

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, DECEMBER 10, 1981

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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, EURESTE, THOMPSON ALDERETE, CISNEROS, HARRINGTON, ARCHER, HASSLOCHER; Absent: None.

81-62 The invocation was given by Reverend John H. Strange, Pastor, Good Shepherd Presbyterian Church.

81-62 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

81-62 SWEARING IN CEREMONY

City Clerk, Norma S. Rodriguez administered the Oath of Office to Councilman James Hasslocher, who will serve as Mayor Pro-Tem during the period of December 11, 1981 to February 22, 1982.

Councilman Hasslocher then introduced members of his family in the audience.

The Mayor and Council congratulated Councilman Hasslocher on his appointment.

81-62 Mayor Cisneros expressed his appreciation to Councilman Alderete for his services as Mayor Pro-Tem.

81-62 REPRESENTATIVES FROM FORD MOTOR COMPANY

Mayor Cisneros introduced three visitors in the audience today from the Ford Motor Company from Detroit, Michigan. They were: Dr. Marilyn King, Mr. Da Musse and Ms. Christie Kane. Mayor Cisneros presented gifts to them.

Dr. Marilyn King thanked the Mayor and City Council for its recognition and spoke of their visit to San Antonio in conjunction with the American Association of Retired Persons' Convention.

81-62 MRS. ROSALIE MANZANO

Mayor Cisneros and Councilman Eureste presented a Letter of Appreciation to Rosalie Manzano, Executive Secretary to the City Council, for her outstanding service to the City and her achievement in obtaining her Bachelor of Arts Degree in Public Administration from Our Lady of the Lake University.

Mrs. Manzano thanked the Mayor and City Council for the recognition.

Mayor Cisneros read a Proclamation declaring December 17-24, 1981 as "Pancho" Claus Week.

"Pancho" Claus extended greeting to all the citizens of San Antonio from the people in Mexico and spoke of the scheduled activities planned at the Market Square with the assistance of the American G.I. Forum Miguel Hernandez Chapter.

81-62 CONSENT AGENDA

Councilwoman Dutmer moved that items 4-25 constituting the consent agenda be approved with the exception of items 5,7,9, 18, 20 to be pulled for individual consideration. Mr. Harrington 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, Eureste, Thompson, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT:None.

AN ORDINANCE 54,638

ACCEPTING THE LOW QUALIFIED BID OF NCR TO FURNISH THE CITY OF SAN ANTONIO WITH THE PRINTING OF IMPOUNDED MOTOR VEHICLE RECORD AND RECEIPT FORMS FOR A NET TOTAL OF \$3,104.50

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AN ORDINANCE 54,639

ACCEPTING THE LOW BID OF THE EXECUTIVE SERVICE CENTER TO FURNISH THE CITY OF SAN ANTONIO WITH THE MAINTENANCE AND SERVICE OF IBM TYPEWRITERS FOR A NET TOTAL OF \$36.00 PER UNIT.

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AN ORDINANCE 54,640

AMENDING THE DESIGN PHASE OF THE PEAT, MARWICK, MITCHELL & CO., PROPOSAL IN SUPPORT OF THE REGIONAL WASTEWATER UTILITY, APPROPRIATING ADDITIONAL FUNDS FROM THE SEWER REVENUE FUND AND AUTHORIZING PAYMENT TO THE CONTRACTOR.

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AN ORDINANCE 54,641

ACCEPTING THE LOW QUALIFIED BID BY JOE F. MORALES CONTRACTOR, INC., IN THE SUM OF \$18,423, ON THE PROJECT TO REPLACE SIDEWALKS AND DRIVEWAYS ON SALDANA STREET; AUTHORIZING EXECUTION OF A STANDARD PUBLIC WORKS CONTRACT: AUTHORIZING A BUDGET REVISION; AND AUTHORIZING PAYMENTS.

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AN ORDINANCE 54,642

AUTHORIZING PAYMENT OF ADDITIONAL ENGINEERING FEES TO K.M. NG & ASSOCIATES, INC., FOR DESIGN WORK FOR THE RECONSTRUCTION OF DENVER STREET, ARANSAS AVE. AND PINE STREET AND REVISING THE PROJECT BUDGET.

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AN ORDINANCE 54,643

AUTHORIZING EXECUTION OF FIELD ALTERATION NO.7 IN THE SUM OF \$25,384 TO THE CONTRACT ON THE OLMOS CREEK DRAINAGE PROJECT; AND REVISING THE PROJECT BUDGET.

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AN ORDINANCE 54,644

AUTHORIZING EXECUTION OF A LEASE OF SPACE AT INTERNATIONAL AIRPORT TO BEECH HOLDINGS, INC. AND CONSENTING TO A SUBLEASE TO CHAPPARAL AVIATION, INC.

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AN ORDINANCE 54,645

AUTHORIZING THE CITY MANAGER TO EXECUTE A SPECIAL WARRANTY DEED CONVEYING A TRACT OF SURPLUS CITY-OWNED PROPERTY TO LEONARDO JIMENEZ AND WIFE, LUCIA R. JIMENEZ FOR A CONSIDERATION OF \$1,975.00.

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AN ORDINANCE 54,646

CLOSING AND ABANDONING PORTIONS OF SAN LUIS AND DURANGO STREETS FROM SOUTH SALADO TO SOUTH MEDINA STREETS, BETWEEN NEW CITY BLOCKS 240 and 241, AND SOUTH MEDINA STREET FROM SAN FERNANDO TO DURANGO STREETS, BETWEEN NEW CITY BLOCKS 240, 241, 242, AND 270, VISTA VERDE U.R.P., AND AUTHORIZING A QUITCLAIM DEED TO THE SAN ANTONIO DEVELOPMENT AGENCY OF SAN ANTONIO, THE ADJACENT OWNERS.

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AN ORDINANCE 54,647

ACCEPTING THE DEDICATION OF EASEMENTS TO CERTAIN LANDS; ACCEPTING AN INDENTURE AGREEMENT AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAME; ALSO AUTHORIZING THE CITY MANAGER TO EXECUTE AN EASEMENT; ALL TO BE USED IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS.

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AN ORDINANCE 54,648

ACCEPTING THE HIGH BIDS RECEIVED IN CONNECTION WITH \$7,000,000 IN CITY FUNDS AVAILABLE FOR DEPOSIT IN INTEREST-BEARING CERTIFICATES OF DEPOSIT.

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AN ORDINANCE 54,649

APPROPRIATING FUNDS AND AUTHORIZING PAYMENT OF THE INSURANCE PREMIUM FOR ANNUAL AGGREGATE STOP LOSS INSURANCE FOR THE EMPLOYEE GROUP MEDICAL BENEFIT PROGRAM.

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AN ORDINANCE 54,650

ACCEPTING A GRANT OF \$150,000.00 FROM THE GOVERNOR'S OFFICE OF GENERAL COUNSEL AND CRIMINAL JUSTICE IN SUPPORT OF THE COST OF OBTAINING A MANAGEMENT STUDY OF THE SAN ANTONIO POLICE DEPARTMENT; ESTABLISHING A FUND AND ADOPTING A BUDGET AND AUTHORIZING EXECUTION OF A GRANT AGREEMENT.

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AN ORDINANCE 54,651

AUTHORIZING AN AGREEMENT WITH AEROBIC FITNESS FOR USE OF SPACE IN CITY RECREATION CENTERS TO CONDUCT A DANCE FITNESS PROGRAM.

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A RESOLUTION
81-62-103

DIRECTING THE CITY MANAGER TO ADVERTISE FOR BIDS ON OIL AND GAS LEASES ON CERTAIN TRACTS OF LAND IN BEXAR COUNTY.

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AN ORDINANCE 54,652

AMENDING CHAPTER 38 (TRAFFIC REGULATIONS) OF THE CITY CODE SETTING FORTH LOCATIONS AT WHICH ELECTRIC TRAFFIC CONTROL SIGNALS ARE IN FULL OPERATION; DESIGNATING YIELD RIGHT-OF-WAY LOCATIONS; SETTING MAXIMUM SPEED LIMITS ON CERTAIN STREETS; PROHIBITING PARKING AT ALL TIMES ON CERTAIN STREETS; PROHIBITING STOPPING, STANDING OR PARKING DURING CERTAIN HOURS ON CERTAIN STREETS; PROHIBITING TURNS DURING CERTAIN HOURS AT CERTAIN INTERSECTIONS; PROHIBITING RIGHT TURN ON RED LIGHT; PROHIBITING LEFT TURN ON RED; IDENTIFY PARKING SPACES FOR HANDICAPPED; AND PROVIDING THAT VIOLATIONS HEREOF BE PUNISHABLE BY A FINE OF NOT LESS THAN \$1.00 NOR MORE THAN \$200.00

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AN ORDINANCE 54,653

AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE, SETTLE AND PAY CLAIM NO. 30,072, DATED SEPTEMBER 10, 1981, BY MR. AND MRS. HENRY G. LOPEZ AGAINST THE CITY OF SAN ANTONIO.

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81-62 The Clerk read the following Ordinance:

AN ORDINANCE 54,654

ACCEPTING THE LOW BID OF THE KLEER
COMPANY TO FURNISH THE CITY OF SAN
ANTONIO WITH PLASTIC NAME BADGES
FOR A NET TOTAL OF \$6,900.00

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

Mrs. Dutmer questioned Mr. John Brooks, Director of Purchasing, about the price differential of #3,000.00 between the low bidder and the next lowest bidder.

In response, Mr. Brooks explained that the item bid submittee meets specifications, the saving is due to buying from the manufacturer rather than from the distributor.

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

81-62 The Clerk read the following Ordinance:

AN ORDINANCE 54,655

ALLOWING SOUTHWESTERN BELL TO PROCEED
WITH THE PROGRAM OF INSTALLING PUBLIC
TELEPHONES ON CITY-OWNED PROPERTY.

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

Mr. John Brooks, Director of Purchasing, stated that Southwestern Bell wanted to install public telephones on City-owned property and pay to the City of San Antonio a 10% commission on all local and long distance telephones. Mr. Brooks also stated that every location would have to be approved by the City.

A discussion then took place on the location of the sites in answer to concerns which Mr. Webb and Mrs. Dutmer had expressed concern about.

At this point Mr. Webb made a substitute motion to postpone this Ordinance until the traffic department review of these locations took place. Mrs. Berriozabal seconded the motion. On roll call the motion failed, AYES: None; NAYS: Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Harrington, Archer, Hasslocher, Cisneros; ABSENT: None.

Mr. Brooks stated that 40 sites had been checked with Traffic Engineering Division and then proceeded to described some of the exact locations of where these phones will be installed.

Mr. Harrington Then moved for an amendment to approve the sites except for those in Districts 1,2,and 3. Motion died for lack of a second.

Mrs. Dutmer made an amendment to the original motion. She moved that the staff confer with Council members on location of phones in each of their respective district. AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT:None. The motion carrying with it the passage of the Ordinance prevailed by the followign vote: AYES:Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS:None; ABSENT: None.

AN ORDINANCE 54,656

ACCEPTING THE LOW QUALIFIED BID OF AIRLINE BAGGAGE HANDLING, INC., IN THE AMOUNT OF \$434,861.00 FOR THE CONSTRUCTION OF THE INTERNATIONAL AIRPORT TERMINAL CONVEYOR SYSTEMS (STAGE 2-PACKAGE 12); AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION AGREEMENT: APPROPRIATING \$456,605.00 IN THE AIRPORT SYSTEM REVENUE FUND; AND AUTHORIZING PAYMENT.

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

In response to a question by Mr. Alderete, Mr. Tom Raffety, Director of Aviation, stated that a Hold Harmless agreement had been prepared by the City Attorney which states that the low bidder will hold the City free from any suit or claim which may arise.

Mr. David Frost of Allied Bank Inc. stated that he is the low bidder and said he had signed a statement indemnifying the City of San Antonio in the event there is a suit filed over patent infringement.

Mr. Ricardo Cedillo representing the Stearns Manufacturing Company, the next lowest bidder, stated that the patent is their life blood. He took exception to the claim that the low bidder did have 3 years experience. He asked the City Council not to approve the bid at this time. The Stearns Co. is willing to pay up to \$5,000.00 in order to have a city staff member personally review the equipment which may be located outside of the City.

City Attorney Jane Macon stated that she suggests that possible litigation be discussed in the Executive Session.

A discussion then took place on the statement made by Mr. Cedillo as to possible patent infringement.

In response to Mrs. Dutmer's question, Mr. Raffety stated that the City Program Manager prepared the bid document and stated that the low bidder has met the bid specifications and that there is no reason to believe that the low bidder is deliberately misleading the City.

At this time Mr. Harrington moved to call the question. Mr. Hasslocher seconded the motion. On roll call the motion failed by the following vote: AYES: Dutmer, Wing, Euste, Harrington, Archer, Hasslocher; NAYS: Berriozabal, Webb, Thompson, Alderete, Cisneros. ABSENT: None.

At this time Mr. Alderete made a motion to postpone until this item has been discussed in Executive Session. Motion failed because of a lack of a second.

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

AN ORDINANCE 54,657

AUTHORIZING PAYMENT OF REFUNDS TO PERSONS

MAKING OVERPAYMENTS OR DOUBLE PAYMENTS ON
25 TAX ACCOUNTS

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Mr. Thompson moved to approve the Ordinance. Mrs. Dutmer 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, Eureste, Thompson, Alderete, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: None; DISQUALIFIED: Harrington.

81-62 The Clerk read the following Ordinance:

20. AN ORDINANCE 54, 658

BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS, APPROVING THE PURCHASE OF CERTAIN HEAVY EQUIPMENT AND AUTHORIZING PAYMENT THEREFORE: MAKING CERTAIN FINDINGS AND DETERMINATIONS IN REGARD TO SAID PURCHASE AND PAYMENT; AND DECLARING AN EMERGENCY.

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

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

81-62 The Clerk read the following Ordinance:

35. AN ORDINANCE 54,659

SETTING A TIME, PLACE, AND DATE FOR A PUBLIC HEARING ON THE CREATION OF REINVESTMENT ZONES IN ACCORDANCE WITH THE TAX INCREMENT FINANCING ACT; AND AUTHORIZING NOTICE OF SUCH HEARING

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

Mr. Wing then made an amendment to the motion to consider the Somerset Road area both east and west as a possible reinvestment zone. Mr. Hasslocher seconded the motion.

Mr. Ken Daly, Assistant Director of Planning Division of the Department of DEED, presented an artist's rendering of the proposed reinvestment site.

City Manager, Thomas Huebner expressed concern to the Council about the possible hazards involved with Tax Increment Financing.

A discussion then took place between Council members on a possible inclusion of other areas as proposed reinvestment zones. The Mayor expressed concern about the time constraints the City is facing on this issue and the problems associated with designating additional zones.

In response to a question by Mrs. Dutmer, Mr. Daly explained the tax increment financing amendment and enabling legislation would have

the effect of freezing current appraised values of all property in the zone as a "tax increment base".

Mr. El L. Richey, spoke in opposition to the Ordinance stating that small businesses are being driven out of the downtown area.

Mr. Karl Wurz also spoke against the passage of the Ordinance. He feels that financial burden will be shifted to the residential segment of the City.

Mr. Erich A. Ehrenstrasses, Executive Vice-President of the Gunter Hotel, spoke in favor of the Ordinance and described their efforts in revitalizing the downtown area.

Mayor Cisneros urged that the staff contact every business in the affected area by word of mouth and apprise them of the City's plans.

Members of the Council then spoke pro and con on passage of the Ordinance.

On roll call, the amendment prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Harrington, Archer, Hasslocher, Cisneros. NAYS: None; ABSENT: None.

After further discussion, on roll call, the main motion as amended, prevailed by the following vote: Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: None.

81-62 Mayor Cisneros introduced and welcomed the Highlands High School Government Class.

Mrs. Dutmer noted that Highlands High School band was the only band in the City that was invited to compete in the Band Festival in Florida.

81-62 ZONING HEARINGS

26. CASE 8632 P.P. to rezone the west irregular 100' of the south 319.04' of Lot 4, Block 11, NCB 8358, 1272 Bandera Road from "B-3R" Restrictive Business District and "B-1" Business District to "I-1" Light Industrial District, located on the northeast side of Bandera Road, being 205' southeast of the intersection of E. Ligustrum Drive and Bandera Road, having 100' on Bandera Road and a depth of 319.04'

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

Mr. Andy Guerrero, Planning Administrator, explained the request and noted that of the 20 notices mailed out by City staff to property owners within 200 feet of the property in question, three were returned in opposition to the requested rezoning.

Mr. Vernon Marsalis, 1272 Bandera Road, the proponent, stated that he asked for the rezoning in order to put up a small cement batching operation and explained that he was willing to modify his request to include only the area where the B-3R zoning currently exists, leaving the area with current B-1 zoning out of the request for rezoning. Mr. Marsalis then distributed photographs of the type equipment to be installed and used in the cement batching plant and the trailers required to haul the cement in and out of the property.

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Speaking in opposition, Mr. Tom Garrison, realtor, 4766 S.W. Military Drive, stated that he has a rental management agreement on the property at 1278 Bandera, spoke to the use of the house on the subject property as being used for rental property for some years, and stated his fears as to other possible uses of the property in years to come.

Mr. Rolando Garcia, 3926 Maxine, whose property adjoins the property in question, spoke against the request.

Mrs. Virginia Pena, 3243 Gypsy, also spoke against the request and spoke of the noise pollution and floodwater runoff in the area.

Mrs. Ernestine Hernandez, 3918 Maxine, spoke against the rezoning, stating that the fence will not stop the flowing cement dust and noise.

Mr. Alderete recommended that the request of zoning be approved provided that (1) a 6-foot solid screen fence is erected and maintained along the northeast property line; (2) a 6-foot solid screen fence is erected and maintained along the southeast property line of Lot 4, save and except the southwest 150 feet of same property line; (3) Mr. Marsalis agrees to make it part of the record that in the event of the sale of the subject property, he will petition the City for a down-zoning of the I-1 zoning to B-3R Restrictive Business District; and (4) Mr. Marsalis further agrees to move the concrete batching machine from the back yard of the existing structure to the front yard of said structure to the front yard of said structure.

Mrs. Dutmer then made the motion that the Ordinance be approved with the stipulations outlined by Mr. Alderete. Mr. Harrington seconded the motion.

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

AN ORDINANCE 54,660

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 THE SOUTHWEST 150 FEET OF LOT 4, BLOCK 11, NCB 8358, 1272 BANDERA ROAD FROM "B-3R" RESTRICTIVE BUSINESS DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT A 6 FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTHEAST PROPERTY LINE; FURTHER PROVIDED THAT A 6-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE SOUTHEAST PROPERTY LINE OF LOT 4, SAVE AND EXCEPT THE SOUTHWEST 150 FEET OF SAME PROPERTY LINE.

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31-62 CASE 8690 to rezone a 123.60 acre tract of land out of City Block 4983, being further described by field notes filed in the Office of the City Clerk, from "Temporary R-1" to R-1"; a 47.12 acre tract of land out of City Block 4983, being further described by field notes filed in the Office of the City Clerk, from "Temporary R-1" to R-3; a 26.45 acre tract of land out of City Block 4983, being further described by field notes filed in the Office of the City Clerk, in the 4400 Block of N.W. Military Highway from Temporary R-1 to B-2, located southeast of Castle

Hill Forest Subdivision, between N.W. Military Highway and Voelcker Lane, being approximately 1230' south of the intersection of George Road and N.W. Military Hwy, approximately 450; southeast of intersection of George Road and Voelcker Lane, having 2120' on N.W. Military Hwy and 3,763.80' on Voelcker Lane.

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

Mr. Andy Guerrero, Planning Administrator, read the request and noted that 11 notices had been received in opposition.

No citizen appeared to speak in opposition.

After discussion, Mr. Harrington moved to approve the Ordinance provided that a six foot solid screen fence is erected and maintained along the north property line of the requested R-3. Mrs. Dutmer seconded the motion.

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

AN ORDINANCE 54,661

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 123.60 ACRE TRACT OF LAND OUT OF CITY BLOCK 4983, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM "TEMPORARY R-1" TO "R-1"; A 47.12 ACRE TRACT OF LAND OUT OF CITY BLOCK 4983, BEING FURTHER DESCRIBED BY FIELD NOTES IN THE OFFICE OF THE CITY CLERK FROM "TEMPORARY R-1" TO "R-3"; A 26.45 ACRE TRACT OF LAND OUT OF CITY BLOCK 4983, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 4400 BLOCK OF N.W. MILITARY HIGHWAY FROM "TEMPORARY R-1" TO "B-2", PROVIDED THAT A 6' SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTH PROPERTY LINE OF THE REQUESTED R-3.

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81-62 CASE 8689 to rezone the Southwest 77.66' of the Northwest 460' of Lot 8V and the Southeast 392.8' of the Southwest 227.66' of Lot 8V, NCB 12057, 11711 W. Coker Loop from "A" Single Family Residential District to "B-3R" Restrictive Business District, located on the Northside of W. Coker Loop Road, being approximately 2280' Northeast of the intersection of North Loop Road and W. Coker Loop Road having 229.66' on W. Coker Loop Road and a maximum depth of 816.5'

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

Mr. Andy Guerrero, Planning Administrator, read this request and noted that 11 notices were mailed by the staff and 5 were received in favor.

Ms. Patricia Krause, 11618 N. Coker Loop stated that this area was historical property and that area should be developed with dignity.

Mrs. Ada Jamison appeared to speak in opposition.

After consideration, Mrs. Dutmer moved that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished and that street dedication is provided if necessary. Mr. Webb seconded the motion. On voice vote, the motion carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Thompson, Harrington, Hasslocher; NAYS: Archer, Cisneros; ABSENT: Eureste, Alderete.

AN ORDINANCE 54,662

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 THE SOUTHWEST 77.66' OF THE NORTHWEST 460' OF LOT 8V AND THE SOUTHWEST 392.8' OF THE SOUTHWEST 227.66' OF LOT 8V, NCB 12057 WEST COKER LOOP, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED AND THAT STREET DEDICATION IS PROVIDED IF NECESSARY.

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81-62 Mayor Cisneros left the meeting at 4:40 P.M. and Mayor Pro-Tem James Hasslocher presided.

81-62 CASE 8685 to rezone a 1.32 acre tract of land out of NCB 10838, being further described by field notes filed in the Office of the City Clerk, in the 4000 block of E. Southcross Blvd. from "R-3" Multiple Family Residential District to "B-1" Business District, located on the southside of E. Southcross Blvd., being south of the intersection of the Club View Drive and E. Southcross Blvd., having 250' on the southside of E. Southcross Blvd., and a depth of 250'.

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

No citizen appeared in opposition.

After consideration, Mrs. Dutmer moved that the recommendation of the Zoning Commission be approved provided that a 6-foot solid screen fence is erected and maintained on the east property line, save and except the front 25-feet of the property, facing E. Southcross Blvd.; further provided that a 6 foot solid screen fence is erected and maintained on the south property line, save and except the west 25 feet of same property line; and provided that applicant work with the Traffic Engineering Division for proper access and off-street parking. Mr. Hasslocher seconded the motion. On roll call, the motion carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Thompson, Hasslocher, Cisneros; NAYS: None; ABSENT: Eureste, Alderete, Harrington, Archer.

AN ORDINANCE 54,663

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 1.32 ACRE TRACT OF LAND OUT OF NCB 10838, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 4800 BLOCK OF E. SOUTHCROSS BLVD. FROM R-3 MULTIPLE FAMILY RESIDENTIAL DISTRICT TO "B-1" BUSINESS DISTRICT, PROVIDED THAT A 6 FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ON THE EAST PROPERTY LINE, SAVE AND EXCEPT THE FRONT 25 FEET OF THE PROPERTY, FACING EAST SOUTHCROSS BLVD., FURTHER PROVIDED THAT A 6 FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ON THE SOUTH PROPERTY LINE, SAVE AND EXCEPT THE WEST 25 FEET OF SAME PROPERTY LINE; AND PROVIDED THAT APPLICANT WORK WITH THE TRAFFIC ENGINEERING DIVISION FOR PROPER ACCESS AND OFF-STREET PARKING.

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81-62 CASE 8688 to rezone Lots 1 and 2 Block 15, NCB 15644, in the 10,200 block of Roosevelt Avenue (U.S. Hwy 281 South) from Temporary "R-1" One Family Residential District to "B-3R" Restrictive Business District, located Northeast of the intersection of San Acacia Street and Roosevelt Avenue, having 86.8' on Roosevelt Avenue and 130.3' on San Acacia Street.

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

No citizen appeared in opposition.

After consideration, Mrs. Dutmer moved that the recommendation of the Zoning Commission be approved provided that street dedication is provided if necessary and that a six foot solid screen fence is erected and maintained along the east property line. Mr. Webb seconded the motion. On roll call the motion carrying with the passage of the following Ordinance, prevailed by the following vote: AYES: Webb, Dutmer, Wing, Thompson, Harrington, Hasslocher, Cisneros; NAYS: None; ABSENT: Berriozabal, Eureste, Alderete, Archer.

AN ORDINANCE 54,664

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 1 AND 2 BLOCK 15, NCB 15644, IN THE 10,200 BLOCK OF ROOSEVELT AVE., (U.S. HWY 281 SOUTH), FROM TEMPORARY "R-1" ONE FAMILY RESIDENTIAL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT STREET DEDICATION IS PROVIDED IF NECESSARY AND THAT A 6' SOLID SCREEN FENCE IS ERRECTED AND MAINTAINED ALONG THE EAST PROPERTY LINE.

* * * *

81-62 CASE 8691 to rezone arbitrary tract 15, NCB 10613, in the 4500 block of Emil Road, from "A" Single Family Residence District to "I-1" Light Industry District, located on the Northside of Emil Road, being 631.41' East of the intersection of North W.W. White Road and Emil Road, having 100' on Emil Road and a depth of 400.64'.

No citizen appeared to speak in opposition.

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

After consideration, Mr. Webb moved that the recommendation of the Zoning Commission be approved, provided that proper platting is accomplished and street dedication is provided, if necessary, and that a six foot solid screen fence is erected and maintained along the west property line until such time the adjacent lot to the west transitions to commercial. Mr. Wing seconded the motion. On roll call, the motion carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Webb, Dutmer, Wing, Thompson, Harrington, Hasslocher, Cisneros; NAYS: None; ABSENT: Berriozabal, Eureste, Alderete, Archer.

AN ORDINANCE 54,665

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 ARBITRARY TRACT 15, NCB 10613, IN THE 4500 BLOCK OF EMIL ROAD, FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT PROPER

PLATTING IS ACCOMPLISHED AND STREET DEDICATION IS PROVIDED IF NECESSARY. ALSO, THAT A 6 FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE WEST PROPERTY LINE UNTIL SUCH TIME THE ADJACENT LOT TO THE WEST TRANSITIONS TO COMMERCIAL.

* * * *

81-62 CASE 8699 - to rezone Lot 7, and the Southwest 217.79' of Lot 6 Block 1, NCB 13801, 5306 Sherri Ann Drive from Temporary "A" Single Family Residential District to "B-3R" Restrictive Business District, located between Sherri Ann Drive and Randolph Blvd., being 1597.57 Southwest of the intersection of Randolph Blvd., and Sherri Ann Drive, having 160.07' on Sherri Ann Drive, 255.94' on Randolph Blvd. and a maximum depth of 346.2'.

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.

After consideration, Mr. Webb moved that the recommendation of the Zoning Commission be approved provided that the applicant work with the Traffic Engineering Division to provide primary access to Randolph Blvd. Mr. Hasslocher seconded the motion. On roll call, the motion carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Webb, Dutmer, Wing, Thompson, Harrington, Hasslocher, Cisneros, NAYS: None; ABSENT: Berriozabal, Eureste, Alderete, Archer.

AN ORDINANCE 54,666

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 LOT 7 AND THE SOUTHWEST 217.79' OF LOT 6, BLOCK 1, NCB 13801, 5306 SHERRI ANN DRIVE FROM TEMPORARY "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT THE APPLICANT WORK WITH THE TRAFFIC ENGINEERING DIVISION TO PROVIDE PRIMARY ACCESS TO RANDOLPH BLVD.

* * * *

81-62 CASE 8702 to rezone a 0.386 acre out of NCB 9018, being further described by field notes filed in the Office of the City Clerk, 4702 San Pedro Avenue from "F" Local Retail District to "B-3R" Restrictive Business District located northeast of the intersection of Audubon Street and San Pedro Avenue, having 101.65' on San Pedro Avenue and 165.5' on Audubon Street.

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.

After consideration Mr. Webb moved that the recommendation of the Zoning Commission be approved provided that street dedication is provided if necessary and that a six foot solid screen fence is erected and maintained along the east property line. Mrs. Dutmer seconded the motion. On voice vote, the motion carrying with it the passage of the

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

AN ORDINANCE 54,667

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 0.386 ACRE OUT OF NCB 9018 BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF CITY CLERK, 4702 SAN PEDRO AVENUE FROM "F" LOCAL RETAIL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT STREET DEDICATION IS PROVIDED IF NECESSARY AND THAT A 6 FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE EAST PROPERTY LINE.

* * * *

81-62 CASE 8700 to rezone a 20.78 acre out of NCB 13667, being further described by field notes filed in the Office of the City Clerk, in the 4800 Block of Hamilton-Wolfe Road, from "B-3" Business District to "R-3" Multiple Family Residence District located on the Northside of Hamilton-Wolfe Road and on the west side of Cinnamon Creek Drive, being approximately 370' west and approximately 300' north of the intersection of Cinnamon Creek Drive and Hamilton-Wolfe Road, having approximately 430' on Hamilton-Wolfe Road; approximately 670' on Cinnamon Creek Drive and having approximate maximum depth of 1400'.

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.

After consideration, Mr. Harrington moved that the recommendation of the Zoning Commission be approved. Mr. Webb seconded the motion. On roll call, the motion carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Webb, Dutmer, Wing, Thompson, Harrington, Hasslocher, Cisneros; NAYS: None; ABSENT: Berriozabal, Eureste, Alderete, Archer.

AN ORDINANCE 54,668

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 20.78 ACRE OUT OF NCB 13667, BEING FURTHER DESCRIBED BY FIELD NOTES, FILED IN THE OFFICE OF THE CITY CLERK. IN THE 4800 BLOCK OF HAMILTON-WOLFE ROAD, FROM "B-3" BUSINESS DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT.

* * * *

81-62 The Clerk read the following Ordinance:

AN ORDINANCE 54,669

AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH GOODWILL INDUSTRIES OF

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SAN ANTONIO, INC. IN CONNECTION WITH THE
GOODWILL NORTH CAMPUS PROJECT.

* * * *

Mrs. Dutmer moved to approve the Ordinance. Mr. Wing 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, Thompson, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Eureste, Alderete, Harrington.

81-62 The Clerk read a purposed ordinance to reprogram funds from the Community Development Block Grant Program year 7 contingency account to the Migrant Service Center Project account.

Mr. Hasslocher moved to the motion. The motion was seconded by Mrs. Dutmer.

Mr. Wing emphasized that the money available in the contingency fund is very important because of shortfalls in CDBG project. He feels that when there are shortfalls that the money could be better spent to complete on-line projects. He further explained that the proposed site is deep into the south of San Antonio and doesn't feel that the majority of the community will be benefited. He asked that the City Council reconsider this project and that the money be used in any CDBG shortfalls.

Mr. Thompson agreed with Mr. Wing's statements and stated that this project should be delayed until a site is found later where more people will benefit.

Mr. Remigio Valdez then gave the background history of his years in trying to bring this project to fruition. He stated that he feels Mr. Thompson's suggestion should be followed.

Mr. Wing then made a substitute motion to put the money back into the contingency fund to be used in CDBG shortfalls such as Vista Verde South & Somerset Road. Mr. Archer seconded the motion. The motion carried by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: None.

Mrs. Dutmer made an amendment that the City Council in the future keep its commitment to Mr. Remigio Valdez. Mr. Alderete seconded the motion. On roll call the motion to amend prevailed by the following vote: AYES: Berriozabla, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: NONE; ABSENT: None.

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

81-62 The Clerk read the following Resolution:

A RESOLUTION
81-62-104

WHEREAS The National League of Cities represents over 15,000 municipalities in the United States as it seeks to strengthen institutions of local government by encouraging effective local leadership, and

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WHEREAS, in 1975 the Elected Spanish Speaking Officials Caucus was formed by the National League of Cities to espouse and communicate more involvement by the elected Hispanic city officials in urban America, and

WHEREAS Philip Morris USA/Inc. has shown a concern and understanding for the development of Hispanic leadership by strengthening its network, and

WHEREAS Philip Morris USA/Inc. and Miller Brewing Company have given resources for such an undertaking during the National League of Cities Conference in Detroit November 28-December 2, 1981, NOW, THEREFORE:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO

That the City of San Antonio expresses its appreciation to these entities for its work and dedication in minority leadership development and strengthening such a network for greater national communication.

* * * *

Mr. Hasslocher moved to approve the Resolution. Mr. Harrington seconded the motion.

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

81-62 The Clerk read the following Ordinance:

AN ORDINANCE 54,670

SETTING A MAXIMUM OF \$500.00 PER MONTH FOR REIMBURSEMENT OF COUNCIL MEMBERS FOR EXPENSES IN CONNECTION WITH THEIR OFFICIAL DUTIES, AND AMENDING THE BUDGET IN CONNECTION HERewith.

* * * *

Mr. Webb moved to approve the Ordinance. Mr. Hasslocher seconded the motion.

Mrs. Dutmer stated that Social Security and Withholding will have to be taken out for any part-time help. She outlined expenses which are not reimbursable. On voice vote the motion carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Berriozabal, Webb, Wing, Eureste, Thompson, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: Dutmer; ABSENT: None.

81-62 TRAVEL AUTHORIZATION-Granted
44.

Mayor Henry Cisneros to travel to Washington, D.C. from December 14 to December 15, 1981 to attend President's Federalism Committee Meeting.

On voice vote the travel authorization passed. AYES: Berriozabla, Webb, Wing, Eureste, Thompson, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Dutmer.

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81-62

CAPPING OF ARTESIAN WELL
1847 LYONS STREET

Mrs. Berriozabal described her months of work on this issue. She presented photographs and pointed the deterioration of this property and other properties around. Mrs. Berriozabal noted how it is jeopardizing the health of the families (mostly elderly) who live nearby and is generally a great public nuisance. Both Mrs. Berriozabal and Mr. Eureste visited the home at 1847 Lyons Street.

Mr. Thompsen stated that he agrees that the situation should be remedied, however, he is concerned about securing the position of the City to recuperate its money and not make this an outright gift. Mr. Thompson made an amendment that a lien be placed on the property so that when the property is sold the money is repaid to the City. Mr. Archer seconded the motion. The motion failed on the following vote: AYES: Thompson, Archer, Cisneros; NAYS: Berriozabal, Webb, Wing, Eureste, Alderete, Harrington, Hasslocher, ABSENT: Dutmer.

Mr. Harrington noted that the City would save money in the long run by capping the well and thus keeping the street operable.

After considerable discussion Mrs. Berriozabal made a motion to instruct the City Staff to place an item on the agenda which will instruct the City Public Works Department to cap the well. Mr. Harrington seconded the motion. The motion carried by the following vote: AYES: Berriozabal, Webb, Wing, Eureste, Thompson, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Dutmer.

81-62

CITIZENS TO BE HEARD

MS. BONNIE SYMONS

Ms. Symons read a prepared statement to the City Council regarding a Board of Adjustment Case No. A 2397 which involved her clients, Gerodetti and Steinle. (A copy of her prepared statement is on file with the papers of this meeting).

Councilman Thompson stated that he needs to review the activities of the Board of Adjustment. He asked that the City Attorney give the Council a full report on this case.

Councilman Alderete agreed that the City Council needs to review this case and that a report be given to the Council on December 22, 1981.

81-62

REV. R.A. CALLIES, SR.

Mr. Thompson stated that Rev. R. A. Callies had left the Council Chambers due to the lateness of the evening, however, he had left a prepared statement with the Mayor and City Council requesting a Proclamation be prepared declaring the month of January as "Brotherhood Month in San Antonio."

81-62

MS. CAROL SMITH

Ms. Carol Smith, Highlands High School Brigade, stated the City Council's flags were improperly positioned and asked for permission to re-position them.

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81-62 There being no further business to come before the Council,
the meeting was adjourned at 7:30 P.M.

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

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