

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, SEPTEMBER 29, 1983.

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The meeting was called to order at 1:00 P.M. by the presiding officer, Mayor Pro Tem Frank D. Wing, with the following members present: PERRIOZABAL, WEBB, DUTMER, WING, EURESTE, THOMPSON, ALDERETE, HARRINGTON, ARCHER, HASSLOCHER. Absent: CISNEROS.

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83-46 The invocation was given by Chaplain (COL) Thomas Lyssy, Post Chapel, Fort Sam Houston.

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83-46 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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83-46 MR. JACQUES LUCEA

Mayor Pro Tem Wing greeted Mr. Jacques Lucea, Deputy Commissioner of the Republic of Martinique, and welcomed him to San Antonio, then read a Proclamation making him an Alcalde de La Villita.

Mayor Pro Tem Wing presented the Proclamation to Mr. Lucea, and also presented him with an official book on the City of San Antonio.

Mr. Lucea thanked the Council for the honor, and noted that San Antonio enjoys an excellent reputation and bright future.

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83-46 MR. ROB MOSSBACHER

Mayor Pro Tem Wing introduced Mr. Rob Mossbacher, candidate for the United States Senate, present in the audience, and noted that Mr. Mossbacher also is a member of the President's Council on Private Sector Initiative.

Mr. Mossbacher spoke briefly concerning the work of the private sector initiative program, and stated that San Antonio has done a good job of bringing the public and private sectors together for the good of all.

Mr. Hasslocher spoke of Mr. Mossbacher's role in this area.

Mayor Pro Tem Wing also recognized the presence in the audience of Mr. Doug Harlan.

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83-46 COUNT HENRY LEGRELLE

Mayor Pro Tem Wing introduced Count Henry LeGrelle of Antwerp, Belgium, present in the audience and welcomed him to San Antonio. He asked Mr. Alderete to assist him in making several presentations to the visitor.

Mr. Alderete read a Proclamation making Count LeGrelle an Alcalde de La Villita, and presented him with the Proclamation and an official book on the City of San Antonio.

Count LeGrelle thanked the Council for the honor and the gifts,

and congratulated San Antonio on how it has brought the public and private sectors together for the community good.

Mr. Alderete then introduced Mr. Bob Braubach and Mr. John Braubach, both present in the audience, and spoke of their involvement with the Eurotech firm and the upcoming international trade mission and conference, being held in Zurich, Switzerland, which a number of City Council members and City staff are to attend.

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MR. TOMMY ATKISSON

Mayor Pro Tem Wing introduced former State Representative Tommy Atkisson, present in the audience.

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83-46

MR. ART CHASKIN

Mayor Pro Tem Wing introduced Mr. Art Chaskin, representing Carpenters Union Local 14, who invited members of the City Council to participate in a labor-management conference October 5, 1983, and provided details.

Mayor Pro Tem Wing thanked him for the invitation.

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The minutes of the meeting of September 15, 1983 were approved.

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83-46

CONSENT AGENDA

Mr. Archer moved that items 4-29, constituting the consent agenda, be approved with the exception of item 20, to be pulled for individual consideration. Mr. Harrington seconded the motion.

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

AN ORDINANCE 57,618

ACCEPTING THE BID OF MFG WATER TREATMENT PRODUCTS CO. TO FURNISH THE CITY OF SAN ANTONIO PUELIC WORKS DEPARTMENT WITH FIBERGLASS V-NOTCH WEIRS FOR A TOTAL OF \$19,248.68.

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AN ORDINANCE 57,619

ACCEPTING THE BID OF ALAMO CITY DODGE, D/E/A BROADWAY DODGE, TO FURNISH THE CITY OF SAN ANTONIO HUMAN RESOURCES DEPARTMENT WITH PASSENGER VANS FOR A TOTAL COST OF \$35,105.58.

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AN ORDINANCE 57,620

ACCEPTING THE LOW QUALIFIED BID OF GENERAL DATACOMM INDUSTRIES, INC., TO FURNISH THE CITY OF SAN ANTONIO INFORMATION RESOURCES DEPARTMENT WITH STATISTICAL MULTIPLEXERS FOR A TOTAL COST OF \$14,032.00.

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AN ORDINANCE 57,621

ACCEPTING THE PROPOSAL OF INTERNATIONAL BUSINESS MACHINES CORP. TO FURNISH THE CITY OF SAN ANTONIO INFORMATION RESOURCES DEPARTMENT WITH PROPRIETARY SOFTWARE ON A LEASE BASIS FOR A TOTAL COST OF \$243,665.

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AN ORDINANCE 57,622

ACCEPTING THE PROPOSAL OF CONTROL DATA CORP. TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH A MICRO-COMPUTER BASED EDUCATIONAL SYSTEM FOR A TOTAL COST OF \$26,460.00.

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AN ORDINANCE 57,623

ACCEPTING THE PROPOSAL OF HONEYWELL, INC., TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH TEMPERATURE CONTROL MAINTENANCE FOR A TOTAL COST OF \$5,325.00.

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AN ORDINANCE 57,624

ACCEPTING THE BID OF TEZEL & COTTER AIR CONDITIONING CO. IN THE AMOUNT OF \$25,884.00 FOR REPLACEMENT OF THE COMPRESSOR AT THE POLICE BUILDING; APPROVING A CONTRACT AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 57,625

AUTHORIZING EXECUTION OF A STANDARD PROFESSIONAL SERVICES CONTRACT WITH ESPEY, HUSTON & ASSOCIATES, INC. TO PROVIDE ENGINEERING SERVICES ON THE STINSON AIRPORT TAXIWAY CONSTRUCTION PROJECT, AND FOR GEOTECHNICAL TESTING SERVICES FOR THE PROJECT; APPROPRIATING \$666,667.00 FOR THE PROJECT AND AUTHORIZING PAYMENT OF \$45,070.00 FOR ENGINEERING AND TESTING FEES.

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AN ORDINANCE 57,626

ACCEPTING AN AIRPORT IMPROVEMENT PROGRAM GRANT FROM THE FAA IN THE AMOUNT OF \$99,000.00 AND PROVIDING AN \$11,000.00 LOCAL MATCH, TO BE USED FOR A COMPREHENSIVE METROPOLITAN AIRPORT/HELIPORT SYSTEM PLANNING STUDY FOR THE SAN ANTONIO AREA TO IDENTIFY A POTENTIAL SITE FOR A SECOND GENERAL AVIATION AIRPORT AND TO DEVELOP A POLICY AND GUIDELINES FOR HELICOPTER OPERATIONS AND HELIPORT DEVELOPMENT.

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AN ORDINANCE 57,627

AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH SOMERVILLE-GONZALES AND ASSOCIATES FOR ENGINEERING SERVICES IN CONNECTION WITH THE OVERLAY OF RUNWAY 3-21 AT INTERNATIONAL AIRPORT; AND FOR CERTAIN TESTING AND EVALUATION IN CONNECTION WITH THE PROJECT; APPROPRIATING \$803,579.00 FOR SAID PROJECT AND APPROVING PAYMENT OF \$93,273.00 FOR ENGINEERING AND TESTING FEES.

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AN ORDINANCE 57,628

ACCEPTING THE BID OF HOUSTON BRIDGE & ENGINEERING IN THE AMOUNT OF \$182,000.00 FOR IMPROVEMENTS TO THE RIVERWALK NEAR THE EAST COMMERCE STREET BRIDGE; ACCEPTING THE BID OF ROY MCGINNIS & COMPANY IN THE AMOUNT OF \$189,000.00 TO REPAIR A COLLAPSING PORTION OF THE RIVER RETAINING WALL AT ERACKENRIDGE PARK; PROVIDING FOR CONSTRUCTION CONTINGENCY ACCOUNTS; APPROVING CONTRACTS FOR SUCH WORK; AMENDING THE UPARR GRANT BUDGET AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 57,629

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$3,460.00 OUT OF VARIOUS FUNDS FOR THE PURPOSE OF ACQUIRING EASEMENTS TO CERTAIN LANDS IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS.

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AN ORDINANCE 57,630

APPROVING A TWO YEAR LEASE OF SPACE IN THE MEXICAN AMERICAN UNITY COUNCIL CENTER FOR THE HAZAN BRANCH LIBRARY.

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AN ORDINANCE 57,631

AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE AGREEMENT WITH GAYLE VOLLMER PROVIDING FOR THE LEASE OF SPACE IN THE NORTH SIDE OF THE CITY TO BE USED FOR THE YOUTH SERVICES PROJECT-NORTH SIDE CENTER.

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AN ORDINANCE 57,632

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 57,633

AUTHORIZING THE DELETION OF UNCOLLECTABLE PERSONAL PROPERTY TAX ACCOUNTS.

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AN ORDINANCE 57,634

AUTHORIZING CONTINUATION OF THE OPERATION BY THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT OF THE SPECIAL SUPPLEMENTAL FOOD PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC); ESTABLISHING A FUND; ADOPTING A BUDGET, AND AUTHORIZING PERSONNEL POSITIONS; AND AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE STATE DEPARTMENT OF HEALTH FOR A GRANT TO SUPPORT A PROGRAM COST OF \$455,611.00.

\* \* \* \*

AN ORDINANCE 57,635

AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENTS WITH ARTISTS INVOLVING PAYMENTS IN EXCESS OF \$3,000 FOR PERFORMANCES AT THE CARVER COMMUNITY CULTURAL CENTER DURING FISCAL YEAR 1983/84.

\* \* \* \*

AN ORDINANCE 57,636

AUTHORIZING THE CARVER COMMUNITY CULTURAL CENTER TO CONDUCT THE DANCE PROGRAM FOR 1984/85, AUTHORIZING THE APPLICATION FOR AND ACCEPTANCE OF A GRANT FROM THE NATIONAL ENDOWMENT FOR THE ARTS, AUTHORIZING THE EXECUTION OF CONTRACTS FOR THE PROGRAM AND ADJUSTMENTS TO THE BUDGET IN ACCORDANCE WITH FUNDING LEVELS.

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AN ORDINANCE 57,637

AUTHORIZING THE ACCEPTANCE OF A GRANT OF \$1,004,480 FOR THE 1983/84 COMMUNITY SERVICES PROGRAM FROM THE TEXAS DEPARTMENT OF COMMUNITY AFFAIRS; AUTHORIZING A PERSONNEL COMPLEMENT; APPROVING BUDGETS; APPROVING LEASES; AUTHORIZING SUBCONTRACTS WITH CERTAIN DELEGATE AGENCIES; APPROVING BIDS FOR VANS; AND AUTHORIZING IN-KIND LOCAL MATCH OF \$251,120.

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AN ORDINANCE 57,638

AUTHORIZING THE APPLICATION FOR THE ACCEPTANCE OF HHS GRANTS FOR THE HEAD START EARLY CHILD CARE PROGRAM YEAR 6 IN THE AMOUNTS OF \$2,310,454, \$218,134, AND \$75,000, RESPECTIVELY; AUTHORIZING THE ESTABLISHMENT OF ACCOUNTS FOR THE PROGRAM; AUTHORIZING A PERSONNEL COMPLEMENT; AUTHORIZING THE APPLICATION FOR AND ACCEPTANCE OF ANY SUPPLEMENTAL GRANTS FOR THE HEAD START PROGRAM DURING THE PROGRAM YEAR 6; AND AUTHORIZING AN AGREEMENT WITH PARENT-CHILD, INCORPORATED TO OPERATE THE PROGRAM.

\* \* \* \*

AN ORDINANCE 57,639

AUTHORIZING THE CITY MANAGER TO ACCEPT A GRANT OF \$64,340.00 FROM THE CRIMINAL JUSTICE DIVISION OF TEXAS FOR THE CONTINUED OPERATION OF THE

VICTIM/WITNESS ADVOCATE PROGRAM BY THE FAMILY RESOURCES DIVISION, DEPARTMENT OF HUMAN RESOURCES AND SERVICES FROM OCTOBER 1, 1983 THROUGH SEPTEMBER 30, 1984; ESTABLISHING A FUND, AUTHORIZING A BUDGET AND APPROVING A PERSONNEL COMPLEMENT.

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AN ORDINANCE 57,640

APPROVING EXPENDITURE NOT EXCEEDING \$15,000.00 TO THE RITZ-CARLTON HOTEL IN CHICAGO IN CONNECTION WITH A SALES PRESENTATION RECEPTION AND LUNCHEON FOR CORPORATE EXECUTIVES RESPONSIBLE FOR BOOKING CONVENTIONS AND MEETINGS, TO BE GIVEN BY THE CONVENTION AND VISITORS BUREAU.

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AN ORDINANCE 57,641

CLOSING KENTUCKY AVENUE BETWEEN ELMENDORF AND ZARZAMORA IN CONNECTION WITH THE LITTLE FLOWER CATHOLIC CHURCH ROSE FESTIVAL.

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AN ORDINANCE 57,642

PERMITTING THE BEXAR COUNTY SHERIFF'S RESERVE TO CONDUCT A STREET SOLICITATION CAMPAIGN FOR THE BENEFIT OF THE LEUKEMIA SOCIETY OF AMERICA.

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83-46 The Clerk read the following Ordinance:

AN ORDINANCE 57,643

RENEWING PARTICIPATION IN THE TEXAS MUNICIPAL LEAGUE WORKERS' COMPENSATION SELF-INSURANCE PROGRAM FOR A THREE-YEAR PERIOD.

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Mrs. Dutmer moved that the Ordinance be approved. Mr. Thompson seconded the motion.

In response to a question by Mrs. Dutmer, Mr. Louis J. Fox, City Manager, explained how this workers compensation insurance ties in with other insurance for the City, noting that this is separate and apart from employees' health insurance.

Mrs. Dutmer spoke of her concern with the costs of insurance for the City's retired employees, especially those who must pay the full premiums on very limited retirement amounts.

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

ZONING HEARINGS

30. CASE 283318 - to rezone Lot 31, Block 15, NCB 14422, in the 5300 Block of Encanta Drive, in the 5000 Block of Leonhardt Road, from "E-2" Business District to "R-3" Multiple Family Residence District located south of the intersection of Leonhardt Road and Encanta Drive, having 153.61' on Leonhardt Road and 401.16' on Encanta Drive; the northeast irregular 136.56' of Lot 22, Block 16, NCB 14423, in the 6000 Block of Leonhardt Road, from "E-2" Business District to "E-3R" Restrictive Business District and Lot 1, save and except the southwest 100' of Lot 1, Block 16, NCB 14423, in the 5300 Block of Encanta Road, from Temporary "R-1" One Family Residence District to "E-2" Business District, located on the northeast side of Encanta Drive, being 137' southeast of the intersection of Leonhardt Road and Encanta Drive, having 280.03' on Encanta Drive and a maximum depth of 211.56'; the southeast 100' of Lot 1, Block 16, NCB 14423, in the 5300 Block of Encanta Drive from Temporary "R-1" One Family Residence District to "E-1" Business District, located on the northeast side of Encanta Drive, being approximately 418' southeast of the intersection of Leonhardt Road and Encanta Road.

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

No citizen appeared to speak in opposition.

Mr. Carl Nentwich, 310 West Sunset Road, briefly explained the requested rezoning for development of four-plexes and a self-storage facility, noting that all aspects of the matter have been worked out with the neighbors and the City staff.

Mr. Hasslocher moved that the recommendation of the Zoning Commission be approved provided that proper access and off-street parking are provided. 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, Archer, Hasslocher; NAYS: None; ABSENT: Eureste, Thompson, Cisneros.

AN ORDINANCE 57,644

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 31, BLOCK 15, NCB 14422, IN THE 5300 BLOCK OF ENCANTA DRIVE, IN THE 5000 BLOCK OF LEONHARDT ROAD, FROM "E-2" BUSINESS DISTRICT TO "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT; THE NORTHEAST IRREGULAR 136.56' OF LOT 22, BLOCK 16, NCB 14423, IN THE 6000 BLOCK OF LEONHARDT ROAD, FROM "E-2" BUSINESS DISTRICT TO "E-3R" RESTRICTIVE BUSINESS DISTRICT; LOT 1, SAVE AND EXCEPT THE SOUTHWEST 100' OF LOT 1, BLOCK 16, NCB 14423, IN THE 5300 BLOCK OF ENCANTA DRIVE, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "E-2" BUSINESS DISTRICT; AND THE SOUTHEAST 100' OF LOT 1, BLOCK 16, NCB 14423, IN THE 5300 BLOCK OF ENCANTA DRIVE FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "E-1" BUSINESS DISTRICT; PROVIDED THAT PROPER ACCESS AND OFF-STREET PARKING ARE PROVIDED.

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31. CASE 283299 - to rezone Lot 1, Block 24, NCB 6445, 410 N. Walters, from "E" Residence District to "E-2" Business District, located northeast of the intersection of Gibbs St. and Walter St. having 50' on Gibbs St. and 125' on Walter St.

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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. Webb, Mr. Andy Guerrero, Planner II, discussed the traffic requirements for additional right-of-way and why it is sought in rezoning cases involving commercial developments. He also noted that City staff recommended that the request be denied.

Mr. Ray L. Grant, 4427 Lakewood, the proponent, distributed to the Council copies of a proposed plat and photographs of the property noting that it is a former grocery store that he had purchased under the impression that it was properly zoned for business usage, which it was not. He spoke of plans to improve the existing structures, and noted that the Zoning Commission approved the request. He also stated that he planned no sale of liquor on the property.

Mr. Webb spoke in support of the request, provided Mr. Grant would agree to put the entrance to the property facing onto Gibbs Street instead of Walters Street, because Walters Street traffic is very heavy, already. He also asked that fencing be approved for the west property line.

Mrs. Dutmer spoke of her concern for the staff requirement for additional right-of-way along Walters Street since the structure already is located very close to the street, and more right-of-way dedicated to the City would cost him the sidewalk on Walters Street. She spoke of this being an onerous burden, and asked that this restriction be removed from the stipulations.

Mr. Webb moved that the recommendation of the Zoning Commission be approved provided that proper access and off-street parking are provided; that a 15-foot property line return is imposed; that a 6-foot solid screen fence is erected and maintained along both the east and west property lines; and that a 1-foot non-access easement is imposed along Walters Street. Mr. Hasslocher seconded the motion.

Mr. Thompson voiced his concern with spot zoning in a residential area.

Mr. Grant agreed to the spirit and wording of 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, Eureste, Thompson, Harrington, Archer, Hasslocher; NAYS: None; ABSENT: Alderete, Cisneros.

AN ORDINANCE 57,645

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 1, BLOCK 24, NCB 6445, 410 NORTH WALTERS STREET, FROM "B" RESIDENCE DISTRICT TO "E-2" BUSINESS DISTRICT, PROVIDED THAT PROPER ACCESS AND OFF-STREET PARKING ARE PROVIDED; THAT A 15-FOOT PROPERTY LINE RETURN IS IMPOSED; THAT A 6-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG BOTH THE EAST AND WEST PROPERTY LINES; AND THAT A 1-FOOT NON-ACCESS EASEMENT IS IMPOSED ALONG WALTERS STREET.

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32. CASE 283317 - to rezone Lots 24, 25, and 26, Block 10, NCB 2803, 257 E. Hildebrand Avenue, from "D" Apartment District to "O-1" Office

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District, located northwest of the intersection of Gillespie Avenue and Hildebrand Avenue having 75' on Hildebrand Ave. and 125' on Gillespie Avenue.

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

Mr. Archer moved that the recommendation of the Zoning Commission be approved provided that proper commercial access and paved off-street parking are provided, and that 2.2 feet of right-of-way along Hildebrand Avenue is given, with a 15-foot property line return. Mr. Hasslocher seconded the motion.

In response to a question by Mrs. Dutmer, Mr. Andy Guerrero, Planner II, explained the need for a 15-foot property line return in this case.

Mr. Lawrence L. Garcia, the proponent, explained his plans for use of the property.

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

AN ORDINANCE 57,646

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 24, 25, AND 26, BLOCK 10, NCB 2803, 257 EAST HILDEBRAND AVENUE, FROM "D" APARTMENT DISTRICT TO "O-1" OFFICE DISTRICT, PROVIDED THAT PROPER COMMERCIAL ACCESS AND PAVED OFF-STREET PARKING ARE PROVIDED, AND THAT 2.2 FEET OF RIGHT-OF-WAY ALONG HILDEBRAND AVENUE IS GIVEN, WITH A 15-FOOT PROPERTY LINE RETURN.

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33. CASE Z83310 - to rezone Lot 6 and the east 29.5' of Lot 7, NCB 7902, from "E" Residence District to "O-1" Office District; the west 97' of Lot 7 and the east 53' of Lot 8, NCB 7902, from "E" Residence District to "E-1" Business District; and Lot 22, 23, the remaining portion of Lot 9, the west 73.5' of Lot 8, NCB 7902, in the 500 Block of Division Avenue, from "E" Residence District to "B-2" Business District, located southeast of the intersection of Boris Ave. and Division Ave., having 456' on Division Ave. and 160' on Boris Avenue.

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

Mr. Hasslocher moved that the recommendation of the Zoning Commission be approved provided that proper access and off-street parking are provided; that 5' of right-of-way along Boris Avenue is given, with a 15' property line return; and that a 6-foot solid screen fence is erected and maintained along the south property line that abuts the single-family residences. Mr. Thompson seconded the motion.

Mr. Thompson spoke of his concern for the requirement for a 6-foot fence.

Mr. Andy Guerrero, Planner II, stated that retail facilities are planned for this property, and the fence is to screen residential properties in the rear.

Mr. Wing stated that the stipulations were worked out in meetings between the proponents and the neighbors, beforehand.

Mrs. Jesse P. Poston, the proponent, explained the agreement with neighbors involving the fence, noting that the purchaser of the property also agrees to the fence. She stated that she wanted the homeowners protected, and spoke of their cooperation with this matter.

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

AN ORDINANCE 57,647

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 6 AND THE EAST 29.5' OF LOT 7, NCB 7902, FROM "B" RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT; THE WEST 97' OF LOT 7 AND THE EAST 53' OF LOT 8, NCB 7902, FROM "B" RESIDENCE DISTRICT TO "B-1" BUSINESS DISTRICT; AND LOT 22, 23, THE REMAINING PORTION OF LOT 9, THE WEST 73.5' OF LOT 8, NCB 7902, IN THE 500 BLOCK OF DIVISION AVENUE, FROM "B" RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER ACCESS AND OFF-STREET PARKING ARE PROVIDED; THAT 5' OF RIGHT-OF-WAY ALONG BORIS AVENUE IS GIVEN, WITH A 15' PROPERTY LINE RETURN; AND THAT A 6-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE SOUTH PROPERTY LINE THAT AFFECTS THE SINGLE-FAMILY RESIDENCES.

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83-46 Mayor Pro Tem Wing asked for City Council consensus to consider agenda item 43 at this time. Informal consensus by voice vote was given.

The Clerk read the following Resolution:

A RESOLUTION NO. 83-46-80

APPROVING THE ISSUANCE OF A \$3,900,000 CITY OF SAN ANTONIO HEALTH FACILITIES DEVELOPMENT CORPORATION REVENUE BOND, SERIES 1983 (SOUTHWEST PROFESSIONAL PLAZA ASSOCIATES PROJECT) AND DECLARING AN EMERGENCY.

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

Mayor Pro Tem Wing spoke briefly of the plans for development of the property concerned by Southwest Professional Plaza Association, to be medical facilities and offices to the south side of the City.

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

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

ZONING HEARINGS (CONTINUED)

34. CASE Z83295 - to rezone Lot 52 and the east 90' of Lot 51, Block 3, NCB 11967, 406-412 Wolfe Road, from "A" Single Family Residence District to "B-3" Business District, located on the south side of Wolfe Road, being 65' west of the intersection of U.S. 281 North Expressway and Wolfe Road, having 270' on Wolfe Road and a maximum depth of 221'.

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

No citizen appeared to speak in opposition.

Mr. Hasslocher moved that the recommendation of the Zoning Commission be approved provided that proper access and off-street parking are provided. Mr. Harrington seconded the motion.

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

AN ORDINANCE 57,648

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 52 AND THE EAST 90' OF LOT 51, BLOCK 3, NCE 11967, 406-412 WOLFE ROAD, FROM "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER ACCESS AND OFF-STREET PARKING ARE PROVIDED.

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35. CASE Z83289 - to rezone Lot 125 & 126, Block 2, NCB 15780, 128 Dinn Road, from Temporary "R-1" One Family Residence District to "B-3NA" Business District, Non-Alcoholic Sales, located on the south side of Dinn Road, being approximately 540' west of the intersection of Fratt Road and Dinn Road, having 150' on Dinn Road and a depth of 150'.

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

No citizen appeared to speak in opposition.

Mr. Webb moved that the recommendation of the Zoning Commission be approved, provided that proper access and off-street parking are provided. 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, Thompson, Alderete, Harrington, Archer, Hasslocher; NAYS: None; ABSENT: Eureste, Cisneros.

AN ORDINANCE 57,649

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE

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CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 125 AND 126, BLOCK 2, NCB 15780, 128 DINN ROAD, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "E-3NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES PROVIDED THAT PROPER ACCESS AND OFF-STREET PARKING ARE PROVIDED.

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36. CASE 283289 - to rezone the south 75' of Tract 22, NCE 14952, from Temporary "R-1" One Family Residence District to "E-3R" Restrictive Business District and Tract 22, NCE 14952, save and except the south 75' of Tract 22, NCE 14952, in the 6000 Block of Randolph Elvd., from Temporary "R-1" One Family Residence District to "I-1" Light Industry District, located on the south side of Randolph Elvd., being approximately 2050' northeast of the intersection of Eledsoe Drive and Randolph Elvd., having 529.9' on Randolph Elvd., and a maximum depth of 1330'. The "E-3R" being on the south 75' and the "I-1" being on the remaining portion of subject property.

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

Mr. Archer moved that the recommendation of the Zoning Commission be approved provided that proper access and off-street parking are provided. Mr. Webb seconded the motion.

Mr. Kenneth Gindy, 711 Navarro, representing the proponents, briefly explained plans for development of this property into an office park, noting that an adjacent tract, already properly zoned, will be combined with this property for the office park project.

COL Joseph U. Weaver, 100921 Grand Haven, spoke of past instances of rezoning of portions of this area for commercial use, and spoke of the residential areas immediately across Randolph Boulevard from such rezonings. He spoke against the request, stating his opinion that to zone the area industrial will cause even more traffic on Randolph Boulevard.

In response to a question by Mrs. Dutmer, Mr. Andy Guerrero, Planner II, stated that the proponents need I-1 zoning for a business park, and noted that Quincy Lee Properties had sought similar zoning on another tract of land nearby, only last week, without success.

Mrs. Dutmer questioned why one request was denied, and the other recommended for approval.

Mr. Gindy distributed to Council copies of aerial photographs of the property and the adjacent tract, already zoned.

Mr. Hasslocher stated that the Council approved the rezoning of the adjacent tract of land some time ago, and noted that a portion of this general area has been commercialized, as opposed to residential, for a number of years. He stated his opinion that an office park would be good for this tract in question, and spoke to the difference between this property and the Quincy Lee request of last week, noting that the other request involved rezoning to I-1 in a residential area itself, whereas this case has a buffer between in the form of E-3R and Randolph Boulevard. He asked for Council approval of the request.

Ms. Barriozabal noted that both cases were near the Royal Ridge residential subdivision, but were much different in closeness and impact.

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

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Berriozabal, Webb, Dutmer, Wing, Thompson, Alderete, Harrington, Hasslocher; NAYS: None; ASENT: Eureste, Archer, Cisneros.

AN ORDINANCE 57,650

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE SOUTH 75' OF TRACT 22, NCB 14952 FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT AND TRACT 22, NCB 14952, SAVE AND EXCEPT THE SOUTH 75', TRACT 22, NCB 14952, IN THE 6000 BLOCK OF RANDOLPH BOULEVARD, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT PROPER ACCESS AND OFF-STREET PARKING ARE PROVIDED.

\* \* \* \*

37. CASE Z83303 - to rezone Lot 3, Block 9, NCB 11725, in the 1900 Block of Lockhill-Selma Road, from "R-3" Multiple Family Residence District to "O-1" Office District, located on the northeast side of Lockhill-Selma Road being 210' southeast of the intersection of Baltic Drive and Lockhill-Selma Rd. having 108.30' on Lockhill-Selma Road, and a maximum depth of 177.90'.

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

Mr. Joel Rietzer, 118 Algarita, partner, spoke of plans to erect a one-story office building on this site, noting that there were numerous others nearby. He stated that he had spoken with the closest neighbors, and none were in opposition to the request.

Mr. Harrington spoke of his concern that this property might later be put before the Council and Zoning Commission for consideration of E-1 or E-2 business zoning. He stated that he would oppose such a move.

Mr. Harrington moved that the recommendation of the Zoning Commission be approved provided that proper access and off-street parking are provided, and that 13 feet of right-of-way along Lockhill-Selma Road is given in accordance with the Major Thoroughfare Plan. Mr. Archer seconded the motion.

A brief discussion then took place concerning the City staff's opposition to the rezoning request.

Mr. Rietzer distributed photographs of another one-story office building he now occupies, as an example of what is planned for this site.

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

AN ORDINANCE 57,651

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 3, BLOCK 9, NCB 11725, IN THE 1900 BLOCK OF LOCKHILL-SELMA ROAD, FROM "R-3"

MULTIPLE-FAMILY RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT, PROVIDED THAT PROPER ACCESS AND OFF-STREET PARKING ARE PROVIDED, AND THAT 13 FEET OF RIGHT-OF-WAY ALONG LOCKHILL-SELMA ROAD IS GIVEN IN ACCORDANCE WITH THE MAJOR THOROUGHFARE PLAN.

\* \* \* \*

33. CASE 283305 - to rezone Lot 12, Block 1, NCB 14701, in the 5900 Block of Babcock Road, from Temporary "R-1" One Family Residence District to "E-1" Business District, located on the northeast side of Babcock Road, being 2413' northwest of the intersection of Huebner Road and Babcock Road, having 220' on Babcock Road and a depth of 286'.

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

Mr. Jerry Arredondo, 1180 N.W. Loop 410, explained his request, and displayed drawings of the proposed shopping center planned for this site.

Mr. C. W. Bauchman, 5908 Babcock Road, spoke in favor of the request, noting that the area has much R-3 zoning, and business infusion is needed.

Mr. David Held, 6738 Country Swan, stated his belief that there is inadequate business and retail space in the area, and this rezoning is needed.

Mrs. C. W. Bauchman spoke of the need for business infusion into the immediate area.

A representative of the Alamo Farmsteads/Babcock Road Home Owners Association described the zoning in the area, and spoke against the request.

Mrs. Helen Eurstein, 6083 Babcock Road, spoke of Council rejection of similar requests in this area of Babcock Road, and stated her opinion that O-1 would be the most acceptable use of this property to her group, other than residential.

Mr. John Yearling, 6165 Babcock Road, spoke of other business zoning in the area already, and spoke against the request.

Ms. Mary de la Garza, 6045 Babcock Road, spoke in opposition to business zoning at this site.

Mr. Arredondo noted that the planned shopping center requires a E-1 zoning.

Mr. Harrington stated that much speculative activity has taken place of late in this area, and that business-zoned property is available, but at a higher cost than this site, in all probability. He stated that he is not against an O-1 zoning.

In response to a question by Mr. Harrington, Mr. Lee P. Newman, owner of the property concerned, stated that he would prefer an O-1 zoning to denial of the entire case.

Mr. Harrington moved that the recommendation of the Zoning Commission be denied and that O-1 zoning be granted on subject property provided that proper access and off-street parking are provided; that three feet of right-of-way along Babcock Road is dedicated in accordance with the Major Thoroughfare Plan; and that a 6-foot solid screen fence is erected and maintained along the northeast property line. Mr. Alderete seconded the motion.

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Mr. Thompson and Mrs. Dutmer both spoke in support of an O-1 zoning.

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

AN ORDINANCE 57,652

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 12, BLOCK 1, NCB 14701, IN THE 5900 BLOCK OF BARCOCK ROAD, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT, PROVIDED THAT PROPER ACCESS AND OFF-STREET PARKING ARE PROVIDED; THAT THREE FEET OF RIGHT-OF-WAY ALONG BARCOCK ROAD IS DEDICATED IN ACORDANCE WITH THE MAJOR THOROUGHFARE PLAN; AND THAT A 6-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTHEAST PROPERTY LINE.

\* \* \* \*

39. CASE Z83302 - to rezone a .0423 acre tract of land out of Lots 1 & 2, Block 29, NCE 11572, being further described by field notes filed in the Office of the City Clerk, 1842 Bandera Road, from "F" Local Retail District to "B-3" Business District, located on the northeast side of Bandera Road, being 130' southeast of the intersection of Broadview Drive and Bandera Road, having 125' on Bandera Road and a depth of 147.5'.

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

No citizen appeared to speak in opposition.

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

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

AN ORDINANCE 57,653

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 .0423 ACRE TRACT OF LAND OUT OF LOTS 1 AND 2, BLOCK 29, NCB 11572, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 1842 BANDERA ROAD, FROM "F" LOCAL RETAIL DISTRICT TO "B-3" BUSINESS DISTRICT.

\* \* \* \*

83-46 The Clerk read the following Resolution:

A RESOLUTION NO. 83-46-81

AUTHORIZING THE CITY ATTORNEY TO INSTITUTE ALL LEGAL PROCEEDINGS NECESSARY TO OBTAIN RELIEF FOR DAMAGES

SUFFERED BY THE CITY OF SAN ANTONIO IN CONNECTION WITH THE SABINAS STREET BRIDGE AT MARTINEZ CREEK PROJECT.

\* \* \* \*

Mr. Archer moved that the Resolution be approved. Ms. Berriozabal seconded the motion.

Mr. Frank Kiobassa, Director of Public Works, explained that the City recently settled claims with the contractor concerned because of delays in the work caused by problems with the engineering, and stated that the City now seeks to recover these extra costs from the engineer originally awarded the project. He then spoke briefly to details of the project and its delay in completion.

Mr. Thompson spoke of his concern with problems caused by instances of bad workmanship on certain public works projects in his district.

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

- - -  
83-46 The Clerk read the following Ordinance:

AN ORDINANCE 57,496

DESIGNATING A TRACT OF LAND OF APPROXIMATELY EIGHT ACRES KNOWN AS THE HARRIS PROPERTY LOCATED ALONG THE SOUTHSIDE OF I.H. 10, SOUTHWEST OF ITS INTERSECTION WITH ACKERMAN ROAD TO BE ADJACENT TO AN ELIGIBLE PLIGHTED AREA; PROVIDING FOR THE EXTENSION OF THE CITY LIMITS BY THE ANNEXATION OF SUCH TRACT KNOWN AS THE HARRIS PROPERTY, FURTHER PROVIDING FOR THE EXTENSION OF THE CITY LIMITS BY THE ANNEXATION OF APROXIMATELY TWENTY-EIGHT AND ONE-HALF (28.5) ACRES OF LAND ADJACENT TO AND IMMEDIATELY EAST OF THE HARRIS PROPERTY ALONG THE SOUTHSIDE OF I.H. 10, SOUTHEAST OF ITS INTERSECTION WITH ACKERMAN KNOWN AS THE PETRO STOP PROPERTY; AND APPROVING SERVICE PLANS FOR BOTH THE HARRIS PROPERTY AND THE PETRO STOP PROPERTY.

\* \* \* \*

Mrs. Dutmer moved that the Ordinance be approved. Mr. Archer 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, Thompson, Alderete, Archer; NAYS: None; ASENT: Harrington, Hasslocher, Cisneros.

- - -  
83-46 The Clerk read the following Ordinance:

AN ORDINANCE 57,654

AUTHORIZING ACCEPTANCE OF GRANT AWARD FROM THE GOVERNOR'S OFFICE CRIMINAL JUSTICE DIVISION IN THE AMOUNT OF \$24,683 TO OPERATE THE JUVENILE

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RESTITUTION PROJECT/1, ESTABLISHING A BUDGET,  
PERSONNEL POSITIONS, AND AUTHORIZING A CONTRIBUTION  
FROM THE GENERAL FUND.

\* \* \* \*

Mr. Thompson moved that the Ordinance be approved. Mr. Archer seconded the motion.

In response to a question by Mrs. Dutmer, Mr. Louis J. Fox, City Manager, briefly explained the Juvenile Restitution Project.

Mr. Thompson provided a detailed explanation of the program, noting also that County Courts-at-Law now are utilizing the Alternative Sentencing Program first used by the City two years ago in Municipal Court. He noted that this program today allows offenders to pay back some of their debt to society in restitution.

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

83-46 The Clerk read the following Ordinance:

AN ORDINANCE 57,655

AUTHORIZING EXECUTION OF AGREEMENTS WITH THE METROPOLITAN PLANNING ORGANIZATION FOR THE CITY TO PERFORM CERTAIN TRANSPORTATION PLANNING TASKS IN THE SAN ANTONIO/REXAR COUNTY TRANSPORTATION PLANNING AREA'S 1983/84 UNIFIED WORK PROGRAM.

\* \* \* \*

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

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

83-46 Agenda Item 45, being a discussion on and consideration of an Ordinance approving City/County contracts for library, health and Emergency Medical Services, was withdrawn from consideration.

83-46 The Clerk read the following Ordinance:

AN ORDINANCE 57,656

AUTHORIZING THE SETTLEMENT OF CAUSE NO. 83-CA-177 STYLED ROY G. COONS V. CITY OF SAN ANTONIO, ET AL; IN THE UNITED STATES DISTRICT COURT, WESTERN DISTRICT OF TEXAS.

\* \* \* \*

Mrs. Dutmer moved that the Ordinance be approved. Mr. Thompson seconded the motion.

After consideration, the motion, carrying with it the passage of

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the Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Hasslocher; NAYS: Archer; ASENT: Harrington, Cisneros.

- - -  
83-46 TRAVEL AUTHORIZATION - Granted:

Council member Maria Antonietta Berriozabal to travel to Merida, Yucatan, September 30 - October 5, 1983 at the invitation of the Governor of Merida to participate as the City of San Antonio representative during a tribute to Mr. Mateo Camargo.

\* \* \* \*

- - -  
83-46 DISCUSSION-SIDE AND REAR YARD SETBACKS

Mr. Thompson stated that a problem exists with construction on smaller residential lots platted prior to 1965, in that the side and/or rear yard setback requirements of the City of San Antonio prohibit residences from being constructed on these lots because of their small nature, and that it requires an expenditure of at least \$150 to take a case for request of variance before the Zoning Board of Adjustment, an investment difficult to make by some citizens. He stated his belief that this is unfair to residents, and asked that City staff be instructed through the City Manager to investigate the matter and come forth with recommendations to solve this problem.

Mrs. Dutmer spoke in agreement with the request.

Mr. George Gutierrez, Assistant Director of Building Inspections, spoke to the procedures that now must, by law, be followed in this area.

Mr. Louis J. Fox, City Manager, stated that the staff will consider this matter and report back to the City Council at a future "B" Session.

Mr. Harrington stated his agreement that some just consideration be given to owners of these older, smaller residential lots.

Ms. Berriozabal spoke of her concern with construction of buildings or other permanent structures too close to others, then spoke of her agreement with the proposed staff study.

A discussion then took place concerning the study, and general agreement was reached for the "B" Session report from City staff in three weeks.

Mr. Thompson moved that City staff study the matter and make a recommendation of a possible solution at "B" session in three weeks. Mr. Archer 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, Thompson, Alderete, Harrington, Archer; NAYS: None; ASENT: Hasslocher, Cisneros.

- - -  
83-46 TRAVEL AUTHORIZATIONS - Granted:

Councilman Joe Webb to travel to Zurich, Switzerland October 13-21, 1983 to attend a trade conference.

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Councilman Van Henry Archer to travel to Zurich, Switzerland October 9-23, 1983 to attend an international trade conference.

\* \* \* \*

Councilman Bernardo Eureste to travel to Zurich, Switzerland October 12-23, 1983 to attend a trade conference.

\* \* \* \*

83-46 The Clerk read the following Ordinance:

AN ORDINANCE 57,657

ACCEPTING THE LOW BID OF E. RUIZ DEMOLITION FOR THE DEMOLITION OF A STRUCTURE AT 243 MADISON AT A COST OF \$5,850.00; AMENDING CITY ORDINANCE NO. 56876 PASSED AND APPROVED BY CITY COUNCIL ON APRIL 28, 1983, BY EXCLUDING THAT PART OF THE CONTRACT FOR THE DEMOLITION OF 243 MADISON; AND APPROVING PAYMENT FOR THE ABOVE DEMOLITION FROM THE 1983/84 GENERAL FUND APPROPRIATIONS.

\* \* \* \*

Mrs. Dutmer moved that the Ordinance be approved. Mr. Thompson seconded the motion.

Mr. Thompson spoke of his concern that material from demolished buildings and other debris is being illegally dumped in various areas of the City and county.

Mr. George Gutierrez, Assistant Director of Building Inspections, stated that contractors who demolish buildings and other such work must first secure a permit from the City to dump those materials in a City landfill.

A discussion then took place concerning the possible ways to tracking illegal dumping and prosecuting those who do so.

Mr. Louis J. Fbx, City Manager, stated that he would ask the Police Department officers to be more aware of this problem and also to cite those who illegally dump refuse.

In response to a question by Mr. Alderete, Mr. Gutierrez briefly explained the procedures to be followed in the demolishing of a building legally, noting that Municipal Court is the proper avenue to cite offenders. He further noted that illegal dumpers also must be caught in the actual act of illegally dumping refuse, in order to be successfully prosecuted.

Ms. Berriozabal provided facts concerning the demolition of the building at 243 Madison, noting that it burned more than a year ago, but action is just now taking place to tear it down. She stated that this is too long, and asked City staff to report on this problem and possible solutions.

Mr. Tom Finlay, Acting City Attorney, stated that in this particular case, the property owner secured a judgment to keep the City from demolishing this building, gutted by fire.

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

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83-46 The Clerk read the following Ordinance:

AN ORDINANCE 57,658

ADOPTING NEW REGULATIONS CONCERNING LITTERING, GLASS BEVERAGE CONTAINERS AND THE USE OF THE ISLAND AREA AND THE JOGGING TRAILS AT WOODLAWN PARK, AND PROVIDING A PENALTY OF A \$200.00 FINE.

\* \* \* \*

Mr. Alderete moved that the Ordinance be approved. Mr. Eureste seconded the motion.

Mr. Eureste amended the motion to include Elmendorf Lake with regard to banning glass beverage containers. Mrs. Dutmer seconded the motion.

Other Council members expressed their concern with Lions Park Lake and McAllister Park.

In reply to a question by Mayor Pro Tem Wing, Mr. Ron Darner, Director of the Parks & Recreation Department, stated that once an Ordinance is established, the City is obliged to enforce it and this particular one may be difficult to enforce. He added that he recommended to the Council that rather than including other parks in this Ordinance only Woodlawn Park be included on a trial basis and results of the Ordinance's effectiveness be brought back to the Council.

Mr. Tom Finlay, Acting City Attorney, stated that the amendment was illegal as the proposed Ordinance that was posted listed Woodlawn Park only. Mr. Finlay further stated that consideration for passage of a similar Ordinance for the other three parks could be presented to the Council the next week.

In reply to a question by Mr. Archer, Mr. Darner explained the types of glass containers that would be banned from the park.

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

Mr. Eureste moved that an Ordinance banning glass beverage containers at Elmendorf Park, Lions Field Lake and McAllister Park be brought before the Council at next week's meeting. Mr. Hasslocher seconded the motion.

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

83-46 The Clerk read the following Ordinance:

AN ORDINANCE 57,659

AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE SAN ANTONIO POLICE OFFICERS' ASSOCIATION AMENDING THE PRESENT COLLECTIVE BARGAINING AGREEMENT CONCERNING SENIORITY AND HOURS OF WORK.

\* \* \* \*

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

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Mr. Skip Noe, Assistant to the City Manager, spoke to some of the provisions of the agreement.

In response to a question by Mr. Alderete, Mr. Noe stated that this is the first time the four-day-week, ten-hours-per-day patrol will be used for the power shift which will work during peak periods.

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

- - -  
83-46

CITY MANAGER'S REPORT

Mr. Louis J. Fox, City Manager, advised the Council that the City Public Service Board had requested that discussion on their proposed rate increase be placed on next week's agenda. He added that he had requested that analysis of the rate request be submitted to the City prior to discussion as a rate increase is affected by the issue of refunding. He stated that the report had not as yet been received and he recommended that an increase not be allowed until the City receives this analysis.

Mr. Eureste moved that the date for discussion of the City Public Service rate increase be set and determined by the City Council. Mrs. Dutmer seconded the motion.

Mr. Marcus Jahns, Assistant City Manager, stated that it is his understanding that City Public Service already had a draft of the report but it has not been submitted to the City for review.

Mr. Thompson added that the Council should not rush into a rate increase but rather should study the request carefully.

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

- - -  
83-46

FIRE HAZARD

Mrs. Dutmer noted that the owners of a house immediately adjacent to the parking lot behind Roy Barrera's law office, behind Presa and Nueva Streets, trimmed some hackberry trees and put the limbs in the back lot. She added that they have since dried up and are a serious fire hazard especially in such a high density area.

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83-46 The meeting was recessed at 3:46 P.M. and reconvened at 5:00 P.M. for Citizens to be Heard.

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CITIZENS TO BE HEARD

THE ADVOCATES DISCUSSION

Mrs. Laura Juarez, 1007 Lamar Street, stated that she would also be speaking on behalf of three other employees of the social service agency, The Advocates. These employees being Janet Gleason, Yolanda Martinez and Ernest Huizar, Jr. She said that they had presented grievances to their Executive Director and that the Director had not handled their grievances properly.

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At this point, Mr. William Donahue, Assistant City Manager, stated that this is really an internal problem; however, these employees had met with Mr. Eureste and Mr. Eureste had offered a means of resolving this issue. The employees had seemed to be in agreement with the compromise. He then briefly outlined the proposal which asked the Executive Director to allow these employees the opportunity to return to the agency for a 30 day period. During this 30 day period, Mr. Kevin Moriarty, Director of Human Resources, would monitor the activities of the agency on a daily basis. He will also review with The Advocates' staff, Board and Executive Director the personnel policies of the agency. The City will also receive and be receptive to any verifiable documented affidavits of alleged wrongdoings. The 30 day period will also allow the agency to operate without interruption to the services they provide, and will allow the City a better opportunity to make an intelligent decision. Mr. Donahue also stated that while the City doesn't have the authority to force the compromise, it can urge that the agency accept the proposal. He is not prepared to recommend that the City discontinue funding to the agency at this time.

A discussion also took place on what the situation of the agency will be if the allegations are either proven true or false.

Mayor Pro Tem Wing then called on the next speaker to be heard, which was Mrs. Frances Cadena, Board President of The Advocates.

Mrs. Cadena stated that the employees which had appeared earlier in the discussion had bypassed the Board and had not come to them with these problems. She stated that these four people were not fired; they walked off their jobs and did not follow proper grievance procedures.

The following persons then spoke on behalf of The Advocates:

Mr. Don B. Montemayor  
Mrs. Matilde Ruiz  
Mrs. C. W. White

Mrs. Yolanda Martinez stated that she had been working for The Advocates. She spoke about her experiences at the agency and alleged wrongdoings that she would not adhere to.

Mrs. Dutmer stated that the compromise offered sounded fair.

Mr. Eureste stated that the spirit of the compromise is to bring about corrections at the agency. He also stated that these employees had met with him and he had recommended that they return to work. He had spoken to Mr. Charlie Mata, Executive Director, who advised him that these employees were not fired. Mr. Eureste stated that instead of returning to work, they went to the media with their statements and had accused him of taking sides. Mr. Eureste also stated that if the employees do not return to work, Mr. Mata had the right to fire them. He further stated that they need to abide by the rules of the agency.

\* \* \* \*

#### FERRET DISCUSSION

Mr. Frank Flowers, of the Critterville Pet Shop, stated that they were not given proper attention at the last meeting they had attended of the City Council, and felt that their concerns were not addressed. He then distributed literature to the Council on ferrets and read from the minutes of the last Council meeting on this same subject. Mr. Flowers stated that false statements were made at this meeting by Dr. Hickey.

Mr. Michael Kuhne stated that ferrets are not wild animals and spoke about his concerns if the City ordinance is allowed to stand.

Mr. Michael James also spoke on behalf of amending the City ordinance prohibiting the keeping of ferrets within the City limits.

\* \* \* \*

MRS. MARGARITA ORTA

Mrs. Margarita Orta spoke in Spanish about the creation of a new social service agency the Wolverine Auxiliary of which she is the director. She stated that she wanted to make sure the Council was aware that she had never wanted to take money away from The Advocates as was alleged earlier. She stated that there are many problems with that agency, however, she never had made those problems public.

\* \* \* \*

REPORT BY THE SAN ANTONIO HOUSING AUTHORITY

Mr. William Donahue, Assistant City Manager, stated that Mr. Frank E. Hornsby, Jr., Deputy Executive Director, of the San Antonio Housing Authority was present in the audience to report to the Council with regard to the discussion held at last week's Citizens to be Heard session and the problems expressed by Mrs. Janie Adame. Mr. Hornsby reported that Mrs. Adame's house had been checked by the Bexar Metropolitan Water District for water leaks, as well as City Public Service for gas leaks. They had advised Mrs. Adame that there were no leaks, and it would be safe for her to turn on the hot water heater. However, Mrs. Adame stated that she was still not convinced. Mr. Hornsby stated he would have the owner provide a certified licensed plumber to check out the situation and supply Mrs. Adame with a statement that there are no leaks. He also stated that the owner was advised to correct some minor repairs.

\* \* \* \*

MRS. GREGORIA TRUJILLO

Mrs. Gregoria Trujillo spoke in Spanish of an incident she had experienced with a police officer. At this point, a memorandum was presented to the City Council by the City Manager's staff, a copy of which is on file with the papers of this meeting.

A discussion then took place on this case and Mrs. Trujillo was advised that she had lost the suit she had filed against the City, however the City was now trying to collect on any summary judgement.

Tom Finlay, Assistant City Attorney, stated that Mr. Steve Arronge, with the City Attorney's Office, had stated that there were no fees to be collected from Mrs. Trujillo for the City. There was also another case involving the police officer whom Mrs. Trujillo sued. It was determined after reading the summary judgement Mrs. Trujillo had with her that it was indeed the private case where she is asked to pay the fees.

The City Council then advised Mrs. Trujillo that this is a private matter between herself and the police officer.

\* \* \* \*

MRS. JANIE ADAME

At this point, Mrs. Adame, who had not been present earlier in the meeting and did not hear Mr. Frank Hornsby's report was allowed to speak to the City Council.

Mrs. Adame stated that she is very concerned about the situation at her home. She has five children and they do not have hot water. Mayor Pro Tem Wing explained that Mr. Frank Hornsby had reported on this issue and briefly reported on his findings. Mrs. Adame took exception to the report and stated that she disagreed with it. The Council then asked Mrs.

Agame to meet with Mr. Donahue on the contents of the report and also advised her that she may be more at ease if the San Antonio Housing Authority finds her another residence.

\* \* \* \*

FERRETT DISCUSSION (CONTINUED)

In response to Mr. Flowers, Mayor Pro Tem Wing stated that the City Council does not want to change the present City ordinance on ferrets, and the only way to change it is to obtain the necessary six votes of the City Council.

\* \* \* \*

There being no further business to come before the City Council, the meeting was adjourned at 6:45 P.M.

A P P R O V E D

*Henry Cisneros*  
M A Y O R

ATTEST: *Norma S. Rodriguez*  
C I T Y C L E R K