

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, SEPTEMBER 1, 1983.

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

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83-41 The invocation was given by Pastor Ramon Martinez, Sion Assembly of God Church.

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83-41 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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83-41 The minutes of the meeting of August 18, 1983 were approved.

83-41 EUROPEAN TRADE MISSION

Mr. Bob Gonzalez, International Relations, spoke briefly of the planned trade mission to Zurich, Switzerland and other points, and stated that it would be coordinated by Mr. Joe Seiterle, Zurich International, Inc.

Mr. Joe Seiterle spoke to the fact sheets previously distributed to each member of the City Council, and briefly addressed the overall plans for the mission to heavily promote San Antonio as an investment and economic development site in the United States. He spoke of the number of meetings and visits set up already, noting that from the main conference site of Zurich, promotional teams from San Antonio will also be visiting Milan, Brussels and Frankfurt. He stated further that the mission costs will be about \$60,000, not including the individual travel expenses of those participating. He asked the Council for its official endorsement of the mission and for some \$8,000 funding for the mission. He also asked the Council members for their individual participation, insofar as possible, noting that some nine sponsors already have been secured for the mission.

Mayor Emeritus Lila Cockrell spoke to details of the first such trade mission to Zurich in 1981 and the fact that planners have built on that experience, including set-up of pre-arranged meetings and visits. She noted that the private sector already has raised some \$52,000 for this mission, with hopes that the City will fund some \$8,000 of the total cost to pay for the trade mission official booth and exhibit in Zurich. She noted that participation of the municipal government adds stature to the exhibit and trade mission effort, calling it a worthwhile effort.

Mr. Alderete spoke in support of the request, and urged City Council participation.

Mr. Alderete moved that an ordinance be drafted for consideration at next week's City Council meeting, giving official City endorsement to the trade mission, providing notice of official City representation, and funding of the mission for some \$8,000 in City funds, with the provision that the City Manager have the prerogative on participation of City staff personnel. Mrs. Dutmer seconded the motion.

Ms. Berriozabal spoke in support of the mission and City Council participation, noting that the 1981 effort attracted one European firm to open some 20 stores in the United States, five of which are in San Antonio.

Mr. Thompson lauded the team spirit of this effort.

After discussion, the motion prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Eureste, Thompson, Alderete, Harrington, Archer, Hasslocher; NAYS: Wing; ABSENT: Cisneros.

83-41

SEWING CLASS

Mayor Pro Tem Webb introduced Rev. Jan Owen of Santa Fe Episcopal Church, present in the audience.

Reverend Owen spoke of the accomplishments of a sewing class organized at the church this summer, and of the dresses made by the young participants, many of whom were in the audience today. He then introduced the young people by name, and also introduced their teacher, Mrs. Quinones.

Members of the City Council spoke individually in support of the effort.

Reverend Owen then spoke briefly of the GED classes getting underway at the south side church, being taught in Spanish.

Mr. Wing thanked the church for making the space available for such works as the sewing and GED classes, and spoke of his concern that a number of very worthwhile projects such as these were not receiving City funding.

Reverend Owen spoke of the need for more sewing machines.

Participants in the sewing class then distributed hand-sewn cloth flowers to members of the City Council.

A discussion then took place concerning the qualifications for City funding of such programs, during which Mr. Wing spoke of the help needed by the church for various programs for the community.

In response to a question by Ms. Berriozabal, Mr. Louis J. Fox, City Manager, stated that he would investigate possible ways the church might get more sewing machines financed by the City.

Ms. Berriozabal spoke of her committment to seek funding from women's groups to support such sewing machine purchases in the future.

Mr. Hasslocher spoke of the possibility of finding City funding for such programs.

Mr. Wing stated that the church needs help in preparing the request for City funding of summer recreational programs.

Mrs. Dutmer asked that firms from the private sector of the community donate the sewing machines needed for the program.

83-41

DR. OPE PASQUET IRIBARNE

Mayor Pro Tem Webb introduced Dr. Ope Pasquet Iribarne, Attorney and political columnist from Uruguay, present in the audience, and welcomed him to San Antonio.

Dr. Pasquet thanked the Council for the recognition.

83-41 CONSENT AGENDA

Mr. Hasslocher moved that items 4-27 constituting the consent agenda be approved. Mrs. Dutmer 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, Harrington, Archer, Hasslocher; NAYS: None; ABSENT: Eureste, Cisneros.

AN ORDINANCE 57,498

ACCEPTING THE BID OF TEXAS DOOR PRODUCTS TO FURNISH THE CITY OF SAN ANTONIO WITH STEEL METAL DOORS FOR A TOTAL OF \$7,500.00

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AN ORDINANCE 57,499

ACCEPTING THE BID OF DUBOSE FLOORS TO FURNISH THE CITY OF SAN ANTONIO WITH THE REFINISHING OF GYM FLOORS FOR A TOTAL OF \$20,645.00.

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AN ORDINANCE 57,500

ACCEPTING THE LOW BID OF TEXAS LOCK AND DOOR CLOSER, INCORPORATED TO FURNISH THE CITY OF SAN ANTONIO WITH EXIT HARDWARE FOR THE THEATRE OF THE PERFORMING ARTS FOR A TOTAL OF \$8,900.00.

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AN ORDINANCE 57,501

ACCEPTING THE PROPOSAL OF THE DATAPOINT CORPORATION TO FURNISH THE CITY OF SAN ANTONIO WITH THE LEASE/PURCHASE OF DATAPOINT DISK DRIVES FOR A TOTAL OF \$1,399.17 PER MONTH FOR A PERIOD OF SIXTY (60) MONTHS.

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AN ORDINANCE 57,502

ACCEPTING THE PROPOSAL OF S & S CONSULTANTS TO FURNISH THE CITY OF SAN ANTONIO WITH COMPUTER SOFTWARE FOR A TOTAL OF \$86,595.00 AND THE PROPOSAL OF IBM CORPORATION TO FURNISH COMPUTER HARDWARE FOR A TOTAL OF \$106,321.00.

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AN ORDINANCE 57,503

ACCEPTING THE PROPOSAL OF COMPUWARE CORPORATION TO FURNISH THE CITY OF SAN ANTONIO WITH PROGRAM DIAGNOSTIC HARDWARE FOR A TOTAL OF \$13,650.00.

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AN ORDINANCE 57,504

ACCEPTING THE PROPOSAL OF SAS INSTITUTE INCORPORATED TO FURNISH THE CITY OF SAN ANTONIO WITH SAS/GRAPH SOFTWARE FOR A TOTAL OF \$5,000.00.

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AN ORDINANCE 57,505

ACCEPTING THE PROPOSAL OF E. J. WARD, INCORPORATED TO MAINTAIN THE FUEL DISPENSING AND ACCOUNTING SYSTEM FOR THE CITY OF SAN ANTONIO FOR A TOTAL OF \$2,270.00 MONTHLY OR \$27,240.00 YEARLY.

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AN ORDINANCE 57,506

ACCEPTING THE BIDS OF VARIOUS COMPANIES FOR FURNISHING THE CITY OF SAN ANTONIO WITH MATERIALS AND SERVICES ON AN ANNUAL CONTRACT BASIS.

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AN ORDINANCE 57,507

ACCEPTING THE BID OF E-2 BEL CONSTRUCTION COMPANY IN THE AMOUNT OF \$36,995.00 FOR PHASE II CONSTRUCTION OF MARTIN LUTHER KING, JR., PLAZA; APPROVING A CONTRACT AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 57,508

ACCEPTING THE BID OF MISSION CONTRACTORS, INC. IN THE AMOUNT OF \$19,733.00 FOR CONSTRUCTION OF THE VEGA/10 OFFICE PARK OFF-SITE SANITARY SEWER PROJECT; APPROVING A CONTRACT AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 57,509

AUTHORIZING EXECUTION OF A CONTRACT WITH HOWARD W. GADDIS, CONSULTING ENGINEER, FOR PROFESSIONAL SERVICES IN CONNECTION WITH THE CONSTRUCTION PHASE OF THE PINE STREET DRAINAGE PROJECT.

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AN ORDINANCE 57,510

ACCEPTING THE BID OF HOUSTON BRIDGE AND ENGINEERING CO., INC. IN THE AMOUNT OF \$2,861,427.03 FOR CONSTRUCTION OF THE PINE STREET DRAINAGE PROJECT; APPROVING A CONTRACT AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 57,511

ACCEPTING THE BID OF W. H. MANGUM, INC. IN THE AMOUNT OF \$75,708.00 FOR CONSTRUCTION OF THE REST HAVEN DRIVE SANITARY SEWER EXTENSION; APPROVING A CONTRACT AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 57,512

ACCEPTING THE BID OF QUICK & EVANS COMPANY IN THE AMOUNT OF \$35,000.00 FOR THE HAULING OF APPROXIMATELY 25,000 CUBIC YARDS OF EXCAVATION FROM THE ST. HEDWIG DRAINAGE PROJECT TO THE RIGSBY LANDFILL TO BE USED AS OVER MATERIAL BY CITY FORCES; APPROVING A CONTRACT AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 57,513

AUTHORIZING PAYMENT OF \$17,000.00 TO SOMERVILLE-GONZALES & ASSOCIATES AS ADDITIONAL PROFESSIONAL SERVICE FEES ON THE GLENN AND PRADO STREETS RECONSTRUCTION PROJECT.

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AN ORDINANCE 57,514

ACCEPTING THE BID OF HEATH CONSTRUCTORS, INC. IN THE AMOUNT OF \$1,657,777.77 FOR CONSTRUCTION OF THE SOMERSET-PALO ALTO RECONSTRUCTION PROJECT; APPROVING A CONTRACT AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 57,515

AUTHORIZING PAYMENT OF \$560,000.00 TO THE SAN ANTONIO RIVER AUTHORITY FOR CERTAIN COSTS RELATED TO THE SAN PEDRO CREEK PROJECT.

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AN ORDINANCE 57,516

MANIFESTING AN AGREEMENT WITH FAIRCHILD GEN-AERO, INC. TO TERMINATE A CERTAIN LEASE AGREEMENT AT SAN ANTONIO INTERNATIONAL AIRPORT AND AUTHORIZING EXECUTION OF AN AMENDMENT TO THE LEASE WITH FAIRCHILD AIRCRAFT CORPORATION AT SAN ANTONIO INTERNATIONAL AIRPORT.

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AN ORDINANCE 57,517

AUTHORIZING EXECUTION OF AN AGREEMENT CONSENTING TO THE COLLATERAL ASSIGNMENT OF A LEASE WITH FIESTA AVIATION, INC. AT SAN ANTONIO INTERNATIONAL AIRPORT TO FIRST NATIONAL BANK OF BOERNE, TEXAS SUBJECT TO CERTAIN CONDITIONS.

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AN ORDINANCE 57,518

AUTHORIZING EXECUTION OF AN AGREEMENT WITH NAYAK AVIATION CORPORATION FOR LEASE OF GROUND AREA AND MANIFESTING AN AGREEMENT WITH SAID CORPORATION TO CANCEL ONE CERTAIN EXISTING SAN ANTONIO INTERNATIONAL AIRPORT LEASE AGREEMENT AND DECLARING A CERTAIN HANGAR TO BE SURPLUS.

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AN ORDINANCE 57,519

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 57,520

FINDING THAT CERTAIN PERSONAL PROPERTY AND REAL PROPERTY TAX ASSESSMENTS ARE INVALID AND ORDERING THAT THE INVALID ASSESSMENTS AND THE TAXES BASED THEREON BE CANCELLED.

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AN ORDINANCE 57,521

MANIFESTING AN AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND WINGS-IN-FLIGHT SERVICES, INC. TO EXTEND AND AMEND ITS PERMIT TO PROVIDE IN-FLIGHT CATERING AT SAN ANTONIO INTERNATIONAL AIRPORT FOR AN ADDITIONAL YEAR.

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ZONING HEARINGS

28. CASE 283284 - to rezone a 1.086 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 "O-1" Office District, located on the northside of Ingram Road being approximately 150' east of the intersection of Quiver Drive and Ingram Road, having 245.85' on Ingram Road and a depth of 200.93' and a 10.699 acre tract of land out of NCB 11635, being further described by field notes filed in the Office of the City Clerk, in the rear of 6100 Block of Ingram Road, from Temporary "R-1" One Family Residence District, "R-5" One Family Residence District to "R-3" Multiple Family Residence District, located approximately 200' north of Ingram Road, being approximately 150' east of the intersection of Quiver Drive and Ingram Road, having depth of 747' and a maximum depth of 1022'.

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. Harrington, Mr. Eric Weissgarber, the proponent, described how the City staff recommendation differs from his request for rezoning on the subject property. He then spoke of his willingness to accept an O-1 zoning on the front portion of the property.

Mr. Andy Guerrero, Planner II, spoke to the differences, noting that City staff wants a buffer zone to the nearby R-1 zoning.

Mr. Weissgarber spoke to the rationale for his request, including the fact that the west property line involved a 40-foot easement already because of the presence of a high-pressure natural gas pipeline beneath the ground there that cannot be built upon.

A discussion then took place concerning the planned layout of the apartment project, with its roads to be constructed on the outside perimeter of the property, around the apartment buildings, and the possibility of some sort of setback line and masonry wall.

Mr. Weissgarber spoke of his willingness to accept a 40-foot

setback for the gas pipeline and another 20-foot setback area which would contain a two-story height restriction.

Mr. Harrington moved that the recommendation of the Zoning Commission be approved provided that proper access and off-street parking are provided; that a 6-foot solid screen fence is erected and maintained along the west property line and the north property line, except adjacent to the stub-outs of Turkey Run and Camino Real; and a two-story height restriction on the west 60-feet of subject property. Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 57,522

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 1.086 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 "O-1" OFFICE DISTRICT AND A 10.699 ACRE TRACT OF LAND OUT OF NCB 11635, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE REAR OF THE 6100 BLOCK OF INGRAM ROAD, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT AND "R-5" ONE-FAMILY RESIDENCE DISTRICT TO "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT, PROVIDED THAT PROPER ACCESS AND OFF-STREET PARKING ARE PROVIDED, AND THAT A 6-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE WEST PROPERTY LINE AND THE NORTH PROPERTY LINE, EXCEPT ADJACENT TO THE STUB-OUTS OF TURKEY RUN AND CAMINO REAL. ALSO PROVIDED THAT A TWO-STORY HEIGHT LIMITATION IS IMPOSED WITHIN 60-FEET OF THE WEST PROPERTY LINE, BEING THE AREA ADJACENT TO THE SINGLE-FAMILY RESIDENCES.

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29. CASE 283271 - to rezone the southeast 109.5' of the northeast 242.35' of Lot 2, Block 2, NCB 14653, in the 5800 Block of Babcock Road, from Temporary "R-1" One Family Residence District to "B-3R" Restrictive Business District, located on the southwest side of Babcock Road being approximately 750' northwest of the intersection of Huebner Road and Babcock Road having 109.5' on Babcock Road and a depth of 242'.

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

Mr. Robert Ezquerra, 504 Madison Street, the proponent, stated that the property is in the path of commercial development, and that little residential zoning or construction has taken place along this segment of Babcock Road in recent years. He then spoke of the amount of business zoning granted in the immediate area, noting that even a mobile home park is located on the south edge of the subject property, with a strip commercial center next to that.

Mrs. Helen Burstein, 6083 Babcock Road, representing the Alamo Farmsteads/Babcock Road Neighborhood Association, stated that her group had met with Mr. Ezquerra on the rezoning request, but had voted against supporting it because of their belief that it constitutes too heavy a

commercial use on this property, and also because they felt a need for better buffering between the property and nearby residential areas. She spoke of her concern with the success, or lack of success of a commercial venture on this property. She also addressed several other areas of concern, including parking.

Mr. Ezquerra stated that in his opinion B-3R is not a heavy commercial zoning, and briefly described the buildings to be constructed on the site. He also stated that he will have off-street parking in accordance with the City Code.

Mr. Harrington spoke of having met with both sides in this matter, and the fact that they cannot agree on a use for the property that would be acceptable to both. He also spoke of the need for close study of all development along Babcock Road because of its mixed uses, and also addressed his concern for a B-3 zoning on this property. Mr. Harrington stated his belief that the Council needs to consider development of the entire area, to get the big picture. He also noted that a B-2 zoning would accommodate many business uses.

Mr. Harrington moved that the recommendation of the Zoning Commission be denied, and that B-2 zoning be granted on the subject property, provided that proper access and off-street parking are provided; that a 10-foot landscaped greenbelt is provided; and that a 2 1/2-story height limitation is imposed. Mrs. Dutmer seconded the motion.

Mr. Ezquerra stated that he would accept the motion.

Mrs. Dutmer spoke of her concern with denying the proponent his B-3 request, when several other nearby areas have such B-3 zoning.

Mrs. Burstein spoke to her desire for a 10-foot greenbelt, height limitations on construction and the possibility of some sort of signage control.

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

AN ORDINANCE 57,523

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 SOUTHEAST 109.5' OF THE NORTHEAST 242.35' OF LOT 2, BLOCK 2, NCB 14653, IN THE 5800 BLOCK OF BABCOCK ROAD, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER ACCESS AND OFF-STREET PARKING ARE PROVIDED; THAT A 10-FOOT LANDSCAPED GREENBELT IS PROVIDED, AND THAT A 2 1/2-STORY HEIGHT LIMITATION IS IMPOSED.

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30. CASE 283282 - to rezone a 30.797 acre tract of land out of NCB 11631, being further described by field notes filed in the Office of the City Clerk, in the rear of 3900 Block of Tupelo Lane, from "R-1" One Family Residence District to "P-1(R-1)" Planned Unit Development, One Family Residence District, located 160' northeast of Tupelo Lane, being approximately 340' northeast of the intersection of Mockingbird Road and Tupelo Lane, having approximate width of 2,200' and approximate maximum depth of 1,260'.

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. Wing seconded the motion.

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

AN ORDINANCE 57,524

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 30.797 ACRE TRACT OF LAND OUT OF NCB 11631, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE REAR OF THE 3900 BLOCK OF TUPELO LANE, FROM "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "P-1(R-1)" PLANNED UNIT DEVELOPMENT, ONE-FAMILY RESIDENCE DISTRICT.

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31. CASE 283275 - to rezone a 2.027 acre tract of land out of Lot 243, NCB 11985, being further described by field notes filed in the Office of the City Clerk, in the 200 Block of N. Coulter Drive, from "B-3R" Restrictive Business District to "B-3" Business District and the removal of a 1' non-access easement imposed on a portion of N. Coulter Drive and adjacent to Lot 222, NCB 11985, also the removal of a 40' building setback line parallel to Lot 222, NCB 13823, that was imposed by Ordinance No. 51479, dated November 15, 1979; Lots 222 thru 226, NCB 11985, Lots 231 thru 234, NCB 13823, in the 100 Block of N. Coulter Drive, from Temporary "A" Single Family Residence District to "B-3" Business District; Lot 227, NCB 11985, Lots 229 and 230, NCB 13823, in the 100 Block of N. Coulter Drive, from Temporary "A" Single Family Residence District to "B-2" Business District, located between Hwy 281 North Expressway and Heimer Road, also having frontage along N. Coulter Drive and S. Coulter Drive, having 769' along Hwy 281 North Expressway, 390' along Huebner Road and approximately 1400' frontage along N. Coulter Drive and S. Coulter Drive.

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. Glen Westrom, planning consultant representing the proponents, spoke of the drastic change in use patterns in this area, and the fact that the residents he represents are being pocketed by business and other commercial uses. He described the planned development of this area with a nine-story bank/office tower, retail center, restaurant, and off-street parking areas. He also spoke to the heavy traffic impact upon Heimer Road, and stated that the structures in this development would be directed away from Heimer Road, with only one access-point to Heimer Road.

A discussion of property uses in the area followed.

In response to a question by Mr. Harrington, Mr. Westrom stated that his clients would agree to a 60-foot building setback from Heimer Road, and further stated that he would provide sufficient property on the corner of Heimer Road and Bitters Road to provide another lane of traffic, to establish a turning lane there.

Mr. Harrington moved that the recommendation of the Zoning Commission be approved, provided that proper access and off-street parking are provided; that five feet of right-of-way along Heimer Road is dedicated; and that a 60-foot building setback line is established along Heimer Road. Mr. Wing seconded the motion.

Mr. Westrom further volunteered to deed-restrict all B-2 properties involved for 'no alcoholic beverage sales', and thanked the residents of the neighborhood for their cooperation in 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, Alderete, Harrington, Archer; NAYS: None; ABSENT: Eureste, Thompson, Hasslocher, Cisneros.

AN ORDINANCE 57,525

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 2.027 ACRE TRACT OF LAND OUT OF LOT 243, NCB 11985, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 200 BLOCK OF NORTH COULTER DRIVE, FROM "B-3R" RESTRICTIVE BUSINESS DISTRICT TO "B-3" BUSINESS DISTRICT AND THE REMOVAL OF A ONE-FOOT NON-ACCESS EASEMENT IMPOSED ON A PORTION OF NORTH COULTER DRIVE AND ADJACENT TO LOT 222, NCB 11985; ALSO THE REMOVAL OF A 40-FOOT BUILDING SETBACK LINE PARALLEL TO LOT 222, NCB 13823 THAT WAS IMPOSED BY ORDINANCE NO. 51479, DATED NOVEMBER 15, 1979; LOTS 222 THRU 226, NCB 11985 AND LOTS 231 THRU 234, NCB 13823, IN THE 100 BLOCK OF NORTH COULTER DRIVE, FROM TEMPORARY "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT; AND LOT 227, NCB 11985 AND LOTS 229 AND 230, NCB 13823, IN THE 100 BLOCK OF NORTH COULTER DRIVE, FROM TEMPORARY "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER ACCESS AND OFF-STREET PARKING ARE PROVIDED, AND THAT 5-FEET OF RIGHT-OF-WAY ALONG HEIMER ROAD IS DEDICATED. FURTHER PROVIDED THAT A 60-FOOT BUILDING SETBACK IS IMPOSED ALONG HEIMER ROAD.

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32. CASE 283281 - to rezone the northeast 90' of Lots 20 and 21, Block 1, NCB 11965, 10014 McCullough Avenue, from "A" Single Family Residence District to "I-1" Light Industry District, located southeast of the intersection of McAllister Freeway and McCullough Avenue, having 90' on McCullough Avenue and 170' on McAllister Freeway.

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

AN ORDINANCE 57,526

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 NORTHEAST 90' OF LOTS 20 AND 21, BLOCK 1, NCB 11965, 10014 MCCULLOUGH AVENUE FROM "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT PROPER ACCESS AND OFF-STREET PARKING ARE PROVIDED.

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33. CASE 283164 - to rezone Parcels 37G and 80, NCB 14618, in the 8300 Block of Eckert Road, from Temporary "R-1" One Family Residence District to "B-2" Business District, located on the south side of Eckert Road, being approximately 400' east of the intersection of Lincoln Road and Eckert Road, having approximately 100' on Eckert Road and approximate depth of 220'.

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 provided that proper commercial access and paved off-street parking are provided, and 13-feet of right-of-way is dedicated according to the Major Thoroughfare Plan. 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, Eureste, Thompson, Alderete, Harrington, Archer; NAYS: None; ABSENT: Berriozabal, Hasslocher, Cisneros.

AN ORDINANCE 57,527

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 37G AND 80, NCB 14618, IN THE 8300 BLOCK OF ECKERT ROAD, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER COMMERCIAL ACCESS AND PAVED OFF-STREET PARKING ARE PROVIDED, AND 13-FEET OF RIGHT-OF-WAY IS DEDICATED ACCORDING TO THE MAJOR THOROUGHFARE PLAN.

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83-41 The Clerk read the following Ordinance:

AN ORDINANCE 57,528

IMPOSING A ONE PERCENT TAX ON THE GROSS RECEIPTS OF BINGO GAMES HELD WITHIN THE CITY LIMITS OF SAN ANTONIO.

* * * *

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

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

83-41 The Clerk read the following Ordinance:

AN ORDINANCE 57,529

AUTHORIZING THE EXECUTION OF A SEWER SERVICE CONTRACT WITH THE NORTHSIDE INDEPENDENT SCHOOL DISTRICT.

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

In response to a question by Mrs. Dutmer, Mr. Roland Lozano, Director of Planning, spoke of the costs involved in handling the sewage, and spoke in favor of the recommendation of putting in a temporary treatment plant at this time.

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

83-41 Agenda item 36, being a proposed ordinance directing the City Staff to proceed with a water study, was withdrawn from consideration.

83-41 The Clerk read the following Ordinance:

AN ORDINANCE 57,530

INCREASING THE ALCOHOLIC BEVERAGE PERMIT AND LICENSE FEES.

* * * *

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

In response to a question by Mr. Thompson, Mr. Louis J. Fox, City Manager, stated that one-half of the state rate is the maximum that the City can charge for alcoholic beverages fees.

Mr. Thompson spoke in support of the Ordinance, noting that it could produce between \$150,000-200,000 each year in income for the City.

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

83-41 The Clerk read the following Ordinance:

AN ORDINANCE 57,531

ALLOWING A FENCE AT 235 LANSING TO REMAIN IN THE CITY RIGHT-OF-WAY (PARKWAY).

* * * *

Mr. Frank Kiolbassa, Director of Public Works, distributed photographs of the fence in question to the City Council, and briefly explained the history of the case and the request by the property owner to retain the fence, even though it is partially on City property, stating that it evolves from a dispute between two neighbors. He stated his belief that the City might be held liable should it allow the fence to remain, and thus force pedestrians into the street to pass it, and those pedestrians are perhaps struck by an oncoming car as a result.

Mr. Thompson spoke of his concern for this liability.

Mr. Eureste spoke in support of the request, detailing the facts involved and stating his opinion that this is the only practical solution to a dispute between two neighbors.

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

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

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83-41 Agenda item 39, being a proposed ordinance proposing a tax increase, setting a public hearing to consider citizens comments, and directing the City Clerk to publish a public notice, was withdrawn from consideration.

In response to a question by Mr. Alderete, Mr. Louis J. Fox, City Manager, stated that the item was placed on the printed agenda, then withdrawn, at his request, and he stated his opinion that the item perhaps should have been left on the agenda and then postponed by official action of the City Council. He then briefly explained the reasons for withdrawing the proposed ordinance, distributing a memorandum to the City Council on the subject, a copy of which is made a part of the papers of this meeting. He stated that he felt that since the City would be receiving its certified tax roll next week, it would be more prudent to consider any additional increases to the City's property tax rate at a later date, such as the September 8, 1983 meeting.

Mr. Thompson spoke in favor of receiving the certified tax roll before taking any action on a new tax rate, and stated that he is not personally ready to pass on any tax rate increase.

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83-41 The Clerk read the following Ordinance:

AN ORDINANCE 57,532

APPOINTING JAMIE MAVERICK KILLIAN TO SERVE ON THE BOARD OF REVIEW FOR HISTORIC DISTRICTS FOR THE UNEXPIRED TERM OF LISA LEOPOLD WHO HAS RESIGNED.

* * * *

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

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

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

83-41 Mayor Pro Tem Webb recessed the regular Council meeting at 3:21 P.M. and convened a Special City Council meeting. Mayor Pro Tem Webb then adjourned the Special City Council Meeting at 4:20 P.M. and an Executive Session was called, followed by Citizens To Be Heard at 5:10 P.M.

83-41 CITIZENS TO BE HEARD

MS. LINDA RAMIREZ

Ms. Linda Ramirez, Executive Director of AFSCME, expressed concern about the proposed budget as recommended by the City Manager. She stated that they are especially concerned and take exception to:

1. Proposed cost of living increase which has been recommended to be 2%.
2. Hospitalization (decrease of benefits).
3. Texas Municipal Retirement System (TMRS).
4. Reduction of employees.

She stated that after discussing the TMRS proposed changes, she is in agreement with staff's recommendation.

Ms. Ramirez stated that they are in favor of a proposed property tax increase and asked for the Council's favorable consideration of their requests.

Mr. Alderete stated that he is in complete agreement with Ms. Ramirez' request as far as the cost of living increase and medical benefits are concerned.

Mr. Thompson stated he would be in favor of a fixed cost of living increase in lieu of the percentage across the board increase.

Ms. Ramirez stated that she has no objection to Mr. Thompson's suggestion.

Mrs. Dutmer expressed concern about where the extra money would be coming from if the Council approves a higher cost of living increase. Mrs. Dutmer stated that medical expenses keep going up and it's almost mandatory that some re-adjustment take place.

In response to Mrs. Dutmer's inquiry about employee lay-offs, Mr. Fox stated that they are not recommending any lay-offs. It will be more of an attrition process.

In response to Mr. Eureste, Mr. Fox stated that the police have asked for 5% salary increase and other benefits. Mr. Fox stated that they are getting 3% as a result of the two year contract. City management has recommended zero percentage this year. The firefighters' total package is 11%.

Mr. Eureste stated that fire and police always get a higher increase than other City employees. He stated that they are no more important than any other City employee. He further stated that he will give all City employees the same percentage level of cost of living increase. Mr. Eureste also took exception to the proposed changes in the medical benefits. He suggested a graduated level of benefits instead of a total regressive application of employee benefits.

Ms. Berriozabal stated that she cannot promise that she will support the 4.8% increase as requested by AFSCME because of the many reductions already present in the budget. She stated that there are not enough votes to raise property taxes higher than what has been recommended in order to get more revenues to fund the added percentage.

Mr. Wing stated that state law allows the police and fire fighters association more latitude than the AFSCME association. He stated that he is also in favor of a graduated scale percentage increase. He added that the proposed property tax increase will not assure that services will not be cut.

Mr. Eureste stated that no city employee is better than any other employee. He stated that he will recommend the same level of percentage increases to all City employees.

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MR. DAN HARTBERGER

Mr. Hartberger, 8710 Datapoint #8108, stated his opinion that the City Council listens to and honors the opinions and wishes of special-interest groups over the majority of private citizens. He also spoke against use of City funds to pay legal fees for any City Council or City staff person involved in litigation, and spoke in favor of a greater pay increase for firefighters and police officers over other City employees.

Mr. Eureste noted that Mr. Hartberger was discharged as a City employee some time ago for allegedly striking a cab driver at International Airport.

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MS. MARIA DOMINGUEZ

Ms. Maria Dominguez spoke in favor of providing more of a salary increase to lower-salaried City employees in lieu of the higher-paid employees, and also spoke of her concern with the effects of pro football vehicular traffic around Alamo Stadium on Erackenridge Park, and of the traffic effects of McAllister Freeway on the entire area, already. Ms. Dominguez spoke in favor of better management of the City, and spoke in support of the Fire and Police Department personnel as protectors of the citizens.

* * * *

MR. ALLEN POLUNSKY

Mr. Allen Polunsky, Chairman of the City Zoning Commission, stated that the Zoning Commission has instructed him to read to the City Council a Resolution it had passed concerning the heavy workload on the Zoning Administration staff, including recommendation for the addition of four new staff members in the next budget. A copy of the Resolution is made a part of the papers of this meeting. Mr. Polunsky stated his opinion that the entire Planning Department staff is overworked and overloaded.

In response to a question by Mrs. Dutmer, Mr. Louis J. Fox, City Manager, stated that the requested four new positions are not included in his recommended budget, and are carried as unfinanced requirements. He stated that he agrees to the need for these positions, but finding funds to finance them is frustrating in view of the entire budget picture.

A brief discussion then took place concerning City staff and Zoning Commission work to be done on the Missions Parkway plan.

Mr. Roland Lozano, Director of Planning, spoke of prioritized work projects within his department, and to the current status on Council-directed work projects, noting that this is being done as the

staff is able to accomplish them, along with other necessary projects.

Mr. Eureste spoke in support of the need for more staff in the Zoning Administration area.

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MRS. JUDY ROGERS

Mrs. Judy Rogers, 4527 Black Hickory Woods, Woods of Shavano subdivision, spoke of the dangerous situation prevalent in her neighborhood involving blasting with dynamite at the nearby Pioneer Cement Company and Pioneer Aggregate Plant, adjacent to the subdivision, but located outside the City limits, in Bexar County. She spoke of incidents of flying rocks striking homes and falling on properties in the Woods of Shavano as a result of the blasting, and handed to City Council for examination several large rocks found near homes there, one of which reportedly was buried 5 1/2 inches in her back yard soil. She also spoke of excessive dust and noxious fumes from the explosions, and stated her belief that the blasts are damaging her home and perhaps damaging underground utilities, as well. She stated further her belief that the City should closely monitor the explosions, and asked Council help in protecting the neighborhood homes from flying rocks and other pollutants in the air. She also stated that the quarry can legally expand its operations to within 50 feet of her back yard, and stated that flying rocks already are striking properties in the area from blasts as far away as 360 feet. She also noted that the City Fire Marshall has no authority to control the quarry blasting operation, and asked the Council to place into the City Fire Code more protection in such cases as this.

Mr. Webb stated his concern that something must be done to help stop this problem.

Mr. Louis J. Fox, City Manager, noted that the problem is outside the City of San Antonio, but the Council may wish to consider annexing the area to exercise more control over its uses. He further stated that a draft ordinance could be prepared to accomplish this, if Council wished. He stated his belief that the Council's Annexation Committee should meet to consider this action.

Mr. Eureste stated his opinion that this is a good place to start in addressing the problem, noting that the City needs to annex the area to help control its operations.

Ms. Berriozabal spoke of the need to protect other areas from such occurrences, and noted her belief that the City should consider annexation.

Mr. Fox stated that another rock quarry operation is rapidly growing on Loop 1604, and cement plants are taking over large tracts of land outside the City for their operations. He stated that the Council might also want to look into annexation of these areas as well.

Mrs. Rogers noted that no zoning laws exist in Bexar County itself, and homeowners are powerless to control such operations and dangers.

Mrs. Dutmer noted that the quarry sites being used were purchased long before residential areas were created near them, such as the Woods of Shavano, and spoke of her concern for putting viable firms out of business.

Mr. Wing stated that the community doesn't want to put the company out of business; however, the company needs to be sensitive to the community.

Mr. Fox stated that specific equipment can be utilized to prevent the type of problems the neighborhood is facing.

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REVEREND R. A. CALLIES, SR.

Reverend R. A. Callies, Youth Leadership Conference, read a prepared statement to the City Council, a copy of which is on file with the papers of this meeting. Their main concern is the Onslow Street Drainage Project. The company that worked on the project left a lot of debris after the project was completed.

Reverend Callies stated that he spoke to Mr. Frank Kiolbassa on this concern and he has promised to meet with them on this issue.

Reverend Callies than stated that there is excessive speeding on certain streets in their community. The streets he spoke about were: Rice Road from Salado Creek to W. W. White Road; Martin Luther King Drive from S. Gevers to W. W. White Road; and Pecan Valley Drive from Rigsby to Martin Luther King Drive.

He also stated that the Freedom Bridge is in dire need of attention and the Rice Road Bridge needs modification because of its deadly curves. He asked the City Council to address these problems.

Mayor Pro Tem Webb stated that he has turned in these concerns to the staff. He especially spoke about the lack of maintenance of the drainage ditch behind Onslow.

Mr. Jeff Conaway spoke about the problems the neighborhood has because of the drainage ditch.

Mr. Frank Kiolbassa stated the City crews were instructed to clean up the alley. He stated that he will investigate the reason why this didn't occur.

In response to Mr. Wing, Mr. Kiolbassa stated that they can't use herbicides in this area because of the closeness of the residences. A discussion also took place on the system Public Works uses throughout the City to address these types of problems.

Ms. Berriozabal stated that more and more citizens are cleaning up their own alleys and all they need to accommodate them is providing a truck to pick up the debris.

Mr. Kiolbassa stated that there are two types of work crews.

Mrs. Dutmer also stated that the medians should be reduced in order to cut down on some of the maintenance.

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

A P P R O V E D

Henry Casimiro
M A Y O R

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