOCIATES, INC., FOR VARIOUS ENGINEERING SERVICES IN CONNECTION WITH THE STANDBY GENERATOR SYSTEM, UNINTERRUPTIBLE POWER SOURCE SYSTEM PROJECT LOCATED AT THE CITY HALL ANNEX, AND TRANSFERRING FUNDS.

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AN ORDINANCE 70,367

APPROVING AND AUTHORIZING THE EXECUTION OF FIELD ALTERATION NO. 8 IN THE AMOUNT OF \$38,963.49, AND AUTHORIZING PAYMENT TO PEERLESS CONTRACTORS FOR WORK IN CONNECTION WITH THE LULLWOOD DRAINAGE PROJECT NO. 36.

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AN ORDINANCE 70,368

AUTHORIZING PAYMENT TO THE SAN ANTONIO RIVER AUTHORITY IN THE AMOUNT OF \$22,400.00 FOR WORK IN OBTAINING 27 JOINT USE AGREEMENTS RELATED TO THE INSTALLATION OF 15 REMOTE MEASURING STATIONS IN CONNECTION WITH THE EARLY FLOOD WARNING SYSTEM PROJECT, AND APPROPRIATING FUNDS.

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AN ORDINANCE 70,369

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH MALCOLM PIRNIE, INC., IN THE AMOUNT OF \$125,080.00 FOR THE PREPARATION OF PLANS, SPECIFICATIONS AND RELATED BID DOCUMENTS IN CONNECTION WITH THE DOS RIOS DISTRIBUTED CONTROL SYSTEM ENHANCEMENT PROJECT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 70,370

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH MALCOLM PIRNIE, INC., IN THE AMOUNT OF \$335,000.00 FOR THE PREPARATION OF PLANS, SPECIFICATIONS AND NECESSARY TECHNICAL STUDIES IN CONNECTION WITH THE DOS RIOS FLOW EQUALIZATION, PHASE B PROJECT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 70,371

AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. 8 IN THE AMOUNT OF \$85,805.61; REVISING THE BUDGET; AND AUTHORIZING PAYMENT TO BRB CONTRACTORS, INC., FOR WORK INVOLVING VARIOUS PROJECTS IN CONNECTION WITH THE SAN ANTONIO WASTEWATER FACILITIES CATEGORY 4,

PACKAGE H PROJECT.

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AN ORDINANCE 70,372

AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$333,304.00 TO DAVIS CONSTRUCTORS INC., FOR THE CONSTRUCTION OF A NEW SEWER LINE IN CONNECTION WITH THE DEELY STREET EMERGENCY SEWER PROJECT, PHASE II; APPROPRIATING FUNDS; AND AUTHORIZING AN ADDITIONAL \$49,995.60 FOR THE CONSTRUCTION CONINGENCY.

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AN ORDINANCE 70,373

AUTHORIZING AN EXTENSION OF THE CURRENT LEASE OF DELTA AIR LINES, INC., FOR SPACE AT THE RIVERBEND PARKING GARAGE UNTIL DECEMBER 31, 1989; AND DIRECTING THE CITY MANAGER TO EXECUTE A THIRD EXTENSION OF LEASE AGREEMENT IN CONNECTION THEREWITH.

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AN ORDINANCE 70,374

AUTHORIZING THE DEPARTMENT OF ARTS AND CULTURAL AFFAIRS TO ACCEPT TWO GRANT AWARDS FROM THE TEXAS COMMISSION ON THE ARTS IN THE AMOUNTS OF \$4,225 AND \$1,000 TO PARTIALLY SUPPORT AN ARTIST-IN-THE-SCHOOLS PROJECT AND A VISUAL ARTIST INFORMATION PROJECT AND PROVIDING THE NECESSARY TRANSFERS TO SUPPORT SAID PROJECTS.

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AN ORDINANCE 70,375

AUTHORIZING THE CITY OF SAN ANTONIO TO CONTINUE THE PROGRAM FOR WATER CONSERVATION AND WATER QUALITY PROTECTION AS DELINEATED WITHIN THE MEMORANDUM OF UNDERSTANDING WITH THE EDWARDS UNDERGROUND WATER DISTRICT AND ACCEPTING THE CONTRIBUTION OF \$298,750.00 TO IMPLEMENT SUCH PROGRAMS.

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AN ORDINANCE 70,376

ACCEPTING THE PROPOSAL OF IMAGE IDEAS TO FURNISH THE CITY OF SAN ANTONIO LIBRARY SYSTEM WITH COIN OPERATED COPYING MACHINES AND GENERATING CITY REVENUES OF APPROXIMATELY \$62,000.00 PER YEAR.

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AN ORDINANCE 70,377

CLOSING A PORTION OF SHANNON LEE DRIVE ON OCTOBER 31, 1989, SO THAT IT MAY BE USED BY BLESSED SACRAMENT SCHOOL CARNIVAL.

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AN ORDINANCE 70,378

CLOSING A PORTION OF MORALES ON OCTOBER 28, 1989, SO THAT IT MAY BE USED BY CHRIST THE KING SCHOOL FOR ITS HALLOWEEN "SPOOK-OUT" FUND RAISER.

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AN ORDINANCE 70,379

AUTHORIZING THE CLOSURE OF SAN CARLOS STREET FROM S. TRINITY STREET TO SABINAS STREET ON SATURDAY, OCTOBER 14, 1989, FROM 12:00 NOON TO 10:00 P.M. TO ENABLE INNER CITY DEVELOPMENT INCORPORATED TO HOLD A FUND-RAISER FESTIVAL; AND DECLARING AN EMERGENCY.

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89-44 The Clerk read the following Ordinance:

AN ORDINANCE 70,380

ACCEPTING THE LOW QUALIFIED BID OF CLOSNER EQUIPMENT COMPANY, INC., TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH A TRAILER MOUNTED CRACK SEALER FOR A TOTAL OF \$22,040.00.

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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 Mr. Labatt, Mr. Archie Titzman, Director of Purchasing & General Services Department, spoke to the reasons why three of the four bids received did not meet City specifications.

Mrs. Dutmer spoke to problems with the street-patching job done on Chicago Blvd. in her district.

Mr. Joe Aceves, Director of Public Works, spoke to the severe cracking effect on streets in that area because of combination of the soils involved and the severe dry conditions.

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

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89-44 The Clerk read the following Ordinance:

AN ORDINANCE 70,381

AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FROM MENDOZA & ASSOCIATES, AIA, IN THE AMOUNT OF \$4,500.00 FOR ARCHITECTURAL AND ENGINEERING SERVICES INVOLVING THE CORRECTION AND STABILIZATION OF DETERIORATING CONDITIONS AT FIRE STATION NO. 15; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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

In response to a question by Mrs. Dutmer, Mr. Joe Aceves, Director of Public Works, addressed her concerns for the deteriorating conditions of Fire Station No. 15, including consideration of the option to seek repairs to the building or ask the Council for funds to replace the building. He spoke to the soil conditions in the area of the station that caused its construction problems and noted that bad soil conditions have caused the City to replace other fire stations in the past.

A discussion then took place concerning the need to take a close look at any future fire station sites, purchased or donated, as to the soil conditions involved.

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

ABSENT: Webb, Thompson, Wolff.

89-44 The Clerk read the following Ordinance:

AN ORDINANCE 70,382

AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FROM MENDOZA & ASSOCIATES, AIA, IN AN AMOUNT NOT TO EXCEED \$3,500.00 FOR ARCHITECTURAL SERVICES INVOLVING MODIFICATIONS FOR THE RESTROOM AND SHOWERS AT FIRE STATION NO. 1; APPROPRIATING AND TRANSFERRING FUNDS; AND PROVIDING FOR PAYMENT.

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

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

89-44 The Clerk read the following Ordinance:

AN ORDINANCE 70,383

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH GALBRAITH ENGINEERING CORPORATION IN THE AMOUNT OF \$50,000.00 FOR WORK INVOLVING THE DESIGN OF PLANS AND SPECIFICATIONS IN CONNECTION WITH THE STOCKYARD/PRODUCE MARKET AREA STREET AND DRAINAGE IMPROVEMENT PROJECT.

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

Mr. Martinez thanked City staff for its good work in moving this major project to fruition over the past 17 months, and addressed details of the work to be performed within a 15 square block area of the city's west side. He noted that this area generates some \$750 million each year into the city's economy, and spoke to the hopes for even greater economic development in this area.

Ms. Berriozabal and Mr. Hasslocher thanked Mr. Martinez for his spearheading of this development in greater economic development.

Mr. Martinez thanked Mr. Hasslocher and Mr. Wing for helping to finance the study of economic development opportunities in this area.

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

89-44 The Clerk read the following Ordinance:

AN ORDINANCE 70,384

AUTHORIZING THE EXECUTION OF A FINANCIAL ASSISTANCE AWARD FROM THE DEPARTMENT OF COMMERCE, ECONOMIC DEVELOPMENT ADMINISTRATION IN AN AMOUNT NOT TO EXCEED \$830,217.00 TO PROVIDE IMPROVEMENTS TO CURB RETURNS, RUBBER RAILROAD CROSSINGS, CURBS AND SIDEWALKS, AND DRAINAGE IMPROVEMENTS IN CONNECTION WITH THE STOCKYARDS/PRODUCE MARKET AREA STREET & DRAINAGE IMPROVEMENTS PROJECT.

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

89-44 The Clerk read the following Ordinance:

AN ORDINANCE 70,385

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE CITY PUBLIC SERVICE BOARD TO OPERATE AND MAINTAIN ELECTRIC TRANSMISSION AND DISTRIBUTION LINES WITHIN NEW CITY BLOCK A-52, RANGE-1, DISTRICT 3.

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

In response to a question by Mrs. Dutmer, Mr. Jackson Hubbard, real estate attorney for the City of San Antonio, noted that the description of the property relates to an 1854 plat description.

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

89-44 The Clerk read the following Ordinance:

AN ORDINANCE 70,386

ACCEPTING IN PRINCIPLE A PROPOSAL FROM GENERAL MILLS, RESTAURANTS INC., d/b/a THE OLIVE GARDEN ITALIAN RESTAURANTS TO DETERMINE THE FEASIBILITY OF RESTORING THE CITY-OWNED VENETIAN GONDOLA WITH THE INTENTION OF UNDERWRITING THE COST, IN CONSIDERATION FOR PERIODIC USE OF SAID GONDOLA WITH RESTAURANT ADVERTISING AND PROMOTIONS AND AUTHORIZING THE DIRECTOR, DEPARTMENT OF PARKS AND RECREATION THROUGH THE CITY MANAGER, TO NEGOTIATE AN AGREEMENT SUBJECT TO CITY COUNCIL APPROVAL, WITHIN THE FRAMEWORK OF THE AGREEMENT GUIDELINES SET OUT HEREIN.

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

In response to a question by Ms. Berriozabal, Mr. Ron Darner, Director of Parks and Recreation Department, noted that no commercial signs will be allowed on the restored gondola and addressed the planned uses for the vessel, including use by the City, as well. He noted that \$10,000 in restoration funds would be provided by the Olive Tree Restaurant, and discussed in greater detail the restaurant's planned uses for the gondola. He noted that the report on the feasibility of restoring the gondola must go before the Riverwalk Commission before it comes to City Council for final approval.

Ms. Berriozabal spoke of her concern for the use of the downtown river for advertising of a private firm, at no income to the City of San Antonio, as well. She asked Mr. Darner to investigate any possible income the City might realize from this venture.

Ms. Vera also voiced her concern that the City must use caution in allowing the restored gondola to be used to advertize a private concern.

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

89-44 The Clerk read the following Ordinance:

AN ORDINANCE 70,387

DECLARING THE RIGHT, TITLE AND INTEREST OF THE CITY OF SAN ANTONIO IN AND TO APPROXIMATELY 18,571 SQUARE FEET OF REAL PROPERTY LOCATED IN THE VISTA VERDE SOUTH UDAG PROJECT AREA FORMERLY A PORTION OF SAN FERNANDO STREET BETWEEN SOUTH SALADO AND SOUTH MEDINA STREETS SURPLUS TO THE NEEDS OF THE CITY OF SAN ANTONIO AND AUTHORIZING THE CITY STAFF TO ADVERTISE THE PROPERTY FOR SALE BY PUBLIC BID PURSUANT TO EXISTING LAW.

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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. Joe Aceves, Director of Public Works, noted that the property concerned is City street right-of-way and is to be used for expansion of an adjoining business.

In response to a question by Mr. Martinez, Mr. Aceves differentiated between this action and a similar case which came before City Council several weeks ago, but was pulled from the agenda by the City Manager before the meeting.

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

89-44 The Clerk read the following Ordinance:

AN ORDINANCE 70,388

AUTHORIZING THE ALAMO PRIVATE INDUSTRY COUNCIL TO EXECUTE A CONTRACT WITH KC & S MARKETING COMPANY IN THE AMOUNT NOT TO EXCEED \$75,000.00 FOR PROGRAM YEAR 1989-90 NAMING KC & S AS THE MARKETING/PUBLIC RELATIONS AGENCY OF RECORD FOR THE ALAMO SERVICE DELIVERY AREA/ALAMO PRIVATE INDUSTRY COUNCIL.

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In response to a question by Mrs. Dutmer, Mr. Pat Lombrano, Executive Director, Alamo Private Industry Council, addressed the need for marketing of job training partnership programs in the PIC area, and noted that this marketing effort will keep the PIC's job training partnership programs before the business community.

Mrs. Dutmer voiced her concern with approving this when, in her opinion, it would cost less to accomplish this using the City's internal public information and advertising functions. She stated that she cannot vote to approve this.

In response to a question by Ms. Vera, Mr. Lombrano addressed the full staffing of the PIC and possible future expansion of that staff.

Ms. Berriozabal asked that City Council be kept apprised of the final amount of this expense.

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

89-44 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE: YOUTH SPORTS PROGRAMS IN PUBLIC HOUSING PROJECTS

Mayor Cockrell declared the Public Hearing to be open.

No citizens was signed to speak on this matter.

Mayor Cockrell then declared the Public Hearing to be closed.

The Clerk then read the following Ordinance.

AN ORDINANCE 70,389

APPROVING SUBMISSION OF A \$25,000 SPECIAL PURPOSE GRANT APPLICATION TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR CONSIDERATION UNDER THE SECRETARY'S DISCRETIONARY FUND PROGRAM TO SUPPORT THE ESTABLISHMENT OF YOUTH SPORTS CLUB PROGRAMS IN SIX (6) PUBLIC HOUSING DEVELOPMENTS; AUTHORIZING ACCEPTANCE OF GRANT FUNDS; AND AUTHORIZING EXECUTION OF DOCUMENTS AS NECESSARY.

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Ms. Berriozabal spoke to this as a good proposal and urged its passage by the City Council. She then explained plans for creation of youth sports club programs in some six public housing projects in San Antonio.

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, Dutmer, Wing, Vera, Wolff, Labatt, Cockrell; NAYS: Hasslocher; ABSENT: Webb, Martinez, Thompson.

89-44 The Clerk read the following Ordinance:

AN ORDINANCE 70,390

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

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

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89-44 The Clerk read the following Ordinance:

AN ORDINANCE 70,391

AUTHORIZING THE APPROPRIATING OF \$10,000.00 FROM THE DISTRICT 3 DISCRETIONARY FUND TO THE SAN ANTONIO DEVELOPMENT AGENCY FOR BOARD EXPENSES FOR FISCAL YEAR 1989-1990.

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

Mrs. Dutmer spoke of recent budget cuts at San Antonio Development Agency having adversely affected board meetings.

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

89-44 The Clerk read the following Ordinance:

AN ORDINANCE 70,392

APPROVING THE 1989-90 DISTRICT IMPROVEMENT FUND BUDGETS FOR COUNCIL DISTRICT 9 AND 10.

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

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

89-44 The Clerk read the following Ordinance:

AN ORDINANCE 70,393

AUTHORIZING THE APPROPRIATION OF \$1,500.00, \$750.00 EACH FROM THE DISTRICT 1 AND DISTRICT 9 DISCRETIONARY FUNDS, TO THE SAN ANTONIO RIVER

CORRIDOR COMMITTEE FOR PAYMENT OF PRODUCTION OF
PROCEEDINGS AND REPORT COSTS ASSOCIATED WITH THE
RIVER CORRIDOR WORKSHOP.

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

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89-44 The Clerk read the following Ordinance:

AN ORDINANCE 70,394 .

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AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE
URBAN LAND INSTITUTE IN AN AMOUNT NOT TO EXCEED
\$81,000.00 TO CONDUCT A STUDY ON THE IMPACT OF THE
MULTI-PURPOSE STADIUM.

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

In response to a question by Ms. Berriozabal, Mr. Roland Lozano,
Director of the Office of Dome Development, noted that sales tax funds
will be used to fund this matter.

Mayor Cockrell noted that the North San Antonio Chamber of
Commerce has written its support for this and she endorsed the
expenditure, briefly explaining its ramifications.

Mrs. Dutmer stated that she feels that this study should have
been made before the citizens' vote on the domed stadium matter.

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

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89-44 The Clerk read the following Resolution:

A RESOLUTION NO. 89-44-78

NOMINATING CANDIDATES TO FILL VACANCIES ON THE BEXAR APPRAISAL BOARD OF DIRECTORS; AND DECLARING AN EMERGENCY.

* * * *

City Clerk Norma S. Rodriguez explained the need for the City Council to nominate up to five candidates for membership on the board of directors for the Bexar Appraisal District.

Mrs. Dutmer nominated Mr. Wing.

Ms. Yolanda Ledesma, City Clerk's Office, explained the nominating procedures.

Mr. Hasslocher nominated Mrs. Dutmer.

Mr. Wing spoke to the number of votes available to the City of San Antonio, and of Council's normal action which casts sufficient numbers of its votes to assure one City representative on the BAD board, then allots its remaining votes to Bexar County's nominee.

Ms. Vera nominated Mr. Labatt.

Mr. Hasslocher then made a motion to nominate Mr. Wing, Mrs. Dutmer, and Mr. Labatt as the City's nominees for the Bexar Appraisal District Board of Directors. Ms. Vera seconded the motion.

Mr. Wing asked that his name be removed from nomination for the board. After discussion, the maker and seconder of the motion agreed to do so.

Ms. Vera spoke of her desire to have two representatives of the City of San Antonio on the Bexar Appraisal District Board of Directors.

Mrs. Dutmer spoke in support of casting enough of the City's votes to assure one City representative, and using the remainder for the nominee of Bexar County.

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

89-44 The Clerk read the following Ordinance:

AN ORDINANCE 70,395

AUTHORIZING SETTLEMENT OF CAUSE NO. 86-CI-03508
TOMMY RAY ROBLES VS. CITY OF SAN ANTONIO AND CITY OF
SAN ANTONIO FIREMEN'S AND POLICEMEN'S CIVIL SERVICE
COMMISSION.

* * * *

In response to questions by the City Council, Mr. Lloyd Garza, City Attorney, explained details of the settlement involving a City firefighter.

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

89-44 The Clerk read the following Ordinance:

AN ORDINANCE 70,396

AUTHORIZING THE CITY ATTORNEY TO EXECUTE AND ENTER
AN AGREED JUDGEMENT IN PENDING LITIGATION IN CAUSE
NO. 85-CI-19629 PAUL SEGURA, ET AL. VS. CITY OF SAN
ANTONIO AND ENVIRO-GRO, AND APPROPRIATING FUNDS
AUTHORIZED TO BE PAID BY THE DIRECTOR OF FINANCE TO
FUND THE AGREED JUDGEMENT AND DIRECTING STAFF TO
PURSUE DESIGN AND CONSTRUCTION OF CERTAIN PUBLIC
IMPROVEMENTS.

* * * *

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

ZONING HEARINGS

43. CASE 289145 - to rezone and reclassify a 389.52 acre tract of land out of NCB 16639, save and except the northeast 200' and the northwest 100', from "R-A" Residence-Agriculture District to "I-2" Heavy Industry District., and to rezone and reclassify the northeast 200' and the northwest 100' of a 389.52 tract of land out of NCB 16639, from "R-A" to "B-3", 14555 Corpus Christi Road, property being located south of the intersection of Streich Road and Corpus Christi Road, having 3326.57' on Corpus Christi Road and 3815.8' on Streich Road.

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

Mr. Arthur von Rosenberg, General Manager, City Public Service, spoke to the history of this property and the fact that some 2,000 acres of CPS property will not be needed for a powerplant and cooling lake. He stated that CPS is seeking the rezoning of some 390 acres of land for location of an aluminum rolling mill, including a B-3 buffer in several areas and I-2 on the remainder. He spoke of the increase in the tax base and jobs for the southeast side.

Mr. Robert Peche, Vice President, San Antonio Economic Development Foundation, spoke in favor of the I-2 zoning requested by CPS, noting that this area has a great potential and will be able to offer the firm moving onto it all the necessary amenities. He noted that Golden Aluminum is aware of and concerned for the environment in the area.

Mr. Ron Gossen, Chairman of the Zoning Commission, noted that the Zoning Commission voted to deny the rezoning because of concern for locating heavy industry along the banks of a lake, a natural resource. He spoke to the commission's own recommendation and noted its feeling that to allow heavy industry along lake banks would allow many unwanted uses that could pollute the lake. He further stated that the commission feels that the City should retain its right of review for uses in environmentally-sensitive areas.

Mr. von Rosenberg stated that CPS would agree to buffer a zone along the shores of the lake as recommended by the Zoning Commission.

Mrs. Dutmer addressed specific portions of Mr. Gossen's letter of concern to the requested zoning and noted that she feels that the Golden Aluminum plant will be an asset to the City. She spoke in favor of an agreement being made on nine specific points raised by the Planning Department, those being:

1. The underground hydrocarbon storage tank will be removed according to the requirements of the Texas Water Commission.

2. Sewer discharges shall be within the limits set by the Department of Environmental Management Monitoring and Testing Division.

3. Design specifications for the retention of stormwater runoff are being developed by Golden Aluminium Company's engineers. Periodic testing of the runoff shall be done by Golden Aluminum Company in order to maintain the water quality of Braunig Lake and of the Carrizo-Wilcox Aquifer.

4. Because of Environmental Protection Agency (EPA) and Texas Water Commission (TWC)-mandated non-point/stormwater runoff programs, City Public Service Board shall install and maintain automatic stream sampling stations at each point of drainage from the 389.52-acre subdivision.

5. All water wells not intended for water supply or irrigation shall be plugged in accordance with Texas Water Commission requirements.

6. Air emissions from the recycling plant shall be in compliance with the regulations of the Texas Air Control Board.

7. Solid waste or plant by-products shall not be stored on-site. Waste shall be picked up and transported off-site for proper disposal as it is generated and no long-term storage of wastes shall be allowed within the 389.52-acre tract.

8. As required by the City's Unified Development Code, Article IV, Division 7, a flood plain development permit must be obtained prior to any alteration of the land within the 100-year flood plain.

9. Should any historical or archeological sites or artifacts be uncovered during construction, the City of San Antonio Historical Preservation Officer shall be notified.

Mr. Scott Smith, Environmental Supervisor, CPS, spoke to plans that comply with portions of the requested provisions as enumerated by Mrs. Dutmer.

Mr. von Rosenberg spoke to the need to study the provisions closely, since he has not seen them before today.

Mrs. Dutmer voiced her concern with possible adverse conditions of pollution to downstream water users.

A discussion then took place concerning possible temporary waste storage on-site, provided the firm can comply with EPA and state regulations.

Mr. von Rosenberg stated that, after looking over the suggested nine points, he would agree to them.

October 12, 1989
alh

Mrs. Dutmer made a motion to approve the rezoning for I-2 on the entire property except for B-3 buffer strips along the northeast 200 feet and the northwest 100 feet, and a 300-foot R-A buffer along the shores of the lake within the property, subject to the 9 points recommended by Mrs. Dutmer. Mr. Labatt seconded the motion.

In response to a question by Ms. Berriozabal, Mr. Gossen addressed the issue of a review of uses within I-2 Heavy Industry areas, and stated that he is comfortable with Mrs. Dutmer's recommendations.

Mr. Terry P. Casey, Environmental Protection Officer II, discussed the impact of the recommendations made by Mrs. Dutmer, especially those relating to runoff, and City staff plans to install water-sampling units in key runoff areas.

A discussion then took place concerning the development of this area, the monitoring of runoff from it, and on-site storage of waste products.

Mr. Martinez voiced his concern for possible pollution runoff and the impact of restrictions on the firm, stating that he is happy that Golden Aluminum is locating on this site.

Mrs. Dutmer spoke to the continuing economic development of the south side.

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

AN ORDINANCE 70,397

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 363.63 ACRE TRACT OF LAND OUT OF NCB 16639, SAVE AND EXCEPT THE NORTHEAST 200 FEET AND THE NORTHWEST 100 FEET, FROM "R-A" RESIDENCE-AGRICULTURE DISTRICT TO "I-2" HEAVY INDUSTRY DISTRICT; AND THE NORTHEAST 200 FEET AND THE NORTHWEST 100 FEET OF A 363.62 ACRE TRACT OF LAND OUT OF NCB 16639 FROM "R-A" RESIDENCE-AGRICULTURE DISTRICT TO "B-3" BUSINESS DISTRICT; 14555 CORPUS CHRISTI ROAD.

* * * *

44. CASE 289151 - to rezone and reclassify Lot 6, Block 5, NCB 13569, 2119 N. E. Loop 410, located northwest of the intersection of N. E. Loop 410 and Village Drive, having 350.10 feet on N. E. Loop 410 and 211.26 feet on Village Drive, from "P-1(B-3)" Planned Unit Development Business District to "B-3" Business District.

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

Mr. Malcolm Hartman, 335 Geneseo Road, representing Alamo Toyota, spoke to negotiations on certain agreements with opponents to the rezoning, and asked for removal of the Planned Unit Development designation on the property in question. He then addressed specifics of planned uses for the property.

Mr. John Toomey, from Houston, owner of Alamo Toyota, addressed plans for use of the property in question, and distributed photographs of the area and an architect's sketch of the planned redevelopment of the property. He noted that Alamo Toyota has agreed to having no access onto Village Drive for a period of five years.

Mr. Hugh Foreman, 7114 Spring flower, spoke to restrictions on car test-driving in the area.

Mr. Rene Villarreal, 4614 Emory Oak Wood, noted that test-driving is done on Loop 410 and not into Marymont.

Mr. Arvid Horst, 7602 Church Oak, asked for approval of the rezoning request.

Mr. Ken Gunnarson, 8601 Medical Drive, agent for the professional office building adjacent to subject property, spoke in support of the rezoning.

Mr. Joe Soules, president of the Marymont Homeowners Association, stated that his group supports the requested rezoning following a series of compromises worked out with the firm and moderated by Mr. Hasslocher.

Dr. Saidi, 8500 Village Drive, spoke in support of the compromise.

Speaking in opposition to the rezoning, Mr. Chris Bressan, 3731 Village Drive, stated that he feels that he has had no voice in zoning changes in this area, over the years.

Mr. Bill Kaufman, attorney representing Northeast Medical Center and the Normandy Terrace Nursing Home, recited the history of zoning on this property in question and stated that he feels that a used car lot is

not a good addition to the area. He asked that the zoning on this property revert to its previous zoning if the request is granted and the firm does not live up to its agreements on it, such as: no curb-cuts onto Village Drive for 100 feet back from Loop 410.

Dr. Russ Norman, Normandy Terrace Nursing Home, stated that the loudspeakers and lighting from the auto firm's property impact his adjacent nursing home.

Mr. Bob Jones, realtor, 3711 Twisted Oaks, stated that he feels that the proposed agreements cannot be enforced legally, and that traffic congestion in the area already is bad. He spoke against the rezoning request.

Mr. Hartman spoke again in favor of the rezoning.

Mr. Hasslocher spoke to the difficulty of this case, heavy traffic in the area, and plans to enforce no-parking restrictions along Village Drive back 150 feet from Loop 410. He spoke to specifics of the meeting held last night at the Soules home in Marymont to discuss negotiations on the matter. He then spoke of the planned major expansion of Northeast Baptist Hospital, now in planning stages.

Mr. Hasslocher moved to approve the rezoning request, subject to agreements spelled out in his written motion (a copy of which is made a part of the papers of this meeting, and attached to the proposed ordinance). Mr. Labatt seconded the motion.

Mayor Cockrell voiced her concern for the light and loudspeaker noise impact upon the adjacent nursing home.

Mr. Toomey stated that he would look into this matter and seek a solution.

In response to a question by Mrs. Dutmer, Mr. Soules spoke to reasons why his homeowners association changed its mind about opposing the rezoning request, following negotiations.

Mrs. Dutmer voiced her concern for the impact on parking in the immediate area, when the five-year no-parking restriction runs out, and with the noise and light problems experienced by the nursing home.

In response to a question by Ms. Vera, Mr. Kaufman noted that representatives of the nursing home have made numerous complaints about the lighting problem to the firm, and asked that this case be postponed so that certain changes can be made in the agreement first.

Dr. Norman noted that the nursing home administrator has called the firm numerous times to complain about the noise and lighting problems.

Mr. Toomey stated that he would work with Mr. Hasslocher and others to resolve the lighting and noise problems, if the rezoning is approved.

Mr. Wing stated that he also is concerned with the reservations voiced by Mr. Kaufman concerning the reaching of agreements during negotiations after the rezoning is granted.

In response to a question by Mr. Hasslocher, Mr. Toomey stated that he would abide by Mr. Hasslocher's recommendations on lighting and the sound problem.

By informal agreement of the maker and seconder of the main motion, this agreement was added to Mr. Hasslocher's written motion for approval, including certain agreements.

In response to a question by Mrs. Dutmer, Mr. Lloyd Garza, City Attorney, noted that these agreements cannot legally be enforced by the City.

In response to a question by Mr. Wolff, Mr. Hartman spoke to reasons why the proponents would not agree to certain deed restrictions before today's meeting.

Mayor Cockrell stated her opinion that B-3 or B-2 would be appropriate zoning for the property, and the only problem is the matter of safeguards to neighbors. She noted that the Council could rezone the property again, if the proponent does not live up to his agreements in the case.

A discussion then took place concerning a possible three-week postponement of this case.

Mrs. Dutmer made a substitute motion to postpone consideration of this case for three weeks. Ms. Vera seconded the motion.

The substitute motion to postpone consideration of this zoning request for three weeks, prevailed by the following vote: AYES: Dutmer, Wing, Vera, Wolff, Labatt, Hasslocher, Cockrell; NAYS: None; ABSENT: Berriozabal, Webb, Martinez, Thompson.

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

Case Z89151 was postponed for three weeks.

45. CASE 289158 - to rezone Lot 1, Block 4, NCB 18284, 7800 Culebra, from Temporary "R-1 Single Family Residence District to "B-3" Business District, located south of the intersection of Culebra Road and Pipers Creek having 135.0 feet on Culebra Road and 140.0 feet on Pipers Creek.

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 "B-3R" Zoning. Mrs. Dutmer seconded the motion.

Mr. Randy Perkins, representing the proponent, stated that he would accept the B-3R zoning.

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

AN ORDINANCE 70,398

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 AN 8.035 ACRE TRACT OF LAND OUT OF NCB 13663, 8047 BABCOCK ROAD, FROM "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

* * * *

46. CASE 289153 - to rezone an 8.035 acre of land out of NCB 13663, 8047 Babcock Road, from "R-1" Single Family Residence District to "R-1" Single Family with City Council approval for a ball park, located on the southeast side of Hamilton Wolfe, being 158.0 feet northeast of the intersection of Hamilton Wolfe and Babcock Road having 500.0 feet on Hamilton Wolfe and a depth of 700.0 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. Ms. Vera seconded the motion.

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

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

AN ORDINANCE 70,399

AMENDING CHAPTER 35 OF THE CITY CODE KTHAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS AN 8.035 ACRE OF LAND OUT OF NCB 13663, 8047 BABCOCK ROAD, LOCATED ON THE SOUTHEAST SIDE OF HAMILTON WOLFE, BEING 158.0 FEET NORTHEAST OF HAMILTON WOLFE AND BABCOCK ROAD HAVING 500.0 FEET ON HAMILTON WOLFE AND A DEPTH OF 700.0 FEET, FROM "R-1" SINGLE-FAMILY RESIDENCE DISTRICT TO "R-1" SINGLE-FAMILY RESIDENCE DISTRICT WITH CITY COUNCIL APPROVAL FOR A BALL PARK. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

* * * *

47. CASE Z89162 - to rezone and reclassify a 20.00 acre tract of land out of NCB 15656, being further described by field notes filed in the Department of Planning, from Temporary "R-1" Single Family Residence District to "B-3R" Restrictive Business District, located westside of the intersection of Fawn Meadow Drive and Valley Green Road, having a width of 810.80 feet and 1366.78 in length.

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

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

Mr. Marty Wender, developer, noted that a formal announcement had been made earlier today that a group of doctors from Mexico plans to construct and operate a bilingual medical complex in the Medical Center area, serving people from Mexico, South and Central America.

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

AN ORDINANCE 70,400

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 20.00 ACRE TRACT OF LAND OUT OF NCB 15656, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK FROM TEMPORARY "R-1" SINGLE-FAMILY RESIDENCE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

* * * *

(Mayor Cockrell was obliged to leave the meeting. Mr. Labatt presided in the absence of the Mayor Pro Tem.)

89-44

CITIZENS TO BE HEARD

CHARLES GARDNER

Mr. Charles Gardner, 2819 N.E. Loop 410, asked the City Council to amend Section 16-31 of the City Code in order to allow billiard halls to remain open later than what is now allowable under the present law. A copy of his statement is on file with the papers of this meeting.

City Manager Louis J. Fox stated that the statement and request would be studied and a subsequent report made to the City Council on the matter.

* * * *

PAUL WALKER

Mr. Paul Walker stated that he believed that his constitutional rights on freedom of speech have been violated. He is a minister and was cited for preaching the gospel in front of the Alamo and was told to cease preaching.

* * * *

89-44 The Clerk read the following Letter:

October 4, 1989

Honorable Mayor and Members of the City Council of the 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.

September 27, 1989

Petition submitted by Mr. Albert Rodriguez, 6354 W. Commerce Street, San Antonio, Texas 78237, requesting that the driveway approach on his property on Fortuna Street be reconstructed.

* * * *

/s/ Norma S. Rodriguez
City Clerk

There being no further business to come before the City Council, the meeting was adjourned at 5:30 p.m..

A P P R O V E D

Lila Cockrell

M A Y O R

ATTEST

Norma S. Rodriguez
C i t y C l e r k

October 12, 1989
alh

