

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, MAY 1, 1986.

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The meeting was called to order at 1:00 P.M. by the presiding officer, Mayor Henry Cisneros, with the following members present: BERRIOZABAL, WEBB, DUTMER, WING, MARTINEZ, THOMPSON, VERA, HARRINGTON, LABATT, HASSLOCHER, CISNEROS. Absent: None.

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86-19 The invocation was given by Reverend S. H. Bedford, St. Paul's Baptist Church.

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86-19 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

86-19 NATIONAL DAY OF PRAYER

Mayor Cisneros read a proclamation designating the National Day of Prayer in San Antonio and invited all persons interested to a Monday dedication of Challenger Plaza at International Airport. He thanked Council Labatt for requesting this proclamation designating National Day of Prayer in San Antonio.

Mr. Labatt and Mayor Cisneros then spoke to the details of the upcoming ceremony to be held designating Challenger Plaza at International Airport.

86-19 MARY NAN WEST

Mayor Cisneros recognized the presence in the audience today of Ms. Mary Nan West, official of the San Antonio Stock Show, and briefly spoke of her many accomplishments. He then read the following proclamation:

This extraordinary City earned its position among America's unique cities because of the many contributions made in the past by special people like you. Our present City is nothing more and

nothing less than the sum of all these efforts.

The Mayor and members of the City Council commend you for your guidance and leadership of the San Antonio Stock Show over the years, and for the many other civic endeavors that set you apart as a leader of this community. Your years of service as chairman of the Auction Committee, then Vice-President, Senior Vice-President, President and Chairman of the Board of the San Antonio Stock Show point up your commitment to serve this community with strength and wisdom, making this important annual event for San Antonio one of steady progress and importance to the livestock industry of Texas.

At this time the Mayor and City Council call to the attention of all the citizens of San Antonio your very important contributions and hereby proclaim you as

"BENEFACTOR OF THE COMMUNITY"

The community owes you a great debt of gratitude. You should always take great pride in knowing that you have joined the ranks of all eminent San Antonians who have made this City such an exceptional place with such a bright future.

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Ms. West stated that she feels that the volunteer workers of the Stock Show deserve the honor that she is receiving today.

Mr. Hasslocher spoke of his recollections of Ms. West's accomplishments including benefiting the young people of the Texas Agricultural Industry through the Stock Show scholarship program.

In response to a question by Mayor Cisneros, Ms. West spoke of her background as a rancher in Zavala County near Batesville.

Mr. Hasslocher asked the City Council to put together a Stock Show Committee to serve in that capacity for future years.

86-19

MAYOR OF TROUTVILLE, VIRGINIA

Mayor Cisneros introduced Mr. Henry B. Cox, Mayor of Troutville, Virginia, visiting in San Antonio and presented Mayor Cox with an official book on San Antonio.

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Mayor Cox then briefly spoke to the background description of the Roanoke, Virginia area.

86-19

ARMED FORCES WEEK
POSTER AND ESSAY CONTEST

Mayor Cisneros briefly explained details of the Armed Forces Week Poster and Essay contest and then introduced the four winners involved, two from the high school division and two from the middle school division. He then introduced Ms. Glenda Elkins, representing Alamo Title Co., the co-chairman of this Armed Forces Week event. Mayor Cisneros spoke of each individual award and the background of each winner presenting a cash award to each winner on behalf of the sponsors of the tournament.

Ms. Elkins then spoke briefly to details of the background of the contest.

Poster and Essay winners in the high school division were Javier Alonzo, and Francisco Sanchez. Winners in the middle school division were Karen Reed and Timothie Rash.

86-19

PORK BOWL

Mayor Cisneros briefly explained that members of the San Antonio Police Department and the Bexar County Sheriff's Department are on hand in the audience today to invite City Council members to the first annual "Pork Bowl" benefit flag football game to be held Friday May 2, 1986 at Alamo Stadium. He further noted that the game and its proceeds are to benefit the children of Windcrest Police Officer John Frisco, who was killed in a freak accident some months ago.

San Antonio Police Officer Joseph Graham briefly explained the benefit football game plans and distributed non-profit tickets to each member of the City Council.

86-19 The minutes of the City Council meeting of April 17, 1986 were approved.

86-19

MAYOR PRO-TEM

Mayor Cisneros thanked Mr. Thompson for his months of service as

the outgoing Mayor Pro-Tem and asked City Clerk Norma Rodriguez to swear in the incoming Mayor Pro-Tem Mr. Harrington.

City Clerk Rodriguez then administered the oath of office to Mr. Harrington and congratulated him.

Individual City Council members also offered their congratulations to the incoming Mayor Pro-Tem.

Mayor Cisneros noted that Mr. Harrington will begin serving his tour as Mayor Pro-Tem next Thursday and Friday while the mayor is out of town on leave and attending a board of directors meeting at Notre Dame University.

86-19 CONSENT AGENDA

Mrs. Dutmer made a motion to approve Agenda Items 6 - 32, constituting the Consent Agenda, with Items 15, 26, 19, and 23 to be pulled for individual consideration. Mr. Webb seconded the motion.

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

AN ORDINANCE 62,782

ACCEPTING THE BID OF NATIONAL FIRE PROTECTION ASSOCIATION TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH FIRE PROTECTION HANDBOOKS FOR A TOTAL OF \$3,782.85.

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AN ORDINANCE 62,783

ACCEPTING THE BID OF TEXAS DEPARTMENT OF PUBLIC SAFETY TO FURNISH THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH PUBLIC SAFETY LAW BOOKS FOR A TOTAL OF \$6,000.00.

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AN ORDINANCE 62,784

ACCEPTING THE BID OF ULVERSCROFT - CHARNWOOD TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH LARGE PRINT BOOKS FOR A TOTAL OF \$6,932.25.

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AN ORDINANCE 62, 785 .

ACCEPTING THE BID OF WEST PUBLISHING CO. TO FURNISH
THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH LAW
BOOKS FOR A TOTAL OF \$8,640.00.

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AN ORDINANCE 62, 786 .

ACCEPTING THE BID OF GROLIER EDUCATIONAL CORPORATION
TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY
WITH ENCYCLOPEDIAS FOR A TOTAL OF \$3,892.50.

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AN ORDINANCE 62, 787 .

ACCEPTING THE LOW BID OF TEXTILE ENGINEERING
ASSOCIATES TO FURNISH THE CITY OF SAN ANTONIO
WASTEWATER MANAGEMENT DEPARTMENT WITH FILTER PRESS
BELTS FOR A TOTAL OF \$5,451.00.

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AN ORDINANCE 62, 788 .

ACCEPTING THE LOW BID OF DAVIS TRUCK & EQUIPMENT TO
FURNISH THE CITY OF SAN ANTONIO WITH A HYDRAULIC
DRIVE SWEEPER ATTACHMENT FOR A TOTAL OF \$3,192.50.

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AN ORDINANCE 62, 789 .

ACCEPTING THE LOW QUALIFIED BID OF THE TORGERSON
COMPANY, DIETZ FARM & INDUSTRIAL, BEXAR-MEDINA
EQUIPMENT CENTER, INC. AND THOMAS EQUIPMENT COMPANY
TO FURNISH THE CITY OF SAN ANTONIO WITH TRACTORS AND
MOWERS FOR A TOTAL OF \$207,772.69.

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AN ORDINANCE 62, 790 .

AUTHORIZING AN ADDITIONAL \$19,556.25 FOR ENGINEERING
FEES PAYABLE TO OZUNA & ASSOCIATES IN CONNECTION

WITH THE GOLDEN STREET DRAINAGE PROJECT - PHASE III.

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AN ORDINANCE 62,791

AUTHORIZING EXECUTION OF FIELD ALTERATION NO. 1 IN THE AMOUNT OF \$44,402.47 ON THE CONVENTION CENTER EXPANSION PHASE 3B-01 - CONTROLS PACKAGE FOR ADDITION OF A BUILDING SECURITY SYSTEM TO BE CONTROLLED AND MONITORED BY THE EXISTING DELTA 1000 COMPUTER.

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AN ORDINANCE 62,792

AUTHORIZING THE CITY MANAGER TO EXECUTE FIELD ALTERATION #5 IN THE AMOUNT OF \$320,000.00, PAYABLE TO VOSS INTERNATIONAL CORPORATION, FOR THE DOS RIOS FACILITY, CONTRACT 2 PROJECT FOR MODIFICATIONS TO THE PROCESS AIR DIFFUSER EQUIPMENT.

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AN ORDINANCE 62,793

AUTHORIZING THE CITY MANAGER TO EXECUTE FIELD ALTERATION #1 IN THE AMOUNT OF \$20,881.75, PAYABLE TO MEADER CONSTRUCTION COMPANY, INC., FOR THE WEST AVE./HILDEBRAND SANITARY SEWER REPLACEMENT PROJECT.

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AN ORDINANCE 62,794

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$21,830.00 OUT OF VARIOUS FUNDS FOR THE PURPOSE OF ACQUIRING TITLE AND/OR EASEMENTS TO CERTAIN LANDS; ACCEPTING THE DEDICATION OF EASEMENTS TO CERTAIN LANDS; ALL IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS.

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AN ORDINANCE 62,795

APPROPRIATING FUNDS AND AUTHORIZING ADDITIONAL ENGINEERING MONEY, IN THE AMOUNT OF \$11,502.27, PAYABLE TO AMNER, INCORPORATED, TO PROVIDE PROFESSIONAL SERVICES RELATED TO THE DESIGN FOR THE

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RE-ROUTING OF THE 42 INCH LEON CREEK OUTFALL,
LOCATED IN THE PATH OF THE PROPOSED WESTSIDE
EXPRESSWAY PROJECT.

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AN ORDINANCE 62,796 .

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

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AN ORDINANCE 62,797 .

AUTHORIZING EXECUTION OF AGREEMENTS WITH AGENCIES
FOR OPERATING SITES IN THE 1986 SUMMER RECREATION
SUPPORT PROGRAM AND AUTHORIZING RENTAL OF OFFICE
SPACE FROM OUR LADY OF SORROWS CHURCH.

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AN ORDINANCE 62,798 .

AUTHORIZING EXPENDITURE OF FUNDS FOR ADDITIONAL
PLAQUES IN ALAMO PLAZA FOR THE TEXAS STAR TRAIL
WALKING TOUR AND FOR PRINTING BROCHURES TO BE FUNDED
FROM THE SAN ANTONIO SESQUICENTENNIAL CELEBRATION
CONTRIBUTIONS.

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AN ORDINANCE 62,799 .

AUTHORIZING THE CITY WATER BOARD TO OVERSIZE
APPROACH MAINS FROM 12 AND 16 INCHES TO 36 AND 24
INCHES RESPECTIVELY.

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AN ORDINANCE 62,800 .

AUTHORIZING CONVEYANCE OF A 0.130 ACRE PARCEL OF
CITY-OWNED LAND IN NCB A-62 AND ADJACENT TO STORM
ELEMENTARY SCHOOL TO THE SAN ANTONIO INDEPENDENT
SCHOOL DISTRICT FOR A CONSIDERATION OF TEN (10)
DOLLARS AND AUTHORIZING WORKING AGREEMENTS RELATED
TO CITY USE OF A PARKING LOT TO BE CONSTRUCTED ON

SAID PROPERTY.

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AN ORDINANCE 62,801 .

MANIFESTING AN AGREEMENT WITH ST. GEORGE EPISCOPAL CHURCH TO EXTEND AND AMEND THE AGREEMENT FOR OPERATION OF "CHAPEL OF AIRWAYS" AT SAN ANTONIO INTERNATIONAL AIRPORT.

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AN ORDINANCE 62,802 .

AMENDING LEASE NO. 124095 WITH FAIRCHILD CORPORATION FOR LEASE OF SPACE AT SAN ANTONIO INTERNATIONAL AIRPORT.

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AN ORDINANCE 62,803 .

AMENDING LEASE NO. 122115 WITH FAIRCHILD GEN-AERO, INC. FOR LEASE OF SPACE AT SAN ANTONIO INTERNATIONAL AIRPORT.

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AN ORDINANCE 62,804 .

MANIFESTING AN AGREEMENT WITH SKY CHEFS OF SAN ANTONIO TO AMEND THE AGREEMENT FOR THE FOOD AND BEVERAGE CONCESSION AT THE SAN ANTONIO INTERNATIONAL AIRPORT BY ADDING THERETO ADDITIONAL BUILDING SPACE UNDER CERTAIN TERMS AND CONDITIONS.

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86-19 The Clerk read the following Ordinance:

AN ORDINANCE 62,805 .

AUTHORIZING AN ADDITIONAL \$38,546.53 FOR ENGINEERING FEES PAYABLE TO STOTTLER, STAGG & ASSOCIATES, ARCHITECTS, ENGINEERS, PLANNERS, INC., IN CONNECTION WITH THE CHICAGO/FAIR/SO. PRESA RECONSTRUCTION PROJECT.

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

In response to a question by Mrs. Dutmer, Mr. Frank Kiolbassa, Director of Public Works, briefly explained details of the project.

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

86-19 The Clerk read the following Ordinance:

AN ORDINANCE 62,806

APPROPRIATING FUNDS AND AUTHORIZING THE CITY MANAGER TO EXECUTE FIELD ALTERATION #6 IN THE AMOUNT OF \$73,370.00, PAYABLE TO V. K. KNOWLTON PAVING CONTRACTOR, INC., FOR THE ALBERT, MENCHACA AND MICKLEJOHN STREET PROJECT NO. 2 FOR THE REPLACEMENT OF 3,167 LINEAR FEET OF 6' SEWER SERVICE LINES, 382 PIPE BENDS AND 243 CUBIC YARDS OF CONCRETE ENCASEMENT.

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

Mrs. Berriozabal voiced her concern with a number of complaints she had received concerning the Menchaca project.

Mr. Frank Kiolbassa, Director of Public Works, briefly outlined the details of this project.

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

86-19 The Clerk read the following Ordinance:

AN ORDINANCE 62,807

APPROPRIATING FUNDS AND AUTHORIZING AN INCREASE IN THE 1985/86 DEPARTMENT OF WASTEWATER MANAGEMENT'S OPERATING BUDGET FOR CHEMICAL, MEDICAL AND DRUGS IN THE AMOUNT OF \$800,000.00 FOR THE PURCHASE OF CONCENTRATED POLYMER FOR USE IN THE SLUDGE CONDITIONING PROCESS AT THE RILLING ROAD, LEON CREEK AND SALADO CREEK SEWAGE TREATMENT PLANTS; AND AUTHORIZING PAYMENT.

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

In response to a question by Mr. Labatt, Mr. Gregory J. Kuchy, Assistant Director of Wastewater Management, explained the need for this purchase of concentrated polymer for use in the sludge conditioning process at the city's wastewater treatment plants. Mr. Kuchy explained further that this purchase is necessary for the new equipment which already is on hand and some of which is on order and expected to be received soon.

Mrs. Dutmer noted that sludge disposal is a major problem at the wastewater treatment plants.

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

86-19 The Clerk read the following Ordinance:

AN ORDINANCE 62,808

ACCEPTING A PROPOSAL BY THE TEXAS A & M UNIVERSITY CENTER FOR URBAN AFFAIRS TO PROVED PHASE 2 DEVELOPMENT GUIDANCE SYSTEM FOR THE RIVERWALK AND AREAS RELATED THERETO AND APPROPRIATING AND AUTHORIZING PAYMENT OF \$68,400.00 FOR SAID SERVICES.

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

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Mrs. Dutmer voiced the concern raised to her by several citizens that phase II of the proposed River Walk study has not been reviewed by the River Corridor Commission as yet.

Mr. Ron Darner, Director of Parks & Recreation, noted that this second phase is perhaps the major phase of the project and briefly outlined details of the work to be done, noting that he would be happy to meet with the San Antonio Conservation Society on any details of the project as it develops.

In response to a question by Mrs. Berriozabal, Mr. Darner explained that this phase will be placed before the appropriate city boards as soon as possible.

In response to a question by Mrs. Berriozabal, Mr. Roland Lozano, Director of Planning, spoke briefly to preparing a meeting with the River Corridor Commission on this item.

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

ZONING HEARINGS

33. CASE Z86105 - to rezone a 1.79 acre tract of land out of CB 4017, being further described by field notes filed in the Office of the City Clerk, from Temporary "R-1" One Family Residence District to "B-1" Business District; a 1.10 acre tract of land out of CB 4017, being further described by field notes filed in the Office of the City Clerk, from Temporary "R-1" One Family Residence District to "B-2" Business District; a 5.70 acre tract of land out of CB 4017, being further described by field notes filed in the Office of the City Clerk, from Temporary "R-1" One Family Residence District to "B-3" Business District, located on the northeast corner of Bandera Road and Bresnahan Dr., having 508.13' on Bresnahan Dr., and 707.87' on Bandera Road.

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

Mr. Dick Lubell, President of Sparkle Oil & Gas, spoke of the location of this property fronting onto Bandera Road and noted that it was recently annexed by the City of San Antonio. He urged the "B-3" zoning be granted as requested for location of a bowling lanes on part of the property. He noted that he had met with area property owners and then spoke of certain deed restrictions that he had agreed to.

Mr. Warren Weir, attorney, noted that the Zoning Commission had approved the requested rezoning.

Mr. Roy Rayle, 7410 Thomas Broughton Court, speaking for residents of French Creek Village, noted that French Creek Village is adjacent to this property and he urged that the Council enact "B-2NA" zoning on the entire tract. He spoke to the reasons why he believes that the Brunswick Corporation will not locate bowling lanes on this property and he stated further that he feels "B-3" zoning is too heavy for the property involved. He spoke against the use of alcoholic beverages near a residential area and its children.

Colonel Franklin Todd, United States Air Force, 8982 Heatherington, presented petitions to the City Council with some 250 signatures of residents of French Creek Village all signing against the request for rezoning. He spoke in favor of a service type of shopping center for the property and approval of "B-2" or "B-2NA" zoning rather than that being requested.

Mrs. Earl Hubert, 7802 Mary Carolyn, stated that she has no objection to small shops on the property but is against "B-3" zoning. She also spoke of her fears that the traffic in the area will be increased because of the requested rezoning.

Dr. F. Ionescu, 6019 White Cloud, who identified himself as a potential French Creek Village homeowner spoke to his objections to "B-3" zoning on this property.

Mr. Lubell then distributed copies of correspondence between himself and the Brunswick Corporation Offices in California as to plans for a bowling alley on the property, (a copy of this correspondence is attached to the papers of this meeting). He further stated that he would restrict the property against its use as a bar or a dance hall.

Mr. Harrington stated that he feels that "B-2NA" is too restrictive on the property since "B-2" zoning is located immediately across the street while "B-2" will allow consumption of alcoholic beverages only in relation to the sale of food.

Mr. Harrington moved to approve "B-2" zoning on the entire property except for "O-1" Office District zoning in a 70 foot strip immediately adjacent to the residential areas to the north and east provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division; a 6 foot masonry fence to be erected along the north and east property lines; a 2 story height limitation on any construction on the "O-1" area and all lighting to be directed away from the residential area. Ms. Vera seconded the motion.

Mrs. Dutmer spoke in favor of granting the requested rezoning so that a bowling alley might be located on the property. She spoke against

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"B-2" zoning on the property.

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

Mr. Hasslocher spoke in favor of locating bowling lanes on this property.

Mr. Lubell stated that he is willing to make certain deed restrictions on the property if his zoning is granted.

A discussion then took place concerning matters of drainage and fencing on the subject property.

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

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

AN ORDINANCE 62,809

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 6.8 ACRE TRACT OF LAND OUT OF CB 4017, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT; A 1.79 ACRE TRACT OF LAND OUT OF CB 4017, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION; THAT A 6-FOOT MASONRY FENCE IS ERECTED AND MAINTAINED ALONG THE NORTH AND EAST PROPERTY LINES ADJACENT TO THE SINGLE-FAMILY RESIDENTIAL AREAS, AT THE TIME OF DEVELOPMENT OF THE SUBJECT PROPERTY; THAT A 2-STORY HEIGHT LIMITATION IS IMPOSED ON ANY BUILDINGS CONSTRUCTED IN THE "O-1" AREA; AND THAT ALL LIGHTING IS DIRECTED INWARD AND AWAY FROM THE RESIDENTIAL AREAS.

34. CASE Z85283 - to rezone the south 45' of Lot 7, Block 4, NCB 11968, from "B" Residence District to "B-1" Business District; the west 45' of Lots 2, 3, 4, 5, 6, and 7 save and except the north 45' of the east 212.9' of Lot 7, Block 4, NCB 11968, from "B" Residence District to "B-2" Business District; Lots 2, 3, 4, 5, 6, and 7, save and except the west 45' of said lots and the south 45' of Lot 7, Block 4, NCB 11968, in the 9500 Block of McCullough Avenue, from "B" Residence District to "B-3NA" Non-Alcoholic Sales Business District, located on the southwest corner of McCullough Avenue and E. Ramsey Drive, having approximately 286' on E. Ramsey Drive and 580' on McCullough Avenue.

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

Mr. Harrington moved to approve the recommendation of the Zoning Commission provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division; also that a minimum of 6' solid screen fence is erected and maintained along the west and south property lines. Mrs. Dutmer 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, Martinez, Thompson, Vera, Harrington, Labatt, Cisneros; NAYS: None; ABSENT: Hasslocher.

AN ORDINANCE 62,810

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 SOUTH 45' OF LOT 7, BLOCK 4, NCB 11968, FROM "B" RESIDENCE DISTRICT TO "B-1" BUSINESS DISTRICT; THE WEST 45' OF LOTS 2, 3, 4, 5, 6, AND 7, SAVE AND EXCEPT THE NORTH 45' OF THE EAST 212.9' OF LOT 7, BLOCK 4, NCB 11968, FROM "B" RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT; LOTS 2, 3, 4, 5, 6, AND 7, SAVE AND EXCEPT THE WEST 45' OF SAID LOTS AND THE SOUTH 45' OF LOT 7, BLOCK 4, NCB 11968, IN THE 9500 BLOCK OF MCCULLOUGH AVENUE, FROM "B" RESIDENCE DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION; ALSO THAT A MINIMUM OF 6' SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE WEST AND SOUTH PROPERTY LINES.

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 86-19 The City Council by concensus temporarily bypassed Item 35 at
 this time.
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36. CASE Z86107 - to rezone a 88.876 acre tract out of C.B.'s 4900, 4910, and 4923 being further described by field notes filed in the Office of the City Clerk, from Temporary "R-1" ERZD One Family Residence Edwards Recharge Zone District to "R-3" ERZD Multiple Family Residence Edwards Recharge Zone District; a 6.9445 acre tract out of CB 4900, being further described by field notes filed in the Office of the City Clerk from Temporary "R-1" ERZD One Family Residence Edwards Recharge Zone District to "B-2" Business Edwards Recharge Zone District; a 43.6713 acre tract out of C.B.'s 4900 and 4923, being further described by field notes filed in the Office of the City Clerk from Temporary "R-1" ERZD One Family Residence Edwards Recharge Zone District to "B-3" Business Edwards Recharge Zone District, located on the southeast side of Evans Road between Encino Rio and Bulverde Road, having a total of 5798.12' on Evans Road 602.67' on Bulverde Road and 1068.44' on Encino Rio.

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

Mr. Thompson made a motion to approve the recommendation of the Zoning Commission provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. Mr. Wing seconded the motion.

Mrs. Dutmer stated that the Environmental Protection Office of the City has noted that there are three large faults and four surface recharge points located on this property. She asked that a stringent requirement be attached to any approval of this zoning case that the proponent will work closely with the Texas Water Development Board and the Aquifer Protection Office of the City on a pollution abatement plan. She then noted that the State Board Order does not address sink holes and caves in its restrictions.

Mayor Cisneros stated that the Council may need to postpone this matter until a pollution abatement plan is presented.

Mr. Dale Koons, Viceroy and Associates, Consulting Engineers, stated that his firm already had filed a plan with the State dealing with the infrastructure of this property and he explained the plans for development of the property.

Mayor Cisneros then read the letter from the Aquifer Protection Office, (a copy of which is attached to the papers of this meeting), stating that he feels this may be a problem area that needs to be addressed. He then spoke to possible actions as to City Council action on this item today.

Mrs. Dutmer made a substitute motion to postpone this matter for 60 days. Mr. Webb seconded the motion.

Mr. Frederick J. Myers, Aquifer Protection Officer, City of San Antonio, spoke to the Aquifer Protection Office staff recommendations and the memorandum involved.

Mr. Mike Gulley, developer, spoke to actions already taken by the developers in pollution abatement on this property.

A discussion then took place concerning the water runoff report prepared by the Raba-Kistner firm.

Mr. Myers noted that this is a very sensitive recharge area and he agrees that more stringent safeguards are necessary over and above those required by the State of Texas.

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

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

Case Z86107 was postponed for 60 days.

37. CASE Z86075 - to rezone the south 137.5' of Lots 1 and 2, Block 22, NCB 3686, 200 Block of Cupples Road, from "F" Local Retail District and "C" Apartment District to "B-3R" Restrictive Business District, located on the east side of Cupples Road, being 137' south of the intersection of Apperson Street, having 137.5' on Cupples Road with a depth of 316.8'.

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

Mr. Carlos Flores, the proponent, stated that the rezoning is needed in order to expand an existing funeral home on the property.

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Mr. Martinez moved to approve the recommendation of the Zoning Commission provided that 10' of dedication is given along Cupples Road and that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division; further provided that a 6 foot solid screen fence is erected and maintained along the east property line. Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 62,811

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 SOUTH 137.5' OF LOTS 1 AND 2, BLOCK 22, NCB 3686, 200 BLOCK OF CUPPLES ROAD, FROM "F" LOCAL RETAIL DISTRICT AND "C" APARTMENT DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT 10' OF DEDICATION IS GIVEN ALONG CUPPLES ROAD AND THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION; FURTHER PROVIDED THAT A 6 FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE EAST PROPERTY LINE.

* * * *

38. CASE Z86099 - to rezone a 65.231 acre tract out of CB f4534f, 4537, and 5014, being further described by field notes filed in the Office of the City Clerk, 12500 Block of Woller Road, from "R-5" ERZD One Family Residence Edwards Recharge Zone District and "R-3" ERZD Multiple Family Residence Edwards Recharge Zone District to "R-7" ERZD Small Lot Homes Edwards Recharge Zone District.

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

Mr. Harrington moved that the recommendation of the Zoning Commission be approved provided that 10' of dedication is given along Woller Road and that Major Thoroughfare Plan alignments are complied with. Mr. Wing 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, Vera, Harrington, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: Thompson

AN ORDINANCE 62,812

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 65.231 ACRE TRACT OUT OF CB 4534, 4537, and 5014, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 12500 BLOCK OF WOLLER ROAD, FROM "R-5" ERZD ONE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT AND "R-3" ERZD MULTIPLE FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "R-7" ERZD SMALL LOT HOMES EDWARDS RECHARGE ZONE DISTRICT, PROVIDED THAT 10' OF DEDICATION IS GIVEN ALONG WOLLER ROAD AND THAT MAJOR THOROUGHFARE PLAN ALIGNMENTS ARE COMPLIED WITH.

* * * *

39. CASE Z86104 - to rezone Lot 2, Block 1, CB 4446, in the 7500 Block of Bandera Road, from Temporary "R-1" One Family Residence District to "B-3" Business District, located on the northeast corner of Bandera Road and Eckhert Road, being 204.3' northeast and 58.99' northwest of the cut-back of Eckhert Road and Bandera Road, having 217.20' on Bandera Road and 268.36' on Eckhert Road.

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

Mr. Harrington moved that the recommendation of the Zoning Commission be approved provided that 16' of dedication is given along Eckhert Road and that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. Mr. Hasslocher seconded the motion.

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

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AN ORDINANCE 62,813

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 2, BLOCK 1, CB 4446, IN THE 7500 BLOCK OF BANDERA ROAD, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT 16' OF DEDICATION IS GIVEN ALONG ECKHERT ROAD AND THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

* * * *

40. CASE Z86106 - to rezone Lot 15, Block 7, NCB 11723, in the 10000 Block of Baltic, from "A" Single Family Residence District to "R-3" Multiple Family Residence District, located on the northwest side of Baltic Drive, being 120' northeast of the intersection of Baltic Drive, and Anchor Drive, having 120' on Baltic Drive with a depth of 150'.

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

Mr. Harrington moved that the recommendation of the Zoning Commission be approved. Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 62,814

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 15, BLOCK 15, NCB 11723, IN THE 10000 BLOCK OF BALTIC, FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT.

* * * *

41. CASE Z86109 - to rezone Lots 2, 3, 4 and the east 20.5' of 1, Block 5, NCB 9009, in the 200 Block of Thorain Blvd., from "B" Residence District to "O-1" Office District, located southeast of the intersection of Thorain Blvd. and San Pedro Avenue, having 95' on Thorain Blvd. and 150' on San Pedro Avenue.

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

Mr. Labatt moved that the recommendation of the Zoning Commission be approved provided that 5' of dedication is given along Thorain Boulevard; and that driveways and off-street parking are provided and submitted for approval the Traffic Engineering Division. Further provided that a 6-foot solid screen fence is erected and maintained along the east property line abutting the residential area. Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 62,815

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 2, 3, 4, AND THE EAST 20.5' OF 1, BLOCK 5, NCB 9009, IN THE 200 BLOCK OF THORAIN BLVD., FROM "B" RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT, PROVIDED THAT 5' OF DEDICATION IS GIVEN ALONG THORAIN BOULEVARD; AND THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION. FURTHER PROVIDED THAT A 6-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE EAST PROPERTY LINE ABUTTING THE RESIDENTIAL AREA.

* * * *

42. CASE Z86115 - to rezone Lots 13 and 14, Block 8, NCB 15698, in the 12600 Block of Nacogdoches Road, from Temporary "R-1" One Family Residence District to "B-3NA" Non-Alcoholic Sales Business District, located on the north corner of Erin Blvd., and Nacogdoches Road, having 115.8' on Nacogdoches Road and 108.4' on Erin Blvd.

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

Mr. Hasslocher moved that the recommendation of the Zoning Commission be approved. Mrs. Dutmer seconded the motion.

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

AN ORDINANCE 62,816

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 13 AND 14, BLOCK 8, NCB 15698, IN THE 12600 BLOCK OF NACOGDOCHES ROAD, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT.

* * * *

86-19

MR. GENE BANKS

Mayor Cisneros recognized the presence in the audience today of Mr. Gene Banks, former San Antonio Spur basketball player now with the Chicago Bulls and he welcomed Mr. Banks back to City Hall.

ZONING CASES cont.

35. CASE Z86373 - to rezone a 2.741 acre tract of land out of Block 31, NCB 11130, being further described by field notes filed in the Office of the City Clerk, from "B" Residence District to "B-2" Business District; a 1.245 acre tract of land out of Block 31, NCB 11130, being further described by field notes filed in the Office of the City Clerk, in the 600 Block of Moursund Road, from "B" Business District to "R-3" Multiple Family Residence District.

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

Mr. Richard Osborne, 2438 Broadwalk, representing the Moursund

Joint Venture, stated that he feels that the neighborhood residents favor this rezoning with the opposition apparently coming to plans to locate apartments on part of the property.

Ms. Anita Ornelas, 142 E. Villaret, stated that she is against locating more apartments in this area.

Mr. Joe R. Escalante, 4439 Pleasanton Road, spoke about problems with flea markets in the area and with apartment projects.

Mr. Osborne stated that he favors either a "B-2" or a "B-3" on his property with an appropriate buffer zone as opposed to the zoning that would allow him to erect more apartments.

Mr. Wing stated that he favors business zoning on the property with the buffer zone and traffic access only onto Moursund Boulevard. He stated that he favors a non-access easement onto Villaret Boulevard.

Mr. Wing made a motion to refer this zoning case back to the Zoning Commission for reconsideration. Mrs. Dutmer seconded the motion.

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

Zoning Case Z85373 was referred back to the Zoning Commission for reconsideration.

- - -

86-19 The Clerk read the following Ordinance:

AN ORDINANCE 62,817

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

* * * *

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

- - -

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86-19 The Clerk read the following Ordinance:

AN ORDINANCE 62,818

APPROPRIATING \$375,000.00 AS A FINANCIAL RESERVE FOR PAYMENT OF ANY CIVIL PENALTIES WHICH MAY BE INCURRED BETWEEN APRIL 7 AND SEPTEMBER 30, 1986, BY THE CITY OF SAN ANTONIO, DURING AN INTERIM PERIOD FOR WHICH THE CITY HAS BEEN REQUIRED TO MEET CERTAIN COMPLIANCES AS AGREED TO AND IDENTIFIED IN THE FINAL LEGAL JUDGMENT HANDED DOWN FOR VIOLATIONS OF CHAPTER 26 OF THE TEXAS WATER CODE.

* * * *

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

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

86-19 By concensus of the Council, Agenda Item #45 was temporarily bypassed from consideration.

86-19 The Clerk read the following Ordinance:

AN ORDINANCE 62,545

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 265 ACRES OF LAND KNOWN AS THE IH-10/FM 1518 AREA, APPROVING A SERVICE PLAN FOR SUCH AREA, AND APPROVING AN EXEMPTION FROM THE FIRE CODE FOR ALAMO FIREWORKS.

* * * *

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

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

- - -
86-19 The Clerk read the following Ordinance:

AN ORDINANCE 62,546

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 20 ACRES OF LAND KNOWN AS THE LACKLAND NORTH AREA AND APPROVING A SERVICE PLAN FOR SUCH AREA.

* * * *

Mr. Hasslocher 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, Martinez, Thompson, Vera, Harrington, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: Berriozabal, Webb.

- - -
86-19 The Clerk read the following Ordinance:

AN ORDINANCE 62,547

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE ANNEXATION OF APPROXIMATELY 625 ACRES OF LAND KNOWN AS THE NOTRE DAME/NORTHWEST CROSSROADS, AND APPROVING A SERVICE PLAN FOR SUCH AREA.

* * * *

Mr. Hasslocher 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, Martinez, Thompson, Vera, Harrington, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: Berriozabal, Webb.

- - -
86-19 By consensus of the Council, Agenda Item #49 was temporarily bypassed from consideration.

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86-19 The Clerk read the following Ordinance:

AN ORDINANCE 62,819

GRANTING AND MANIFESTING A LICENSE TO LA PLAZA DEL RIO ASSOCIATES TO OCCUPY SPACE ALONG AND UNDER PORTIONS OF EAST COMMERCE, BOWIE AND CROCKETT STREET RIGHTS OF WAY ADJACENT TO NEW CITY BLOCK 1010, IN THE TIENDAS DEL RIO UDAG PROJECT, TO CONSTRUCT AN EARTH RETENTION SYSTEM.

* * * *

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

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

86-19 The Clerk read the following Ordinance:

AN ORDINANCE 62,820

APPOINTING VIRGINIA M. BOWDEN TO SERVE ON THE AFFIRMATIVE ACTION ADVISORY COMMITTEE FOR A TERM TO EXPIRE JANUARY 31, 1988.

* * * *

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

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

86-19 The Clerk read the following Ordinance:

AN ORDINANCE 62,821

SETTING A PUBLIC HEARING FOR WEDNESDAY, MAY 14, 1986, AT 7:00 P.M. IN THE MISSION ROOM OF THE CONVENTION CENTER ON THE REVISED HISTORIC ZONING

ORDINANCE AND THE INVENTORY OF IMPORTANT CULTURAL
RESOURCES WHICH HAVE BEEN PREPARED BY THE HISTORIC
SITES AND STRUCTURES TASK FORCE.

* * * *

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

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

- - -
86-19 The Clerk read the following Ordinance, which was Agenda Item
#45.

AN ORDINANCE 62,822 .

.
APPROVING PLANS FOR A VIETNAM VETERANS MEMORIAL TO
BE LOCATED ON CITY-OWNED PROPERTY ADJACENT TO THE
MUNICIPAL AUDITORIUM.

* * * *

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

A discussion took place in which the City Council congratulated
Mr. John Baines, Chairman of the Viet Nam Veterans Memorial of San
Antonio, Inc. for his action and his long hard work on this project.

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

- - -
86-19 City Council recessed at 3:35 P.M., reconvening at 3:46 P.M.

- - -
86-19 The Clerk read the following Ordinance:

AN ORDINANCE 62,823 .

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APPROVING A COMPROMISE SETTLEMENT AGREEMENT IN FULL AND FINAL SETTLEMENT OF CLAIMS IN THE FOLLOWING LAWSUITS: WALT RITTHALER AND ROLLINS OUTDOOR ADVERTISING, INC. VS. THE CITY OF SAN ANTONIO, CAUSE NO. 86-CI-01950, IN THE 131ST JUDICIAL DISTRICT COURT, BEXAR COUNTY TEXAS; DELTA PARTNERS II, LTD; ROLLINS OUTDOOR ADVERTISING, INC.; OMNI OUTDOOR ADVERTISING OF SAN ANTONIO; AND DUKE-KELLER & ASSOCIATES, A COMPANY OF METROPOLITAN OUTDOOR ADVERTISING, INC. VS. THE CITY OF SAN ANTONIO AND THE MUNICIPAL BOARD ON SIGN CONTROL FOR THE CITY OF SAN ANTONIO, CAUSE NO. 86-CI-04370, IN THE 73RD JUDICIAL COURT OF BEXAR COUNTY, TEXAS; FOSTER & KLEISER, A DIVISION OF METROMEDIA, INC; ROLLINS OUTDOOR ADVERTISING, INC.: OMNI OUTDOOR ADVERTISING OF SAN ANTONIO; DUKE-KELLER & ASSOCIATES, A COMPANY OF METROPOLITAN OUTDOOR ADVERTISING, INC. VS. THE CITY OF SAN ANTONIO, CAUSE NO. 86-CI, IN THE JUDICIAL DISTRICT COURT, BEXAR COUNTY, TEXAS.

* * * *

Mayor Cisneros stated that he personally feels that no majority vote is present on the City Council for either side of this particular issue except for the possibility of perhaps extending the billboard moratorium. He briefly summarized each proposed ordinance to be considered by the Council today and stated that since he sees no effective compromise at the moment he personally supports the ordinance that provides for no billboard replacement at this time. He noted that Mr. Dave Taylor, Chapel Hill, North Carolina, present in the audience recently told him that billboards are completely outlawed in the City of Chapel Hill at this time.

Mr. Dave Benavides, 178 Garner, stated that elimination of billboards will cost many San Antonians their jobs and their incomes.

Ms. Janet Francis, President of the San Antonio Conservation Society, spoke in favor of elimination of billboards and establishment of more scenic zones.

Mr. Charles Kaplan, representing the National Association of Industrial Office Parks, 8961 Tesoro Drive, and Mr. Carlos Jones, representing the San Antonio Chapter of the American Institute of Architects, both spoke in favor of the ordinance prohibiting erection of new billboards in the city and its extraterritorial jurisdiction.

Ms. J. L. Walker, representing the MKT Railroad, stated that the MKT Railroad depends heavily on income it receives from billboards on its right of way and the elimination of billboards would affect MKT jobs.

Mr. Eric Krueger, representing Robards Limited, stated that he favors elimination of billboards in the city noting that he feels that San Antonio should do what other cities have done in eliminating billboards.

Ms. June Kachtik, representing the committee appointed by City Council of citizen groups studying the billboard matter, noting that many citizens groups favor elimination of billboards. She also asked for consideration be given by the City Council to creation of so called scenic districts.

Ms. Cathy Powell and Ms. Madeline Guyer, San Antonio Coalition of Neighborhood Associations, both spoke in favor of elimination of billboards and creation of scenic corridors.

Ms. Emily Thuss, President of the Monte Vista Neighborhood Association and Mr. Ken Rehler both spoke in support of elimination of billboards.

Mr. Mike Smith, representing the Tobin Hill Neighborhood Association spoke in favor of elimination of billboards and the scenic districts provision.

Mr. Bill Kaufman, attorney representing a number of billboard firms asked the City Council for approval of the compromise settlement agreement represented by ordinance 4A on the agenda, a compromise settlement agreement as worked out with city staff. He noted that this settlement agreement creates scenic corridors and also allows replacement of billboards when they are moved. He then submitted a petition of some one thousand or more signatures of those persons in favor of the settlement. And he also stated that he is willing to work on further compromises if necessary.

Mayor Cisneros drew the Council's attention to the spread sheet which compares the various options before the Council at this time, (a copy of which is attached to the papers of this meeting), and he spoke to the comparisons of what Houston, Austin and Dallas have done about billboards.

Ms. Berriozabal spoke to the public benefit and to the environment. She stated that the compromise will mean that billboards will move from one area to other districts. And she also stated that San Antonio is receiving all of the billboard industry action at the moment since the major cities in Texas already have banned billboards.

Mrs. Berriozabal made a motion to approve Ordinance 4B, which prohibits the erection of new billboards in the city and its ETJ. Ms. Berriozabal seconded the motion.

Ms. Vera spoke in support of the total ban on billboards.

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In response to a question by Mr. Thompson, Mr. Gene Camargo, Director of Building Inspections, explained the replacement provisions in the compromised agreement.

A discussion then took place on the amortization determination, noting that it is the responsibility of the newly created and state mandated Municipal Sign Control Board. A discussion also took place concerning the matter of adding scenic corridors to the ordinance.

Mr. Thompson then stated that he would be supporting the total ban on the billboards because of questions and concerns that he has concerning the different aspects of the replacement factor for billboards, the amortization involved and the creation of scenic corridors in the city of San Antonio.

Mr. Webb spoke in support of the compromise settlement agreement as an attempt to negotiate further compromises with the sign industry.

Mr. Kaufman stated that the sign industry will now agree to a new provision in which it would only erect only one new billboard for each two billboards that were taken down.

Mrs. Dutmer stated that she would not vote for a total ban since she feels it will result in a loss of jobs. She stated that she feels the city can control billboards in the future through zoning ordinances and spoke in favor of the compromise ordinance and the two for one provision as offered by Mr. Kaufman on behalf of the billboard industry.

Mr. Martinez spoke in support of the compromise and for the need to reach a balance in this matter.

Mr. Wing stated that he feels the compromise agreement is the best for all concerned.

Mr. Wing made a substitute motion to approve the compromise settlement agreement as represented in Ordinance 4A; to accept the one for two replacement proposal as offered by Mr. Kaufman on behalf of the billboard industry; and to reduce to three the number of years allowed for the cleanup of billboards on Loop 1604. Mr. Webb seconded the motion.

Mr. Harrington voiced his concern with proliferation and size of billboards in District 8 especially along Loop 1604, stating that he does not favor reducing billboards in one area and also allowing them to be erected in other scenic areas of the city. He spoke of a total ban on billboards.

Ms. Berriozabal spoke in support of her pending motion. Mr. Labatt stated that he feels that concessions by the billboard industry today make the compromise ordinance more effective.

Mr. Thompson stated that District 6 community groups favor a ban on billboards and he feels there will be a compromise on this issue.

Mr. Hasslocher spoke against taking away any jobs from San Antonio citizens. He spoke in support of the compromise stating that he wants more scenic corridors as well.

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

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

- - -
86-19 The Clerk read the following Resolution:

A RESOLUTION 86-19-22

ESTABLISHING GUIDELINES FOR THE ARTS AND CULTURAL COMMITTEE IN ITS AGENCY BUDGET PREPARATION PROCESS.

* * * *

Mayor Cisneros briefly outlined the pending resolution and the city staff recommendations involved.

Mr. Louis J. Fox, City Manager, recommended the Arts and Cultural Committee approach the budget in the same way as all other city departments and agencies, that is preparing both 5% and 10% contingency reduction plans using the \$2.7 million dollar current expenditure level of this year and applying the 5% and 10% reductions to that.

Mr. Martinez made a motion to adopt the staff recommendation. Ms. Berriozabal seconded the motion.

Mr. Fox stated that he feels the City Manager should decide on funding and would recommend this level to City Council as part of the budget.

Mayor Cisneros spoke in favor of leaving arts funding at the same level as last year.

Mr. Thompson made a substitute motion stipulating that the arts agencies seeking funding from the city program for a 5% reduction based upon this year's allocations. Ms. Vera seconded the motion.

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Mr. Fox stated that a 5% reduction within city departments would not be across the board because it would unnecessarily penalize certain labor intensive departments. He stated that his 5% reduction provisions and recommendations to the Council perhaps will vary from department to department.

Ms. Vera spoke in support of the substitute motion as did Mr. Wing.

Mayor Cisneros reminded the Council of his own four budget priorities for this year, including additional fire fighters, police officers, EMS personnel and improvements to code enforcement provisions of the city.

Ms. Berriozabal made an amendment to the motion that no new arts agencies be added to funding for next year. Mrs. Dutmer seconded the motion.

At this point, City Council took a voice vote on the amendment and the Mayor declared the motion to have failed.

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

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

86-19

AD-HOC BUDGET COMMITTEE REPORTS

Mayor Cisneros asked that the chairmen of the four major committees appointed to study portions of the city budget and make their recommendations do so at this time.

Mr. Harrington briefly summarized his committee's findings, (a copy of which is included in the papers of this meeting), including a department by department review of his committee's assesment and possible consolidations and areas of savings. Mr. Harrington noted that the bottom line is he feels the city needs to trim the fat and to become more lean.

Mr. Labatt, a member of Mr. Harrington's committee, stated that he feels there is a need for some consolidation among city departments and perhaps some freezes of jobs but the city staff overall does an excellent job. (A copy of his remarks are attached to the papers of this meeting).

Ms. Berriozabal, also a member of Mr. Harrington's committee,

agreed that there can be some consolidation of city departments and some savings to be made. She spoke of the need for city employees to be more productive. She then spoke to a number of specific areas, (copies of her remarks are made a part of the papers of this meeting).

Mr. Wing, chairman of the Human & Cultural Services Committee, stated that his committee does not want a reduction in either city services or a work force. He then briefly summarized points of his report, (a copy of which is made a part of the papers of this meeting).

Ms. Vera, a member of Mr. Wing's committee, spoke against any salary cuts being made. She then made certain recommendations for future budgetary committee by the City Council, (a copy of which is made a part of the papers of this meeting).

Mr. Webb stated that a number of fringe benefits in his opinion can be cut out.

Mr. Hasslocher stated that overall this process was an excellent process of budget review.

Mrs. Dutmer, as chairman of the Public Safety Services Committee, briefly summarized her written report, (a copy of which is made a part of the papers of this meeting), and she briefly outlined each budgetary item considered.

Mr. Martinez, a member of Mrs. Dutmer's committee, briefly summarized his report, (a copy of which is made a part of the papers of this meeting). He stated further that fire and police have his highest priority.

Mr. Thompson, a member of Mrs. Dutmer's committee, briefly summarized his own personal report, (a copy of which is made a part of the papers of this meeting). He spoke in favor of basic fire and police services and a flat rate employee pay increase if any is given.

Mayor Cisneros thanked all Council members that took part for their hard work in this effort.

Mr. Louis J. Fox, City Manager, stated that this was an excellent exercise in budgetary preparation and he recommended a more systematic look be taken at departmental consolidation in the future. He stated that he would have a number of recommendations for City Council consideration soon.

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86-19

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CITIZENS TO BE HEARD

May 1, 1986
sr

MR. JAMES L. ERICKSON

Mr. James L. Erickson appeared to speak before the City Council regarding the action taken by City Council in reference to his appeal from the decision of the Transportation Advisory Board to deny his taxicab license. He stated that he had not received notice of the appeal to be heard before the City Council.

Mayor Cisneros stated that the Council had heard the appeal and had based its decision to uphold the decision of the Transportation Advisory Board on the merits of the case and it would have made no difference whether he had been present or not.

Mr. Erickson stated that there are other taxicab drivers with licenses with worse records.

Mayor Cisneros asked Mr. Erickson to visit with City Attorney Lowell Denton on this matter on what recourse he may have.

* * * *

MR. TOMMY RIHN

Mr. Tommy Rihn stated that his property had recently been annexed by the City and he had wanted to resell his property and was told that there would be a fee for a rezoning application.

Mayor Cisneros stated that he could apply for non conforming rights, however after discussion of this matter advised Mr. Rihn that the City Council would not want to set a precedent of waiving the fees for rezoning applications.

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The City Council recessed the "A" session at 7:00 P.M. to convene for an Executive Session and a "B" Session, reconvening the "A" Session at 8:30 P.M.

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86-19 At this time, Mayor Cisneros distributed a copy of a survey rating the city's services and amenities, (a copy of which is on file with the papers of this meeting).

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86-19

CARNIVAL SITE

Councilman Hasslocher stated that the carnival site around City Hall is very disruptive to City Hall business. He asked that Councilman Webb, Chairman of the Fiesta Committee to reconsider the site for next year.

Mr. Webb stated that the City Council and city staff have received alternate sites through the years and have decided that the present site is the least disruptive.

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86-19 The City Clerk read the following Letter:

April 22, 1986

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

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

April 22, 1986

Petition was submitted by Mr. Pat Garland, President, McCreless Meadows Neighborhood Association, 3102 Nancy Carole Way, San Antonio, Texas, requesting that Nancy Carole Way, between Bobbie Allen Way and Southton Road, be designated a city street.

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/s/ Norma S. Rodriguez
City Clerk

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There being no further business to come before the City Council, the meeting was adjourned at 8:40 P.M.

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A P P R O V E D

Henry Cisneros
M A Y O R

ATTEST: *Norma S. Rodriguez*
C I T Y C L E R K

May 1, 1986
sr