

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, APRIL 22, 1982.

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82-18 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, Absent: NONE.

82-18 The invocation was given by Rabbi Dr. Samuel M. Stahl, Temple Beth-El.

82-18 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

82-18 The Mayor read the following Proclamation:

WHEREAS, less than forty years ago six million Jews and millions of non-Jews perished in the Holocaust of the Nazi terror in Europe, and

WHEREAS, it is incumbent upon all people to remember this terrible time of history in the hopes of preventing other inhumanities, and

WHEREAS, this loss of life and the separation of loved ones is a concern of all humankind and we are grieved deeply, and

WHEREAS, the people of the City of San Antonio should continually rededicate themselves to the principle of equal justice for all people, and

WHEREAS, pursuant to an Act of Congress, April 20, has been designated as a Day of Remembrance of Victims of the Nazi Holocaust, known as Yom Hashoah, and it is appropriate for the people of our City to join in the international commemoration,

NOW THEREFORE, I HENRY CISNEROS, Mayor of the City of San Antonio, in recognition thereof, do hereby proclaim April 18-25, 1982, as

"DAYS OF REMEMBRANCE OF THE VICTIMS OF THE HOLOCAUST"

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Mayor Cisneros presented the Proclamation to Rabbi Dr. Samuel Stahl of Temple Beth-El.

Dr. Stahl then thanked the Mayor and Council members for the presentation.

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KING ANTONIO LX

Mayor Henry Cisneros then introduced King Antonio LX, Mr. George Fischer, his aides; Mr. Bill Watson, Lowery Mays and Bill Atwell.

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King Antonio then introduced Miss Becky Tamez, Miss Charro; and Miss Patti Lazari, San Antonio Charro Queen.

Mayor Cisneros then thanked and described the king as a jovial, effervescent king that contributed largely to the enjoyment of "Fiesta Week".

Members of the City Council then expressed their good wishes and thanked the Texas Cavaliers for their participation and work that this organization has done.

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82-18

NATIONAL SECRETARIES WEEK

Councilwoman Berriozabal introduced Ms. Rosalie Rizzo, Secretary to the City Manager; Ms. Frances Rios, Miss Barbie Hernandez Mayor's Secretaries; and City Council Secretaries, Rosalie Manzano, Tina Blanco, and Chris Rodriguez who were present in the audience. She then presented them with a cake in the form of a typewriter in observance of National Secretaries Week. She expressed her appreciation to them for their fine work and excellent cooperation.

Other Council members also expressed their appreciation to them and stated that they are the first contacts the general public usually makes with municipal government.

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82-18

Coke Stevenson & Whittier Middle Schools

Mayor Cisneros introduced two groups, one from Coke Stevenson Middle School and their instructor Ms. Lucinda Morales and one group from Whittier Middle School and their instructor Ms. Lynda O'Gorman welcoming these groups to City Hall.

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82-18

410 WEST PLEX

Mr. Tom Van DeWalle presented 410 as an area planned for growth on the city's westside. He described the boundaries and said it will be located along Interstate 410. Through the use of slides he presented this project.

The Mayor and members of the City Council expressed their pleasure for the development of this project.

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82-18

The Mayor read the following Proclamation:

WILLIAM M. BLACK

On the occasion of his retirement after nine years of faithful service to the City of San Antonio, the City Council marks this occasion to officially record on behalf of its citizens, and expression of grateful appreciation for the many contributions to the life, safety and protection of our City. In 1976 Chief Black was awarded the Red Cross Certificate of Merit, one of the highest awards, signed by then President Gerald R. Ford, for selfless and human action in saving the life of a near drowning victim in Brackenridge Park.

The City Council on behalf of the citizens of San Antonio tender best wishes on the occasion of his retirement

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and commended his service which has been a credit to the City, the department and the citizens he has served so well.

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Mr. Hasslocher presented the Proclamation to Mr. William Black.

Mr. Black then thanked the Mayor and Council members.

82-18

MAYOR OF CORPUS CHRISTI

Mayor Cisneros then introduced Ms. Betty Turner, Mayor From Corpus Christi and spoke about the future for their two cities working together on different projects.

Mayor Turner thanked the Mayor and Council and stated her great respect for the Mayor and Council.

82-18

HERDEZ INC.

Mayor Cisneros then introduced Mr. Jesus Bejorjes representing the Herdez Inc. Mayor Cisneros then gave a brief history of Herdez and spoke of the long range plan that this company has for San Antonio.

Mr. Bejorjes that invited the Mayor and Council members to the opening to be held on Monday, April 26, 1982. Mr. Bejorjes then spoke of the Free Trade Zone and the incorporation of other companies.

82-181 The minutes of the meeting of April 8, 1982 were approved.

82-18 The Clerk the following Ordinance:

AN ORDINANCE 55,218

ACCEPTING THE HIGH BIDS RECEIVED IN CONNECTION WITH \$6,000,000 IN CITY FUNDS AVAILABLE FOR DEPOSIT IN INTEREST-BEARING CERTIFICATES OF DEPOSIT.

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Mr. Hasslocher moved to approve the Ordinance. Mrs. Dutmer seconded the motion.

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

82-18

ENERGY STUDY TECHNICAL ADVISORY PANEL

Mayor Cisneros then introduced Mr. Richard S. Howe, Chairman of the Technical Advisory Panel. Mr. Howe then introduced

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members of the panel: Mr. Gerardo Gonzalez, Richard Palermo, J.D. Brown, and Golfrey Connally.

Mr. Howe then stated the goals of this long-range energy study.

Mr. Alderete expressed concern that the issue of conservation energy was not specifically highlighted. He felt that conservation was not given the significance it should have been given. It was not listed as a primary goal.

Mr. Howe said that Task B is entirely focused on that activity and reflects conservation as a part of the overall study.

Mayor Cisneros stated that this committee must be more explicit and incorporate an emphasis on conservation.

After discussion, Mr. Archer moved to approve the Report. Mr. Hasslocher seconded the motion.

After further discussion, Mr. Eureste then made an amendment to the motion that a goal be included in the report that addresses specifically the issue of conservation, and that this be a top priority and if not number 1 then at least 2nd or 3rd. Mr. Webb seconded the motion. On roll call, the amendment passed by the following vote: AYES: Berriozabal, Webb, Dutmer, Eureste, Thompson, Alderete, Harrington, Hasslocher, Cisneros. NAYS: None. ABSENT: Wing, Hasslocher.

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

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82-18 Mrs. Dutmer moved that items 4-17 constituting the consent agenda be approved. Mr. Alderete seconded the motion.

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

AN ORDINANCE 55,219

ACCEPTING THE BID OF ALAMO WOODEN ROSE FOR AN AIRPORT FLOWER CONCESSION.

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AN ORDINANCE 55,220

ACCEPTING THE BID OF WORLD BUILDERS/MIDAS HOMES TO MODIFY TWO (2) VAN TRAILERS FOR A TOTAL OF \$4,066.90.

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AN ORDINANCE 55,221

ACCEPTING THE PROPOSAL FROM CORONET FILMS TO FURNISH THE CITY OF SAN ANTONIO WITH EDUCATIONAL 16 MM FILMS FOR A NET TOTAL OF \$3,733.82.

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AN ORDINANCE 55,222

ACCEPTING THE LOW QUALIFIED BIDS OF ALAMO IRON WORKS, ARMSTRONG PLUMBING SUPPLY, INTERNATIONAL SUPPLY, INC., PLUMBING SALES, AND RAMS PLUMBING TO FURNISH THE CITY OF CITY OF SAN ANTONIO WITH PLUMBING MATERIALS FOR A TOTAL OF \$12,351.43.

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AN ORDINANCE 55,223

ACCEPTING THE LOW QUALIFIED BID OF CRAZY HORSE EQUIPMENT COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH A TILT TRAILER FOR \$8,230.00.

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AN ORDINANCE 55,224

ACCEPTING THE LOW BID OF VILLARREAL CONSTRUCTION COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH THE REMOVAL OF BRUSH, SMALL TREES, STUMPS AND DEBRIS AT DAFOSTE ST., PARK AND FOR A TOTAL OF \$6,343.00.

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AN ORDINANCE 55,225

ACCEPTING THE LOW BID OF BEDELL TRAILER COMPANY TO FURNISH THE CITY OF SAN ANTONIO

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WITH TRAILERS FOR MOWER TRANSPORTATION FOR
A NET TOTAL OF \$5,970.00

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AN ORDINANCE 55,226

ACCEPTING THE LOW BID OF MORT ROSZELL AS
THE PRIMARY CONTRACTOR AND THE BID OF
GIRARD MACHINERY & SUPPLY AS THE SECONDARY
CONTRACTOR FOR CEMENT STABILIZER RENTAL ON
AN ANNUAL CONTRACT BASIS.

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AN ORDINANCE 55,227

PROVIDING FOR THE PAYMENT OF \$22,880.51 TO AMIGOS
BIBLIOGRAPHICAL COUNCIL FOR CATALOGING SERVICES
AT THE SAN ANTONIO PUBLIC LIBRARY.

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AN ORDINANCE 55,228

ACCEPTING THE PROPOSAL OF QUICK & EVANS CO.
FOR THE INSTALLATION OF ADDITIONAL CONCRETE
SIDEWALKS AND DRIVE APPROACHES ON ROARK &
SKELTON STREETS FROM KEVIN TO HIGHWAY STREETS
AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 55,229

APPROVING AN AMENDMENT TO THE CONTRACT WITH
HENRY BAIN ENGINEERS, INC., FOR ENGINEERING
SERVICES IN CONNECTION WITH THE RUNWAY AND
TAXIWAY IMPROVEMENTS AT INTERNATIONAL AIRPORT
TO INCREASE THE SCOPE OF WORK, AND PROVIDING
FOR PAYMENT.

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AN ORDINANCE 55,230

AUTHORIZING ADDITIONAL TIME AND COMPENSATION
TO THE STEP 2 DESIGN, CATEGORY NO.3, CONTRACT
WITH HENNINGSON, DURHAM & RICHARDSON, INC.,
AT A COST OF \$75,065.00; AND AMENDING THE
PROJECT BUDGET.

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AN ORDINANCE 55,231

APPROVING THE PRICE AND CONDITIONS OF THE SALE
BY THE URBAN RENEWAL AGENCY OF THE CITY OF
SAN ANTONIO OF PARCEL 286-D-3, CONTAINING
APPROXIMATELY 68,043.62 SQUARE FEET, LOCATED
WITHIN THE VISTA VERDE PROJECT, TEX. R-109,
TO WILLIAM W. ATWELL, FOR THE SUM OF \$160,000.00

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AN ORDINANCE 55,232

AUTHORIZING ADJUSTMENTS TO THE CITY TAX ROLL
RECOMMENDED BY THE TAX ERROR BOARD OF REVIEW.

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AN ORDINANCE 55,233

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

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AN ORDINANCE 55,234

AUTHORIZING PAYMENT OF THE SUM OF \$3,320 TO THE BOYS' CLUBS OF SAN ANTONIO FROM PROCEEDS OF AN INSURANCE SETTLEMENT ON ACCOUNT OF DAMAGES TO THE EASTSIDE BRANCH.

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AN ORDINANCE 55,235

AUTHORIZING PAYMENT OF REFUNDS TO PERSONS MAKING OVERPAYMENTS OR DOUBLEPAYMENTS ON 17 TAX ACCOUNTS.

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AN ORDINANCE 55,236

CHANGING THE NAME OF PEARSALL ROAD BETWEEN THE CITY LIMITS BOUNDARY AND S.W. MILITARY DRIVE (LOOP 13) TO OLD PEARSALL ROAD.

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82-18 ZONING HEARINGS

25. CASE 8813 to rezone a 3.156 acre tract of land out of NCB 11316 being further described by field notes filed in the Office of the City Clerk, in the 2900 and 3000 Block of Weir Avenue, from "B" Residence District to "R-3" Multiple Family Residence District, located on the north side of Weir Avenue, being 1102.29' west of the intersection of Cupples Road and Weir Avenue, having 498.64' on Weir Avenue and a maximum depth of 275.13'

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

No citizen appeared to speak in opposition.

After consideration, Mrs. Dutmer moved that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished and that a six foot solid screen fence is erected and maintained along the east and west property lines and on the north property lines until such time as single family development occurs, and that the applicant work with the Traffic Division for street dedication and right-of-way. Mr. Webb seconded the motion. On roll call, the motion carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Harrington, Cisneros; NAYS: None. ABSENT: Berriozabal, Archer, Hasslocher.

AN ORDINANCE 55,237

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

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CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 3.156 ACRE TRACT OF LAND OUT OF NCB 11316, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK IN THE 2900 AND 3000 BLOCK OF WEIR AVENUE, FROM "B" MULTIPLE FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED AND THAT PROPER FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE EAST AND WEST PROPERTY LINES AND ON THE NORTH PROPERTY LINES UNTIL SUCH TIME AS SINGLE FAMILY DEVELOPMENT OCCURS, AND THAT THE APPLICANT WORK WITH THE TRAFFIC DIVISION FOR STREET DEDICATION AND RIGHT-OF-WAY.

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27. CASE 8817 to rezone Lots 33, 34, and 35, NCB 11992, in the 100 block of Noriega Avenue, in the 6400 block of West Commerce Street, from "A" Single Family Residential District to "R-3" Multiple Family Residential District located northwest of the intersection of Noriega Avenue and W. Commerce Street, having 163.08' on Noriega Avenue and 117.6' on W. Commerce Street.

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

No citizen appeared to speak in opposition.

After consideration, Mr. Webb moved that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished if necessary and that a six foot solid screen fence is erected and maintained along the west property line when it transitions to single family development. Also that Noriega Avenue be improved along that portion that abuts the subject property by the developer. Mr. Wing seconded the motion. On roll call, the motion carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES; Berriozabal, Webb, Dutmer, Wing, Harrington, Archer, Hasslocher.

AN ORDINANCE 55,238

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 33, 34, AND 35, NCB 11992, IN THE 100 BLOCK OF NORIEGA AVENUE, IN THE 6400 BLOCK OF W. COMMERCE STREET, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED IF NECESSARY AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE WEST PROPERTY LINE WHEN IT TRANSITIONS TO SINGLE FAMILY DEVELOPMENT. ALSO THAT NORIEGA AVENUE BE IMPROVED ALONG THAT PORTION THAT ABUTS THE SUBJECT PROPERTY BY THE DEVELOPER.

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82-18

28. CASE 8822 to rezone Lot 5 and the southeast 28.7' of Lot 4 Block 12, NCB 988, 306-308 Wilmington Avenue from "D" Apartment District to "O-1" Office District, located on the Northeast side of Wilmington Avenue, being 59.96' North west of the intersection of Camden Street and Wilmington Avenue, having 84.37' on Wilmington Avenue, and a depth of 162.74'.

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

No citizen appeared to speak in opposition.

After consideration, Mr. Webb moved that the recommendation of the Zoning Commission be approved provided that street dedication is provided if necessary and that the applicant work with the Traffic Division for off-street parking. Mr. Wing seconded the motion. On roll call, the motion carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Eureste, Thompson, Wing, Alderete, Harrington, Cisneros; NAYS: None. ABSENT: Archer, Hasslocher.

AN ORDINANCE 55,239

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 5 AND THE SOUTHEAST 28.7' OF LOT 4 BLOCK 12, NCB 988, 306-308 WILLMINGTON AVENUE, FROM "D" APARTMENT DISTRICT TO "O-1" OFFICE DISTRICT, PROVIDED THAT STREET DEDICATION IS PROVIDED IF NECESSARY AND THAT THE APPLICANT WORK WITH THE TRAFFIC DIVISION FOR OFF-STREET PARKING.

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82-18

29. CASE 8812 to rezone the south 500' of Lot 18, Block 2, NCB 11991 in the 6500 Block of W. Commerce Street, from "A" Single Family Residence District to "B-3R" Restrictive Business District, located on the north side of W. Commerce St., being 720' west of the intersection of W. Commerce Street and Noriega Avenue, having 103.9' on Commerce Street and a depth of 500'.

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

No citizen appeared to speak in opposition.

After consideration, Ms. Berriozabal, moved that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished if necessary and that the applicant work with the Traffic Division for proper ingress and egress and off-street parking. Mr. Webb seconded the motion. On roll call, the motion carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Harrington, Cisneros; NAYS: None; ABSENT: Archer, Hasslocher.

AN ORDINANCE 55,240

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

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OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE SOUTH 500' OF LOT 18, BLOCK 2, NCB 11991 IN THE 6500 BLOCK OF WEST COMMERCE STREET, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED IF NECESSARY AND THAT THE APPLICANT WORK WITH THE TRAFFIC DIVISION FOR PROPER INGRESS AND EGRESS AND OFF-STREET PARKING.

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82-18

30. CASE 8821 to rezone Lots 31, 32 and 33, Block 7, NCB 3108, 910 W. Lullwood Blvd., from "B" Residence District to "R-2A" Three and Four Family Residence District, located on the south side of Lullwood Blvd., being 150' west of the intersection of Blanco Road and Lullwood Blvd., having 75' on Lullwood Blvd. and a depth of 145'.

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

No citizen appeared to speak in opposition.

After consideration, Mr. Webb moved that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished if necessary and that the applicant work with the Traffic Division for proper ingress and egress. Ms. Berriozabal seconded the motion. On roll call, the motion carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Harrington, Cisneros; NAYS: None. ABSENT: Archer, Hasslocher.

AN ORDINANCE 55,241

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 31, 32 AND 33, BLOCK 7, NCB 3108, 910 W. LULLWOOD BOULEVARD, FROM "B" RESIDENTIAL DISTRICT TO "R-2A" THREE AND FOUR FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED IF NECESSARY AND THAT THE APPLICANT WORK WITH THE TRAFFIC DIVISION FOR PROPER INGRESS AND EGRESS.

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82-18

31. CASE 8825 to rezone Lots 21, 22, 23, Block 55, NCB 8048, 1707 W. Pyron Avenue, from "R-1" One Family Residence District to "B-2" Business District, located Northwest of the intersection of S. Zarzamora St., and W. Pyron Avenue, having 75' on Pyron Avenue and 125' on Zarzamora St.

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

No citizen appeared to speak in opposition.

After consideration, Mr. Wing moved that the recommendation of the Zoning Commission be approved provided that a six

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foot solid screen fence is erected and maintained along the north and west property lines. On roll call, the motion carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Harrington, Cisneros, Hasslocher, NAYS: None; ABSENT: Archer.

AN ORDINANCE 55,242

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 21, 22, 23, BLOCK 55, NCB 8048, 1707 W. PYRON AVENUE, FROM "R-1" ONE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTH AND WEST PROPERTY LINES.

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82-18

32. CASE 8802 to rezone A 4.193 acre tract of land out of NCB 12059, being further described by field notes filed in the Office of the City Clerk, 13003 San Pedro Avenue (Hwy 281 North) from "A" Single Family Residential District & Temporary "R-1" One Family Residence District to "B-3" Business District, located on the westside of San Pedro Avenue, being approximately 560' north of the intersection of Interpark Blvd. and San Pedro Ave. having 299.79' on San Pedro Avenue and a maximum depth of 555.12'.

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

No citizen spoke in opposition.

After consideration, Mr. Webb moved that the recommendation of the Zoning Commission be approved. Mr. Harrington seconded the motion. On roll call, 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 55,243

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 4.193 ACRE TRACT OF LAND OUT OF NCB 12059, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK 13003 SAN PEDRO AVENUE (HWY 281 NORTH) FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT AND TEMPORARY "R-1" ONE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT.

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82-18 The meeting was recessed at 2:55 p.m. and reconvened at 3:00 p.m.

82-18JAPANESE ROTARY INTERNATIONAL

Mayor Cisneros then recognized a group of Japanese Rotary International Club members who were visiting the City. Mayor Cisneros

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then stated the unfortunate automobile accident that 3 of the members of the Japanese delegation had met with as they were coming to City Hall.

The club members thanked the Mayor and Council members.

82-18

APPEAL OF REPUBLICBANK SAN ANTONIO

Texas Theatre Issue

Mayor Cisneros explained the rules of the RepublicBank/ Texas Theatre appeal. Mayor Cisneros declared the Hearing opened.

Mr. Gene Camargo, Director of Building Inspections, stated that Republic Bank of San Antonio had applied to the Board of Review for Historic Districts and Landmarks for permission to demolish buildings at 147-155 E. Houston, 159-163 E. Houston, 307 N. St. Mary's, 309 N. St. Mary's and 311 N. St. Mary's in order to clear the site for construction of a new office/retail center. On April 12, 1982, the Board of Review of the Historic Districts and Landmarks found the Texas Theatre, Texas Theatre Building and Gunter office Building located at 147-155 E. Houston, 159-163 E. Houston, and 307 N. St. Mary's, respectively, to have historic, architectural and cultural significance. The Board did approve the request to demolish structures at 309 and 311 N. St. Mary's.

Mr. Thomas A. Martin, Attorney-at-Law, McCamish, Ingram, Martin & Brown, introduced himself as the representative of RepublicBank and asked that the decision of the Historic Review Board and Landmarks be reconsidered.

Mr. Myron L. Leflore, Chairman of the Board, of RepublicBank of San Antonio, then stated that the RepublicBank Plaza will be a \$125 million project and requested that the demolition be granted so that they can continue to expand and better serve San Antonio. He then described the project in detail.

Mr. Boone Powell, Architect of Ford, Powell and Carson, stated that their goal with this project is to further enhance the revitalization of downtown. He then described the project as a mixed use concept of development. Mr. Powell also stated that if the Texas Theatre remained the RepublicBank Project could not be fully developed.

Mr. Frank Manupelli, Chairman of the Board of the Greater San Antonio Chamber of Commerce, also spoke in favor of the Republic Bank request and stated that this project will greatly benefit the City of San Antonio.

Mr. Marvin G. Kelfer, President and Chairman of the Board, Travis Savings & Loan Association, spoke in favor of the revitalization and the over ruling of the Review Board's decision.

Mr. David J. Strauss, STAFFCO, spoke in favor of RepublicBank and asked that the ruling of the Board of Review for Historic Districts and Landmarks be overruled.

Mr. Conrad Truss asked that RepublicBank's appeal be approved for the benefit of downtown and for the City's Construction workers who are in need of jobs.

The following persons then spoke on behalf of the decision made by the Historic Review Board:

Ms. Liza Weigman, Student Council President, South San High School asked that the Texas Theatre be preserved for future students.

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Ms. Priscilla Allen, San Antonio Conservation Society, spoke against the demolition of the Texas Theatre claiming that this building is of historical value.

Ms. Lynn Bobbit, San Antonio Conservation Society also stated that the Texas Theatre enhances the downtown area and that they are not against progress, but that they would like the opportunity to work with RepublicBank. She also stated that the San Antonio Conservation Society will incur any cost to demonstrate that they are for progress and are willing to work with RepublicBank.

Mr. Albert Villasante, Producer from Los Angeles, noted that the Texas Theatre would be a good place for live entertainment and it would be a waste to demolish such a beautiful building.

Ms. Paula Smith, Assistant Producer from Los Angeles, also asked that the City work with the Conservation Society to help restore the Texas since the Texas Theatre is unique in its structure.

Mr. Newton Trey Ellison, asked that the appeal of Republic Bank be denied. He spoke in oppositon to the demolishing of the Texas Theatre.

Mr. Robert Moore, Attorney, representing the San Antonio Conservation Society said that he has a suit for injunction prepared in case the 120 days is overturned by the City Council.

Mr. Kenneth Erfurth, 715 Linda Lou, also spoke in opposition and expressed concern about the loss of historical buildings in this City.

Mr. Jim Isaman, Collegiate Preservation Society-UTSA- also spoke in opposition to the demolishing of the Texas Theatre.

Mr. John Sanchez, 9101 Dartbrook, asked for a compromise of 120 days in order that both parties meet and discuss alternate plans.

Ms. Jacqueline S. Clark, 500 N. Santa Rosa, spoke in opposition of the demolition and pointed out that the Texas Theatre is only one of 2 theatres in the nation designed by a particular architect.

Ms. Rose Mary Dominguez, stated the City must preserve the theater for future generations. She opposed the RepublicBank's request.

Ms. Fay Newton, also spoke against the request of RepublicBank.

In rebuttal, Mr. Byron L. Leflore, Chairman of the Board of RepublicBank San Antonio, N.A., stated that when they considered the architectural firm, they picked the best qualified for the project. He spoke to the City Council to favorably consider their appeal.

Mr. Hasslocher spoke in favor of this project. He stated that this project was carefully planned. Also, that a vote against this project is a vote against free enterprise and economy.

Mr. Webb expressed interest in downtown revitalization because of the effect on his district. Mr. Webb took exception to the Conservation Society hiring an attorney from Houston and also took exception to the Attorney stating he would file an injunction if the City Council overturns the ruling of the Historic Review Board and Landmarks.

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Mr. Archer, thanked the Conservation Society for their past efforts. He also spoke about 2,000 brand-new jobs coming to this City and of the betterment to the City with the RepublicBank project. He also asked the Conservation Society to come up with a plan as to what buildings should be saved.

Mr. Boone Powell responded to Mr. Eureste as to the time projected for demoliton.

Mr. Eureste then stated that historical structures have been saved through the efforts of the San Antonio Conservation Society. He also spoke of the Conservation's efforts to save the San Antonio River. He stated that the majority of the people of San Antonio support the Texas Theatre.

In response to Mr. Eureste's question, Mr. Powell stated that if everything is done properly and carefully it should take about 4 to 5 months to start demolition in October or November.

Mrs. Dutmer stated that she feels there is more of the Texas Theatre that can be incorporated other than just the facade. She also stated that an emergency vote today would set a precedent. She further stated that she is for progress but does not want to do it in haste.

Mr. Harrington acknowledged that the Conservation Society has contributed substantially to the benefit of the City, however he spoke in favor of RepublicBank's request.

(At this time Mayor Cisneros left the Chamber and Mayor Pro-Tem Thompson presided.)

Mr. Harrington further stated that this project will generate revenue and that it is a quality project.

In response to Mr. Thompson's questions, Mr. Boone Powell described the theatre and what they were interested in keeping intact. Mr. Thompson further stated that this Plaza will be a face-lift to that particular corner. He noted that if we are to have a future for our children we need jobs and spoke in favor of RepublicBank Plaza Project.

In response to Mr. Alderete's question, Mr. Leflore stated that the proper removal of furniture is a lengthy process. Mr. Leflore further stated that the longer the delay the longer it will take for the project to get on its way. Mr. Leflore explained the possibility of losing the money for this project if the 120 day delay is imposed.

Ms. Pat Osborne, Historic Perservation Officer, spoke to the placement of structures in the National Historic Registry.

In response to Councilman Alderete, Ms. Jane Macon stated that when you owned stock, that there is no conflict in interest unless you have a controlling interest. Mr. Alderete stated it is imperative that a full "B" Session take place on historical structures and this issue needs to be resolved. He stated that these buildings should be identified in advance.

Mayor Cisneros then stated that the Conservation Society is now in the process of making a list of the historical sites.

Mr. Wing commended RepublicBank for making modifications in their project and making the facade part of the project. He stated that the economy of the project far outweighs the historical significance of the theatre.

Ms. Berriozabal stated that she will vote for the 120 day period. She said that the project is a good one, yet there is great

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need to save history. She feels that the 120 days will enable both parties to work together. Also she stated that San Antonio can afford to be choosy about the type of development that comes to San Antonio.

(At this point, Mayor Cisneros returned to the Council Chamber.)

Mr. Eureste then explained in detail the procedure outlined in the Charter for a possible referendum election. He also spoke about initiative petitions and the method to obtain the signatures.

In response to Mrs. Dutmer, Mr. Powell stated that the entry way and lobby will be part of their proposed plans.

In response to Mr. Webb's question's the City Clerk stated that an election will cost approximately \$180,000. In response to Mr. Webb's question, Ms. Pat Osborn, Historic Preservation Officer spoke of the significant history of the Texas Theatre Building.

Mayor Cisneros stated that he feels there is no room for compromise. He stated that this issue deals with the basic future of our City. He also stated that San Antonio is the second poorest metropolitan area in the U. S. and his own highest priority is to raise the income of San Antonians.

Mr. Thompson stated he is not in favor of referendum. He feels that this decision should be made by the City Council. He also stated that he is not going to be passive about this issue.

At this point Mr. Harrington moved to call the question. Mr. Alderete seconded the motion. On roll call, the motion failed by the following vote: AYES: Harrington; NAYS: Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Hasslocher, Cisneros; ABSTAIN: Archer. ABSENT: None.

In response to Mrs. Dutmer's question, Mr. Powell stated that they have met with Mr. Bob Hahn, Flood Plain City Engineer, and the San Antonio River Authority. They intend to adhere strictly to the flood plain Ordinance. Mrs. Dutmer stated that the flood control issue in the central city needs to be addressed.

In response to Mr. Eureste, Mr. Martin outlined the time schedule involved with their appearance before the Historic Board of Review.

Mrs. Penshorn, San Antonio Conservation Society, President, stated that they want to have the 120 days in order to discuss the issue with RepublicBank officials.

The Mayor declared the hearing closed. The Clerk then read the following Ordinance:

AN ORDINANCE 55,244

REVERSING THE DECISION OF THE BOARD OF REVIEW FOR THE HISTORIC DISTRICT AND LANDMARKS ON THE APPLICATION FOR A DEMOLITION PERMIT FOR THE TEXAS THEATER, THE TEXAS THEATER BUILDING, AND THE GUNTER OFFICE BUILDING.

* * * *

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

82-18 CASE 8756 to rezone a 2.738 acre tract of land of Lots 36 and 37, NCB 14753, being further described by field notes filed in the Office of the City Clerk, in the 11100 block of Vance Jackson Road from Temporary "R-1" One Family Residence District to "P-1 R-6" Planned unit Development, Townhouse Residence District, located on the Northeast side of Vance Jackson Road, being 796.1' Northwest of the intersection of Wurzbach Road and Vance Jackson Road, having 242.90' on Vance Jackson Road and a maximum depth of 502.47'.

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

No citizen appeared to speak in opposition.

Mr. Harrington stated that an agreement had been reached by concerned parties while the Texas Theatre discussion took place.

After consideration, Mr. Harrington moved that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished and that street dedication is given if necessary, and that a eight foot masonry fence is imposed on the northwest, northeast and southeast property lines. Mr. Webb seconded the motion. On roll call, the motion carrying with it the passage of the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Thompson, Alderete, Harrington, Archer, Cisneros; NAYS: None. ABSENT: Hasslocher, Eureste.

AN ORDINANCE 55,245

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 2.738 ACRE TRACT OF LAND OUT OF LOTS 36 AND 37, NCB 14735, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK IN THE 11100 BLOCK OF VANCE JACKSON ROAD FROM TEMPORARY "R-1" ONE FAMILY RESIDENTIAL DISTRICT TO "P-1 R-6" PLANNED UNIT DEVELOPMENT, TOWNHOUSE RESIDENTIAL DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED AND THAT STREET DEDICATION IS GIVEN IF NECESSARY AND A EIGHT FOOT MASONRY FENCE IS IMPOSED ON THE NORTHWEST, NORTHEAST AND SOUTHEAST PROPERTY LINES.

* * * *

82-18

The Clerk read the following Ordinance:

AN ORDINANCE 55,246

AUTHORIZING A CONTRACT WITH THE CITY WATER BOARD FOR THE PURCHASE OF CHILLED WATER SERVICE FOR LA VILLITA.

* * * *

Mr. Dutmer moved to approve the Ordinance. Mr. Hasslocher seconded the motion.

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

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82-18

The Clerk read the following Ordinance:

AN ORDINANCE 55,247

AUTHORIZING EXCEPTION TO THE "NO ALCOHOLIC BEVERAGE" PROVISION OF SUNKEN GARDEN THEATER POLICY ORDINANCE NO. 48169 FOR CERTAIN SPECIAL EVENTS SCHEDULED AT SAID THEATER.

* * * *

Mr. Hasslocher moved to approve the Ordinance.
Mr. Wing seconded the motion.

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

82-18

The Clerk read the following Ordinance:

AN ORDINANCE 55,248

FILING A VACANCY IN THE TASK FORCE ON DEVELOPMENT IN THE SOUTHERN SECTOR OF SAN ANTONIO.

* * * *

The following individual was appointed to fill the vacancy on the Steering Committee for the Task Force on Development in the Southern Sector of San Antonio, Ms. Ann Farrow.

Mrs. Dutmer moved to approve the Ordinance. Mr. Thompson seconded the motion.

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

82-18

The Clerk read the following Ordinance:

AN ORDINANCE 55,249

AUTHORIZING EXECUTION OF A CONTRACT WITH CITY VENTURE CORPORATION FOR CONSULTING SERVICES RELATING TO JOB CREATION AND JOB ACCESSIBILITY IN VISTA VERDE SOUTH, AND REPROGRAMMING FUNDS FROM THE CDBG CONTINGENCY ACCOUNT FOR SAID PROJECT.

* * * *

Ms. Berriozabal moved to approve the Ordinance.
Mr. Harrington seconded the motion.

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

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82-18 The Clerk read the following Ordinance:

AN ORDINANCE 55,250

APPOINTING DOROTHY L, ANTHONY TO SERVE ON THE ANIMAL CONTROL ADVISORY BOARD FOR THE UNEXPIRED TERM OF BONITA L. BLAYNEY WHO HAS RESIGNED.

* * * *

Mrs. Dutmer moved to approve the Ordinance. Mr. Wing seconded the motion.

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

82-18

DISCUSSION-HEALTH FUND BONDS

Mr. Narciso Cano, Director, Department of Economic and Employment Development, referred to a memo dated April 13, 1982 in which a discussion is recommended for the City Council of the City's possible implementation of the Health Facilities Development Act of 1981. A request for ordinance action will be made at the next regular meeting of the Council.

Ms. Jane Macon, City Attorney then stated that Mr. Richard Harris of the Jaworski Law firm was in the audience for any questions the Council may have.

In response to Mrs. Dutmer's question Mr. Cano stated that the Health Facilities Development Act would be beneficial for the elderly.

Mr. Cano further detailed how doctors offices, clinics and other medical facilities could be induced to relocate to the Southside of San Antonio.

After discussion, Mr. Alderete moved to have staff proceed with its plans on this item. Mr. Wing seconded the motion. On roll call the motion carried by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Thompson, Alderete, Archer, Hasslocher, NAYS: None; ABSENT: Eureste, Harrington, Cisneros.

82-18 The Clerk read the following Ordinance:

AN ORDINANCE 55,251

WAIVING FEES FOR STAGING OF CINCO DE MAYO ACTIVITIES AT MARKET SQUARE ON APRIL 30-MAY 2, 1982.

* * * *

Mr. Hasslocher moved to approve the Ordinance. Mrs. Dutmer seconded the motion.

Ms. Berriozabal expressed concern about non profit organizations not been totally aware of the \$20 per booth charge.

Mr. Alex Briseno, Assitant Manager, then stated that he will look into this and report to the Council.

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82-18CITIZENS TO BE HEARDMR. GARY YANTIS

Mr. Gary Yantis of the "Friends of Jack Harris" Committee addressed the City Council to bring attention to the commemoration of the centennial of the shooting of Jack Harris, July 11, 1882. Mr. Yantis then read the history of Jack Harris and the influence on our city back in 1870's and 1880's. He also stated that this celebration will be made up of a mock wake held in a local saloon, and the reenactment of the shooting of Jack Harris on Main Plaza followed by a funeral procession to City Cemetery.

Mr. Yantis stated that this celebration of July 11, would be like the version of "Sadie Hawkins Day".

82-18MR. J.J. HENNIG

Mr. Hennig spoke against Planned Parenthood and presented the Council with flyers that explained what he felt are crude methods used by Planned Parenthood to interest individuals in the use of contraceptives.

Mr. Hennig expressed great concern about these large amount of dollars that tax-payers are wasting.

Mr. Wing then expressed his concern on this matter.

Mrs. Dutmer also expressed her concern.

82-18MR. PHILLIP SCHARM

Mr. Scharm reiterated statements made by Mr. Henning and stated his concern over monies given to the Planned Parenthood organization by AACOG.

82-18 There being no further business to come before the Council, the meeting was adjourned at 9:05 p.m.

A P P R O V E D

Henry Casimiro
M A Y O R

ATTEST:

James S. Rodriguez
C i t y C o u n c i l
Clerk

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