

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, DECEMBER 9, 1982.

0514

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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: FERRIOZABAL, WEBB, DUTMER, WING, THOMPSON, ALDERETE, HARRINGTON, ARCHER, CISNEROS. Absent: EURESTE, HASSLOCHER.

82-52. The invocation was given by Rev. R. L. Archfield, Sr., Friendship Baptist Church.

82-52 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

82-52 SWEARING IN OF COUNCILMAN WING
AS MAYOR PRO TEM

Mayor Cisneros thanked Mr. Eureste for his service as Mayor Pro Tem during the previous rotating term of said office, and noted that Mr. Eureste is out of town today on behalf of the Mayor, representing, along with Councilman Hasslocher, the City of San Antonio at a White House ceremony during which San Antonio will accept a Department of Housing and Urban Development Award from President Reagan for its innovative use of UDAG funds for the Alamo Plaza-Paseo del Rio River Linkage project. He then read a mailgram inviting San Antonio to participate in the White House ceremony, an invitation given by HUD Secretary Samuel R. Pierce, Jr.

Mayor Cisneros noted that Ms. Jane Macon, City Attorney, also was in Washington, D.C. today for this and other duties, including making a personal check to determine the status on the Vista Verde South UDAG Project and the UDAG application for renovation of HemisFair Plaza.

Mr. Wing asked that recognition be given to Rep. Henry B. Gonzales for his part in obtaining the funding for the Vista Verde South Project, and to former City Manager Thomas E. Huebner and others for their parts in securing this important project.

City Clerk Norma S. Rodriguez then administered the Oath of Office to Mr. Wing as Mayor Pro Tem.

The Mayor and City Council members individually congratulated Mr. Wing.

82-52 ED WHITE MIDDLE SCHOOL CHAMBER CHOIR

Mayor Cisneros introduced the Ed White Middle School Chamber Choir, all 8th graders, and their sponsor, Mrs. Margie Camp, in addition to other representatives of the school. The choir sang two Christmas selections.

82-52 PANCHO CLAUS

Mayor Cisneros introduced Pancho Claus, present in the audience, and read a Proclamation of "Pancho Claus Week" in San Antonio.

Pancho Claus handed out Christmas stockings filled with candy to

each member of the City Council, and wished all a Merry Christmas.

82-52

"THIS IS/ASI ES SAN ANTONIO" BOOK

Mayor Cisneros spoke of the newly-published "This Is/Asi Es San Antonio" official book of the City of San Antonio, to be given as special gifts to distinguished visitors to San Antonio, and to be sold in various stores at a price of \$25.00. He introduced Mr. Carlos Freymann, the publisher of the book.

Complimentary copies of the book were distributed to City Council members.

Mr. Freymann stated that this was an historic moment. He spoke of the background of preparation of the book and explained that it was the work of many talented persons.

Mayor Cisneros thanked Mr. Freymann for his leadership in creating the book, and spoke of his hopes that the book will be updated over the years, to keep it current.

Ms. Berriozabal thanked the choir for the Christmas selections, Pancho Claus for his efforts in spreading Christmas-season cheer through San Antonio and for securing toys for needy children, and spoke of her pride at the creation of the new official book for San Antonio.

Mayor Cisneros asked Mr. Freymann to autograph copies of the book for members of the City Council.

Mrs. Dutmer and Mr. Alderete thanked Mr. Freymann for his efforts.

82-52

"UP WITH PEOPLE"

Mayor Cisneros introduced a group of young people, present in the audience, part of the "Up With People" troupe appearing in San Antonio.

Ms. Sissy Brewster, cast director for the touring show, stated that the cast members have been in San Antonio for almost a week, making appearances and visiting attractions. She stated that the cast will perform Friday evening at the Majestic Theater with all 110 members.

Various cast members present in the audience introduced themselves and spoke briefly of the history of the "Up With People" show, and thanked San Antonio's citizens for their hospitality during their stay here.

Mayor Cisneros recognized Dr. Lucille Santos for her part in assisting the cast with its San Antonio stay.

82-52

JOHN MARSHALL HIGH SCHOOL
GOVERNMENT CLASS

Mayor Cisneros introduced members of John Marshall High School government classes, present in the audience, and welcomed them to City Hall.

82-52 The Minutes of the meetings of November 18 and November 24, 1982 were approved.

82-52 CONSENT AGENDA

Mr. Harrington moved that items 7-26 constituting the consent agenda be approved. Mr. Webb seconded the motion.

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

AN ORDINANCE 56,215

ACCEPTING THE LOW BID OF TEXAS ENTERPRISES TO FURNISH THE CITY OF SAN ANTONIO WITH AN ANNUAL CONTRACT FOR JANITORIAL SERVICES FOR A TOTAL OF \$5,553.00.

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AN ORDINANCE 56,216

ACCEPTING THE LOW BIDS OF AIRSCO HYDRAULICS, INCORPORATED, ALEMITE COMPANY OF SAN ANTONIO, COMMERCIAL BODY CORPORATION, AND HYDRAULIC SUPPLY AND SERVICE COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH HYDRAULIC HOSE AND COUPLINGS FOR A TOTAL OF \$5,274.90.

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AN ORDINANCE 56,217

ACCEPTING THE BIDS OF BOWATER COMPUTER FORMS INCORPORATED, AND 3-J DATA FORMS TO FURNISH THE CITY OF SAN ANTONIO WITH COMPUTER FORMS FOR A TOTAL OF \$9,280.50.

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AN ORDINANCE 56,218

ACCEPTING THE LOW BID OF ZYTRON TO FURNISH THE CITY OF SAN ANTONIO WITH AN ANNUAL CONTRACT FOR MICROFICHE AND MICROFILM SERVICES FOR A TOTAL OF \$17,974.00.

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AN ORDINANCE 56,219

ACCEPTING THE LOW BID OF TEXAS CORRUGATORS, INCORPORATED, TO FURNISH THE CITY OF SAN ANTONIO WITH GUARD RAILING FOR A TOTAL OF \$5,006.00.

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AN ORDINANCE 56,220

ACCEPTING THE LOW BID OF JAMIESON MANUFACTURING COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH TRAFFIC SIGN POSTS FOR A TOTAL OF \$39,393.53.

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AN ORDINANCE 56,221

ACCEPTING THE LOW BID OF VULCAN SIGNS TO FURNISH THE CITY OF SAN ANTONIO WITH ALUMINUM SIGN BLANKS FOR A TOTAL OF \$35,217.10.

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AN ORDINANCE 56,222

ACCEPTING THE PROPOSAL OF BAKER AND TAYLOR COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH AN ONLINE ACQUISITION SYSTEM FOR A TOTAL OF \$15,600.00.

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AN ORDINANCE 56,223

APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT OF A TOTAL OF \$483,300.00 TO THE SAN ANTONIO RIVER AUTHORITY IN ACCORDANCE WITH AN AGREEMENT WITH SAID AUTHORITY CONCERNING CONSTRUCTION OF THE TRAVIS AND MARTIN STREET BRIDGES OVER SAN PEDRO CREEK.

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AN ORDINANCE 56,224

ACCEPTING THE LOW BID OF CARILLO-SANCHEZ, INC. IN THE AMOUNT OF \$331,875.00 FOR CONSTRUCTION OF THE ELLA AUSTIN COMMUNITY CENTER PHASE III-B; APPROVING A CONTRACT; AND PROVIDING FOR PAYMENT OF THE CONTRACT, ADDITIONAL ARCHITECT FEES AND CONSTRUCTION CONTINGENCIES.

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AN ORDINANCE 56,225

ACCEPTING THE LOW BID OF MARTIN WRIGHT ELECTRIC COMPANY IN THE AMOUNT OF \$12,488.00 FOR INSTALLATION OF A BACK-UP TRANSFORMER SYSTEM FOR THE POLICE COMMUNICATIONS BUREAU.

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AN ORDINANCE 56,226

REVISING THE SCOPE OF WORK OF THE HOWARD WONG & ASSOCIATES CONTRACT TO ADD A SPACE NEEDS ANALYSIS FOR THE POLICE DEPARTMENT/MUNICIPAL COURTS BUILDING, GRAHAM BUILDING RECORDS STORAGE AND ASSOCIATED PARKING NEEDS AND AUTHORIZING PAYMENT OF ADDITIONAL FEES FROM THE GENEAL FUND.

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AN ORDINANCE 56,227

APPROVING FIELD ALTERATION NO. 10 IN THE AMOUNT OF \$12,397.00 TO THE CONSTRUCTION CONTRACT FOR THE OLMOS CREEK DRAINAGE PROJECT (REPLACEMENT OF SEWER MAIN, INCLUDING APPURTENANCES).

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AN ORDINANCE 56,228

ACCEPTING THE BID OF TINAJERO CONSTRUCTION CO., IN THE AMOUNT OF \$24,000.00 FOR HANDICAPPED ACCESSIBILITY MODIFICATIONS IN SAN PEDRO AND WOODLAWN PARKS; APPROVING A CONTRACT AND PROVIDING FOR PAYMENT OF THE CONTRACT AND FOR ARCHITECTURAL FEES.

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AN ORDINANCE 56,229

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

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AN ORDINANCE 56,230

ABANDONING AN INGRESS-EGRESS, GAS, ELECTRIC, WATER, TELEPHONE EASEMENT IN LOT 17, NEW CITY BLOCK 16123, FOR AND IN CONSIDERATION OF \$1.00, AUTHORIZING THE CITY MANAGER OR HIS DESIGNATE TO EXECUTE A QUITCLAIM DEED TO STEER & DIAMOND LTD., INC., AND ACCEPTING THE DEDICATION OF FIVE FEET OUT OF LOT 17, BLOCK 2, NEW CITY BLOCK 16123 FROM STEER & DIAMOND LTD., INC.

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AN ORDINANCE 56,231

CLOSING AND ABANDONING AMBER PLACE BETWEEN NEW CITY BLOCKS 9443 AND 9445, AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNATE TO EXECUTE A QUITCLAIM DEED TO RAYMOND ENRIQUEZ, SR. AND WIFE, HERLINDA ENRIQUEZ, THE ADJACENT OWNERS, FOR A CONSIDERATION OF \$1.00.

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AN ORDINANCE 56,232

AUTHORIZING PAYMENT OF REFUNDS TO PERSONS MAKING OVERPAYMENTS OR DOUBLEPAYMENTS ON TWENTY-ONE TAX ACCOUNTS.

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AN ORDINANCE 56,233

CLOSING PORTIONS OF EL PASO AND SAN FERNANDO STREETS IN CONNECTION WITH THE GUADALUPE CATHOLIC CHURCH PATRONAL FEAST.

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AN ORDINANCE 56,234

APPROVING EXECUTION OF A SERVICE AGREEMENT WITH SMARTE CARTE, INC., FOR INSTALLATION AND MAINTENANCE OF A SELF-SERVICE BAGGAGE CART SYSTEM AT INTERNATIONAL AIRPORT.

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(At this point, Mayor Cisneros was obliged to leave the meeting. Mr. Wing presided.)

ZONING HEARINGS

27. CASE 9012 P.P.- to rezone Parcel 2-B and Parcel 6, NCB 15676, in the 15000 Block of Jones Maltsberger Road, from Temporary "R-1" One Family Residence District to "R-2A" Three and Four Family Residence District, located on the northwest side of Jones Maltsberger Road, being 72' northeast of the intersection of Pebble Park Drive and Jones Maltsberger

Rd., having 416' on Jones Maltsberger Road and a maximum depth of 1343'.

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

Mr. Robert Diaz De Leon, 5400 Callaghan Road, representing Tri-Tech Engineers, spoke of the background of this zoning request and the proponent's desire to build quad-plex multi-family housing on the site.

Speaking in opposition, Mr. Harold Kunz, 2907 Scattered Oaks, stated that the area is primarily single-family residential with no VIA bus service.

Mr. J. D. Beaver, representing the homeowners association abutting the property in question, stated that his association is in opposition to the request.

Mr. Lloyd Jary, 2900 Scattered Oaks, stated that multi-family housing in this area would be spot-zoning, and spoke against it.

Mr. De Leon stated that Jones Maltsberger Road, fronting the subject property, has been designated a major arterial and thus was a good location for multi-family housing, noting that his proponent's project population density is consistent with single-family density in this area. He stated that the proponent had worked with area residents for months.

Mr. Henry A. Leeper, developer, stated that he was the proponent, and noted that the City Council had asked him to work with the opponents to this case. He stated that in doing so, he had revised his request, and distributed an aerial map of the entire area to show its scattered pattern of housing usage. He further stated that several previous opponents to his plans now were in favor of the rezoning, and distributed a contour map of the area to show the elevated height of surrounding single-family homes over his property. He stated that Mr. Hasslocher now supports his request.

Mrs. Dutmer also stated that Mr. Hasslocher, before he left for Washington, had expressed to her his support for this request and asked her to make this a matter of official record at the Council meeting. She stated further that the proponent's project is some distance from the single-family homes of the opponents to the case.

In response to a question by Mr. Thompson, Mr. Jary stated that he opposed the request because it puts a new zoning classification into this area.

In response to a question by Mr. Thompson, Mr. Andy Guerrero, Planner II, stated that City staff now favored the requested rezoning because the proponent changed his request to R-2A and a lower density of housing.

Mr. Alderete spoke in support of the request, stating his opinion that this would be appropriate zoning.

In response to a question by Mr. Harrington, Mr. Guerrero stated that City staff views zoning development in this area as basically commercial at the Thousand Oaks/Jones Maltsberger Road intersection and residential moving out in all directions from the intersection area.

Mrs. Dutmer moved that the recommendation of the Zoning Commission be approved provided that proper access and off-street parking are provided. Mr. Alderete seconded the motion.

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

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

AN ORDINANCE 56,235

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS PARCEL 2-B AND PARCEL 6, NCB 15676, IN THE 15000 BLOCK OF JONES MALTSBERGER ROAD, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "R-2A" THREE AND FOUR-FAMILY RESIDENCE DISTRICT, PROVIDED THAT PROPER ACCESS AND OFF-STREET PARKING ARE PROVIDED.

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28. CASE 8957 P.P. - Lot 2, Block 1, NCB 16374, in the 5600 Block of Rittiman Plaza, from "R-2" Two Family Residence District and "R-3" Multiple Family Residence District to "B-3" Business District, located on the west side of Rittiman Plaza, being 600' south of the intersection of Rittiman Road and Rittiman Plaza, having 1715.35' on Rittiman Plaza and a maximum depth of 440', and a 2.76 acre tract of land out of Lot 2, Block 3, NCB 16376, being further described by field notes filed in the Office of the City Clerk, in the 500 Block of Holbrook Road, from "R-3" Multiple Family Residence District to "I-1" Light Industry District, located on the eastside of Holbrook Road, being 300.05' south of the intersection of Woodburn Drive and Holbrook Road, having 151.16' on Holbrook Road, and a maximum depth of 800'.

Mr. Andy Guerrero, Planner II, stated that the proponent in this case has asked for a postponement in order to allow more time to work with the neighbors in seeking a solution to their concerns.

Mr. Harrington moved that Case 8957 P.P. be postponed. Mrs. Dutmer seconded the motion.

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

Case 8957 P.P. was postponed.

29. CASE 9077 - to rezone Lots 18, 19, 20, Block 139, NCB 8814, 2002 West Avenue, from "F" Local Retail District to "I-1" Light Industry District, located northeast of the intersection of Wildwood Drive and West Avenue having 120' along West Avenue and 150' along Wildwood Drive.

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

No citizen appeared to speak in opposition.

In response to a question by Mr. Archer, Mr. Andy Guerrero, Planner II, stated that the change in zoning is necessary to allow the proponent to continue using his property for outside storage.

Mr. Bob Weik, 10914 Whisper Hollow, the proponent, spoke of the need for the rezoning in order to provide parking for his firm's equipment. He further stated that he had used this property for some 20 years, including outside storage for his equipment, before he was cited for violation of zoning regulations, the first time he knew this was a violation.

Mr. Archer moved that the recommendation of the Zoning Commission be approved provided that the applicant work with the Traffic Engineering

Division for proper access, off-street parking and street dedication of 7.5-feet of right-of-way along West Wildwood Drive, with 15-foot property line return required. Further provided that a 6-foot solid screen fence is erected and maintained along the east property line. Mr. Alderete seconded the motion.

Mrs. Dutmer spoke of her concern for bringing an I-1 zoning into a predominantly residential area because of what might happen if the proponent were to leave the property at a later date.

Mr. Weik discussed the zoning history of this area and his firm's acquisition of area property through the years as evidence he intended to stay in the area with the business.

Mrs. Dutmer asked Mr. Weik to make certain to erect a safety barrier on his property nearest the adjacent day-care center in order to protect the day-care center children from any accidents involving his equipment parked in the area.

Mr. Weik agreed to do so.

Mr. Harrington spoke in support of the request.

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

AN ORDINANCE 56,236

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 18, 19, AND 20, BLOCK 139, NCB 8814, 2002 WEST AVENUE, FROM "F" LOCAL RETAIL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT THE APPLICANT WORK WITH THE TRAFFIC ENGINEERING DIVISION FOR PROPER ACCESS, OFF-STREET PARKING AND STREET DEDICATION OF 7.5- FEET OF RIGHT-OF-WAY ALONG WEST WILDWOOD DRIVE, WITH 15-FOOT PROPERTY LINE RETURN REQUIRED. FURTHER PROVIDED THAT A SIX-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE EAST PROPERTY LINE.

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30. CASE 9070 - to rezone Lots 87, 88, and 89, Block 2, NCB 15731, 175 Remount Road, from Temporary "R-1" One Family Residence District to "B-3R" Restrictive Business District, located on the south side of Remount Road being approximately 1210', east of the intersection of IH 35 Expressway and Remount Road, having 150' on Remount Road and a depth of 150'.

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

Mr. Albert B. Sandoval, Jr., 175 Remount Road, the proponent, spoke of his use of a caustic solution in conjunction with his auto repair shop on the premises.

Mr. Richard C. Ocejo, 167 Remount Road, stated that Mr. Sandoval's customers often pull into his residential driveway, and stated further that the caustic solution used sometimes pollutes the air in the neighborhood.

Mrs. Richard C. Ocejo, 167 Remount Road, stated that Mr. Sandoval has been cited for being in violation of the zoning regulations but

continues to operate there, and has made no effort to fence off his property from the neighbors or to provide necessary parking for his customers.

In response to a question by Mr. Archer, Mr. Andy Guerrero, Planner II, stated that zoning regulations do not provide that an auto repair shop must close down its operations at a certain time of day, and discussed other zoning uses in this area as the reason the City staff recommends approval. He further stated that this area is transitioning to commercial uses from residential.

Mr. Archer spoke against allowing any use to pollute the air in this neighborhood.

Mr. Thompson spoke against the request.

Mr. Thompson moved that the recommendation of the Zoning Commission be denied. Ms. Berriozabal seconded the motion.

After consideration, the motion to deny this request prevailed by the following vote: AYES: Berriozabal, Webb, Thompson, Harrington, Archer, Cisneros; NAYS: Dutmer; ABSENT: Wing, Eureste, Alderete, Hasslocher.

Case 9070 was denied.

31. CASE 9040 - to rezone Tract 24, NCB 14952, 5911 Randolph Blvd., from Temporary "R-1" One Family Residence District to "B-3R" Restrictive Business District, located on the northside of Randolph Blvd., being approximately 1490' northeast of the intersection of Randolph Blvd., and Eledsoe Drive, having 206.5' on Randolph Blvd. and a maximum depth of 1332'.

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

No citizen appeared to speak in opposition.

Mr. Harrington moved that the recommendation of the Zoning Commission be approved. 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, Harrington, Archer, Cisneros; NAYS: None; ABSENT: Eureste, Alderete, Hasslocher.

AN ORDINANCE 56,237

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS TRACT 24, NCB 14952, 5911 RANDOLPH BLVD., FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT.

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32. CASE 9072 - to rezone a 0.304 acre tract of land out of NCB 12963, being further described by field notes filed in the Office of the City Clerk, in the 2100 Block of Starcrest Drive, from Temporary "A" Single Family Residence District to "I-1" Light Industry District, located on the southwest side of Starcrest Drive, being approximately 2285' south east of the intersection of Jones Maltsberger Road, having 241.57' on the north side and a maximum depth of 109.58' on the east side.

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

No citizen appeared to speak in opposition.

Mr. Harrington moved that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished and that off-street parking is provided. Mr. Webb 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, Harrington, Archer, Cisneros; NAYS: None; ABSENT: Eureste, Alderete, Hasslocher.

AN ORDINANCE 56,238

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 0.304 ACRE TRACT OF LAND OUT OF NCB 12063, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 2100 BLOCK OF STARCREST DRIVE, FROM TEMPORARY "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED AND THAT OFF-STREET PARKING IS PROVIDED.

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82-52 The Clerk read the following Ordinance:

AN ORDINANCE 56,239

ADOPTING THE 1979 EDITION OF THE UNIFORM MECHANICAL CODE TOGETHER WITH LOCAL AMENDMENTS.

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Mrs. Dutmer moved that the Ordinance be approved. Mr. Wing seconded the motion.

Mr. Fred Koelzer, Executive Secretary, San Antonio Air Conditioning Contractors Association, read a prepared statement from his group and the Mechanical Contractors Association of San Antonio, asking that Section 305(d) of the Mechanical Code be deleted, that being the requirement that the contractor must provide a ladder for the inspector to use during his inspection, citing many cases in which a contractor must forfeit hours of manpower and equipment in order to provide a ladder for an inspector on a site where the contractor has completed his work and ceased operations.

In response to a question by Mr. Harrington, Mr. Gene Camargo, Director of the Department of Housing Inspection, discussed the requirements for provision of a ladder by the contractor for the inspection, stating that the inspector needs some means of properly inspecting the work on building sites. He also noted that the staff and Board considered the contractors' concerns in this matter, but stated that the small City autos cannot carry a ladder, and it also would be costly for the inspector to provide his own ladder to use in inspecting a job.

Mr. Harrington amended the motion to delete Section 305d, the ladder requirement. Ms. Berriozabal seconded the motion.

In response to a question by Mr. Webb, Mr. Koelzer stated that the contractor loses the use of one workman for about four hours each time

it is necessary to provide a ladder for an inspector, if the contractor has already left that job in order to begin another. He further noted that small, fold-up ladders are available that would fit into the smaller autos used by the inspectors.

Mr. Thompson stated his belief that inspectors of this type work need their own tools, including ladders, and that the City might have to purchase pickup trucks, if necessary, for accomplishment of this type of inspection.

Mr. Camargo asked that the matter be postponed in order to allow staff time to determine the exact costs involved in providing ladders for the inspectors, and the liability concerned.

Mrs. Dutmer made a substitute motion to approve the proposed Ordinance with the exception of Section 305d. Mr. Thompson seconded the motion.

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

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

82-52 PUBLIC HEARING & RESOLUTION ON INDUSTRIAL REVENUE BONDS -
CATERING BY ROSEMARY, INC.

Mayor Cisneros declared the Public Hearing open.

No citizen appeared to speak on the matter.

Mayor Cisneros declared the Public Hearing closed.

Mrs. Dutmer moved that the Resolution be approved. Mr. Thompson seconded the motion.

Mayor Cisneros spoke briefly on the request for Industrial Revenue Bonds for this purpose.

Mr. Archer stated that he opposes such bonds for evidently successful businesses in San Antonio, stating that these successful businesses should be financed by other sources.

Mr. Robert Kreuter, Department of Economic and Employment Development, stated that these bonds will help create 25 new jobs in San Antonio, and that Industrial Revenue Bonds are open to any business. He further noted that the bonds are to be sold to a local bank.

Mr. Archer spoke against tax-free bonds, and stated that he would be voting against this Resolution, on principle.

In response to a question by Mr. Thompson, Mr. Kreuter stated that the new facility for Rosemary, Inc. would be across the Southern Pacific Railroad tracks from St. Paul Square, and the move will allow the business to consolidate its various facets into one building.

Councilmembers Thompson, Dutmer, Berriozabal and Webb spoke in support of the Resolution.

Mr. Kreuter stated that his department would be briefing City Council soon on pending changes in the IRB program, noting that these would help younger firms and those located in blighted areas.

After discussion, the motion, carrying with it the passage of the Resolution, prevailed by the following vote: AYES: Berriozabal, Webb,

Dutmer, Wing, Thompson, Alderete, Harrington, Cisneros; NAYS: Archer;
ABSENT: Eureste, Hasslocher.

A RESOLUTION
NO. 82-52-73

APPROVING AN AGREEMENT BY CITY OF SAN ANTONIO INDUSTRIAL DEVELOPMENT AUTHORITY TO ISSUE BONDS FOR CATERING BY ROSEMARY, INC. AND A GUARANTEE AGREEMENT WITH ROSEMARY E. KOWALSKI AND GREGORY KOWALSKI AND THE BOND RESOLUTION PROVIDING FOR THE ISSUANCE OF SUCH BONDS, AND DECLARING AN EMERGENCY.

* * * *

82-52 PUBLIC HEARING ON CHANGES TO THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Mayor Cisneros briefly explained the three changes proposed, the contents of which are summarized in writing and made a part of the papers of this meeting.

Mayor Cisneros declared the Public Hearing open.

No citizen appeared to speak on the matter.

Mayor Cisneros declared the Public Hearing closed.

Mr. Webb moved that this matter be presented to the Council as an Ordinance at a later date. Ms. Berriozabal seconded the motion.

(At this point, Mayor Cisneros was obliged to leave the meeting. Mr. Wing presided.)

In response to a question by Mr. Alderete, Ms. Rhea Korsh, Department of Budget and Research, discussed the rental rehabilitation program under CDBG.

Mr. Alderete voiced his concern that some homeowners who are taking advantage of the opportunity, under this program, to rehabilitate their homes, are doing so and then renting those properties to someone at a higher rent than they were receiving before, perhaps by a poorer person. He spoke of his belief that such landlords, whose property is leased or rented by a poor person before the rehabilitation, should be required to rent that same property to the same person, including those who meet public housing rent criteria under Section 8. He asked that Mr. Winston Martin, San Antonio Development Agency, be called to the Council meeting to discuss this.

Mrs. Dutmer stated that this program is not the answer to this particular need.

In response to a question by Mr. Webb, Ms. Korsh stated that this is only a demonstration project, with some 19 houses being rehabilitated. She stated that City staff would like to see how the program will work in San Antonio, and spoke of the need for more housing available for lower-income persons.

Ms. Berriozabal stated that this program will assist in the upgrading of neighborhoods, and noted that the City of Denver recently received some \$13 million in UDAG funds for a neighborhood association to build condominiums, in order to help stop the transition of the neighborhood involved to other uses than residential.

In response to a question by Mr. Alderete as to whether or not this trend will be successful, as outlined in the rental rehabilitation program, Mr. Winston Martin, Director of San Antonio Development Agency, explained how the program will work in some 50 test cities around the

nation, with 50-50 participation by the federal government and the property owners themselves. He stated that if it is successful, a law will then be written and a nationwide program of rental rehabilitation will begin. He further stated that under existing law in this matter, landlords cannot be forced to rent to Section 8-qualified persons.

Ms. Korsh stated that City staff will closely monitor this situation.

Mr. Stuart Summers, Acting Director of Budget and Research, stated that the Council will be asked to formally vote on this Ordinance in two weeks.

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

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

82-52 The Clerk read the following Ordinance:

AN ORDINANCE 56,240

APPROPRIATING \$25,000.00 FROM THE GENERAL FUND CONTINGENCY TO PROVIDE FOR IMPROVEMENTS TO REMOVE A BLIGHTED CONDITION ON CITY PROPERTY IN THE DOWNTOWN AREA (EASEMENT TO THE EAST OF THE HYATT GARAGE BETWEEN HOUSTON STREET AND THE PASEO DEL ALAMO).

* * * *

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

In response to a question by Ms. Berriozabal, Mr. Marcus Jahns, Assistant City Manager, stated that this would be a temporary move to clean up a blighted area on City property between Houston Street and the Paseo del Alamo River Linkage project, behind the Hyatt Regency Hotel parking garage, including erection of a fence. He stated that when the existing building on that site was demolished, it was found that the rear wall could not be demolished since it is shared with the adjoining building, and it became an eyesore. The City now plans to patch up the wall and improve its looks.

A brief discussion then took place concerning a possible walkway to connect Houston Street to the Paseo del Alamo River Linkage through this property.

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

82-52 The Clerk read the following Ordinance:

AN ORDINANCE 56,241

CHANGING THE COUNCIL MEETING SCHEDULED FOR DECEMBER 23, 1982 TO DECEMBER 22, 1982 AND POSTPONING THE MEETING OF DECEMBER 30, 1982 TO JANUARY 6, 1983.

* * * *

Mrs. Dutmer moved that the Ordinance be approved. Mr. Harrington seconded the motion.

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

82-52 The Clerk read the following Ordinance:

AN ORDINANCE 56,242

AUTHORIZING EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY, THE SAN ANTONIO HOUSING AUTHORITY, AND THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO CARRY OUT A RESIDENTIAL RENTAL REHABILITATION DEMONSTRATION PROGRAM.

* * * *

Mr. Stuart Summers, Acting Director of the Department of Budget and Research, stated that this Ordinance begins the formal paperwork necessary to implement the rental rehabilitation program, addressed during the Public Hearing on CDBG funds a short time ago.

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

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

82-52 The Clerk read the following Ordinance:

AN ORDINANCE 56,243

PERMITTING THE MULTIPLE SCLEROSIS SOCIETY TO CONDUCT STREET SOLICITATIONS ON DECEMBER 11, 1982.

* * * *

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

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

82-52 CONSERVATION AND HISTORIC REVIEW TASK FORCE

Mayor Cisneros stated that the Council had granted him permission last week to name a Conservation and Historic Review Task Force, and he was offering certain names now for consultation. He noted that the Task Force would include three business representatives, three conservation/preservation representatives and a chairperson, and be very balanced. He stated that after consultation with the downtown business community, the downtown owners' association and the San Antonio Conservation Society, he now nominates the following members: Chairperson, Mr. Andrew Perez, representing the business community; Mr. Roger Flores of Centro 21; Mr. Pete Selig, recommended by the downtown property owners group; and Mr. John Flannery, Alamo National Bank, representing the banking area. From the conservation/preservation community: Ms. Lynn Bobbitt, President of the San Antonio Conservation Society; Mr. Hap Veltman, owner of downtown property; and Mr. Joe

Seiterle, Gunter Hotel.

City Council granted its consensus for the Mayor to formally name the Task Force and its members.

82-52

CORPUS CHRISTI PORT STUDY

Mayor Cisneros stated that yesterday, a task force of San Antonians named by his office and that of Councilman Thompson, chairman of the Council Transportation Committee, went to Corpus Christi to meet with the consultants on the pending study of the Port of Corpus Christi, and further noted that it was agreed to set up a nine-member committee to work in conjunction with the consultant, with the responsibility of overseeing that study. San Antonio will have three representatives; the City of Corpus Christi also will have three; as will the Port of Corpus Christi.

He asked for Council consensus to name the following three persons as San Antonio's representatives: Councilman Bob Thompson, Chairman of the Council Transportation Committee; Mr. Bob Thompson, South Texas Traffic Association; and Mr. Luis Romano, local representative of AMSA Steel, a firm presently utilizing the Port of Houston but interested in using the Port of Corpus Christi, as well.

Informal Council consensus was granted.

82-52

DOWNTOWN TRAFFIC STUDY

Mayor Cisneros reminded Council members that the present budget contains a \$150,000 item to fund a downtown traffic study, and spoke of the organization of a nine-member committee to oversee that work, with three representatives from the City; three members from VIA; and three members representing the private sector downtown business community. He stated that there will be a press conference next Monday to announce the formal beginning of that effort. Each sector put up \$150,000 for the study. He recommended that the City's three representatives be: Maria Antonietta Berriozabal, as Council person of the district; Councilman Bob Thompson, head of the Council Transportation Committee; and Warren Wilkerson, in charge of the traffic committee of Centro 21.

Informal Council consensus was granted.

82-52

FORMER CITY MANAGER HUEBNER

Mayor Cisneros welcomed Mr. Thomas E. Huebner, former City Manager to the meeting, and spoke to the information released in Washington, D.C. today concerning the award being made for the River Linkage Project, and Mr. Huebner's efforts to secure that project and its funding by the federal government. He further stated that the City owes a great debt of gratitude to Mr. Huebner for all his efforts.

82-52

ST. PAUL SQUARE COMMITTEE

Mr. Webb and Mayor Cisneros discussed the status of the ad-hoc committee recently named to study the St. Paul Square traffic concerns and other such matters of the area.

Mayor Cisneros stated that Mr. Webb and Ms. Berriozabal are co-chairpersons of the committee and would be supplied with the names of the members of that committee, so that the study could then begin.

HEMISFAIR PLAZA REDEVELOPMENT PRESENTATION

Mayor Cisneros asked that the City Manager make the presentation on the HemisFair Redevelopment study. He noted that after the City Manager's presentation a resolution is to be voted upon by the Council allowing him to negotiate with the developer, recommended for selection by the City staff, and approval of the concept.

City Manager Louis J. Fox reported that as instructed by the City Council on May 10, 1982, City staff has been working to implement a general redevelopment strategy for HemisFair Plaza. He added that a comprehensive implementation program has been developed that incorporates all the elements of the City Council plan and makes the redevelopment scheme work as an interrelated economic unit. The proposal addresses the physical revitalization of HemisFair Plaza as well as the fiscal and economic components of a unified redevelopment strategy.

Mr. Fox added that the following seven major elements will be addressed: the development of a first-class urban park in the center of the plaza which incorporates the waterways and improves the base of the Tower of the Americas; additional parking facilities to meet the needs of the Convention Center and the existing institutions; the expansion of the Convention Center to create the capacity to accommodate two full sized conventions at the same time; an area reserved for the San Antonio Museum Association to construct a Science and Technology Museum; an area where UTSA is to construct facilities to locate their Continuing Education Program, School of Architecture and Business Resource Center; an area reserved for the relocation of the University of Mexico, Mexican Cultural Institute, Fonagora and the Texas A&M Engineering Extension Services; an area reserved for the development of a specialty commercial center by private developers with an objective of retaining and using historical structures as part of the retail complex.

Mr. Fox then introduced Mr. Dudley Webb, representing Encore/Doebbler Developers, who gave a brief history and background of their joint venture as well as the many projects they have been involved in throughout the United States.

Mr. Boone Powell, architect with Ford, Powell & Carson Architects and Planners, Inc., gave a video presentation of the proposed redevelopment.

Mayor Cisneros expressed his support for the plan.

Mrs. Dutmer moved that the City Council adopt the concept on the redevelopment of HemisFair Plaza as submitted by Boone Powell and that Encore/Doebbler Developers be designated the developers. Mr. Alderete seconded the motion.

Ms. Berriozabal requested that Mrs. Dutmer amend her motion to include that this presentation be made before the Centro 21 Committee, Congressman Henry B. Gonzalez, River Corridor, Conservation Society, and the Plaza Mexico Ad Hoc Committee with their comments brought back to the City Council.

Mrs. Dutmer agreed to amend her motion to include this stipulation and stated that this was one of the most exciting plans she has seen presented on the HemisFair Plaza.

Mr. George Lane, operator of Amusement Lanes Concessions, stated that he has operated an amusement park at HemisFair Plaza for 14 years, investing over \$250,000 on new rides. He added the City has received over \$600,000 in revenues and would like his business to be included in the new plans for HemisFair Plaza.

Mr. John Grieshaber, 1100 N.W. Loop 410, spokesman for a group who had acquired a tract of land in the downtown area to build a hotel, asked that the City in their negotiations for the new hotel assure that the lease price be comparable to what is being paid on the open market.

Mayor Cisneros stated that this was a good point and instructed the staff to be cognizant of this when negotiations for the hotel begin.

Mr. Webb stated that he was impressed with the plan but added that the Acequia Madre should be emphasized.

In response to a question by Mr. Webb, Mr. Grieshaber noted that he was negotiating with three different hotels for four separate properties, all in the downtown area, and that if there were a nominal lease rate levied on the new hotel, it would adversely impact on private investors because the lower lease rate would afford the new hotel an opportunity to offer its facilities at a lower rate than those of the private investors.

In response to a question by Mr. Wing, Mr. Fox, City Manager, stated that the City Council was endorsing the concept presented today and authorizing him to proceed with negotiations for the redevelopment of HemisFair Plaza with the above-named developers.

Mr. Wing expressed concern about getting into a position such as the Rogers Worsham contract when the City Council had to pay the developer even though the development plans were not acceptable.

Mr. Fox stated that the City is in no manner obligated should the City Council decide not to go with the current plan. He stated that Rogers Worsham had been named preferred developer; however, this concept presents a complete package.

Mayor Cisneros described the history of what had transpired in the past with the redevelopment of HemisFair and stated the City needs to maintain the final responsibility. He stated that he believes that this is a good plan.

Ms. Berriozabal expressed approval of the concept and offered suggestions on how to best utilize various areas.

In response to a question by Mr. Alderete, Mr. John Mosty, Director of Convention & Visitors Bureau, stated that the City had a market for more hotels. He added that by completion of this hotel, there should be enough conventions scheduled to fill these rooms with a need for more space.

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

82-52 At this time the meeting was recessed at 5:45 P.M. in order that a special call meeting be held to approve travel authorizations for Council members traveling to Washington, D.C.

82-52 The meeting was reconvened at 5:46 P.M.

82-52 CITIZENS TO BE HEARD

MARGO NEFF

At the request of Ms. Margo Neff, Ms. Berriozabal read a letter written by Ms. Neff requesting City Council intervention in transportation

problems she has experienced with the VIA Metropolitan Transit Company (a copy of the letter is a part of these minutes).

Ms. Berriozabal asked that someone from the staff work with Ms. Neff to help resolve her problems.

Mr. Alexander Briseno, Assistant City Manager, stated that a staff member would be assigned to work with her.

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MARIE SULLIVAN

Ms. Sullivan, Executive Director of the San Antonio Food Bank, Inc., gave a history of her organization, of supplementing churches, half-way homes and agencies with food to feed the poor. She noted that the agency at present needs \$30,000 in order to maintain the present level of operation.

A discussion followed on possible funding sources.

Mrs. Dutmer moved that an ordinance be placed on next week's "A" Session approving allocation of the \$30,000 and having the staff identify the funding source. Mr. Webb seconded the motion.

After discussion, the motion to bring this matter back to City Council on an "A" Session item prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Thompson, Alderete, Cisneros; NAYS: None; ABSENT: Eureste, Harrington, Archer, Hasslocher.

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PETE ONOFRE

Mr. Pete Onofre, founder of MEGA, spoke of MEGA's plans to organize all the organizations throughout the City. He invited the Mayor to join his organization.

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GARRY HODGINS

Mr. Garry Hodgins, 1234 E. Mulberry, stated he had appeared before the City Council 15 weeks ago on the idea of mobile food vending units. He asked for the status on this matter.

Mr. Skip Noe, Assistant to the City Manager, stated that the City Council had given staff direction on two items. The staff plans to present these items at another "B" session and bring back those items that the Council had not given any direction on.

Mrs. Dutmer moved to bring this item back to the City Council on a future "A" Session. Mr. Wing seconded the motion.

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

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ROY RODRIGUEZ

Mr. Roy Rodriguez, owner of EZ Bel Construction Company, stated that he took exception to the manner in which the bids on the Botanical Center and River Walk Project had been handled. He stated that as the second lowest bidder, he should have been awarded the contract when the lowest bidder was not awarded the contract. He added that if the City re-bids this contract it will be unfair to him as well as all the other bidders as the results of this bid process will be known.

Mr. Alexander Briseno, Assistant City Manager, stated that he can meet with Mr. Rodriguez, Mr. Kiolbassa, Director of Public Works, and Mr. Ron Darner, Director of Parks & Recreation, on this matter.

Mr. Thompson stated that whenever there are exceptions made during a standard procedure, such as the bidding, the process needs to be resolved.

Mayor Cisneros asked Mr. Rodriguez to meet with the City staff and return to next Thursday's City Council meeting at 5:00 P.M. so that that he and the Council can receive a full staff report.

TOM BARNES

Mr. Tom Barnes, 433 Avondale, stated that the City is being operated under an antiquated charter. He stated that the City Council should be paid a decent salary. He stated that the amount of work done by each Council member merits a decent salary. He suggested that whoever wants to forego the salary can still be entitled to do so.

Mayor Cisneros stated that the issue will be discussed at a future "B" Session.

Mrs. Dutmer stated that since certain Council members are prohibited from collecting a salary that she favored a flat expense allowance. She added that she had opposed districting because the nature and quantity of work differs when a councilman represents a certain district rather than being elected at large.

Mayor Cisneros stated that districting has breathed accountability into our form of government.

Mr. Thompson stated that the electorate should decide whether the Council should get a salary.

A discussion followed on the merits of a salary increase for the Mayor and City Council.

There being no further business to come before the Council, the meeting was adjourned at 6:30 P.M.

A P P R O V E D

M A Y O R

ATTEST:

C i t y C l e r k