

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO, HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, AUGUST 10, 1989.

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The meeting was called to order by the Presiding Officer, Mayor Lila Cockrell, with the following members present: BERRIOZABAL, DUTMER, WING, MARTINEZ, THOMPSON, VERA, WOLFF, LABATT, HASSLOCHER, COCKRELL. Absent: WEBB.

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89-35 The invocation was given by Rabbi Emeritus Dr. David Jacobson.

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89-35 The City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

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89-35 The minutes of the Regular City Council Meetings of July 20, 1989 and July 27, 1989 and the Special Meeting of July 20, 1989 were approved.

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89-35 MAYOR PRO TEM

City Clerk Norma S. Rodriguez administered the Oath of Office to incoming Mayor Pro Tem, Mr. Thompson, and offered her congratulations.

Mayor Cockrell thanked the outgoing Mayor Pro Tem, Mr. Hasslocher, for his good service to the City, serving in her absence.

Other members of the City Council and the Mayor then offered their congratulations to the outgoing and incoming Mayors Pro Tem.

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89-35 MARTIN LUTHER KING SCHOLARSHIPS

Mayor Cockrell briefly explained the scholarship program and introduced scholarship winners present in the audience. She read from the official notification letters and presented individual letters to the scholarship winners, assisted by Rabbi Emeritus David Jacobson, a member of the Martin Luther King Scholarship Committee.

Dr. Jacobson spoke of the perpetuation of the spirit of Dr.

Martin Luther King, Jr. and his ideals through these scholarships, and spoke briefly of the rigorous qualifications of the eventual winners.

Mayor Cockrell recognized Ms. Nancy Bohman of the Human Resources and Services Department, present in the audience, and spoke of her involvement in the scholarship committee's work.

Mayor Cockrell and other members of the City Council joined the audience in a round of applause for the scholarship winners.

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89-35      CONSENT AGENDA

Mrs. Dutmer made a motion to approve Agenda Items 6 - 29, constituting the Consent Agenda, with Items 17, 20, 24, and 27 to be pulled for individual consideration. Mr. Thompson seconded the motion.

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

AN ORDINANCE 69,963

ACCEPTING THE LOW QUALIFIED BID OF WALLACE MASONRY COMPANY INC. TO FURNISH THE CITY OF SAN ANTONIO FARMERS MARKET WITH REPAIRS OF A BRICK WALL FOR A TOTAL COST OF \$4,712.

\* \* \* \*

AN ORDINANCE 69,964

ACCEPTING THE LOW BID OF FARM AND RANCH SERVICE COMPANY TO FURNISH THE CITY OF SAN ANTONIO METROPOLITAN HEALTH DISTRICT WITH FIRE AND VANDAL RESISTANT PRECAST PORTABLE STORAGE BUILDINGS FOR A TOTAL OF \$14,535.

\* \* \* \*

AN ORDINANCE 69,965

ACCEPTING THE LOW BID OF BIG STATE TOOL AND EQUIPMENT COMPANY TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH GASOLINE DRIVEN ROCK DRILL/BREAKERS FOR A TOTAL COST OF \$4,075.

\* \* \* \*

AN ORDINANCE 69,966

ACCEPTING THE LOW BID OF FOXBORO TO FURNISH THE CITY OF SAN ANTONIO ENVIRONMENTAL MANAGEMENT DEPARTMENT WITH A PORTABLE HYDROCARBON AIR ANALYZER FOR A TOTAL COST OF \$15,260. PLUS FREIGHT.

\* \* \* \*

AN ORDINANCE 69,967

ACCEPTING THE LOW BID OF GENPOWER PUMP AND EQUIPMENT TO FURNISH THE CITY OF SAN ANTONIO ENVIRONMENTAL MANAGEMENT DEPARTMENT WITH TRASH PUMPS FOR A TOTAL COST OF \$10,354.

\* \* \* \*

AN ORDINANCE 69,968

ACCEPTING THE LOW QUALIFIED BID OF BAXTER SCIENTIFIC DIVISION TO FURNISH THE CITY OF SAN ANTONIO ENVIRONMENTAL MANAGEMENT DEPARTMENT WITH SPECIALTY LABORATORY SUPPLIES FOR A TOTAL COST OF \$9,055.95.

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AN ORDINANCE 69,969

ACCEPTING THE LOW BID OF PITNEY BOWES TO FURNISH THE CITY OF SAN ANTONIO ENVIRONMENTAL MANAGEMENT DEPARTMENT WITH A COPIER ON RENTAL BASIS AT AN ESTIMATED COST OF \$314 MONTHLY.

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AN ORDINANCE 69,970

ACCEPTING THE PROPOSAL OF CLSI TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH COMPUTER TERMINALS AND SOFTWARE ON A RENTAL BASIS AT A TOTAL COST OF \$11,300.

\* \* \* \*

AN ORDINANCE 69,971

ACCEPTING THE PROPOSAL OF DIGITAL EQUIPMENT CORPORATION TO FURNISH THE CITY OF SAN ANTONIO INFORMATION RESOURCES DEPARTMENT WITH ELECTRONIC DATA STORAGE SOFTWARE FOR A TOTAL COST OF \$9,330.

\* \* \* \*

AN ORDINANCE 69,972

ACCEPTING THE LOW BIDS OF VARIOUS VENDORS TO FURNISH THE CITY OF SAN ANTONIO WITH VARIOUS MATERIALS AND SERVICES.

\* \* \* \*

AN ORDINANCE 69,973

ACCEPTING THE LOW QUALIFIED BID AND AWARDING A CONTRACT TO CENTRAL ELECTRIC ENTERPRISES AND COMPANY, IN THE AMOUNT OF \$47,090.00; ESTABLISHING A \$4,709.00 CONSTRUCTION CONTINGENCY; AND AUTHORIZING PAYMENTS TO THE CONTRACTOR FOR CONSTRUCTION AND CONTINGENCIES ALL IN RELATION TO THE KENNEDY BALLFIELD LIGHTING PROJECT.

\* \* \* \*

AN ORDINANCE 69,974

AUTHORIZING THE EXECUTION OF AN ESCROW AGREEMENT WITH THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION AND AUTHORIZING \$1,802.00 PAYABLE TO THE STATE, IN CONNECTION WITH THE MEDINA BASE ROAD, PHASE II PROJECT.

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AN ORDINANCE 69,975

AUTHORIZING AN ADDITIONAL \$85,431.37, PAYABLE TO THE STATE DEPARTMENT OF HIGHWAYS & PUBLIC TRANSPORTATION FOR THE GUADALUPE/CASTROVILLE PROJECT (FROM ALAZAN CREEK TO CUPPLES ROAD).

\* \* \* \*

AN ORDINANCE 69,976

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$1,199.00  
OUT OF GENERAL OBLIGATION BONDS FOR THE PURPOSE OF  
ACQUIRING TITLE TO CERTAIN LANDS; IN CONNECTION WITH  
THE HI-LIONS DRAINAGE PROJECT #80.

\* \* \* \*

AN ORDINANCE 69,977

DECLARING THE EXISTENCE OF A DANGEROUS FLOODING  
CONDITION AT THE KEITHA STREET PROJECT AREA AND  
AUTHORIZING THE STAFF TO IMPLEMENT THE MOST COST  
EFFECTIVE PLAN TO ABATE THE DANGEROUS CONDITION.

\* \* \* \*

AN ORDINANCE 69,978

AUTHORIZING AND ACCEPTING A GRANT FROM THE TEXAS  
STATE LIBRARY, ENTITLED INTERLIBRARY LOAN SERVICE -  
FEDERAL GRANT 1989/90, FOR A TOTAL OF \$156,941 FOR  
THE OPERATION OF THE SAN ANTONIO INTERLIBRARY LOAN  
CENTER.

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AN ORDINANCE 69,979

RESCHEDULING CERTAIN CITY COUNCIL MEETINGS.

\* \* \* \*

AN ORDINANCE 69,980

AMENDING SECTION 10-66(b) OF THE CITY CODE BY  
AMENDING THE COMPOSITION OF THE ELECTRICAL EXAMINING  
AND SUPERVISING BOARD.

\* \* \* \*

AN ORDINANCE 69,981

AMENDING SECTION 22-29 OF THE CITY CODE OF THE CITY  
OF SAN ANTONIO TO INCREASE CERTAIN FEES FOR  
ADMISSION TO THE TOWER OF THE AMERICAS.

\* \* \* \*

AN ORDINANCE 69,982

CLOSING, ABANDONING, AND QUITCLAIMING AN IMPROVED PORTION OF MONTEZUMA STREET BETWEEN SOUTH BRAZOS AND SAN JACINTO STREETS AND BETWEEN LOTS 21 THROUGH 40, NEW CITY BLOCKS 2444 AND 2445, SAN ANTONIO, BEXAR COUNTY, TEXAS, AND AUTHORIZING THE CITY MANAGER OR ANY ASSISTANT CITY MANAGER TO EXECUTE A QUITCLAIM DEED TO THE HOUSING AUTHORITY OF THE CITY OF SAN ANTONIO, FOR A CONSIDERATION OF \$1.00.

\* \* \* \*

89-35 The Clerk read the following Ordinance:

AN ORDINANCE 69,983

AUTHORIZING THE EXECUTION OF FIELD ALTERATION NO. 18 IN THE AMOUNT OF \$14,165.00, FIELD ALTERATION NO. 19 IN THE AMOUNT OF \$14,597.00, AND FIELD ALTERATION NO. 20 IN THE AMOUNT OF \$14,630.00 FOR A TOTAL OF \$43,122.20, PAYABLE TO SPAW-GLASS CONSTRUCTION COMPANY, IN CONNECTION WITH THE POLICE TRAINING & CAREER DEVELOPMENT CENTER

\* \* \* \*

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

In response to a question by Mrs. Dutmer, Mr. Joe Aceves, Director of Public Works, addressed her concerns for the large amount of field alterations on this project, especially the large number of improvements decided upon after the contract was let. He discussed each field alteration and the reasons for each.

(At this point, Mayor Cockrell was obliged to leave the meeting. Mr. Wolff presided in the absence of the Mayor Pro Tem.)

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

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89-35 The Clerk read the following Ordinance:

AN ORDINANCE 69,984

APPROVING FIELD ALTERATION NO. 6, IN THE AMOUNT OF \$124,155.00; AUTHORIZING THE EXECUTION OF SAME; AND AUTHORIZING PAYMENT TO R.D.M. CONSTRUCTION, INC., IN CONNECTION WITH PROJECT #69 RIP RAP, PHASE I.

\* \* \* \*

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

Mrs. Dutmer thanked Mr. Joe Aceves, Director of the Public Works Department, and the Public Works Department for this work, which ties together two separate projects only a block apart.

Mr. Aceves noted that his staff now is seeking to handle such work on a neighborhood basis to avoid such problems as have arisen in the past.

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

(At this point, Mayor Pro Tem Hasslocher returned to the meeting to preside.)

89-35 The Clerk read the following Ordinance:

AN ORDINANCE 69,985

AUTHORIZING PAYMENT OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FUNDS TO THE SAN ANTONIO LOCAL DEVELOPMENT COMPANY, INC. (SALDC) FOR REMITTANCE BY SAME TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) AS PAYMENT OF THE ANNUAL INSTALLMENT DUE ON HUD'S SECTION 108 LOAN GUARANTEE PROGRAM NOTE.

\* \* \* \*

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

In response to a question by Mrs. Dutmer, Mr. Andrew Cameron, Community Development Officer, briefly explained the reasons for this ordinance.

(At this point, Mayor Cockrell returned to the meeting to preside.)

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

- - -  
89-35 The Clerk read the following Ordinance:

AN ORDINANCE 69,986

AMENDING CITY COUNCIL ORDINANCE NO. 69123, DATED MARCH 23, 1989, BY AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE ALAMO PRIVATE INDUSTRY COUNCIL (PIC) AND GOODWILL INDUSTRIES, INC.; AMENDING CITY COUNCIL ORDINANCE NO. 69581, DATED JUNE 1, 1989, BY AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH SIGNTECH, INC.; AUTHORIZING THE CREATION OF FOUR (4) POSITIONS IN THE JTPA IIA BY '89 BUDGET; AND AUTHORIZING REIMBURSEMENT FOR PAYMENT OF TEXAS ASSOCIATION OF PRIVATE INDUSTRY COUNCIL (TAPIC) DUES.

\* \* \* \*

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

In response to a question by Ms. Berriozabal, Mr. Stuart Summers, Director of the Department of Economic and Employment Development, explained the four personnel positions being funded by this ordinance.

Ms. Berriozabal expressed her concern that persons were being hired for new City jobs, while longer-term City employees face possible layoffs because of budgetary problems. She asked for a study to be made of all aspects of the City employee picture.

Mr. Louis J. Fox, City Manager, spoke of the City policies in place concerning personnel, which are handled through the Municipal Civil Service Rules of the City of San Antonio. He stated that he was trying to minimize the turbulence and the layoff of current City employees, and stated that the Council might wish to consider these four positions as positions into which to move other City personnel who might be bumped from

their present jobs in the budget considerations.

In response to a question by Mr. Martinez, Mr. Summers discussed the four affected positions and noted that only two are actually to be filled with new employees.

In response to a question by Mr. Wing, Mr. Summers noted that his department is responsible for more than \$100 millions in contracts for local small and minority businesses in the past year.

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

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89-35 The Clerk read the following Ordinance:

AN ORDINANCE 69,987 .

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AUTHORIZING PAYMENTS OF REFUNDS TO PERSONS MAKING AN  
OVERPAYMENT OR AS A RESULT OF A VALUE CHANGE ON 23  
TAX ACCOUNTS.

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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, Dutmer, Wing, Martinez, Thompson, Vera, Wolff, Labatt, Hasslocher, Cockrell; NAYS: None; ABSENT: Webb.

- - -  
89-35 The Clerk read the following Ordinance:

AN ORDINANCE 69,988 .

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APPROPRIATING \$51,857.00 FROM THE GENERAL FUND AND  
AUTHORIZING PAYMENT TO THE SAN ANTONIO DEVELOPMENT  
AGENCY FOR OPERATIONAL COSTS.

\* \* \* \*

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

In response to a question by Mr. Labatt, Mr. Winston Martin, Executive Director, San Antonio Development Agency, noted that the overall request for funds from the City's general fund to SADA was some \$351,000 for the remainder of the fiscal year, and he explained how contractual work performed by SADA makes up part of its revenues but had fallen short of estimates this year. He noted that this is the first time in 31 years that the City's urban renewal arm, SADA, has billed the City for services performed. He then spoke of SADA's expectations of more outside work in the next fiscal year.

In response to a question by Mr. Wolff, Mr. Louis J. Fox, City Manager, noted that there may be a policy issue for discussion during the upcoming budget discussions, and stated that he feels that the entire relationship of the City and its urban renewal arm needs to be looked at as part of the City's budget talks. He briefly explained the reasons for the SADA funding shortfall this fiscal year and stated that he feels that SADA operates outside the City staff and City Council budgetary oversight.

Mr. Wolff stated his opinion that the Council and the City staff need to look at the entire budgetary relationship of all facets of the City, including SADA.

In response to a question by Mr. Wolff, Mr. Fox noted that \$50,000 is needed by SADA now to meet its current payroll, and he addressed plans to look into a re-examination of the urban renewal role of the City of San Antonio, including its possible role as a City department. He noted that this study will take place in the next several weeks.

Mr. Martin noted that SADA had submitted its budget to the City at the first of the year with all costs outlined, and he reiterated earlier comments that SADA funds are short because some planned projects did not come to fruition. He noted that it will require about \$100,000 per month to meet SADA's payroll, and the \$350,000 figure is for the remaining three months in this fiscal year.

Mr. Wing spoke of SADA's right of eminent domain and of the administrative costs required in Community Development Block Grant funding. He noted that a number of new programs have been given to SADA, creating a shortage in its administrative funds. He also noted that the City in the past has tapped into SADA funds for the City's general fund budget needs.

Mrs. Dutmer stated that she takes exception to some of the comments made about SADA today, and she spoke to the need for funding of the agency's administrative costs. She then spoke against bringing SADA back into the City as a department.

Ms. Vera spoke in support of the City Manager's request to look at the City's relationship with SADA, and stated that she wants the analysis and recommendations made before any further funding requests come

before the City Council from SADA.

Dr. Ken Daly, Director of Budget and Research, noted that these funds for SADA will be taken from the City's 'ending balance'.

Ms. Berriozabal urged the City to make full delineation of SADA's responsibilities and urged consolidation of all housing aspects of the City, across the board, to maximize resources. She then spoke to the decentralized handling of housing matters, at present. She also noted that SADA is only a small part of the housing picture in San Antonio.

Mr. Thompson stated that he is comfortable with the current relationship between the City and SADA.

Mrs. Dutmer voiced her concerns for veiled threats that have been made toward SADA.

A discussion then took place concerning when SADA realized there would be a shortfall in funds and when the City was so notified.

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

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89-35

BRIEFING ON CHANGES TO UNIFIED DEVELOPMENT CODE

Ms. Rebecca Cedillo, Director of Planning, spoke to the details of some 12 proposed changes to the Unified Development Code in the areas of zoning and subdivisions, noting that such proposed changes will come before City Council for recommended action in two weeks.

In response to a question by Mr. Labatt, Ms. Cedillo discussed several recommendations that may be controversial and spoke to recommendations that affect the Edwards Aquifer.

In response to a question by Mr. Thompson, Ms. Cedillo discussed the ramifications of the recommendations as they apply to the military bases that are within the city limits, including Fort Sam Houston, Camp Bullis, Brooks Air Force Base and Martindale Army Air Field. She noted that the recommendations were being made by Fort Sam Houston, and briefly discussed sidewalk variances.

In response to a question by Ms. Berriozabal, Ms. Cedillo discussed "registered family homes".

Mrs. Dutmer made a motion to express the Council's consensus that this issue proceed with planned public hearings and presentation to the

City Council. Mr. Thompson seconded the motion.

The motion prevailed by the following vote: AYES:  
Berriozabal, Dutmer, Wing, Martinez, Thompson, Wolff, Labatt, Cockrell;  
NAYS: None; ABSENT: Webb, Vera, Hasslocher.

- - -  
89-35 The Clerk read the following Ordinance:

AN ORDINANCE 69,989

AUTHORIZING THE CITY ATTORNEY TO SETTLE ALL CLAIMS  
OF LILLIANA TORRES INDIVIDUALLY AND AS THE NEXT  
FRIEND OF VICTOR TORRES IN CONSOLIDATED CAUSE NO.  
87-CI-19164 FOR THE AMOUNT OF \$70,000.00.

\* \* \* \*

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

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

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89-35 The Clerk read the following Ordinance:

AN ORDINANCE 69,990

WAIVING THE HOURS OF OPERATION RESTRICTIONS FOR  
BILLIARD HALLS AS PROVIDED IN SECTION 16-31 OF THE  
CITY CODE IN CONNECTION WITH THE "SUMMERFEST 9 BALL"  
TOURNAMENT.

\* \* \* \*

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,  
Dutmer, Wing, Thompson, Vera, Wolff, Labatt, Hasslocher, Cockrell;  
NAYS: None; ABSENT: Webb, Martinez.

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89-35 The Clerk read the following Ordinance:

AN ORDINANCE 69,991

ADOPTING THE LAND USE ASSUMPTIONS DEVELOPED BY THE CITY OF SAN ANTONIO CAPITAL IMPROVEMENTS ADVISORY COMMITTEE IN ACCORDANCE WITH STATE LEGISLATIVE REQUIREMENTS FOR THE IMPOSITION OF IMPACT FEES.

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

Ms. Rebecca Cedillo, Planning Director, discussed the results of public hearings held by the City, and spoke to the ramifications of today's proposed approval by City Council. She noted that this approves some land-use assumptions, but they can later be changed by City Council action.

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

89-35 Agenda Item 37, being a proposed ordinance authorizing the closure of three streets within St. Paul Square to hold SUMMERFEST '89, was pulled from consideration.

89-35 Agenda Item 38, being a proposed ordinance authorizing a run permit for the Fire Department's Labor Day Run to be held on Saturday, September 2, 1989, was taken up for consideration at this time.

Ms. Karen Davis, Assistant to the City Manager, noted that City staff is recommending denial of this request, noting that this is the weekend of the Alamo Grand Prix in downtown San Antonio, and much downtown street work already is congesting streets. She stated that the Police Department has stated that it does not have enough manpower to cope with all the requirements of this weekend, in addition to this race. She spoke in favor of staging the race, if possible, in Brackenridge Park.

Mr. Bob Nieman, representing the sponsoring organization, spoke of having worked with the Police Department in selecting a route that avoids the Grand Prix area. He noted that race sponsors will assist police in helping to alleviate the traffic control problems.

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

Ms. Davis noted that the Police Department's traffic division feels that it would have to close Broadway Avenue completely, and noted that this is a major emergency route.

Mr. Nieman stated that he feels that a route can be worked out to avoid closing Broadway.

Mrs. Dutmer made a motion to postpone consideration of this matter until later in the meeting to allow time for both sides to confer on a possible compromise. Ms. Berriozabal seconded the motion.

The substitute motion prevailed by the following vote: AYES: Berriozabal, Dutmer, Wing, Martinez, Thompson, Vera, Wolff, Labatt, Hasslocher, Cockrell; NAYS: None; ABSENT: Webb.

(This matter was again considered later in this meeting. See page 19.)

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89-35 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE: CLOSING VISTA DEL NORTE RIGHT OF WAY

Mayor Cockrell declared the Public Hearing to be open.

Mr. William Toudouze, Real Estate Division, Public Works Department, spoke to the proposal to close a portion of Vista del Norte right-of-way, and noted that the homeowners association is in support of the proposed closure, and City staff concurs. He took note of the fact that both the Fire Department and VIA object to the proposed closure.

Mr. Wolff spoke to the tradeoffs involved in order to approve the closure before the new East-West Parkway bisects this area, creating more traffic.

Ms. Linda Aderhold, representing the Vista del Norte Homeowners Association, stated that the community she represents overwhelmingly supports the street closure, and she handed to the City Clerk certain petitions concerning the proposed closure (a copy of which is made a part of the papers of this meeting).

Ms. Aderhold noted that 168 petition-signers favor the closure, and only three are opposed, including only one person who actually lives in the neighborhood. She addressed the association's concern for the safety of residents if traffic increases on Vista del Norte, noting the street's heavy use by joggers and bicyclists, and persons going to and from the community swimming pool nearby.

Mr. Kevin Holguin, also representing the homeowners association, distributed photographs of a recent traffic accident on Vista del Norte in order to illustrate the danger, stating that he feels that the Police Department favors the closure of Vista del Norte.

(At this point, Mayor Cockrell was obliged to leave the meeting. Mayor Pro Tem Hasslocher presided.)

Mr. Jim Row, also representing the homeowners association, stated that he feels that there will be no appreciable increase in response-times by fire or emergency medical vehicles because of the closure of Vista del Norte.

There being no further citizens to speak on this issue, Mayor Pro Tem Hasslocher declared the Public Hearing to be closed.

The Clerk read the following Ordinance:

AN ORDINANCE 69,992

CLOSING, ABANDONING AND QUITCLAIMING A PORTION OF VISTA DEL NORTE STREET RIGHT-OF-WAY, BETWEEN VISTA VALET AND VISTA HAVEN STREETS AND BETWEEN UNITS 10 AND 12, NEW CITY BLOCK 16325, ALSO BEING COUNTY BLOCK 4985, S.N. DOBIE SURVEY NO. 79, ABSTRACT NO. 841 AND PINCKNEY CALDWELL SURVEY NO. 83, ABSTRACT NO. 124, SAN ANTONIO, BEXAR COUNTY, TEXAS, AUTHORIZING THE CITY MANAGER OR ANY ASSISTANT CITY MANAGER TO EXECUTE A QUITCLAIM TO FOLSOM INVESTMENTS, INC. AND ACCEPTING A GENERAL WARRANTY DEED FROM FOLSOM INVESTMENTS, INC., AS AN EXCHANGE OF PROPERTY.

\* \* \* \*

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

In response to a question by Mrs. Dutmer, Fire Chief Raul Losoya discussed the response-times on emergency vehicles into this area, and the difficulty of making turn-arounds in cul-de-sacs by large pieces of firefighting apparatus.

In response to a question by Mrs. Dutmer, Mr. Jorge Vega, representing the neighborhood, stated that he feels that area streets have sufficient turning radius for fire trucks, and that he personally, as a homeowner in the area, would agree to hold the City of San Antonio harmless if second-response emergency vehicles are impeded or delayed by the street closure in reaching the emergency area.

A discussion then took place concerning whether or not all area homeowners would agree to hold the City of San Antonio harmless if the Fire Department or EMS vehicles are delayed in responding to an emergency call in the area, even as the second-response vehicles.

(At this point, Mayor Cockrell returned to the meeting to preside.)

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

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89-35 The Clerk read the following Ordinance:

AN ORDINANCE 69,993 .

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APPROVING AN APPLICATION BY THE CITY OF SAN ANTONIO  
TO THE TEXAS HOUSING AGENCY TO SPONSOR A LOCAL  
INITIATIVE FOCUSED RATE MORTGAGE PROGRAM.

\* \* \* \*

Mr. Winston Martin, Executive Director of the San Antonio Development Agency, explained planned state support for providing mortgage refunds at very low interest rates for new houses costing under \$44,000, and noted that this program may benefit many persons in San Antonio. He also noted that no City funds are involved.

Mr. Tim Kenney, Executive Administrator, Texas Housing Agency, Austin, briefly explained the program.

Ms. Berriozabal made a motion for San Antonio to participate in the program with maximum participation to \$70,000. Mr. Wolff seconded the motion.

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

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89-35 The Clerk read the following Ordinance:

AN ORDINANCE 69,994

ALLOCATING UP TO \$500.00 FROM THE DISTRICT 7 DISCRETIONARY AND IMPROVEMENTS FUND TO THE HOLY ROSARY NUTRITION SITE FOR THE PURCHASE OF A NEW REFRIGERATOR.

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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, Dutmer, Wing, Thompson, Vera, Wolff, Labatt, Cockrell; NAYS: None; ABSENT: Webb, Martinez, Hasslocher.

89-35 The Clerk read the following Resolution:

A RESOLUTION NO. 89-35-68

IN SUPPORT OF THE 1989 "TEXAS OPEN PRESENTED BY NABISCO" PROFESSIONAL GOLF TOURNAMENT AND ACKNOWLEDGING SAID TOURNAMENT'S MANY CIVIC CONTRIBUTIONS TO SAN ANTONIO AND SURROUNDING COMMUNITIES.

\* \* \* \*

Mr. Thompson made a motion to approve the proposed Resolution. Mr. Wing seconded the motion.

Mr. Thompson briefly explained the need for community support for this tournament.

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

89-35 The Clerk read the following Ordinance:

AN ORDINANCE 69,995

APPOINTING INDIVIDUALS TO SERVE ON THE ORGANIZATION COMMITTEE FOR 1991 - 300TH ANNIVERSARY OF SAN ANTONIO AND 1992 CHRISTOPHER COLUMBUS QUINCENTENARY JUBILEE CELEBRATION FOR TERMS OF OFFICE TO LAST FOR THE DURATION OF THE PROJECT.

\* \* \* \*

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, Dutmer, Wing, Thompson, Vera, Wolff, Labatt, Cockrell; NAYS: None; ABSENT: Webb, Martinez, Hasslocher.

89-35 The Clerk read the following Ordinance:

AN ORDINANCE 69,996

APPOINTING JOE EDMONSON TO THE AIRPORT ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 15, 1991.

\* \* \* \*

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, Dutmer, Wing, Thompson, Vera, Wolff, Labatt, Cockrell; NAYS: None; ABSENT: Webb, Martinez, Hasslocher.

89-35 The Clerk read the following Ordinance:

AN ORDINANCE 69,997

APPOINTING JOSE MEDELLIN TO THE SAN ANTONIO CENTRO 21 TASK FORCE FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 31, 1990.

\* \* \* \*

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

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

- - -  
89-35

CONTINUATION OF AGENDA ITEM 38 DISCUSSION

Ms. Karen Davis, Assistant to the City Manager, explained that both sides of the issue of holding a run in downtown San Antonio have met at the direction of the City Council to seek a compromise for the possible use of Brackenridge Park for the run instead of downtown streets. She noted that the current Ordinance in force on the matter allows City staff to give approval administratively, without City Council concurrence, for runs in a City park. She noted that the staff would handle this matter in this manner, and that no ordinance is necessary, following discussions between both sides.

- - -  
ZONING HEARINGS

34. CASE Z89129 - to rezone Lot 7, NCB 11259, 847 Bynum Avenue, from "B" Residence District to "B-3" Business District, located on the west side of Bynum Avenue, being approximately 225.78' north of the intersection of Bynum Avenue and New Laredo Highway, having 60' on Bynum Avenue with a depth of 200'.

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

Ms. Maria Vasquez, 824 Bynum Avenue, asked that she be allowed to continue operating the bar at this location.

Mr. Andy Guerrero, Planner III, stated that the proponent lost her non-conforming rights in 1988 when she did not apply for those non-conforming rights on the property.

Ms. Vasquez stated that she did not understand the contents of the letter sent to her by the City at that time.

Mrs. Dutmer made a motion to grant the proponent's requested rezoning. Mr. Labatt seconded the motion.

Mr. Thompson spoke against having a bar on this site.

Ms. Vargas stated that she is operating a tire-shop on the property at this time.

The maker and seconder of the motion amended the original motion to "B-3NA".

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

AN ORDINANCE 69,998

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 7, NCB 11259, 847 BYNUM AVENUE, FROM "B" RESIDENCE DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

\* \* \* \*

44. CASE Z89130(CC) - to rezone a 21.0409 acre tract of land, NCB 11298, from "R-4" Mobile Home Residence District and "B-2" Business District to "I-1" Light Industry District and the north 631.88' of Parcel 102, NCB 11298, from "I-1" Light Industry District to "I-2" CC for a Heavy Industrial District salvage yard operation, 8510 U.S. Highway 81 South, located on the southeast side of U.S. Highway 81 South, being approximately 300' northeast of the intersection of the centerline of Leon Creek and U.S. Highway 81 South, having 1962.84' on U.S. Highway 81 South with a maximum depth of 1995.81'.

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

Mr. Andy Guerrero, Planner III, stated that the applicant wishes to postpone consideration of this case to a future date.

Mr. Rudy Hettler, representing the proponent, reiterated the request for postponement.

Mr. Wing spoke against having another junkyard in this area.

Following consultation and discussion, Mr. Guerrero stated that the opponents to the rezoning, present in the audience, do not object to a postponement.

Mr. Wing made a motion to postpone consideration of this zoning case for four weeks. Mrs. Dutmer seconded the motion.

The motion to postpone prevailed by the following vote: AYES: Berriozabal, Dutmer, Wing, Thompson, Vera, Wolff, Labatt, Cockrell; NAYS: None; ABSENT: Webb, Martinez, Hasslocher.

CASE Z89130CC was postponed for four weeks.

45. CASE Z89140 - to rezone a 0.592 acre tract of land out of NCB 13465, being further described by field notes filed in the Department of Planning, in the 6100 block of Ingram Road, from "B-2" Business District to "B-3R" Restrictive Business District, being approximately 695.0 feet west of the intersection of Callaghan Road and Ingram Road, having 100.0 feet on Ingram Road and a maximum depth of 257.86 feet.

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

Mr. Wolff made a motion to approve the proposed Ordinance. Mr. Labatt 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, Thompson, Vera, Wolff, Labatt, Cockrell; NAYS: None; ABSENT: Webb, Martinez, Hasslocher.

AN ORDINANCE 69,999

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 0.592 ACRE TRACT OF LAND OUT OF NCB 13465, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 6100 BLOCK OF INGRAM ROAD, FROM "B-2" BUSINESS DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

\* \* \* \*

46. CASE Z89133 - to rezone a 1.645 acre tract of land out of Block 2, NCB ~~10616~~, ~~4300~~ Block of Highway 90 East, from "A" Single Family Residence District to "I-1" Light Industry District, located 84.47' south of U.S. Highway 90 East, 160' east of the intersection of Pelham Avenue and Highway Drive, being a tract of land having 211.12' in width and 501.27' in length.

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

Mrs. Dutmer stated that Mr. Webb, who is absent from this meeting on vacation, has asked her to speak for him in zoning cases located in District 2 today.

Mr. Phil Garay, representing the proponent, stated that rezoning is needed in order to expand Davis Truck Sales onto this property.

Mr. Louis E. Butler, 272 Highway Drive; Mr. Edgar Davis, president of Davis Truck Sales; and Mr. Alvaro Morales, 306 Highway Drive, all spoke in favor of the rezoning.

Mr. John R. Bishop, 4231 Eula Mae, owner of the property at 303 Highway Drive, spoke against the rezoning request because of diesel smoke pollution from the trucking operations and concerns for safety. He stated that City of San Antonio Environmental Management vehicles frequently dump some substance on the Davis property.

Mr. Elie Austin, 302 Highway Drive, stated that he objects to the noise of large trucks at night and to the polluted waste washed from trucks on the Davis property.

Mr. Jesse Umblance, 268 Highway Drive, submitted petitions in opposition to the rezoning (copies of which are made a part of the papers of this meeting). He further stated that he feels that area property values will be lowered, crime increased and area children playing in the area will be imperiled.

Minnie Austin, 302 Highway Drive, also spoke in opposition to the rezoning request, voicing concern with the close proximity of trucks to her home, and asked that a 100-foot easement be imposed between the properties if the rezoning is granted.

Mr. Garay addressed the various concerns of the area citizens.

Mrs. Dutmer moved to approve the rezoning request provided that a 25-foot setback of R-1 zoning along the property line adjacent to the single-family homes be imposed as a restraint against large trucks; a 6' foot solid screen fence be erected and maintained along the west property line of the "R-1" and a one-foot non-access easement be erected along the west property line. Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 70,000

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 EAST 1.4923-ACRE TRACT OF LAND OUT OF BLOCK 2, NCB 10616 FROM "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT; AND THE WEST 0.1523-ACRE TRACT OF LAND OUT OF BLOCK 2, NCB 10616 FROM "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "R-1" ONE-FAMILY RESIDENCE DISTRICT; IN THE 4300 BLOCK OF HIGHWAY 90 EAST; PROVIDED THAT A ONE-FOOT NON-ACCESS EASEMENT IS IMPOSED ALONG PELHAM AVENUE, AND THAT A SIX-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE WEST PROPERTY LINE ADJACENT TO THE SINGLE-FAMILY HOMES AND PELHAM AVENUE. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

\* \* \* \*

47. CASE Z89131 - to rezone Lot 39, Block 8, NCB 10995, 4018 Vance Jackson, from "B" Residence District to "B-1" Business District, located on the eastside of Vance Jackson Road between Birchwood Drive and Spicewood, having 64.88' on Birchwood and Spicewood Drive and 121.88' on Vance Jackson Road.

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

Following a brief discussion, Mr. Labatt moved to approve the request subject to a one-foot non-access easement along Birchwood; 6 foot solid screen fence along east property line; and an agreement by the petitioner to deed-restrict the adjacent property to B-1, and that the property to the east will be single-family residential only. Mr. Hasslocher seconded the motion.

Mr. Phil Garay, representing the proponent, agreed to the stipulations and deed restrictions.

Mayor Cockrell stated that she cannot support rezoning this property for business in a residential neighborhood.

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

AN ORDINANCE 70,001

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 8, NCB 10995, 4018 VANCE JACKSON ROAD, FROM "B" RESIDENCE DISTRICT TO "B-1" BUSINESS DISTRICT, PROVIDED THAT A ONE-FOOT NON-ACCESS EASEMENT IS IMPOSED ALONG BIRCHWOOD AND THAT A SIX-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE EAST PROPERTY LINE. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

\* \* \* \*

48. CASE Z89127 - to rezone the north 75' of P-21B, NCB 14861, and the south, west, and east 25' of P-21B, NCB 14861, from Temporary "R-1" Single Family Residence District to "B-3" Business District and P-21B, save and except the N. 75', and the east, west and south 25', NCB 14861, from Temporary "R-1" Single Family Residence District to "I-1" Light Industry District, 6514 Hausman Road, located on the southside of West Hausman, being approximately 758.51' west of the intersection of West Hausman Road and Interstate 10, having 211.50' on West Hausman Road with a maximum depth of 875.80'.

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

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

AN ORDINANCE 70,002

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 NORTH 75' OF P-21B, NCB 14861 AND THE SOUTH, WEST, AND EAST 25' OF P-21B, NCB 14861, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT AND P-21B, SAVE AND EXCEPT THE NORTH 75', AND THE EAST, WEST AND SOUTH 25', NCB 14861, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, 6514

HAUSMAN ROAD, PROVIDED THAT LANDSCAPING IS PROVIDED  
ALONG THE EAST, WEST AND SOUTH PROPERTY LINES.

\* \* \* \*

49. CASE Z88111-6PP - to rezone Lots 1 and 2, Block 8, NCB 6179, 2510 Fredericksburg Road, from "P-2NA" S.U.P. Non-Alcoholic Sales Business District, Special Use Permit for retail sales of motorcycles only to "B-3NA" Non-Alcoholic Sales Business District, located southeast of the intersection of Pasadena Street and Fredericksburg Road, having 125 feet on Fredericksburg Road and 75 feet on Pasadena Street.

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

Mr. Andy Guerrero, Planner III, stated that the proponent is asking for an indefinite postponement on consideration of this matter.

Ms. Vera made a motion to postpone consideration of this zoning case indefinitely. Mr. Hasslocher seconded the motion.

Mr. Alan Polunsky, attorney representing the proponent, stated that his client needs time to meet with representatives of the nearby church, then will bring the case back to the City Council.

The motion to postpone indefinitely prevailed by the following vote: AYES: Dutmer, Wing, Martinez, Vera, Wolff, Labatt, Hasslocher, Cockrell; NAYS: None; ABSENT: Berriozabal, Webb, Thompson.

CASE Z88111-6PP was postponed indefinitely.

50. CASE Z88111-7 - to rezone Lot 10, Block 13, NCB 8496, 803 West Avenue, from "B-3" Business District to "B-3" Business District, located northwest of the intersection of Pasadena Street and West Avenue, having 125 feet on West Avenue and 100 feet on Pasadena Street.

The Zoning Commission has recommended denial of B-2 Business District and retention of the B-3 Business District zoning.

Mr. Andy Guerrero, Planner III, stated that nine affirmative votes of the City Council would be necessary to impose any zoning other than that requested by the property owner.

Ms. Vera made a motion to approve "B-3R" Restrictive Business District. Mr. Martinez 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, Martinez, Vera, Wolff, Labatt, Hasslocher, Cockrell; NAYS: None; ABSENT: Webb, Thompson.

AN ORDINANCE 70,003

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 10, BLOCK 13, NCB 8496, 803 WEST AVENUE, FROM "B-3" BUSINESS DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

\* \* \* \*

51. CASE Z88111-8 - to rezone Lot 13, Block 13, NCB 8486, 1005 West Avenue, from "F" Local Retail District to "B-2" C.C. Business District with City Council approval for a car wash, located northwest of the intersection of Santa Anna Street and West Avenue, having 100 feet on Santa Anna Street and 125 feet on West Avenue.

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

Mr. Andy Guerrero, Planner III, stated that nine affirmative votes of the City Council would be necessary to impose any zoning other than that requested by the property owner.

Ms. Vera made a motion to approve "B-3NA" zoning. 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, Martinez, Vera, Wolff, Labatt, Hasslocher, Cockrell; NAYS: None; ABSENT: Webb, Thompson.

AN ORDINANCE 70,004

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 13, BLOCK 13, NCB 8486, 1005 WEST AVENUE, FROM "F" LOCAL RETAIL DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT. "THE

PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED  
\$1,000.00".

\* \* \* \*

52. CASE Z88111-9 - to rezone Lots 6 and 7, Block 28, NCB 8485, 1902-1906 Sacramento Street, from "F" Local Retail District to "R-1" Single Family Residence District, located southwest of the intersection of West Avenue and Sacramento Street, having 100 feet on Sacramento Street and 125 feet on West Avenue.

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

Mr. Andy Guerrero, Planner III, stated that nine affirmative votes of the City Council would be necessary to impose any zoning other than that requested by the property owner.

Ms. Vera made a motion to approve "B-2" zoning on the subject property. Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 70,005

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 6 AND 7, BLOCK 28, NCB 8485, 1902-1906 SACRAMENTO STREET, FROM "F" LOCAL RETAIL DISTRICT TO "B-2" BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

\* \* \* \*

53. CASE Z88111-19 - to rezone Lot 20, NCB 8805, 1839 Santa Monica Street, from "B-3NA" Non-Alcoholic Sales Business District to "B-2" Business District, located northeast of the intersection of West Avenue and Santa Monica Street, having 120 feet on West Avenue and 50 feet on Santa Monica.

The Zoning Commission has recommended that "B-3NA" zoning be approved by the City Council.

Mr. Andy Guerrero, Planner III, stated that nine affirmative votes of the City Council would be necessary to impose any zoning other than that requested by the property owner.

Ms. Vera made a motion to "B-3NA" zoning for the subject property. Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 70,006

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 20, NCB 8805, 1838 SANTA MONICA STREET, FROM "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

\* \* \* \*

54. CASE Z88111-21 - to rezone Lots 8 and 9, Block 10, NCB 8500, FROM "F" Local Retail District to "B-2" Business District and the north 55 feet of Lots 5 and 6, Block 10, NCB 8500, from "B-3" Business District to "B-3NA" Non-Alcoholic Sales Business District, 703-715 West Avenue, located southwest of the intersection of Pasadena Street and West Avenue, having 180 feet on West Avenue and 110 feet on Pasadena Street.

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

Mr. Andy Guerrero, Planner III, stated that nine affirmative votes of the City Council would be necessary to impose any zoning other than that requested by the property owner.

Ms. Vera made a motion to approve "B-2" AND "B-3NA" zoning for the subject property. Mr. Hasslocher seconded the motion.

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

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

AN ORDINANCE 70,007

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 8 AND 9, BLOCK 10, NCB 8500, FROM "F" LOCAL RETAIL DISTRICT TO "B-2" BUSINESS DISTRICT AND THE NORTH 55 FEET OF LOTS 5 AND 6, BLOCK 10, NCB 8500, FROM "B-3" BUSINESS DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT, 703-715 WEST AVENUE. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00".

\* \* \* \*

55. CASE Z88111-31 - to rezone Lots 19 and 20, Block 239, NCB 880, 804 West Avenue, from "B-3" Business District to "B-2" Business District, located northeast of the intersection of Pasadena Street and West Avenue, having 100 feet on Pasadena Street and 120 feet on West Avenue.

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

Mr. Andy Guerrero, Planner III, stated that nine affirmative votes of the City Council would be necessary to impose any zoning other than that requested by the property owner.

Ms. Vera made a motion to approve "B-3R" zoning on the subject property. Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 70,008

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 19 AND 20, BLOCK 239, NCB 880, 804 WEST AVENUE, FROM "B-3" BUSINESS DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT. "THE

PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED  
\$1,000.00".

\* \* \* \*

89-35

CITIZENS TO BE HEARD

BUDGET

Mrs. Patricia Ozuna, representing Communities Organized for Public Service (COPS), spoke to the City Council regarding the upcoming budget. She expressed concern about the upcoming tax rate limit which the Greater San Antonio Chamber has made public comments about. COPS prefers that the City Council set a tax rate which will assure and safeguard health and safety budget items.

Pastor Carl Daily, Metropolitan Alliance, reiterated concerns about damages to the City's critical services such as fire, police, public health, street maintenance, libraries, and parks and recreation budgets and stated that they will support the necessary tax rate to pay for these services.

Mayor Cockrell explained the status of the budget process at this time and the Council's commitment to provide City services. She is not committed to a set tax rate as such until the City Manager has had time to study all the alternatives.

Mr. Wolff stated that he is open minded towards the budget. He also does not agree with the Greater Chamber's "set" limit and stated that the budget has not even been presented. He also stated that the Council must concern itself with what is best for the City.

Ms. Berriozabal stated her appreciation of the comments made by the COPS and Metropolitan Alliance organizations.

She also stated that equity and fairness towards all City employees is very important. She is also concerned about providing adequate human services. She is not locked into a set tax limit at this time either. She also asked that the public hearings on the budget be televised so that all the public can be apprised of the difficult decisions to be made.

Ms. Vera stated that she is very concerned that the street maintenance fund will be depleted during the budget process. She stated that she is happy to see that these organizations have street maintenance as one of their priorities.

August 10, 1989  
mlr

Mrs. Dutmer stated that there are other issues affecting City spending and impact on the citizens, such as the Applewhite project. She made mention of the action taken by the Texas Water Commission today of granting the City Water Board a two-year extension on the utility's permit to appropriate state water from the Medina River for use in the Applewhite Water Supply Project. She also stated that she is not committed to a set tax limit rate. She urged the organizations to be prepared to face the many issues facing the City, such as the Applewhite, the Dome, etc.

A discussion took place on the setting of the tax rate and its relation to the budget.

Mr. Wing expressed appreciation to the organizations for their willingness to work with the City Council on the budget. He also spoke in opposition to the locked-in position taken by the Greater Chamber in relation to the budget.

\* \* \* \*

#### EMPLOYEE BENEFITS

Mr. Henry Rodriguez, NAGE, spoke to the Council regarding their concerns about equal and fair treatment to all City employees. He spoke about the big gap which exists among the City employees. He stated that the non-uniformed employees are wanting the same privileges afforded to the uniformed personnel. He stated that they can form a political action committee to address these concerns.

Mr. Sam Alvarado also reiterated concerns made by Mr. Rodriguez. He stated that lay-off slips are already being prepared even though the Council has not even received the budget.

In response to Mayor Cockrell, Mr. Alexander Briseno, Assistant City Manager, stated that there are no lay-off notices being prepared at this time and official notices will not occur until after the budget is adopted. He explained what options will be available and their goal will be to relocate all affected personnel.

Mr. Labatt stated that the Council has not authorized any pink slips and expressed concern about the disrespectful manner in which the Council is treated by NAGE representatives.

\* \* \* \*

#### PHILIP M. ROSS

Mr. Philip M. Ross referred to the action taken today by the Texas Water Commission with regard to the Applewhite permit extension. He distributed to each Council member alternatives available to the Texas

Water Commission (a copy of which is on file with the papers of this meeting).

Mr. Ross explained why he thinks that the Applewhite permit should be denied, and the danger facing the Wilcox Aquifer if the Applewhite Project goes through.

Mrs. Dutmer stated that the City Water Board has never amended its application to exclude the Leon Creek. She expressed concern with the action taken by the Texas Water Commission's extension. She stated that the Applewhite will not yield enough water. She stated that this is a very important issue facing the citizenry.

Ms. Berriozabal referred to the amendments made by Ms. Vera when the Applewhite Project was approved, especially those dealing with the Leon Creek issue.

Mr. Labatt stated that the permit is in two parts, one being the Leon Creek and the other being Medina Lake. The Vera amendments are in effect and are on record in Austin.

Ms. Berriozabal stated that she would want to see a clarification and perhaps a briefing on this matter.

In response to Mayor Cockrell, Assistant City Manager Alexander Briseno stated that a "B" Session can be held to update the Council on this issue.

\* \* \* \*

MARIA DOMINGUEZ

Mrs. Maria Dominguez took issue with Mr. Carl White's departure from the City and the manner in which he was treated by the City Manager.

\* \* \* \*

- - -  
89-35 The Clerk read the following Letter:

August 1, 1989

Honorable Mayor and Members of the City Council of the City of San Antonio

The following petition was received in my office and forwarded to the City Manager for investigation and report to the City Council.

July 26, 1989

Petition submitted by Ms. Z'Ann Taylor, et al, 7049 Glen Mist, San

August 10, 1989  
mlr

Antonio, Texas 78239, requesting  
annexation of the Glen Subdivision.

\* \* \* \*

/s/Norma S. Rodriguez  
City Clerk

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

A P P R O V E D

*Lila Cockell*

M A Y O R

ATTEST

*Norma S. Rodriguez*  
C i t y C l e r k