

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, NOVEMBER 19, 1987.

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The meeting was called to order by the presiding officer, Mayor Pro Tem Frank Wing, in the absence of the Mayor, with the following members present: BERRIOZABAL, WEBB, DUTMER, WING, THOMPSON, WOLFF, LABATT, HASSLOCHER; Absent: MARTINEZ, VERA, CISNEROS.

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87-55 The invocation was given by Reverend Leo Villa, Templo Baptist Church.

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87-55 The members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

87-55 JAIL ARTS PROGRAM

Mayor Pro Tem Wing introduced Father Michael de Gerolami, chaplain of Bexar County Jail, who in turn presented the City with a color poster of a mural depicting the Pope's recent visit to San Antonio, done by inmates of Bexar County Jail. Each Council member also was presented a copy of the poster, as Father de Gerolami briefly outlined the Jail Arts Program.

Mayor Pro Tem Wing accepted the poster on behalf of the City.

Mrs. Berriozabal thanked Father de Gerolami, and spoke of a gift project for jail inmates this coming Christmas season.

Mr. Labatt spoke of the Jail Arts Program as a gift of dignity and self-esteem for the inmates.

87-55 ORIGINAL TEXAS CHRISTMAS FESTIVAL DAYS

Mayor Pro Tem Wing read an official proclamation, designating the "Original Christmas Festival Days" in San Antonio, and asked Mrs. Berriozabal, as representative of the downtown area, to join him in making the presentation.

Mr. Randy Harig, chairman of the festival, introduced "Texas Santa Claus" and his wife, Lady-Bug, as well as "Rudy the Red-Nosed RheinSteer"

"Santa Claus" briefly explained details of the festival events.

Mrs. Berriozabal presented the proclamation to the group and thanked them for their interest in downtown.

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DR. GUILLERMO PULIDO

Mayor Pro Tem Wing asked Mrs. Dutmer, as chairperson of the Council's International Relations Committee, to make a special presentation to Dr. Guillermo Pulido, new director of the National Autonomous University of Mexico Extension Branch in San Antonio.

A representative of UNAM thanked San Antonio for its support of UNAM Over the years, and spoke briefly of Dr. Pulido's background.

Mrs. Dutmer presented a book on San Antonio to Dr. Pulido and welcomed him to the city.

Dr. Pulido spoke of his eagerness to work with the UNAM Extension Branch in San Antonio.

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PANCHO CLAUS

Mayor Pro Tem Wing introduced "Pancho Claus" and several other representatives of the American G.I. Forum, present in the audience.

A spokesman for the American G.I. Forum spoke of the parade being planned for Pancho Claus through downtown San Antonio and other events that will be held during "Pancho Claus Week".

"Pancho Claus" then spoke to details of his Christmas Toy Drive for underprivileged children of San Antonio.

Mayor Pro Tem Wing read the proclamation designating "Pancho Claus Week" in San Antonio, and presented it to representatives of the American G.I. Forum."

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87-55 The minutes of the Regular City Council meetings of October 22, 1987 and October 29, 1987 were approved.

87-55 CONSENT AGENDA

Mrs. Dutmer made a motion to approve Agenda Items #5 - 31, constituting the Consent Agenda, with the exception of Items #8, 11, 14, 23, 25, and 29 which were 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, Wolff, Labatt; NAYS: None; ABSENT: Martinez, Thompson, Vera, Hasslocher, Cisneros.

AN ORDINANCE 66,085 .

ACCEPTING THE LOW BID OF HALL SIGNS, INC. TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH ALUMINUM SIGN BLANKS FOR A TOTAL OF \$63,417.00.

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AN ORDINANCE 66,086 .

ACCEPTING THE LOW BID OF ACE SERVICE CENTER TO FURNISH THE CITY OF SAN ANTONIO WITH SNAPPER MOWER PARTS AND SERVICE ON A CONTRACT BASIS FOR AN ESTIMATED TOTAL OF \$8,000.00.

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AN ORDINANCE 66,087 .

ACCEPTING THE LOW BID OF PAUL ANDERSON CO. TO FURNISH THE CITY OF SAN ANTONIO CENTRAL STORES WITH PENS FOR A TOTAL OF \$3,760.90.

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AN ORDINANCE 66,088 .

APPROVING AMENDMENT NO. 1 TO THE REIMBURSABLE AGREEMENT NO. SW-293 WITH THE FEDERAL AVIATION ADMINISTRATION FOR RELOCATION OF FAA REMOTE RECEIVER SITE AT SAN ANTONIO INTERNATIONAL AIRPORT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 66,089

AMENDING THE CONTRACT WITH JESSE Y. JUAREZ & CO., INC. ARCHITECT, FOR PROFESSIONAL SERVICES IN CONNECTION WITH THE AIRPORT FIRE RESCUE STATION AT SAN ANTONIO INTERNATIONAL AIRPORT BY INCREASING THE SCOPE OF WORK AND THE AMOUNT OF THE PROFESSIONAL FEES.

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AN ORDINANCE 66,090

AUTHORIZING AN ADDITIONAL \$3,000.00 PAYABLE TO PRESTON, FISHER, ABRAHAMSON & ASSOCIATES, INC., FOR ENGINEERING SERVICES RELATED TO THE CRAIGMONT, DRESDEN, SCHMELTZER PROJECT.

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AN ORDINANCE 66,091

AUTHORIZING AN ADDITIONAL \$6,900.00 FOR ENGINEERING FEES PAYABLE TO M.W. CUDE & ASSOCIATES, INC., IN CONNECTION WITH THE DEZAVALA ROAD FROM I.H. 10 EAST TO CITY LIMITS PROJECT.

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AN ORDINANCE 66,092

ACCEPTING THE BID OF S.H. TOLLIVER CO. IN THE AMOUNT OF \$1,531,735.62 FOR THE THOUSAND OAKS - RAILROAD TO NACOGDOCHES PROJECT AND PROVIDING A MISCELLANEOUS CONSTRUCTION CONTINGENCY IN THE AMOUNT OF \$76,586.78.

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AN ORDINANCE 66,093

AUTHORIZING AN ADDITIONAL \$67,388.31 FOR ENGINEERING FEES PAYABLE TO K.M. NG & ASSOCIATES, INC., IN CONNECTION WITH THE MITTMAN, HINES, CARSON, ETC. STREET RECONSTRUCTION PROJECT.

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AN ORDINANCE 66,094 .

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$16,518.00 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 66,095 .

DECLARING A TRACT OF LAND, BEING THE REMAINING PORTION OF LOT 28, BLOCK 1, NEW CITY BLOCK 3175, SURPLUS TO THE CITY'S NEEDS AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE A QUITCLAIM TO MARY HELEN CABRERA, FOR A CONSIDERATION OF \$890.00.

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AN ORDINANCE 66,096 .

DECLARING TWO (2) TRACTS OF LAND BEING THE REMAINDER OF LOTS 1 AND 23, BLOCK 1, NEW CITY BLOCK 7875, SURPLUS TO THE CITY'S NEEDS AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE A QUITCLAIM DEED TO HENRY W. BENAVIDES, FOR A CONSIDERATION OF \$2,400.00.

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AN ORDINANCE 66,097 .

APPROVING PRICE AND CONDITIONS OF SALE BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF CERTAIN SINGLE-FAMILY RESIDENTIAL LOTS LOCATED WITHIN THE KENWOOD NORTH PROJECT, TEX. R-136.

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AN ORDINANCE 66,098 .

GRANTING PERMISSION TO THE CITY PUBLIC SERVICE TO INSTALL AN ELECTRIC DISTRIBUTION LINE WITHIN O.P. SCHNABLE PARK (202.046 ACRES) NCB 17930, LOT 11.

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AN ORDINANCE 66,099

APPROVING A LEASE AGREEMENT AND AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT FOR A THREE YEAR TERM FOR RENTAL OF OFFICE SPACE LOCATED AT 415 SOUTH MAIN FOR THE OFFICE OF INTERNAL REVIEW, BETWEEN THE CITY OF SAN ANTONIO AND RUTH D. KALLISON, JANE K. DREYFUS, JAMES M. KALLISON AND JACK B. KALLISON.

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AN ORDINANCE 66,100

AMENDING THE REPORT OF THE CITY OF SAN ANTONIO CITY COUNCIL AFFIRMATIVE ACTION COMMITTEE/STAFF AND TARGET EEO COALITION APPROVED BY ORDINANCE 60106.

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AN ORDINANCE 66,101

ACCEPTING A PROPOSAL BY THE PUBLIC RELATIONS FOUNDATION OF TEXAS TO PROVIDE PROFESSIONAL ORGANIZATIONAL TRAINING AND DEVELOPMENT IN FUNDRAISING, MARKETING, AND AUDIENCE DEVELOPMENT TO ARTS AND CULTURAL GRANT-CONTRACT AGENCIES AND AUTHORIZING PAYMENT TO THE PUBLIC RELATIONS FOUNDATION OF TEXAS IN AN AMOUNT NOT TO EXCEED \$12,510.00.

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AN ORDINANCE 66,102

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH TOWERS, PERRIN, FORSTER & CROSBY, INC., (TPF&C) TO PROVIDE EMPLOYEE BENEFITS CONSULTING SERVICES FOR A TOTAL COST OF \$48,000.00.

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AN ORDINANCE 66,103

AMENDING ORDINANCE 48459, OF SEPTEMBER 1, 1977, AND APPROVING CERTAIN PLAN DOCUMENTS AND APPENDICES, ALL IN CONNECTION WITH THE ICMA RETIREMENT CORPORATION DEFERRED COMPENSATION PLAN.

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87-55 The Clerk read the following Ordinance:

AN ORDINANCE 66,104

AWARDING A CONSTRUCTION CONTRACT TO THE LOW QUALIFIED BIDDER ON THE MARTIN BOWIE STREET CONNECTOR PROJECT. (RAY FARIS, INC.)

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In response to a question by Mr. Labatt, Mr. David Steitle, Director of Public Works, explained the revised plan for the Martin-Bowie Street Connector Project.

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

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

87-55 The Clerk read the following Ordinance:

AN ORDINANCE 66,105

APPROPRIATING FUNDS AND AUTHORIZING PAYMENT OF \$28,272.00 TO CITY PUBLIC SERVICE FOR RELOCATION OF UTILITIES WITHIN THE PINE STREET FROM HOUSTON TO SOUTH PACIFIC RAILROAD TRACKS PROJECT.

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

In response to a question by Mr. Webb, Mr. David Steitle, Director of Public Works, explained the project, including relocation of CPS utility poles.

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

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87-55 The Clerk read the following Ordinance:

AN ORDINANCE 66,106 .

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AUTHORIZING FIELD ALTERATION NO. 3 IN THE AMOUNT OF \$41,717.83 FOR THE LIVE OAK, ETC. STREET PROJECT TO PROVIDE FOR REVISIONS RELATING TO THE CONSTRUCTION OF POTOMAC FROM PINE TO OLIVE, CROCKETT FROM MONUMENTAL TO HACKBERRY, DAWSON FROM MONUMENTAL TO HACKBERRY AND PINE FROM PASO HONDO TO HOUSTON.

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

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87-55 The Clerk read the following Ordinance:

AN ORDINANCE 66,107 .

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AUTHORIZING AN AGREEMENT BETWEEN THE CITY AND BIOZED, INC. TO DEMONSTRATE THE ENHANCED STABILIZATION OF SLUDGE BY THE APPLICATION OF CATALYST AND NATURALLY BLENDED MIXTURES OF MICRO-ORGANISM TO W-2 DECANT BASIN AT MITCHELL LAKE.

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Mrs. Dutmer noted that this project, if successful, will begin the final cleanup of Mitchell Lake.

Mr. Wolff spoke to the importance of the success of this process, which will make Mitchell Lake a much nicer lake for the citizens.

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

87-55 The Clerk read the following Ordinance:

AN ORDINANCE 66,108

AUTHORIZING PAYMENT OF MEMBERSHIP DUES IN THE AMOUNT OF \$50,000.00 TO THE GREATER AUSTIN-SAN ANTONIO CORRIDOR COUNCIL FOR THE PERIOD OCTOBER 1, 1987 THROUGH SEPTEMBER 30, 1988.

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

In response to a question by Mrs. Dutmer, Dr. Ken Daly, Director of Budget & Research, spoke to data which indicates a good return to the citizens for their investment dollar in the Austin-San Antonio Corridor Council. Dr. Daly noted the many visits by Japanese trade missions to the corridor, as a result of the work done by the Austin-San Antonio Corridor Council.

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

87-55 The Clerk read the following Ordinance:

AN ORDINANCE 66,109

AMENDING THE CODE BY INCREASING THE FINE TO AN AMOUNT NOT TO EXCEED \$2,000.00 FOR CONVICTION OF CITY CODE VIOLATIONS RELATED TO FIRE SAFETY, PUBLIC HEALTH, AND SANITATION AND AUTHORIZING A FINE NOT TO EXCEED \$500.00 UPON CONVICTION OF CERTAIN OTHER ORDINANCE VIOLATIONS AND PROVIDING FOR AN EFFECTIVE DATE OF JANUARY 1, 1988.

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

Mrs. Dutmer addressed details of the ordinance, noting that fines for certain violations of municipal laws will be increasing as a result of the state legislature's changing of the maximum fines in some areas to \$2,000.00. She noted that citizens should be aware of these changes in the fines.

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Mr. Bill Arnette, Administrator of Municipal Court, explained the changes in the law which allowed the increase in maximum fines in some instances.

Mayor Pro Tem Wing spoke to the heavy fines being levied through the City's Environmental Court.

Mr. Labatt stated that he was pleased to see tougher fines in these areas, and thanked Judge O'Quinn for his diligence in environmental matters. He urged an even tougher stance be taken with violators in this area.

In response to a question by Mr. Labatt, Mr. Arnette stated his opinion that the law will have a positive impact upon City revenues, in the future.

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

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87-55

ABSENCE OF THREE COUNCIL MEMBERS

Mayor Pro Tem Wing took note that two City Council members, Ms. Vera and Mr. Martinez, are out of the country on a City-sponsored trip to Japan, while Mayor Cisneros is in Boston to speak at the national meeting of the Easter Seals Society, at which his father, Col. J. George Cisneros, is to be honored tonight as the adult honoree of the society for his use of Easter Seal Society programs while recovering from effects of a stroke.

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87-55

ZONING HEARINGS

32. CASE Z87204 - to rezone a 0.4040 acre tract of land out of NCB 10615 and Tract 30, NCB 12883, the north 60' of the east 290.25' of Tract 30, from Temporary "A" One Family Residence District to "B-3NA" Non-Alcoholic Sales Business District; a 2.3118 acre tract of land out of NCB 10615 and Tract 30, save and except the north 60' of the east 290.25', NCB 12883, in the 500 Block of Creswell Drive, from Temporary "A" One Family Residence District to "I-1" Light Industry District, located on the westside of S.E. Loop 410, approximately 1,942' south of the intersection of S.E. Loop 410 and East Houston Street, having 169.00' on S.E. Loop 410 and a depth of 502.39'.

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

Mr. Cary Dobbs, representative of Peacock Realtors, explained the proponent's plans to move his trucking firm to this location, and spoke to the work to be performed on-site, as a result. He distributed to the City Council a set of photographs depicting the current condition of the property in question, including junk cars and evidence of illegal dumping.

Mr. Richard Cabrera, 511 Creswell, stated that he and his mother want to be certain that promised amenities, including drainage, are carried out by the proponent.

A discussion then took place concerning a non-access easement and fencing requirements.

Mr. Webb stated his opinion that the requested rezoning represents a positive zoning change.

Mr. Webb made a motion to approve the recommendation of the Zoning Commission, provided that approval for highways on Loop 410 is secured from the State Department of Highways and Public Transportation; that parking is provided and submitted for approval by the Traffic Engineering Division; that a one-foot non-access easement is imposed along Creswell Drive; and that a six-foot solid screen fence is erected and maintained along the north and west property lines. 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, Wolff, Labatt, Hasslocher; NAYS: None; ABSENT: Martinez, Thompson, Vera, Cisneros.

AN ORDINANCE 66,110

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 0.4040 ACRE TRACT OF LAND OUT OF NCB 10615 AND TRACT 30, NCB 12883; AND THE NORTH 60- FEET OF THE EAST 290.25- FEET OF TRACT 30, NCB 12883 FROM TEMPORARY "A" ONE-FAMILY RESIDENCE DISTRICT TO "B-3NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES; AND A 2.3118 ACRE TRACT OF LAND OUT OF NCB 10615 AND TRACT 30, SAVE AND EXCEPT THE NORTH 60- FEET, OF THE EAST 290.25 FEET, NCB 12883, FROM TEMPORARY "A" ONE FAMILY RESIDENCE DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT APPROVAL FOR DRIVEWAYS ON LOOP 410 IS SECURED FROM THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION; THAT PARKING IS PROVIDED AND SUBMITTED FOR APPROVAL

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BY THE TRAFFIC ENGINEERING DIVISION; THAT A ONE-FOOT NON-ACCESS EASEMENT IS IMPOSED ALONG CRESWELL DRIVE; AND THAT A SIX-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTH AND WEST PROPERTY LINES. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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33. CASE 287176 - to rezone the east 36.5' of Lot 1 and the west 20' of Lot 2, Block 7, NCB 6095, 104 and 106 Queen Anne Court, from "D" Apartment District to "B-1" Business District, located on the southside of Queen Anne Court, being 11.5' east of the intersection of Broadway and Queen Anne Court, having 56.5' on Queen Anne Court, and a maximum depth of 79.32'.

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

Mr. Labatt made a motion to approve the recommendation of the Zoning Commission provided that 2.2 feet of dedication is given along Queen Anne Court, that parking ratios are met, and that driveways 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, Wolff, Labatt, Hasslocher; NAYS: None; ABSENT: Martinez, Thompson, Vera, Cisneros.

AN ORDINANCE 66,111

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE EAST 36.5 FEET OF LOT 1 AND THE WEST 20- FEET OF LOT 2, BLOCK 7, NCB 6095, 104 AND 106 QUEEN ANNE COURT, PROVIDED THAT 2.2 FEET OF DEDICATION IS GIVEN ALONG QUEEN ANNE COURT, THAT PARKING RATIOS ARE MET, AND THAT DRIVEWAYS AND PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00"

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34. CASE Z87217 - to rezone a 1.2534 acre tract of land out of NCB 15831, in the 500 Block of Stahl Road, from "R-3" Multiple Family Residence District and "R-2" Two Family Residence District to "B-2" Business District, located on the southeast of Stahl Road, being 1773.61' in a southwesterly direction from the intersection of Stahl Road and Judson Road, having 420' on Stahl Road and a depth of 130'.

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

In response to a question by Mr. Hasslocher, Mr. Wendell Davis, representing the proponent, stated that the property will be used for a day-care center or professional office use, and that he does not feel that location of a convenience store on this site is contemplated.

Mr. Hasslocher noted his concern for protection of this area.

Mr. Hasslocher made a motion to approve "B-2NA" zoning in lieu of the "B-2" requested zoning. 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, Wolff, Labatt, Hasslocher; NAYS: None; ABSENT: Martinez, Thompson, Vera, Cisneros.

AN ORDINANCE 66,112

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 1.2534 ACRE TRACT OF LAND OUT OF NCB 15831, IN THE 5100 BLOCK OF STAHL ROAD, FROM "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT AND "R-2" TWO-FAMILY RESIDENCE DISTRICT TO "B-2NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES, PROVIDED THAT 18-FEET OF DEDICATION IS GIVEN ALONG STAHL ROAD AND THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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35. CASE Z87195 - to rezone Parcel 15G, NCB 15655, 4958 S.W. Military Drive, from Temporary "R-1" One Family Residence District to "B-3R" S.U.P. Restrictive Business District Special Use Permit for an aluminum screen fabrication, located on the southwest side of S.W. Military Drive approximately 1073.72' southeast of the intersection of S.W. Military Drive and Whitewood Drive, having approximately 115' on S.W. Military Drive and a depth of 100'.

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

Mr. Hasslocher made a motion to approve the recommendation of the Zoning Commission. 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, Wolff, Labatt, Hasslocher; NAYS: None; ABSENT: Martinez, Thompson, Vera, Cisneros.

AN ORDINANCE 66,113

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS PARCEL 15G, NCB 15655, 4958 S.W. MILITARY DRIVE, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-3R" S.U.P. RESTRICTIVE BUSINESS DISTRICT SPECIAL USE PERMIT FOR AN ALUMINUM SCREEN FABRICATION FACILITY. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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36. CASE Z87202 - to rezone the west 100' of Lot 22, NCB 10353, 5100 Block of Blanco Road, from "B-3R" Restrictive Business District to "I-1" Light Industry District, located on the westside of Blanco Road, being 510' south of the intersection of Gilbert Land and Blanco Road, having 144.91' on Blanco Road, with a depth of 140'.

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

Mr. Labatt took note that several employees of the Beck Foundation Company, the proponent, took part in the rescue of the 18-month-old girl in West Texas recently.

In response to a question by Mrs. Dutmer, Mr. Andy Guerrero, Planner III, explained City staff's reservations to the rezoning request, in order to forestall further industrial intrusion into this area.

Mr. Labatt 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, and that a six-foot solid screen fence is erected and maintained along the east property line of the I-1 zoning. Mr. Webb seconded the motion.

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

AN ORDINANCE 66,114

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 WEST 100 FEET OF LOT 22, NCB 10353, IN THE 5100 BLOCK OF BLANCO ROAD, FROM "B-3R" RESTRICTIVE BUSINESS DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION, AND THAT A SIX-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE EAST PROPERTY LINE OF THE I-1 ZONING. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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87-55 CASE Z87213 - to rezone the north 250' of Lot 19, NCB 16587, In the 16600 Block of Nacogdoches Road, from Temporary "R-1" One Family Residence District to "B-3" Business District, located on the southeast side of Nacogdoches Road, being 137' southwest of the intersection of Nacogdoches Road and F.M. 1604, having 203.3' on Nacogdoches Road with a depth of 250'.

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

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

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, Wolff, Labatt, Hasslocher; NAYS: None; ABSENT: Martinez, Thompson, Vera, Cisneros.

AN ORDINANCE 66,115

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE NORTH 250 FEET OF LOT 19, NCB 16587, IN THE 16600 BLOCK OF NACOGDOCHES ROAD, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED "\$1,000.00."

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38. CASE Z87219 - to rezone a 1.499 acre tract of land out of NCB 10879, Goliad Road and S.E. Military Drive, from "I-2" Heavy Industry District to "B-3" Business District, located on the southside of S.E. Military Drive between Goliad Road and I.H. 37 Expressway, having 171.12' on S.E. Military Drive and Goliad Road and I.H. 37.

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

Mrs. Dutmer made a motion to approve the recommendation of the Zoning Commission, provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division, and all other driveway approval is secured from the State Department of Highways and Public Transportation. 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, Wolff, Labatt, Hasslocher; NAYS: None; ABSENT: Martinez, Thompson, Vera, Cisneros.

AN ORDINANCE 66,116

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 1.499 ACRE TRACT OF LAND OUT OF NCB 10879, GOLIAD ROAD AND S.W. MILITARY DRIVE, FROM "I-2" HEAVY INDUSTRY DISTRICT TO "B-3" BUSINESS DISTRICT PROVIDED THAT DRIVEWAYS ON GOLIAD ROAD AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION, AND ALL OTHER DRIVEWAY APPROVAL IS SECURED FROM THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

39. CASE Z87201 - to rezone Lot 2, NCB 18309, 8900 Guilbeau Road, from Temporary "R-1" One Family Residence District to "B-2" Business District, located on the southeast corner of Guilbeau Road and Old Tezel Road, having 121.74' on Guilbeau Road and 134.34' on Old Tezel Road.

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

Mr. Tony Scalise, representing Omega Development Company, spoke of his firm purchasing this property because it was more than 1,000 feet from a nearby school and church, and thus would provide the flexibility of zoning necessary in which to locate a firm which required alcoholic beverage consumption.

Mr. Scalise then spoke against any non-alcoholic restrictions on the property, and commended City staff for its willingness to work with the proponent in this matter.

Mr. Wolff 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. 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, Wolff, Labatt, Hasslocher; NAYS: None; ABSENT: Martinez, Thompson, Vera, Cisneros.

AN ORDINANCE 66,117

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, NCB 18309, 8900 GUILBEAU ROAD, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

* * * *

87-55 The Clerk read the following Ordinance:

AN ORDINANCE 66,118

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

* * * *

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

87-55 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE - CLOSING TWO ALLEYS.

Mayor Pro Tem Wing declared the Public Hearing to be open.

Mr. William Toudouze, Public Works Real Estate Division, briefly explained the ordinance.

Mr. Labatt spoke in support of deeding unused alleys to adjacent property owners.

There being no citizens to speak, Mayor Pro Tem Wing declared the Public Hearing to be closed.

The Clerk read the following Ordinance:

AN ORDINANCE 66,119

CLOSING AND ABANDONING TWO (2) ALLEYS IN BLOCK 82, NEW CITY BLOCK 9364, AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE EIGHT (8) QUITCLAIM DEEDS TO THE ABUTTING OWNERS, FOR A CONSIDERATION OF \$1.00."

* * * *

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

In response to a question by Mr. Labatt, Mr. Toudouze stated that deeding unused alleys to adjacent property owners at present is done only upon request of the property owners in question.

Mr. Roland Lozano, Director of Planning, explained the legal process that must be followed in order to quitclaim public property, such as a street or alley, to a private property owner. He noted that his staff some time ago issued a memorandum to City Council on the topic, and stated that he would see that the memo is re-issued shortly.

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87-55 Agenda Item #41 was temporarily bypassed.

- - -
87-55 The Clerk read the following Ordinance:

AN ORDINANCE 66,120

AUTHORIZING THE CITY WATER BOARD APPROVAL FOR A SERIES OF PROPOSED OVERSIZINGS OF THE WATER MAINS SERVICING THE SHAVANO PARK MALL.

* * * *

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

In response to a question by Mrs. Dutmer, Mr. Roland Lozano, Director of Planning, explained the City Water Board plans to oversize these water mains to serve the proposed new Shavano Park Mall. He also addressed other oversizing of mains being performed at the cost of the developer involved.

A discussion then took place concerning the distance from existing water mains of City Water Board and the proposed mall site.

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

- - -
87-55 The Clerk read the following Ordinance:

AN ORDINANCE 66,121 .

.
APPOINTING DR. PATSY NEAL TO SERVE ON THE ARTS AND CULTURAL ADVISORY BOARD FOR A TERM TO EXPIRE ON NOVEMBER 15, 1988.

* * * *

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

- - -
87-55 The Clerk read the following Ordinance:

AN ORDINANCE 66,122 .

.
APPOINTING LAURA CALDERON TO SERVE ON THE ZONING COMMISSION FOR A TERM TO EXPIRE ON APRIL 30, 1988.

* * * *

Mrs. Berriozabal seconded the motion. Mr. Hasslocher seconded the motion.

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

87-55 The Clerk read Agenda Item #45, being a proposed Ordinance authorizing the Downtown Marketplace, Inc., to close a portion of Nueva Street between South Alamo and Presa Streets for "The Original Texas Christmas Festival", on Friday, November 27, 1987 through Sunday, November 29, 1987.

In response to a question by Mayor Pro Tem Wing, Mr. Frank Perry, Director of Downtown Initiatives, explained the streets to be closed and addressed the responsibility for all fees involved.

Mrs. Dutmer voiced her concern with certain street closures near an area church, and requested that any portable toilets situated in the area be placed away from the front of the church, if possible.

At this time, Mrs. Dutmer made a motion to table consideration of this proposed ordinance. Mr. Hasslocher seconded the motion.

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

Agenda Item #45 was tabled.

(NOTE: Agenda Item #45 later in the meeting was untabled and approved.)

87-55

CITIZENS TO BE HEARD

MR. MICHAEL BALLARD

Mr. Ballard identified himself as a disabled veteran, and spoke to how much easier needs are addressed on military bases as opposed to civilian area. He stated his opinion that San Antonio churches are not doing all they can do for the poor of the city, and further stated his opinion that little public welfare aid is available for men, as opposed to that available, for instance, to women with children, or the elderly. He stated his belief that this disparity does not allow men to pull themselves up from poverty as rapidly as possible. He spoke in favor of

having more on-the-job training opportunities and other vocational programs available for men.

* * * *

87-55 The City Council recessed the regular session at 2:42 P.M., reconvening at 3:27 P.M.

87-55 (AGENDA ITEM #45 - continued)

Mrs. Berriozabal made a motion to untable this item. Mr. Hasslocher seconded the motion.

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

Mrs. Berriozabal made a motion to approve the proposed Ordinance. 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, Thompson, Wolff, Labatt, Hasslocher; NAYS: None; ABSENT: Martinez, Vera, Cisneros.

AN ORDINANCE 66,123

AUTHORIZING THE DOWNTOWN MARKETPLACE INC., TO CLOSE A PORTION OF NUEVA STREET BETWEEN SOUTH ALAMO AND PRESA STREETS FOR "THE ORIGINAL TEXAS CHRISTMAS FESTIVAL", ON FRIDAY, NOVEMBER 27, 1987 THROUGH SUNDAY, NOVEMBER 29, 1987.

* * * *

87-55 ENFORCEMENT OF TAXICAB ORDINANCE

Mr. Thompson spoke to his recent memorandum to other City Council members relative to enforcement of the City's taxicab ordinance.

87-55 City Council recessed the regular session at 3:30 P.M., reconvening for continuation of Citizens to be Heard at 5:00 P.M.

87-55CITIZENS TO BE HEARD (continued)SUPER VAN SHUTTLE DISCUSSION

Mr. Jaime P. Martinez spoke to the City Council about their problems and concerns with the operations of the Super Van Shuttle operation. He also expressed concern with the fact that the Public Utilities Department has been unresponsive to their concerns. He stated that they feel that there is a double standard in the manner in which the taxicab drivers and the Super Van Shuttle Company are treated. He also spoke to the violations of the existing contract by Super Van Shuttle which have been reported to the Public Utilities Department and yet nothing has been done. He stated that there have been violations at the Airport as well which have not been corrected. He stated that taxicab drivers try to abide by the rules and regulations of the ordinance and want the City Council to address the violations of Super Van Shuttle.

* * * *

Mr. Jesse Vargas, President of the Local I.U.E. Professional Cab Drivers Union, spoke to specific violations of the city's ordinances by Super Van Shuttle whose owner is Don Rullo. (A copy of Mr. Vargas's statement is on file with the papers of this meeting.)

* * * *

Mr. Robert Gonzales, owner of National Cab Company and Trustee of I.U.E., concurred with statements made by Mr. Vargas and also expressed his concern with the method of operation of the Super Van Shuttle. He stated that the city staff has failed to enforce the regulations imposed by ordinance on Super Van Shuttle. He stated that the Super Van Shuttle is not operating as a limousine service.

* * * *

Ms. June Wright presented a packet of information to the City Council about this issue. (A copy of this information is on file with the papers of this meeting.)

* * * *

Mr. Bill Worden, I.U.E. member, stated that he wanted to speak to the Council about "gypsy" cabs or unregulated cabs. He also stated that Super Van practices tipping hotel bell hops which is currently contrary to rules and regulations of the taxicab ordinance. He asked that the City Council adopt a stricter ordinance and equal enforcement standard. He stated that the city is setting a dangerous precedent by allowing Super Van to operate in this manner.

* * * *

Ms. Virginia Reyes also expressed concern with the double standard which presently exists. She stated that there are many regulations which they have to follow, yet there is no enforcement regulating Super Van Shuttle.

* * * *

Mayor Pro Tem Wing recommended that the city staff review the complaints made by the taxicab drivers and a report made to the city's Transportation Advisory Board and then back to Council with its recommendations.

Mr. Thompson stated that he can attest to the broad ranging service of the Super Van Shuttle. He stated that the complaints made are valid and should be investigated. He spoke about the meeting held last Monday on enforcement of the cab ordinance which everyone will have to abide with which includes vehicles in good appearance, and uniform dress codes. He stated that the City Council and taxicab drivers need to work together to solve these problems as well as the Super Van Shuttle issue.

Mrs. Dutmer stated that she does not know if Mr. Rullo is still the representative on the MPO.

Mr. Rolando Bono, Assistant City Manager, stated that city staff will report back to the Transportation Advisory Board and City Council by December 10.

In response to Mr. Webb's question, Mr. Lloyd Garza, City Attorney, stated that adequate notice and a public hearing would have to be held in order to terminate the limousine contract.

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MRS. MARIA DOMINGUEZ

Mrs. Dominguez stated her concern with the statements made by the taxicab drivers and agreed with their statements.

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87-55 There being no further business to come before the City Council,
the meeting was adjourned at 5:45 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

November 19, 1987
sr

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