

- REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, SEPTEMBER 4, 1986.

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

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86-43 The invocation was given by Reverend N.H. Franklin, AME Church.

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86-43 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

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86-43 RESOLUTION - ALL-AMERICA CITY BAND

Mayor Cisneros read the resolution endorsing the creation of an "All-America City Band".

Mr. David Mathis spoke of the excitement of creating this band. He stated that about 65 volunteer people will make up the band. Mr. Mathis spoke of his musical background.

Mr. Thompson spoke of the need to establish direct guidelines for the band to follow.

Mayor Cisneros spoke of the importance of the band and then he presented the resolution to Mr. Mathis.

Members of the City Council congratulated Mr. Mathis and wished him well in establishing the band.

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86-43 "WHISTLETOT TOUR"

Ms. Beverly Cox, representative of the U.S. Attorney's Office invited the City Councilmembers to the Southern Pacific Railroad on

September 9, 1986 to greet the "1986 Whistletot Tour For the Prevention of Drug Abuse Train", sponsored by the Just Say No Foundation of California.

86-43 At this time Mayor Cisneros read a prepared statement:

"The summer is at an end. It has been especially hot - both in degrees Farenheit and in degrees of intensity that City issues have required. In both senses, new records for heat were set this summer.

"With Labor Day, we arrive at a new season of the year and a time for the Council to consider the tasks that will fill the months ahead. The period from September through the Christmas season will be the last block of time that this City Council can address City issues before the political challenges that will characterize the months from January to April. There is some important work that remains ahead.

1. Streets and Drainage Bond Cycle

The Council must make a basic decision about the cycle of streets and drainage bond projects that should be on the ballot in 1987 in order to stay on the rough schedule set forth several years ago. Decisions need to be made about the projects that will be on the 1987 program in order that we can know by late this year whether we will be in a position to offer it to the public at the April City election.

The first decision the Council needs to reach is to select the process it wishes to use to prepare the program. Options include the Council meeting as a Committee of the whole to balance out streets and drainage projects as well as district priorities. One advantage of this approach would be the Council would have the full attention of the City Manager in preparing the best overall package he and the key staff can assemble. Another option would be to reorganize the Streets Task Force and combine it with the older Drainage Task Force.

Whatever the Council's decision on the process, my recommendation is that we proceed with a streets and drainage total that is scaled down from last year's \$100 million in order that we can include the Public Safety propositions. It is also imperative that the bond program be scaled and phased in such a way that it does not trigger a property tax hike, but is built on the \$275 million of bonding capability which last year's refinancing made possible.

2. Public Safety Bonds

I am committed to including key Public Safety propositions on the same ballot. In particular, I am interested in a well structured Police Training and Professional Education Center that can assure the most

rigorous initial training for police officers and constant professional development over the course of officers' careers in the SAPD. TAB A outlines a number of items and their costs, which the Council could consider adding to an April bond package. The Crime Prevention Committee should begin consulting Councilmembers and the community about a crime control bond package.

3. The Annexation 2nd-Year Cycle

The Annexation Committee is now at work reviewing the second year of a five-year cycle of proposed annexations. Considering the issues raised in the recent bond election, the Council must reflect long and hard on the size and qualities of each parcel in this annexation and how they relate to our stated priorities for areas within the existing City limits. TAB B is the work of the Committee as considered in its meeting last week. It is scheduled for Council review on September 11th.

4. Downtown Improvement District

The Downtown Owners Association and Centro 21 are now circulating a petition to downtown property owners to establish the Downtown Improvement District. Under State law, when they have acquired signatures representing ownership of more than 50% of the appraised value of property and more than 50% of the square footage, they may approach the City Council to establish the district. The district would allow the property tax rate in the area to be increased by 4 cents on \$100 and the revenues raised to be applied to make the Tri-Party improvements. The passage of the Improvement District and the local contribution raised this way is part of the understanding which resulted in the \$20 million of UMTA funds authorized by Administrator Ralph Stanley.

The DTOA and Centro 21 are now very close to securing the number of signatures required and expect to have them within a few weeks. When they do, the issue will be brought to the City Council for action. TAB C provides a report on the Downtown Improvement District petition.

Other aspects of our downtown decision-making will involve the development kit, or urban design manual, which will be considered by Council in B-session this week and possible Council consideration of a plan to save the Majestic Theater on Houston Street.

5. Historic Ordinance

The Historic Ordinance has been referred to the appropriate City boards for review. It is my understanding that most of the contentious points are being worked out between Andrew Perez, Chair of our Special Committee on Historic Sites and Structures, and Bill Kaufman, representative of many property owners in affected areas. I would expect the Historic Ordinance will be before Council in about four weeks for decision.

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6. Report on Rouse Proposal for HemisFair and La Villita

I spoke with Mr. Rouse last week and he said he was very excited about the creative work now underway on the HemisFair/La Villita project. He indicated that his entertainment partner is not Disney, although he is working with Disney on several other new downtown projects in other cities. The plan now being devised for San Antonio, he informed me, is the most exciting of any he has seen. The most creative portion, he said, is the treatment of La Villita. I expect that this item will be before the City Council in late October.

7. Fire and Police Negotiations

There is no agreement at this time with our fire and police associations on the contracts for 1986-87. Executive sessions will be required as the negotiating teams begin to narrow the gaps in their positions. Hopefully, both contracts can be concluded within the next month so they can be in effect on October 1st and operative for a multi-year term.

8. Charter Revision

Earlier this year, I proposed that we place on the ballot as a Charter Amendment the ability of the City to grant discounts for early payment of City taxes. In the early 1980s, the State Legislature gave cities the authority to grant such discounts, but San Antonio's Charter still prohibits the practice. The law now allows a plan as follows:

Taxes paid in October - 3% discount

Taxes paid in November - 2% discount

Taxes paid in December - 1% discount

Taxes due and payable - January 1-31

Penalty for late payment begins - February 1; 7%

The City's having the power to grant such a discount would in effect grant a 3% break on property taxes to those who pay early and would also improve the City's cash flow in the early months of the fiscal year which begins October 1st.

I propose that such a Charter Amendment be placed on the April ballot. I do not feel that a Charter Revision Commission is necessary to place this item on the ballot and at this time. It is my reading of the Council that the majority of members do not favor other Charter changes which might require that a Commission be appointed. I concur in that judgment at this time.

9. Legislative Priorities

When the Legislature meets in January, there will be proposals submitted that will hurt the authority and home rule powers of cities of Texas, which occurs predictably in every biannual legislative session. It is up to the TML and each city to prepare a counter-agenda of the measures we need to perform our municipal responsibilities. Last session we made the Courts of Record measure, the needed Sea World legislation, billboard regulatory authority, and highway funding our priorities. We need to begin identifying our most important issues and then organize meetings with our Legislative delegation in the late Fall.

One issue that we talked about earlier this year merits heightened consideration in the wake of attention drawn to property taxes on homesteads. The Council should decide whether, as part of our legislative package, we wish to ask the Legislature to amend the State Property Tax Code to allow cities to grant a flat dollar amount tax exemption for all homesteads. At present, the system that allows exemptions is problematic in that it is based on a percentage valuation, which means the largest exemptions would go to those who are in least actual need.

In other words, a 10% exemption means that the exemption on a \$250,000 home would be \$25,000 but that on a \$30,000 home, it would be only \$3,000. The Legislature could give to cities the legal authority to do what school districts are now doing: granting a flat \$5,000 homestead exemption for everyone who owns a home. That way, \$5,000 in value would be exempted from property taxes. If we want to pursue this idea, we should work to pass it before the 1987 reappraisal takes place. A \$5,000 flat exemption would cost the City approximately \$2.7 million.

10. Utility Rate or Bond Program Requests for Action

The City Public Service Board may be able to forego a rate increase this year, but it depends on the construction program. One way to postpone a rate increase is to change the construction program from the presently scheduled lignite plant in the Bastrop area to another Wyoming coal plant at the present Southside facility. That is the CPS staff recommendation and it is scheduled for today's session. This is a critical issue because we are now beginning to feel the squeeze of our electrical load requirements. On the day of record-breaking heat two weeks ago, August 19th, San Antonians created an electricity peak of 2589 megawatts. That is up 239 megawatts from the peak last year of 2350. The total megawatts available in our system is 3236 megawatts, or only 647 megawatts from the level we reached on August 19th. This means that, if our yearly jumps from peak-to-peak are

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in the 200 megawatt range as actually occurred this year, then we have only a four-year cushion before we exceed our margin. That is the tightest we have ever been.

The STNP is due to bring 350 megawatts on-line in the Fall of 1987. Obviously any further slippage there would put us in a problem situation.

On another matter, the CPS staff and the City's Public Works staff will be concluding a joint study of a resource recovery/garbage-to-energy system. It may also be brought before the Council in the next months.

Another matter involving CPS will be Council review of a trustee appointment which must occur by the end of January as Chairman Glenn Biggs closes out his very productive tenure on the Board.

Still another issue will be my request to the Board that it consider a summer senior citizen rate relief program in addition to the City's winter program. The Board members reacted positively to the suggestion, recognizing the extreme hardship now being encountered by many senior citizens in July and August. For the first time, the Board is willing to consider a CPS-sponsored project of several million dollars, although if CPS initiates it, it must be system-wide and not just in the city. It might also be possible to link the program to the discounted purchase of cooling equipment for senior citizens in the most dangerous weather circumstances.

Another utility-related cost increase - this one in a utility overseen by the City Council - is the sewer fee. Just last week we authorized a sewer rate hike and San Antonians will soon see the payoff in terms of environmental quality. Despite the fact that the sewer fees have been steadily increasing, we can take some comfort in the fact that, because of our staff's good work, the final cost of Dos Rios will be less than originally projected.

Nevertheless, I am aware of the burden the sewer fee is creating, particularly for our senior citizens. A plan modeled after our senior citizen electric and gas rate relief program would be helpful if operated out of the sewer fund.

Another possible way to provide sewer fee rate relief to system users of all ages might be to consider a water conservation credit, wherein the City would give a rebate to purchasers of special plumbing fixtures that do not consume as much water to operate. As you know, CPS now has in place a rebate for buying energy-efficient appliances. A water conservation problem based on that model might be a way to address water conservation as well as alleviate the sharpness of sewer fee increases.

11. Other Issues

There are a number of business items which do not require initiation by the Council, but which reflect the Council's intense interest in staff performance. Among such issues are the following:

a) Acceptance of the City Manager's report on the formal changes instituted to assure that the corruption problem discovered in the Building Inspections Department is eliminated.

b) Approval of the City Manager's new project management system for overseeing the quality and timeliness of street construction.

c) Council ratification of a statement of objectives prepared by the City Manager for the crime and fear reduction area.

d) Acceptance of the City's Manager's assurances that the construction work on key projects is of the highest quality and on schedule, as the taxpayers have a right to expect, i.e., the Convention Center, the new libraries, the new fire stations, the police substations, and other bond projects.

e) If any new revenues are discovered during the budget year, to act on those unfunded priorities set by the Council, such as reinstating regular hours in the Library system. One possible source of additional revenues might be the City's share of expansion in the base of items subject to the sales tax now being considered by the State Legislature.

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"As you can discern, it can be a very productive period if these decisions are made. And, some of the fruits of previous decisions will be harvested in these months:

- * The Fairmont Hotel will open in September across from HemisFair.
- * Also in September, Southwestern Bell Telephone will announce an integration of its telecommunications assets which will serve as our teleport alternative.
- * The Convention Center expansion will be completed in October.
- * The University of Mexico will inaugurate its new facilities with a week-long celebration in October. Highlight events will be the unveiling by Target Stores of a mural on the side of the Arena and the second presentation of the "Music of the Americas" series by the San Antonio Symphony.
- * In November, The City Employees Credit Union will break

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ground on renovation of the Missouri-Pacific Depot even as two new professional buildings are ready for occupancy in the Cattleman's Square Area and Council will consider a plan for expanding the Farmer's Market.

- * Also in November, The San Antonio Museum Association will unveil its Winn and Rockefeller Mexican Folk Art Collections, establishing San Antonio as a national center of indigenous arts.
- * The National League of Cities will attract top national leaders and more than 5,000 of our colleagues in municipal government in late November.
- * The Northwest Freeway access roads will be open to traffic from Loop 410 to Loop 1604 in December.

"And, to start it all off, in just a few days, Lancer Corporation, a San Antonio-based company - will announce an expansion that will result in consolidating about 600 jobs in a 350,000 square foot facility on the site of the original Sea World location in east San Antonio. By the end of the decade, Lancer expects to employ more than 1500 workers in a plant expanded to 850,000 square feet.

"All in all, although the summer has been hard, I believe it has set the stage for the decisions ahead. We have learned more about our city and the hopes of our citizens. This summer's events should have shown us that there is a strong and reliable core of support for the agenda of progress we have set. Let us stay on course, keep the pace strong, and continue to produce for a greater San Antonio."

At this point, City Council discussed the issues outlined in the Mayor's statement.

Mayor Cisneros stated that he wants to more helpful and supportive in the area of downtown housing.

Mrs. Dutmer stated her concern on property tax discounts. She spoke in support of the police training facility.

Mr. Webb stated that he is concerned with the beautification of our city. He stated that he would like brush pickup as a priority. He further stated that he would like regulations to be set forth for controlling garage and yard sales.

Mrs. Berriozabal thanked the Mayor for the presentation. She stated that she is happy the Mayor will be working more closely with the housing situation. She stated that a report is needed which outlines how much police and fire and protection for any future annexations will cost.

Mr. Labatt stated his concern that there was no mention of the water issue in Mayor Cisneros' report. He noted that this point needs to be added. He spoke to his support of the housing and public safety bond issues.

Ms. Vera stated that she supports the public safety bond issue.

Mr. Wing stressed the need for zoning overlay for all neighborhoods. He also stated that a natatorium is needed in the southern sector of the city. He further stated that the City Manager needs to develop a dumping fine increase. He noted that most of the dumping is being made by contractors and subcontractors. He spoke of charging a dumping fee when contractors apply for a permit. He also spoke of the need to streamline the zoning process.

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BOYSVILLE AUCTION

Mayor Cisneros spoke of the Boysville organization. He then read the following proclamation:

WHEREAS, on Saturday, September 6, 1986, the 21st Annual Boysville Auction will be held at the Boysville Campus, and

WHEREAS, Boysville is an organization which is recognized throughout the State of Texas for its many services to the youth of this area, providing more than just food and shelter to hundreds of young boys and girls each year, and

WHEREAS, for the past 40 years, Boysville has provided a secure home for more than 2,200 boys, and

WHEREAS, this auction is a major fund-raising event to support the wholesome and worthwhile activities of this facility, now providing a home for boys and girls, and

WHEREAS, the Annual Boysville Auction will provide more than 200 separate items for sale, from chickens to chairs, mules to shotguns.

NOW, THEREFORE, I, HENRY CISNEROS, Mayor of the City

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of San Antonio, in recognition thereof, do hereby proclaim September 6, 1986, as

"BOYSVILLE DAY"

in San Antonio, Texas, and I urge all San Antonians to take part in this fund-raising event for the benefit of this humanitarian home for boys.

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Mr. Hasslocher spoke of the auction which is a major fund raising event for Boysville. He also spoke of the admittance of girls into the home and of proposed future development that is being planned for Boysville.

Mr. Thompson spoke of the joy the children feel knowing that someone like Mr. Hasslocher is looking out for their needs. He spoke of the need for childrens homes in the area.

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86-43 The approval of the minutes of the Special Meeting of August 18, 1986 and the Regular Meeting of August 21, 1986.

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86-43 CONSENT AGENDA

Mrs. Dutmer moved to approve Agenda Items #5 - 27, constituting the Consent Agenda, with the exception of Items #9, 14 & 16, to be pulled for individual consideration. Mr. Labatt seconded the motion.

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

AN ORDINANCE 63,555

ACCEPTING THE BID OF DIAMOND FENCE COMPANY TO FURNISH THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH CHAIN LINK FENCE AND CURBING FOR A TOTAL OF \$4,643.00

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AN ORDINANCE 63,556

ACCEPTING THE BIDS OF VILLA ROOFING AND AVILA ROOFING TO FURNISH THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH ROOFING PROJECTS FOR A TOTAL OF \$19,577.00

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AN ORDINANCE 63,557

ACCEPTING THE BID OF COMANCHE CONCRETE CONSTRUCTION CO. TO FURNISH THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT WITH TRAVIS PARK PAVERS FOR A TOTAL OF \$6,041.25.

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AN ORDINANCE 63,558

ACCEPTING THE BID OF COMFORT AIR ENGINEERING INC. TO FURNISH THE CITY OF SAN ANTONIO WASTEWATER MANAGEMENT DEPARTMENT WITH AIR CONDITIONERS FOR A TOTAL OF \$4,320.00.

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AN ORDINANCE 63,559

AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH WEYMAN AND ASSOCIATES, INC., IN THE AMOUNT OF \$31,250.00 TO PROVIDE PLANS AND SPECIFICATIONS FOR THE SAN PEDRO (U.S. 281 N.) FROM BITTERS TO F.M. 1604 SANITARY SEWER RELOCATION PROJECT; AUTHORIZING AN ADDITIONAL \$10,000.00 FOR THE ENGINEERING CONTINGENCY AND \$125.00 FOR BID ADVERTISING.

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AN ORDINANCE 63,560

ACCEPTING THE BID OF R.D.M. CONSTRUCTION, INC., IN THE AMOUNT OF \$99,355.00 FOR THE CONSTRUCTION OF THE CASTLEWOOD FOREST UNIT 4 OFF-SITE SEWER PROJECT; PROVIDING AN ADDITIONAL \$14,945.00 FOR A CONSTRUCTION CONTINGENCY; APPROVING A CONTRACT; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 63,561

AUTHORIZING THE CITY MANAGER TO EXECUTE FIELD ALTERATION #4, IN THE AMOUNT OF \$32,450.00 PAYABLE TO BASIC CONSTRUCTORS, INC., FOR THE LEON CREEK ADVANCED SECONDARY TREATMENT FACILITIES PROJECT TO PROVIDE FOR MODIFICATIONS TO THE FACILITIES DIVISION BOX, JUNCTION BOX AND SCUM PIPING, REQUIRED TO ALLEVIATE DIFFICULT OPERATIONS AND MAINTENANCE PROBLEMS.

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AN ORDINANCE 63,562

ACCEPTING THE BID OF S & S CONTRACTORS, IN THE AMOUNT OF \$47,737.00 FOR THE CONSTRUCTION OF THE BANDERA CROSSING OFF-SITE SANITARY SEWER PROJECT; PROVIDING AN ADDITIONAL \$7,163.00 FOR A CONSTRUCTION CONTINGENCY; APPROVING A CONTRACT; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 63,563

ACCEPTING THE BID OF WAGNER CONSTRUCTION COMPANY, IN THE AMOUNT OF \$259,504.00 FOR THE CONSTRUCTION OF THE GATEWAY 35 BUSINESS PARK SUBDIVISION OFF-SITE SANITARY SEWER PROJECT; PROVIDING AN ADDITIONAL \$38,996.00 FOR A CONSTRUCTION CONTINGENCY; AND \$8,000.00 PAYABLE TO MACINA, BOSE, COPELAND AND ASSOCIATES, FOR CONSTRUCTION SUPERVISION SERVICES.

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AN ORDINANCE 63,564

AUTHORIZING AN ADDITIONAL \$28,857.62 FOR ENGINEERING FEES PAYABLE TO GROVES AND ASSOCIATES, INC., IN CONNECTION WITH THE N. NEW BRAUNFELS STREET PROJECT.

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AN ORDINANCE 63,565

AUTHORIZING AN ADDITIONAL \$166,375.00 FOR ENGINEERING FEES PAYABLE TO W.E. SIMPSON COMPANY, INC., IN CONNECTION WITH THE DRIFTWOOD DRAINAGE

PROJECT_#39 D-F NORTH.

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AN ORDINANCE 63,566

AUTHORIZING AN ADDITIONAL \$5,142.14 FOR ENGINEERING FEES PAYABLE TO TRAVIS-BRAUN AND ASSOCIATES, INC., IN CONNECTION WITH THE RICE ROAD RECONSTRUCTION PROJECT.

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AN ORDINANCE 63,567

AUTHORIZING FIELD ALTERATION NO. 2 ON THE CLOVIS STREET PROJECT - COMMERCIAL TO PLEASANTON IN THE AMOUNT OF \$17,278.75.

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AN ORDINANCE 63,568

ACCEPTING THE BID OF STEINROCK ROOFING CORPORATION FOR THE REROOFING OF THE WESTEND PARK NUTRITION CENTER ANNEX IN THE AMOUNT OF \$10,788.00; PROVIDING AN ADDITIONAL \$1,078.80 FOR A CONSTRUCTION CONTINGENCY.

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AN ORDINANCE 63,569

AUTHORIZING AN ADDITIONAL \$84,093.47 FOR ENGINEERING FEES PAYABLE TO CIVIL ENGINEERING CONSULTANTS, IN CONNECTION WITH THE DOLLARHIDE OUTFALL DRAINAGE PROJECT 81.

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AN ORDINANCE 63,570

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$205,450.00 OUT OF VARIOUS FUNDS FOR THE PURPOSE OF ACQUIRING TITLE AND/OR EASEMENTS TO CERTAIN LANDS; ACCEPTING THE DEDICATION OF EASEMENTS TO CERTAIN LANDS; ALL IN CONNECTION WITH CERTAIN RIGHT OF WAY PROJECTS.

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AN ORDINANCE 63,571 .
AUTHORIZING THE CITY MANAGER TO EXECUTE A SEWER
SERVICE CONTRACT BETWEEN THE CITY AND LACKLAND
PLAZA, INC.

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AN ORDINANCE 63,572 .
AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENTS
WITH ARTISTS INVOLVING PAYMENTS IN EXCESS OF \$3,000
FOR PERFORMANCES AT THE CARVER COMMUNITY CULTURAL
CENTER DURING FISCAL YEAR 1986-87.

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AN ORDINANCE 63,573 .
AUTHORIZING THE 1986-87 COMMUNITY SERVICES PROGRAM;
AUTHORIZING AN APPLICATION TO THE TEXAS DEPARTMENT
OF COMMUNITY AFFAIRS FOR A CONTINUATION GRANT OF
\$1,068,624; APPROVING A BUDGET AND PERSONNEL
POSITIONS; AUTHORIZING CARRYOVER FUNDS; AUTHORIZING
SUB-AGENCY CONTRACTS; AUTHORIZING LEASE OF SITES;
APPROVING 1986-87 PROJECT W.A.R.M. PLAN;
APPROVING 1986/87 SENIOR CITIZEN RATE RELIEF PLAN;
APPROVING A REVISION IN THE BY-LAWS OF THE COMMUNITY
ACTION ADVISORY BOARD AND OTHER RELATED MATTERS.

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AN ORDINANCE 63,574 .
AUTHORIZING PAYMENT OF COURT COSTS AND ATTORNEY'S
FEES IN THE LITIGATION STYLED I.A.F. LOCAL v. CITY
OF SAN ANTONIO.

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86-43 The Clerk read the following Ordinance:

AN ORDINANCE 63,575 .
APPROPRIATING \$130,000.00 PAYABLE TO CITY PUBLIC
SERVICE FOR UTILITY CONSTRUCTION COSTS AND
\$160,000.00 PAYABLE TO SOMERVILLE-GONZALES &

ASSOCIATES FOR ADDITIONAL ENGINEERING FEES IN CONNECTION WITH THE STREETS, PARKING & UTILITY IMPROVEMENTS PROJECT AT INTERNATIONAL AIRPORT.

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Mr. Hasslocher moved to approve the proposed Ordinance. Mr. Thompson seconded the motion.

In response to a question by Mr. Labatt, Mr. Carl Baker, explained that the \$160,000 was needed for additional engineering fees which were not covered in the original request.

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

86-43 The Clerk read the following Ordinance:

AN ORDINANCE 63,576

AUTHORIZING THE CITY MANAGER TO EXECUTE FIELD ALTERATION #16 (FINAL), FOR THE RILLING ROAD TRANSFER FACILITY; PROVIDING FOR A DECREASE IN THE BASE CONTRACT IN THE AMOUNT OF \$305,060.66, AND ADJUSTING THE ORIGINAL CONTRACT QUANTITIES TO REFLECT THE FINAL AS-BUILT QUANTITIES INSTALLED.

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Mr. Hasslocher moved to approve the proposed Ordinance. Ms. Vera seconded the motion.

Mr. Labatt stated that the city is indeed trying to save money.

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

86-43 The Clerk read the following Ordinance:

AN ORDINANCE 63,577

ACCEPTING THE BID OF R.D.M. CONSTRUCTION, INC., IN THE AMOUNT OF \$354,204.00, FOR THE CONSTRUCTION OF THE APPLEWHITE 250 ACRE TRACT OFF-SITE SEWER PROJECT; PROVIDING AN ADDITIONAL \$53,196.00 FOR A CONSTRUCTION CONTINGENCY, AND PROVIDING \$2,000.00 PAYABLE TO POZNECKI, CAMARILLO AND ASSOCIATES FOR CONSTRUCTION SUPERVISION SERVICES.

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

In response to a question by Mrs. Dutmer, Mr. Gregory Kuchy, Acting Director of Wastewater Management, explained that this project was formally called the Norte Dame Development Area Project.

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

86-43 PUBLIC HEARING & CONSIDERATION OF AN ORDINANCE - CLOSING & ABANDONING A PORTION OF AVENUE "B".

Mayor Cisneros declared the Public Hearing to be open.

No citizens appeared to speak.

Mayor Cisneros declared the Public Hearing to be closed.

The Clerk read the following Ordinance:

AN ORDINANCE 63,578

CLOSING AND ABANDONING A PORTION OF AVENUE "B", BETWEEN NEW CITY BLOCKS 474 AND 475, AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE TO EXECUTE A QUITCLAIM TO THE ADJACENT OWNER, FOR A CONSIDERATION OF \$10,425.00.

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In response to a question by Mrs. Dutmer, Mr. Frank Kiolbassa, Director of Public Works, stated that notification was circulated to all parties.

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

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

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ZONING HEARINGS

28. CASE Z86023 P.P. - to rezone Lots 7, 8, 9 save and except the east 5' of Lot 9, NCB 966, In the 700 Block of South Main Street, from "D" Apartment District and "J" Commercial District to "O-1" Office District, located at the northwest corner of S. Main and Sheridan Street, having 159.1' on S. Main Street and 115' on Sheridan Street.

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

Mrs. Berriozabal stated that she had tried but failed to reach a compromise between opposing parties.

Mr. Al Rohde, representing the proponent, explained the area to be rezoned. He stated that he has offered deed restrictions and has offered not to sell the property. He also expanded on the zoning status of the surrounding area properties. He presented a letter from Attorney Jesse Oppenheimer endorsing the rezoning request.

Ms. Margaret Alice Hernandez, representing the Arsenal Neighborhood Association, stated that they are one of the oldest neighborhoods in San Antonio. She stated that this area is important to the development of the downtown area.

Ms. Isabel Cervantes, stated that she is opposed to the proposed change of zoning because she would like to see the single family residential area preserved.

Mr. Lewis Fisher, President of the King William Association, spoke in opposition to the rezoning request. He stated that he does not want to see this residential area commercialized.

Ms. Isabel Zertuche, lifelong resident of the neighborhood, spoke in opposition. She spoke of the trash and weeds on the property in question.

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

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Ms. Janet Francis, President of the Conservation Society, stated that she is opposed to the proposed change of zoning and asked support of the neighborhood.

Mr. Richard Zertuche spoke in opposition.

Ms. Julia Cauthorn, realtor in historic & antique property, spoke of a decrease in property value if this rezoning request is granted.

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

Mr. Al Rohde, in rebuttal, stated that the property value in the King William area is already decreasing in value, regardless of his rezoning request. He further stated that he is trying to upgrade this area.

Ms. Berriozabal stated that she supports the people and is not ready to give up the inner city. She spoke to the neighborhood as being a whole unit.

Ms. Berriozabal made a motion to deny the rezoning request. Mrs. Dutmer seconded the motion.

In response to a question by Mr. Thompson, Mr. Andy Guerrero, Planner III, stated that this case had been postponed so the applicant could meet with the residents. He stated that even though the subject property fronts Main Street and the surrounding zoning district is "D", the development is of single family character, therefore, this request is out of character.

Mayor Cisneros spoke in support of Ms. Berriozabal's position. He spoke of a decrease in retail store development in the downtown area and the need to develop property on existing vacant lots. He stated that he is in favor of the idea of building houses and stressed the importance of keeping the center city viable.

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

Zoning Case Z86023 was denied.

29. CASE Z86062 - to rezone a 17.353 acre tract out of 4983 B, from Temporary "R-1" ERZD One Family Residence Edwards Recharge Zone District to "R-3" ERZD Multiple Family Residence Edwards Recharge Zone District; a 3.813 acre tract out of 4983 B, from Temporary "R-1" ERZD One Family Residence Edwards Recharge Zone District to "O-1" ERZD Office Edwards

Recharge Zone District; a 13.36 acre tract out of 4983 B, from Temporary "R-1" ERZD One Family Residence Edwards Recharge Zone District to "B-2" ERZD Business Edwards Recharge Zone District, located 245' southwest of Huebner Road, and 206' southwest of Olmos Creek Dr., from NW Military Hwy., having 1640' in width along its northern boundary with Shavano Park city limits.

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

Mr. Wendell Davis, representing Huebner Park Venture, described the area to be rezoned. He spoke of meeting with area homeowners.

Mr. Harvey Hardy stated that he is opposed to the proposed change of zoning. He spoke of the beauty of the area involved. He stated that he would like architectural restrictions set on this land.

Mr. Sherman Bolton stated that they would like to see a 6-foot wall and architectural approval be placed as a stipulation.

Mr. Gary Barnes, spoke in opposition, and stated that this is an invasion of their residential area. He spoke of concerns with increased traffic.

Mr. Roger Adler stated that he is opposed to the proposed change of zoning because he would like the area to remain residential in nature.

Mr. Mike Newell spoke in opposition, and stated that he would like the area to remain residential. He stressed the importance of deed restricting.

Mr. Wendell Davis stated that this area deserves commercial zoning. He referred to a handout of amended changes in the rezoning request (a copy of which is attached to the papers of this meeting).

In response to a question by Mr. Harrington, Mr. Lowell Denton, City Attorney, stated that the City of Shavano Park had denied permission to the City of San Antonio for the right-of-way needed through part of Shavano Park. He then explained what can transpire at this point.

Mr. Bolton stated that there are 1600 residents in the City of Shavano Park and the Zoning Commission of Shavano Park will be considering this matter in an upcoming meeting.

Mr. Davis stated that they have made concessions in this city but are opposed in total to recommendations made by groups of citizens from the Shavano Park and Hunters Creek areas. He then referred to his comparison between their original zoning request and their present zoning request.

Mr. Harrington explained why he would be moving for denial, but stated that he could bring the zoning case back before the City Council should both parties reach a mutual agreement. Mr. Thompson seconded the motion.

Mrs. Dutmer spoke about her concerns about this property situated near Olmos Creek and the major fault in the area. she asked that the applicant be prepared to work with an Abatement Plan and Mr. Meyer of the Environmental Protection Office if the case is brought up again.

Mr. Thompson spoke of his concern with the zoning.

On roll call, the motion to deny, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Thompson, Vera, Harrington, Labatt, Cisneros; NAYS: None; ABSENT: Martinez, Hasslocher.

Zoning Case Z86062 was denied.

30. CASE Z86241 - to rezone a 90.584 acre tract out of CB 4900, from Temporary "R-1" ERZD One Family Residence District to "R-3" ERZD Multiple Family Residence District; a 27.764 acre tract out of CB 4900, from Temporary "R-1" ERZD One Family Residence District to "B-2" ERZD Business District; a 18.010 acre tract out of CB 4900, from Temporary "R-1" ERZD One Family Residence to "B-3" ERZD Business District, located at the northwest corner of Evans Road, and Bulverde Road and north of Evans and Caliza Road.

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

Mr. Hasslocher made a motion to approve the recommendation of the Zoning Commission provided that driveways and off-street parking are submitted to the Traffic section for approval. Mr. Harrington seconded the motion.

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

AN ORDINANCE 63,579

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 90.584 ACRE TRACT OUT OF CB

4900, FROM TEMPORARY "R-1" ERZD ONE FAMILY RESIDENCE DISTRICT TO "R-3" ERZD MULTIPLE FAMILY RESIDENCE DISTRICT; A 27.764 ACRE TRACT OUT OF CB 4900, FROM TEMPORARY "R-1" ERZD ONE FAMILY RESIDENCE DISTRICT TO "B-2" ERZD BUSINESS DISTRICT; A 18.010 ACRE TRACT OUT OF CB 4900 FROM TEMPORARY "R-1" ERZD ONE FAMILY RESIDENCE DISTRICT TO "B-3" ERZD BUSINESS DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE SUBMITTED TO THE TRAFFIC SECTION FOR APPROVAL.

* * * *

31. CASE Z86234 - to rezone Lots 101, 103 and 104, Block 34, NCB 3693, 1200 Block of Brady Blvd., 700 Block of Cupples Road, from "C" Apartment District to "B-3R" Restrictive Business District, located on the north east corner of U.S. Hwy 90 West and Cupples Road, having 149' on U.S. Hwy 90 West, 49' on the cut-back and 45' on Cupples Road.

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

Mr. Thompson made a motion for "B-3NA" zoning and explained to the applicant why he does not feel that beer sales are appropriate in this area. Mr. Wing seconded the motion.

Mrs. Dutmer made a substitute motion for "B-3R". Mr. Hasslocher seconded the motion.

The motion for "B-3R" zoning failed to carry by the following vote: AYES: Dutmer, Labatt, Hasslocher, Cisneros; NAYS: Webb, Wing, Thompson, Vera; ABSENT: Berriozabal, Martinez, Harrington.

The original motion then prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Thompson, Vera, Harrington, Hasslocher, Cisneros; NAYS: Labatt; ABSENT: Martinez.

Mrs. Dutmer moved to reconsider this item. Mr. Hasslocher seconded the motion.

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

Ms. Daisy Thornton spoke of the need for rezoning.

Mr. Edward Luderus stated that the area is not liveable anymore.

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Mr. Hasslocher stated that a food store would be an appropriate motion to "B-3R".

Mr. Hasslocher moved for "B-3R" zoning. Mrs. Dutmer seconded the motion.

Mrs. Dutmer stated that she knew that Mr. Martinez, in whose district this case falls, was in favor of "B-3R".

Mrs. Berriozabal stated that one of her problems was with policing the area.

The motion for "B-3R" failed to carry by the following vote: AYES: Webb, Dutmer, Labatt, Hasslocher, Cisneros; NAYS: Berriozabal, Wing, Thompson, Vera, Harrington; ABSENT: Martinez.

Mr. Thompson then moved for "B-3NA". Mr. Wing seconded the motion.

Mrs. Dutmer stated that it is wrong to deny the use of the property to the owners.

The motion for "B-3NA" prevailed by the following vote: AYES: Berriozabal, Webb, Wing, Thompson, Vera, Harrington, Cisneros; NAYS: Dutmer, Labatt, Hasslocher; ABSENT: Martinez.

AN ORDINANCE 63,580

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 101, 103 AND 104, BLOCK 34, NCB 3693, 1200 BLOCK OF BRADY BLVD., 700 BLOCK OF CUPPLES ROAD, FROM "C" APARTMENT DISTRICT TO "B-3NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING IS PROVIDED AND SUBMITTED TO THE TRAFFIC SECTION FOR APPROVAL.

* * * *

32. CASE Z86202 - to rezone Lot 40, Block 25, NCB 8948, 1100 Block of S.W. Military Drive, from "E" Office District to "B-3" Business District, located on the northeast corner of S.W. Military Drive and Garnett Avenue,

having 50' on S.W. Military Drive and 152' on Garnett 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 zoning for this area is primarily office in nature.

Mr. Wing moved to approve "B-3NA". Mr. Thompson seconded the motion.

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

AN ORDINANCE 63,581

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 40, BLOCK 25, NCB 8948, 1100 BLOCK OF S.W. MILITARY DRIVE, FROM "E" OFFICE DISTRICT TO "B-3NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES PROVIDED THAT FIVE FEET OF RIGHT-OF-WAY DEDICATION IS GIVEN ALONG MILITARY DRIVE AND GARNETT AVENUE; THAT OFF-STREET PARKING IS PROVIDED AND SUBMITTED TO THE TRAFFIC SECTION FOR APPROVAL, AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTH PROPERTY LINE.

* * * *

33. CASE Z86236 - to rezone Lot 1, Block K, NCB 11559, 2100 Block of Bandera Road, from "A" Single Family Residence to "O-1" Office District, located on the east corner of Bandera Road and Skyview Drive, having 111.1' on Bandera Road and 148.6' on Skyview Drive.

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

Ms. Vera moved to approve the recommendation of the Zoning Commission provided that a six foot solid screen fence is erected and maintained along the north property line; also that driveways and off-street parking is provided and submitted to the Traffic Section for approval. Mr. Thompson seconded the motion.

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

AN ORDINANCE 63,582

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 1, BLK K, NCB 11559, 2100 BLOCK OF BANDERA ROAD, FROM "A" SINGLE FAMILY RESIDENCE TO "O-1" OFFICE DISTRICT, PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTH PROPERTY LINE; ALSO THAT DRIVEWAYS AND OFF-STREET PARKING IS PROVIDED AND SUBMITTED TO THE TRAFFIC SECTION FOR APPROVAL.

* * * *

34. CASE Z86237 - to rezone Lot 93 and the east 20.5' of 94, Blk 7, NCB 9013, 200 Blk of W. Wildwood, from "B" Residence District to "O-1" Office District, located on the northeast corner of San Pedro Ave., and W. Wildwood, having 141' on San Pedro and 45.5' on W. Wildwood.

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

Mr. Labatt made a motion to approve the recommendation of the Zoning Commission provided that parking ratios are provided and submitted to the Traffic Section for approval.

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

AN ORDINANCE 63,583

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 93 AND THE EAST 20.5' OF 94, BLK 7, NCB 9013, 200 BLK OF W. WILDWOOD, FROM "B" RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT,

PROVIDED THAT PARKING RATIOS ARE PROVIDED AND SUBMITTED TO THE TRAFFIC SECTION FOR APPROVAL.

* * * *

35. CASE Z86238 - to rezone Lots 1 thru 4; 29 thru 32; A-34 and the west 10' of 5 and 28; Blk 6, NCB 6495, 2800 Blk of Guadalupe St., from "G" Local Retail and "C" Apartment District to "B-3R" Restrictive Business District, located between Elvira St., and Guadalupe St., being approximately 150' east of Hamilton Ave., with a distance of 165' between these two streets having 262.5' on both Guadalupe and Elvira.

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

Mr. Harrington made a motion to approve the recommendation of the Zoning Commission provided that 2.2 feet of dedication is given along Zarzamora Street and that driveways and off-street parking is provided and submitted to the Traffic Section for approval. Ms. Vera seconded the motion.

In response to a question by Mr. Thompson, Mr. Phil Garay stated that the property will be used for the sale of auto parts.

Mr. Thompson made a substitute motion to approve "B-3NA" zoning in lieu of the requested "B-3R". Mr. Wing seconded the motion.

The vote on the substitute motion, for "B-3NA" zoning, prevailed as follows: AYES: Berriozabal, Webb, Wing, Thompson, Vera, Harrington, Cisneros; NAYS: None; ABSENT: Dutmer, Martinez, Labatt, Hasslocher.

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

AN ORDINANCE 63,584

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 1 THRU 4; 29 THRU 32; A-34 AND THE WEST 10' OF 5 AND 28; BLK 6, NCB 6495, 2800 BLK OF GUADALUPE STREET, FROM "G" LOCAL RETAIL AND "C" APARTMENT DISTRICT TO "B-3NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES, PROVIDED THAT 2.2 FEET OF

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DEDICATION IS GIVEN ALONG ZARZAMORA STREET AND THAT DRIVEWAYS AND OFF-STREET PARKING IS PROVIDED AND SUBMITTED TO THE TRAFFIC SECTION FOR APPROVAL.

* * * *

36. CASE Z86240 - to rezone a 0.89 acre tract out of Lots "O" and "P", NCB 13832, from "R-3" Multiple Family Residence District to "R-3" C.C. Multiple Family Residence District with City Council approval for a child day care center for over 20 children, located on the southwest R.O.W. of Cross Canyon, being approximately 396.29' southeast of Heimer Road, having 236' on Cross Canyon with a depth of 165'.

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

In response to a question by Mr. Harrington, Mr. Andy Guerrero, Planner III, stated that the size of the building is in conformance with the request.

Mr. Efrain Molina described the proposed site and his plans for the property.

Mr. Harrington made a motion to approve the recommendation of the Zoning Commission provided that driveways and off-street parking is provided and submitted to the Traffic Section for approval. Mr. Thompson seconded the motion.

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

AN ORDINANCE 63,585

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 0.89 ACRE TRACT OUT OF LOTS "O" AND "P", NCB 13832, FROM "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT TO "R-3" C.C. MULTIPLE FAMILY RESIDENCE DISTRICT WITH CITY COUNCIL APPROVAL FOR A CHILD DAY CARE CENTER FOR OVER 20 CHILDREN, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING IS PROVIDED AND SUBMITTED TO THE TRAFFIC SECTION FOR APPROVAL.

* * * *

37. CASE Z86247 - to rezone the north 35.87' of Lot 54, Blk 3, NCB 8250, 100 Blk of N.W. 36th Street, from "C" Apartment District to "B-2" Business District, located on the eastside of N.W. 36th Street, being 323.38' north of W. Commerce, having 35.87' on N.W. 36th, with a depth of 303.5'.

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

Ms. Vera made a motion to approve "B-2NA", in lieu of the requested "B-2", provided that driveways and off-street parking is provided and submitted to the Traffic Section for approval; also that a six foot solid screen fence is erected and maintained along the north property line. 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, Webb, Dutmer, Wing, Thompson, Vera, Harrington, Labatt, Cisneros; NAYS: None; ABSENT: Martinez, Hasslocher.

AN ORDINANCE 63,586

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 35.87' OF LOT 54, BLK 3, NCB 8250, 100 BLK OF N.W. 36TH STREET, FROM "C" APARTMENT DISTRICT TO "B-2NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING IS PROVIDED AND SUBMITTED TO THE TRAFFIC SECTION FOR APPROVAL; ALSO THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTH PROPERTY LINE.

* * * *

86-43 The Clerk read the following Ordinance:

AN ORDINANCE 63,587

ACCEPTING THE HIGH BIDS RECEIVED IN CONNECTION WITH CITY FUNDS AVAILABLE FOR DEPOSIT IN INTEREST-BEARING CERTIFICATES OF DEPOSIT.

* * * *

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

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

- - -
86-43 The Clerk read the following Ordinance:

AN ORDINANCE 63,588
AUTHORIZING THE SALE OF CITY PROPERTY ACQUIRED AT
TAX SALE.

* * * *

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

- - -
86-43 The Clerk read the following Ordinance:

AN ORDINANCE 63,589
PROHIBITING THE SALE, POSSESSION, CONSUMPTION OR
DISTRIBUTION OF ALCOHOLIC BEVERAGES IN PICKWELL
PARK; PROVIDING A PENALTY FOR VIOLATION HEREOF BY A
FINE NOT TO EXCEED \$200; AND PROVIDING AN EFFECTIVE
DATE.

* * * *

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

86-43 The Clerk read the following Ordinance:

AN ORDINANCE 63,590

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$231,125.00 OUT OF GENERAL OBLIGATION BONDS FOR THE PURPOSE OF ACQUIRING TITLE TO THE WESTLAKES FIRE STATION SITE AT THE CORNER OF HORAL DRIVE AND GARDEN BROOK.

* * * *

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

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

86-43 The Clerk read the following Ordinance:

AN ORDINANCE 63,591

ACCEPTING A BID PROPOSAL FOR CONSTRUCTION OF FIRE STATION #41 (DOVER RIDGE AND TEZEL ROAD); ESTABLISHING A CONSTRUCTION CONTINGENCY; AND AUTHORIZING PAYMENT.

* * * *

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

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

86-43 The Clerk read the following Ordinance:

AN ORDINANCE 63,592

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT AGREEMENT WITH PROMARK PROFESSIONAL MARKETING SERVICES, IN THE AMOUNT OF \$10,000 TO DO A SURVEY THAT WOULD MEASURE THE EFFECTS OF ECONOMIC GROWTH ON THE VARIOUS SEGMENTS OF SAN ANTONIO'S POPULATION.

* * * *

Mr. Ken Daly, Director of Economic & Employment Development, explained that this survey will further enable the city to see how economic development is affecting the city.

Mayor Cisneros stated that a survey of this kind is needed. Census tracts do not provide a good proxy.

Mrs. Berriozabal stated that she is very interested in this survey because it will provide information on housing needs, education, literacy and jobs.

Mr. Daly stated that the answers provided in this survey will be scientifically accurate.

Mayor Cisneros stated that he is seeking a Carnegie grant to work on these types of studies. He stated that a survey of this type is fundamental and needs to be consistently maintained.

In response to a question by Mrs. Dutmer, Mr. Daly explained that all ethnic backgrounds, gender, etc., will be included in this survey. He stated that this is an on-going survey by Promark and that the city will be only paying to add questions to the survey.

Mr. Labatt spoke of his interest in receiving quarter-to-quarter progress reports quarter to quarter on this survey.

Mr. Hasslocher also noted his interest in receiving a progress report.

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

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

86-43 Agenda Item #44 was previously pulled from Council consideration.

86-43 The Clerk read the following Ordinance:

AN ORDINANCE 63,593

CREATING THE JOINT CITY-COUNTY DRUG ABUSE COMMITTEE. (DAVID COPELAND (2), TOM BROUSSARD (3), FRANK TEJEDA (4), ALONZO RANGEL (6), YOLANDA VERA (7), WEIR LABATT (9).)

* * * *

Mayor Cisneros stated that this program will take a massive community effort and that San Antonio will make as aggressive an effort as possible.

The City Council then appointed the ten individuals who will make up the City's appointees to this 30 member committee.

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

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

86-43 The Clerk read the following Ordinance:

AN ORDINANCE 63,594

CREATING THE BROOKS AIR FORCE BASE COMMITTEE. (PHILIP BARSHOP, JERRY BEAUCHAMP, RALPH BENDER, LINDA BURKE, ROY BURLEY, STEPHANIE COLEMAN, JUDGE JIM CONLEY, ANTHONY B. CONSTANZO, JIM DELANEY, RALPH DELEON, DR. JOSE DIAZ, GAIL ELDRIDGE, DR. WILLIAM GONZABA, PETER GROJEAN, DR. JOSE GUERRA, DAVID HARTFIELD, WAYNE HARWELL, RUTH JONES, CHARLES KAPLAN, YVONNE KATZ, FRANCES KILLEBREW, QUINCY LEE, LEO LOPEZ, SALLY MCBEE, DR. O.L. MCNARY, FRANK MANUPELLI, DR. VICTOR RODRIGUEZ, RANDY STREETMAN, FRANK TEJEDA, DR. TOM URIBE.)

* * * *

Mayor Cisneros spoke of the work done by Mrs. Dutmer, Mr. Wing and Mr. Webb in order to form this committee. He stated that issues to be looked at will be housing, retail commercial development and hotel/motel space.

Mr. Webb spoke in praise of the individuals appointed to serve on the committee.

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

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

- - -
86-43 The Clerk read the following Ordinance:

AN ORDINANCE 63,595 .
APPOINTING KEVIN WILCOX TO KEEP SAN ANTONIO/BEXAR
COUNTY BEAUTIFUL.

* * * *

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

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

- - -
86-43 The Clerk read the following Ordinance:

AN ORDINANCE 63,596 .
APPOINTING JANE WALDMAN TO THE CABLE TELEVISION
ADVISORY COMMITTEE.

* * * *

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

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

(Mayor Cisneros was obliged to leave the meeting, Mayor Pro Tem Dutmer presided.)

86-43 DISCUSSION ON THE CITY MANAGER'S REASSIGNMENT/REALIGNMENT PLAN

Mr. Louis J. Fox spoke of the reassignment/realignment of the following staff members and of their new responsibilities: Kenneth W. Daly - Strategic Management Facilitator, Stuart D. Summers - Director of Economic & Employment Development, Roger Ibarra - Director of Budget & Research and Supervisor of Public Utilities, Frank R. Kiolbassa - Director of Environmental Management, David C. Steitle - Acting Director of Public Works.

Mr. Fox spoke of the credentials of each individual. He stated that the Mayor will receive weekly reports on the status of the various departments.

Mrs. Berriozabal commended the individuals involved. She stated her opinion that the Downtown Initiatives Department should manage taxicabs & horse drawn carriages rather than the Public Utilities Department.

City Councilmembers commended Mr. Fox for his work and that of the employees who were reassigned.

The vote to accept the reassignment/realignment plan, as presented by the City Manager, prevailed as follows: AYES: Berriozabal, Webb, Dutmer, Wing, Thompson, Vera, Harrington, Labatt, Hasslocher; NAYS: None; ABSENT: Martinez, Cisneros.

86-43 DISCUSSION ON THE BRUSH PICK-UP PROGRAM

Mr. Webb stated that he has taken exception to the memo prepared by Mr. Frank Kiolbassa, Director of Public Works, on brush collection in District 2. He stated that there needs to be a change in the way the city handles the brush pick-up collection system.

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Mr. Louis J. Fox, City Manager, explained the program now in effect.

(Mayor Cisneros returned to the meeting to preside.)

Mr. Fox stated that there was a need to go through the brush cycle and reevaluate and increase the effort. He stated that there are areas where improvements can be made.

Mr. Webb stated that he would like to look into an Adopt a Dumpster program in his district. He stated that the remoteness of the land fill adds to the problem.

Mr. Wing stated that there is a need to look at this problem. He stated that the enforcement of the dumping ordinance and what can be accepted at dump sites needs to be looked into.

Mrs. Dutmer stated that she feels that having one site designated in each zone, where citizens could take their trash would help ease the burden.

Mrs. Berriozabal stated that she would like to make a correction to the memo distributed by Ms. Bonita Turner, Executive Director of Keep San Antonio & Bexar County Beautiful Commission, to reflect that Brewer Elementary School is in District 5 not District 1. She stated that the Adopt a Dumpster program needs to be publicized to make the citizens aware that it exists. She suggested that a map outlining the different zones be put on cable TV so citizens can familiarize themselves with what zone they are in. She further stated that neighborhood people need to be included, by means of newsletters, neighborhood meetings, etc.

Mr. Harrington stated that there is a need to make an added effort to resolve this problem.

Mr. Thompson stated that the zone system does work, however many citizens are not aware in what zone they reside.

Mr. Labatt stressed the need to develop an educational process to inform the citizens of the various zones. He also stated that the city might consider cleaning up the alleys once a month.

Ms. Vera stated that people do respond but the city needs to come up with a schedule the public can understand.

Mr. Fox stated that he will work on this issue and report back to City Council.

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There being no further business to come before the City Council,
the meeting was recessed at 6:45 P.M.

A P P R O V E D

Henry Casius
M A Y O R

ATTEST: *Anna S. R. Auger*
C i t y C l e r k

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