

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, NOVEMBER 17, 1983.

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The meeting was called to order at 1:00 P.M. by the presiding officer, Mayor Henry Cisneros, with the following members present: BERRIOZABAL, WEBB, DUTMER, WING, EURESTE, THOMPSON, ALDERETE, HARRINGTON, ARCHER, HASSLOCHER, CISNEROS. Absent: NONE.

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8-55 The invocation was given by Rev. Hector C. Villarreal, Emmanuel Presbyterian Church.

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8-55 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

83-55 POLICE CHIEF CHARLES RODRIGUEZ

Mayor Cisneros asked that new Police Chief Charles Rodriguez come forward, and congratulated him on his selection as Police Chief of San Antonio.

City Clerk Norma S. Rodriguez then administered the Oath of Office and the Loyalty Oath.

Mayor Cisneros and members of the City Council individually congratulated Chief Rodriguez.

83-55 FORMER U.S. SENATOR ABRAHAM RIBICOFF

Mayor Cisneros took note of the presence in the audience today of former United States Senator Abraham A. Ribicoff, D-Connecticut, and spoke briefly of his long years of public service as Member of Congress, U.S. Senator, Governor of Connecticut and Cabinet officer to the late President John F. Kennedy. He spoke of Senator Ribicoff as being instrumental in passage of much of the more progressive national legislation such as voting rights and education, and named other national figures who also contributed to such legislation. He then welcomed Senator Ribicoff to San Antonio, and asked him to come forward, where he presented him with a San Antonio tie-tack and an official book on San Antonio.

Mayor Cisneros then read a Proclamation declaring Senator Ribicoff to be an Alcalde de La Villita, and presented it to him.

Senator Ribicoff thanked the Mayor and City Council for the honor, and spoke of being impressed by Mayor Cisneros' rising career in public service and his abilities. He noted that he is to give an address on November 22, 1983 at the Kennedy Library on the occasion of the 20th anniversary of the late President's assassination, and spoke of a Kennedy address of years ago which asked the people of this nation to become committed to its public service and politics. Senator Ribicoff stated his belief that Mayor Cisneros exemplifies this calling and represents the new generation of leaders who are having an impact upon the nation at this time.

Senator Ribicoff recalled President Kennedy as a young Congressman and his rise to the Presidency, and spoke of having run his floor fight for the Democratic nomination in 1960, and of his own

appointment as Director of Health, Education, and Welfare and his later recommendation that President Kennedy select his brother, Robert Kennedy, as Attorney General. He also spoke of Lyndon B. Johnson after the nomination in 1960, and of the loss of leadership with the assassinations of President Kennedy and Robert Kennedy. He stated his belief that young leaders now are beginning their fight for their ideals again, after the vacuum created by events of the 1960s, and wished San Antonio much luck in the future.

Mayor Cisneros spoke of Senator Ribicoff's illustrious career in public service, and again spoke of his leadership in forging much of today's greatness as a nation.

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83-55

ASSISTANT SECRETARY OF AGRICULTURE JOHN FRANKE

Mayor Cisneros spoke briefly of the reasons for the visit to San Antonio by Mr. John J. Franke, Jr., Assistant Secretary for Administration, Department of Agriculture, Washington, D.C. He also noted that he is accompanied by Ms. Alma Esparza, Director of Equal Employment for the Department of Agriculture and Ms. Vangie Elizondo, Department Manager for Hispanic Employment Police, Planning and Evaluation, and spoke of their respective backgrounds as San Antonians. He asked the three to come forward, where he read a Proclamation declaring Mr. Franke to be an Alcalde de La Villita. He then presented the Proclamation to Mr. Franke, along with an official book on San Antonio.

Ms. Berriozabal and Mrs. Dutmer presented official San Antonio scarves to Ms. Esparza and Ms. Elizondo.

Mr. Franke spoke of local government as the bulwark of this republic.

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83-55

SOLAR ENERGY AWARD

Mayor Cisneros introduced Mr. Russell E. Smith, Executive Director of the Texas Solar Energy Society, and spoke of his presence in San Antonio today to make a presentation of the 1983 Solar Award to the City of San Antonio, for the City's adoption of new building regulations which provide for solar access and shading regulation as they relate to structures and landscaping. He then asked Mr. Louis J. Fox, City Manager, to accept the award on behalf of the City of San Antonio.

Mr. Smith briefly explained the award and its significance, noting that San Antonio was the first Texas city to take positive steps in solar energy, then spoke of solar energy uses around the nation.

Mayor Cisneros asked that the Society provide San Antonio with continuing guidance in the development of solar energy so as to enhance research and uses of solar energy in San Antonio. He noted that others have done much more so far in development and use of solar energy.

Mr. Smith stated that his Society would be happy to help in any way, and noted that he also is in San Antonio today to look into establishment of a local chapter of the Texas Solar Energy Society. He then presented the award to Mr. Fox, on behalf of the City of San Antonio.

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83-55

UNITED WAY DRAWINGS

Mayor Cisneros spoke briefly of the accomplishments of the United Way drive among City of San Antonio employees this year, and asked each member of the City Council to assist in presenting some nine prizes to employees by drawing cards from a large cage.

Members of the City Council drew the cards of nine employees who were to be given special prizes for their participation in the United Way campaign among City employees.

Mr. George Johnson, Director of Equal Employment Opportunity and chairman of this year's United Way campaign among City employees, stated that employees had surpassed their established goal of \$102,000 by some \$4,000.

Mr. Alderete congratulated Mr. Johnson for having helped achieve and surpass the United Way goal.

8 - 55 The minutes of the Regular and Special meetings of November 3, 1983 were approved.

8 - 55 UNITED STATES FOOTBALL LEAGUE/ALAMO STADIUM PETITIONS

City Clerk Norma S. Rodriguez reported to the Mayor and City Council on the results of her validation of petitions received asking City Council to rescind a 1939 Ordinance prohibiting, in effect, professional football in Alamo Stadium. A copy of the report is made a part of the papers of this meeting.

She stated that of 64,276 signatures turned in on October 31, 1983, she was validating 24,118. The remaining 40,158 were invalidated for one or more of several reasons cited.

Mayor Cisneros thanked the City Clerk, her office staff and others for their hard work in counting and validating the petition signatures.

83-53 CONSENT AGENDA

Mr. Hasslocher moved that items 5 - 22, constituting the consent agenda, be approved with the exception of items 11, 12, 15, 17, and 20, to be pulled for individual consideration. Mr. Harrington 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, Eureste, Alderete, Harrington, Hasslocher, Cisneros; NAYS: None; ABSENT: Thompson, Archer.

AN ORDINANCE 57,888

ACCEPTING THE BID OF PAUL ANDERSON COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH 1984 DESK AND WALL CALENDARS FOR A TOTAL COST OF \$3,365.92.

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AN ORDINANCE 57,889

ACCEPTING THE BID OF ALICE ROOFING & SHEET METAL WORKS, INC., TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH THE INSTALLATION OF A NEW ROOF AT THE CARVER LIBRARY FOR A TOTAL COST OF \$9,600.00.

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AN ORDINANCE 57,890

APPROVING THE ASSIGNMENT OF THE CONTRACT FOR FMC SWEEPER PARTS & SERVICE FROM COOPER EQUIPMENT

COMPANY TO DAVIS TRUCK & EQUIPMENT COMPANY.

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AN ORDINANCE 57,891

ACCEPTING THE PROPOSAL OF ROTHE DEVELOPMENT, INC., TO FURNISH THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH A MAINTENANCE CONTRACT FOR ROTARY POWER FILE UNITS FOR A TOTAL COST OF \$3,491.40.

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AN ORDINANCE 57,892

ACCEPTING THE BID OF NAYAK AVIATION CORPORATION TO FURNISH THE CITY OF SAN ANTONIO WITH AN ANNUAL CONTRACT FOR JET-A-FUEL & AVIATION GAS-100 OCTANE SERVICE FOR AN ESTIMATED TOTAL OF \$44,550.00.

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AN ORDINANCE 57,893

ACCEPTING THE BID OF CHEMCENTRAL/SAN ANTONIO TO FURNISH THE CITY OF SAN ANTONIO WITH AN ANNUAL CONTRACT FOR NAPHTHA FOR AN ESTIMATED TOTAL OF \$13,800.00.

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AN ORDINANCE 57,894

ACCEPTING THE BID OF GULF OIL CORPORATION TO FURNISH THE CITY OF SAN ANTONIO WITH AN ANNUAL CONTRACT FOR KEROSENE FOR AN ESTIMATED TOTAL OF \$23,200.00.

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AN ORDINANCE 57,895

APPROPRIATING \$63,071.56 IN THE DEVELOPER-CUSTOMER SEWER FUND FOR REIMBURSEMENT TO THE DEVELOPER J. H. UPTMORE & ASSOCIATES ON THE CHURCHILL ESTATES ON-SITE OVERSIZE.

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AN ORDINANCE 57,896

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

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AN ORDINANCE 57,897

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH FRANK M. DRANE TO PERFORM RIGHT OF WAY ACQUISITION APPRAISAL SERVICES FOR THE INGRAM ROAD - CALLAGHAN TO I. H. 410 AND AUTHORIZING PAYMENT.

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AN ORDINANCE 57,898

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH HERMAN GALAVIZ TO PERFORM RIGHT OF WAY ACQUISITION APPRAISAL SERVICES FOR THE STONEWALL STREET -

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AN ORDINANCE 57,899

WAIVING SECTION 10-11 OF THE CITY CODE SO AS TO PERMIT INSTALLATION OF RAZOR RIBBON BARBED WIRE ON TOP OF A SIX FOOT (6') FENCE AT 108 HANSFORD STREET.

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AN ORDINANCE 57,900

AMENDING THE HEMISFAIR REDEVELOPMENT PROJECT CONTRACT WITH REHLER, VAUGHN, BEATY AND KOONE, INC., APPROVED IN ORDINANCE NO. 56212

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83-55 Mayor Cisneros asked for and received informal Council concensus to take up the informal "B" Session presentation by Communities Organized for Public Service (COPS) at 4:00 P.M.

83-55 The Clerk read the following Ordinance:

AN ORDINANCE 57,901

ACCEPTING THE BID OF DIAMOND SHAMROCK REFINING AND MARKETING COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH AN ANNUAL CONTRACT FOR GASOLINE FOR AN ESTIMATED TOTAL OF \$2,261,547.50.

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Mr. Hasslocher moved that the Ordinance be approved. Mr. Harrington seconded the motion.

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

83-55 The Clerk read the following Ordinance:

AN ORDINANCE 57,902

ACCEPTING THE BID OF DIAMOND SHAMROCK REFINING AND MARKETING COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH AN ANNUAL CONTRACT FOR DIESEL FOR AN ESTIMATED TOTAL OF \$1,016,750.00.

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Mr. Hasslocher moved that the Ordinance be approved. Mr. Harrington seconded the motion.

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

Wing, Eureste, Alderete, Harrington, Hasslocher, Cisneros; NAYS: None; DISQUALIFIED: Dutmer; ABSENT: Thompson, Archer.

83-55 The Clerk read the following Ordinance:

AN ORDINANCE 57,903

AUTHORIZING THE SAN ANTONIO RIVER AUTHORITY TO AWARD A CONSTRUCTION CONTRACT FOR THE SAN ANTONIO CHANNEL IMPROVEMENT PROJECT, UNIT 8-3-2 - BETTERMENTS, SOUTH ALAMO STREET TO ARSENAL STREET TO BILL SHANNON, INC. IN THE AMOUNT OF \$977,106.67 WITH AN ADDITIONAL \$100,000.00 FOR CONSTRUCTION CONTINGENCY AND \$65,000.00 FOR OTHER EXPENSES; APPROVING FUNDS AND AUTHORIZING FOR PAYMENT.

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Mr. Hasslocher moved that the Ordinance be approved. Mr. Harrington seconded the motion.

In response to a question by Mrs. Dutmer, Mr. Frank Kiolbassa, Director of Public Works, stated that this is one of a series of contracts for betterments called for along the San Antonio River in the City's Master Plan, and involves beautification matters.

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

83-55 The Clerk read the following Ordinance:

AN ORDINANCE 57,904

AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH NOBLE, GLEN & ASSOCIATES, INC. TO PERFORM RIGHT OF WAY ACQUISITION APPRAISAL SERVICES FOR THE DURANGO STREET OVERPASS PROJECT AND AUTHORIZING PAYMENT.

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Mr. Hasslocher moved that the Ordinance be approved. Mr. Harrington seconded the motion.

In response to a question by Ms. Berriozabal, Mr. Frank Kiolbassa, Director of Public Works, provided background details of the proposed Ordinance, noting that it requires the work of an expert appraiser. He further stated that plans for the project have just been completed, and estimated that construction could begin in late summer.

In response to another question by Ms. Berriozabal, Mr. Louis J. Fox, City Manager, discussed planned liaison work in connection with this project, including downtown traffic matters and congestion concerns.

Mayor Cisneros spoke of the increased traffic around the entire City, and the need to prevent any further congestion.

Mr. Fox stated that City staff is looking into some form of restrictions on hours of construction in high-traffic areas, in order to help prevent further congestion.

Mayor Cisneros asked that City Council representation take place next week when Mr. Frank Kiolbassa, Director of Public Works, appears

before the Texas Department of Highways and Public Transportation in Austin concerning the future traffic needs of San Antonio.

In response to a question by Mrs. Dutmer, Mr. Kiolbassa discussed possible overlayment of portions of Florida and Carolina Streets, which are deteriorating and receive heavy traffic volumes.

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

83-55 The Clerk read the following Ordinance:

AN ORDINANCE 57,905

AUTHORIZING EXECUTION OF A STANDARD PROFESSIONAL SERVICES CONTRACT WITH CRESS & ASSOCIATES, INC., TO PREPARE AN AIRPORT MASTER PLAN UPDATE AND NOISE COMPATIBILITY STUDY FOR THE SAN ANTONIO INTERNATIONAL AIRPORT; APPROPRIATING FUNDS AND AUTHORIZING PAYMENT.

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Mr. Hasslocher moved that the Ordinance be approved. Ms. Berriozabal seconded the motion.

In response to a question by Mrs. Dutmer, Mr. Mike Kutchins, Director of Aviation, spoke to details of the contract, addressing her concerns for the need for additional noise studies around International Airport. He stated that the main reason for the new requirement for additional noise studies is the fact that it is required to obtain additional federal funds and by the need to update the Airport Master Plan itself. He noted that the noise study is only a minor point of the grant.

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

83-55 COUNTY COMMISSIONER PAUL ELIZONDO

Mayor Cisneros noted the presence in the audience today of County Commissioner Paul Elizondo, and welcomed him to City Hall.

83-55 PUBLIC HEARING - REVISIONS TO MAJOR THOROUGHFARE PLAN

Mayor Cisneros declared the Public Hearing to be open.

No citizen appeared to speak.

Mayor Cisneros declared the Public Hearing to be closed.

The Clerk read the following Ordinance:

AN ORDINANCE 57,906

ADOPTING REVISIONS TO THE MAJOR THOROUGHFARE PLAN.

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Ms. Berriozabal moved that the Ordinance be approved. Mr. Harrington seconded the motion.

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

ZONING HEARINGS

23. CASE Z83371 - to rezone Lots 66, 67, and 68, and the remaining portion of Lots 4, 5, 6 and 7, Block 17, NCB 7880, in the 900 Block of Brunswick Blvd., in the 9000 Block of Fitch Avenue, from "B" Residence District to "B-3NA" Business District, Non-Alcoholic Sales, located between Brunswick Blvd. and Fitch Avenue, being 75' west of the intersection of I.H. 35 Expressway and Brunswick Blvd. having 75' on Brunswick Blvd., approximately 10' on Fitch Avenue and approximately 143' on I. H. 35 Expressway.

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

Mr. Henry Acuna, 303 Aaron Drive, the proponent, spoke of plans to use the property for a sales lot.

Ms. Patricia Ozuna, 627 Elks Drive, Area Vice-President, Communities Organized for Public Service (COPS), stated that this area is predominantly a single-family neighborhood and spoke of her fear for intrusion of commercial strip-zoning into a residential area.

Ms. Reyes Gonzalez, 940 Brunswick, spoke to the history of the rezoning request and of her fears that the property will become a junkyard.

Mr. Estanislao Contreras, 1046 Fitch, stated his opinion that rezoning will adversely affect the area, and that much of the parking will have to be done on surrounding streets because of the limited area to park on-site. He also spoke of heavy traffic generated by the rezoning as a hazard to passing schoolchildren.

Ms. Maria G. Fuentes, 923 Brunswick, stated her belief that the lot is too small for the planned use, and spoke to the danger of passing schoolchildren. She also stated that the lot is not clean and provides a haven to vermin.

Ms. Ozuna spoke of the large amount of opposition to this case before the Zoning Commission.

Mr. Acuna reiterated his plans for use of the property, and noted that a sidewalk is available for pedestrians, including schoolchildren. He also stated that no sidewalk is near the planned entrance/exit from the lot, which faces onto Panam Expressway.

Mr. Wing spoke against the request, and asked COPS to work with the developers of this property as it has done with others, to see if a mutually-acceptable usage can be found.

Mr. Wing moved that the recommendation of the Zoning Commission to deny this request be approved. Mr. Hasslocher seconded the motion.

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

Case Z83371 was denied.

24. CASE Z83316 - to rezone Lots 1, 2, and 3, Block 5, NCB 12875, in the 9300 Block of S.E. Loop 410 Expressway, from "A" One Family Residence

District to "I-1" Light Industry District, located southeast of the intersection of Eastgate Street and S.E. Loop 410 Expressway, having 145' on S. E. Loop 410 Expressway and 265' on Eastgate Street.

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

Mr. Andy Guerrero, Planner II, stated that nine affirmative votes would be needed to approve the rezoning request.

Mr. Joe E. Briscow, Devine, the proponent, stated that this area is developing as an industrial area, and displayed a 1981 newspaper advertisement which speaks of this area's property as "industrial". He briefly listed some of the businesses located in the immediate area, then spoke of his plans for development of the property, noting that residents objecting to his plans actually live some 530 feet away.

Mr. Bill Newton, owner of Alamo Rigging Company, stated that he is not a manufacturing concern, and spoke to how his firm operates, supplying cranes for use off-site. He stated his belief that this use would be of benefit to the area, and also spoke of plans for the facility to be located on the site.

In response to a question by Mr. Webb, Mr. Guerrero stated that this immediate area has been kept residential in nature.

Mr. Webb spoke against encroachment of business into a residential area.

Mrs. Dutmer stated that while she supports Mr. Webb's concerns, she still cannot see residential development along Loop 410.

Mr. Webb moved that the recommendation of the Zoning Commission to deny this request be approved. Mrs. Dutmer seconded the motion.

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

Case Z83316 was denied.

25. CASE Z83401 - to rezone Lot 9, Block 60, NCB 10587, 2908 and 2910 N.W. Loop 410, from "B" Residence District to "B-3NA" Business District, Non-Alcoholic Sales, located on the south side of N.W. Loop 410 being approximately 111.05' west of the intersection of Panda Drive and N. W. Loop 410, having 219.41' on N. W. Loop 410 and a maximum depth of approximately 85'.

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

Mr. Hasslocher moved that the recommendation of the Zoning Commission to deny the request be approved. Mrs. Dutmer seconded the motion.

Mr. Ramon Villarreal, the proponent, asked that the case be approved, noting that other large signs are located nearby.

Mrs. Dutmer stated that Mr. Archer, in whose district this case is located, has spoken against use of this property for location of a large advertising sign, feeling that it detracts from the neighborhood. She also spoke in support of the move to deny.

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

Case Z83401 was denied.

26. CASE Z83365 - to rezone Lot 38, Block 1, NCB 9669, 274 Cliffwood Drive, from "O-1" Office District to "B-2" Business District, located southeast of the intersection of West Avenue and Cliffwood Drive having 65' on Cliffwood Drive and 115' on West Avenue.

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

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

Mr. Leon Castellano, 274 Cliffwood, spoke of other such commercial uses in this area, and of his plans to use the property as the site of a jewelry shop.

In response to a question by Mrs. Dutmer, Mr. Castellano stated that he has no plans to use the property for a laundromat, as expressed in the minutes of the Zoning Commission hearing on this case.

Mrs. Dutmer stated that Mr. Archer had told her that he has no objections with the rezoning request, but is concerned for the lack of parking.

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

Mrs. Dutmer moved that the request for rezoning be approved. Mr. Webb seconded the motion.

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

AN ORDINANCE 57,907

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 38, BLOCK 1, NCB 9669, 274 CLIFFWOOD DRIVE, FROM "O-1" OFFICE DISTRICT TO "B-2" BUSINESS DISTRICT.

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27. CASE Z83385 to rezone Lot 8, the south 4' of Lot 7 and the east 28.4' of the north 50' of Lot 7 (Arb-8), 702 N. Pine Street, from "F" Local Retail District to "B-3" Business District, located northeast of the intersection of Nolan Street and Pine Street, having 58' on Pine Street and 206.8' on Nolan Street.

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

Mr. Sergio H. Mendoza, 702 North Pine Street, provided details of his request, noting that the facility has been operated as an auto repair shop for many years but was not so operated for a period of eight months

and thus lost its non-conforming usage rights. He stated that he would like to use the property again for auto repair, and will not sell liquor on the premises. He also spoke of having cleaned up the lot and removed a number of old cars.

Mr. Webb spoke of his concern with the size of the lot and the lack of cleanliness over the years.

Mr. Mendoza stated that he only needed the actual building for his auto repairs, not the remainder of the lot, and spoke of plans for another man to use the property for restoring and customizing old cars.

Mr. Webb stated his desire to restrict any rezoning to the actual building proper, with no outside storage.

Mr. Andy Guerrero, Planner II, spoke to details of how this could be accomplished.

In response to a question by Mrs. Dutmer, Mr. Mendoza stated that the building has room inside for six cars.

Mr. Webb moved that the recommendation for denial by the Zoning Commission be denied and that the west 50' of Lot 8, and the west 50' of the south 4 feet of Lot 7, Block G, NCB 1659 be rezoned "B-3NA" Business District. Mrs. Dutmer seconded the motion.

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

AN ORDINANCE 57,908

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE WEST 50' OF LOT 8, AND THE WEST 50' OF THE SOUTH 4 FEET OF LOT 7, BLOCK G, NCB 1659, 702 NORTH PINE STREET, FROM "F" LOCAL RETAIL DISTRICT TO "B-3NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES.

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28. CASE 283386 - to rezone Lots 7 and 8, Block 1, NCB 11095, in the 3600 Block of Commercial Avenue, in the 300 Block of Ansley Blvd., from "B" Residence District to "B-2" Business District, located northeast of the intersection of Ansley Blvd. and Commercial Avenue having 95.6' on Commercial Avenue and 150' on Ansley Blvd.

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

Ms. Vecenta Gomez, the proponent, spoke of her plans to use this property for the site of a car wash facility, and distributed photographs of a similar facility and plans for this site.

Mr. Wing stated that residents of this area are concerned that too much commercial usage and activity is intruding into a residential area.

Mr. Wing moved that the recommendation of the Zoning Commission be approved. Mrs. Dutmer seconded the motion.

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

Case Z83386 was denied.

29. CASE Z83333 - to rezone Lot 20, 37, and a 0.753 acre tract of land out of Lot 38D, NCB 11512, being further described by field notes filed in the Office of the City Clerk, in the 2400 Block of N.W. 36th Street, in the 200 Block of Ligustrum Drive, from "R-6" Townhouse Residence District and "O-1" Office District to "R-3" Multiple Family Residence District, located between N.W. 36th Street and Ligustrum Drive, being approximately 180' and 400' northwest of the intersection of W. Woodlawn Avenue, N.W. 36th Street and Ligustrum Drive having approximately 300' on N. W. 36th Street approximately 190' on Ligustrum Drive and a maximum depth of 1050'.

Mr. Andy Guerrero, Planner II, stated that the representative of the applicant is asking to withdraw the case from consideration at this time, and that in the past, it has been City Council policy to allow this, provided that debate has not begun on the merits of the case.

Mr. Roberto Gonzalez, representing the developer, read a prepared statement, speaking to the need to rehabilitate residential areas, noting that both the City staff and the Zoning Commission approved the developer's plans for this site, but that neighbors were against any development on the property. He stated that Mr. Paul Elizondo is owner of a portion of this property, and now has decided not to sell it to the developer; therefore, plans for development of the entire tract of property cannot take place, and the developer would like to withdraw the matter from consideration.

Ms. Dorothy Flores, 173 Ligustrum, stated that the neighborhood is in opposition because of increased traffic problems, drainage matters on the property and other reasons. She noted that many persons in opposition to the case were present in the audience today, and asked them to stand and be recognized.

Mayor Cisneros reiterated Council policy to allow withdrawal of a zoning case provided that no debate had begun on the merits of the case. He spoke of the difficulty of restarting a zoning case through the lengthy zoning procedures; thus, this rezoning request is effectively blocked.

In response to a question by Mr. Alderete, Mr. Gonzalez stated that the developer does not intend, as far as he knows, to come back seeking this rezoning in the future, but may decide to develop the tract under its existing R-6 zoning, since so many persons are in opposition to the request. He spoke of the need to get along with the neighbors.

Mr. Alderete spoke of the need to do something about the matter of the property at 256 Ligustrum, across the street from the subject property, noting that the City Council some time ago rezoned the property for a child care center, but nothing has been done to bring this use to the property since then. He stated his intention to circulate a memo to other Council members, seeking a downzoning of the property, and also noted that the neighbors would support such a move.

Sister Marcy Loehrlene thanked the Council for its concern.

Case Z83333 was withdrawn.

30. CASE Z83313 - to rezone a 4.414 acre tract of land out of NCB 14746, being further described by field notes filed in the office of the City Clerk, in the 14000 Block of I.H. 10 Expressway, from Temporary "R-1" One Family Residence District to "B-3NA" Business District, Non-Alcoholic Sales, and a 3.258 acre tract of land out of NCB 14746, being further

described by field notes filed in the Office of the City Clerk, from Temporary "R-1" One Family Residence District to "B-2" Business District, located 150' northwest and 375' west of the intersection of I.H. 10 Expressway and U.T.S.A. Blvd., having 808.02' on I.H. 10 Expressway and 516.60' on U.T.S.A. Blvd., the B-3NA fronting on I.H. 10 Expressway and the B-2 fronting on U.T.S.A. Blvd.

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

In response to a question by Mr. Harrington, Mr. Ray Keller, Duke-Keller and Associates, stated that the rezoning is sought in order to sell the property for speculative use.

Mr. Harrington spoke against strip zoning along I. H. 10 with "B-3" zoning, noting that much of this already rezoned to "B-3" there backs up to "R-1" residential areas. He spoke of the need to have a plan of development before rezoning a property in this area.

Mr. Andy Guerrero, Planner II, stated that City staff approved this particular request, as modified by the applicant.

Mr. Harrington moved that the recommendation of the Zoning Commission be approved. Mr. Webb 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, Harrington, Hasslocher, Cisneros; NAYS: None; ABSENT: Eureste, Thompson, Alderete, Archer.

AN ORDINANCE 57,909

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 4.414 ACRE TRACT OF LAND OUT OF NCB 14746, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 14000 BLOCK OF I. H. 10 NORTH EXPRESSWAY, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-3NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES AND A 3.258 ACRE TRACT OF LAND OUT OF NCB 14746, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT.

* * * *

83-55 The Clerk read the following Resolution:

A RESOLUTION NO. 83-55-95

AUTHORIZING SUBMISSION OF A REVISED UDAG POCKET OF POVERTY BASED ON 1980 CENSUS DATA FOR RECERTIFICATION OF ELIGIBILITY TO APPLY FOR UDAG FUNDS.

* * * *

Mr. Hasslocher moved that the Resolution be approved. Mr. Harrington seconded the motion.

In response to a question by Mr. Webb, Mayor Cisneros explained details of the Resolution, and the need to expand the UDAG eligibility

areas of the City, noting that the City now falls into a different category for UDAG actions.

Mr. Webb spoke of his concern with HUD denial of another pending UDAG project case on the City's east side, and provided details of that matter, noting that the proponents have been told they must now wait in line for another review of their application because of other pending UDAG activity in the City.

Mr. Frank Perry, Special Projects Office, stated that his office now is working on the project in question.

In response to a question by Ms. Berriozabal, Mr. Perry explained the differences in the eligibility criteria between CDBG and UDAG grants.

Mrs. Dutmer spoke of her concern with identification of some of the UDAG-eligible areas on the south side, while other areas that may be more deserving are not allowed.

Mr. Perry spoke of his office having tried to extend the boundaries of the UDAG-eligible areas to reach the Stinson Field vicinity, but stated that this was not possible because eligible areas must be contiguous to other such eligible areas, and the areas in between the UDAG-eligible tracts and the Stinson field vicinity do not meet the criteria, at present, because of population statistics applicable.

In response to a question by Mr. Webb, Mr. Perry discussed the interpretations of the map concerned in this application.

In response to a question by Ms. Berriozabal, Mr. Perry confirmed that 1980 census data now is being used.

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

83-55 The Clerk read the following Ordinance:

AN ORDINANCE 57,910

CONFIRMING THE APPOINTMENTS OF PAST POLICE AND FIRE CHIEFS.

* * * *

Ms. Berriozabal moved that the Ordinance be approved. 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, Wing, Eureste, Alderete, Harrington, Hasslocher, Cisneros; NAYS: None; ABSENT: Thompson, Archer.

83-55 The Clerk read the following Ordinance:

AN ORDINANCE 57,911

AUTHORIZING A CONTRIBUTION OF \$30,000.00 FROM THE GENERAL FUND IN SUPPORT OF OPERATING COSTS OF JOB LEAD IN PROVIDING JOB PLACEMENT SERVICES FOR HANDICAPPED PERSONS FOR A 9-MONTH PERIOD ENDING SEPTEMBER 30, 1984.

* * * *

Ms. Berriozabal moved that the Ordinance be approved. 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, Eureste, Alderete, Harrington, Hasslocher, Cisneros; NAYS: None; ABSENT: Thompson, Archer.

8 - 55 TRAVEL AUTHORIZATIONS - Granted.

Councilman Joe Alderete to travel to New Orleans, La. to attend the National League of Cities Conference from -26-83 to 11-30-83.

Councilwoman Maria Berriozabal to travel to New Orleans, La. to attend the National League of Cities Conference from -26-83 to -83.

Mayor Henry G. Cisneros to travel to New Orleans, La. to attend the National League of Cities Conference from -25-83 to -30-83.

Councilwoman Helen Dutmer to travel to New Orleans, La. to attend the National League of Cities Conference from -26-83 to -1-83.

Councilman Joe Webb to travel to New Orleans, La. to attend the National League of Cities Conference from -83 to -29-83.

8 - 55 The Clerk read the following Ordinance:

AN ORDINANCE 57,912

REAPPOINTING MS. JULIA KNIGHT TO SERVE ON THE SAN ANTONIO PUBLIC LIBRARY BOARD OF TRUSTEES FOR A TERM TO EXPIRE NOVEMBER 28, 1984.

* * * *

Mr. Webb moved that the Ordinance be approved. 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, Eureste, Alderete, Harrington, Hasslocher, Cisneros; NAYS: None; ABSENT: Thompson, Archer.

8 - 55 WATER STUDY

Mayor Cisneros spoke of the pending issues of the water study for San Antonio, noting that the matter is at an impasse. He stated that the City Council had set aside some \$50,000 in last year's budget to fund such a study, but the funds never were used. He then spoke of a plan to put together a technical panel on water, much like the technical panel on energy, recently inactivated after its work was completed and report issued. He further stated his concept of the makeup of such a panel, including City representation, and named several persons who he felt would be qualified to serve as City representatives, and recommended four specific names. Mayor Cisneros further stated that under his concept, the City and Edwards Underground Water District would each fund the water study at a cost of some \$25,000 each. Noting that the matter is a complex and controversial issue, he spoke to the need for conservation and a solution to the issue of San Antonio's future surface water needs. He asked Council members to think about the idea and meet with him individually to discuss the concept.

Mr. Eureste moved to set a "B" Session on this in two weeks, with selection of an advisory panel and a briefing by Mr. Roger Ibarra, Supervisor of Public Utilities, to be on the agenda. Mr. Harrington seconded the motion.

Mrs. Dutmer spoke of a U.S. Corps of Engineers letter concerning the proposed Applewhite Reservoir, and stated that Mr. Robert Van Dyke, General Manager of City Water Board, has asked the Corps to proceed with issuing a permit for the Applewhite Reservoir, and also has requested that test-holes be bored in the area, to test the soil for reservoir use. She stated that to her knowledge, Mr. Van Dyke did not consult with the City of San Antonio on this matter first, and spoke against the Applewhite Reservoir, stating that wastewater from the proposed Dos Rios Treatment Plant would flow into the Applewhite. She further stated that she would write a memo on this matter to other members of the City Council.

The motion to set a "B" Session for discussion of the water study prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Harrington, Hasslocher, Cisneros; NAYS: None; ABSENT: Archer.

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83-55

TRAFFIC ADVISORY BOARD

Mr. Thompson drew attention to a brief report on creation of a Traffic Advisory Board, a copy of which is made a part of the papers of this meeting, noting that one recommendation of the traffic consultant hired by the City recently was appointment of such a Traffic Advisory Board.

Mayor Cisneros asked that such a Board make proposals to the City on traffic, working with Mr. Roger Ibarra, Supervisor of Public Utilities, on various options.

Mr. Thompson moved that such a board be created, and that a City Council "A" Session item be held in three weeks to discuss the structure of such a Board. Mrs. Dutmer seconded the motion.

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

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83-55

VISTA VERDE SOUTH

Mayor Cisneros provided a series of photographs for other Council members to view, depicting the new housing for residents displaced by the Vista Verde South project, provided by Omni Interests, as well as photographs of progress being made on the Control Data Corporation building, under construction.

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83-55

MANHOLE COVERS

Mr. Thompson asked that an Ordinance be drafted to prohibit the possession, purchase or sale of manhole covers.

Mr. Harrington noted that manhole covers are made by private manufacturing concerns, and such an Ordinance would be difficult to enforce.

Mr. Thompson stated that the Ordinance could cover manhole covers purchased by the City, and would bear some sort of City stamp when purchased to identify it as City property and thus covered by the Ordinance.

83-55SALADO CREEK DROWNING

Mrs. Dutmer spoke to details of the drowning death recently of a young boy in Salado Creek, near the City's DeFoste Park, noting that no fencing separates the parkland from the creek area. She asked the City staff to investigate the matter of putting up some sort of barrier to separate the two.

Mr. Webb spoke in support of the matter.

83-55"HOT SHOT" TEAMS

Mr. Wing spoke of the concept of creation of so-called "hot shot" teams of City employees, to be used to handle individual problem matters in the Public Works area, such as brush, and as recommended by Mr. Frank Kiolbassa, Director of Public Works.

Mr. Louis J. Fox, City Manager, stated the staff would make a report on possible funding mechanisms for this.

8-55VACANT LOTS

Ms. Berriozabal spoke of her concern that Municipal Court cases filed against persons accused of not cleaning up those vacant lots are not being prosecuted, and asked that such action be taken, if that be the case. She spoke of the good job done on environmental issues by Municipal Court Judge Allan Warrick.

Mr. Louis J. Fox, City Manager, stated that he would look into the matter and report on it.

Ms. Berriozabal spoke of her concern that the system of prosecution of those who fail to clean up their vacant lots is breaking down.

83-55 The City Council recessed its regular meeting at 4:00 P.M. for a "B" Session presentation by Communities Organized for Public Service (COPS) on economic development in the Edgewood area and reconvened at 5:00 P.M. for Citizens To Be Heard.

83-55CITIZENS TO BE HEARDHOMEOWNER-TAXPAYER ASSOCIATION
MR. C. A. STUBBS

Mr. C. A. Stubbs, 207 Highview Drive, President, Homeowner-Taxpayer Association, spoke to the City Council about his activities in the formation of this tax watch group. He stated that there is much concern in the community about the increase in taxes and the reappraisal process and the fact that citizens are not taken into account. He suggested a freeze on tax increases until essentials are funded through the non-essentials. He also spoke about their future plans in this issue.

Mr. Bill Nations, Vice President of the Homeowner-Taxpayers Association spoke to the City Council about their concerns and stated that the taxpayer has had to incur two tax increases, i.e. 8% ad valorem tax increase and increase in CPS rates. He stated that many non-essential services are being funded and took exception to this fact. He also questioned the fact that Council members and City staff are sent all over

the world to attract new business and their feelings that business will not be attracted to a high taxing City. He also spoke about revenues coming in from City Public Service.

Mayor Cisneros stated that revenues from City Public Service help to retire the debt service fund. Mayor Cisneros asked the City staff to speak with Mr. Nations about revenues from CPS going to the debt service for capital improvements.

Mr. Archer thanked Mr. Stubbs for coming to the Council with their concerns.

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MR. R. VINCENT HAMILTON

Mr. R. Vincent Hamilton, Cable Access Club, spoke to the City Council as a member of the Cable Access Club and as a cable subscriber. He spoke to the City Council about the importance of cable uses and cable franchises. He also explained the need for citizens to have access to cable usage. He spoke of their concerns and the fact that the Cable Access Club is ready to assist the City in this regard. He also urged City Council to approve the Cable TV Advisory Committee's report of October 1, 1983.

(At this point, Mayor Cisneros was obliged to leave the meeting and Mr. Eureste presided.)

Mr. Eureste advised Mr. Hamilton that the City Council had indicated its support for a public hearing to be held by the Cable TV Advisory Committee and asked Mr. Hamilton to make his concerns known to that body as well.

(Mayor Cisneros returned to the meeting and presided.)

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MR. JIM SMITH

Mr. Jim Smith, PIO for the State NAACP and local NAACP, spoke to the City Council about the 5 year review that is to be held by the City Council very soon on the cable franchise. He stated that a full review be held. He spoke about their concerns with the lack of community access and stated that they will make a full presentation at the public hearing.

(At this point, Mayor Cisneros was obliged to leave the meeting and Mayor Pro Tem Frank Wing presided.)

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MR. ROBERT GONZALEZ

Mr. Robert Gonzalez addressed the City Council on behalf of the United Cab Drivers of San Antonio. He distributed a petition signed by permit holders and cab drivers of the City requesting a fare rate increase for taxicab service in the City. The last fare increase was granted over three years ago. They feel that with the high cost of operating and the higher cost of living, this rate increase is necessary in order to operate within a reasonable profit level. They are asking for a fare increase of \$1.45 for the first 1/6 mile and .20 for every 1/6 mile.

Mr. Eureste concurred with Mr. Gonzalez' statements and need for a fare increase.

Mr. Gonzalez stated that if the maximum rate is approved by the Council, he will suggest a discount for senior citizens.

Mr. Bob Thompson spoke to Mr. Gonzalez about the memo he had presented to the City Council earlier in the meeting. He stated that policy issues will be forthcoming from the proposed board.

A discussion took place on the time frame for the rate increase. It was concurred that the request for a fare increase be placed on the "A" Session agenda in three weeks.

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MRS. MARIA DOMINGUEZ

Mrs. Maria Dominguez spoke to the City Council about her concerns that there is a lack of police manpower.

Mr. Rolando Bono stated that more police are out in the field.

A discussion also took place on the number of police as recommended by the Arthur Young Study.

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MR. STEPHEN PAUL CIBIK

Mr. Stephen Paul Cibik, 1427 San Francisco Street, spoke to the City Council about the charge for garbage pick-up. He feels that the charge is exorbitant.

Mrs. Dutmer stated that by law charges cannot be computed or based on different trash loads. The state law must be adhered to in view of sanitation and health.

Mr. Wing explained the need for charging for these services.

Mr. Eureste also stated that most cities have garbage fees which are either at our level or higher.

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REVEREND R. A. CALLIES, SR.

Reverend R. A. Callies, Sr., Martin Luther King School P.T.A., spoke to the City Council on behalf of the Martin Luther King P.T.A. He stated that they would like to close down a place of nuisance right across the street from the school. He then read a prepared statement which he had read at a San Antonio Independent School District Board of Trustees meeting, a copy of which is on file with the papers of this meeting. Reverend Callies also presented the City Council with a letter from Dr. Elizondo on this same issue. Reverend Callies would like a legal ruling on this business.

Mr. Thompson stated that only a district court can declare property to be a nuisance.

Mrs. Dutmer stated that the City Council can express its opinion as to how this property affects a community.

Mr. Thompson stated that the City Council can be an interested party.

Mr. Wing advised Reverend Callies to meet with the City Manager on this issue and the steps which could be followed in this case.

Mrs. Dutmer read from the City Charter on declaring of nuisances.

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MR. EDUARDO MORALES

Mr. Eduardo Morales took exception to the Mayor making out of town trips. He stated that the west side needs attention. He also

expressed concern about the increase in crime activity. He asked the City Council to concentrate on the City's problems.

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83-55 The Clerk read the following Letter:

November 8, 1983

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

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

November 1, 1983

Petition submitted by Mr. Don Ball, Corporate Travel Service, requesting a license and permit to operate a Transportation Service in the City of San Antonio.

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November 4, 1983

Petition submitted by Mr. Richard Rangel requesting permission to retain the wholly wire he had installed around his property at 108 Hansford Street.

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There being no further business to come before the City Council, the meeting was adjourned at 6:10 P.M.

A P P R O V E D

Henry Cisneros
M A Y O R

ATTEST: *Herman S. Rodriguez*
C i t y C l e r k