

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
TUESDAY, NOVEMBER 20, 1984.

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

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84-53 The invocation was given by Reverend R. L. Archield, Sr., Friendship Baptist Church.

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84-53 The City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

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84-53 MARIACHI WEEK

Mayor Cisneros introduced Mr. Isarias Diaz of the Market Square Association, on the subject of Mariachi Week.

Mr. Diaz spoke of the traditions of Market Square, and invited the City Council to take part in the Festival de Trovadores, November 17-25.

The Randalla Mi Tierra, a group of 38 mariachis, then performed several songs to commemorate the observance.

Mayor Cisneros noted that the group is made up of mariachis, all from San Antonio, and all who perform at Mi Tierra Restaurant. He suggested that the group write and perform songs about San Antonio, and recommended that they be utilized as a group such as this to perform for visiting groups in San Antonio. He asked Mr. John Mosty, Director of the Convention and Visitors Bureau, to make an attempt to utilize the group in such a manner in the future, and noted that they were organized and backed by Mr. David Cortez of Mi Tierra Restaurant.

Mr. Archer stated his opinion that the group should perform in conjunction with the San Antonio Symphony.

Mr. Eureste noted the unusual nature of the large group, made up of only stringed instruments, and spoke in support of their performances as entertainment for visiting groups.

Mayor Cisneros then read the proclamation of Mariachi Week and presented it to the leader of the group.

The Rondalla then performed several more selections, at the request of the Mayor and City Council.

84-53 CONSENT AGENDA

Mrs. Dutmer moved that Items 7 - 20, constituting the Consent Agenda, be approved. Mr. Webb seconded the motion.

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

AN ORDINANCE 59,782

ACCEPTING THE LOW QUALIFIED BIDS OF UNIVERSAL DATA PRODUCTS AND TECHNICAL CONCEPTS CORPORATION TO FURNISH THE CITY OF SAN ANTONIO INFORMATION RESOURCES DEPARTMENT WITH STATISTICAL MULTIPLEXORS AND MAINTENANCE FOR A TEN MONTH PERIOD FOR A TOTAL OF \$66,302.00.

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AN ORDINANCE 59,783

ACCEPTING THE PROPOSAL OF STORAGE TECHNOLOGY CORPORATION FOR LEASE AND MAINTENANCE OF DISC DRIVES IN THE INFORMATION RESOURCES DEPARTMENT FOR AN ESTIMATED TOTAL OF \$212,000.00.

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AN ORDINANCE 59,784

ACCEPTING THE LOW QUALIFIED PROPOSAL OF CMI CORPORATION TO FURNISH THE CITY OF SAN ANTONIO INFORMATION RESOURCES DEPARTMENT WITH A DIRECT ACCESS STORAGE SUBSYSTEM FOR AN ESTIMATED TOTAL OF \$938,144.00 PLUS TRANSPORTATION COSTS.

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AN ORDINANCE 59,785 .

ACCEPTING THE LOW QUALIFIED BID OF J. R. RAMON AND SONS, INC., A MINORITY OWNED FIRM, FOR THE DEMOLITION OF BUILDINGS AT THE SITE OF FIRE STATION #17 IN THE AMOUNT OF \$6,883.00.

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AN ORDINANCE 59,786 .

AUTHORIZING THE CREATION OF A MULTI-FUND ACCOUNT FOR HANDICAPPED ACCESS PROJECTS BY COMBINING CAPITAL IMPROVEMENT BUDGETS FROM 6TH, 8TH, 9TH AND 10TH YEARS CDBG CAPITAL PROJECTS ACCOUNTS.

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AN ORDINANCE 59,787 .

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$7,815.00 OUT OF VARIOUS FUNDS FOR THE PURPOSE OF ACQUIRING TITLE AND/OR EASEMENTS TO CERTAIN LANDS; ACCEPTING THE DEDICATION OF EASEMENTS TO CERTAIN LANDS; ALL IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS.

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AN ORDINANCE 59,788 .

AUTHORIZING A LEASE AGREEMENT WITH SHERRY DISDIER, D/B/A LA PLANTADORA DE SAN ANTONIO, FOR 178 SQUARE FEET OF SPACE LOCATED IN THE REAR OF BUILDING 14 AT 510 VILLITA IN LA VILLITA.

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AN ORDINANCE 59,789 .

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 59,790 .

AUTHORIZING THE CITY MANAGER TO REVISE THE SERVICE CREDITS OF ACTIVE EMPLOYEES AND PROVIDE RETIREES WITH AN ANNUITY INCREASE.

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AN ORDINANCE 59,791

AUTHORIZING CLOSURE OF CERTAIN STREETS ON APRIL 7, 1985, FROM 8:00 A.M. TO 5:00 P.M. TO ALLOW THE ALAMO CYCLING ASSOCIATION TO RAISE FUNDS TO BENEFIT THE RONALD MCDONALD HOUSE.

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AN ORDINANCE 59,792

ACCEPTING THE SUM OF \$7,300.00 FROM MR. RANDY MCDONALD TO PAY FOR MODIFICATIONS TO A TRAFFIC SIGNAL DEVICE LOCATED AT THE INTERSECTION OF NACOGDOCHES AND LEONHARDT.

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AN ORDINANCE 59,793

AUTHORIZING THE INSTALLATION OF A TRAFFIC SIGNAL DEVICE AT THE INTERSECTION OF CALLAGHAN AND MANITOU.

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AN ORDINANCE 59,794

AUTHORIZING PAYMENT OF UP TO \$10,500.00 TO CATERING BY ROSEMARY FOR A SALES PRESENTATION/RECEPTION AND DINNER ON JANUARY 3, 1985, GIVEN BY THE CONVENTION AND VISITORS BUREAU FOR THE INTERNATIONAL ASSOCIATION OF MANAGEMENT COMPANIES.

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A RESOLUTION NUMBER 84-53-58

SETTING A PUBLIC HEARING ON DECEMBER 6, 1984, AT 2:00 P.M., TO RECEIVE CITIZEN COMMENT ON REPROGRAMMING CDBG FUNDS IN THE AMOUNT OF \$23,203.66 FROM THE BRIGGS AVENUE RECONSTRUCTION PROJECT TO THE LAWLEY/MCNAIR STREET RECONSTRUCTION PROJECT.

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ZONING HEARINGS

21. CASE Z84435 - to rezone Lots 4, 5, 6 and 7, Block 1, NCB 1858, 324 W. Woodlawn Avenue, from Historic "R-3" Multiple Family Residence District to Historic "O-1" Office District, located on the southside of Woodlawn Avenue and being 150' east of the intersection of San Pedro Avenue and Woodlawn Avenue, having 200' on Woodlawn Avenue and a depth of 130'.

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

Mr. Harry Jewett, 342 West Woodlawn Avenue, spoke briefly of the history of the property concerned, next to his own property on West Woodlawn. He noted that the building on the property was shut down last year by the Health Department for health violations, and now the new owner of the property wants to renovate the main structure into an office building. He spoke of other such uses in the immediate area, all cases of revitalization and renovation of buildings. He stated that, according to the site plan, there would be no ingress/egress to West Craig Place, to the south, only onto West Woodlawn Avenue, and he spoke to the appropriateness of the use planned for the area.

Mr. George Boyd, President of the Monte Vista Historical Association, voiced his concern with the rezoning of the piece of the subject property that contains the house at 318 West Woodlawn Avenue, a historic building constructed in the 1800's for which the present plan is demolition rather than renovation, to make way for parking adjacent to the proposed office building. He spoke of the need to preserve the building on this piece of subject property, noting that his group does favor rezoning and renovation of the remainder of the subject property. He further stated his belief that the neighbors are opposed to removal of the smaller residence from the property, by any means.

Ms. Emily Thuss, 104 East Elsmere Place, President of the Monte Vista Neighborhood Association, stated that her polls indicate that the neighbors favor and support rehabilitation of the larger home, but are against demolishing the smaller house to make way for parking. She stated her further belief that the present owner, Ms. Sylvia Saenz, also favors restoring the smaller, historical home.

Mr. Jewett noted that rehabilitation plans must still comply with the City Code provisions, including parking, and that the proposed office building must have adequate parking on the site presently occupied by the smaller home. He spoke of the need to link parking and landscaping of the entire property.

Mr. Archer spoke in support of the rehabilitation proposal, and stated his belief that an office building must have adequate parking in order to be a good addition to the Monte Vista area.

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A discussion then took place concerning the possibility of donation of the smaller home to anyone who wished to claim it and would then remove it from the site, to be restored at another location.

Mr. Archer moved to approve the requested rezoning provided that off-street parking is provided and submitted for approval by the Traffic Engineering Division. Mr. Hasslocher seconded the motion.

Mr. Archer stated his willingness to help find someone to take the smaller home, over the next several months, if this is acceptable to all parties.

Ms. Thuss suggested postponing any rezoning action on the property at 318 West Woodlawn Avenue, for the time being.

Mr. Archer asked Ms. Thuss to attempt, over the next three months, to locate someone who would like to remove and restore the small home, noting his belief that Mr. Jewett would work with her in this matter.

Mr. Gene Camargo, Director of Building Inspections, noted that the City's Historical Review Board had denied demolition of the home at 318 West Woodlawn Avenue, but had approved demolition of the nearby carriage house. He noted that the denial of the demolition permit would hold for a 120-day period.

In response to a question by Mr. Alderete, Mr. Jewett discussed plans for parking on the property concerned.

Mrs. Dutmer spoke in support of the motion, stating her belief that someone probably would claim, and move, the smaller home.

In response to a question by Ms. Berriozabal, Mr. Boyd discussed his group's opposition to part of the rezoning request, that of 318 West Woodlawn Avenue, noting that the question is one of whether removal of the older home is necessary to make way for adequate parking.

Ms. Berriozabal voiced her concern with the lack of timely notice given to the Monte Vista groups in this matter, but spoke in support for the pending motion.

Mr. Andy Guerrero, Planner II, explained that the Monte Vista groups were notified of the pending request, like all others who fall within 200 feet of the subject property, 10 days before the case was heard by the Zoning Commission.

A discussion then took place concerning the possibility of deed-restricting the property against erection of a high-rise building.

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

AN ORDINANCE 59,795

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 4, 5, 6 AND 7, BLOCK 1, NCB 1858, 324 WEST WOODLAWN AVENUE, FROM HISTORIC "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT TO HISTORIC "O-1" OFFICE DISTRICT, PROVIDED THAT OFF-STREET PARKING IS PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

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22. CASE Z83159 - to rezone Lot 127, Block 13, NCB 9313, 1006 S.W. Military Drive from "B-1" Business District to "B-3" Business District, located southwest of the intersection of Clamp Avenue and S.W. Military Drive, having 100' on S.W. Military Drive and 149.5' on Clamp Avenue.

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

Mr. Robert Jorrie, 711 Navarro, spoke of the need for B-3 zoning for a restaurant operation with on-premises consumption of alcoholic beverages.

In response to a question by Mr. Wing, Mr. Jorrie discussed the restaurant uses allowed under a B-2 zoning, and spoke of the history of zoning in this area.

Mr. Wing moved that the property be rezoned "B-3R". Mr. Alderete seconded the motion.

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

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AN ORDINANCE 59,796

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 127, BLOCK 13, NCB 9313, 1006 SOUTHWEST MILITARY DRIVE, FROM "B-1" BUSINESS DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT.

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23. CASE Z84429 - to rezone Lots 91 and 92, NCB 15731, 159 Remount Road, from Temporary "R-1" One Family Residence District to "B-3R" Restrictive Business District, located on the southside of Remount Road, being 950' east of the intersection of IH 35 Expressway and Remount Road, having 100' on Remount Road and a depth of 150'.

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

Mr. Chris Taylor, 159 Remount, stated that he plans to install a one-man laboratory on the property next to his home, for the testing of petroleum products which he is doing for the federal government and other entities.

Mrs. Carmen Ocejo, 167 Remount, voiced her concern with the testing of any petroleum products in a residential area.

Mr. Taylor explained that the amounts of fuel to be tested are minimal, on the order of perhaps five gallons or less, where actual tests involve only about one-gallon amounts, less fuel than is stored in most garages for use in home lawnmowers.

In response to questions by Mr. Webb, Mrs. Ocejo and Mr. Richard Ocejo briefly described the area and its present zoning uses, noting that even though the area has light industry present, they have lived there for some 15 years and have been opposed to industrial zoning all this time. They also spoke to alleged illegal property usage nearby.

Mr. Webb spoke in favor of B-3NA zoning.

Mr. Webb moved that the property be zoned "B-3NA" provided that 5' of street dedication is given along Remount Road. 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, Wing, Eureste, Thompson, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; DISQUALIFIED: Dutmer; ABSENT: None.

AN ORDINANCE 59,797

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 91 AND 92, NCB 15731, 159 REMOUNT ROAD, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-3NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES, PROVIDED THAT FIVE FEET OF STREET DEDICATION IS GIVEN ALONG REMOUNT ROAD.

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24. CASE Z84414 - to rezone the south 605.87' of Tracts 4-C and 5-C, NCB 10757, 2951 Rigsby Road, from "A" Single Family Residence District to "B-3R" Restrictive Business District, located on the northside of Rigsby Avenue, being 600' west of the intersection of W.W. White Road and Rigsby Avenue, having 298.50' on Rigsby Avenue and a depth of 605.87'.

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

Mrs. Dutmer moved that the recommendation of the Zoning Commission be approved provided that 10' of right-of-way is given along Rigsby Road; that driveways and parking are provided and submitted for approval by the Traffic Engineering Division; and that a 6' solid screen fence is erected and maintained along the west property line. 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, Dutmer, Wing, Eureste, Thompson, Alderete, Harrington Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Webb.

AN ORDINANCE 59,798

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE SOUTH 605.87' OF TRACTS 4-C AND 5-C, NCB 10757, 2951 RIGSBY ROAD, FROM "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT 10 FEET OF RIGHT-OF-WAY IS GIVEN ALONG RIGSBY ROAD; THAT DRIVEWAYS AND PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION; AND

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THAT A SIX-FOOT SOLID SCREEN FENCE IS ERECTED AND
MAINTAINED ALONG THE WEST PROPERTY LINE.

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25. CASE Z84411 - to rezone Lot 16-A, Block E, NCB 14657, 8438 Abe Lincoln Road, from Temporary "R-1" One Family Residence District to "B-2" Business District, located northeast of the intersection of Abe Lincoln Road and Eckhert Road, having 287.11' on Eckhert Road and 372.13' on Abe Lincoln Road.

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

Ms. Diane Smilgin, 8343 Abe Lincoln, representing the proponent, stated that the proponent plans to erect a strip center of business and office usage on the property, noting that this is a very busy corner property. She also submitted a petition signed by the property owners within 200 feet of the subject property, all of whom so signed were in support of the request.

Ms. Kathy Harding, representing Alamo Farmsteads/Babcock Road Homeowners Association, stated her fear for further intrusion of business uses onto Abe Lincoln Road, and spoke in favor of an O-1 zoning, in lieu of that requested. She stated that she feels that those nearby residents in favor of the rezoning plan to sell their properties.

Ms. Smilgin spoke to the commercial development along the Eckhert Road/Abe Lincoln Road intersection, noting that this immediate property is not suited for residential development.

In response to a question by Mr. Harrington, Mr. Andy Guerrero, Planner II, discussed the size of this property and the reason why the City staff recommends a B-1 buffer next to the residential area.

Mr. Harrington moved for approval of the City staff's recommendation for B-2 on the south 337.50' of the property and B-1 on the remainder. Mr. Hasslocher seconded the motion.

Ms. Smilgin spoke of this motion as being restrictive of development of this property.

Mr. Harrington voiced his concern with allowing further B-2 intrusion into residential areas on Abe Lincoln Road.

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

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

AN ORDINANCE 59,799

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE SOUTH 337.50' OF LOT 16-A, BLOCK E, NCB 14657, 8438 ABE LINCOLN ROAD, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT AND LOT 16-A, SAVE AND EXCEPT THE SOUTH 337.50', BLOCK E, NCB 14657, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-1" BUSINESS DISTRICT, PROVIDED THAT A SIX-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTH PROPERTY LINE.

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26. CASE Z84420 - to rezone a 4.531 acre tract of land out of NCB 15335, being further described by field notes filed in the Office of the City Clerk, in the 700 Block of N.W. Loop 410 Expressway, from "R-3" Multiple Family Residence District and "B-3" Business District to "I-1" Light Industry District, located on the eastside of N.W. Loop 410 Expressway, being 3,669.72' northeast of the intersection of Timbercreek Drive and N.W. Loop 410 Expressway, having 360.66' on Loop 410 Expressway and a depth of 503.05'.

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

Mr. Alderete moved that the recommendation of the Zoning Commission be approved provided that driveways and parking are provided and submitted for approval by the State Department of Highways and Public Transportation. 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, Eureste, Thompson, Alderete, Harrington, Archer, Hasslocher, Cisneros.

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AN ORDINANCE 59,800

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 4.531 ACRE TRACT OF LAND OUT OF NCB 15335, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 700 BLOCK OF NORTHWEST LOOP 410 EXPRESSWAY, FROM "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT AND "B-3" BUSINESS DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT DRIVEWAYS AND PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION.

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27. CASE Z84426 - to rezone a 3.8523 acre tract of land out of NCB 13732, being further described by field notes filed in the Office of the City Clerk, in the rear of 14600 Block of Jones Maltsberger Road, from Temporary "A" Single Family Residence District to "P-1(R-6)" Planned Unit Development Townhouse Residence District, located approximately 4000' southeast of Jones Maltsberger Road, being 750' northeast of the intersection of Burning Trail Drive and Jones Maltsberger Road, having a width of 540.15' and a depth of 314.09'.

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 driveways and parking are provided and submitted for approval by the Traffic Engineering Division. Mr. Archer seconded the motion.

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

AN ORDINANCE 59,801

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 3.8523 ACRE TRACT OF LAND OUT OF NCB 13732, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE REAR

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OF THE 14600 BLOCK OF JONES MALTSBERGER ROAD, FROM TEMPORARY "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "P-1(R-6)" PLANNED UNIT DEVELOPMENT TOWNHOUSE RESIDENCE DISTRICT, PROVIDED THAT DRIVEWAYS AND PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

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28. CASE Z84434 - to rezone a 1.599 acre tract of land out of NCB 13802, being further described by field notes filed in the Office of the City Clerk, in the 5200 Block of Randolph Boulevard, from Temporary "A" Single Family Residence District to "B-3" Business District, located on the southeast side of Randolph Boulevard, being 350' northeast of the intersection of Crestway and Randolph Boulevard, having 217.34' on Randolph Boulevard and a depth of 553.52'.

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 approval is obtained from the State Department of Highways & Public Transportation, and that off-street parking is 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, Eureste, Thompson, Alderete, Harrington, Hasslocher, Cisneros; NAYS: None; ABSENT: Archer.

AN ORDINANCE 59,802

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 1.599 ACRE TRACT OF LAND OUT OF NCB 13802, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 5200 BLOCK OF RANDOLPH BOULEVARD, FROM TEMPORARY "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT ACCESS APPROVAL IS OBTAINED FROM THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION, AND THAT OFF-STREET PARKING IS PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

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84-53

PUBLIC HEARING - STREET CLOSURE

Mayor Cisneros declared the Public Hearing to be open, and briefly explained the proposed Ordinance.

No citizens appeared to speak on this matter.

Mayor Cisneros then declared the Public Hearing to be closed.

The Clerk then read the following Ordinance:

AN ORDINANCE 59,803

CLOSING AND ABANDONING SEIDAMAN ROAD IN NEW CITY BLOCK 14952, BETWEEN INTERSTATE HIGHWAY 35 AND RANDOLPH BOULEVARD, AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE TWO QUITCLAIM DEEDS TO THE ADJACENT OWNERS, FOR A CONSIDERATION OF \$1.00.

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

In response to a question by Mr. Thompson, Mr. Barry Brown, 711 Navarro, briefly explained plans to close this unimproved roadway.

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, Cisneros; NAYS: None.

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The Clerk read the following Resolution:

A RESOLUTION NO. 84-53-59

APPROVING A STATEMENT FOR THE ANNUAL EDWARDS HEARING.

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

Ms. Rebecca Q. Cedillo, Assistant Director of Planning, explained that this Official Statement of the City of San Antonio relative to the

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Edwards Aquifer Rule was an annual requirement. She also noted that Mrs. Dutmer would represent the City in an appearance before the Texas Water Development Board next week.

Mrs. Dutmer then proposed an amendment to the "Cave and Sinkhole Protection" paragraph on page 3 of the Statement that would add wording to the effect that the City of San Antonio would maintain control of the activities over or near the sinkholes, caves and major fissures. Mr. Webb seconded the motion.

A brief discussion then took place relative to the proposed changes in the Statement.

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

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

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84-53 The Clerk read the following Ordinance: -

AN ORDINANCE 59,804 .

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 AMENDING SECTION 27-8 OF THE CITY CODE OF THE CITY OF SAN ANTONIO TO PROHIBIT THE SALE, POSSESSION, CONSUMPTION OR DISTRIBUTION OF ALCOHOLIC BEVERAGES IN BUCKEYE PARK, PROVIDING AN EFFECTIVE DATE OF DECEMBER 15, 1984, AND PROVIDING A PENALTY FOR VIOLATION HEREOF OF A FINE OF NOT LESS THAN \$1.00 NOR MORE THAN \$200.00.

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

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

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84-53 The Clerk read the following Ordinance:

AN ORDINANCE 59,805

WAIVING THE FEE FOR USE OF BEETHOVEN HALL IN CONNECTION WITH A GRADUATION CEREMONY OF THE FOLKLORICO DANCE WORKSHOP.

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

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

84-53 The Clerk read the following Ordinance:

AN ORDINANCE 59,806

WAIVING THE FEES FOR USE OF CENTRO DE ARTES AND BEETHOVEN HALL IN CONNECTION WITH A SERIES OF CHRISTMAS PLAYS TO BE PRESENTED BY THE TOVIAH THEATRE.

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

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

(The Council recessed at 3:15 P.M. for "B" Session, reconvening in regular session at 3:20 P.M.)

84-53

TRAFFIC SAFETY

Mayor Cisneros spoke to the matter of holiday-related traffic safety concerns, especially enforcement measures against drunk driving.

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He stated that he had received a set of newspaper clippings outlining a program to combat drunk driving in California, and asked that they be sent to the Chief of Police for his study.

Mr. Louis J. Fox, City Manager, stated that he has asked department heads to enforce the 'no alcohol' edict at City-related Christmas functions held in City facilities this year, noting that under the law, the City is potentially liable if a City employee is found driving while intoxicated on the way home from a City Christmas function held in City facilities. He further noted that one major instance of violence occurred last year as an indirect result of an off-premises party held by city employees, an incident in which a police officer was shot to death and another City employee charged with his murder. He further stated that City staff would respond next week on the Chief of Police's response to the newspaper clippings of the California drunk-driving program in question.

In response to a question by Mrs. Dutmer, Mr. Lowell Denton, City Attorney, stated that the law forbids driving while under the influence of drugs, as well as alcohol, but that a blood test must be conducted to determine if a person is under the influence of drugs, such as smoking marijuana.

Mr. Harrington stated his opinion that the City should ask restaurants and taverns to voluntarily cut back on their "happy hour" functions during the holidays, to help curb the instances of drunk driving. He asked that a visible presence of police cars be made, to show the City's determination to enforce the drunk-driving laws.

Mayor Cisneros spoke to the matter of cooperation between taverns and the police in the Los Angeles drunk-driving program, as depicted in the newspaper clippings he has asked be sent to the Chief of Police for study. He then spoke of the need for the City to be innovative in its efforts to cut down on drunk driving, and asked the Chief of Police to put together a comprehensive plan for implementation over the Christmas-New Year holidays. He also spoke of the need for a high-profile public relations campaign, perhaps with a television station doing a special series on the matter in cooperation with the City.

Police Chief Charles Rodriguez stated that he would explore the matter.

Mr. Harrington reiterated his concern with voluntary cutbacks on "happy hours" during the holidays, especially along Loop 410 in District 8, stating his opinion that these functions merely add fuel to the fire.

Mr. Thompson spoke of the need for an innovative plan to cut back on traffic deaths in the City, especially during the holidays, noting that it requires, in his opinion, a 'war strategy' to implement successfully.

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Chief Rodriguez noted that the City is making progress in its war on drunk driving, and that more inroads in the statistics would be made after new police manpower, approved by the City Council, is brought aboard. He spoke of the need to educate the public, as well as enforce the laws, noting that his department already is deep in planning for traffic enforcement plans for the holidays.

Mr. Archer commended the City Manager for plans to curb the use of alcohol at City-facility Christmas functions.

A discussion then took place on the use of police officers in making DWI checks, and the results obtained in past experiments in this field.

Mr. Eureste voiced his concern with random DWI checks, and questioned their effectiveness.

Mr. Thompson made a motion to ask Chief of Police, through the City Manager, to prepare a Christmas-New Year holiday traffic safety program, including a high-profile public relations effort. Ms. Berriozabal seconded the motion.

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

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84-53

POLLUTION

Mrs. Dutmer voiced her concern with recent stories on pollution in local water supplies, and noted that City Water Board has a 100-acre tract on Loop 1604 set aside for construction of a treatment plant. She also stated that the city is about 15 years away from the possibility of a surface water supply which would need treatment by such a plant, and proposed that City staff ask for a report on recent water pollution matters, even though they might have occurred in water taken from shallow strata, not the Edwards Aquifer.

Mayor Cisneros stated his opinion that this would be a good idea to include in the currently-underway water study being conducted by a group headed by Dr. Raba.

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84-53 An ordinance authorizing an increase in rates for water service provided by Gateway Water Corporation within the city limits of San Antonio was proposed.

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Mr. Roger Ibarra, Director of Public Utilities, stated that the Gateway Water Corporation has some 800 customers, many of whom are inside the City of San Antonio, and he briefly spoke to the history of their request for City concurrence with their rate increase request. He further noted that they propose a 300 per cent increase, while City staff suggests a 74 per cent increase.

Mr. Thompson moved to deny the request. Ms. Berriozabal seconded the motion.

Mayor Cisneros noted that the firm can still appeal the Council's decision to deny the request, directly to the Public Utility Commission, if it so chooses.

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

(The Council recessed at 4:03 P.M., reconvening at 5:00 P.M. for Citizens to be Heard.)

84-53

CITIZENS TO BE HEARD

MR. JESUS CASTILLO

Mr. Jesus Castillo, Castillo's Produce Company, spoke to the City Council about a problem he has at El Mercado. He stated that there was a water leak which caused water damage to the property. The losses amounted to \$1,700 and he was under the impression that the loss could be deducted from his monthly rent. He stated that this matter was brought to the attention of the Market Square personnel seventeen months ago. He has now been threatened with eviction and he is now asking for City Council's assistance in directing the City Manager to back off and let him continue his operation.

City Attorney Lowell Denton advised the City Council that there is pending litigation on this matter and would be willing to brief the Council in closed session.

Councilman Alderete asked the City Manager and City Attorney to see if this matter could be settled out of court and the litigation be suspended in order to discuss this matter with Mr. Castillo. He would not want to see Mr. Castillo evicted.

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City Manager Louis J. Fox stated that the staff will be amenable to work with Mr. Castillo and during this two week period the eviction proceedings will be suspended.

Ms. Paula Williams, Assistant City Attorney, reported to the City Council on the status of the litigation against Mr. Castillo.

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MR. RICHARD STRATTE

Mr. Richard Stratte, representing the Prison Fellowship, invited the City Council to visit Central Park Mall on Saturday morning from 10 to 12 and participate in the Angel Tree '84 Project. This project's purpose is to provide presents for children, approximately 242, whose parents are in prison. The Christmas party will be held on Saturday, December 18, 1984 at Central Park.

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There being no further business to come before the City Council, the meeting was adjourned at 5:20 P.M.

A P P R O V E D

Henry Cisneros
M A Y O R

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

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