

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, MAY 17, 1984.

\* \* \* \*

The meeting was called to order at 1:00 P.M. by Mayor Henry Cisneros with the following members present: BERRIOZABAL, WEBB, DUTMER, WING, EURESTE, THOMPSON, ALDERETE, HARRINGTON, ARCHER, HASSLOCHER, CISNEROS. ABSENT: None.

- - -  
84-22 The invocation was given by Reverend Marvin O. Huth, Shepherd King Lutheran Church.

- - -  
84-22 The Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

- - -  
84-22 ROLANDO BRISENO

Mayor Cisneros introduced Mr. Rolando Briseno, a former resident of San Antonio and brother of Assistant City Manager Alex Briseno, who is an artist presently residing in New York City. Mayor Cisneros stated that Mr. Briseno had received the American Visual Arts Award in recognition of his work in that field. He then made Mr. Briseno an Emisario de las Musas and requested Mr. Eureste assist him in presenting the certificate to Mr. Briseno.

Mr. Briseno thanked the City Council for this presentation and spoke briefly of his award.

- - -  
84-22 CRIME STOPPERS DAY

Mayor Cisneros invited Ms. Iris Rubin, President of Crime Stoppers, and others in her party to come forward and then read the following Proclamation:

WHEREAS, Crime Stoppers has become a most effective force in ridding San Antonio of the high rise in crime, and

WHEREAS, law enforcement agencies need and deserve all possible assistance from local governments and from citizens in their continuing efforts to control and reduce crime, and

WHEREAS, Crime Stoppers is a three-fold effort of the whole community involving a Citizen's board of concerned individuals, the law enforcement agencies, and the media of San Antonio, joining their ability to remove the criminals off the streets of San Antonio, and

WHEREAS, the increase of crime is a serious national problem, as well as a local problem, and it is the responsibility and concern of every individual and business in the City of San Antonio to do their part to reduce crime in our community.

NOW, THEREFORE, I, HENRY CISNEROS, Mayor of the City of San Antonio, in recognition thereof, do hereby proclaim May 17, 1984, as

"CRIME STOPPERS DAY"

in San Antonio, Texas, and I urge all citizens to support this worthwhile endeavor.

\* \* \* \*

Mayor Cisneros spoke to the tremendous job the media is doing in informing citizens of the crime problems in San Antonio and recognized several members of the media in particular whose stations have particularly worked with the Crime Stoppers program to make it a success.

Mr. Hasslocher and Mr. Archer then presented the Proclamation to Ms. Rubin.

Ms. Rubin asked that each individual member of the board introduce themselves and briefly spoke to the Council of the work Crime Stoppers is doing.

84-22

GINA LAZARO

Mayor Cisneros asked Ms. Gina Lazaro to come forward and stated that she had recently been the recipient of the All-American Girl Award,

May 17, 1984  
mlr

co-sponsored by Teen Magazine and Noxzema Skin Cream. He then read the following Citation:

IN RECOGNITION OF HER EXCELLENT RECORD OF SCHOLASTIC ACHIEVEMENT. GINA WAS THE RECIPIENT OF THE ALL-AMERICAN GIRL AWARD CO-SPONSORED BY TEEN MAGAZINE AND NOXZEMA SKIN CREAM. GINA HAS EXCELLED IN THE FIELD OF SCIENCE; HER EXTENSIVE SCIENCE RESEARCH PROJECTS HAVE RESULTED IN HER ATTAINING THE HIGHEST AWARDS INCLUDING PRESIDENT REAGAN'S ENVIRONMENTAL YOUTH AWARD. SHE HAS PARTICIPATED ALSO IN JOURNALISM AND SPEECH COMPETITIONS, IN ADDITION TO THE MANY COMMUNITY AND CHURCH ACTIVITIES. GINA IS THE FIRST SAN ANTONIAN TO WIN THIS 6-YEAR OLD CONTEST; SHE TRULY DEPICTS THE FINEST OF OUR YOUNG TEXAS WOMEN.

THE CITY COUNCIL CONGRATULATES GINA FOR HER MANY ACCOMPLISHMENTS AND EXTENDS WISHES FOR MUCH SUCCESS IN ALL HER FUTURE ENDEAVORS.

\* \* \* \*

Mayor Cisneros introduced Miss Lazaro's mother, present in the audience, and spoke of the scholarship Gina received several years ago to attend St. Mary's Hall High School from where she will graduate this month.

Miss Lazaro thanked the Council for the Citation and stated that she would attend Princeton University in September to study for a career in engineering.

84-22

NATIONAL PUBLIC WORKS WEEK

Mayor Cisneros requested Mr. Frank Kiobassa, Director of Public Works, to come forward and then read the following Proclamation:

WHEREAS, Public Works Services provided in our community are an integral part of our citizens' everyday lives, and

WHEREAS, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as sewers, streets and highways, public buildings and solid waste collection, and

May 17, 1984  
mlr

WHEREAS, the health, safety, and comfort of this community greatly depend on these facilities and services, and

WHEREAS, the quality and effectiveness of these facilities, as well as their planning, design, and construction are vitally dependent upon the efforts and skill of over 1,800 public works employees, and

WHEREAS, the efficiency of the qualified and dedicated personnel who staff the public works department is materially influenced by the people's attitude and understanding of the importance of the work they perform,

NOW, THEREFORE, I, HENRY CISNEROS, Mayor of the City of San Antonio, in recognition thereof, do hereby proclaim May 20-26, 1984, as

"NATIONAL PUBLIC WORKS WEEK"

in San Antonio, Texas, and I urge all citizens and civic organizations to acquaint themselves with the problems involved in providing our public works and to recognize the contributions that public works officials make every day to our health, safety, and comfort.

\* \* \* \*

Mr. Webb then presented Mr. Kiolbassa with the Proclamation.

Mr. Kiolbassa thanked the Council for the Proclamation and recognized some Public Work's representatives present in the audience to receive the Proclamation.

84-22

GOLD SERVICE AWARD

Mayor Cisneros introduced Mr. Al Luthy, publisher of the magazine, Meetings & Conventions, who in turn stated he was here to make a presentation to the City of San Antonio for having one of the best Convention & Visitors Bureau in the Country. Mayor Cisneros requested John Mosty, Director of the Convention Bureau, come forward to receive the award on behalf of the City.

May 17, 1984  
mlr

Mr. Luthy cited some convention industry expenditure figures and spoke to the Gold Service Award San Antonio received.

Mayor Cisneros spoke to the job well done by the Convention & Visitors Bureau and of the proposed additions and improvements to the Convention Center area.

84-22                      NORTH/SOUTH ALL-STAR FOOTBALL GAME

Mayor Cisneros introduced Mr. Ralph Aleman, Olmos Kiwanis Club, who came to address the Council.

Mr. Aleman thanked the Council for the support they have shown for the North/South All-Star Football Game that is scheduled to be held at Trinity University on Saturday, May 19, 1984 at 2:00 P.M. Mr. Aleman stated that proceeds from that game would go to the Ronald McDonald House. He further stated that the teams consisted of students from all over the City and scouts from various universities would come to see the players.

84-22                      CONSENT AGENDA

Mr. Hasslocher moved that items 4 - 13 constituting the consent agenda be approved with item 5 pulled for individual consideration. Mrs. Dutmer 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, Eureste, Thompson, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Alderete.

AN ORDINANCE 58,737

ACCEPTING THE BID OF BEXAR BUILDERS, INC., IN THE AMOUNT OF \$91,108.05 FOR THE COPERNICUS PARK COMMUNITY CENTER REHABILITATION PROJECT; AUTHORIZING A CONTINGENCY; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

\* \* \* \*

AN ORDINANCE 58,738

AUTHORIZING THE EXECUTION OF FIELD ALTERATION NOS. 3, 4, 5, AND 6 ON THE N. OLIVE STREET RECONSTRUCTION PROJECT; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

\* \* \* \*

AN ORDINANCE 58,739

GRANTING A LICENSE TO J. A. WHITELAW, TO RECONSTRUCT AN AWNING/BALCONY OVER A PUBLIC SIDEWALK BEING 6 FEET WIDE AND 83 FEET IN LENGTH AT 1425 SOUTH FLORES STREET, NORTH OF CEVALLOS STREET, BEING ADJACENT TO THE EAST IRREGULAR 120.49 FEET OF LOT 40, IN NEW CITY BLOCK 1009, AND MANIFESTING AN AGREEMENT IN CONNECTION THEREWITH.

\* \* \* \*

AN ORDINANCE 58,740

DECLARING A TRACT OF LAND OUT OF TRACT D, NEW CITY BLOCK 11790 AND A PORTION OF LOT 35, NEW CITY BLOCK 13847, SURPLUS TO THE CITY'S NEEDS AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE A SPECIAL WARRANTY DEED TO QUINCY LEE INDUSTRIAL, ADJACENT OWNER, FOR A CONSIDERATION OF \$1,690.00.

\* \* \* \*

AN ORDINANCE 58,741

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

\* \* \* \*

AN ORDINANCE 58,742

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

\* \* \* \*

AN ORDINANCE 58,743

AMENDING CHAPTER 38 (TRAFFIC REGULATIONS) OF THE CITY CODE SETTING FORTH LOCATIONS AT WHICH ELECTRONIC TRAFFIC CONTROL SIGNALS ARE IN FULL OPERATION; DESIGNATING STOP SIGN LOCATIONS; DESIGNATING YIELD-RIGHT-OF-WAY LOCATIONS; PROHIBITING PARKING AT ALL TIMES ON CERTAIN STREETS; PROHIBITING CERTAIN TURNS; ESTABLISH CERTAIN SCHOOL ZONES; AND PROVIDING THAT VIOLATIONS HEREOF BE PUNISHABLE BY A FINE OF NOT LESS THAN \$1.00 NOR MORE THAN \$200.00.

\* \* \* \*

May 17, 1984  
mlr

## AN ORDINANCE 58,744

CLOSING PACKARD STREET BETWEEN STONEWALL AND EIKS STREETS ON SATURDAY, JUNE 2, 1984, FROM 12:00 NOON TO 10:00 P.M. FOR THE HOLDING OF THE 17TH ANNUAL FESTIVAL OF THE CHURCH OF THE LIVING GOD.

\* \* \* \*

## AN ORDINANCE 58,745

AUTHORIZING PROFESSIONAL SERVICES CONTRACTS WITH G. SCOTT BINFORD TO PERFORM RIGHT OF WAY ACQUISITION APPRAISAL SERVICES FOR THE SAN ANTONIO WASTEWATER FACILITIES IMPROVEMENTS PROGRAM CATEGORY NO. 4, PACKAGE "A", GRANT NO. C-481211-30 AND PACKAGE "B", GRANT NO. C-481211-32 AND AUTHORIZING PAYMENT.

\* \* \* \*

84-22 The Clerk read the following Ordinance:

## AN ORDINANCE 58,746

AUTHORIZING AN ADDITIONAL PAYMENT OF \$63,972.92 TO HOWARD WONG & ASSOCIATES, INC., FOR WORK PERFORMED ON THE INTERIOR MODIFICATIONS OF CITY HALL, CITY HALL ANNEX, PLAZA DE ARMAS, POLICE AND MUNICIPAL COURTS BUILDINGS PROJECT.

\* \* \* \*

Mr. Hasslocher moved that the Ordinance be approved. Mr. Wing 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, Eureste, Thompson, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Alderete.

Mr. Thompson requested an update on the status of the overall master plan in regard to the City Hall modifications and spoke of some problems being experienced at the recently remodeled Continental Hotel.

May 17, 1984  
mlr

Mr. Frank Kiolbassa, Director of Public Works, stated that a status report will be provided to the Council.

- - -  
84-22 The minutes of the City Council meeting of May 3, 1984 were approved with only Mr. Thompson abstaining from the vote.

- - -  
84-22 By general Council consensus, Agenda Item #19 was taken out of sequence for consideration.

ZONING HEARINGS

19. CASE Z84152 - to rezone a 3.562 acre tract of land out of Lot 1, Block 2, NCB 11858, being further described by field notes filed in the Office of the City Clerk, 2140 Nacogdoches Road, from "A" Single Family Residence District to "P-1(R-1)" Planned Unit Development, One Family Residence District, located southeast of the intersection of Country Lane and Nacogdoches Road having 388.80' on Country Lane and 370.07' on Nacogdoches Road.

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

Andy Guerrero, Planner II, stated that the applicant had requested a three week postponement prior to consideration of the rezoning case by the City Council.

Mr. Hasslocher moved that consideration of Zoning Case Z84152 be postponed for three weeks. Mr. Alderete seconded the motion.

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

CASE Z74152 was postponed.

- - -  
84-22 By general Council consensus, Agenda Item #18 was taken out of sequence for consideration.

- - -  
18. CASE Z84153 - to rezone a 2.64 acre tract of land out of Lots 9 and 10, Block 8, NCB 8736, being further described by field notes filed in

May 17, 1984  
mlr

the Office of the City Clerk, in the 2400 Block of W. Gerald Avenue from "I-1" Light Industry District to "R-4" Mobile Home Residence District, located on the northside of Gerald Avenue, being 580' east of the intersection of Hwy 81 South and Gerald Avenue, having 319.40' on Gerald Avenue and a depth of 359.96'.

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

Mr. Randy Vail, owner of Vails Mobile Home Park, stated that the change of zoning is being requested to allow expansion of an existing mobile home park. He stated that the mobile home park is located on both sides of this vacant piece of property and that expansion would fill a need for low-cost housing in the area.

Mr. Mary Segovia, COPS' Executive Secretary, stated that her organization was opposed to the requested rezoning and added that area residents wished to voice their opposition.

Mr. Domingo Salas, a member of St. Joseph's COPS, stated that the vacant lot is across the street from his residence and he is opposed to the addition of more mobile homes because Gerald Avenue is already congested and this would only increase traffic. He added that the trailers are old and cramped together and are not a good area in which to raise children.

Ms. Maria Salas requested that the Council not grant the zoning change request.

Ms. Guadalupe de la Rosa, 2326 W. Gerald, spoke against the zoning reaffirming the condition of Gerald Avenue as described by Mr. Salas.

Ms. Julia Reyna, 2415 W. Gerald, spoke to her concern that the influx of people into the area will affect the pattern of life of elderly people in the neighborhood.

In rebuttal, Mr. Vail stated that the mobile homes are nice places to live and further stated he intended to bring in all new mobile homes, for rental purposes, into the new area. He added that traffic would not exit onto Gerald but rather would exit through one of the other mobile home areas. He further added that he would satisfy a big demand for housing by providing low-cost mobile home rental units.

Mr. Wing moved to deny the requested rezoning. Ms. Berriozabal seconded the motion.

In response to questions by Mr. Thompson, Mr. Vail stated that 80-85 families live in the existing mobile home park and approximately 26

more would be added if this rezoning were granted. He further stated that approximately twenty of these homes are in Section 8 Rent Subsidy.

The motion to deny the rezoning prevailed by the following vote: AYES: Berriozabal, Webb, Wing, Eureste, Thompson, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; DISQUALIFIED: Dutmer; ABSENT: None.

CASE Z84153 was denied.

14. CASE Z84112 - to rezone Lots 3 and 12, Block 12, NCB 15503, 2508 S.W. Loop 410 Expressway, from Temporary "R-1" One Family Residence District to "B-3" Business District, located between Altitude Drive and S.W. Loop 410 Expressway being 240' south of the intersection of Airlift Drive and S.W. Loop 410 Expressway, having 120' on Altitude Drive and 120' on S.W. Loop 410 Expressway with a depth of 325'.

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

No citizen appeared to speak in opposition.

Mr. James Bass, 3614 Hunters Point, stated that a party house is proposed for this area and "B-3" zoning is needed in order to secure financing. He added that "B-3R" zoning might hinder him from obtaining the financing.

Mr. Thompson stated he would oppose "B-3" zoning because of the danger that exists when entering or exiting the area. He stated that he could support "B-3NA" for the area.

Mr. Thompson then moved for "B-3NA" zoning provided that the driveways on the frontage road and driveways on Altitude Drive are provided and approved by the Texas State Department of Highways. Also provided that parking is provided and approved by the Traffic Section. Mr. Alderete seconded the motion.

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

#### AN ORDINANCE 58,747

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 3 AND 12, BLOCK 12, NCB 15503, 2508 S.W. LOOP 410 EXPRESSWAY, FROM TEMPORARY

May 17, 1984  
mlr

10

"R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT, PROVIDED THAT THE DRIVEWAYS ON THE FRONTAGE ROAD AND DRIVEWAYS ON ALTITUDE DRIVE ARE PROVIDED AND APPROVED BY THE TEXAS STATE DEPARTMENT OF HIGHWAYS. ALSO PROVIDED THAT PARKING IS PROVIDED AND APPROVED BY THE TRAFFIC SECTION.

\* \* \* \*

15. CASE Z84103 - to rezone Lots 18 thru 21, and 24 thru 30, Block 4, NCB 12875, 400 Block of S.E. Loop 410 Expressway, 400 Block of Stutts Drive, from "A" Single Family Residence District to "I-1" Light Industry District, located on the northside of Eunice Drive, between S.E. Loop 410 Expressway and Stutts Drive, having 530' on Eunice Drive, 295' on S.E. Loop 410 Expressway and 345' on Stutts Drive.

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

Mr. Richard Condra, representing the owner, stated that a letter was sent to Mr. Roland Lozano, Director of the Planning Department requesting to change the zoning to "R-3" instead of the previously requested "I-1".

Mr. Clarence Williams stated that he was opposed to the "I-1" zoning originally requested but was not familiar with "R-3"; therefore, he was not prepared to speak for or against it.

Andy Guerrero, Planner II, briefly explained what "R-3" zoning would allow.

In response to a question by Mr. Webb, Mr. Condra stated that he would be amenable to postponing this case to allow for discussion with the neighbors in light of the recent request for "R-3" zoning.

Mr. Webb moved to postpone hearing this case for three weeks. Ms. Berriozabal seconded the motion.

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

CASE Z84103 was postponed.

16. CASE Z84155 - to rezone Lots 10 and 11, Block 20, NCB 2015, 937 Cincinnati Avenue, from "B" Residence District to "B-2" Business District, located on the northside of Cincinnati Avenue, being 102.40' east of the intersection of Elmendorf Street and Cincinnati Avenue, having 102.40' on Cincinnati Avenue and a depth of 145.59'.

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

No citizen appeared to speak in opposition.

Mr. Joe Garza, 937 Cincinnati, requested that his original request be amended to rezone only Lot 11 to allow for construction of a new building to start a catering service.

Ms. Berriozabal moved that Lot 11 be rezoned "B-2" provided that driveways and off street parking are provided and submitted for approval by the Traffic Section. Mrs. Dutmer seconded the motion.

The motion to rezone Lot 11 to "B-2" was approved by the following vote: AYES: Berriozabal, Webb, Dutmer, Thompson, Alderete, Harrington, Cisneros; NAYS: None; ABSENT: Wing, Eureste, Archer, Hasslocher.

AN ORDINANCE 58,748

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 11, BLOCK 20, NCB 2015, 937 CINCINNATI AVENUE FROM "B" RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING IS PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC SECTION.

\* \* \* \*

84-22

SACRAMENTO STREET

Ms. Lucille Benavides, 642 Sacramento, spoke to the City Council about the objections of residents along Sacramento Street between Carney and San Pedro to the closing of the street by the Council and selling the right of way to the Northside Bank for the purpose of the bank expanding its operation. She stated that although negotiations had taken place to attempt to settle the differences between the neighborhood and the bank, there were still some items on which one or the other party did not agree. One of the issues not yet agreed upon is the expiration of the access easement after 10 years. Ms. Benavides stated that the residents need to

May 17, 1984  
mlr

be assured that the easement is permanent. She further stated that Mr. Frank Kiolbassa, Director of Public Works, had presented her with a report that offered several options City staff had discussed with bank representatives but she had not as yet had an opportunity to review them and discuss them with the residents (a copy of the report is on file with the papers of this meeting). She noted that approval by the property owners in the 500-600 blocks of Sacramento was one of the conditions for granting closure of the street but added that the circulation of a petition by the bank was handled improperly and that majority approval by the residents had not been secured.

Mr. Robert Valdez, 509 Sacramento, stated his objections to the closure of Sacramento Street.

Mr. Valentin Montalvo, 518 Sacramento, stated that his wife had been misled into signing the petition. He stated she had been told the area would be developed into a park with continued access into their street.

Mrs. Alicia Martinez, area resident, stated that her daughter had signed the petition thinking it was going to be a park.

Mr. Jack Kaufman, Director of Northside Bank, spoke to the history of Northside Bank and the purchase of the street. He stated that the bank wished to work with the residents to resolve their differences and further stated that access to San Pedro will not be denied. He added that, when the street was originally sold to the bank, the bank executed contractual commitments which cannot be dissolved.

Mr. Jim Burch, President of Northside Bank, stated that delays in construction had thus far cost the bank \$26,500. He added that the bank would be agreeable to Option #3 as written in Mr. Kiolbassa's report.

Mr. Kiolbassa spoke of Option 1 (reopen Sacramento Street), Option 2 (local access easement in Sacramento Street R.O.W.) and Option 3 (local access easement in parking lot) and stated that Option 3 had been the bank's counter proposal.

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

Mr. Kiolbassa stated that the provisions for an access easement would expire in 10 years but would continue on a year-to-year basis until the bank would need the property to expand and the City then would have 90 days to either purchase that easement or relocate it. He added that staff had not been successful in working out an amicable solution, therefore, two options remained: (1) let the May 26, 1983 ordinance stand or (2)

instruct the staff to acquire the land back and authorize eminent domain. He noted that staff recommended that the street closing stand because the costs involved in approving the second option would be prohibitive.

Mr. Kaufman stated that the bank intends to construct their parking lot in a way that will allow residents access to their property via the bank's parking lot regardless of whether the residents approve Option 3.

Ms. Berriozabal stated that Option 3 would be a viable option. She added that the transaction made by the City was based on a faulty process and stressed the need to have the process changed. She also took exception with the method of obtaining signatures on the petition circulated by the bank. She further added that she would not be in favor of letting the ordinance stand.

Ms. Berriozabal moved that Council approve pursuing Option 2 which would authorize eminent domain proceedings. Motion died for lack of a second.

Ms. Berriozabal asked that in the future any street closing go to the Councilperson in whose district the street is located before it comes to the entire City Council.

Mr. Harrington agreed that Ms. Berriozabal's request was a good one and added that he believed that everyone concerned in this street closure acted in good faith.

Mr. Thompson stated he would never vote for a street closure again and further stated that although he would vote to keep the status quo, he placed the burden on the bank to work to heal the wounds created in the neighborhood by this action.

Mr. Eureste stated that there was no support for the motion thus negating the need for a second. He stated that no effective lobbying had been done to obtain a reversal of the decision.

(Mayor Cisneros returned to the meeting and presided.)

Ms. Berriozabal spoke of the need for goodwill between neighborhoods and business groups and proposed the bank work with the people in the area to offer low-cost loans for betterment of the local residents.

In response to a question by Mr. Alderete, Mr. Kiolbassa stated that emergency services were cognizant of this street closure and further stated that the City would effect some parking restrictions which will benefit the neighbors.

May 17, 1984  
mlr

Mayor Cisneros stated that failure of the Council to act on the motion made by Ms. Berriozabal indicated that they chose continuance of the status quo.

ZONING HEARINGS (CONTINUED)

17. CASE Z84108 - to rezone Lot 87, Block K, NCB 11567, 4990 View Drive, from "A" Single Family Residence District to "O-1" Office District, located south of the intersection of Callaghan Road and View Drive, having 227' on Callaghan Road and 95.08' on View Drive.

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

Ms. Mary Ann Torres, 6243 IH 10, stated that she is requesting the change of zoning on behalf of the owner, Katherine Chamberlain. She stated that she had originally requested the zoning change to operate a day care center to enable her to care for over twenty children but noted that the neighbors had objected to having that many children in a older residential neighborhood. She now was proposing to move her word-processing business, made up of herself and one other person, to this area and fix up the present structure rather than construct a new building.

Mrs. Ann Norton, 4978 View Drive, spoke against this requested rezoning. She stated that View Drive is a narrow street and that the property is in a residential neighborhood that is made up of older people.

Mrs. M. Lucas, 4963 View Drive, stated that residents of the neighborhood would be willing to accept this requested rezoning but only if certain restrictions were made a condition of the rezoning.

Ms. Torres stated that although View Drive is used as the property's address, the structure faces Callaghan Road and therefore traffic into View Drive would be almost non-existent.

In response to a question by Mr. Harrington, Andy Guerrero, Planner II, explained the City Code stipulates that only the residents dwelling in a home can conduct business from that home without obtaining the needed rezoning.

Mr. Harrington moved to deny the requested rezoning. Mrs. Dutmer seconded the motion.

The motion to deny failed to carry by the following vote: AYES: Berriozabal, Dutmer, Harrington; NAYS: Thompson, Alderete, Cisneros; ABSENT: Webb, Wing, Eureste, Archer, Hasslocher.

May 17, 1984

mlr

In response to questions by Mr. Alderete, Ms. Torres stated that her intention was to repair the present structure in order to run her business and Mr. Guerrero stated that staff had recommended approval.

Mr. Alderete moved that the recommendation of the Zoning Commission be approved. Mr. Thompson seconded the motion.

After consideration, the motion to approved failed to carry by the following vote: AYES: Thompson, Alderete, Cisneros; NAYS: Berriozabal, Dutmer, Harrington; ABSENT: Webb, Wing, Eureste, Archer, Hasslocher.

CASE Z84108 was denied.

20. CASE Z84120 - to rezone a 6.177 acre tract of land out of NCB 11532, being further described by field notes filed in the Office of the City Clerk, in the 4600 Block of Rimrock Drive, in the 1500 Block of W. Sunshine Drive, from "A" Single Family Residence 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. Alderete moved that the recommendation of the Zoning Commission be approved provided that parking requirements are met and that driveways are submitted to the Traffic Section for approval. Also provided that proper platting is given if necessary, and provided that a six foot solid screen fence is erected and maintained along the south property line of the area in question opposite Lot 15C. Mr. Hasslocher seconded the motion.

Mr. Jack Charles, 217 Gardenview, stated that the area in question is presently being used to dump trash and added that the properties surrounding this property are zoned R-3.

Ms. Irene Smith, 1603 W. Sunshine Drive, spoke of a drainage problem that exists on her property and of a large sinkhole that has taken up the 18 feet of easement given to the City. She requested that a City engineer examine her property and give recommendations to solve the problem and that a 6' privacy fence be built along her property line.

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

May 17, 1984  
mlr

AN ORDINANCE 58,749

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 6.177 ACRE TRACT OF LAND OUT OF NCB 11532, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 4600 BLOCK OF RIMROCK DRIVE, IN THE 1500 BLOCK OF WEST SUNSHINE DRIVE, FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT, PROVIDED THAT PARKING REQUIREMENTS ARE MET AND THAT DRIVEWAYS ARE SUBMITTED TO THE TRAFFIC SECTION FOR APPROVAL. ALSO PROVIDED THAT PROPER PLATTING IS GIVEN IF NECESSARY. FURTHER PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE SOUTH PROPERTY LINE OF THE AREA IN QUESTION OPPOSITE LOT 15C.

\* \* \* \*

At 4:09 P.M. the meeting was temporarily recessed to go into "B" session, reconvening at 5:00 P.M. for continuation of the "A" session.

ZONING HEARINGS (CONTINUED)

1. CASE Z84151 - to rezone a 1.730 acre tract of land out of NCB 11635, being further described by field notes filed in the Office of the City Clerk, 6127 Ingram Road, from "O-1" Office District to "R-3" Multiple Family Residence District, located on the northside of Ingram Road, being 131' east of the intersection of Quiver Road and Ingram Road, having 245.85' on Ingram Road having a depth of 200.93'.

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

No citizen appeared to speak in opposition.

Mr. Webb moved that the recommendation of the Zoning Commission be approved provided that right of way dedication is given; provided that driveways and off-street parking are provided and approved by the Traffic Section. Mr. Hasslocher 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, Harrington, Hasslocher, Cisneros; NAYS: None; ABSENT: Berriozabal, Eureste, Thompson, Alderete, Archer.

AN ORDINANCE 58,750

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 1.730 ACRE TRACT OF LAND OUT OF NCB 11635, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 6127 INGRAM ROAD, FROM "O-1" OFFICE DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT, PROVIDED THAT RIGHT-OF-WAY DEDICATION IS GIVEN AND PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND APPROVED BY THE TRAFFIC SECTION.

\* \* \* \*

22. CASE Z84132 - to rezone a 1.824 acre tract of land out of NCB 10929 and NCB 10930, being further described by field notes filed in the Office of the City Clerk, in the 7800 Block of U.S. Hwy 181 South, from "B" Residence District to "B-3" Business District and a 5.612 acre tract of land out of NCB 10929 and NCB 10930, being further described by field notes filed in the Office of the City Clerk, from "B" Residence District to "B-2" Business District, located between Old Corpus Christi Road and U.S. Hwy 181 South, being 700' south of the intersection of S.W. Military Drive and U.S. Hwy 181 South, having 311.16' on U.S. Hwy 181 South, 226.30' on Old Corpus Christi Road and a depth of 833.42'.

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

Mrs. Dutmer moved that the recommendation of the Zoning Commission be approved provided that driveways and off-street parking are provided subject to approval from the Traffic Section. Also provided that a six 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: Webb, Dutmer, Wing, Thompson, Harrington, Hasslocher, Cisneros; NAYS: None; ABSENT: Berriozabal, Eureste, Alderete, Archer.

AN ORDINANCE 58,751

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE

May 17, 1984  
mlr

CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 1.824 ACRE TRACT OF LAND OUT OF NCB 10929 AND NCB 10930, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 7800 BLOCK OF U.S. HWY 181 SOUTH, FROM "B" RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT, AND A 5.612 ACRE TRACT OF LAND OUT OF NCB 10929 AND NCB 10930, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM "B" RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED SUBJECT TO APPROVAL FROM THE TRAFFIC SECTION, ALSO PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE EAST PROPERTY LINE.

\* \* \* \*

23. CASE Z84150 - to rezone Lot 1, 2, 3 and 4, Block 3, NCB 11048, 9822 Roosevelt Avenue, from Temporary "R-1" One Family Residence District and "B" Residence District to "B-3R" Restrictive Business District, located northeast of the intersection of Sanez Drive and Roosevelt Avenue, having 130' on Sanez Drive and 173.6' on Roosevelt.

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.

Mrs. Dutmer stated that this property is located near the Villa Coronado project where the City is spending millions of dollars to renovate it and locating a tire shop in the area would be detrimental to what the City is trying to accomplish.

Mrs. Dutmer moved that the requested rezoning be denied. Mr. Thompson seconded the motion.

Mr. Victor M. Bravo, 9822 Roosevelt Avenue, stated that he has operated a tire shop on Nogalitos Street for many years but due to an increase in the rent of that property he is requesting the rezoning to allow him to move his business to his home.

After expressing her opposition to outside storage and receiving assurances from Mr. Bravo that he understood that "B-3" zoning would not allow outside storage and that he did not intend to store tires outdoors, Mrs. Dutmer withdrew her objection.

Mr. Wing then made a substitute motion to approve "B-3NA" zoning

for the property in question provided that right of way dedication along Sanez street be provided. Also provided that driveways from Roosevelt are provided and approved by the Texas Highway Department. Mr. Hasslocher seconded the motion.

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

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

AN ORDINANCE 58,752

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 1, 2, 3 AND 4, BLOCK 3, NCB 11048, 9822 ROOSEVELT AVENUE, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT AND "B" RESIDENCE DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES BUSINESS DISTRICT, PROVIDED THAT RIGHT-OF-WAY DEDICATION ALONG SANEZ STREET IS PROVIDED, AND ALSO PROVIDED THAT DRIVEWAYS FROM ROOSEVELT ARE PROVIDED AND APPROVED BY THE TEXAS HIGHWAY DEPARTMENT.

\* \* \* \*

24. CASE Z84149 - to rezone the west 400' of the east 985' of the north 218' of Tract 4, NCB 11379, in the rear of 100 Block of S. Acme Road, from "R-A" Residence Agriculture District to "R-3" Multiple Family Residence District, located 585' west of Acme Road, being 115' south of the intersection of Monterrey Street and Acme Road, having a width of 218' and a depth of 400'.

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

No citizen appeared to speak in opposition.

Mr. Thompson moved that the recommendation of the Zoning Commission be approved provided that property is provided with an access lane for access to Acme Road. Mr. Alderete seconded the motion.

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

May 17, 1984  
mlr

## AN ORDINANCE 58,753

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 WEST 400' OF THE EAST 985' OF THE NORTH 218' OF TRACT 4, NCB 11379, IN THE REAR OF 100 BLOCK OF SOUTH ACME ROAD, FROM "R-A" RESIDENCE AGRICULTURE DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT, PROVIDED THAT THE PROPERTY IS PROVIDED WITH AN ACCESS LANE FOR ACCESS TO ACME ROAD.

\* \* \* \*

84-22 The Clerk read the following Ordinance:

## AN ORDINANCE 58,754

APPROPRIATING AN ADDITIONAL \$10,114.62 FOR REPAIRS TO THE HEATING AND COOLING SYSTEMS OF THE TOWER OF THE AMERICAS.

\* \* \* \*

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

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

84-22 The Clerk read the following Ordinance:

## AN ORDINANCE 58,755

AUTHORIZING THE CITY MANAGER TO EXECUTE AN URBAN DEVELOPMENT ACTION GRANT AGREEMENT WITH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR \$1,360,000 FOR THE LANDMARK HOTEL PROJECT; AUTHORIZING THE ACCEPTANCE OF THE GRANT; AND ESTABLISHING AN ACCOUNT.

\* \* \* \*

May 17, 1984  
mlr

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

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

84-22 The Clerk read the following Ordinance:

AN ORDINANCE 58,756

AUTHORIZING THE SETTLEMENT OF CAUSE NO. 82-CI-15100, STYLED MARIA S. RODRIGUEZ VS. CITY OF SAN ANTONIO; IN THE 224TH JUDICIAL DISTRICT COURT, BEXAR COUNTY, TEXAS.

\* \* \* \*

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

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

84-22 The Clerk read the following Ordinance:

AN ORDINANCE 58,757

AUTHORIZING THE SETTLEMENT OF CAUSE NO. 83-CI-11347, STYLED LULA C. SMITH V. CITY OF SAN ANTONIO; IN THE 285TH JUDICIAL DISTRICT COURT OF BEXAR COUNTY, TEXAS.

\* \* \* \*

Mr. Hasslocher moved that the Ordinance be approved. Mr. Webb seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Webb, Dutmer,

May 17, 1984  
mlr

Thompson, Alderete, Harrington, Hasslocher, Cisneros; NAYS: None; ABSENT: Berriozabal, Wing, Eureste, Archer.

84-22 The Clerk read the following Ordinance:

AN ORDINANCE 58,758

AUTHORIZING THE CONSTRUCTION OF WHITSON ROAD FROM VANCE JACKSON TO LUZITA LANE.

\* \* \* \*

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

Mayor Cisneros spoke in favor of the proposed ordinance.

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

84-22 The Clerk read a proposed ordinance appointing an individual to the Planning Commission for the remaining unexpired term of Larry Hufford who resigned.

The names of Mr. Wayne Harwell and Mr. Dick Lubel were put into nomination with Mr. Harwell receiving the appointment.

Mr. Hasslocher moved that the Ordinance naming Mr. Wayne Harwell to replace Mr. Larry Hufford to the Planning Commission be approved. Mr. Webb seconded the motion.

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

AN ORDINANCE 58,759

APPOINTING AN INDIVIDUAL TO SERVE ON THE PLANNING COMMISSION FOR THE REMAINING UNEXPIRED TERM OF LARRY HUFFORD, Ph.D., WHO HAS RESIGNED.

\* \* \* \*

84-22 The Clerk read the following Ordinance:

AN ORDINANCE 58,760

APPOINTING JOAN MALLARD TO SERVE ON THE SAN ANTONIO PUBLIC LIBRARY BOARD OF TRUSTEES, FOR THE UNEXPIRED TERM OF DR. GERALD BURNS WHO HAS RESIGNED.

\* \* \* \*

Mr. Hasslocher moved that the Ordinance be approved. Mr. Webb seconded the motion.

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

By Council consensus consideration of Item No. 34 was temporarily postponed to be considered later on in the meeting.

84-22 TRAVEL AUTHORIZATION - Granted

Councilwoman Maria Antonietta Berriozabal to travel to Washington, D.C. from May 17, 1984 to May 19, 1984 to attend the National League of Cities Human Development Steering Committee Meeting.

84-22 TRAVEL AUTHORIZATION - Granted

Mayor Henry G. Cisneros to travel to New York, Washington, Chicago and San Francisco from May 19, 1984 to May 23, 1984 to promote San Antonio and to make presentations to communication companies and potential users of the Teleport.

Councilman Joe Webb to travel to New York, Chicago, Washington and San Francisco from May 20, 1984 to May 23, 1984 to promote San Antonio and to make presentations to communication companies and potential users of the Teleport.

May 17, 1984  
mlr

84-22 The Clerk read the following Resolution:

A RESOLUTION NO. 84-22-29

SUPPORTING THE PROPOSED WIDENING OF CULEBRA ROAD BETWEEN LOOPS 410 AND 1604 (F.M. 1957 AND F.M. 471) AND GRISSOM ROAD FROM S.H. 16 TO CULEBRA ROAD (F.M. 471).

\* \* \* \*

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

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

84-22

"NO PARKING" SIGNS

Mr. Eureste stated that Ms. Maria Duarte, 109 N. Navidad, complained that patrons of Danny's Lounge at 2503 W. Commerce are constantly blocking her driveway with their cars and has requested "No Parking - Tow Away" signs be installed in front of her home. He requested staff investigate and bring back to Council for consideration.

Mrs. Dutmer moved to have this item placed on next week's agenda. Mr. Wing seconded the motion.

The motion to bring this item back for Council action prevailed by the following vote: AYES: Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Harrington, Hasslocher, Cisneros; NAYS: None; ABSENT: Berriozabal, Archer.

84-22

CITIZENS TO BE HEARD

RESIDENCY DISCUSSION

Mayor Cisneros acknowledged the presence in the audience of a large number of firefighters and police officers to speak on the City's

May 17, 1984  
mlr

residency rule. He then explained that under present City Council rules only fifteen minutes would be allotted to the group for their presentation.

City Manager Louis J. Fox explained that in 1977 the City Council had approved a rule that all City employees live within the City limits. He then detailed the history of the residency rule with the latest City Council action being taken in 1980 which in effect grandfathered all those who were in violation. He explained that last week all non-uniformed employees in violation were notified of the policy and terminated. City Manager Fox also stated that the Municipal Civil Service had decided today to give those persons the opportunity to appeal, thus giving them an additional 30 days to move inside the City limits.

Mayor Cisneros spoke about the City administration carrying out the City Council's policy and decisions about this rule. He also spoke about all those who were grandfathered and the persons who moved outside the City limits knowing they were violating a City rule.

City Manager Fox stated that the Municipal Civil Service Commission has the power to review these appeals.

Mr. Robert Rudewick, San Antonio Police Officers Association, relinquished his time to their attorney, Joseph Scuro.

Mr. Joe Kierstead, San Antonio Firefighters Association, also relinquished his time to Mr. Scuro.

Mr. Joseph Scuro asked the City Council to waive the City ordinance which is causing the firefighters and police officers to move back from outside of the County. He stated that it is improper to ask individuals to sell their home, lose their equities and uproot their families. He stated that these individuals were permitted to move outside the County and, by virtue of the lack of enforcement, the City's attempt to make it retroactive is improper. He stated that the affected individuals had not been notified of this rule by their supervisors.

Mr. Leroy Harvey, Director of the Personnel Department, stated that the Municipal Civil Service Commission does not want to change the rule. They asked that each case be heard on its own merits.

In response to Mayor Cisneros, Mr. Harvey explained the City's policy of notifying employees of this rule.

Mr. Scuro again stated that there had been no enforcement of this ordinance. He stated that they have no problem with the City Council approving a new residency rule to apply for all new-hire personnel.

Mayor Cisneros recommended that if the City Council had grandfathered someone then let that individual should be grandfathered forever. He has a greater concern with those persons who moved outside after the 1980 grandfather action.

May 17, 1984  
mlr

Mrs. Dutmer spoke about the dilemma of married couples who are both City employees but one is a uniformed employee. Mrs. Dutmer spoke about the possible constitutional rights of those individuals.

Mrs. Dutmer expressed concern about the notification process and spoke in favor of each case being heard on its own merits. She stated that she will stand by the Ordinance.

Mayor Cisneros asked the Council to consider the following:

1. Change the policy where those who were grandfathered and made a move can still move outside the County.
2. Exceptions made when married couples are affected.
3. Persons who moved outside the County since 1980.

Mr. Hasslocher stated that he personally did not feel where a person lives is as important and therefore moved to grandfather all those presently in violation and enforce the policy in the future. The motion died for lack of a second.

Mr. Scuro stated that the police officers and firefighters have been very open about the changes in address. He spoke about the list that has all their home telephone numbers.

A discussion took place on the definitions of domicile and residence.

Mr. Archer stated that he doesn't think it matters where a person lives as long as he/she does his/her job efficiently. He then moved to do away with the residency requirement. Mr. Hasslocher seconded the motion.

Mrs. Dutmer spoke about the ordinance in effect. She did express concern about the rule only now being enforced.

City Manager Fox stated that there had been problems with the unrest in certain departments where enforcement was not very active.

In 1983 through the newsletter, he himself spoke about the resolving of this issue.

The motion to do away with the residency requirement failed to carry by the following vote: AYES: Archer, Hasslocher; NAYS: Webb, Dutmer, Eureste, Thompson, Alderete, Harrington, Cisneros; ABSENT: Berriozabal, Wing.

May 17, 1984  
rlr

In response to a question by Mr. Thompson, Acting City Attorney Tom Finlay stated that legally there was no problem with grandfathering.

In response to a question by Mr. Alderete, Mayor Cisneros stated that whatever a persons pre-1980 status was that same status currently applies.

A discussion took place on the addresses of those approximately 400 persons who Mr. Scuro states live outside of the County.

Chief Rodriguez stated that Deputy Harold Fiske had acted on a list received from the Personnel Department. He added that the list contained the names of two individuals who were the only ones with out of county addresses.

Mr. Eureste spoke about the 400 number quoted by Mr. Scuro versus the 2 number which was quoted by Mr. Harvey. He stated that he had supported the rule, but feels that it could be that there is a problem with enforcement.

City Manager Fox stated that he was appointed City Manager in 1982 and felt that the residency rule needed to be enforced which heretofore had not been enforced. City Manager Fox stated that he intends to strictly enforce the rule. Grandfathering is making it more difficult to monitor and administer the requirement.

Mr. Eureste stated that he feels that the City Council will probably change its position because of the derelict enforcement of this policy. He also stated that he would not favor the case by case appeal to Civil Service. He also spoke to the superiors' inaction to enforce the rule and stated he would support a grandfather clause to the present time.

Mr. Eureste moved to consider at next week's meeting that all City employees who were grandfathered in 1980 and before still be permitted to move outside the County and not be required to move back to the City if a subsequent move was made. Mrs. Dutmer seconded the motion.

Mrs. Dutmer stated that she felt that police officers swore to uphold the law including the City's residency rule. She also spoke in favor of the motion.

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

Mr. Eureste then moved that in regard to married couples, the policy applicable to the uniformed employee would also apply to the non-uniformed City employee. Also, those employees that marry someone who

May 17, 1984  
mlr

is grandfathered would then assume the grandfather status. Mr. Wing seconded the motion.

The motion to define the status of married City employees in relation to City employment prevailed by the following vote: AYES: Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Berriozabal.

A brief discussion followed on appeal processes for uniform and non-uniform employees.

Mr. Harrington stated that he would not be in favor of terminating any City employee who gave a proper and correct address on their application for employment because then it would be incumbent on the supervisor's part to enforce it. He stated that he would prefer to do away with the rule than to be grandfathering every two years.

Mr. Harrington made a motion to bring the entire issue of the residency rule back to an "A" session for discussion. Mr. Eureste seconded the motion.

Mr. Eureste stated that correct figures should be brought in before any action takes place.

The motion failed to carry by the following vote: AYES: Eureste, Thompson, Harrington, Hasslocher; NAYS: Webb, Dutmer, Alderete, Archer, Cisneros; ABSENT: Berriozabal, Wing.

Mrs. Dutmer made a motion to move to "A" session the residency discussion, reaffirming the present policy stating that those persons who have not adhered to City policy after 1980 be heard on a case by case basis by the Municipal Civil Service or the Fire & Police Civil Service Commission. Mr. Webb seconded the motion.

The motion prevailed by the following vote: AYES: Webb, Dutmer, Eureste, Thompson, Alderete, Harrington, Archer, Cisneros; NAYS: Hasslocher; ABSENT: Berriozabal, Wing.

\* \* \* \*

LILA LANDEZ

Ms. Lila Landez, representing Southwest Concerned Citizens and Palm Heights Neighborhood Watch, thanked the Council for bringing Mr. Joe Quinones back to their neighborhood center.

She then spoke about the problems around the 400 to 700 blocks of Culberson. She spoke to some of the problems that exist including:

1. The jagged-rock garden in front of the Firemen's Training Center, which continues to force pedestrians onto the dangers of Zarzamora's heavy traffic.

2. The Vector Control Center which continues to pollute the air.
3. The City's stockpiles which continue to be another source of pollution.
4. The misuse of Normoyle Park by certain individuals who abuse the facilities and as well as nearby resident's property.
5. Non-usable parked cars, some without tires, kept on City streets in residential areas.

She requested that Council action include:

1. Removal of the stockpiles from the Zarzamora complex.
2. Removal of non-usable parked cars from neighborhood streets.
3. Amendment of the recent glass bottle Ordinance to include Normoyle Park.
4. Passage of an ordinance to prohibit consumption and/or possession of alcoholic beverages at the park.
5. Passage of an ordinance to place curfew at Normoyle Park.
6. Installation of a traffic light at Culberson and Zarzamora.
7. Removal of Vector Control Center out of the area.
8. Determination by City staff on the feasibility of prohibiting access for Connally Trucking onto Culberson.

Mr. Eureste asked for a staff report in two weeks with presentation to the Council for possible action.

\* \* \* \*

84-22 A proposed ordinance to consider approving modifications to the policy on the assignment of leases at Market Square was presented.

Mr. Alderete moved to postpone consideration of this ordinance for two weeks. Mr. Webb seconded the motion.

Interested parties present in the audience were polled and expressed no objection to postponing this item for two weeks.

May 17, 1984  
mlr

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

84-22 The Clerk read the following Ordinance:

AN ORDINANCE 58,761

CREATING A FILM COMMISSION FOR THE CITY OF SAN ANTONIO AND APPOINTING MEMBERS THERETO FOR A TWO (2) YEAR TERM.

\* \* \* \*

Mr. Dana Shelton, Assistant Director of the Texas Film Commission, Governor's Office, offered the expertise of his office to assist the City of San Antonio to establish its film commission. He urged the Council to table this item in order to allow the Texas Film Commission an opportunity to offer additional information on how to go about establishing a board.

Mayor Cisneros pointed out that each Councilmember would be allowed one appointment and that 20 other members would be appointed from various other specified organizations.

Mr. Shelton reiterated his comments and urged the Council to consider postponement for one week to allow the staff of the Commission to meet with the Convention and Visitors Bureau staff to work together on the formation of this new commission.

Several members of the Council offered the names of their appointees for this Commission. Mr. Alderete named Ernesto Ancira, Mr. Wing named Mr. Rudy Trevino, Mr. Eureste named Mr. Ralph Garcia and Mayor Cisneros named Adan Medrano. The other Councilmembers will name their appointees at a later date.

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

84-22 WATER CONSERVATION PROGRAM

Mayor Cisneros asked for and received Council consensus to place on next week's "A" session an item approving the City's contribution for participation in the Regional Water Conservation Program.

84-22 The Clerk read the following letter:

May 10, 1984

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

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

May 7, 1984

Petition submitted by Mr. Rodolfo Vega, c/o Arrow Cab Company, 1503 N. W. 22nd Street, San Antonio, Texas 78207 requesting the transfer of Arrow Cab Co. permits to R.S. Patton.

\* \* \* \*

May 7, 1984

Petition submitted by Mr. Cipriano F. Guerra, Jr., Rogers Cablesystems, 415 N. Main Avenue, San Antonio, Texas 78205 requesting City Council's concurrence to approve Roger Cablesystems proposed rate increase as set out in his letter of May 4, 1984.

\* \* \* \*

/s/Norma S. Rodriguez  
City Clerk

- - -  
There being no further business to come before the Council, the meeting was adjourned at 7:40 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

May 17, 1984  
mlr