

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, APRIL 3, 1986.

* * * *

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

- - -
86-15 The invocation was given by Reverend O. L. McNary, Zion Star Baptist Church.

- - -
86-15 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

- - -
86-15 MRS. JUNE SCOBEE

Mayor Cisneros introduced Mrs. June Scobee, the widow of Challenger Commander Dick Scobee who is in San Antonio to address the City Council today. He noted that she is accompanied by Col. Thomas D. Williams, Base Commander of Kelly Air Force Base and Airman First Class, Christopher P. Simson, who will be representing Kelly Air Force Base at the Arlington National Cemetery Memorial Services for the Challenger astronauts.

Mrs. Scobee then spoke of her recollections of the earlier years of her marriage to Commander Scobee and their life in San Antonio where they met and married. She then presented Challenger Seven patches to Mayor Cisneros and other members of City Council as well as pictures of Commander Scobee and several of his crews on space flights.

Mayor Cisneros stated that he would place the photographs in a collage to be located in the City Council Chamber along with information on Commander Scobee's connections to San Antonio. He invited Mrs. Scobee to the May 5th ceremony for the dedication of Challenger Plaza at San Antonio International Airport and presented her with an official book on San Antonio and a collage of photographs of San Antonio missions.

Mayor Cisneros and members of the City Council then individually offered their congratulations.

Mrs. Scobee then spoke of the private memorial services to be held at Arlington National Cemetery at which Airman First Class Simson will be accompanying her.

86-15

"KIDS DAY"

Mayor Cisneros spoke of the creation of the Commission on Children and Families and noted that April 12th, San Antonio will host the First Annual Kids Day to be held in the Alamo city.

Mrs. Mary Alice Cisneros, wife of the Mayor, briefly explained the program and the agenda and invited all members of the City Council to take part.

Mayor Cisneros noted that the program will expand to designation of certain "kids places" around the city of San Antonio. He then read a proclamation on designating "Kids Day" in San Antonio and presented it to Mrs. Cisneros.

86-15

THE CHORDSMEN

Mayor Cisneros read the proclamation designating "Barbershop Harmony Month" in San Antonio and presented it to Mr. Del Brown, representing the Chordsmen.

A quartet of singers from the Chordsmen chapter then sang several songs for Mayor Cisneros and members of the City Council.

86-15

TAXICABS

Mayor Cisneros explained how San Antonio taxicab drivers had assisted in apprehending a suspect who had assaulted and allegedly killed a fellow taxicab driver.

Mr. Robert Morales, President of the Taxicab Association, thanked the City Council members especially the Transportation Board Chairman, Mr. Thompson, for their continued support of the taxicab industry and he also thanked Police Chief, Charles Rodriguez and other police officers for their assisting and organizing the cab drivers into the "Cabs On Patrol" program. He then provided details of the incident in which a suspect was captured shortly after slaying a taxicab driver.

Chief Rodriguez explained how Cabs On Patrol assist the police officers on keeping an eye on San Antonio streets.

Mayor Cisneros also thanked Jaime Martinez for his work in this matter.

Mr. Morales then noted that the Guardian Angels also were instrumental in helping to solve the taxicab driver slaying.

Mayor Cisneros then lauded the Guardian Angels for their contributions.

Mr. Thompson then spoke of the police and taxicab drivers working together for the for the good of the community thanks to a series of joint meetings.

- - -
86-15 CONSENT AGENDA

Mr. Thompson made a motion to approve Agenda Items 7 - 28, constituting the Consent Agenda, with Items 7, 11, 12, 17, 19 and 21 to be pulled for individual consideration. Mrs. Dutmer seconded the motion.

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

AN ORDINANCE 62,615

ACCEPTING THE PROPOSAL OF SAN ANTONIO ARMATURE WORKS TO MAKE REPAIRS TO BLOWER NO. 11 MOTOR AT RILLING ROAD WASTEWATER TREATMENT PLANT FOR A TOTAL OF \$17,126.50.

* * * *

AN ORDINANCE 62,616

CANCELLING THE CONTRACT OF BUDGET CAR SALES FOR TASK FORCE AUTOMOBILES AND AWARDDING IT TO THE HERTZ CORPORATION.

* * * *

AN ORDINANCE 62,617

AUTHORIZING THE EXECUTION OF FIELD ALTERATION NO. 11 IN THE AMOUNT OF \$34,347.00 TO THE CONTRACT FOR

April 3, 1986
sr

THE TIENDAS DEL RIO PROJECT - STREETS, DRAINAGE &
SEWERS CONSTRUCTION PACKAGE.

* * * *

AN ORDINANCE 62,618

AUTHORIZING THE CITY MANAGER TO EXECUTE A MUNICIPAL CONSTRUCTION AND MAINTENANCE AGREEMENT WITH THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION TO PROVIDE FOR THE RECONSTRUCTION OF NACOGDOCHES ROAD (FM 2252), A FAUS PROJECT, FROM O'CONNOR ROAD TO LOOP 1604, AND AUTHORIZING \$890,760.00 PAYABLE TO THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION TO COMPLETE THE WORK. (FEDERAL AID URBAN SYSTEMS PROGRAM)

* * * *

AN ORDINANCE 62,619

AUTHORIZING FIELD ALTERATION NO. 1 ON THE CONVENTION CENTER EXPANSION PHASE 3A IN THE AMOUNT OF \$189,409.00 FOR ADDITION OF THE PHASE 3B-03B SOUND SYSTEM TO THE AREAS OF 3A CONSTRUCTION WITHIN THE CONVENTION CENTER.

* * * *

AN ORDINANCE 62,620

ACCEPTING THE BID OF E. N. DEAN SHEET METAL AND ROOFING CO. IN THE AMOUNT OF \$17,411.00 TO ALTER THE EXISTING ROOF LINE AND RE-INSTALL THE BUILT-UP ROOF AT NORMOYLE COMMUNITY CENTER; AUTHORIZING A CONTINGENCY; APPROVING A CONTRACT AND PROVIDING FOR PAYMENT.

* * * *

AN ORDINANCE 62,621

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$6,345.00 OUT OF VARIOUS FUNDS FOR THE PURPOSE OF ACQUIRING TITLE AND/OR EASEMENTS TO CERTAIN LANDS; ACCEPTING THE DEDICATION OF TITLE AND/OR EASEMENTS TO CERTAIN LANDS; ALL IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS. (RIPRAP, PHASE I; PACIFIC DRAINAGE PROJECT #66A, PHASE II (PLEASANTON); RICE ROAD - SALADO CREEK TO W. W. WHITE ROAD PROJECT; OAKLAND ESTATES

OUTFALL PROJECT, PHASE II "D", UNSEWERED AREA #66;
SAN ANTONIO WASTEWATER FACILITIES IMPROVEMENTS
PROGRAM, CATEGORY NO. 4, PACKAGE A, SALADO CREEK
OUTFALL PROJECT; SAN ANTONIO WASTEWATER FACILITIES
IMPROVEMENTS PROGRAM, CATEGORY NO. 4, PACKAGE B,
SALADO CREEK OUTFALL PROJECT; ASHBY STREET DRAINAGE
PROJECT # 30 & 31; TIENDAS DEL RIO URBAN DEVELOPMENT
ACTION GRANT PROJECT; LORENCE CREEK LOW WATER
CROSSING AT JONES MALTSBERGER)

* * * *

AN ORDINANCE 62,622

APPROVING AND AUTHORIZING THE CITY MANAGER, OR HIS
DESIGNEE, TO EXECUTE AN AGREEMENT WITH THE QUINCY
LEE INDUSTRIAL JOINT VENTURE NO. 4, FOR AN
ENCROACHMENT ON A PORTION OF A VARIABLE WIDTH
DRAINAGE RIGHT OF WAY, ADJACENT TO LOT 47, BLOCK 8,
NEW CITY BLOCK 15884, ON KAEPA COURT IN THE RITTIMAN
EAST BUSINESS PARK.

* * * *

AN ORDINANCE 62,623

AUTHORIZING PAYMENT OF REFUNDS TO PERSONS MAKING
OVERPAYMENTS OR DOUBLEPAYMENTS ON 273 TAX ACCOUNTS.

* * * *

AN ORDINANCE 62,624

GRANTING A LICENSE TO THE KING WILLIAM ASSOCIATION
FOR USE OF THE RIVERWALK ON APRIL 26, 1986, FOR AN
ART SHOW AND SALE.

* * * *

A RESOLUTION NO. 86-15-18

AUTHORIZING THE CITY ATTORNEY TO TAKE NECESSARY
STEPS TO BRING SUNBELT DEMOLISHING CORPORATION INTO
COMPLIANCE WITH STATE AND LOCAL AIR QUALITY
REGULATIONS.

* * * *

April 3, 1986
sr

AN ORDINANCE 62,630

ACCEPTING THE LOW BID OF ALL TEX PAINTING TO PAINT AND MAKE REPAIRS TO LA VILLITA STRUCTURES FOR A TOTAL OF \$11,267.

* * * *

Mr. Harrington made a motion to approve the proposed ordinance. Mrs. Dutmer seconded the motion.

In response to a question by Mr. Labatt, Mr. John Brooks, Director of Purchasing & General Services, briefly explained the details of the ordinance.

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

86-15 Agenda Item #11 had earlier been removed from consideration.

86-15 The Clerk read the following Ordinance:

AN ORDINANCE 62,631

ACCEPTING A \$32,500.00 PROPOSAL FROM JOSE G. JIMENEZ, AIA, ARCHITECT, TO PROVIDE ARCHITECTURAL SERVICES FOR SITE ADAPTATION AND MODIFICATIONS OF THE STANDARD PLANS FOR FIRE STATIONS, FOR FIRE STATION #43 AT U.S. 281 NORTH AND RED LAND.

* * * *

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

In response to a question by Mr. Labatt, Mr. Frank Kiobassa, Director of Public Works, explained how architects are selected for city projects.

Mr. Hasslocher asked why the city is not attempting to utilize the new fire station in Encino Park which was already located there when the city annexed the area.

April 3, 1986
sr

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

In response to a question by Mr. Labatt, Mr. Jim Paxson, Assistant Director of Information Resources noted that the County through this ordinance is purchasing computer terminals and printers that they formally were leasing from the city.

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

- - -
86-15 (Mayor Cisneros was obliged to leave the meeting and Mayor Pro Tem Thompson presided.)
- - -

ZONING HEARINGS

29. CASE Z86065 - to rezone a 8.634 acre tract of land out of CB 4983, being further described by field notes filed in the Office of the City Clerk, from Temporary "R-1" ERZD One Family Residence Edwards Recharge Zone District to "R-3" ERZD Multiple Family Residence Edwards Recharge Zone District; a 3.646 acre tract of land out of CB 4983, being further described by field notes filed in the Office of the City Clerk, from Temporary "R-1" ERZD One Family Residence Edwards Recharge Zone District to "B-2" ERZD Business Edwards Recharge Zone District; a 0.936 acre tract of land out of CB 4983, being further described by field notes filed in the Office of the City Clerk, from Temporary "R-1" ERZD One Family Residence Edwards Recharge Zone District to "O-1" ERZD Office Edwards Recharge Zone District; and a 16.956 acre tract of land out of CB 4983, being further described by field notes filed in the Office of the City Clerk, from Temporary "R-1" ERZD One Family Residence Edwards Recharge Zone District to "B-3" ERZD Business Edwards Recharge Zone District, located on the westside of N. W. Military Highway, being approximately 130' north of the intersection of N.W. Military Highway, and Green Run Lane, having 744.37' on N.W. Military Highway, with a depth of 2829.41'.

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

Mr. Wendell Davis, 3330 Oakwell Ct., explained the request for rezoning and described the development and the traffic arteries in this area. He stated that the proponent plans a major shopping center on this site, and he spoke of the many meetings held with area homeowners.

April 3, 1986
sr

Mr. Bob Barnes, Allied Development Co., partner in this development, spoke of having met with the homeowners in this area and of a portion of the property being donated for an extension of Huebner Road. He also noted that some \$500,000 is being donated for five new bridges in this area. He stated that he had met some 5 times with the Oakmeadows Homeowners Association and he then distributed to members of the Council copies of certain agreements that had been made with the Homeowners Association. He noted however that there were some concerns of area homeowners still unresolved even after a number of meetings the latest of them taking place last night. He then handed to the City Clerk a number of letters of support from individual homeowners in the area.

Ms. Lynda Brown, 2931 Greenrun, spoke in favor of the development.

Mr. Hugo Elmendorf, 104 Cliffside Drive in Shavano Park, stated that his property abutts this development in the rear and stated that he has never been asked to meet with the proponents in this case and he asked that the case be returned to the Zoning Commission without action by the City Council.

Mr. Andy Guerrero, Planner III, noted that everyone within two hundred feet of this area were mailed notices concerning this hearing.

Mayor Gene Sharp, Mayor of Shavano Park, stated that he feels that the San Antonio-Bexar County Urban Transportation System (SABCUTS) had earlier agreed that Huebner Road would run no closer than three hundred feet to Shavano Park and he asked the City Council to reaffirm this earlier agreement. He stated further that he feels the proposed development is not compatible with area property uses.

Mr. Davis stated that this case is not subject to the three hundred foot earlier agreement concerning Huebner Road.

Mr. Barnes spoke to certain deed restrictions agreed to including a six foot fence. He also noted that restrictive covenant language will be included in the contract to be signed with a major grocery chain for this property and it will be identical to the language to be used for this zoning.

In response to a question by Mr. Harrington, Mr. Barnes agreed to a pollution abatement plan as noted in the memorandum from the Environmental Protection Officer.

In response to a question by Mr. Harrington, Mr. Roland Lozano, Director of Planning, stated that he finds no mention of any Huebner agreement that affects this particular area. He further stated that the property owner involved has non-conforming rights on his property.

Mr. Harrington moved that the recommendation of the Zoning Commission be approved provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division; also that a 6' solid screen fence is erected and maintained along the .099 and .936 acre tract adjacent to the single family residential area. Mr. Webb seconded the motion.

Mrs. Dutmer spoke in support of the abatement plan for the area and stated that she feels that San Antonio agreed to a setback as mentioned by Mayor Sharp.

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

AN ORDINANCE 62,634

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS AN 8.634 ACRE TRACT OF LAND OUT OF CB 4983, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "R-1" ERZD ONE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "R-3" ERZD MULTIPLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT; A 3.646 ACRE TRACT OF LAND OUT OF CB 4983, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "R-1" ERZD ONE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "B-2" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT; A 0.936 ACRE TRACT OF LAND OUT OF CB 4983, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "R-1" ERZD ONE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "O-1" ERZD OFFICE EDWARDS RECHARGE ZONE DISTRICT AND A 16.956 ACRE TRACT OF LAND OUT OF CB 4983, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "R-1" ERZD ONE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "B-3" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION; ALSO THAT A 6' SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE .099 AND .936 ACRE TRACT ADJACENT TO THE SINGLE FAMILY RESIDENTIAL AREA.

April 3, 1986
sr

* * * *

- - -
 86-15 (At this point Mayor Cisneros returned to the meeting to
 preside).

- - -
 86-15 PUBLIC HEARING & CONSIDERATION OF AN ORDINANCE - CDBG/EARLY
LEARNING INSTITUTE

Mayor Cisneros declared the Public Hearing to be open.

No citizens appeared to speak.

Mayor Cisneros declared the Public Hearing to be closed.

The Clerk then read the following Ordinance:

AN ORDINANCE 62,635

AUTHORIZING THE TRANSFER OF \$166,217.15 IN CDBG
 FUNDS TO THE EARLY LEARNING INSTITUTE PROJECT.

* * * *

Mrs. Dutmer made a motion to approve the proposed Ordinance. 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, Martinez, Thompson, Vera, Harrington, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: NONE.

- - -
 86-15 APPEAL OF WILLIAM V. SALAZAR

Mr. William V. Salazar, taxicab driver, noted that his permit to drive a taxicab had been rejected because he had made a mistake in filling out the application and the Transportation Advisory Board had thus rejected his application as a taxicab driver.

Mr. Roger Ibarra, Supervisor of Public Utilities, spoke to the background of the case stating that he feels that Mr. Salazar materially omitted certain portions of his application and he spoke to details of the alleged enfranchisements.

Mr. Hasslocher made a motion to sustain the staff recommendations. Mr. Webb seconded the motion.

A discussion then took place concerning driving while intoxicated convictions and their applicability to taxicab applications.

By the following vote the staff recommendation was upheld: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Vera, Harrington, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: None.

- - -
ZONING HEARINGS (CONTINUED)

30. CASE Z86063 - to rezone Lot 9, Block 1, CB 4983B, from Temporary "R-1" ERZD One Family Residence Edwards Recharge Zone District to "B-2" ERZD Business Edwards Recharge Zone District, located on the east corner of Huebner Road and Lockhill-Selma Road, having 105' on Lockhill-Selma Road and 290' on Huebner Road.

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

Mr. Harrington moved that the recommendation of the Zoning Commission be approved provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division; also that a 6' solid screen fence is erected and maintained along the northeast and southeast property line. Mr. Webb seconded the motion.

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

AN ORDINANCE 62,636

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 9, BLOCK 1, CB 4983B, FROM TEMPORARY "R-1" ERZD ONE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "B-2" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION. ALSO THAT A 6' SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTHEAST AND

April 3, 1986
sr

SOUTHEAST PROPERTY LINE.

* * * *

31. CASE Z86059 - to rezone Lot 39, Block 13, NCB 4985, Bitters Road and Partridge, from Temporary "R-1" One Family Residence District to "O-1" C.C. Office District for Child Day Care with over 20 children, located 92' north and 75' southwest of corner of Partridge Trail Drive, having 139' on Bitters Road and 35' on Partridge Trail Drive.

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

Mr. Harrington moved that the recommendation of the Zoning Commission be approved provided that 13' of dedication is given along Bitters Road and that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. 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, Martinez, Thompson, Vera, Harrington, Labatt, Cisneros; NAYS: None; ABSENT: Hasslocher.

AN ORDINANCE 62,637

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 39, BLOCK 13, NCB 4985, BITTERS ROAD AND PARTRIDGE, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "O-1" C.C. OFFICE DISTRICT FOR CHILD DAY CARE WITH OVER 20 CHILDREN, PROVIDED THAT 13' OF DEDICATION IS GIVEN ALONG BITTERS ROAD AND THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

* * * *

32. CASE Z86047 - to rezone a 5.05 acre tract of land out of CB 4017, being further described by field notes filed in the Office of the City Clerk, from Temporary "R-1" One Family Residence District to "R-1" One Family Residence District and a 6.08 acre tract of land out of CB 4017,

being further described by field notes filed in the Office of the City Clerk, from Temporary "R-1" One Family Residence District to "B-3" Business District, located on the northeast side of Bandera Road, being approximately 755' northwest of the intersection of Bresnahan Drive, and Bandera Road, having 1244.11' on Bandera Road with approximate depth of 772.01.

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

Mr. Harrington moved that the recommendation of the Zoning Commission be approved provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. 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, Martinez, Thompson, Vera, Harrington, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: None.

AN ORDINANCE 62,638

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 5.05 ACRE TRACT OF LAND OUT OF CB 4017, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "R-1" ONE FAMILY RESIDENCE DISTRICT AND A 6.08 ACRE TRACT OF LAND OUT OF CB 4017, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

* * * *

33. CASE Z85421 - to rezone a 1.390 acre tract of land out of Lot 37, Block 7, NCB 14578, being further described by field notes filed in the Office of the City Clerk, in the 13000 Block of Nacogdoches Road, from "B-2" Business District to "B-3NA" Non-Alcoholic Sales Business District, located on the west corner of Nacogdoches Road and Wordsworth Drive, having 170' on Nacogdoches Road and 300' on Wordsworth Drive with a

April 3, 1986
sr

15

maximum depth of 350'.

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

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

AN ORDINANCE 62,639

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE SOUTHEAST 150' OF A 1.390 ACRE TRACT OF LAND OUT OF LOT 37, BLOCK 7, NCB 14578, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 13000 BLOCK OF NACOGDOCHES ROAD, FROM "B-2" BUSINESS DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

* * * *

34. CASE Z86046 - to rezone a 29.16 acre tract of land out of C.B. 5186 and C.B. 5187, being further described by field notes filed in the Office of the City Clerk, from Temporary "R-1" One Family Residence District to Pl-1 "R-5" Planned Unit Development One Family Residence District, located on the north side of Voelcker Lane, extending southeast approximately 1,349.60' and northwest 1774.07' from the intersection of Voelcker Lane and George Road, having approximately 650' in depth.

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

Mr. Harrington 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: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Vera, Harrington, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: None.

AN ORDINANCE 62,640

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 29.16 ACRE TRACT OF LAND OUT OF C. B. 5186 AND C. B. 5187, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO P-1 "R-5" PLANNED UNIT DEVELOPMENT ONE FAMILY RESIDENCE DISTRICT.

* * * *

35. CASE Z86060 - to rezone Lot 54, Block 15, CB 4979, Bitters Road and Partridge Road, from Temporary "R-1" One Family Residence District to "O-1" Office District, located on the northwest side of Bitters Road, being 838.51' southwest of the intersection of Bitters Road and Partridge Drive, having 367.88' on Bitters Road, with a depth of 567.08'.

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

Mr. Harrington moved that the recommendation of the Zoning Commission be approved provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division; that maximum height of office buildings is two stories or 25' that buildings are placed at a setback line adjacent to Panther Springs Creek and located 75' from the drainage right-of-way at the northwest property line and 130' from the northeast property line; that a 6' solid masonry wall is erected and maintained along Lot 20, Block 13 and Lots 18 - 20, Block 14, abutting Lot 54, with a landscaped 10' buffer along the wall on the office building site; that a 6' solid masonry wall is erected and maintained around the cul-de-sac at the end of Phantom Valley with a 10' landscaped buffer; that all signs except the entrance sign is not greater than 6' in height; if separate and free-standing; that entrance sign is not greater than 6' in height; that temporary signs are unlighted and not greater than 6' x 4' in size; that exterior building lighting is not higher than 25' and directed away from residences, with no lighting above wall-height in the landscaped buffer; that a 1' non-access easement is imposed along Panther Valley. 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, Martinez, Thompson, Vera,

April 3, 1986
sr

17

Harrington, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: None.

AN ORDINANCE 62,641

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 54, BLOCK 15, CB 4979, BITTERS ROAD AND PARTRIDGE, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION; THAT MAXIMUM HEIGHT OF OFFICE BUILDINGS IS TWO STORIES OR 25'; THAT BUILDINGS ARE PLACED AT A SETBACK LINE ADJACENT TO PANTHER SPRINGS CREEK AND LOCATED 75' FROM THE DRAINAGE RIGHT-OF-WAY AT THE NORTHWEST PROPERTY LINE AND 130' FROM THE NORTHEAST PROPERTY LINE; THAT A 6' SOLID MASONRY WALL IS ERECTED AND MAINTAINED ALONG LOT 20, BLOCK 13 AND LOTS 18 - 20, BLOCK 14, ABUTTING LOT 54, WITH A LANDSCAPED 10' BUFFER ALONG THE WALL ON THE OFFICE BUILDING SIDE; THAT A 6' SOLID MASONRY WALL IS ERECTED AND MAINTAINED AROUND THE CUL-DE-SAC AT THE END OF PHANTOM VALLEY, WITH A 10' LANDSCAPED BUFFER; THAT ALL SIGNS EXCEPT THE ENTRANCE SIGN ARE NO GREATER THAN 6' IN HEIGHT, IF SEPERATE AND FREE STANDING; THAT ENTRANCE SIGN IS NOT GREATER THAN 6' IN HEIGHT; THAT TEMPORARY SIGNS ARE UNLIGHTED AND NOT GREATER THAN 6' x 4' IN SIZE; THAT EXTERIOR BUILDING LIGHTING IS NOT HIGHER THAN 25' AND DIRECTED AWAY FROM RESIDENCES, WITH NO LIGHTING ABOVE WALL-HEIGHT IN THE LANDSCAPED BUFFER; THAT A 1' NON-ACCESS EASEMENT IS IMPOSED ALONG PANTHER VALLEY.

* * * *

36. CASE Z86061 - to rezone a 0.443 acre tract out of Lot 1B, NCB 16411, being further described by field notes filed in the Office of the City Clerk, from Temporary "R-1" One Family Residence District to "B-3" Business District, located on the north corner of Nacogdoches Road with O'Connor Road, having 95.56' on cut-back, 33.63' on Nacogdoches Road and 140' on O'Connor Road.

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

Mr. Hasslocher moved that the recommendation of the Zoning Commission be approved provided that 18' of dedication is given along O'Connor Road; and that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. 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, Martinez, Thompson, Vera, Harrington, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: None.

AN ORDINANCE 62,642

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 0.443 ACRE TRACT OUT OF LOT 1B, NCB 16411, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT 18' OF DEDICATION IS GIVEN ALONG O'CONNOR ROAD; AND THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

* * * *

37. CASE Z86078 - to rezone Lots 23 and 24, NCB 12167, 2427-2433 Austin Highway, from "F" Local Retail District to "B-3" Business District, located on the northwest side of Austin Highway (U.S. Highway 81N), being approximately 300' northeast of the intersection of Perrin-Beitel Road and Austin Highway (U.S. Highway 81N), having 140' on Austin Highway (U.S. Highway 81N) with a maximum depth of 212'.

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

Mr. Hasslocher moved that the recommendation of the Zoning Commission be approved provided that access and parking are provided and submitted for approval by the Traffic Engineering Division. Mr. Thompson seconded the motion.

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

April 3, 1986
sr

Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Vera, Harrington, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: None.

AN ORDINANCE 62,643 .

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 23 AND 24, NCB 12167, 2427-2433 AUSTIN HIGHWAY, FROM "F" LOCAL RETAIL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT ACCESS AND PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

* * * *

86-15 The Clerk read the following Ordinance:

AN ORDINANCE 62,644 .

AMENDING THE CITY CODE AND AUTHORIZING THE INSTALLATION OF FOUR-WAY STOP SIGNS AT CERTAIN LOCATIONS.

* * * *

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

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

86-15 The Clerk read the following Resolution:

A RESOLUTION NO. 86-15-19 .

ESTABLISHING A JOINT CITY/COUNTY COMMISSION TO PLAN THE ACTIVITIES FOR THE 1987 MARTIN LUTHER KING, JR. BIRTHDAY CELEBRATION.

* * * *

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

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

- - -
86-15 The Clerk read the following Ordinance:

AN ORDINANCE 62,645

STATING THE CITY'S INTENT TO CO-SPONSOR A, PLAN, AND HOST A FIVE DAY EVENT TO CELEBRATE THE INAUGURATION OF THE NEW BUILDING OF THE UNIVERSIDAD NACIONAL AUTONOMO DE MEXICO IN SAN ANTONIO AND ESTABLISHING A COMMITTEE TO PLAN THE ACTIVITIES THE CITY WILL CO-SPONSOR.

* * * *

Mrs. Dutmer made a motion to approve the proposed Ordinance. Ms. Vera seconded the motion.

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

- - -
86-15 The Clerk read the following Ordinance:

AN ORDINANCE 62,646

AUTHORIZING THE SETTLEMENT OF CAUSE NO. 04-85-00403-CV, STYLED CITY OF SAN ANTONIO V. GRANT H. MILLER.

* * * *

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

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

April 3, 1986
sr

21

86-15 The Clerk read the following Ordinance:

AN ORDINANCE 62,647

AUTHORIZING THE PAYMENT OF \$7,000.00 TO K.W. GROUP FOR THE PURCHASE OF THE SAN ANTONIO SESQUICENTENNIAL SPORTS PATCHES.

* * * *

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

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

86-15 The Clerk read the following Ordinance:

AN ORDINANCE 62,648

APPOINTING INDIVIDUALS TO SERVE ON THE ANIMAL CONTROL ADVISORY BOARD. (APPOINT: JANIE MEDELLIN (DIST. 1); DR. D. W. DODD (DIST. 3); EDWARD GARZA (DIST. 5); MRS. PAT KEEFER (DIST. 6); MS. KATHLEEN WALTHALL (DIST. 9); DR. LAURENCE Y. MOORE, D.V.M. (DIST. 10); DR. KATHERINE RATHBUN (MAYOR); REAPPOINT: GUY SOWELLS (DIST. 2); MS. LEE ANN MANN (DIST. 4); DOROTHY L. ANTHONY (DIST. 7); MRS. BILL MERRIMAN (DIST. 8).

* * * *

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

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

86-15 The Clerk read the following Ordinance:

AN ORDINANCE 62,649

APPOINTING EMMA GARZA TO SERVE ON THE HOME
IMPROVEMENT ADVISORY BOARD FOR A TERM TO EXPIRE ON
JUNE 23, 1987.

* * * *

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

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

86-15 The Clerk read the following Ordinance:

AN ORDINANCE 62,650

AUTHORIZING THE CITY MANAGER TO EXECUTE ON BEHALF OF
THE CITY OF SAN ANTONIO AN AMENDMENT TO THE
GUADALUPE MEDICAL COMPLEX PARKING GROUND LEASE
AGREEMENT WITH BONA VENTURES, INC., A TEXAS
CORPORATION AND BERNARD LIFSHUTZ DBA GUADALUPE
MEDICAL OFFICE JOINT VENTURE.

* * * *

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

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

86-15 STARVING ARTISTS SHOW

Mrs. Dutmer spoke to the letter received by each City Council
member from Attorney Dick Terrel Brown concerning the constitutionality of
last week's vote to allow the Little Church of La Villita to charge
admission to the La Villita area. She stated that she still has a number

April 3, 1986
sr

of concerns raised by the City Attorney and herself at the time the action was taken.

Mrs. Dutmer made a motion to reconsider ordinance 62612. Mr. Thompson seconded the motion.

Mr. Lowell Denton, City Attorney stated that he feels last week's council decision was not legally sound. He stated further that the city position would be reinforced if funds collected from the Starving Artists Show would be applied to the matter of feeding the poor only and not used for sectarian purposes. He stated that he has First Amendment problems with the action taken by the Council.

Mayor Cisneros stated that feeding the poor is an important social function of the city and he favors retaining the ordinance as enacted last week by the City Council. He further stated that he feels the city's co-sponsorship of the Starving Artists Show and the assurances given that the funds collected would be used only to feed the poor would enhance the city's legal position in this regard.

Mr. Denton stated that he had analyzed the difference between this closure and the one allowed for Night in Old San Antonio.

Mayor Cisneros stated that he feels both of them accrue to the good of the city of San Antonio.

Mr. Thompson spoke in favor of the concept of the closure of La Villita for the Starving Artists Show but stated that he personally is against granting it for this one event and giving the money to a church. He spoke of the need to separate church and state and feels that he too has a First Amendment question in this regard.

Mr. Martinez stated that he feels Reverend Edmunds assured the City Council last week that all funds collected would be used only to feed the poor.

Mr. Labatt spoke in support of Reverend Edmunds' stand.

Mrs. Dutmer stated that she feels there may be a violation of the Council oath in this regard.

Mayor Cisneros stated that he favors a City policy that allows more use of La Villita for certain functions that return a value to the city.

Mr. Webb spoke in favor of church involvement in such matters as feeding the poor.

The motion to reconsider the ordinance failed to carry with the following vote: AYES: Dutmer, Thompson, Hasslocher; NAYS: Berriozabal,

Webb, Wing, Martinez, Vera, Harrington, Labatt, Cisneros; ABSENT: None.

86-15 The Clerk read the following Ordinance:

AN ORDINANCE 62,651

AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE INTERNATIONAL DOWNTOWN EXECUTIVES ASSOCIATION FOR TECHNICAL ASSISTANCE IN ESTABLISHING A CENTRALIZED RETAIL MANAGEMENT ENTITY FOR DOWNTOWN SAN ANTONIO.

* * * *

Ms. Berriozabal made a motion to approve the proposed Ordinance. Mrs. Dutmer seconded the motion.

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

86-15 The Clerk read the following Ordinance:

AN ORDINANCE 62,652

AMENDING CHAPTER 28 OF THE CITY CODE TO PROHIBIT THE PLACEMENT AND DISPLAY OF PORTABLE SIGNS; REQUIRING REGISTRATION OF EXISTING PORTABLE SIGNS; AND PROVIDING A PENALTY FOR VIOLATION HEREOF BY FINE NOT TO EXCEED \$200.00.

* * * *

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

Mr. Gene Camargo, Director of Building Inspections, stated that if any compromise with the billboard industry breaks down, City staff recommends a complete ban on billboards in the city of San Antonio. He noted that the proposed agreement involves including an agreement concerning the removal of billboards on Loop 1604 in return for negotiating a ban on billboards inside the city. He briefly explained the portable sign ordinance as well as the proposed billboard ordinance to be considered following this item including all issues to be decided upon and

April 3, 1986
sr

25

he directed Council's attention to a comparison sheet involving the issues on billboard regulations as to the City Council's position, the billboard industry's position, the city's current regulations and finally the proposed agreement regulations.

Mr. Pat Bernal, Assistant City Attorney, spoke to the proposed compromise agreement which is to be the subject of a friendly lawsuit between the City of San Antonio and the billboard industry.

Mayor Cisneros spoke to the advantages and disadvantages of the proposed compromise to the City of San Antonio, and distributed to members of the City Council an analysis of the billboard compromise, (a copy of which is attached to the papers of this meeting).

Mr. Hasslocher spoke of the compromise meeting yesterday and he asked the City Council for its support of the proposed compromise.

Mr. Jay Lindsay, President of the San Antonio Portable Sign Association, spoke in opposition to Ordinance 5A and stated that this is not a compromise ordinance. He also stated that they have attempted unsuccessfully to meet with Mr. Gene Camargo, Director of Building Inspections and Mr. Pat Bernal, Assistant City Attorney, on this issue. He asked the City Council to deny this ordinance and stated that this ordinance will hurt small businesses.

Mrs. June Kachtik stated that the neighborhood coalitions are in favor of much tighter regulations and feel that a stronger ordinance will enhance the city's quality of life. She spoke in favor of other cities' recent actions with regard to a total ban on billboards.

Mr. Phil Barshop stated that this is not a compromise in the eyes of the citizens. He stated that amortization should be considered along with no replacement or relocation permitted.

Mr. Bill Kaufmann, representing members of the sign industry, gave a brief history of the moratorium on billboards and the efforts of the staff and members of the industry on this issue. He spoke of the process and his clients' agreement to accept this compromise. He also stated that these ordinances will provide for a gradual decrease in billboards. He also expressed concern about any changes to the compromise which could have a detrimental effect on the agreement.

Mr. Charles Kaplan, Executive Director of the NAIOP, stated that their Board of Directors voted to support the City Council in its proposed ban on off-premise billboards.

Mrs. Madeline Guyer, San Antonio Coalition of Neighborhoods Association, stated that they support a total ban on billboards, with no replacement or relocation permitted. They are in favor of enlarged scenic districts.

Mr. Lee Sanders, Greater San Antonio Builders Association, spoke in favor of the compromise and the staff's recommendation to the City Council.

Mr. Frank Manupelli, representing Ellison Industries, stated that they have been working with the staff on the proposed sign ordinance. He spoke of the need for billboards and the businesses and jobs which are involved. He urged the Council to approve the compromise.

Mr. Neil Winslow, PACE, spoke in support of a strict ordinance. He also reaffirmed the position of the San Antonio Coalition of Neighborhoods.

The following persons spoke in favor of the compromise agreement:

Mr. Ray Keller
LaVerne Parish
Larry Clark, Delta Displays
Tim Buschor, Omni Outdoor Advertising
Walter Rittholer, Rollins Outdoor Advertising

Mr. Larry DiMartino, representing the Fine Arts Commission, spoke in favor of a total ban on billboards. He stated that amortization must be kept in place. He also spoke against any relocation or replacement permits and the need for more scenic corridors.

The following persons then spoke in favor of the compromise agreement:

Virginia Perkins, Delta Displays
Linda Adams, Delta Displays
Bruce McWhinnie, Delta Displays
Scott Christensen, Delta Displays

Mr. Eric Krueger, Billboards Limited of San Antonio, spoke in favor of a total ban on new billboards. He stated that there are presently 2500 billboards in the San Antonio area. They are very much in favor of a total ban on billboards and spoke of the actions which have been taken by other states in eliminating billboards along major highways.

Mrs. Sally Buchanan, representing the San Antonio Conservation Society, stated that they have been working with neighborhoods on this issue. They are requesting a total ban on new billboards, amortization of existing billboards, and expansion of scenic corridors.

Mr. Robert Walker spoke against the proposed ordinance. He is in favor of a total ban and feels that the proposed ordinance does not provide for the regulations he would have preferred.

April 3, 1986
sr

Mr. Michael Smith, representing the Tobin Hill Neighborhood Association, spoke against the proposed ordinance. He feels that the ordinance is a manifestation of the status quo. He spoke in favor of a total ban on billboards.

Mr. Starr Kealhofer, San Antonio Board of Realtors, spoke in favor of the compromise position.

Ms. Cathy Powell stated that citizens and other businesses do not favor this so-called compromise agreement. She feels that the compromise is an usurpation of the Council's powers. She also spoke in favor of a total ban on billboards as well as establishment of scenic corridors. She then spoke of the need to keep amortization intact.

Ms. Carolyn Peterson, President-Elect of the AIA, spoke of their concerns on the compromise. They urged the City Council not to vote in favor of the compromise proposal.

In response to Mayor Cisneros, Mr. Camargo spoke with regard to amortization procedures now in place according to state law. There are 274 billboards which will be amortized at 65 percent of their useful life as determined by the Municipal Board Control.

Mayor Cisneros stated his feeling that the City Council should perhaps postpone action on this matter today until final terms of the proposed agreement are agreed to and enacted.

Mr. Martinez stated that he does not support a total ban on billboards and he favored postponement and the compromise.

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

Mr. Thompson spoke in favor of the regulation of portable signs.

Mrs. Dutmer spoke against the regulation of portable signs.

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

86-15 The Clerk read the following Ordinance:

AN ORDINANCE 62,653

AMENDING CHAPTER 28 OF THE CITY CODE OF THE CITY OF

SAN ANTONIO RELATING TO SIGNS AND BILLBOARDS;
IMPOSING CERTAIN REQUIREMENTS FOR SIGN PERMITS;
LIMITING PERMITS ON THE BASIS OF SQUARE FOOTAGE OF
ADVERTISING DISPLAY AREA PER MONTH; REQUIRING
REGISTRATION OF EXISTING BILLBOARDS; RESTRICTING
LOCATION OF BILLBOARDS TO CERTAIN AREAS;
ESTABLISHING PERMIT PROCEDURES BEFORE THE ELECTRICAL
EXAMINING AND SUPERVISING BOARD; ESTABLISHING A FEE
SCHEDULE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING
A PENALTY FOR VIOLATION HEREOF BY A FINE NOT TO
EXCEED \$200.00; AND PROVIDING AN EFFECTIVE DATE FOR
CERTAIN PROVISIONS.

* * * *

Ms. Vera made a motion to postpone this item for two weeks. Mrs. Berriozabal seconded the motion.

After some discussion, Mayor Cisneros ruled that he would not accept this motion since the points of this issue already have been debated in discussion of the previous ordinance.

Mr. Gene Camargo, Director of Building Inspections, noted that some 1800 billboards are located in the city of San Antonio already and 274 of them have non-conforming rights since they were in city areas annexed after their erection.

Ms. Vera stated that she favors a total ban on billboards.

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

Mrs. Berriozabal made a substitute motion for a total ban on the billboards; establishment of scenic corridors; extension of the ban to city's extra-territorial jurisdiction, and institution of the amortization process. Ms. Vera seconded the motion.

A discussion then took place concerning adding additional scenic corridors to the proposed amendment and the inability to bind future city Councils from taking actions in this area.

Mr. Bill Kaufman, attorney for the billboard industry stated that he would speak to all of these issues.

Mr. Labatt stated that he favors the compromise and the establishment of more scenic corridors.

April 3, 1986
sr

29

Mrs. Dutmer spoke in support of the compromise but she voiced several individual concerns.

Mr. Lowell Denton, City Attorney, stated that he is against the ordinance.

The vote on the substitute ordinance failed to carry by the following vote: AYES: Berriozabal, Vera, Cisneros; NAYS: Webb, Wing, Martinez, Thompson, Harrington, Labatt, Hasslocher; ABSENT: None; ABSTAIN: Dutmer.

Mr. Hasslocher moved that an amendment be added giving direction to the Director of Building Inspections information into the proposed agreement, that the City Council cannot bind future Councils, and also that the city will retain its ability to designate scenic corridors to be a part of any future agreement. Mr. Harrington seconded the motion.

The vote on the amendment prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Vera, Harrington, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: None.

A second amendment was made by Mrs. Berriozabal to include into the agreement negotiations representatives of the San Antonio Conservation Society; San Antonio Coalition of Neighborhoods; National Association of Industrial Office Parks; and Business Limited of San Antonio. Ms. Vera seconded the motion.

The vote on the second amendment prevailed by the following vote: AYES: Berriozabal, Webb, Martinez, Thompson, Vera, Cisneros; NAYS: Dutmer, Wing, Harrington, Labatt, Hasslocher; ABSENT: None.

The vote on the main motion, as amended twice, prevailed by the following vote: AYES: Webb, Wing, Martinez, Thompson, Harrington, Labatt, Hasslocher, Cisneros; NAYS: Berriozabal, Dutmer, Vera; ABSENT: None.

86-15 The Clerk read the following Ordinance:

AN ORDINANCE 62,654

EXTENDING CHAPTER 28 INTO THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF SAN ANTONIO; ADOPTING REGULATIONS FOR ERECTION OF BILLBOARDS IN THE ETJ; DESIGNATING SCENIC CORRIDORS; PROVIDING AN EFFECTIVE DATE; AND PROVIDING A PENALTY FOR VIOLATION HEREOF BY FINE NOT TO EXCEED \$200.00.

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

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

- - -
86-15

U. S. JAYCEES

Mayor Cisneros noted the presence in the audience today of Mr. Ken Zimmerman, President of the United States Junior Chamber of Commerce, and Mr. Larry Ashworth, President of the San Antonio Junior Chamber of Commerce, and introduced both to members of the City Council. Mayor Cisneros then read a proclamation and presented Mr. Zimmerman with an official book on the city of San Antonio.

Mr. Ken Zimmerman, President of the U.S. Jaycees stated that he was visiting San Antonio as part of his nation wide U.S. Jaycees Liberty Tour, and accepted from Mr. Ashworth, President of the San Antonio Jaycees a check in the amount of \$1,000 the contribution of the San Antonio Jaycees to Mr. Zimmerman for the Statue of Liberty/Ellis Island Foundation Restoration Effort. He further stated that he is seeking to raise \$500,000 in his tour around the nation from various Jaycees groups.

Mayor Cisneros then thanked Mr. Zimmerman for his efforts and welcomed him to San Antonio.

- - -
CITIZENS TO BE HEARD

MR. DAVID BAZAN

Mr. David Bazan stated that he had been treated rudely by a member of Councilwoman Vera's staff.

Councilwoman Vera stated that she would be glad to discuss this matter with Mr. Bazan at any time he so wishes.

* * * *

MR. DAN BUMP

Mr. Dan Bump, Park Forest Neighborhood Association, spoke to the Council about two zoning cases which had been approved by the City

April 3, 1986
sr

Council at its meeting earlier today. He stated that the buildings on the property were constructed at the time the annexation process had begun. Thus, it came in with non-conforming rights. He spoke of their concern about control over these loop-holes which are causing undesirable developments to be constructed without regard to proper zoning. He referred to the City's annexation policy to increase the city's regulatory powers to its ETJ.

Councilman Thompson explained that once the annexation process begins, things of this type start to occur. He also expressed concern about these types of occurrences.

Mr. Bump reiterated his concerns and asked the City Council to address the policy of extension of its regulatory powers to its ETJ with the state legislature. Mr. Bump then expressed concern that Mr. Harrington acted improperly in asking that sections of the Shavano area be deleted from annexation.

Mr. Harrington asked Mr. Bump to list his concerns in writing to the City Attorney for an opinion on whether he acted improperly.

* * * *

NO SMOKING ORDINANCE

Ms. Vicki Ferguson spoke in favor of the no-smoking ordinance which will be discussed by the City Council at its "B" Session this evening. She spoke about her personal experiences and those of her family and the manner in which it has affected her health. She then quoted from several magazine and newspaper articles on the detrimental effects of smoking to non-smokers.

* * * *

SAN ANTONIO NON-SMOKERS COALITION

A group of citizens representing the San Antonio Non-Smokers Coalition, spoke in favor of the ordinance proposed by Councilwoman Yolanda Vera. These speakers were:

Mr. Larry Suthers
 Dr. Kent Triskle
 Dr. Marilyn Escobedo
 Mr. Jeff Akins, Attorney

Mr. Bob Couch presented a written statement to the City Council, a copy of which is on file with the papers of this meeting.

Mayor Cisneros thanked the delegation for their presentation and informed them that this issue will be discussed by the City Council in its "B" Session.

* * * *

MRS. ANGELA SHOWERON

Mrs. Showeron, 831 W. El Monte, spoke to the City Council regarding her concerns about the fate of social security and medicare. She asked them to consider supporting the efforts of Congressman James Roosevelt to preserve social security and medicare.

* * * *

Mr. Bill Finck stated that he would be glad to assist and participate in the wording of a smoking ordinance if the Council so desires.

- - -
86-15 The City Council recessed its regular session at 6:15 P.M., reconvening the regular session at that time to discuss the following item.

86-15 LIABILITY INSURANCE PROBLEMS

Mayor Cisneros asked the City Council Plans and Policy Committee under the direction of Mr. Harrington to schedule a "B" Session briefing soon on the matter of Liability Insurance Problems for cities. He spoke of a letter he had written to State Senator Cindy Krier concerning this matter and the difficulties of cities being able to secure liability insurance at this time. He then spoke of the possible adverse consequences of cities unable to purchase liability insurance. Mayor Cisneros then addressed a number of handout items, (copies of which are attached to the papers of this meeting), dealing with city spending comparisons in Texas, growth markets of 1986, taxing and indebtedness and bonded indebtedness per capita in a number of cities in Texas. He then spoke to the good levels of San Antonio's personal income growth and stated further that he feels that San Antonio's economic development strategies are working and that the city has gained some 2.9% in employment in the recent months.

86-15 There being no further business to come before the City Council,
the meeting was adjourned at 7:20 P.M.

A P P R O V E D

Henry Casimiro

M A Y O R

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

