

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, OCTOBER 20, 1983.

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The meeting was called to order by the presiding officer, Mayor Henry Cisneros, with the following members present: BERRIOZABAL, DUTMER, WING, THOMPSON, ALDERETE, HARRINGTON, HASSLOCHER, CISNEROS. Absent: WEBB, EURESTE, ARCHER.

83-49 The invocation was given by Rev. L. A. Crenshaw, Palentine Baptist Church.

83-49 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

83-49 MATT GARCIA

Mayor Cisneros spoke of the legacy left by the late State Representative Matt Garcia, and the impact he had upon him and his family. He spoke briefly of Representative Garcia's background in politics and community affairs, and of his accomplishments in those fields.

Mayor Cisneros then read the following Resolution of Respect:

WHEREAS, life came to a close on Sunday, October 2, 1983, for one of San Antonio's most respected, loved and outstanding citizens, Matt Garcia and

WHEREAS, Matt Garcia, an attorney, was serving his sixth term as State Representative in the House of Representatives, and

WHEREAS, Matt was known throughout the city, state, and nation as a fighter and leader for civil rights and education, and was responsible for authoring and enacting legislation which protected the budgetary interest of San Antonio's medical and educational institutions, and

WHEREAS, Matt carried the first funded bilingual education bill throughout the House Appropriations Committee in 1973, and

WHEREAS, Matt justly earned the respect, admiration and high regard of all with whom he came into contact, and this city has sustained a great loss in his death; NOW, THEREFORE:

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

Speaking on behalf of all the citizens, the Council hereby extends to the members of his family this expression of sincere regret for his loss, and the hope that they will be consoled by the memories of his fine life and achievements, and

that this memorial be made a part of the official records of our City, and that an official copy of this expression of our sympathy be delivered to the family of Matt Garcia.

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Ms. Berriozabal moved that the Resolution be approved. Mr. Alderete seconded the motion.

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

Mayor Cisneros presented the Resolution and a framed photograph of the late Rep. Garcia to his widow, Mrs. Minnie Garcia, and each member of the City Council individually offered his or her condolences on the passing of Rep. Garcia.

Mrs. Minnie Garcia thanked the members of the Council for their expressions, noting that it was but one of many honors bestowed upon her late husband. She noted that he had worked for a better life for all the citizens of San Antonio.

Mr. Alderete then introduced members of the Garcia family, present in the audience.

Mrs. Dutmer recalled the memory of Rep. Garcia, and spoke of her work with him on various projects and levels.

Ms. Berriozabal noted that the late Rep. Garcia was able to successfully merge family and politics.

83-49

CITY OF LAPORTE AWARD

Mayor Cisneros stated that the City of LaPorte, Texas was one of the hardest-hit areas during the recent Hurricane Alicia, and that the City of San Antonio had responded to that City's request for help by sending a number of brush pickup vehicles and crews to LaPorte, to assist in its cleanup. He stated that Mayor Virginia Cline of La Porte and that City's Director of Public Works, Mr. Jerry L. Hodge, were present in the audience today to thank the City of San Antonio for that help.

Mayor Virginia Cline spoke briefly of the amount of damage and destruction left by Hurricane Alicia at LaPorte, and of the help provided by the cities of San Antonio and Dallas in the form of vehicles and manpower.

Mayor Cline then presented to Mayor Cisneros, on behalf of the City of LaPorte, a special plaque in the form of a door, symbolic of that City, whose name in French is 'door'.

Mayor Cisneros thanked her for the honor, and noted that it was San Antonio's privilege to help out in time of need.

Mayor Cline then introduced LaPorte's Public Works Director, Mr. Jerry L. Hodge, for a presentation to the San Antonio Department of Public Works.

Mr. Hodge presented another plaque to the Department of Public Works.

Mayor Cisneros publicly thanked Public Works crew members, present in the audience, who took part in the LaPorte cleanup operation.

Mr. Hodge spoke briefly of the damage done by the hurricane and the assistance rendered by other cities, and complimented San Antonio's

Public Works forces for their long hours of work.

83-49

DR. JANS-JOACHIM FREILING

Mayor Cisneros briefly explained the reason for the visit to San Antonio by Dr. Jans-Joachim Freiling, City Councilman from Munich, Germany, noting that Dr. Freiling was on a tour of U.S. cities, studying the implementation of cable television operation in municipalities. He then spoke briefly of San Antonio's own history of cable TV operations.

Mrs. Dutmer presented Dr. Freiling with a book on San Antonio and a tie tack.

Mr. Thompson noted that the official City seal, which hangs behind the Mayor in the Council chambers, was carved by a German immigrant newly-arrived in San Antonio a number of years ago.

Dr. Freiling presented greetings from the City of Munich, spoke of San Antonio's recognized growth, and presented the City with a special bell from the City of Munich.

83-49

MR. SERGIO CUEVAS AVILES

Mayor Cisneros briefly explained the significance of the "Emisario de las Muses" award, and noted that Mr. Cuevas is in San Antonio to render a mural on the evolution of history as reflected in the cultures of San Antonio and South Texas.

Ms. Berriozabal spoke in detail of the plans for the mural, and of the relationship of San Antonio and the State of Yucatan, noting that some 160 persons from San Antonio recently visited Merida, Yucatan to help honor the late Mr. Mateo Camargo of San Antonio.

She then read the Proclamation, making Mr. Cuevas an "Emisario de las Muses", and presented him with the award.

Mayor Cisneros recognized the presence in the audience today of Mrs. Belia Camargo, widow of the late Mr. Mateo Camargo, and her daughter.

Mrs. Camargo spoke of the many honors paid to her late husband during the ceremonies in Merida, Yucatan recently, and thanked the City Council for its participation. She then presented gifts of Mexican dresses and shirts to members of the City Council, the City Clerk and City Manager.

Mr. Cuevas thanked the Council for the Proclamation, and outlined the reason for his presence in San Antonio, describing the mural to be rendered. He then presented letters from the Governor of Yucatan to the Mayor of San Antonio and to several other officials of the City.

83-49

"TEXAS EPIDEMIC UPDATE"

Mayor Cisneros read the Proclamation declaring the week of October 23 - 29, 1983 to be "Texas Epidemic Update: America Fights Back" in San Antonio. He then noted that television is the best medium to do the job of presenting this important story to the public, and thanked Channel 4, KMOL-TV, and its Public Service Director Maria Elena Torralva, for dedicating prime TV time for telecasting of this important story.

Mr. Harrington presented the Proclamation to Ms. Torralva.

Ms. Torralva then introduced two of the project directors, also present in the audience today, noting that some 180 community groups participated in the event.

Mayor Cisneros again thanked the TV station and Ms. Torralva for their public service in this effort.

83-49 The minutes of October 6, 1983 were approved.

83-49 CONSENT AGENDA

Mr. Hasslocher moved that items 7 - 14 constituting the consent agenda be approved. Mr. Harrington seconded the motion.

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

AN ORDINANCE 57,729

AUTHORIZING THE EXECUTION OF A STANDARD PROFESSIONAL SERVICES CONTRACT WITH POZNECKI-CAMARILLO AND ASSOCIATES TO PROVIDE THE ENGINEERING DESIGN FOR THE UNSEWERED AREA #68 (HILLS AND DALES) PROJECT, APPROPRIATING FUNDS FOR THE PROJECT AND AUTHORIZING PAYMENT.

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AN ORDINANCE 57,730

AUTHORIZING THE CITY MANAGER TO EXECUTE A MUNICIPAL CONSTRUCTION AND MAINTENANCE AGREEMENT WITH THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION FOR THE RECONSTRUCTION OF PECAN VALLEY DRIVE FROM DOLLARHIDE STREET TO SOUTHCROSS BOULEVARD AND AUTHORIZING A FORCE ACCOUNT FUND.

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AN ORDINANCE 57,731

ACCEPTING THE BID OF R. L. JONES CO., INC. IN THE AMOUNT OF \$52,119.56 FOR CONSTRUCTION OF THE NEW COVENANT FAITH CENTER OFF-SITE SANITARY SEWER PROJECT, APPROVING A CONTRACT, AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 57,732

AMENDING THE CONTRACT WITH THE JOINT VENTURE OF MEERY/HARMON MOK/SIMPSON FOR ARCHITECTURAL AND ENGINEERING SERVICES IN CONNECTION WITH THE SAN ANTONIO INTERNATIONAL AIRPORT TERMINAL EXPANSION PROGRAM, APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 57,733

AUTHORIZING THE EXECUTION OF A STANDARD PROFESSIONAL

SERVICES CONTRACT WITH GALERAITH ENGINEERING CORP.  
TO PROVIDE THE ENGINEERING DESIGN FOR THE UNSEWERED  
AREA #67 (DELL OAK PARK) PROJECT, APPROPRIATING  
FUNDS FOR THE PROJECT AND AUTHORIZING PAYMENT.

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AN ORDINANCE 57,734

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

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AN ORDINANCE 57,735

AUTHORIZING THE USE OF ALAMO PLAZA FOR AN ART  
EXHIBITION AND SALE.

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AN ORDINANCE 57,736

CLOSING AND ABANDONING A PORTION OF LEDGESTONE  
DRIVE, BETWEEN NEW CITY BLOCKS 14816 AND 14822, AND  
AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO  
EXECUTE A QUITCLAIM DEED TO THE ADJACENT OWNERS, FOR  
A CONSIDERATION OF \$1.00.

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83-49

ALAMO PLAZA

Mr. Thompson spoke of the importance of the City maintaining the  
upkeep of Alamo Plaza as a showplace for tourists and other visitors.

83-49

VISTA VERDE SOUTH

Mayor Cisneros stated that he had asked various individuals  
involved in the Vista Verde South UDAG project to be present at 4:00 P.M.  
today to give a special progress report to City Council.

83-49

Mr. Wing asked for Council concensus to take up agenda item 21  
for consideration at this time, inasmuch as a number of persons involved  
in this zoning case have small children who they must pick up from school  
shortly. Informal concensus was granted to move agenda item 21 up for  
consideration at this time.

ZONING HEARING

21. CASE 283298 - to rezone a 68.626 acre tract of land out of NCP  
15068 being further described by field notes filed in the Office of the  
City Clerk, in the 3100 block of S. W. Loop 410 Expressway, from Temporary  
"R-1" One Family Residence District to "I-1" Light Industry District,  
located on the north side of S.W. Loop 410 Expressway, being 1015.18' west  
of the intersection of Palo Alto Road and S.W. Loop 410 Expressway having  
4883.21' on S.W. Loop 410 Expressway and a maximum depth of 1473.21'.

Mr. Andy Guerrero, Planner II, stated that the proponent had  
asked, by mail, for a withdrawal of the zoning case concerned.

Mrs. Dutmer moved that this zoning case be withdrawn from consideration. Mr. Harrington seconded the motion.

Ms. Oralia Martinez, representing Communities Organized for Public Service (COPS), noted that a legal violation of the zoning laws still exists on the use of this property, and asked that action be taken to abate those violations.

Mr. Guerrero noted that action by the City already is taking place to do just that.

Mrs. Helen Ayala, COPS, noted that this property is near the site of the new southside campus of the San Antonio Community College District, and stated her belief that this fact should be considered when granting any zoning on properties in this immediate area. She also spoke of the need to enhance properties in this area.

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

15. CASE 283336 S.R. - to rezone Parcel 47-C, NCB 14862, 6485 Babcock Road, from Temporary "R-1" One Family Residence District to "B-2" Business District, located on the east side of Babcock Road, being approximately 650' north of the intersection of Spring Time Drive and Babcock Road, having 245' on Babcock Road and a depth of 300' and Parcel 47-A, NCB 14862, 6485 Babcock Road, from Temporary "R-1" One Family Residence District to "R-3" S. R. Multiple Family Residence District for a day care center caring for over 20 children, located on the east side of Babcock Road being approximately 630' north of the intersection of Spring Time Drive and Babcock Road having 27.37' on Babcock Road, a depth of 787.76' and a width of 279.86'.

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

Mr. Garnet R. Steubing, 6327 Gallery Cliff, the proponent, noted that B-2 zoning already is prevalent nearby, and noted that his original plans were to seek zoning for a day care center caring for over 20 children, but he now is asking to amend his petition, seeking an R-3 zoning on Parcel 47-B. He then spoke of the growth in this area of the City as a result of the location of the University of Texas at San Antonio nearby.

Mr. Andy Guerrero, Planner II, briefly explained the change in the requested rezoning, and explained the differences in possible population density in multi-family residential development on this property.

Mr. Ed Valence, Jr., 6330 Gallery Cliff, noted that the original intent of this neighborhood is residential in nature, and asked that the area be kept single-family residential. He spoke against construction of apartments.

Mr. R. M. W. Deavers, Houston, spoke to instances of crime in a Houston neighborhood as a result of the introduction of apartments into the area. He further stated that he had not been told that this tract was to be developed, when he was purchasing his own nearby property. He further stated that he would not be moving into the neighborhood, as a result of this proposed zoning.

Ms. Kathryn Burch, 11907 Holm Oaks, stated that she had been told this tract would remain agricultural in nature and usage, when her present nearby home was being purchased.

Ms. Barbara A. Hayman, 6327 Gallery Cliff, spoke in opposition to any more commercial zoning in this immediate area.

Mr. Steubing stated that he personally never told anyone that this property would not be developed, and circulated to City Council members certain photographs of nearby commercial activity and R-7 residences. He then spoke in favor of R-6 zoning on the subject property.

In response to a question by Mr. Harrington, Mr. Andy Guerrero stated that the nearby B-2 property has been there for some 5-6 years, prior to development of the nearby residential areas. He also spoke to the current building setback requirements on the property.

Mr. Harrington stated his concern that this request for a B-2 zoning extends in depth much deeper into the property than the back-lines of adjacent B-2 zoning, thus intruding into residential zoning. He spoke in favor of having a B-2 zoning on the portion of the property fronting onto Babcock Road, phasing back in zoning to a P-1(R-6) on the rearmost property areas adjacent to residential areas, noting that a PUD zoning would force the proponent or developer to go back before the Zoning Commission for approval of any plans on development of this property so zoned with a PUD designation, before any such construction or development could take place.

Mr. Steubing stated that he would accept the recommended zoning changes.

Mr. Harrington moved that the west 215' of Parcel 47-C be zoned "B-2" Business District and that Parcel 47-A and the east 85' of Parcel 47-C be zoned "P-1(R-6)" Planned Unit Development, Townhouse Residence District. Mr. Alderete seconded the motion.

In response to a question by Mr. Thompson, Mr. Guerrero stated that a P-1(R-6) would allow some 20 residences per acre of land.

Mr. Thompson spoke of his concern at the current condition of this property.

Mrs. Dutmer noted that the property lies over the aquifer drainage area, and asked the proponent to give priority consideration to proper drainage when the property is developed.

In response to a question by Mayor Cisneros, Mr. Valence stated that he still opposed the rezoning because of his desire for this area to remain an area of single-family homes, like the present homes.

Mr. Harrington stated that the proponent should be allowed to develop his property to its fullest use.

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.

AN ORDINANCE 57,737

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 215' OF PARCEL 47-C, NCB 14862, 6485 BABCOCK ROAD, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT AND PARCEL 47-A AND THE EAST 85' OF PARCEL 47-C, NCB 14862, 6485 BABCOCK ROAD, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "P-1(R-6)" PLANNED UNIT DEVELOPMENT.

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83-49 Agenda Item 16, being Zoning Case Z83349, a proposed Ordinance to rezone Lots 18, 19, and 20, Block 78, NCE 7145 (1335 Edison Drive) from "F" Residence District to "E-3R" Restrictive Business District, was withdrawn from consideration.

17. CASE Z83325 - to rezone the south 105' of Lots 1 and 2, Block 4, NCE 3731, 171-179 Sims Avenue, from "C" Apartment District to "B-2" Business District, located northeast of the intersection of I.H. 35 South Expressway and Sims Avenue having 150' on Sim Avenue and 110' on I.H. 35 South Expressway.

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.

Mrs. Dutmer moved that the recommendation by the Zoning Commission be denied and that the requested zoning be approved provided that a 6-foot solid screen fence is erected and maintained along the east property line.

In response to a question by Mr. Thompson, Ms. Violet Barrera, the proponent, stated that she planned to remove one of the buildings from the property.

Mrs. Dutmer made an amended motion that the property be rezoned to B-1, provided that a 6-foot solid screen fence is erected and maintained along the east property line. Mr. Harrington seconded the motion.

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

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

#### AN ORDINANCE 57,738

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 SOUTH 105' OF LOTS 1 AND 2, BLOCK 4, NCE 3731, 171-179 SIMS AVENUE, FROM "C" APARTMENT DISTRICT TO "B-1" BUSINESS DISTRICT, PROVIDED THAT A 6-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE EAST PROPERTY LINE.

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18. CASE Z83326 - to rezone the south 75' of Lots 40, 41, 42, and 43, Block 3, NCE 7645, 6810 S. Pan Am, from "O-1" Office District to "B-3NA" Business District, Non-Alcoholic Sales, located northeast of the intersection of I.H. 35 Expressway and Kendalia Avenue having 100' on I.H. 35 Expressway and 200' on Kendalia Avenue.

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. Wing spoke of the importance of maintaining the non-access easement on the property along Kendalia.

Mr. Wing moved that the recommendation by the Zoning Commission be denied and that the requested zoning be approved with the exception of Lot 40. Mrs. Dutmer seconded the motion.

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

AN ORDINANCE 57,739

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 SOUTH 75' OF LOTS 41, 42 AND 43, BLOCK 3, NCB 7645, 6810 SOUTH PAN AM EXPRESSWAY, FROM "O-1" OFFICE DISTRICT TO "B-3NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES.

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19. Agenda Item 19, being Zoning Case Z83316, a proposed Ordinance rezoning Lots 1, 2, and 3, Block 5, NCB 12875 (in the 9300 Block of S.E. Loop 410 Expressway) from "A" One Family Residence District to "I-1" Light Industry District, was withdrawn from consideration.

20. CASE 283348 - to rezone the north 250' of the west 443.68' on Arb. 5, NCB 12887, in the 1900 Block of Semlinger Road, from Temporary "A" Single Family Residence District to "B-3NA" Business District, Non-Alcoholic Sales, located between Semlinger Road and N.E. Loop 410 Expressway, being 426' south of Uecker Road having 250' on both Semlinger Road and N.E. Loop 410 Expressway and a depth of 443.68'.

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.

Mrs. Dutmer moved that the recommendation of the Zoning Commission be denied and that the requested zoning be approved. 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, Dutmer, Wing, Thompson, Alderete, Harrington, Cisneros; NAYS: None; ABSENT: Webb, Eureste, Archer, Hasslocher.

AN ORDINANCE 57,740

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 NORTH 250' OF THE WEST 443.68' OF ARB. 5, NCB 12887, IN THE 1900 BLOCK OF SEMLINGER ROAD, FROM TEMPORARY "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "B-3NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES.

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22. CASE Z83315 - to rezone the northwest 200' of Parcel 15, NCB 15656, in the 9100 Block of Huebner Road, from Temporary "R-1" One Family Residence District to "B-3NA" Business District, Non-Alcoholic Sales and the southeast 431.14' of Parcel 15, NCB 15656, in the rear of 9100 Block of Huebner Road from Temporary "R-1" One Family Residence District to "B-2" Business District, located on the southeast side of Huebner Road, being approximately 1600' northeast of the intersection of Babcock Road and Huebner Road having 694' on Huebner Road and a maximum depth of 633.9'.

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

In response to a question by Mr. Harrington, Mr. Andy Guerrero, Planner II, stated that the Zoning Commission felt that Huebner Road is conducive to the commercial zoning.

Mr. Bob Schultz, the proponent, asked to amend his petition, with B-1 zoning on the northeast 190-feet, phasing back to R-3 on the southwest portion.

Mr. Harrington moved that the northeast 191.0' of the northwest 200' of Parcel 15, NCB 15656 be rezoned "B-1" Business District, the northwest 200' of the southwest 503' of Parcel 15, NCB 15656 be rezoned "B-2" Business District; and Parcel 15, save and except the northwest 200', NCB 15656, in the rear of the 9100 block of Huebner Road be rezoned "R-3" Multiple Family Residence District. Mr. Wing seconded the motion.

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

#### AN ORDINANCE 57,741

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 NORTHEAST 191.0' OF THE NORTHWEST 200' OF PARCEL 15, NCB 15656, IN THE 9100 BLOCK OF HUEBNER ROAD, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-1" BUSINESS DISTRICT; THE NORTHWEST 200' OF THE SOUTHWEST 503' OF PARCEL 15, NCB 15656, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT AND PARCEL 15, SAVE AND EXCEPT THE NORTHWEST 200', NCB 15656, IN THE REAR OF THE 9100 BLOCK OF HUEBNER ROAD, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT.

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23. CASE Z83331 - to rezone Lot 10, Block 1, NCB 14701, 5905 Babcock Road, from "O-1" Office District to "B-3" Business District, located on the northwest side of Babcock Road, being 2213' northwest of the intersection of Huebner Road and Babcock Road, having 200' on Babcock Road and a maximum depth of 345'.

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

There was no representative of the proponent in the audience, available to respond to questions by the City Council.

Mrs. Terry Mikiten, 6602 Pembroke, provided a brief history of the zoning of the subject property, noting that the previous owner had agreed with concerned property owners on certain restrictions, while the new owner now seeks a different zoning. She spoke in favor of retaining O-1 zoning on the property.

Mr. Harrington made a motion that the recommendation of the Zoning Commission for denial be approved. Mr. Hasslocher seconded the motion.

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

Case Z83331 was denied.

24. CASE Z83324 - to rezone Lots 17, 18, 19, Block 1, NCE 7185, in the 5700 Block of I.H. 10 W. Expressway, from "A" Single Family Residence District to "O-1" Office District, located on the north side of I.H. 10 Expressway, being approximately 48' west of the intersection of Sherwood Drive and I.H. 10 Expressway having 361.16' on I.H. 10 Expressway and maximum depth of 270'.

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

Mr. Doug Cross, 19204 Pingham, stated that he seeks an O-1 zoning on the subject property in order to build his office there, noting that he had made plan changes as late as last Monday, after meeting with nearby residents. He stated that the main problem still remaining is the plan to make the building two stories tall. He stated that he is willing to restrict its height to two stories and provide a 20-foot building setback from the adjoining residences, and will screen windows on the upper floor, if necessary.

Mr. Wallace Henderson, 301 West Market Street, a proponent, spoke in favor of the requested rezoning.

Ms. Esther Andrade, 2008 West El Monte, spoke in opposition to plans for a two-story building, as did Mr. Steve Castillo, 2014 West El Monte.

Mrs. Florence Saltarelli, 2026 West El Monte, spoke of her concern with water runoff from the property and the fact that a larger building will cut off the breeze to her home. She asked that the building be restricted to one story.

Mr. Donald O'Connor, 127 Sherwood, stated that he has no objection to rezoning the property, noting that his home has been burglarized five times in the 23 years he has lived there, and each time by persons crossing the vacant land to reach his property. He stated that development of the property would be a benefit to the neighborhood.

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

Mr. Ed Spill, Jr., 2002 West El Monte, spoke in favor of the rezoning.

Mr. Henderson displayed for the Council an architect's rendition of the proposed building, noting that no multi-family residential areas exist along IH 10 from Wonderland to the downtown area. He also noted

that under the present zoning, he could construct an apartment building exceeding one story instead of the planned building.

In response to a question by Mrs. Dutmer, Mr. Cross stated that he would be amenable to planning for high windows on the second floor of the building, facing the residential area.

Mrs. Dutmer moved that the recommendation of the Zoning Commission be denied and that the requested zoning be approved provided that proper access and off-street parking are provided, and that the proponent agrees to use high windows with obscured glass on the second floor of the building facing the residential area. Mr. Thompson seconded the motion.

Mr. Hasslocher spoke in support of some form of screening for the nearby homes.

Mr. Harrington spoke in favor of using 'obscured glass', which cannot be clearly seen through, from the inside.

Mr. Cross agreed to the restrictions including the use of high windows and obscured glass.

In response to some Council questions, Mr. Andy Guerrero, Planner II, stated that the proponent can incorporate the requirements of the high windows and obscure glass into the deed restrictions, however they cannot be included as part of the stipulations of the Ordinance.

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

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

#### AN ORDINANCE 57,742

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 17, 18 AND 19, BLOCK 1, NCB 7135, IN THE 5700 BLOCK OF I.H. 10 WEST EXPRESSWAY, FROM "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT, PROVIDED THAT PROPER ACCESS AND OFF-STREET PARKING ARE PROVIDED.

\* \* \* \*

25. CASE 283341 - to remove from a 17.243 acre tract of land out of NCE 13837, being further described by field notes filed in the Office of the City Clerk, zoned: "R-3" Multiple Family Residence District, in the 2600 Block of Thousand Oaks Drive, the stipulation of a 100' building setback along the southeast property line that was imposed by Ordinance No. 42774, dated September 13, 1973, said property located on the southeast side of Thousand Oaks Drive, being approximately 1260' northeast of the intersection of Henderson Pass Drive and Thousand Oaks Drive, maximum depth of 811.14' and 1080.0 along San Pedro Hills, Unit 13 Subdivision.

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

Mr. Andy Guerrero, Planner II, stated that some 19 notices had

been received in opposition to this case, in addition to a petition bearing some 332 signatures.

Mr. Randy Mason, the proponent, spoke to details of his request, and provided a brief history of the zoning on this property and the setback requirements.

Mrs. Sally McGraw, 2527 Heather Path, stated that nearby single-family home residents do not want Delachaise Street extended to the subject property, and noted that she understands the proponent plans to construct a cul-de-sac to end the street at the edge of the property. She also stated that she is not against removal of the setback, and spoke in favor of the Delachaise cul-de-sac.

Mr. Jim Hardy, 2455 Eluffridge, noted that there are no firm plans for development of the subject property, and spoke of his concern for more traffic entering into Thousand Oaks from the land.

Mr. Jack Wright, 15406 Circle Path, spoke to the gathering of petitions from some 180 different households.

Mr. James Morris, 15402 Circle Path, spoke in favor of the cul-de-sac, but asked that the setback restriction remain.

Mr. Mason noted that housing density on the property is not an issue, but stated that traffic will enter onto Thousand Oaks. He also stated that the cul-de-sac, as proposed, would have a non-access easement around it, to prevent any access to his property.

Mr. Hasslocher spoke of traffic as being the main issue here, and stated that he is concerned with approving zoning when no definite plan has been put forth of the property's development.

Mr. Hasslocher moved that the zoning request be denied. Mrs. Dutmer seconded the motion.

A brief discussion then took place concerning whether or not any positive action, such as requiring the cul-de-sac, could be taken with a motion to deny the rezoning. Mr. Tom Finlay, Acting City Attorney, stated that it could not be done.

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

Case Z83341 was denied.

83-49

VISTA VERDE SOUTH BRIEFING

Mr. David Saks, representing the developer, presented a brief film to the City Council on the status of development of Vista Verde South, including housing, warehouse units, and the proposed development of Fiesta Plaza with adjacent hotel.

Mrs. Lamb spoke on details of the proposed Asian Market being planned for the area.

Mr. Saks then spoke of construction plans noting that Control Data Corporation now is ready to sign an agreement for a 100,000 square foot building. He outlined plans for a business and technical center for small businesses, then spoke of plans for housing and a 250-room hotel on Vista Verde South.

A discussion then took place concerning the hotel plans.

Mr. Saks spoke to the agreement for a proposed landscape between the City and the developer, including a \$100,000 gift to the parks fund by the developer. He then briefly addressed the matter of parking for Mario's Restaurant.

Mayor Cisneros stated his belief that the Vista Verde South project will be a model project for others to copy, and will be well underway within 18 months.

Mr. David Garcia, Special Projects, Office of the City Manager, provided a brief project update and provided details of a recent meeting with HUD officials in Washington, D.C. on Vista Verde South. He also stated that an earlier meeting today which included the developer and the City was very productive. He noted that Communities Organized for Public Service (COPS) had asked for guarantees on a number of areas discussed in this morning's meeting, and the City Council may at some future date be asked to appoint a full project manager for Vista Verde South. He then thanked Mr. Saks for his work on behalf of the project and for his financing efforts.

Mr. Thompson stated his opinion that this briefing had been very productive and positive.

Mayor Cisneros explained the chain of events that must now take place in order to begin the housing phase of the project as soon as possible.

A discussion was then held on the relocation of Vista Verde South area residents.

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

Ms. Berriozabal urged that the matter of transportation be made a major issue in development of Vista Verde South, in order that the project area might become a viable part of the downtown area.

93-49                    PUBLIC HEARING - AVENIDA GUADALUPE UDAG PROJECT

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

No citizen appeared to speak.

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

93-49                    PUBLIC HEARING - LANDMARK HOTEL UDAG PROJECT

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

No citizen appeared to speak in opposition.

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

93-49                    PUBLIC HEARING - STONFIELD ASSEMBLY PLANT UDAG PROJECT

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

No citizen appeared to speak in opposition.

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

In response to a question by Ms. Berriozabal, Ms. Jane Macon provided a brief background on this proposal, noting that a foreign investor is seeking a site for production of a six-wheeled vehicle in the

United States, with San Antonio and Detroit the leading contenders for the site. She stated that the plant would provide up to 1,000 jobs.

83-49 The Clerk read the following Ordinance:

AN ORDINANCE 57,743

AUTHORIZING PAYMENT OF \$31,440.92 TO THE TEXAS MUNICIPAL LEAGUE FOR REPRESENTATION IN THE SOUTHWESTERN BELL TELEPHONE COMPANY RATE CASE, NOW PENDING IN DOCKET NO. 5220 BEFORE THE PUBLIC UTILITY COMMISSION OF TEXAS.

\* \* \* \*

Mrs. Dutmer moved that the Ordinance be approved. Ms. Berriozabal seconded the motion.

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

83-49 The Clerk read the following Ordinance:

AN ORDINANCE 57,744

AUTHORIZING AND ALLOWING, UNDER THE ACT GOVERNING THE TEXAS MUNICIPAL RETIREMENT SYSTEM, "UPDATED SERVICE CREDITS" IN SAID -SYSTEM FOR SERVICE PERFORMED BY QUALIFYING MEMBERS OF SUCH SYSTEM WHO PRESENTLY ARE IN THE EMPLOYMENT OF THE CITY OF SAN ANTONIO; PROVIDING FOR INCREASED PRIOR AND CURRENT SERVICE ANNUITIES FOR RETIREES OF THE CITY; AND ESTABLISHING AN EFFECTIVE DATE FOR SUCH ACTIONS.

\* \* \* \*

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

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

83-49

INSURANCE

Mrs. Dutmer spoke of City employees problems with the City's new employee insurance program and asked for a staff report on that program.

83-49 The Clerk read the following Ordinance:

AN ORDINANCE 57,745

DECREASING THE CURRENT RATE OF \$6.00 PER HUNDRED POUNDS CHARGED FOR THE DUMPING OF OLD TIRES AT CITY LANDFILL SITES; DECLARING AN EMERGENCY AND MAKING NEW RATES EFFECTIVE IMMEDIATELY. (SEC. 17-5(d) OF CITY CODE)

\* \* \* \*

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

83-49 The Clerk read the following Ordinance:

AN ORDINANCE 57,746

AUTHORIZING AN AMENDMENT OF THE CONTRACT FOR CONSULTANT SERVICES TO PROVIDE STAFF SUPPORT TO THE TARGET '90 GOALS PROGRAM WITH VAN STEENEERG ENTERPRISES.

\* \* \* \*

Mr. Hasslocher moved that 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: Berriozabal, Dutmer, Wing, Alderete, Harrington, Hasslocher; NAYS: None; ABSENT: Webb, Eureste, Thompson, Archer, Cisneros.

83-49 The Clerk read the following Ordinance:

AN ORDINANCE 57,747

AUTHORIZING CONTINUATION OF THE FAMILY PLANNING PROJECT BY THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT; ESTABLISHING A FUND; ADOPTING A BUDGET AND AUTHORIZING PERSONNEL POSITIONS; AND AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE STATE DEPARTMENT OF HUMAN RESOURCES FOR A GRANT TO SUPPORT PROGRAM COST UP TO \$76,570.00.

\* \* \* \*

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

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

83-49 The Clerk read the following Ordinance:

AN ORDINANCE 57,748

BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS, RELATING TO THE ISSUANCE AND SALE OF "CITY OF SAN ANTONIO, TEXAS, GENERAL OBLIGATION IMPROVEMENT AND REFUNDING BONDS, SERIES 1983", INCLUDING THE APPROVAL AND DISTRIBUTION OF AN "OFFICIAL NOTICE OF SALE" AND "OFFICIAL STATEMENT"; AND DECLARING AN EMERGENCY.

\* \* \* \*

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

In response to a question by Mrs. Dutmer, Mr. Louis J. Fox, City Manager, stated that this bond sale will not adversely affect the City's current outstanding bonds. He further stated that he would be in New York City Monday to speak to bond rating firms about these bonds, and noted that their actual sale will be in November.

At this point, there being less than the needed eight affirmative votes of Council members currently present in the Council chambers in order to make this matter effective immediately, the proposed Ordinance, by consensus, was ordered temporarily postponed until eight Council members were present.

(See discussion continuation of this item below.)

83-49

NEW POLICE CHIEF

Mrs. Dutmer stated that as a result of the hiring of the new police chief from outside the San Antonio Police Department ranks, there will of necessity be a series of bumps, or demotions. She spoke of her disappointment that the City hired a chief from outside the SAPD, and asked the City Council to consider creation of a new position within the San Antonio Police Department of Assistant Police Chief, and direction that its appointee should be chosen from among the Deputy Police Chiefs currently on the force. She further asked that the salary for this new position be established between the Deputy Chief and Police Chief ranges.

Mrs. Dutmer moved that consideration of this proposal be placed upon the regular Council agenda for discussion at a future date. Mr. Hasslocher seconded the motion.

Mr. Louis J. Fox, City Manager, stated that he generally favors this action, in order that the bumping process will not occur, but he stated his opinion that the San Antonio Police Officers Association (SAPOA) should have an opportunity to approve the concept, first. He stated that he would speak with SAPOA on this, and asked that he be given sufficient time to work with the Association on this before City Council takes formal action.

Mrs. Dutmer, with the concurrence of the seconder of this motion, agreed to withdraw the motion.

83-49 Agenda item 34 (continued)

There being at least eight City Council members now present in the Council chambers, it was directed that consideration of agenda item 34 be brought before the Council again.

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

83-49

CITIZENS TO BE HEARD

MR. ROBERT RUDEWICK

Mr. Robert Rudewick, President of the San Antonio Police Association, spoke to the City Council about one of the City's Police officers who was wounded during duty hours. Mr. Rudewick then spoke about the City's subrogation claims arising out of Mr. Harold Flannia Jr.'s

injury of January, 1982. He then asked the City Council to support Harold Flammia, Jr.'s request and introduced Mr. Flammia's father, Harold.

Mr. Harold Flammia, Sr. related the incidents surrounding the wounding of his son and the mental and physical anguish experienced by the family and Police Officer Flammia. He stated he was concerned about the money being demanded by the City. He asked that the City Council pass a resolution indicating their support at allowing Police Officer Flammia to keep all the money received from the settlement.

Mrs. Terry Flammia also spoke on behalf of her son.

Mr. Thompson explained that the City is asking for the money it expended and advanced on his behalf.

Mr. Wing stated that if the Police Officer had not sued, the City would not have gone after this claim.

Mr. Fox asked the City Council to hold this matter in abeyance until Sean P. Martinez, Assistant City Attorney, is available and this matter can be discussed in Executive Session next week.

A brief discussion followed in which several Council members expressed their interest in discussing this case further.

Mr. Robert Rudewick thanked the Council for their attention.

\* \* \* \*

LEO P. VIRRIER

Mr. Leo P. Virrier, a concerned citizen, spoke of the State law that requires every driver in the state of Texas to carry liability insurance and the repeated lack of compliance by some drivers. He cited some statistics on the number of citations issued by the police department and the number dismissed. He cited one problem as being that the municipal courts are not courts of record.

Mr. Virrier further stated that his daughter had been involved in an accident with a man who had been issued 27 traffic citations but had not as yet had to pay any fines because of the current setup at municipal court. He complained that the law is not written with strong enough penalties. He added that he would like the City to pass an ordinance which would require a car to be impounded when the driver is caught without liability insurance.

Mrs. Dutmer stated that if we have a law it should be obeyed and some sort of punishment should be assessed if it is not. She spoke of the need for the City to have courts of record.

Mr. Thompson stated that a citation is not proof of guilt merely an assurance that the person cited will appear before a judge to answer to the accusation that he has broken a law.

Mr. Virrier recommended that Mr. Rolando Bono, Assistant City Manager, report to the Council every ninety days the number of citations issued by the Police Department and the number of those citations that are dismissed.

Mr. Wing suggested that Mr. Virrier take the matter of liability insurance up with State Representatives and Senators.

\* \* \* \*

EDDIE MORALES

Mr. Eddie Morales spoke about problems his neighborhood has been experiencing with illegal aliens. He added that he had previously sought

assistance from City officials in resolving these problems because he fears for his family's safety but officials had thus far been non-responsive.

Mr. Rolando Bono, Assistant City Manager, stated that Mr. Morales had lodged some complaints and they had been attended to, however, he added that a police officer cannot be assigned to the area permanently.

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

\* \* \* \*

83-49                      SAN ANTONIO MISSIONS NATIONAL PARK

Mrs. Dutmer stated that the \$1,000,000 San Antonio Missions National Park bill has been approved.

83-49      The Clerk read the following Letter:

October 14, 1983

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.

October 10, 1983

Petition submitted by Huisache Baptist Church requesting the closure of the north end portion of Warner Street at Mulberry for the purpose of restricting its use from City traffic and for the sole and exclusive use of the church.

\* \* \* \*

October 11, 1983

Petition submitted by Mr. Niels E. Lassen requesting a determination be made as to the ownership of Parrington Street.

\* \* \* \*

October 14, 1983

Petition submitted by Mrs. Janie Carrejo and other residents of the 5800 Block of Midcrown Drive requesting that the drive in back of their townhomes be made into a private drive.

\* \* \* \*

/s/Norma S. Rodriguez  
City Clerk

October 20, 1983  
mlr

There being no further business to go before the Council, the meeting was adjourned at 6:15 P.M.

A P P R O V E D

*Henry Cisneros*  
M A Y O R

ATTEST: *Norma J. Rodriguez*  
C i t y C l e r k