

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, FEBRUARY 3, 1983.

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The meeting was called to order at 1:00 P.M. by the Mayor Pro Tem Frank Wing, in the temporary absence of the Mayor, with the following members present: BERRIOZABAL, WEBB, DUTMER, WING, EURESTE, THOMPSON, ALDERETE, HARRINGTON, ARCHER, HASSLOCHER, CISNEROS. Absent: NONE.

83-05 The invocation was given by Reverend Hollier Tomlin from Christ Episcopal Church.

83-05 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

(At this point, Mayor Cisneros entered the meeting and presided.)

83-05 MR. HAROLD M. FREEMAN

Mayor Cisneros introduced Mr. Harold M. Freeman and spoke of his many contributions to the City of San Antonio. He noted that he was instrumental in bringing the Live Stock Show to San Antonio.

Mayor Cisneros read the following Proclamation:

This extraordinary City earned its position among America's unique cities because of the many contributions made in the past by special people like you. Our present City is nothing more and nothing less than the sum of all these efforts.

The members of the City Council would like to commend you for your extraordinary service to the Community. Your efforts and those of other prominent members of our community brought the Live Stock Show to San Antonio in 1949, and added to the enjoyment and entertainment of our citizens. Throughout the years of service you have found the time to serve as President of Boysville, Board Member of the Mission Road School Rehabilitation Center, and member of the Prime Minister Club of Israel.

At this time, the Mayor and City Council call to the attention of all the citizens of San Antonio your very important contributions and hereby proclaim you as

"BENEFACTOR DE LA COMUNIDAD"

The Community owes you a great debt of gratitude. You should always take great pride in knowing that you have joined the ranks of all eminent San Antonians who have made this City such an exceptional place with such a bright future.

Mayor Cisneros invited the Council to assist him in making the presentation of the Proclamation to Mr. Freeman.

Ms. Amy Freeman Lee, Mr. Harold Freeman's niece, speaking on

behalf of her uncle and the Freeman family, thanked the City Council for this honor and spoke of the family's love for San Antonio.

83-05

MRS. LYNDA GAIL WHITE

Mayor Cisneros introduced Mrs. Lynda Gail White, who is in San Antonio in connection with Vocational Education Week. He noted that this was Mrs. White's first visit to a city in Texas as the State's First Lady. Mayor Cisneros further stated that Mrs. White had chosen to work, in her capacity as First Lady, for an increased awareness of the benefit of vocational education.

Mayor Cisneros then read the following Proclamation:

WHEREAS, the Congress of the United States, the State of Texas, and the City of San Antonio have recognized the growing and imperative need for vocational education and have provided broader concepts of vocational career and manpower education to prepare individuals for the world of work, and

WHEREAS, the American Vocational Association, by representative assembly has established the second week of February as "National Vocational Education Week" and is supported by Texas Vocational Groups in this endeavor, and

WHEREAS, that week in February has been set aside by proclamation of the Governor of Texas as National Vocation Education Week, and

WHEREAS, vocational education serves secondary and post-secondary school youth, as well as adults assisting them to determine and reach their occupational goals.

NOW, THEREFORE, I, HENRY CISNEROS, Mayor of the City of San Antonio, in recognition thereof, do hereby proclaim February 6 - 12, 1983, as

"NATIONAL VOCATION EDUCATION WEEK"

in San Antonio, Texas, and I urge all citizens to visit their local schools and vocational programs thereby making themselves better acquainted with the services offered by these institutions to benefit each citizen.

Mayor Cisneros invited the Council to assist him in making the presentation to Mrs. White and introduced each of the City Council members to her.

Mayor Cisneros recognized members of Mrs. White's delegation, among them, Mayor Emeritus Lila Cockrell, several representatives of school districts and other representatives of the City.

At this time, Mayor Cisneros read a Proclamation making Mrs. White an Alcalde de La Villita and presented it to her.

Mrs. White thanked the City Council for the honor and for affording her the opportunity to speak on the importance of vocational education. She noted that she would welcome ideas and suggestions on how to best serve the citizens of the State.

There being no further business to come before the Council, the meeting was adjourned at 6:00 P.M.

Mayor Cisneros introduced Mr. Oscar Powell, City employee with the Personnel Department, and Mr. Tom Williams, Executive Director of the San Antonio Blood Bank.

Mr. Williams presented Mr. Powell with the Sara Altman Award for his extensive volunteer work with the Blood Bank. He noted that this award is presented annually by the San Antonio Blood Bank for outstanding achievement by an individual.

Mayor Cisneros congratulated Mr. Powell and spoke of the honor he had brought to the City of San Antonio when he received the award at a State presentation.

Several members of the Council individually congratulated Mr. Powell and thanked him for his hard work.

In addition, Mr. Archer commented that when an individual donates a pint of blood to the Blood Bank, his entire family is covered for the next 12 months in the event that any member of the family needs blood.

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83-05 The minutes of the meeting of January 20, 1983 were approved.
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83-05 CONSENT AGENDA

Mrs. Dutmer moved that items 5 - 34 constituting the consent agenda be approved with the exception of items 27 and 30 to be pulled for individual consideration. Mr. Webb seconded the motion.

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

AN ORDINANCE 56,463

ACCEPTING THE LOW BID OF ALL MAKES OFFICE EQUIPMENT TO FURNISH THE CITY OF SAN ANTONIO WITH CALCULATORS FOR A TOTAL OF \$8,078.98.

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AN ORDINANCE 56,464

ACCEPTING THE LOW BID OF THE STREETERAMET DIVISION OF THE MANGOOD CORPORATION TO FURNISH THE CITY OF SAN ANTONIO WITH A VEHICLE VOLUME COUNTING SYSTEM FOR A TOTAL OF \$11,980.00.

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AN ORDINANCE 56,465

ACCEPTING THE LOW BID OF UNIFORMS OF TEXAS, INCORPORATED, TO FURNISH THE CITY OF SAN ANTONIO WITH AN ANNUAL CONTRACT FOR SAFETY SHOES FOR AN ESTIMATED COST OF \$4,500.00.

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AN ORDINANCE 56,466

ACCEPTING THE LOW BID OF GRAPHIC ARTS TO FURNISH THE CARVER COMMUNITY CENTER WITH A PRINTING SERVICE FOR

THE PUBLICATION OF EVENTS FOR AN ESTIMATED COST OF \$14,474.40

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AN ORDINANCE 56,467

ACCEPTING THE PROPOSAL OF SUNLAND BOOKS TO FURNISH THE CITY OF SAN ANTONIO WITH OUT OF PRINT BOOKS FOR A TOTAL OF \$7,765.74.

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AN ORDINANCE 56,468

ACCEPTING THE PROPOSAL OF QUALITY BOOKS, INCORPORATED, TO FURNISH THE CITY OF SAN ANTONIO WITH OUT OF PRINT BOOKS FOR A TOTAL OF \$4,316.10 PLUS SHIPPING AND HANDLING.

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AN ORDINANCE 56,469

ACCEPTING THE LOW BID OF JAHN DENTAL SUPPLY TO FURNISH THE CITY OF SAN ANTONIO WITH DENTAL EQUIPMENT FOR A TOTAL OF \$3,024.50.

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AN ORDINANCE 56,470

ACCEPTING THE LOW BIDS OF I.C.M. OF SAN ANTONIO AND THE PLANK COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH HYDRAULIC SHORING FOR A TOTAL OF \$15,928.00.

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AN ORDINANCE 56,471

ACCEPTING THE LOW BID OF OZALID CORPORATION TO FURNISH THE CITY OF SAN ANTONIO WITH A BLUELINE PRINTER FOR A TOTAL OF \$12,682.50.

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AN ORDINANCE 56,472

ACCEPTING THE LOW BIDS OF AMERICAN BUSINESS FORMS, INCORPORATED, VANIER GRAPHICS, MOORE BUSINESS FORMS, STANDARD REGISTER COMPANY, TRINITY FORMS COMPANY, AND WALLACE COMPUTER SERVICES TO FURNISH THE CITY OF SAN ANTONIO WITH CONTINUOUS COMPUTER FORMS FOR A TOTAL OF \$18,839.10.

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AN ORDINANCE 56,473

ACCEPTING THE LOW BID OF ALLIED COLLOIDS TO FURNISH THE CITY OF SAN ANTONIO WITH AN ANNUAL CONTRACT FOR LIQUID POLYMER FOR AN ESTIMATED TOTAL OF \$230,485.00.

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AN ORDINANCE 56,474

ACCEPTING THE LOW QUALIFIED BID OF JOHN H. SOROLA, INCORPORATED TO FURNISH THE CITY OF SAN ANTONIO WITH

BRUSH CUTTERS AND CHAIN SAWS FOR A TOTAL OF \$9,238.00.

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AN ORDINANCE 56,475

AUTHORIZING EXECUTION OF A CONTRACT WITH PAPE-DAWSON, CONSULTING ENGINEERS, FOR ENGINEERING DESIGN FOR THE PANTHER SPRINGS CREEK OUTFALL SEWER PROJECT AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 56,476

ACCEPTING THE BID OF OLMOS EQUIPMENT COMPANY IN THE AMOUNT OF \$121,184.95 FOR RECONSTRUCTION OF BOEHMER AVENUE, APPROVING A CONTRACT AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 56,477

APPROPRIATING AN ADDITIONAL \$160.35 AND AUTHORIZING PAYMENT TO M.W. CUDE & ASSOCIATES FOR CONSTRUCTION SUPERVISION ON THE ZUYLEN SUBDIVISION OFF-SITE SANITARY SEWER MAIN.

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AN ORDINANCE 56,478

ACCEPTING THE PROPOSAL OF AND AUTHORIZING PAYMENT TO REHLER, VAUGHN, BEATY & KOONE, INC. FOR HEMISFAIR ARCHITECTURAL SERVICES.

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AN ORDINANCE 56,479

AUTHORIZING EXECUTION OF JOINT USE AGREEMENTS AND UTILITY AGREEMENTS WITH THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION FOR INCLUSION OF NECESSARY SANITARY SEWER WORK IN CONNECTION WITH THE DOWNTOWN Y PROJECT.

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AN ORDINANCE 56,480

AUTHORIZING PAYMENT OF \$1,539.93 IN FINAL SETTLEMENT FOR ARCHITECTURAL SERVICES BY HERB OLSON, INC., ON THE VILLA CORONADO PARK RECREATION-CENTER PROJECT.

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AN ORDINANCE 56,481

APPROVING THE PRICE AND CONDITIONS OF THE SALE BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF PARCEL IP-6C, CONTAINING APPROXIMATELY 52,065 SQUARE FEET, LOCATED WITHIN THE VISTA VERDE SOUTH URBAN DEVELOPMENT ACTION GRANT PROJECT TO MAURICE A. ROSENSTEIN.

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AN ORDINANCE 56,482

GRANTING A LICENSE TO MIDCAP BEARING CORPORATION TO INSTALL AND MAINTAIN A COMMON TELEPHONE SYSTEM BETWEEN ITS BUILDINGS LOCATED IN NEW CITY BLOCKS 808 AND 809.

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AN ORDINANCE 56,483

AUTHORIZING THE LEASING OF THREE CITY OF SAN ANTONIO OWNED PARCELS OF LAND; TWO TO PARENT-CHILD, INC.--FOR HEADSTART PROGRAM ACTIVITIES AND ADMINISTRATIVE OFFICES; AND ONE TO ELLA AUSTIN COMMUNITY CENTER FOR SOCIAL SERVICE ACTIVITIES, EACH FOR \$1.00 PER YEAR.

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AN ORDINANCE 56,484

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 56,485

AUTHORIZING PAYMENT OF REFUNDS TO PERESONS MAKING OVERPAYMENTS OR DOUBLEPAYMENTS ON ONE HUNDRED SIX TAX ACCOUNTS.

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AN ORDINANCE 56,486

AMENDING CHAPTER 38 (TRAFFIC REGULATIONS) OF THE CITY CODE SETTING FORTH LOCATIONS AT WHICH ELECTRONIC TRAFFIC CONTROL SIGNALS ARE IN FULL OPERATION; DESIGNATING ONE WAY STREETS; DESIGNATING STOP SIGN LOCATIONS; PROHIBITING PARKING AT ALL TIMES ON CERTAIN STREETS; AND PROVIDING THAT VIOLATIONS HEREOF BE PUNISHABLE BY A FINE OF NOT LESS THAN \$1.00 NOR MORE THAN \$200.00.

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AN ORDINANCE 56,487

AUTHORIZING EXECUTION OF AN AGREEMENT WITH ALLEN McDOUGALL TO SERVE AS TECHNICAL SUPERVISOR FOR THE POLICE DEPARTMENT ALCOHOL BREATH TEST PROGRAM.

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AN ORDINANCE 56,488

RESCINDING SECTION 1 OF ORDINANCE 53023 WHICH AUTHORIZES THE ACQUISITION OF CERTAIN PROPERTY BY THE CITY AND HEALTH, INC., AND REVISING SECTION 2 TO ALLOW THE RENOVATION OF THE EXISTING HEALTH, INC. FACILITY.

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AN ORDINANCE 56,489

AUTHORIZING THE CITY'S PARTICIPATION WITH OTHER

TEXAS CITIES IN THE NEW YORK FILM BLITZ, A TOURISM AND CONVENTION PROMOTION FOR FILM PRODUCERS IN NEW YORK CITY ON FEBRUARY 10, 1983 WITH THE CITY ACTING AS THE PROJECT'S TRUSTEE; ESTABLISHING A TRUST FUND AND AUTHORIZING EXPENDITURES.

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AN ORDINANCE 56,490

APPROPRIATING \$16,750.00 AND AUTHORIZING PAYMENT THEREOF FOR EMERGENCY REPAIRS TO THE HONEYWELL CLIMATE CONTROL SYSTEM AT THE CONVENTION CENTER.

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83-05 The Clerk read the following Ordinance:

AN ORDINANCE 56,491

APPROPRIATING THE SUM OF \$5,799.00 IN THE MID CITY GARAGE CONSTRUCTION FUND NO. 53-004 FOR RELOCATION EXPENSES AND AUTHORIZING PAYMENT OF \$3,251.75 TO THE SAN ANTONIO DEVELOPMENT AGENCY FOR THE RELOCATION EXPENSES OF JACK IN THE BOX FROM 234 EAST HOUSTON STREET.

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

Mr. Archer spoke about his concern with regard to the fencing around the New Moore Building.

Mr. Frank Kiolbassa, Director of Public Works, stated that difficulty encountered in the staging area at the New Moore Building would not be encountered at this site because, unlike the New Moore Building, this building is being demolished.

Ms. Berriozabal expressed interest on the accessibility of the Mid City Garage.

Mr. Kiolbassa stated that this Ordinance will allow for the relocation of some of the occupant businesses on the properties being acquired for the Mid City Garage and that the City Council will have the opportunity to review final plans for this garage.

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

83-05 The Clerk read the following Ordinance:

AN ORDINANCE 56,492

AUTHORIZING THE ACCEPTANCE OF AN HHS GRANT FOR THE HEADSTART EARLY CHILD CARE PROGRAM - YEAR 5 IN THE AMOUNT OF \$2,310,454.00; AUTHORIZING THE ESTABLISHMENT OF ACCOUNTS FOR THE PROGRAM; AUTHORIZING A PERSONNEL COMPLEMENT; AUTHORIZING THE ACCEPTANCE OF ANY SUPPLEMENTAL GRANTS FOR THE HEADSTART PROGRAM DURING THE PROGRAM - YEAR 5; AND AUTHORIZING AN AGREEMENT WITH PARENT-CHILD, INC., TO OPERATE THE PROGRAM.

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

Ms. Berriozabal spoke of the Headstart Early Child Care Program as one of the most outstanding programs in the City and noted that it had survived federal budgetary cuts.

In response to questions asked by Ms. Berriozabal, Mr. Kevin Moriarty, Director of Human Resources, noted that services would continue at the current level for the next fiscal year and that in order for services to expand, additional grants would need to be secured from other sources.

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

ZONING HEARINGS

35. CASE 8649 P.P. - to rezone Parcels P-1, P-1B, and P-3, NCB 15670, 17427 San Pedro Avenue (U.S. Hwy. 281) from Temporary "R-1" Single Family Residential, Edwards Recharge Zone District to "R-3" Multiple Family, Edwards Recharge Zone District, located on the westside of San Pedro Avenue, being approximately 2000' south of the intersection of F.M. 1604, and San Pedro Avenue, having 911.2' on San Pedro and a depth of 1000'.

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 a six foot solid screen fence is erected and maintained along the northwest property line, and that the applicant work with the Aquifer Protection Office to insure that they meet all the requirements imposed by the Texas Water Quality Board. Mrs. Dutmer seconded the motion.

Mr. Andy Guerrero, Planner II, stated that of the 20 notices mailed out to the surrounding property owners, six were returned in opposition and one was returned in favor. Mr. Guerrero added that action on the case has previously been postponed to obtain preliminary approval from the Texas Water Resources.

Mr. John McCarty, President of General Western, the proponent, noted action had been postponed by Council partly because of a sinkhole on the property and its possible danger to the Edwards Aquifer.

Mr. Gene Dawson, Pape-Dawson Consulting Engineers, noted that the environmental problem on this property had been solved about six months ago. He presented a map of the area and noted that the proposed development on the 20 acre tract of land will consist of 284 apartment units with a density of 14 units per acre. He noted that the Texas Water Resources has given preliminary approval.

Mr. Skip Francis, District Supervisor of the Department of Water Resources, stated that preliminary approval has been given only to the concept and that the final plans have not been approved.

In response to a question by Mr. Hasslocher, Mr. Francis stated that he was not opposed to the requested rezoning since final approval would still have to come from the Department of Water Resources.

Mrs. Dutmer spoke in support of the rezoning stating that a series of dams would be built to protect the Edwards Aquifer.

Mr. Webb stated that the City Council should concern itself with the magnitude of this sinkhole. He noted that although this zoning would be less intensive than other zoning, he would personally prefer to see nothing built on the aquifer.

In response to a question by Mr. Alderete, Ms. Deborah Duncan, Aquifer Protection Office, stated that the procedure used to protect the aquifer with relation to this zoning case is being used with all requests to build over the Edwards Aquifer.

Mr. Alderete stated that he felt maximum protection has been afforded on this case and suggested that all cases over the aquifer be handled in the same manner.

In response to a question by Mr. Alderete, Mr. Roland Lozano, Director of Planning, stated that the Planning Department could assure that preliminary concepts be presented to the City Council before zonings are approved on any cases dealing with the Edwards Aquifer.

Mr. Alderete amended the motion to state that the process developed by the staff be followed for all critical and sensitive cases over the Recharge Zone. Mrs. Dutmer seconded the motion.

Mr. Marvin Brown, who lives adjacent to the stated property, was concerned with possible devaluation of his property. He asked for more specifics on the proposed development.

Mr. Bill McDowell, Pape-Dawson Engineers, described the proposed development.

Ms. Berriozabal spoke in favor of the amendment.

The amendment, to follow the process developed by staff when considering critical and sensitive cases over the Recharge Zone, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Harrington, Hasslocher, Cisneros; NAYS: None; ABSENT: Archer.

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

AN ORDINANCE 56,493

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 PARCELS P-1, P-1B, AND P-3, NCB 15670, 17427 SAN PEDRO AVENUE (U.S. HWY 281 NORTH), FROM TEMPORARY "R-1" ERZD SINGLE-FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "R-3" ERZD MULTIPLE-FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT, PROVIDED THAT A 6-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTHWEST PROPERTY LINE, AND THAT THE APPLICANT WORK WITH THE AQUIFER PROTECTION OFFICE TO INSURE THAT THEY MEET ALL THE REQUIREMENTS IMPOSED BY THE TEXAS WATER QUALITY BOARD.

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36. CASE 8994 - to rezone a 16.662 acre tract of land out of NCB 12174, being further described by field notes filed in the Office of the City Clerk, 1002 Holbrook Road, from "R-3" Multiple Family Residence District to "P-1(R-3)" Planned Unit Development, Multiple Family Residence

District, located on the east side of Holbrook Road, being approximately 289' northwest of the intersection of Rittiman Road and Holbrook Road, having 355.79' along Holbrook Road and an approximate depth of 1,117'.

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 stated that he recently toured the site and neighbors are still concerned about the requested rezoning.

Mr. Hasslocher stated that due to the problems in this neighborhood, he would like the opportunity to speak to the proponent, Mr. Joe Mangione. Since Mr. Mangione was not in attendance, Mr. Hasslocher moved for a 30 day postponement on this case. Mr. Thompson seconded the motion.

On voice vote, the motion to postpone was approved by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Hasslocher, Cisneros; NAYS: None; ABSENT: Harrington, Archer.

Case 8994 was postponed.

27. CASE 283002 - to rezone Lot 18, Block 5, NCB 7447, 6227 W. Commerce Street, from "C" Apartment District to "B-3R" Restrictive Business District, located on the northside of W. Commerce Street being 119.5' west of the intersection of Hortencia Street and Commerce Street, having 124.5' on W. Commerce and a depth of 350'.

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.

In reply to a question by Mr. Alderete, Mr. Arturo Vasquez, 119 Odessa, the proponent, stated that he is in the construction business and he plans to enclose all the equipment he keeps on this property. He noted that a six-foot privacy fence will be installed around the property.

Mr. Alderete moved that the recommendation of the Zoning Commission be approved provided that the applicant work with the Traffic Engineering Division for proper ingress and off-street parking, and that 25 feet of right-of-way is provided as per Traffic Engineering Division recommendation. 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, Eureste, Thompson, Alderete, Harrington, Archer, Cisneros; NAYS: None; ABSENT: Hasslocher.

AN ORDINANCE 56,494

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 18, BLOCK 5, NCB 7447, 6227 WEST COMMERCE STREET, FROM "C" APARTMENT DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT THE APPLICANT WORK WITH THE TRAFFIC ENGINEERING DIVISION FOR PROPER INGRESS AND OFF-STREET PARKING, AND THAT 25 FEET OF RIGHT-OF-WAY IS PROVIDED AS PER TRAFFIC ENGINEERING DIVISION RECOMMENDATIONS.

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38. CASE 283003 - to rezone Lots 1 thru 5, and Lots 16 thru 20, Block 172, NCB 9456, in the 100 Block of W. Amber Place, in the 100 Block of W. Ackard Place, from "C" Apartment District to "B-2" Business District, located on the east side of Oppenheimer Ave., between W. Amber Place and W. Ackard Place, having 280' on Oppenheimer Ave., and 250' on W. Amber Place and W. Ackard Place.

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. Wing moved that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished if necessary; that the applicant work with the Traffic Engineering Division for proper egress and ingress; and that a 6-foot solid screen fence is erected and maintained along the north and west property lines. Mr. Hasslocher seconded the motion.

In response to a question by Mr. Wing, Mr. Andy Guerrero, Planner II, noted that access to the property will be via Pleasanton Road.

Mr. Clint M. Leake, 1250 N.E. Loop 410, the proponent, spoke to the Council on the requested change of zoning. He stated that the property will be used for a Winns Store.

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, Cisneros; NAYS: None; ABSENT: Eureste.

AN ORDINANCE 56,495

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 1 THRU 5, AND LOTS 16 THRU 20, BLOCK 172, NCB 9456, IN THE 100 BLOCK OF WEST AMBER PLACE AND IN THE 100 BLOCK OF WEST ACKARD PLACE, FROM "C" APARTMENT DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED IF NECESSARY; THAT APPLICANT WORK WITH THE TRAFFIC ENGINEERING DIVISION FOR PROPER EGRESS AND INGRESS; AND THAT A 6-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTH AND WEST PROPERTY LINES.

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39. CASE 9078 - to rezone a 5.59 acre tract of land out of NCB 15723, being further described by field notes filed in the Office of the City Clerk, in the 14500 Block of Judson Road, from Temporary "R-1" One Family Residence District to "B-3" Business District, located on the southwest side of Judson Road being approximately 1050' southeast of the intersection of Fountainwood Drive and Judson Road, having 935.45' on Judson Road and a depth of 261.67', a 7.81 acre tract of land out of NCB 15723, being further described by field notes filed in the Office of the City Clerk, in the rear 14500 Block of Judson Road, from Temporary "R-1" One Family Residence District to "B-2" Business District, located 261.67' southwest of Judson Road being approximately 1050' southeast of the intersection of Fountainwood Drive and Judson Road, having a width of 927.91' and a depth of 368.61', and a 4.43 acre tract of land out of NCB 15723, being further described by field notes filed in the Office of the City Clerk, in the 14500 Block of Judson Road, from Temporary "R-1" One Family Residence District to "I-1" Light Industry District, located on the southwest side of Judson Road, being approximately 1985' southeast of the intersection of Fountainwood Drive and Judson Road having 297.96' on

Judson Road and a depth of 630.47'.

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

Mr. Hasslocher moved for approval of the staff recommendation for B-3R Zoning on the southeast 300' and R-1 Zoning on the remaining portion. Mrs. Dutmer seconded the motion.

Mr. Henry Moeller, 211 Lakeridge, the proponent, spoke of the unanimous vote his request for zoning had received at the Zoning Commission meeting after presentation of his plan showing that "B-2" would be the best zoning for this property. He noted that B-2 zoning would serve as a buffer backing up to the residential development.

In response to a question by Mr. Hasslocher, Mr. Andy Guerrero, Planner II, stated that at the present time, the staff is trying to discourage commercial development in this area.

Mr. Moeller stated that there is a prospective buyer for this property for a possible nursery-type operation and that B-2 zoning is need for retail sales.

Mr. Archer then made a substitute motion that the recommendation of the Zoning Commission be approved. Mr. Harrington seconded the motion.

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

AN ORDINANCE 56,496

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 5.59 ACRE TRACT OF LAND OUT OF NCB 15723, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 14500 BLOCK OF JUDSON ROAD, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT, A 7.81 ACRE TRACT OF LAND OUT OF NCB 15723, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE REAR OF 14500 BLOCK OF JUDSON ROAD, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT, A 4.43 ACRE TRACT OF LAND OUT OF NCB 15723, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED; THAT THE APPLICANT WORK WITH THE TRAFFIC ENGINEERING DIVISION FOR PROPER ACCESS AND OFF-STREET PARKING; AND THAT A 6-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE WEST AND NORTH SIDES OF THE PROPERTY, ADJACENT TO THE SINGLE-FAMILY DEVELOPMENT.

* * * *

40. CASE 9117 - to rezone a 1.0894 acre tract of land out of Lot 4, Block 1, NCB 13560 and 1.2852 acre tract of land out of Lots 4, 5, and 6, Block 2, NCB 13561, being further described by field notes filed in the Office of the City Clerk, in the 6800 Block of Brookhaven Drive, from "R-6" Townhouse Residence District, "R-3" Multiple Family Residence District and "O-1" Office District to "B-2" Business District, located on the east and west side of Brookhaven Drive being approximately 80' and

120' south of the intersection of Chiscolm Trail and Brookhaven Drive and approximately 320' north of the intersection of N.E. Loop 410 Expressway and Brookhaven Drive having 238.03' and 324.16' on Brookhaven Drive and an average depth of 180.12' and 230.27'.

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

Mr. Andy Guerrero, Planner II, stated that 32 notices were mailed out to surrounding property owners, of these 2 notices were returned in opposition from owners within the 200' radius and 6 notices were returned in opposition from outside the 200' radius.

Mr. Gene Dawson, Pape-Dawson Engineers, 9300 Broadway, noted that a compromise between the proponent and opponents had been reached to either close Brookhaven, establish a two-way street on Brookhaven or a one-way street south.

Mr. Joe F. Rives, 3102 Hitching Post, an opponent, noted that he was in agreement with the compromise.

Mr. Hasslocher spoke of the traffic problems in the neighborhood and also of meeting with neighbors to resolve the problem.

Mr. Hasslocher moved that the recommendation of the Zoning Commission be approved. Mrs. Dutmer 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, Hasslocher, Cisneros; NAYS: None; ABSENT: Berriozabal, Eureste, Alderete, Archer.

AN ORDINANCE 56,497

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 1.0894 ACRE TRACT OF LAND OUT OF LOT 4, BLOCK 1, NCB 13560; AND A 1.2852 ACRE TRACT OF LAND OUT OF LOTS 4, 5, AND 6, BLOCK 2, NCB 13561; BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 6800 BLOCK OF BROOKHAVEN DRIVE, FROM "R-6" TOWNHOUSE RESIDENCE DISTRICT, "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT AND "O-1" OFFICE DISTRICT TO "B-2" BUSINESS DISTRICT.

* * * *

41. CASE 9120 - to rezone Lot 17, Block 1, NCB 15586, 2303 Westward Drive, from Temporary "R-1" One Family Residence District to "B-1" Business District, located northwest of the intersection of Westward and S.W. Military Drive having 70' on Westward Drive and 136' on S.W. Military Drive.

The Zoning Commission has recommended that this request of change of zone be approved.

No citizen appeared to speak in opposition.

Mr. Ernest Gould, of 9622 Boonsboro, representing the proponents, stated the change of zoning would allow for a beauty salon school. Mr. Gould further stated that they prefer "B-1" Business District zoning is preferable to "O-1" Zoning because "O-1" Zoning would limit value and use of the property.

Mr. Thompson moved that "O-1" Zoning would be proper for this

property and so moved provided that a 6-foot solid screen fence is erected and maintained along the west property line, and that proper access and off-street parking are provided according to Traffic Engineering Division recommendations. Mr. Archer seconded the motion.

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

AN ORDINANCE 56,498

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 17, BLOCK 1, NCB 15586, 2303 WESTWARD DRIVE, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT, PROVIDED THAT A 6-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE WEST PROPERTY LINE, AND THAT PROPER ACCESS AND OFF-STREET PARKING ARE PROVIDED ACCORDING TO TRAFFIC ENGINEERING DIVISION RECOMMENDATIONS.

* * * *

43. CASE Z83004 - to rezone Lots 1, 2, and 3, Block 1, NCB 8635, 3308 Culebra Road, from "F" Local Retail District to "B-3R" Restrictive Business District, located on the southside of Culebra Road, between Rosabell Drive and 34th Street having 150' on Culebra Road and 172' on Rosabell Drive and 34th Street.

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

No citizen appeared to speak in opposition.

In response to a question by Mr. Alderete, Mr. Jose Perez Del Rio, of 115 Holy Cross, the proponent, stated that he proposed a tire service for the property and did not intend to have any tires outside the building.

Mr. Alderete moved that the recommendation of the Zoning Commission be approved provided that the applicant work with the Traffic Engineering Division. Mr. Webb seconded the motion.

In reply to a question by Mrs. Dutmer, Mr. Del Rio noted that he understood that with this zoning there would be no outside storage.

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, Cisneros; NAYS: None; ABSENT: Eureste, Hasslocher.

AN ORDINANCE 56,499

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 1, 2 AND 3, BLOCK 1, NCB 8635, 3308 CULEBRA ROAD, FROM "F" LOCAL RETAIL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT THE APPLICANT WORK WITH THE TRAFFIC ENGINEERING DIVISION.

* * * *

42. CASE 9092 - to rezone the south 73.9' of the north 147.8' of Lot 45, the south 73.9' of the north 147.8' of the west 77.43' of Lot 46, and the south 74.57' of the north 147.8' of the east 49.66' of Lot 44, Block 33, NCB 8115, 739 Cupples Road, from "B-2" Business District to "B-3R" Restrictive Business District, located on the west side of Cupples Road being approximately 110' north of the intersection of Brady Blvd. (Hwy 90 West Expressway) and Cupples Road having 74.57' on Cupples 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. Thompson 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, Thompson, Alderete, Harrington, Archer, Cisneros; NAYS: None; ABSENT: Eureste, Hasslocher.

AN ORDINANCE 56,500

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 73.9' OF THE NORTH 147.8' OF LOT 45; THE SOUTH 73.9' OF THE NORTH 147.8' OF THE WEST 77.48' OF LOT 46; AND THE SOUTH 74.57' OF THE NORTH 147.8' OF THE EAST 49.66' OF LOT 44, BLOCK 33, NCB 8115, 739 CUPPLES ROAD, FROM "B-2" BUSINESS DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT.

* * * *

44. CASE 9126 - to rezone a 1.730 acre tract of land out of NCB 11635, being further described by field notes filed in the Office of the City Clerk, in the 6100 Block of Ingram Road, from Temporary "R-1" One Family Residence District to "B-1" Business District, and a 3.884 acre tract of land out of NCB 11635, being further described by field notes filed in the Office of the City Clerk, in the 6100 Block of Ingram Road, from Temporary "R-1" One Family Residence District to "B-2" Business District, located on the north side of Ingram Road, being approximately 480' west of the intersection of Callaghan Road and Ingram Road having 543.84' on Ingram Road and a maximum depth of 457.09, the "B-1" being on the west 170' of the subject property and the "B-2" being on the remaining portion.

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. Alderete moved that the recommendation of the Zoning Commission be approved provided that proper platting is provided if necessary. 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, Webb, Dutmer, Wing, Thompson, Alderete, Harrington, Archer, Cisneros; NAYS: None; ABSENT: Eureste, Hasslocher.

AN ORDINANCE 56,501

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 1.730 ACRE TRACT OF LAND OUT OF NCB 11635, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-1" BUSINESS DISTRICT, AND A 3.884 ACRE TRACT OF LAND OUT OF NCB 11635, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 6100 BLOCK OF INGRAM ROAD, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS PROVIDED IF NECESSARY.

* * * *

45. CASE 283010 - to rezone Lot 11, Block 13, NCB 11488, 4232 Culebra Road, from "A" Single Family Residence District to "B-3R" Restrictive Business District, located on the north side of Culebra Road being 134.66' east of the intersection of Laven Drive and Culebra Road having 43.1' on Culebra Road and 150' in depth.

The Zoning Commission has recommended that this request of change of zone be approved.

No citizen appeared to speak in opposition.

In response to a question by Mr. Alderete, Mr. Joe Freire, 5815 Bennington, representing the proponent, noted that he understood that no outside storage was allowed with this zoning.

Mr. Alderete moved that the recommendation of the Zoning Commission be approved provided that a 6-foot solid screen fence is erected and maintained along the north property line, and that the Traffic Engineering Division recommendation for street dedication of 3-feet of right-of-way as needed is included to conform with the Major Thoroughfare Plan. 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, Thompson, Alderete, Harrington, Archer, Cisneros; NAYS: None; ABSENT: Eureste, Hasslocher.

AN ORDINANCE 56,502

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 11, BLOCK 13, NCB 11488, 4232 CULEBRA ROAD, FROM "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT A 6-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTH PROPERTY LINE, AND THAT THE TRAFFIC ENGINEERING DIVISION RECOMMENDATION FOR STREET DEDICATION OF 3-FEET OF RIGHT-OF-WAY AS NEEDED IS INCLUDED TO CONFORM WITH THE MAJOR THOROUGHFARE PLAN.

* * * *

46. CASE 283012 - to rezone the north 40' of Lot 56, Block 6, NCB 11099, 3839 Pleasanton Road, from "B" Residence District to "B-3R" Restrictive Business District, located on the west side of Pleasanton Road, being 490' north of the intersection of Ansley Blvd. and Pleasanton

Road, having 40' on Pleasanton Road and a depth of 435.6'.

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. Wing, Mr. Andy Guerrero, Planner II, responded that this particular zoning does not allow for storage of public vehicles and also fencing will be provided along the south and west property lines.

Mr. Wing moved that the recommendation of the Zoning Commission be approved provided that a 6-foot solid screen fence is erected and maintained along the south and west property lines, and that the applicant work with the Traffic Engineering Division for proper ingress and egress fronting the property, and for off-street parking. 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, Webb, Wing, Thompson, Alderete, Harrington, Archer, Cisneros; NAYS: None; ABSTAIN: Dutmer; ABSENT: Eureste, Hasslocher.

AN ORDINANCE 56,503

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 NORTH 40' OF LOT 56, BLOCK 6, NCB 11099, 3839 PLEASANTON ROAD, FROM "B" RESIDENCE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT A 6-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE SOUTH AND WEST PROPERTY LINES, AND THAT THE APPLICANT WORK WITH THE TRAFFIC ENGINEERING DIVISION FOR PROPER INGRESS AND EGRESS FRONTING THE PROPERTY, AND FOR OFF-STREET PARKING.

* * * *

47. CASE Z83000 - to rezone Tract 26, NCB 14735, 11206 Vance Jackson Road, from Temporary "R-1" One Family Residence District to "P-1(R-1)" Planned Unit Development, One Family Residence District, located on the north side of Vance Jackson Road, being approximately 320' southeast of the intersection of Big Meadow Drive and Vance Jackson Road having 139.2' on Vance Jackson Road and a maximum depth of 2144.9'.

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

Mr. Andy Guerrero, Planner II, noted that there had been opposition to this case but that both the proponent and opponents had met and reached an agreement.

Mr. Joseph Gonzales, Landmarks Development, noted that single family dwelling are proposed for this property. He added that the agreement included that certain deed restrictions on rear set-backs and proper drainage be engineered for the site and reassuring there are no windows on the rear setbacks facing the two story unit on Mission Trace.

Mr. J. Lofton Stone, 12109 Mission Trace, reaffirmed Mr. Gonzales' statement that a compromise had been reached. He was concerned that the Council be aware of the proposed deed restrictions.

Mr. Harrington moved that the recommendation of the Zoning Commission be approved provided that the applicant work with the Traffic Engineering Division, that the agreement reached as a result of the compromise be made a part of the record (these stipulations are listed

below and are a part of the papers of this meeting), and that Mr. Harrington be notified in the event that down zoning is needed should the notarization process of these stipulations not reach culmination. Mr. Hasslocher seconded the motion.

CASE NO. Z83000

Re-statement of position of Mission Trace Homeowners Association and Mission Trace residents for inclusion in minutes of the Commission:

- 1.) Restriction to the subject property that:
 - a.) That no residence be constructed that has second-floor openings (doors or windows) on the northwest wall, to enhance privacy enjoyment of adjoining homeowners.
- 2.) Requirement for an engineered re-platting of Tract Twenty-Six (26), to stipulate item 1. a.) and above, plus:
 - a.) Density of lots be no greater than Mission Trace PUD, to-wit: Five (5) lots per acre, or twenty-eight (28) lots.
 - b.) Sufficient rear building set-back to prevent fire hazards and drainage problems to adjoining property, to-wit: not less than ten (10) feet, behind Mission Trace lot numbers 272, 271, 270, 269, 268, 267, 266, 192, 191, 190, 189, 188, 187 and 186.
 - c.) Sufficient front building set-back to provide for adequate traffic flow, off-street parking and fire equipment access.
- 3.) Requirements for adequate drainage to prevent flooding in Mission Trace PUD and/or water run-off on to Mission Trace PUB property.
- 4.) Any deed restrictions as may be necessary to effect the above.

Mr. Harrington noted that he will be monitoring for possible track zoning should the proponent not live up to the stipulations.

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

AN ORDINANCE 56,504

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 TRACT 26, NCB 14735, 11206 VANCE JACKSON ROAD FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "P-1(R-1)" PLANNED UNIT DEVELOPMENT, ONE-FAMILY RESIDENCE DISTRICT, PROVIDED THAT THE APPLICANT WORK WITH THE TRAFFIC ENGINEERING DIVISION.

* * * *

83-05 The Clerk read the following Ordinance:

AN ORDINANCE 56,505

AUTHORIZING THE CITY MANAGER TO EXECUTE AN ELECTION CONTRACT WITH THE HARLANDALE INDEPENDENT SCHOOL DISTRICT.

* * * *

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

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

83-05 The Clerk read the following Ordinance:

AN ORDINANCE 56,506

AUTHORIZING EXPENDITURE FROM THE GENERAL FUND OF \$58,672.00 PAYABLE TO THE CITY PUBLIC SERVICE BOARD FOR THE CITY'S SHARE OF THE JOINT COST OF PERFORMING A RESOURCE RECOVERY PLANT FEASIBILITY STUDY BY HENNINGSON, DURHAM & RICHARDSON.

* * * *

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

In response to a question by Mr. Hasslocher, Mr. Joe Aceves, Assistant Director of Public Works, noted that this is a mass burning plant that will burn garbage to produce electricity. He added that the plant design would be designed so that a front end resource recovery facility could be attached to it at a later date.

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

83-05 WATER BOARD PRESENTATION, DISCUSSION AND WORK SESSION ON WATER RATES

Mayor Cisneros noted that this portion of the meeting would be conducted in four segments: first, the Water Board presentation; second, the staff rebuttal; third, citizen presentations; and fourth, Council discussion.

Mayor Cisneros then presented Dr. Jose San Martin, Chairman of the City Water Board of Trustees, who explained the purpose of the hearing. Dr. San Martin noted that the City Water Board is presenting the City Council, at their direction, the City Water Board's report on Financial Requirements from 1982 - 1985, the Second Year. He added that their report is not based on any assumptions and that Mr. Robert Van Dyke, General Manager of the City Water Board would make the presentation.

Mr. Robert Van Dyke stated that the program is a continuation of a four year program that was submitted last year for consideration. He stated that at that time only one year was approved. He noted that delays in securing the State and Federal permits for the Applewhite Water Supply Project had been encountered and that construction for this project would not begin prior to 1986 thus funds appropriated for this project in 1984 and 1985 had been deleted entirely.

Mr. Van Dyke distributed an excess capacity map and summary (copies of which are made a part of the papers of this meeting) and described the rest of the program. He noted that the report recommends a \$28,800,000 construction program to be financed by the issuance of \$22,000,000 in Prior Lien Water System Revenue Bonds and a rate increase of 11.7%. He further stated that if the City Council desires to accelerate the plastic pipe replacement program, three options are

recommended: provide an additional \$9,000,000 in bonds for this purpose as a separate bond issue; provide an additional \$9,000,00 for this purpose combined with the Board recommended plan for a total Prior Lien Water System Revenue Bond issue of \$31,000,000 and a 15% water rate increase effective in January 1983; or provide an additional \$9,000,000 for this purpose to be borrowed from the City's sewer revenue fund for an extended period of time.

At this time, Mayor Cisneros recognized other members of the City Water Board of Trustees present in the audience.

Mr. Lou Fox, City Manager, introduced Mr. Roland Lozano, Director of Planning, who presented the staff rebuttal to the City Water Board report. Mr. Lozano noted that under the Capital Improvements Program the original 25 project list had been divided into three categories and prioritized. The first group was comprised of production facilities only and should be funded in order to provide the capability to improve existing service and meet additional demands. The second group involved projects which were necessary to improve the reliability of the system and which were located in areas already largely developed and which could not be expected to receive significant developer contribution. The funding of these projects are considered optional depending on the extent of rate increase desired. The third is comprised primarily of projects located in undeveloped or mostly undeveloped areas. The deletion of these projects from the list is recommended.

Mr. Lozano added that the City staff recommends two revenue requirement alternatives to the City Water Board staff options for 1983, Alternative "A" and Alternative "B" (copies of which are filed with the papers of this meeting).

Mr. Roger Ibarra, Public Utilities Supervisor, presented the Council with comparison data on the water line extension policies of six Texas cities and ten other cities throughout the United States (a copy of which is filed with the papers of this meeting).

Mayor Cisneros congratulated the staff for their work on the study and on the comparison data.

Ms. Lila Landez, Southwest Concerned Citizens, spoke about the water leaks, potholes and her experience with a City Water Board crew. She stated that work in the Ellena Clair-Winnipeg Streets area is not being done properly and took particular exception to the firm doing this work, Sprinkler King. She also stated that the City Water Board should be taken over by the City of San Antonio.

Mr. Enrique Velasco, Co-Chairman of COPS, proposed Alternative "C" which would delay all capital improvements until a new extension policy is voted upon. COPS stated that developers should pay the pro-rata share of transmission lines, pumps and wells. He stated that they had many questions that needed to be answered.

Mr. James Foster, representing the Catholic Eastside Apostlate, presented a handout listing the amount to be expended by District on substandard main replacement, plastic pipe replacement, government re-location, capital improvements and extensions and improvements. He stated that several eastside projects have not been completed and they requested that these be completed before any additional monies are allocated for capital improvements.

They further requested a realistic schedule on plastic pipe replacement.

Mr. Raul B. Fernandez, Vice President of the Greater San Antonio Builders Association, stated that they need more time to study the City staff's report. They requested that the time frame be expanded in order that they be allowed to take a position.

Reverend Ted Foote, Jr., Metropolitan Congregational Alliance spoke of their efforts in this matter and introduced Mr. Roy Yantis who

spoke of approval of a fair and equitable water rate structure. He spoke of the re-routing of extension policies consistent with the existing sewer extension policies. They recommended no new capital improvements until extension policies are re-written and adopted, supported an accelerated plastic pipe replacement provided that the City Water Board could justify the number of pipes they can repair, and recommended that the current rate increase be limited to 10%.

Mr. Arthur Martinez, Metropolitan Congregational Alliance, expressed concern and asked City Council to establish a fair and equitable water rate structure. MCA feels that new customers should pay for new facilities that will serve them.

MCA suggested that Mr. Harrington put forth a voluntary subsidized payment for capital improvements similar to the option he suggested for electric and gas rate relief.

Mr. Pete Grojean, Southside Chamber of Commerce, endorsed the City Water Board's capital improvements program. He noted that \$9,000,000 should be used for accelerated replacement of plastic pipes.

Mr. Sam Parnes stated that the City should look at the whole picture in this matter. He took exception to the word subsidization as set out in the City Manager's report. He stated that the developer is not being subsidized.

Mayor Cisneros stated that he feels that money should be approved for main replacement, plastic pipe replacement and government relocation as well as Priorities 1 and 2 in the Capital Improvements Program. He suggested that a broad spectrum task force be appointed to consider a long-term extension policy.

(Mayor Cisneros was obliged to leave the meeting and Mayor Pro Tem Wing presided.)

In response to a question by Mr. Webb, Mr. John Shields, Comptroller for the City Water Board, noted that all the figures listed under "Other" in Mr. Foster's report are unknown variables that cannot be specified at this time.

In response to a question by Mr. Webb, Mr. Van Dyke stated that Toledo Street is 95% complete. He also stated that none of the proposed projects in District 2 have been postponed.

Ms. Berriozabal noted that 85% of the projects listed in the report are outside Loop 410.

In response to a question by Ms. Berriozabal, Mr. Roger Ibarra stated that no one on the staff has looked at the determining limits for acceleration of the plastic pipe replacement.

Ms. Berriozabal expressed concern about the service the City Water Board is giving residents in her district and spoke to specific problems. She then read a letter from Mr. Van Dyke to Mr. Louis Fox with information on the plastic pipe replacement progress.

(Mayor Cisneros returned to the meeting and presided.)

Ms. Berriozabal called for a report from staff on acceleration of the plastic pipe replacement, for better coordination between the City Water Board and Public Works for street construction and repair, certification that work is being done properly, certain monies be used in plastic pipe replacement, for developers to pay their way, and for delay on any capital improvements until an extension policy is discussed fully.

Mr. Thompson agreed with Ms. Berriozabal and stated that the extension policy should be discussed, possibly before a decision is made.

Mayor Cisneros stated that the City Water Board needs a cash flow

now and, in light of the present environment, long term policy implementations should be discussed later. He suggested sticking to the time table and re-opening discussion of extension policy in May. He again reiterated the process he feels should be taken.

Mr. John Shields noted that if the City did not allocate additional money for the plastic pipe replacement program, the fund would be depleted by April.

A discussion then took place on the time tables for the contracts on replacements mains, plastic pipe replacements, etc.

At this time, Mr. Shields presented a report entitled Allocation of 1982 Surplus Revenues (a copy of this report is on file with the papers of this meeting).

Mr. Roger Ibarra took a different accounting view of the figures presented in this report by Mr. Shields.

In response to a question by Mr. Eureste, Ms. Landez requested that all work stop in her area until all parties are satisfied.

Mr. Eureste stated that he felt hers was a fair request and asked Mr. Van Dyke if this were possible.

Mr. Van Dyke stated that the contractor will be required to do the work according to the plans and specifications. He noted that the inspection people and the City Water Board guarantee the work 100%.

Mr. Eureste then moved that the entire recommendation package be brought back to "A" session for formal consideration in two weeks provided that the matter of neighborhood concern of Lila Landez be resolved and the contractor be permanently withdrawn from that area. Mr. Hasslocher seconded the motion.

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

Mr. Wing took exception to the inconsistencies to the policies of the General Manager of the City Water Board. He also took exception to the Southside Chamber of Commerce's speaker who spoke in favor of the Capital Improvement Program which is 95% designed for the north side of the City.

Mrs. Dutmer stated that City Water Board sets the policy which the General Manager carries out.

In response to a question by Mrs. Dutmer, Mr. Van Dyke stated that the Board cannot commit monies for any projects unless money is allocated.

In response to a question by Ms. Berriozabal, Mr. Frank Kiobassa, Director of Public Works, stated that in order to assure that that contractors are doing the best work possible his department would need to increase the number of inspectors so that more on-site monitoring could be carried out. He added that he could report to the Council in two weeks on how many additional people would be needed to do the work.

Mr. Hasslocher made a motion that this discussion be moved to the "A" session for formal consideration in two weeks. Mrs. Dutmer seconded the motion.

Mr. Wing amended the motion to include that the City Water Board be directed to deal with the contractor referred to by Ms. Landez within the realm of legality.

The amendment to the motion carried by the following vote: AYES: Berriozabal, Webb, Wing, Eureste, Thompson, Alderete, Archer, Hasslocher, Cisneros; NAYS: Dutmer; ABSENT: Harrington.

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

83-05

CITIZENS TO BE HEARD

ESTEVAN REYES

Mr. Estevan Reyes, 621 West Commerce, spoke regarding the recent rate increase at the Farmers Market for space and utilities and refrigeration cooler. He presented the Council with a comparison sheet indicating 1982 and 1983 rates (a copy of which is with the papers of this meeting). He added that the rate increase was too high for space at Farmers Market.

Mr. Eureste requested that Mr. Reyes meet with staff to discuss this matter and that he return to next week's City Council to report on the outcome of that meeting.

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PLANNED PARENTHOOD FUNDING

Mr. J. J. Hennek, 5523 Merkens, spoke against Planned Parenthood funding and took exception to the Council members who are members of the Alamo Area Council of Governments and who voted for additional funding for Planned Parenthood.

Mrs. Audrey Hennek, 5523 Merkens, spoke against some of the material presented in Planned Parenthood's brochures. She addressed some statistics on abortions and spoke against Planned Parenthood programs.

Mr. Archer took exception to some of the statements made by Mr. and Mrs. Hennek.

Both Mr. Eureste and Mr. Alderete stated that they had been asked to represent the City of San Antonio at the AACOG meetings.

There being no further business to come before the Council, the meeting was adjourned at 7:10 P.M.

A P P R O V E D

Henry Cisneros
M A Y O R

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

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