

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, DECEMBER 1, 1988.

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

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88-53 The invocation was given by Reverend Leroy Downum, Lakeview Baptist Church.

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88-53 The 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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88-53 WILLIAM J. CRAIN

Mayor Cisneros introduced Mr. William J. Crain, present in the audience, and stated that he would be receiving the Benefactor of the Community award in recognition of his many unselfish and community-spirited contributions. The Mayor then spoke to Mr. Crain's recent purchase of some 50,000 Christmas lights for use along side the San Antonio River during the Christmas season.

Mayor Cisneros and members of the City Council jointly presented the award to Mr. Crain and congratulated him.

Mr. Crain thanked the Mayor and Council for the honor and stated that he was grateful to receive it from the City Council.

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88-53 VERY SPECIAL ARTS MONTH

Mayor Cisneros introduced a number of persons present in the audience to receive a proclamation designating the Very Special Arts Month during December, 1988. The following individuals were introduced: Ms. Candes Chumney, Very Special Arts; Mr. Jim Giese, North Star Mall; Ms. Dianne Vaughan, MBank Alamo; and Ms. Judy Babbitt, City of San Antonio Planning Department.

Mayor Cisneros then read the proclamation designating December, 1988 as Very Special Arts Month and presented it to Ms. Candace Chumney.

Mayor Cisneros and members of the City Council then jointly congratulated the group for its many contributions.

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88-53

FOURTH AND FIFTH GRADE STUDENTS

Mayor Cisneros took note of the presence in the audience of fourth and fifth grade Student Council members from Smith Elementary, accompanied by Ms. Beverly Mathis, and welcomed them to City Hall. The children each stood and identified themselves and their Student Council position.

Mayor Cisneros wished all of them luck and welcomed them to City Hall.

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88-53

PANCHO CLAUS

Mayor Cisneros introduced Pancho Claus and representatives of the American G.I. Forum, entering the Council Chamber to accept a special proclamation for Pancho Claus Week.

Pancho Claus then presented Christmas gifts to each City Council member as well as a special gift to the Mayor's son John Paul.

Mayor Cisneros read a special proclamation designating the week of December 10 - 17, 1988, to be Pancho Claus Week in San Antonio and he presented it to Pancho Claus.

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88-53 The minutes of the City Council meeting of November 10, 1988, were approved.

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88-53

MAYOR PRO TEM

City Clerk Norma S. Rodriguez administered the Oath of Office as the Mayor Pro Tem to Councilman Weir Labatt.

The Mayor and members of the City Council then individually congratulated the incoming Mayor Pro Tem as well as the outgoing Mayor Pro Tem Mr. Martinez for his hard work during the past period.

88-53 It was the concensus of the City Council to consider Agenda Item #44, Travel Authorization, at this time.

Travel Authorization for Mayor Henry Cisneros, Councilmembers, Yolanda Vera, Walter Martinez, James Hasslocher, Helen Dutmer, Weir Labatt, Maria Berriozabal, and Joe Webb, to attend the National League of Cities Meeting in Boston, Massachusetts, from December 2 - 9, 1988.

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

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

88-53 CONSENT AGENDA

Mr. Labatt made a motion to approve Agenda Items 7 - 37, constituting the Consent Agenda, with Items 11, 17, 30, 33, and 36 to be pulled for individual consideration and Item 10 pulled earlier from consideration by the City Manager. Mrs. Dutmer seconded the motion.

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

AN ORDINANCE 68,383

ACCEPTING THE PROPOSAL OF APOLLO BOOK TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH GERMAN ART BOOKS FOR A TOTAL OF \$3,800.

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AN ORDINANCE 68,384

ACCEPTING THE PROPOSAL OF UNIVERSITY MICROFILMS INTERNATIONAL TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH REFERENCE MICROFILM FOR A TOTAL OF \$45,916.63.

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AN ORDINANCE 68,385

ACCEPTING THE PROPOSAL OF MERCK, SHARP AND DOHME TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH MMR VACCINE (MEASLES, MUMPS AND RUBELLA) FOR A TOTAL OF \$13,615.

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AN ORDINANCE 68,386

AUTHORIZING PAYMENT OF AN ADDITIONAL \$10,000.00 FOR ENGINEERING FEES PAYABLE TO OZUNA & ASSOCIATES, INC., RELATED TO THE ASHBY DRAINAGE PROJECT NOS. 30, 31 AND 32.

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AN ORDINANCE 68,387

ACCEPTING A PROPOSAL FROM B.F. JOHNSON & ASSOCIATES, INC., IN THE AMOUNT OF \$12,000.00 TO PROVIDE DESIGN SERVICES RELATED TO THE ARCHITECTURAL, MECHANICAL, ELECTRICAL, AND PLUMBING SYSTEMS AS NECESSARY FOR THE RETROFITTING OF THE CENTRAL BUSINESS DISTRICT TRAFFIC SIGNAL SYSTEM CONTROL CENTER.

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AN ORDINANCE 68,388

AWARDING A CONSTRUCTION CONTRACT TO MESA EQUIPMENT, INC., IN THE AMOUNT OF \$47,162.87 TO CONSTRUCT LEE HALL STREET RECONSTRUCTION, PHASE I PROJECT AND PROVIDING FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES.

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AN ORDINANCE 68,389

ACCEPTING THE LOW QUALIFIED BID FOR REPAIRS TO A RETAINING WALL AND OTHER IMPROVEMENTS TO THE RIVER CHANNEL ADJACENT TO THE SO. PRESA BRIDGE, AND PROVIDING FOR PAYMENT. (WAGNER CONSTRUCTION CO.)

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AN ORDINANCE 68,390

ACCEPTING THE LOW, QUALIFIED BID OF E-Z BEL CONSTRUCTION COMPANY, INC. IN THE AMOUNT OF \$21,445.00 IN CONNECTION WITH THE MARKET STREET BRIDGE DECKING PROJECT; AUTHORIZING A MISCELLANEOUS CONSTRUCTION CONTINGENCY IN THE AMOUNT OF \$2,200.00; APPROVING A CONTRACT; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 68,391

AUTHORIZING THE CITY MANAGER TO PAY THE SAN ANTONIO RIVER AUTHORITY THE AMOUNT OF \$24,665.89 FOR PLAN REVIEW AND APPROVAL AND INSPECTION OR ADMINISTRATIVE SERVICES RELATED TO THE INSTALLATION OF SEWER LINES ON OR ACROSS PROPERTY OWNED OR CONTROLLED BY THE AUTHORITY.

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AN ORDINANCE 68,392

AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT AMENDMENT NO. 2 AND APPROPRIATING ADDITIONAL FUNDS IN THE AMOUNT OF \$60,992.13 TO THE CONSTRUCTION MANAGEMENT SERVICES CONTRACT FOR THE RILLING ROAD TRANSFER LINE, CATEGORY III, STEP 3 PROJECT PAYABLE TO HENNINGTON, DURHAM & RICHARDSON, INC.

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AN ORDINANCE 68,393

AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT CHANGE ORDER NO. 5 IN THE AMOUNT OF \$29,767.85, PAYABLE TO ERB CONTRACTORS, INC., FOR THE COLLECTION SYSTEM IMPROVEMENTS, CATEGORY 4, PACKAGE "H".

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AN ORDINANCE 68,394

APPROPRIATING ADDITIONAL ENGINEERING FUNDS, PAYABLE TO SEDA CONSULTING ENGINEERS, INC., FOR PROFESSIONAL SERVICES RENDERED ON THE FRENCH CREEK SANITARY SEWER OUTFALL PROJECT, FOR THE AMOUNT OF \$14,354.40 WITH AN ADDITIONAL \$1,645.60 FOR THE ENGINEERING CONTINGENCY.

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AN ORDINANCE 68,395

AUTHORIZING A LEASE WITH AMERICAN JAZZ, INC., D/B/A JIM CULLUM'S LANDING, FOR USE OF CITY-OWNED LAND FOR OUTDOOR DINING SPACE.

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AN ORDINANCE 68,396

GRANTING AN EASEMENT TO BEXAR METROPOLITAN WATER DISTRICT ON THE SOUTHSIDE MUNICIPAL GOLF COURSE PROPERTY TO INSTALL A WATER MAIN EXTENSION AND FIRE HYDRANT AT THE CLUBHOUSE PARKING LOT.

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AN ORDINANCE 68,397

GRANTING AN EASEMENT TO CITY PUBLIC SERVICE FROM THE SOUTHSIDE MUNICIPAL GOLF COURSE PROPERTY LINE TO THE MAINTENANCE BARN, CLUBHOUSE AND IRRIGATION PUMP HOUSE FOR INSTALLATION OF THREE-PHASE OVERHEAD PRIMARY ELECTRICAL SERVICE.

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AN ORDINANCE 68,398

DECLARING TWO TRACTS OF LAND, BEING THE REMAINING PORTIONS OF LOTS 11 AND 12, BLOCK 13, NEW CITY BLOCK 7876, BETWEEN BRUNSWICK AND WEST HARLAN STREETS, SAN ANTONIO, BEXAR COUNTY, TEXAS, SURPLUS TO THE CITY'S NEEDS AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE A QUITCLAIM DEED TO LAWRENCE B. TORRES D/B/A L-T FINANCIAL INC., A TEXAS CORPORATION, FOR A CONSIDERATION OF \$1,610.00.

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AN ORDINANCE 68,399

RESCINDING ORDINANCE NUMBER 67773 DATED AUGUST 18, 1988. (SAN ANTONIO 2000 LIMITED)

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AN ORDINANCE 68,400

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$10,714.07 OUT OF VARIOUS FUNDS FOR THE PURPOSE OF ACQUIRING TITLE TO CERTAIN LANDS; ACCEPTING A QUITCLAIM DEED TO CERTAIN LANDS; ALL IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS.

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AN ORDINANCE 68,401

AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT BETWEEN THE CITY AND ESSEX HOUSE CONDOMINIUM CORPORATION, A SUBSIDIARY OF THE MARRIOTT CORPORATION.

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AN ORDINANCE 68,402

PROVIDING FOR THE SALE AND CONVEYANCE OF CERTAIN PROPERTY IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, TO LOUIS JIMENEZ, III.

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AN ORDINANCE 68,403

APPROVING A FORM MEDICAL AND DENTAL SERVICES AGREEMENT BETWEEN THE CITY AND LICENSED PHYSICIANS AND DENTISTS.

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AN ORDINANCE 68,404

AUTHORIZING A REVISION OF THE BUDGET OF THE SOUTHSIDE GOLF COURSE CONSTRUCTION PROJECT TO PROVIDE BUDGETARY FUNDS OF \$64,434.00 FOR ADMINISTRATIVE EXPENDITURES AND FOR CERTAIN UTILITY INSTALLATION EXPENSES.

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AN ORDINANCE 68,405

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CUSTOMIZED TRAINING AGREEMENT WITH CUSTOMIZED ENGINEERING PRODUCTS CORPORATION (CEPCO) IN THE

AMOUNT OF \$105,600.00 FOR PROGRAM YEAR 1988/89 UNDER
TITLE IIA OF THE JOB TRAINING PARTNERSHIP ACT
(JTPA).

* * * *

AN ORDINANCE 68,406

AMENDING CHAPTER 33 ("VEHICLES FOR HIRE") OF THE
CITY CODE OF THE CITY OF SAN ANTONIO BY ADDING
ARTICLE VI ENTITLED "LIVERY VEHICLES"; PROVIDING FOR
DEFINITIONS; PROVIDING THAT LIVERY VEHICLES BE
OPERATED ONLY PURSUANT TO OPERATING AUTHORITY;
PROVIDING FOR COLLECTION OF PERMIT FEES; PROVIDING
FOR REGULATION OF LIVERY SERVICES; PROVIDING FOR
REGULATION OF HOLDERS, DRIVERS, VEHICLES AND
EQUIPMENT; PROVIDING FOR A PENALTY OF A FINE OF NOT
MORE THAN \$500.00; AND PROVIDING FOR A SEVERABILITY
CLAUSE.

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AN ORDINANCE 68,407

CHANGING A STREET NAME TO DANA X. BIBLE DRIVE.

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88-53 The Clerk read the following Ordinance:

AN ORDINANCE 68,408

AUTHORIZING PAYMENT OF AN ADDITIONAL \$10,890.00 TO
JACK E. CRAWFORD FOR CONSTRUCTION INSPECTION
SERVICES ON THE SOUTHSIDE AND NORTHWEST MUNICIPAL
GOLF COURSES.

* * * *

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

In response to a question by Mrs. Dutmer, Mr. Ron Darner,
Director of Parks and Recreation, explained the delay in construction
which necessitated additional payments to the inspection contractor on the
project.

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

88-53 The Clerk read the following Ordinance:

AN ORDINANCE 68,409

ACCEPTING THE LOW QUALIFIED BID OF SUBURBAN CONSTRUCTION COMPANY IN THE AMOUNT OF \$144,799.00 FOR CONSTRUCTING A MEDICAL/DENTAL/HEALTH FACILITY IN VILLA CORONADO PARK, PROVIDING A CONSTRUCTION CONTINGENCY AND PROVIDING FOR PAYMENT.

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

In response to a question by Mrs. Dutmer, Mr. Ron Darner, Director of Parks and Recreation, explained the siting of the new facility next to the Villa Coronado Recreation Center.

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

88-53 The Clerk read the following Ordinance:

AN ORDINANCE 68,410

AUTHORIZING THE EXECUTION OF A NINE (9) MONTH LEASE AGREEMENT WITH TOUDOUZE INVESTMENTS AT \$1,000.00 PER MONTH FOR 12.376 ACRES OF LAND ADJACENT TO MITCHELL LAKE IN NEW CITY BLOCK 11166, IN CONNECTION WITH THE "CLOSE OUT PLAN" BY THE SOLID WASTE DISPOSAL OPERATIONS AND AUTHORIZING PAYMENT.

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

In response to a question by Mrs. Dutmer, Mr. Frank Kiolbassa, Director of Environmental Management, briefly explained the need for the lease extension.

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

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88-53 The Clerk read the following Ordinance:

AN ORDINANCE 68,411

AUTHORIZING THE CITY MANAGER TO EXECUTE A SEWER SERVICE CONTRACT BETWEEN THE CITY OF SAN ANTONIO AND SIMON-1604, INC. AND SIMON-1604 NO. ONE, LTD., DEVELOPER OF THE PROJECT KNOWN AS SHAVANO PARK MALL.

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

In response to a question by Mr. Labatt, Mr. Roland Lozano, Director of Planning, spoke to sewer services fully complying with state law and ordinances dealing with transporting sewage over the Edwards Aquifer Recharge Zone.

A discussion then took place concerning the need for Texas cities to modify their laws dealing with this type of protection and a discussion of inspection services involved.

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

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88-53 LIVERY SERVICE

Agenda Item #36, being a proposed ordinance granting an annual permit to Roman Martinez, D/B/A Elegante Car Services, Inc., for operation of a twenty-five (25) vehicle livery service, was discussed at this time.

Mrs. Dutmer made a motion to approve the staff recommendation for approval of fifteen livery service permits. Ms. Vera seconded the motion.

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

Following further discussion, it was noted that the city staff was recommending fifteen permits while the proponent was actually seeking twenty-five permits. A further discussion then took place concerning the pros and cons of granting the larger figure, that being twenty-five permits.

Mr. Labatt made a motion to reconsider Agenda Item #36. Ms. Vera seconded the motion.

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

The Clerk then read the following Ordinance:

AN ORDINANCE 68,412

GRANTING AN ANNUAL PERMIT TO ROMAN MARTINEZ, D/B/A ELEGANTE CAR SERVICES, INC., FOR OPERATION OF A TWENTY-FIVE (25) VEHICLE LIVERY SERVICE.

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Mr. Wing noted that the proponents need to seek a slight re-adjustment in the number of vehicle permits allowed.

Mr. Wing made a motion to allow twenty-five vehicle permits in lieu of the staff recommendation of fifteen. Mr. Thompson seconded the motion.

In response to a question by Mr. Thompson, Mr. Frank Madla, attorney representing the proponent, explained the need for twenty-five permits.

Mayor Cisneros then offered a brief explanation of a livery service.

Mr. Thompson spoke of his hope for success for the livery service in San Antonio.

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

88-53 The Clerk read the following Ordinance:

AN ORDINANCE 68,413

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

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

88-53 The Clerk read the following Ordinance:

AN ORDINANCE 68,414

AUTHORIZING PAYMENT OF REFUNDS TO PERSONS MAKING OVERPAYMENTS OR DOUBLEPAYMENTS ON 15 TAX ACCOUNTS.

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

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

88-53 The Clerk read the following Ordinance:

AN ORDINANCE 68,415

APPROVING SETTLEMENT OF THE LAWSUIT STYLED BLEVINS VS. CITY OF SAN ANTONIO , CAUSE NO. 87-CI-14658 FOR A TOTAL OF \$37,000.00.

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

88-53 The Clerk read the following Ordinance:

AN ORDINANCE 68,416

APPROPRIATING AND AUTHORIZING PAYMENT OF \$3,850,000 IN ACCORDANCE WITH THE PURCHASE CONTRACT PREVIOUSLY APPROVED BY ORDINANCE NO. 65825 ON OCTOBER 1, 1987, NO. 68022 ON SEPTEMBER 29, 1988 AND NO. 68301 ON NOVEMBER 10, 1988 TO ACQUIRE THE MAJESTIC AND EMPIRE THEATERS AND RELATED FACILITIES.

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

88-53 The Clerk read the following Ordinance:

AN ORDINANCE 68,417

AUTHORIZING THE CITY OF SAN ANTONIO TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE EDWARDS UNDERGROUND WATER DISTRICT AND ACCEPTING A GRANT OF \$570,000.00 TO INITIATE EXPANDED LOCAL WATER QUALITY AND CONSERVATION EFFORTS.

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

In response to a question by Mrs. Dutmer, Mrs. Rebecca Cedillo, Director of Water Resources Management, explained the multiple uses of

grant funds involved and noted that this is a part of the staff's water quality and conservation program, a small part of the regional water plan to be explained to the City Council on December 15.

Ms. Vera voiced her concern that the City Council is taking action today on something the Council has not yet been fully briefed about.

In response to a question by Mr. Thompson, Mrs. Cedillo explained the monitoring portion of the program.

Mr. Labatt thanked the Edwards Underground Water District for the grant and for its cooperation with the city on water conservation in the region.

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

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88-53 The Clerk read the following Ordinance:

AN ORDINANCE 68,418 .

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PROVIDING \$700.00 FROM DISTRICT 7 DISCRETIONARY AND
IMPROVEMENT FUNDS FOR PURCHASE OF A HANDICAPPED
ACCESSIBLE WATER FOUNTAIN FOR WOODLAWN LAKE
PLAYGROUND.

* * * *

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

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88-53 The Clerk read the following Ordinance:

AN ORDINANCE 68,419 .

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MAKING IT A CLASS "C" MISDEMEANOR FOR THE OPERATOR
OF A VEHICLE TO ALLOW A CHILD AGED 13 OR UNDER TO
RIDE IN OR ON ANY PORTION OF A VEHICLE NOT DESIGNED

FOR PASSENGERS, PROVIDING FOR A PENALTY NOT TO EXCEED \$500.00, PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

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

Mr. Thompson stated that he is not comfortable with the ten year age limit as spelled out in the original ordinance. He stated further that he feels older youths also are at risk riding in a portion of a vehicle not designed for passengers and he favors raising the age limit to thirteen or fourteen.

Ms. Vera spoke in support of the thirteen year age limit in lieu of the ten year age limit.

Mr. Labatt voiced his concern with the enforceability of the ordinance and encouraged the San Antonio Police Department to enforce the ordinance to its fullest extent.

Mayor Cisneros stated that he favors enforcing the ordinance despite some questions that have been raised about its enforceability by the City Attorney.

Ms. Vera made an amendment to adjust the age limit to age "thirteen or under". Mr. Thompson seconded the motion.

Mr. Lloyd Garza, City Attorney, then briefly offered a short explanation of details of the ordinance provisions.

Mr. Thompson stated that he wants a report in six months by the San Antonio Police Department on its experience concerning enforcement of this ordinance.

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

The main motion, as amended, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Dutmer, Wing, Martinez, Thompson, Vera, Wolff, Labatt, Cisneros; NAYS: None; ABSENT: Berriozabal, Webb, Hasslocher.

88-53 The Clerk read the following Ordinance:

AN ORDINANCE 68,420

APPOINTING ROGER GARZA TO SERVE ON THE BOARD OF APPEALS FOR A TERM TO EXPIRE ON JULY 31, 1989.

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

88-53 The Clerk read the following Ordinance:

AN ORDINANCE 68,421

CREATING THE 1990 CENSUS COMPLETE COUNT COMMITTEE AND APPOINTING MEMBERS THERETO. (ERNESTINE GREEN, (2); TOMMY ADKISSON, (3); RICHARD SOLIS, (4); BARBARA AGUIRRE, (5); SR. MARY ELIZABETH SUELTFUSS, (6); MARIA ELENA TORRALVA, (7); BOB BRISCHETTO, (8); DR. LOUIS AGNESE, (9); STEVE ATKINS, (10); MRS. ELVIRA CISNEROS, (M).

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

A discussion was held concerning the City Council's appointments to this board and the vacant District 4 representative petition was filed by Mr. Wing.

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

88-53 The Clerk read the following Ordinance:

AN ORDINANCE 68,422

APPOINTING EVERETT L. FLY TO SERVE ON THE BOARD OF

REVIEW FOR HISTORIC DISTRICTS FOR A TERM TO EXPIRE
ON NOVEMBER 24, 1990.

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

88-53 ZONING HEARINGS

47. CASE Z88181 - to rezone Lot 29, Block 12, NCB 15606, 455 Westoak Road, from Temporary "R-1" One Family Residence District to "B-2NA" Non-Alcoholic Business Sales District, located northwest of the intersection of Westoak Road and Military Drive West, having 136' on Military Drive and 78' on Westoak Road.

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

Mr. Phil Garay, representing the proponent, explained the proponent's request and spoke briefly to the history of the property and to agreements that have been reached with nearby neighbors.

Mr. Thompson made a motion to approve the recommendation of the Zoning Commission. Mr. Wing seconded the motion.

Mr. Thompson spoke to an increase in business uses in this area.

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

AN ORDINANCE 68,423

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 29, BLOCK 12, NCB 15606, 455 WESTOAK ROAD, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-2NA" BUSINESS DISTRICT,

NON-ALCOHOLIC SALES. "THE PENALTY FOR VIOLATION IS
A FINE NOT TO EXCEED \$1,000.00."

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48. CASE Z88182 - to rezone Lot 50, Block 22, NCB 17737, 4734 Castle Stream Drive, forom Temporary "R-1" One Family Residence District to "O-1" S.U.P. Office District Special Use Permit for an auto repair garage, located southeast of the intersection of Castle Stream Drive and Castle View Drive, having 68' on Castle Stream Drive and 135' on Castle View Drive.

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

Mr. Webb made a motion to approve the recommendation of the Zoning Commission, provided that a six-foot solid screen fence is erected and maintained along the east and south property lines, and that the Special Use Permit for the auto repair garage is limited to five (5) years. Mr. Thompson seconded the motion.

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

AN ORDINANCE 68,424

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 50, BLOCK 22, NCB 17737, 4734 CASTLE STREAM DRIVE, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "O-1" S.U.P. OFFICE DISTRICT WITH SPECIAL USE PERMIT FOR AN AUTO REPAIR GARAGE, PROVIDED THAT A SIX-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE EAST AND SOUTH PROPERTY LINES, AND THAT THE SPECIAL USE PERMIT FOR THE AUTO REPAIR GARAGE IS LIMITED TO FIVE (5) YEARS. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

49. CASE Z88183 - to rezone the east 26' of the north 36' of the south 155' of Lot 21, Block 7, NCB 9339, 1015 Sunglo Drive, from "C" Apartment District to "O-1" S.U.P. Office District Special Use Permit for a print shop, located on the northside of Sunglo Drive, being 250' east of the intersection of Sunglo Drive and Nock Avenue, being the east 26' of the north 36' of the south 155' of Lot 21, Block 7, NCB 939.

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

Mr. Wing stated that he would like to rezone only the area to be needed for the print shop.

Mr. Andy Guerrero, Planner III, noted that the specifications as called for in the recommended ordinance includes only the area for the print shop involved.

Mr. Wing made a motion to approve the recommendation of the Zoning Commission provided that the Special Use Permit for a print shop is limited to five (5) years. Mrs. Dutmer seconded the motion.

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

AN ORDINANCE 68,425

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 26' OF THE NORTH 36' OF THE SOUTH 155' OF LOT 21, BLOCK 7, NCB 9339, 1015 SUNGLO DRIVE, FROM "C" APARTMENT DISTRICT TO "O-1" S.U.P. OFFICE DISTRICT WITH SPECIAL USE PERMIT FOR A PRINT SHOP, PROVIDED THAT THE SPECIAL USE PERMIT FOR A PRINT SHOP IS LIMITED TO FIVE (5) YEARS. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

50. CASE Z88184 - to rezone Parcel 10, NCB 15684, 11805 Old Perrin Beitel Road, from Temporary "R-1" One Family Residence District to "I-1" Light Industry District, located on the westside of Old Perrin Beitel

Road, being 256' south of the cutback of Old Perrin Beitel Road and Nacogdoches Road, having 236' on Old Perrin Beitel Road, with a depth of 184'.

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

Mrs. Dutmer made a motion to approve the recommendation of the Zoning Commission. Mr. Labatt seconded the motion.

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

AN ORDINANCE 68,426

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 PARCEL 10, NCB 15684, 1805 OLD PERRIN-BEITEL ROAD, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

51. CASE Z88040 C.C. - to rezone the east 2.41' of the north 88.9' of Lot 5 and the north 88.9' of Lot 6, NCB 623, 428 Dakota Street, from "C" Apartment District to "R-3" Multiple Family Residence District, located southwest of the intersection of Dakota Street and South Mesquite Street, having 88.9' on South Mesquite Street and 65.01' on Dakota Street.

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

Mr. Webb made a motion to approve the recommendation of the Zoning Commission. Mrs. Dutmer seconded the motion.

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

AN ORDINANCE 68,427

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 2.41' OF THE NORTH 88.9' OF LOT 5, AND THE NORTH 88.9' OF LOT 6, NCB 623, 428 DAKOTA STREET, FROM "C" APARTMENT DISTRICT TO "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

52. CASE 288104 - to rezone the property bounded on the north by Old Highway 90, on the east by 36th Street, on the west by the M.A.O. zones, and on the south by Castroville Road.

OLD HWY.90/S.W. 36TH ZONING PLAN - SOUTH

FROM: "C" Apartment District and "F" Local Retail District
TO: "R-1" One Family Residence District

- NCB 7467, Lots 21 thru 26.
- NCB 8988, Block 3, Lots 10 and 11.
- NCB 8988, Block 14, Lots 11, 14, 15, 17, 27, 28, 29, 30, 31, 32 thru 34, 36 thru 39, east 45' of Lot 2 and the west 48.63' of the east 97.26' of Lot 2.
- NCB 8989, Block 4, Lots 7, 9, 13, 15, 28, 29 and 36 thru 39.
- NCB 8989, Block 5, All of NCB, save & except Lots 1, 2, 9, 18, 19, 21 thru 28, 41 and 43.
- NCB 8989, Block 6, All of NCB, save & except Lots 11, 42, 43, 44, 45, and 50 thru 75.
- NCB 8989, Block 7, All of NCB, save & except Lots 8, 12, 13, 22 thru 30, 33 and the north 70.65' and the south 60' of the west 133.4' of Lot 18.
- NCB 8990, Block 10, All of NCB, save & except Lots 3-A, 3-B, 4, 10, 11, 21, 24, 25, 26, 27, 28, 29, 30, 31, the south 37' of Lots 26, 27 and 28.
- NCB 8990, Block 11, All of NCB, save & except Lots 9, 14, 18, 21, 24 and 25.
- NCB 8990, Block 12, All of NCB, save & except Lots 19, 22, 23, 50, 51, 1-C, and the west 83' of the south 63' of Lot 14.
- NCB 8990, Block 13, All of NCB, save & except Lots 3, 11, 17, 21 and 45.

NCB 8991, Block 17, All of NCB, save & except Lots 13 thru 20, 23, 26, 38 and 50.
NCB 8991, Block 18, All of NCB, save & except Lots 2, 4 thru 10, 21, 24, the south irregular 160' of Lot 14, the south irregular 190' of Lot 15, the south irregular 170' of the west 128' and the east 206' of Lot 17.
NCB 8991, Block 19, All of NCB, save & except Lots 11 thru 15 and 48.
NCB 8991, Block 20, All of NCB, save & except Lots 32, 33, 34, 35, 43, 44, 45, 46, the south 65.32' of Lot 20, the south irregular 474.49' of Lot 47, west 113.88' and the west 88.33' of the east 118.4' of the north irregular 58.65' of Lot 21.
NCB 8994, Block 2, Lot 53.
NCB 13682, All of NCB.

FROM: "C" Apartment District
TO: "R-1" S.U.P. One Family Residence District with Special Use Permit for two residences on a lot.

NCB 8988, Block 14, Lots 26 and 35.
NCB 8989, Block 4, Lot 14.
NCB 8989, Block 5, Lot 18.
NCB 8989, Block 7, Lots 8, 33 and the south 65.375' of Lot 13.
NCB 8990, Block 10, Lots 4, 11, 21, 24 and 25.
NCB 8990, Block 11, Lots 9, 14, 18, 21, 24 and 25.
NCB 8990, Block 12, Lots 1, 19, and 23.
NCB 8990, Block 13, Lots 11 and 17.
NCB 8991, Block 17, Lots 23, 26 and 50.
NCB 8991, Block 18, Lots 2, 4 thru 10, 21 and 24.
NCB 8991, Block 20, the west 113.88' of Lot 21.

FROM: "C" Apartment District
TO: "R-1" S.U.P. One Family Residence District with Special Use Permit for a duplex on a lot.

NCB 8989, Block 7, the north 65.32' of Lot 13.
NCB 8991, Block 17, Lot 38.
NCB 8991, Block 19, Lot 48.

FROM: "C" Apartment District
TO: "R-1" S.U.P. One Family Residence District with Special Use Permit for a duplex and a residence on a lot.

NCB 8990, Block 13, Lot 21.
NCB 8991, Block 20, Lot 32.

FROM: "C" Apartment District
TO: "R-1" S.U.P. One Family Residence District with Special Use Permit for a duplex and two residences on a lot.

NCB 8990, Block 13, Lot 45.

FROM: "C" Apartment District
TO: "R-1" S.U.P. One Family Residence District with Special Use Permit
for a triplex and a residence on a lot.

NCB 8990, Block 12, Lot 22.

FROM: "C" Apartment District
TO: "R-1" S.U.P. One Family Residence District with Special Use Permit
for three residences on a lot.

NCB 8989, Block 4, Lot 10.

FROM: "C" Apartment District
TO: "R-1" S.U.P. One Family Residence District with Special Use Permit
for a triplex.

NCB 8990, Block 12, Lot 1-C.

FROM: "C" Apartment District
TO: "R-1" S.U.P. One Family Residence District with Special Use Permit
for five residences on a lot.

NCB 8989, Block 5, Lot 9.

FROM: "C" Apartment District
TO: "R-1" S.U.P. One Family Residence District with Special Use Permit
for apartments (5 units).

NCB 8989, Block 7, the north 70.65' and the south 60' of the west 133.4'
of Lot 18.

FROM: "C" Apartment District
TO: "R-1" S.U.P. One Family Residence District with Special Use Permit
for four residences on a lot.

NCB 8989, Block 6, Lot 11.

FROM: "C" Apartment District
TO: "R-1" S.U.P. One Family Residence District with Special Use Permit
for apartments (10 units).

NCB 8990, Block 10, Lot 10.

FROM: "C" Apartment District
TO: "R-1" S.U.P. One Family Residence District with Special Use Permit
for apartments (11 units).

NCB 8991, Block 20, the south 65.30' of Lot 20.

FROM: "A" Residence District, "C" Apartment District, "F" Local Retail
District, and "H" Local Retail District
TO: "R-5" Residence District

NCB 7466, Lots 23 and 24, 41 thru 53.
NCB 8988, Block 16, Lots 8 thru 15.
NCB 8989, Block 6, Lots 42 thru 45 and 50 thru 75.
NCB 8989, Block 7, Lots 23 thru 30.
NCB 8989, Block 10, Lots 3-A, 3-B, 26 thru 31.
NCB 8990, Block 12, Lots 50, 51 and 14, save & except the west 83' of the
south 63'.
NCB 8991, Block 20, the west irregular 88.33' of the east 118.4' of the
north irregular 58.65' of Lot 21.
NCB 13071, All of NCB.
NCB 13072, All of NCB.
NCB 13073, All of NCB.
NCB 13074, All of NCB.
NCB 10480, Block 1, Lots 3 thru 12.
NCB 10481, All of NCB.
NCB 10482, All of NCB.
NCB 10483, All of NCB.

FROM: "C" Apartment District and "F" Local Retail District
TO: "R-7" Small Residence Lot District

NCB 7467, Lot 17.
NCB 8988, Block 14, Lots 18 thru 25, west 45' of Lot 2, east 40' of the
west 85' of Lot 2 and the west 40' of the east 137.26' of Lot 2.
NCB 8989, Block 7, Lot 22.
NCB 8988, Block 15, Lots 3-A thru 3-G.
NCB 8989, Block 5, Lots 21 thru 28.
NCB 8993, Block 20, Lots 31, 32, 33 and 50 thru 60.
NCB 8994, Block 2, All of NCB, save & except Lots 47 thru 53 and the west
3' of Lot 46.
NCB 8994, Block 3, All of NCB.
NCB 8994, Block 18, Lots 12 thru 40.
NCB 8994, Block 19, Lots 17 thru 36.
NCB 8995, Block 4, All of NCB, save & except Lots 22 and 23.
NCB 8995, Block 5, All of NCB.

NCB 8995, Block 16, Lots 5 thru 50.
NCB 8995, Block 17, Lots 9 thru 46.
NCB 8996, Block 6, All of NCB.
NCB 8996, Block 7, All of NCB.
NCB 8996, Block 14, All of NCB, save & except Lots 1, 2, 46 and 47.
NCB 8996, Block 15, All of NCB, save & except Lots 1 thru 5, 15, 16 and 51 thru 57.
NCB 8997, Block 8, All of NCB.
NCB 8997, Block 9, All of NCB, save & except the north 86.03' of Lots 27, 28 and the north 83.15' of Lots 29, 30 and 31.
NCB 8997, Block 10, All of NCB.
NCB 8997, Block 11, Lots 10 thru 14, 18 thru 25, 28 and 29.
NCB 8997, Block 12, Lots 9, 10, 11 and 14 thru 52.
NCB 8997, Block 13, All of NCB, save & except Lots 4, 5, and 6.

FROM: "C" Apartment District
TO: "R-2" Two Family Residence District

NCB 8989, Block 7, Lot 12.
NCB 8991, Block 18, the north 120' of the east 86' and the north 150' of the west 120' of the east 206' of Lot 17.
NCB 8991, Block 19, the north 130' of Lot 14, the west 50' of the north 80' and the north 30' of the east 120' of Lot 15.

FROM: "C" Apartment District
TO: "R-2A" Two and Three Family Residence District

NCB 8991, Block 17, Lots 13 and 14.
NCB 8993, Block 1, Lots 1 thru 7, 13 thru 19.
NCB 8993, Block 22, Lots 26 thru 32.
NCB 8994, Block 2, Lots 47 thru 52 and the west 3' of Lot 46.
NCB 8996, Block 15, Lots 4 and 5.
NCB 8997, Block 11, Lots 15, 16 and 17.

FROM: "C" Apartment District and "F" Local Retail District
TO: "R-3" Multiple Family Residence District

NCB 8988, Block 3, Lots 9 and the south 200' of Lot 27.
NCB 8991, Block 19, Lots 11, north 180' of Lot 12 and north 110' of Lot 13.

FROM: "F" Local Retail District
TO: "B-2NA" Non-Alcoholic Sales District

NCB 8996, Block 14, Lots 1 and 2.
NCB 8996, Block 15, Lots 1, 2 and 3.

FROM: "F" Local Retail District and "D" Apartment District
TO: "R-4" Mobile Home Residence District

NCB 8991, Block 20, Lots 44, 45 and 46.

FROM: "C" Apartment District, "H" Local Retail District, and "JJ"
Commercial District
TO: "B-2" Business District

NCB 7466, Lots 11 thru 22, 25 thru 30, 37, 38, and 39, Lot 40, save &
except the northwest 135' fronting on U.S. Hwy. 90 West.

NCB 8991, Block 18, the south irregular 200' of Lot 14, south irregular
190' of Lot 15 and Lot 17, save & except the south irregular
170' of the west 128' and the north 120' of the east 86' and the
north 150' of the west 120' of the east 206'.

NCB 8991, Block 19, Lot 12, save & except the north 180', Lot 13, save &
except the north 110', Lot 14, save & except the north 140', Lot
15, save & except the west 50' of the north 80' and the north
30' of the east 120'.

NCB 8991, Block 20, Lot 33 and the south irregular 200' of Lot 47.

FROM: "B-3" Business District and "JJ" Commercial District
TO: "B-3NA" Non-Alcoholic Sales District

NCB 8991, Block 20, Lot 43.

NCB 8993, Block 22, Lots 1 thru 7.

FROM: "C" Apartment District, "F" Local Retail District, "B-3" Business
District and "I-1" Light Industry District
TO: "B-3R" Restrictive Business District

NCB 7466, Lots 1, 2, 3, 53, 54, 55 and the northwest 135' of Block 40,
fronting on U. S. Hwy. 90 West

NCB 7467, Lots 1 thru 11, 13, 14, 16, 27, 28, and 29.

NCB 8988, Block 2, Lot 11-B.

NCB 8988, Block 3, Lots 3-B, 12, 13, 14-B, 25, 26 and Lot 27, save &
except the south 200'.

NCB 8988, Block 15, Lots 1-B, 5 and 6.

NCB 8988, Block 16, Lots 3 thru 7.

NCB 8989, Block 4, Lots 4-B, 16, 17-B, 27, 30, 31 and 32.

NCB 8989, Block 5, Lots 1, 2, 41 and 43.

NCB 8996, Block 15, Lots 51 thru 55.

NCB 8997, Block 11, Lots 1 thru 9.

NCB 8997, Block 12, Lots 1, 2, 3, 4, 7, 8, 53 thru 60.

NCB 13940, The northwest 75' of the northeast irregular 330' and the east

irregular 75' of Tract A.
NCB 10480, Lots 13 and 14.

FROM: "C" Apartment District and "F" Local Retail District
TO: "R-7" S.U.P. Small Lot Homes District with Special Use Permit for a duplex.

NCB 8995, Block 4, Lots 22 and 23.
NCB 8996, Block 15, Lots 15 and 16.
NCB 8997, Block 11, Lots 26, 27, 30 and 31.
NCB 8997, Block 13, Lots 4, 5 and 6.

FROM: "C" Apartment District
TO: "R-7" S.U.P. Small Lot Homes District with Special Use Permit for a fourplex.

NCB 8996, Block 14, Lots 46 & 47.

FROM: "B-1" Business District
TO: "O-1" S.U.P. for a grocery store, having no sales of alcoholic beverages.

NCB 8990, Block 13, Lot 3.

FROM: "F" Local Retail District
TO: "O-1" S.U.P. for a grocery store, having sales of alcoholic beverages for off-premises consumption.

NCB 8997, Block 9, the north 86.03' of Lots 27 and 28, and north 83.15' of Lots 29, 30 and 31.

* * * *

Mr. Andy Guerrero, Planner III, briefly explained the ordinance, which calls for rezoning initiated by the City of San Antonio on some 1,799 parcels of property in the area in the Old Highway 90/Southwest 36th Street (South) zoning plan.

Mr. David Tovar, 635 S.W. 35th Street, stated that he would like to build a second house on his property.

Mr. Guerrero stated that the Council would need to exempt from the ordinance these properties that they wish to have exempted at this time and have each then return to the Zoning Commission for reconsideration on an individual basis.

Mr. Allan Rosenstein, 119 Castroville Road; Mr. Joe F. Dominguez, 7911 Bronco; Ms. Alicia Arizmendi, 3517 Nogalitos; Mr. Gene Toscano, attorney representing Anthony Grayer, 221 Rosebud Lane; and Leroy McVay, 254 Guthrie, all spoke asking that their properties be exempted from rezoning at this time.

Mrs. Dutmer made a motion to approve the ordinance exempting the seven properties. Mr. Webb seconded the motion.

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

AN ORDINANCE 68,428

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; FROM: "C" APARTMENT DISTRICT AND "F" LOCAL RETAIL DISTRICT TO: "R-1" ONE FAMILY RESIDENCE DISTRICT, NCB 7467, LOTS 21 THRU 26. NCB 8988, BLOCK 3, LOTS 10 AND 11. NCB 8988, BLOCK 14, LOTS 11, 14, 15, 17, 27, 28, 29, 30, 31, 32 THRU 34, 36 THRU 39, EAST 45' OF LOT 2 AND THE WEST 48.63' OF THE EAST 97.26' OF LOT 2. NCB 8989, BLOCK 4, LOTS 7, 9, 13, 15, 28, 29 AND 36 THRU 39. NCB 8989, BLOCK 5, ALL OF NCB, SAVE & EXCEPT LOTS 1, 2, 9, 18, 19, 21 THRU 28, 41 AND 43. NCB 8989, BLOCK 6, ALL OF NCB, SAVE & EXCEPT LOTS 11, 42, 43, 44, 45, AND 50 THRU 75. NCB 8989, BLOCK 7, ALL OF NCB, SAVE & EXCEPT LOTS 8, 12, 13, 22 THRU 30, 33 AND THE NORTH 70.65' AND THE SOUTH 60' OF THE WEST 133.4' OF LOT 18. NCB 8990, BLOCK 10, ALL OF NCB, SAVE & EXCEPT LOTS 3-A, 3-B, 4, 10, 11, 21, 24, 25, 26, 27, 28, 29, 30, 31, THE SOUTH 37' OF LOTS 26, 27 AND 28. NCB 8990, BLOCK 11, ALL OF NCB, SAVE & EXCEPT LOTS 9, 14, 18, 21, 24 AND 25. NCB 8990, BLOCK 12, ALL OF NCB, SAVE & EXCEPT LOTS 19, 22, 23, 50, 51, 1-C, AND THE WEST 83' OF THE SOUTH 63' OF LOT 14. NCB 8990, BLOCK 13, ALL OF NCB, SAVE & EXCEPT LOTS 3, 11, 17, 21 AND 45. NCB 8991, BLOCK 17, ALL OF NCB, SAVE & EXCEPT LOTS 13 THRU 20, 23, 26, 38 AND 50. NCB 8991, BLOCK 18, ALL OF NCB, SAVE & EXCEPT LOTS 2, 4 THRU 10, 21, 24, THE SOUTH IRREGULAR 160' OF LOT 14, THE SOUTH IRREGULAR 190' OF LOT 15, THE SOUTH IRREGULAR 170' OF THE WEST 128'

AND THE EAST 206' OF LOT 17. NCB 8991, BLOCK 19, ALL OF NCB, SAVE & EXCEPT LOTS 11 THRU 15 AND 48. NCB 8991, BLOCK 20, ALL OF NCB, SAVE & EXCEPT LOTS 32, 33, 34, 35, 43, 44, 45, 46, THE SOUTH 65.32' OF LOT 20, THE SOUTH IRREGULAR 474.49' OF LOT 47, WEST 113.88' AND THE WEST 88.33' OF THE EAST 118.4' OF THE NORTH IRREGULAR 58.65' OF LOT 21. NCB 8994, BLOCK 2, LOT 53. NCB 13682, ALL OF NCB. FROM: "C" APARTMENT DISTRICT TO: "R-1" S.U.P. ONE FAMILY RESIDENCE DISTRICT WITH SPECIAL USE PERMIT FOR TWO RESIDENCES ON A LOT. NCB 8988, BLOCK 14, LOTS 26 AND 35. NCB 8989, BLOCK 4, LOT 14. NCB 8989, BLOCK 5, LOT 18. NCB 8989, BLOCK 7, LOTS 8, 33 AND THE SOUTH 65.375' OF LOT 13. NCB 8990, BLOCK 10, LOTS 4, 11, 21, 24 AND 25. NCB 8990, BLOCK 11, LOTS 9, 14, 18, 21, 24 AND 25. NCB 8990, BLOCK 12, LOTS 1, 19, AND 23. NCB 8990, BLOCK 13, LOTS 11 AND 17. NCB 8991, BLOCK 17, LOTS 23, 26 AND 50. NCB 8991, BLOCK 18, LOTS 2, 4 THRU 10, 21 AND 24. NCB 8991, BLOCK 20, THE WEST 113.88' OF LOT 21. FROM: "C" APARTMENT DISTRICT TO: "R-1" S.U.P. ONE FAMILY RESIDENCE DISTRICT WITH SPECIAL USE PERMIT FOR A DUPLEX ON A LOT. NCB 8989, BLOCK 7, THE NORTH 65.32' OF LOT 13. NCB 8991, BLOCK 17, LOT 38. NCB 8991, BLOCK 19, LOT 48. FROM: "C" APARTMENT DISTRICT TO: "R-1" S.U.P. ONE FAMILY RESIDENCE DISTRICT WITH SPECIAL USE PERMIT FOR A DUPLEX AND A RESIDENCE ON A LOT. NCB 8990, BLOCK 13, LOT 21. NCB 8991, BLOCK 20, LOT 32. FROM: "C" APARTMENT DISTRICT TO: "R-1" S.U.P. ONE FAMILY RESIDENCE DISTRICT WITH SPECIAL USE PERMIT FOR A DUPLEX AND TWO RESIDENCES ON A LOT. NCB 8990, BLOCK 13, LOT 45. FROM: "C" APARTMENT DISTRICT TO: "R-1" S.U.P. ONE FAMILY RESIDENCE DISTRICT WITH SPECIAL USE PERMIT FOR A TRIPLEX AND A RESIDENCE ON A LOT. NCB 8990, BLOCK 12, LOT 22. FROM: "C" APARTMENT DISTRICT TO: "R-1" S.U.P. ONE FAMILY RESIDENCE DISTRICT WITH SPECIAL USE PERMIT FOR THREE RESIDENCES ON A LOT. NCB 8989, BLOCK 4, LOT 10. FROM: "C" APARTMENT DISTRICT TO: "R-1" S.U.P. ONE FAMILY RESIDENCE DISTRICT WITH SPECIAL USE PERMIT FOR A TRIPLEX. NCB 8990, BLOCK 12, LOT 1-C. FROM: "C" APARTMENT DISTRICT TO: "R-1" S.U.P. ONE FAMILY RESIDENCE DISTRICT WITH SPECIAL USE PERMIT FOR FIVE RESIDENCES ON A LOT. NCB 8989, BLOCK 5, LOT 9. FROM: "C" APARTMENT DISTRICT TO: "R-1" S.U.P. ONE FAMILY RESIDENCE DISTRICT WITH SPECIAL USE PERMIT FOR APARTMENTS (5 UNITS). NCB 8989, BLOCK 7, THE NORTH 70.65' AND THE SOUTH 60' OF THE WEST 133.4' OF LOT 18. FROM: "C" APARTMENT

DISTRICT TO: "R-1" S.U.P. ONE FAMILY RESIDENCE
DISTRICT WITH SPECIAL USE PERMIT FOR FOUR RESIDENCES
ON A LOT. NCB 8989, BLOCK 6, LOT 11. FROM: "C"
APARTMENT DISTRICT TO: "R-1" S.U.P. ONE FAMILY
RESIDENCE DISTRICT WITH SPECIAL USE PERMIT FOR
APARTMENTS (10 UNITS). NCB 8990, BLOCK 10, LOT 10.
FROM: "C" APARTMENT DISTRICT TO: "R-1" S.U.P. ONE
FAMILY RESIDENCE DISTRICT WITH SPECIAL USE PERMIT
FOR APARTMENTS (11 UNITS). NCB 8991, BLOCK 20, THE
SOUTH 65.30' OF LOT 20. FROM: "A" RESIDENCE
DISTRICT, "C" APARTMENT DISTRICT, "F" LOCAL RETAIL
DISTRICT, AND "H" LOCAL RETAIL DISTRICT TO:
"R-5" RESIDENCE DISTRICT. NCB 7466, LOTS 23 AND 24,
41 THRU 53. NCB 8988, BLOCK 16, LOTS 8 THRU 15.
NCB 8989, BLOCK 6, LOTS 42 THRU 45 AND 50 THRU
75. NCB 8989, BLOCK 7, LOTS 23 THRU 30. NCB
8989, BLOCK 10, LOTS 3-A, 3-B, 26 THRU 31. NCB 8990,
BLOCK 12, LOTS 50, 51 AND 14, SAVE & EXCEPT THE WEST
83' OF THE SOUTH 63'. NCB 8991, BLOCK 20, THE WEST
IRREGULAR 88.33' OF THE EAST 118.4' OF THE NORTH
IRREGULAR 58.65' OF LOT 21. NCB 13071, ALL OF
NCB. NCB 13072, ALL OF NCB. NCB 13073, ALL OF
NCB. NCB 13074, ALL OF NCB. NCB 10480, BLOCK 1,
LOTS 3 THRU 12. NCB 10481, ALL OF NCB. NCB 10482,
ALL OF NCB. NCB 10483, ALL OF NCB. FROM: "C"
APARTMENT DISTRICT AND "F" LOCAL RETAIL DISTRICT TO:
"R-7" SMALL RESIDENCE LOT DISTRICT. NCB 7467, LOT
17. NCB 8988, BLOCK 14, LOTS 18 THRU 25, WEST 45'
OF LOT 2, EAST 40' OF THE WEST 85' OF LOT 2 AND THE
WEST 40' OF THE EAST 137.26' OF LOT 2. NCB 8989,
BLOCK 7, LOT 22. NCB 8988, BLOCK 15, LOTS 3-A THRU
3-G. NCB 8989, BLOCK 5, LOTS 21 THRU 28. NCB
8993, BLOCK 20, LOTS 31, 32, 33 AND 50 THRU 60.
NCB 8994, BLOCK 2, ALL OF NCB, SAVE & EXCEPT LOTS 47
THRU 53 AND THE WEST 3' OF LOT 46. NCB 8994, BLOCK
3, ALL OF NCB. NCB 8994, BLOCK 18, LOTS 12 THRU
40. NCB 8994, BLOCK 19, LOTS 17 THRU 36. NCB
8995, BLOCK 4, ALL OF NCB, SAVE & EXCEPT LOTS 22 AND
23. NCB 8995, BLOCK 5, ALL OF NCB. NCB 8995, BLOCK
16, LOTS 5 THRU 50. NCB 8995, BLOCK 17, LOTS 9
THRU 46. NCB 8996, BLOCK 6, ALL OF NCB. NCB 8996,
BLOCK 7, ALL OF NCB. NCB 8996, BLOCK 14, ALL OF
NCB, SAVE & EXCEPT LOTS 1, 2, 46 AND 47. NCB 8996,
BLOCK 15, ALL OF NCB, SAVE & EXCEPT LOTS 1 THRU 5,
15, 16 AND 51 THRU 57. NCB 8997, BLOCK 8, ALL OF
NCB. NCB 8997, BLOCK 9, ALL OF NCB, SAVE & EXCEPT
THE NORTH 86.03' OF LOTS 27, 28 AND THE NORTH 83.15'
OF LOTS 29, 30 AND 31. NCB 8997, BLOCK 10, ALL OF
NCB. NCB 8997, BLOCK 11, LOTS 10 THRU 14, 18 THRU
25, 28 AND 29. NCB 8997, BLOCK 12, LOTS 9, 10, 11

AND 14 THRU 52. NCB 8997, BLOCK 13, ALL OF NCB, SAVE & EXCEPT LOTS 4, 5, AND 6. FROM: "C" APARTMENT DISTRICT TO: "R-2" TWO FAMILY RESIDENCE DISTRICT. NCB 8989, BLOCK 7, LOT 12. NCB 8991, BLOCK 18, THE NORTH 120' OF THE EAST 86' AND THE NORTH 150' OF THE WEST 120' OF THE EAST 206' OF LOT 17. NCB 8991, BLOCK 19, THE NORTH 130' OF LOT 14, THE WEST 50' OF THE NORTH 80' AND THE NORTH 30' OF THE EAST 120' OF LOT 15. FROM: "C" APARTMENT DISTRICT TO: "R-2A" TWO AND THREE FAMILY RESIDENCE DISTRICT. NCB 8991, BLOCK 17, LOTS 13 AND 14. NCB 8993, BLOCK 1, LOTS 1 THRU 7, 13 THRU 19. NCB 8993, BLOCK 22, LOTS 26 THRU 32. NCB 8994, BLOCK 2, LOTS 47 THRU 52 AND THE WEST 3' OF LOT 46. NCB 8996, BLOCK 15, LOTS 4 AND 5. NCB 8997, BLOCK 11, LOTS 15, 16 AND 17. FROM: "C" APARTMENT DISTRICT AND "F" LOCAL RETAIL DISTRICT TO: "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT. NCB 8988, BLOCK 3, LOTS 9 AND THE SOUTH 200' OF LOT 27. NCB 8991, BLOCK 19, LOTS 11, NORTH 180' OF LOT 12 AND NORTH 110' OF LOT 13. FROM: "F" LOCAL RETAIL DISTRICT TO: "B-2NA" NON-ALCOHOLIC SALES DISTRICT. NCB 8996, BLOCK 14, LOTS 1 AND 2. NCB 8996, BLOCK 15, LOTS 1, 2 AND 3. FROM: "F" LOCAL RETAIL DISTRICT AND "D" APARTMENT DISTRICT TO: "R-4" MOBILE HOME RESIDENCE DISTRICT. NCB 8991, BLOCK 20, LOTS 44, 45 AND 46. FROM: "C" APARTMENT DISTRICT, "H" LOCAL RETAIL DISTRICT, AND "JJ" COMMERCIAL DISTRICT TO: "B-2" BUSINESS DISTRICT. NCB 7466, LOTS 11 THRU 22, 25 THRU 30, 37, 38, AND 39, LOT 40, SAVE & EXCEPT THE NORTHWEST 135' FRONTING ON U.S. HWY. 90 WEST. NCB 8991, BLOCK 18, THE SOUTH IRREGULAR 200' OF LOT 14, SOUTH IRREGULAR 190' OF LOT 15 AND LOT 17, SAVE & EXCEPT THE SOUTH IRREGULAR 170' OF THE WEST 128' AND THE NORTH 120' OF THE EAST 86' AND THE NORTH 150' OF THE WEST 120' OF THE EAST 206'. NCB 8991, BLOCK 19, LOT 12, SAVE & EXCEPT THE NORTH 180', LOT 13, SAVE & EXCEPT THE NORTH 110', LOT 14, SAVE & EXCEPT THE NORTH 140', LOT 15, SAVE & EXCEPT THE WEST 50' OF THE NORTH 80' AND THE NORTH 30' OF THE EAST 120'. NCB 8991, BLOCK 20, LOT 33 AND THE SOUTH IRREGULAR 200' OF LOT 47. FROM: "B-3" BUSINESS DISTRICT AND "JJ" COMMERCIAL DISTRICT. TO: "B-3NA" NON-ALCOHOLIC SALES DISTRICT. NCB 8991, BLOCK 20, LOT 43. NCB 8993, BLOCK 22, LOTS 1 THRU 7. FROM: "C" APARTMENT DISTRICT, "F" LOCAL RETAIL DISTRICT, "B-3" BUSINESS DISTRICT AND "I-1" LIGHT INDUSTRY DISTRICT, TO: "B-3R" RESTRICTIVE BUSINESS DISTRICT. NCB 7466, LOTS 1, 2, 3, 53, 54, 55 AND THE NORTHWEST 135' OF BLOCK 40, FRONTING ON U. S. HWY. 90 WEST. NCB 7467, LOTS 1 THRU 11, 13,

14, 16, 27, 28, AND 29. NCB 8988, BLOCK 2, LOT 11-B. NCB 8988, BLOCK 3, LOTS 3-B, 12, 13, 14-B, 25, 26 AND Lot 27, SAVE & EXCEPT THE SOUTH 200'. NCB 8988, BLOCK 15, LOTS 1-B, 5 AND 6. NCB 8988, BLOCK 16, LOTS 3 THRU 7. NCB 8989, BLOCK 4, LOTS 4-B, 16, 17-B, 27, 30, 31 AND 32. NCB 8989, BLOCK 5, LOTS 1, 2, 41 AND 43. NCB 8996, BLOCK 15, LOTS 51 THRU 55. NCB 8997, BLOCK 11, LOTS 1 THRU 9. NCB 8997, BLOCK 12, LOTS 1, 2, 3, 4, 7, 8, 53 THRU 60. NCB 13940, THE NORTHWEST 75' OF THE NORTHEAST IRREGULAR 330' AND THE EAST IRREGULAR 75' OF TRACT A. NCB 10480, LOTS 13 AND 14. FROM: "C" APARTMENT DISTRICT AND "F" LOCAL RETAIL DISTRICT TO: "R-7" S.U.P. SMALL LOT HOMES DISTRICT WITH SPECIAL USE PERMIT FOR A DUPLEX. NCB 8995, BLOCK 4, LOTS 22 AND 23. NCB 8996, BLOCK 15, LOTS 15 AND 16. NCB 8997, BLOCK 11, LOTS 26, 27, 30 AND 31. NCB 8997, BLOCK 13, LOTS 4, 5 AND 6. FROM: "C" APARTMENT DISTRICT TO: "R-7" S.U.P. SMALL LOT HOMES DISTRICT WITH SPECIAL USE PERMIT FOR A FOURPLEX. NCB 8996, BLOCK 14, LOTS 46 & 47. FROM: "B-1" BUSINESS DISTRICT TO: "O-1" S.U.P. FOR A GROCERY STORE, HAVING NO SALES OF ALCOHOLIC BEVERAGES. NCB 8990, BLOCK 13, LOT 3. FROM: "F" LOCAL RETAIL DISTRICT TO: "O-1" S.U.P. FOR A GROCERY STORE, HAVING SALES OF ALCOHOLIC BEVERAGES FOR OFF-PREMISES CONSUMPTION. NCB 8997, BLOCK 9, THE NORTH 86.03' OF LOTS 27 AND 28, AND NORTH 83.15' OF LOTS 29, 30 AND 31.

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Ms. Vera urged the City Council to adopt this particular strategy in relation to other mass rezonings.

Mayor Cisneros spoke in support of this particular method of rezoning large areas and noted that it gives the Council more careful consideration of such individual zoning cases by the Zoning Commission.

Mr. Guerrero stated that the staff can do this if the staff itself knows early enough about objections to rezoning by affected property members.

A discussion then took place concerning state law on mass rezonings.

An unidentified citizen voiced brief concern for locating so many taverns in one particular area.

88-53 The Clerk read the following Ordinance:

AN ORDINANCE 68,429

AUTHORIZING THE CITY MANAGER TO EXECUTE THE DISBURSEMENT AGREEMENT BETWEEN THE CITY OF SAN ANTONIO, MAYFIELD EQUITIES, INC., AND CITADEL MORTGAGE COMPANY ESTABLISHING THE ADMINISTRATIVE AUTHORITIES AND PROCEDURES IN CONNECTION WITH THE IMPLEMENTATION OF THE MAYFIELD GARDENS APARTMENTS HODAG PROJECT.

* * * *

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

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

88-53 The Clerk read the following Ordinance:

AN ORDINANCE 68,430

REPEALING ORDINANCE NO. 65408 APPROVED AND ADOPTED JULY 23, 1987, APPROVING THE ADOPTION OF A SCHEDULE OF RATES TO BE CHARGED CUSTOMERS OF THE WATER WORKS BOARD OF TRUSTEES OF SAN ANTONIO FOR WATER SERVICE; PRESCRIBING REGULATIONS PERTAINING TO PRIVATE FIRE PROTECTION WATER SERVICE; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

* * * *

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

Mayor Cisneros spoke to the proposed rate increase and the implementation of a rate structure that reflects active measures to encourage water conservation.

Ms. Nelda Weatherly, Chairperson of the City Water Board, spoke to the good rates enjoyed by the City Water Board subscribers in San Antonio.

Mr. Ralph Huber, Comptroller of the City Water Board, then briefed the Council on the proposed rate adjustments, (a copy of which is made a part of the papers of this meeting). The main sections briefed by Mr. Huber included: an overview of the rate adjustment process; the 1989 annual City Water Board budget; the cost of service study; the rate design; a comparison of rate structures; the water systems 1989 construction program; the financing plan for the bonds; and a comparison of monthly residential charges under the proposed 7.6% increase.

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

Mr. Roger Ibarra, Supervisor of Public Utilities, then made a brief presentation concerning his staff's analysis of the requested rate increase, (a copy of which is made a part of the papers of this meeting). The main points under consideration in that study included: recommendations made in 1987; a comparison of the financial plan; differences in the City's and the Water Board's recommendations; maintenance and operation issues; an analysis of the construction program; an analysis of customer forecasts; carry-over funds; the 1987 Supplemental Revenue Construction program; a comparison of the Water Board Residential Volume Charges; rate design changes; the impact of the water bill on average residential customers; and the four recommendations of the city staff, those being 1. a 6.4% rate increase, and issuance of \$28 million in revenue bonds; 2. to adopt City Water Boards proposed conservation oriented rate design; 3. study alternate financial strategies for the Applewhite Reservoir; 4. initiate load research program.

Mr. Guenther Krellwitz, 5518 Chancellor, spoke of his objections to certain portions of the request and of his support for water conservation. He then spoke to related measures of the proposed new ordinance, especially the tiered system of water rates.

In response to a question by Mr. Webb, Mr. Ibarra spoke to the impact of the new water rates and the effect of the tiered system of water usage.

Ms. Weatherly spoke to the average water bill increases involved.

Mr. Wolff asked that City Water Board customers be fully informed of the new system in their monthly billings.

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

A discussion then took place concerning merit raise funding for City Water Board employees and the impact of the proposed work on the Applewhite Reservoir.

Mr. Huber noted that City Water Board can live with a 6.4% increase as proposed by city staff.

Mr. Labatt offered a substitute motion for a 6.4% increase. Mr. Martinez seconded the motion.

Ms. Vera voiced her concern that the Water Board is not applying seasonal rates to commercial users as well as residential under the new rate scheme and stated that she cannot support an ordinance because of this. She did speak in support of water conservation efforts.

Mrs. Dutmer stated that she cannot support this ordinance because of funding for the Applewhite Reservoir.

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

The vote on the main motion, as substituted, prevailed by the following vote: AYES: Webb, Wing, Thompson, Wolff, Labatt, Cisneros; NAYS: Dutmer, Martinez, Vera; ABSENT: Berriozabal, Hasslocher.

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88-53 The Clerk read the following Resolution:

A RESOLUTION 88-53-71 .

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DIRECTING PUBLICATION OF NOTICE OF INTENTION TO
ISSUE CITY OF SAN ANTONIO PRIOR LIEN WATER SYSTEM
REVENUE BONDS AND DIRECTING ADVERTISEMENT OF SALE IN
CONNECTION WITH SAID BONDS AND DECLARING AN
EMERGENCY.

* * * *

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

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

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88-53 CENSUS CORRECT COUNT COMMITTEE

Mayor Cisneros invited the newly appointed members of the Census Correct Count Committee, present in the audience to come forward to be

sworn in. He then spoke of the importance of having an accurate census throughout the nation and in San Antonio.

City Clerk Norma S. Rodriguez then administered the Oath of Office to four new members of that committee.

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88-53

CITY TOWING CONTRACT

Mayor Cisneros noted that the Council needs to hold an Executive Session today for discussions concerning City Towing Associates.

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88-53

DOME STADIUM PUBLIC HEARING

A brief discussion was held concerning the upcoming January 3 Public Hearing on the Dome Stadium in which City Clerk Norma S. Rodriguez was directed to publish notice.

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88-53

VIA BOARD APPOINTMENT

Mayor Cisneros noted that the Council needs to make a new appointment to the VIA Board to replace the newly selected Chairman John Dietzman.

Following discussion there was a motion and a second to name Mr. John Gatti, by acclamation. Mr. Gatti was selected by voice vote, by acclamation, and staff was directed to prepare the proper ordinance.

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88-53

HIGH RISE BUILDING FIRE PROTECTION

Mayor Cisneros noted that the 1986 City Building Ordinance dictated that all new buildings should have sufficient space on the roof for helicopters to effect rescues of building occupants.

Mr. Louis J. Fox, City Manager, spoke to the City's enforcement of that ordinance and noted that the Fire Chief is now preparing a report for the City Council in this regard.

Mr. Wing asked for a status of his request that trains should have load manifests available to firefighters to spell out the type of cargo each train is carrying.

88-53 The City Council recessed at 4:17 P.M. to convene the "B" Session on the Census explanation, recessing at 5:00 P.M. for Executive Session on the Vista Verde settlement and the City Towing matters, reconvening at 5:55 P.M. for Citizens to be Heard.

88-53

CITIZENS TO BE HEARD

MR. KENNETH S. CHESTNUT

Mr. Chestnut, Bexar County/Gilbane Building Company, 111 E. Nueva Street, appeared before the City Council to request the proper permits in order to hold a ceremonial cornerstone dedication on December 17, 1988. He has been speaking to the City staff on the parade permit which will be necessary for this type of assembly and was advised that they had failed to meet the 45 day requirement. He was then advised to approach the City Council to waive the 45 day requirement as set out in the ordinance.

Mr. Louis J. Fox, City Manager, stated that an ordinance could be prepared for Council consideration on Thursday, December 15, since no Council meeting will be held on December 7. However, he would need Council concurrence and direction to place this item on the agenda since the City Council had adopted the 45 day requirement as stipulated in the ordinance.

After discussion, Mrs. Dutmer moved to have the City Manager report back to Council and have an item on the agenda of December 15 granting the parade permit to the County in order for them to proceed with their cornerstone dedication ceremony. Mr. Webb seconded the motion.

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

Mrs. Dutmer also stated that an emergency clause would have to be included since the ordinance will have to become effective immediately because of the ceremony planned for the 17th of December.

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DAS IST RESTAURANT

Mr. Matt M. Perdue, representing the DAS IST Restaurant, spoke to the Council about their proposed plans to occupy the vacant space at the Riverbend Garage, which had been the site of another restaurant, with a german type restaurant. He spoke to the many plans they have made and their ongoing discussions with City staff. They were advised, however, that the City Manager's office was considering leasing this space to the USO and it would not be available for their restaurant. He asked that the

council direct the staff to have both proposals presented to them for final decision.

Mrs. Thelma Cade-Perdue also spoke to the Council about their proposed plans. She stated that it should be the Council's decision on whether or not to have their restaurant lease this space.

Mr. Louis J. Fox, City Manager, stated that the City staff had been directed by the City Council to move the USO from their present location and they felt it would be in the City's best interest to relocate them to the vacant space at the Riverbend Parking Garage. He also stated that the restaurant business is a more speculative one than the lease of the facility by the USO.

Mrs. Dutmer took exception in not being allowed to see both proposals.

Mr. Fox stated that the City staff can still present both proposals to the Council since they will ultimately be the body to decide on the lease.

Mr. Joe Aceves, Director of Public Works, stated that the USO must be out of their present space by a specified time, however the lease of the space must be approved by the City Council and there would be no problem in bringing both proposals to the Council for their review and decision.

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MRS. EDITH MOLNAR

Mrs. Molnar again spoke to the Council about the vacant area in La Villita and her hopes of re-establishing a restaurant in that space.

Mr. Wolff advised Mrs. Molnar that there is a definite procedure which must be followed with regard to vacant space at La Villita. He then asked Mrs. Molnar to meet with Mr. Ron Darner, Director of Parks and Recreation.

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88-53 There being no further business to come before the City Council,
The meeting was adjourned at 6:18 P.M.
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A P P R O V E D

Henry Cisneros

M A Y O R

ATTEST: *Anna J. Rodriguez*
C i t y C l e r k

