

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, MARCH 14, 1985.

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The meeting of the City Council of the City of San Antonio was called to order at 1:00 P.M. by the presiding officer, Mayor Henry Cisneros, with the following members present: BERRIOZABAL, WEBB, DUTMER, WING, EURESTE, THOMPSON, ALDERETE, HARRINGTON, ARCHER, HASSLOCHER, CISNEROS.

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85-21 The invocation was given by Rev. E. L. Hewitt, Jr., Westridge First Baptist Church.

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85-21 The City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

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85-21 LORD MAYOR OF KILKENNY, IRELAND

Mayor Cisneros spoke of the presence in the audience today of Mr. Tom Crotty, Lord Mayor of Kilkenny, Ireland, and his wife, who are in San Antonio as part of various St. Patrick's Day festivities. He invited both to join him at the Mayor's chair and welcomed them to San Antonio and to City Hall.

Mayor Crotty thanked the Mayor and Council for the welcome, and briefly described his city, which is rich in historical lore, going back to its establishment by the Normans in the 1100's. He spoke of his optimism that both the Republic of Ireland and the City of Kilkenny will overcome their various problems, including economic ones, in years to come.

Mayor Cisneros spoke of several U.S. dignitaries who are natives of County Kilkenny.

Mayor Crotty noted that the City of Kilkenny is known as "The Marble City" because of its location atop a massive marble geologic formation. He stated that he had been deeply impressed by the friendliness and hospitality of the people of San Antonio, and lauded the City's development, especially in the area of the Riverwalk.

Mayor Cisneros stated that many Catholic nuns living in San Antonio are natives of County Kilkenny, including Sister Boniface, renowned for her work with the community. He noted that thousands of San Antonians have been schooled by native Irish priests and nuns.

Mayor Crotty stated that his trip to San Antonio is the direct result of a visit to his city in Ireland in January, 1983 by a sports team from Texas Military Institute, and that since that visit, four young people from Kilkenny have come to TMI on scholarships. He praised the deportment of the TMI team while it was in Ireland.

Mayor Cisneros presented a San Antonio book and official scarf to Mrs. Crotty, and an official tie and tie-tack to Mayor Crotty and then read a proclamation naming Mayor Crotty an Alcalde de La Villita.

Mayor Crotty, in turn, presented Mayor Cisneros with a handmade shawl from Kilkenny.

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85-21

"CABS ON PATROL"

Mayor Cisneros read a Citation for "Cabs on Patrol", and expressed his appreciation to the City's taxicab operators for helping extend the reach of the Police Department by this unique program.

Mr. Robert Morales, spokesman for the group, stated that taxicab drivers are happy to work with anyone interested in the overall good of the community.

Mayor Cisneros presented the Citation to Mr. Morales.

Mr. Morales displayed the logo of "Cabs on Patrol", and spoke of their plans to help extend the Police Department's 'eyes and ears' by having taxicab drivers report emergency situations by radio so that the Police Department can be quickly notified and act on the matter. He also spoke of their willingness to assist in such cases as autos stalled on expressways, etc.

Mr. Hasslocher voiced his appreciation for the program, and noted that the program kicked off last week with operators of radio-equipped City vehicles.

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85-21

BUSINESS DEVELOPMENT WORKSHOPS

Mayor Cisneros stated that letters of appreciation are being presented today to nine public and private agencies, and three City

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departments, for their part in a series of City Council District Community Business Development Workshops, sponsored by the Department of Economic and Employment Development. He identified the organizations by name, to wit: Alamo City Chamber of Commerce, Eastside San Antonio Economic Development Council, Greater San Antonio Chamber of Commerce, Mexican Chamber of Commerce, North San Antonio Chamber of Commerce, Southside San Antonio Chamber of Commerce, San Antonio Regional Minority Purchasing Council, U.S. Small Business Administration, University of Texas at San Antonio/Center for Business Development, Equal Employment Opportunity Department/Small and Minority Business Enterprise Program, City Purchasing Department, and City Public Works Department.

Mayor Cisneros thanked the organizations involved for making these workshops such a success.

Dr. Ken Daly, Director of DEED, noted that some 180 businesses attended one or more of the seven seminars, and thanked Ms. Rosalie Manzano for her work in organizing the workshops.

Mayor Cisneros and members of the City Council also congratulated Ms. Manzano for her work.

Copies of the letters of appreciation were then handed out to each organization.

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85-21 UNIVERSITY OF OKLAHOMA, OKLAHOMA STATE UNIVERSITY
STUDENT DELEGATIONS

Mayor Cisneros noted the presence in the audience today of student groups from both the University of Oklahoma and Oklahoma State University, some 27 students and sponsors, who are in San Antonio to learn about our culture and traditions. He noted further that they will be here for one week. He then welcomed both groups to San Antonio, and presented representatives of each school with an official copy of the book on San Antonio for their school library.

A representative of the visiting groups thanked the Mayor and Council for the recognition and the books on San Antonio, noting that this is the second such trip to San Antonio by the Hispanic-American Student Association at the University of Oklahoma. She thanked the Mexican American Cultural Center for its fine work in hosting the visiting groups.

Mayor Cisneros thanked them for coming to San Antonio, and for studying the Hispanic community in the southwest.

85-21 The minutes of the Special Meetings of February 21, 1985 and February 28, 1985 were approved.

85-21 CONSENT AGENDA

Mrs. Dutmer moved that Agenda Items 4 - 25, constituting the Consent Agenda, be approved with Items 10, 13, 23, and 25 pulled for individual consideration.

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, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: None.

AN ORDINANCE 60,382

ACCEPTING THE LOW BID OF BAILEY'S HOUSE OF GUNS TO FURNISH THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH POLICE REVOLVERS FOR A TOTAL OF \$10,429.96.

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AN ORDINANCE 60,383

ACCEPTING THE PROPOSAL OF WALT DISNEY EDUCATIONAL MEDIA TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH 16 MM WALT DISNEY EDUCATIONAL FILMS FOR A TOTAL OF \$14,243.

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AN ORDINANCE 60,384

ACCEPTING THE LOW BID OF ALADDIN CARPET SHOWROOM TO FURNISH THE CITY OF SAN ANTONIO CONVENTION FACILITIES WITH WINDOW COVERINGS & DRAPERIES FOR THE MUNICIPAL AUDITORIUM FOR A TOTAL OF \$71,935.85.

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AN ORDINANCE 60,385

ACCEPTING THE LOW BID OF JEM ENGINEERING & MANUFACTURING COMPANY TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH STEEL MAST ARM TYPE TRAFFIC SIGNAL POLES FOR A TOTAL OF \$22,457.

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AN ORDINANCE 60,386 .

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ACCEPTING THE BID OF IBM CORPORATION TO FURNISH THE
CITY OF SAN ANTONIO INFORMATION RESOURCES WITH A
SYSTEM 36 UPGRADE FOR A TOTAL OF \$52,754.

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AN ORDINANCE 60,387 .

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ACCEPTING THE BID OF MISSION CONTRACTORS, INC., IN
THE AMOUNT OF \$663,942.92 FOR THE CONSTRUCTION OF
THE HUNTINGTON/GOULD STREET PROJECT; PROVIDING A
CONTINGENCY; AUTHORIZING \$5,000.00 FOR ENGINEERING
FEES PAYABLE TO DANNENBAUM ENGINEERING CORPORATION;
AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 60,388 .

.
ACCEPTING A PROPOSAL FROM ARCHITECTS ENVIRONMENTAL
GROUP, INC., FOR ARCHITECTURAL SERVICES RELATING TO
DESIGNING HANDICAPPED ACCESS FOR THE SUNKEN GARDENS,
MISSION SAN JOSE AND HIKE & BIKE TRAILS IN THE
AMOUNT OF \$12,000.00; AND PROVIDING A CONTINGENCY.

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AN ORDINANCE 60,389 .

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AUTHORIZING THE CITY MANAGER TO EXECUTE A
CONSTRUCTION EASEMENT AGREEMENT WITH THE LA PLAZA
DEL RIO ASSOCIATES WHICH GRANTS THE CITY OF SAN
ANTONIO A TEMPORARY CONSTRUCTION EASEMENT TO BE USED
IN CONNECTION WITH THE DEMOLITION OF THE STAFFEL
BUILDING.

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AN ORDINANCE 60,390 .

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APPROPRIATING \$7,252.37 AND AUTHORIZING PAYMENT OF
SAID AMOUNT TO VALERO TRANSMISSION COMPANY FOR THE
COST OF RELOCATING THAT PORTION OF THEIR LINE WHICH
WAS OUTSIDE THE ORIGINAL RIGHT-OF-WAY OF INGRAM ROAD

BUT WITHIN THE PARCEL OF LAND PURCHASED FOR THE NECESSARY WIDENING OF THE PROJECT.

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AN ORDINANCE 60,391

AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH VICKREY AND ASSOCIATES IN THE AMOUNT OF \$91,543.45 TO PROVIDE ENGINEERING SERVICES THROUGH THE PRELIMINARY PHASE ONLY ON THE ROSEDALE AREA STREET AND DRAINAGE IMPROVEMENT PROJECT.

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AN ORDINANCE 60,392

AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH M.W. CUDE AND ASSOCIATES, IN THE AMOUNT OF \$40,000.00 TO PROVIDE PLANS AND SPECIFICATIONS FOR THE CONSTRUCTION OF A SANITARY SEWER OFF-SITE TO SERVE THE GATES TRACT SUBDIVISION; AUTHORIZING AN ADDITIONAL \$4,000.00 FOR THE ENGINEERING CONTINGENCY AND \$100.00 FOR BID ADVERTISING; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 60,393

APPROPRIATING AND AUTHORIZING ADDITIONAL ENGINEERING MONEY, PAYABLE TO M.B.C. AND ASSOCIATES, INC., TO PROVIDE FINAL PLANS AND SPECIFICATIONS FOR THE CONSTRUCTION OF A SANITARY SEWER OFF-SITE TO SERVE THE QUINCY LEE & ROGERS TRACT SUBDIVISION FOR THE AMOUNT OF \$10,000.00; AUTHORIZING AN ADDITIONAL \$1,000.00 FOR THE ENGINEERING CONTINGENCY; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 60,394

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$77,342.00 OUT OF VARIOUS FUNDS FOR THE PURPOSE OF ACQUIRING TITLE AND/OR EASEMENTS TO CERTAIN LANDS; ALL IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS. (STONEWALL STREET PROJECT - \$12,475 PAYABLE TO ALAMO TITLE COMPANY AS ESCROW AGENT FOR HARLANDALE INDEPENDENT SCHOOL DISTRICT; \$440 PAYABLE TO ALAMO

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TITLE COMPANY AS ESCROW AGENT FOR HARLANDALE INDEPENDENT SCHOOL DISTRICT; \$765 PAYABLE TO ALAMO TITLE COMPANY AS ESCROW AGENT FOR GABRIEL B. GUERRERO; DURANGO STREET OVERPASS PROJECT - \$57,750 PAYABLE TO ALAMO TITLE COMPANY AS ESCROW AGENT FOR ANASTACIO SANCHEZ; STONEWALL STREET PROJECT, PHASE II, ZARZAMORA TO BUFFALO - \$1,760 PAYABLE TO ALAMO TITLE COMPANY AS ESCROW AGENT FOR CELIA G. DELGADO; ROTARY/HAMEL STREET RECONSTRUCTION PROJECT - \$1,917 PAYABLE TO NATIONAL TITLE COMPANY AS ESCROW AGENT FOR JAMES PRIESTLY, JR.; WINDING CREEK SUBDIVISION OFF-SITE SEWER PROJECT - \$1,530 PAYABLE TO NATIONAL TITLE COMPANY AS ESCROW AGENT FOR GEORGIAN OAKS JOINT VENTURE; SAN PEDRO HILLS UNIT #21 SANITARY SEWER PROJECT - \$565 PAYABLE TO ALAMO TITLE AGENCY, INC. AS ESCROW AGENT FOR DENTON DEVELOPMENT COMPANY, \$140 PAYABLE TO ALAMO TITLE AGENCY, INC., OAKWELL FARMS AS ESCROW AGENT FOR DENTON DEVELOPMENT COMPANY)

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AN ORDINANCE 60,395 .

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 60,396 .

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

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AN ORDINANCE 60,397 .

CHANGING THE STREET NAME OF HUME ROAD TO SAS DRIVE.

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AN ORDINANCE 60,398

CHANGING THE STREET NAME OF THE 400 BLOCK OF CONTI
(ALSO KNOWN AS POPPE ROAD) TO VAN BUREN LANE.

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AN ORDINANCE 60,399

ACCEPTING THE BID OF RAINMAKER IN THE AMOUNT OF
\$32,105.00 TO INSTALL AN AUTOMATIC IRRIGATION SYSTEM
IN APPROXIMATELY 7 ACRES OF ALDERETE PARK; AND
AUTHORIZING A CONTINGENCY.

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85-21 The Clerk read the following Ordinance:

AN ORDINANCE 60,400

AUTHORIZING AN ADDITIONAL \$75,000.00 FOR ENGINEERING
FEES PAYABLE TO EQUIPO DE VISTA VERDE, JOINT
VENTURE, FOR ENGINEERING SERVICES ON THE VISTA VERDE
SOUTH PROJECT.

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In response to a question by Mrs. Dutmer, Mr. Frank Kiolbassa, Director of Public Works, explained the reason why payment of additional engineering fees is necessary because of extra work involved in the project.

Mr. Thompson made a motion that the Ordinance be approved. Mr. Hasslocher seconded the motion.

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

85-21 COURTS OF RECORD BILL

Mayor Cisneros stated that he had just received a telephone call from State Senator Cyndi Krier to the effect that the Municipal Courts of

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Record Bill has just passed a full Senate vote. He thanked Senator Krier and Rep. Frank Tejada for their work in handling this measure in the Senate and House, stating that it would be a long-awaited improvement in the legal system of the City of San Antonio. He asked that word be sent to Senator Krier and Rep. Tejada expressing the City's thanks for their hard work on this measure.

85-21 The Clerk read the following Ordinance:

AN ORDINANCE 60,401

AUTHORIZING FIELD ALTERATION NO. 7 ON THE OLMOS/ROCK CREEK DRAINAGE PROJECT 88, PHASE II-87 IN THE AMOUNT OF \$72,046.00.

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Mr. Harrington made a motion that the Ordinance be approved. Mr. Hasslocher seconded the motion.

Mr. Archer spoke of problems experienced because of the bridge over Rock Creek on West Avenue, near Jackson-Keller Road. He spoke of the problems experienced by area businesses in the hampering of traffic flow through the construction area and the resulting detriment to their incomes. He stated further that he wanted to avoid such problems when the bridge over Olmos Creek is constructed on Jackson-Keller Road, just around the corner from this location. He stated his opinion that construction of a temporary bridge during that construction time is a waste of taxpayers' money. He noted that the contractor on the Jackson-Keller Road bridge plans to close the street next Monday to begin work, and stated his opinion that this will seriously hurt area businesses. He again stated his opinion that construction of a temporary bridge to bypass the construction site would be a waste of money. He further stated that he had been told that Mrs. Dutmer had stated that the City would construct a temporary bridge at this location during the construction phase, and spoke against it. He then spoke of the serious flooding problems in this area.

Mr. Archer proposed that the City cancel its contract on the Jackson-Keller Road bridge at this time and redesign it to accommodate traffic during construction. He then spoke to his belief that the City needs someone in charge to oversee coordination of all parties, such as utilities, in order to avoid a slowdown on the construction project. He further noted that the City has spent millions of dollars on the Olmos Creek drainage project. Mr. Archer then asked if something

could be done to curb the use of the creek right-of-way by four-wheel-drive vehicles before someone is hurt.

Mr. Archer again asked that the contract with the contractor for the bridge construction work at Jackson-Keller Road and Olmos Creek be cancelled and the bridge redesigned.

Mr. Frank Kiolbassa, Director of Public Works, stated that there is no safe or practical way to build a temporary bypass bridge at the Jackson-Keller Road project without taking someone's property in the process. He noted that, if such a bypass bridge were to be constructed south of the main bridge site, it would take substantial properties belonging to Dean Coley Auto Service, which would severely affect this business. He then stated his opinion that the City should either proceed with the contract as planned or cancel it and pay the necessary damages.

Mr. Archer urged the Council to wait until perhaps June 1 to close Jackson-Keller Road for this project, noting his understanding that the contractor is willing to cancel the contract at this point.

Mr. Kiolbassa stated that the Council would have to authorize the City Manager to alter the existing contract for the work, not kill the entire project.

Mr. Archer spoke to the flood dangers of this site and of the need for the Public Works Department to barricade the crossing in adverse weather conditions, and also to halt the use of the creek right-of-way by four-wheel-drive vehicles.

Mr. Louis J. Fox, City Manager, stated that he would come back to the Council next week with alternatives to this matter.

Mr. Kiolbassa stated that, in the given circumstances, he would not allow Jackson-Keller Road to be affected by construction work on Monday, as planned. He also spoke to his department as having a 'troubleshooter' available to check on such projects. He stated, however, that he has no control over some utilities who make street cuts, such as the telephone company, etc.

Mrs. Dutmer stated that she did not commit the City to take any action concerning the bridge on Jackson-Keller Road, but did tell interested citizens in the area what could be done to build a temporary bridge bypass.

Mr. Thompson voiced his concern with the effect of construction projects on traffic in any area.

Mr. Kiolbassa noted that the bridge in question is only a small part of the entire project, and that part of the work involves relocation of sewer lines in the area, as well.

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Mr. Hasslocher spoke of his concern with the impact such work can have on businesses in the area, when a major street is closed to traffic. He noted that the State of Texas is planning major reconstruction work on West Avenue beneath the Loop 410 overpass, and that two major projects right next to one another at the same time in construction would cause major problems for businesses in the vicinity. He asked the Public Works Department to check on this, and asked for closer coordination between the state and City on construction matters, to avoid such problems as these.

Mr. Archer noted that if the City would wait until June to begin work on the Jackson-Keller Road bridge, it would allow the City time to relocate the necessary sewer lines and thus cut down on the amount of time the street would have to be closed for bridge construction.

Mr. Archer then moved to cancel the contract with Bill Shannon on the Jackson-Keller Road bridge. Mr. Wing seconded the motion.

Mr. Hasslocher made a substitute motion to direct the City Manager to negotiate with Bill Shannon on the bridge closure matter and report back to City Council as soon as possible. Mrs. Dutmer seconded the motion.

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

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

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85-21 Agenda Item 23, being a proposed Ordinance changing the Street Name of Sago Palm Drive to Heritage Boulevard, was considered at this time.

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

Mr. Archer stated his contention that persons have voiced their concern about the proposed name change for the street involved.

Ms. Jo Garza, Assistant Director of Building Inspections, noted that all affected property owners in the area were notified well in advance, and she briefly explained the proposed change and why it was requested.

Mr. Hasslocher noted that he had heard from persons in opposition to this proposed name change, and asked City staff to re-contract the property owners in the area.

Mr. Hasslocher made a substitute motion to postpone consideration of this item for one week. Ms. Berriozabal seconded the motion.

The substitute motion to postpone consideration of this Ordinance for one week prevailed by the following vote: AYES: Berriozabal, Dutmer, Wing, Eureste, Thompson, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Webb.

Item 23 was postponed for one week.

85-21 Agenda Item 25, being a proposed Ordinance making and manifesting an agreement between the City of San Antonio, St. Luke's Lutheran Hospital, owner of Lot 33, NCB 12830, and Medical Center Tower II, Ltd., a limited partnership, lessee of said property, acting by and through Metroplan, Inc., a general partner in said partnership, and its assigns, to construct facilities over and upon a portion of the drainage easement on Lot 33, NCB 12830; repealing Ordinance No. 60038 passed on January 10, 1985, was considered at this time.

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

Mrs. Dutmer asked for a brief staff presentation to explain the proposed construction involved.

Mr. Hasslocher made a substitute motion to table consideration of this ordinance. Mr. Eureste seconded the motion.

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

(Agenda Item 25 was untabled and reconsidered later in this meeting. See page 15.)

ZONING HEARINGS

26. CASE Z85067 - to rezone Lot 1, Block 1, NCB 15911, 12015 O'Connor Road, from Temporary "R-1" One Family Residence District to "R-4" Mobile Home Residence District, located on the southeast side of O'Connor Road, being 250' northwest of the intersection of Independence Avenue, and

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O'Connor Road, having 780' on O'Connor Road, 700' on Weidner Road with a depth of 2001.37'.

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

Mr. Hasslocher moved that the recommendation of the Zoning Commission be approved provided that 18' of right-of-way dedication is given along Weidner Road, and that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. Mr. Thompson 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, Eureste, Thompson, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Webb.

AN ORDINANCE 60,402

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, BLOCK 1, NCB 15911, 12015 O'CONNOR ROAD, FROM "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "R-4" MOBILE HOME RESIDENCE DISTRICT, PROVIDED THAT 18 FEET OF RIGHT-OF-WAY DEDICATION IS GIVEN ALONG WEIDNER ROAD, AND THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

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27. CASE Z84527 - to rezone a 2.020 acre tract of land out of NCB 16411, being further described by field notes filed in the Office of the City Clerk, in the 1400 Block of O'Connor Road, from "B-2" Business District to "B-3NA" Business District, Non-Alcoholic Sales, located between O'Connor Road and Cattleman Drive, being 140' northwest of the intersection of Nacogdoches Road and O'Connor Road, having 142.31' on O'Connor Road and 200' on Cattleman Drive and a distance of 445.09' between these two streets.

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

In response to a question by Mr. Hasslocher, Mr. Andy Guerrero, Planner II, stated that City staff is concerned because it considers this too intensive a zoning next to a residential area.

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Mr. Hasslocher made a motion to deny the requested zoning. Mr. Thompson seconded the motion.

Mr. Gene Dressler, General Manager, Pronto-Lube, distributed photographs of the area and site, and a news release on the firm's plans for use of this property. He spoke of his business as a clean, attractive business which is locally-owned, and that he would observe a 100-foot setback line for construction next to the residential area.

Mr. Hasslocher spoke to the intensiveness of zoning in this area, and spoke against locating a business next to a residential area.

Mr. Harrington spoke to other zoning uses in this area, stating that what is planned is a neat, attractive operation set back some 100 feet from the residential zoning.

Mr. Dressler stated that he would have to have some 15,000 square feet for his planned facility.

Mr. Guerrero spoke to the 100-foot setback concerned.

Mr. Alderete made a substitute motion to approve "B-3NA" Business District, Non-Alcoholic Sales zoning on subject property as recommended by the Zoning Commission. Mr. Thompson seconded the motion.

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

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

AN ORDINANCE 60,403

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 150' OF THE SOUTHEAST 100' OF A 2.020 ACRE TRACT OF LAND OUT OF NCB 16411, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 14000 BLOCK OF O'CONNOR ROAD, FROM "B-2" BUSINESS DISTRICT TO "B-3NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

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85-21 At this time, Mr. Eureste made a motion to untable Agenda Item
25. Mr. Thompson seconded the motion.

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

Mr. Lowell Denton, City Attorney, stated that his investigation into this proposed Ordinance determined that this merely makes factual corrections in the original Ordinance enacted January 10, 1985.

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

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

AN ORDINANCE 60,404

MAKING AN MANIFESTING AN AGREEMENT BETWEEN THE CITY OF SAN ANTONIO, ST. LUKE'S LUTHERAN HOSPITAL, OWNER OF LOT 33, NCB 12830, AND MEDICAL CENTER TOWER II, LTD., A LIMITED PARTNERSHIP, LESSEE OF SAID PROPERTY, ACTING BY AND THROUGH METROPLAN, INC., A GENERAL PARTNER IN SAID PARTNERSHIP, AND ITS ASSIGNS, TO CONSTRUCT FACILITIES OVER AND UPON A PORTION OF THE DRAINAGE EASEMENT ON LOT 33, NCB 12830; REPEALING ORDINANCE NO. 60038 PASSED ON JANUARY 10, 1985.

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ZONING HEARINGS (CONTINUED)

28. CASE Z85056 - to rezone a 0.905 acre tract of land out of Tract 29, NCB 12858, being further described by field notes filed in the Office of the City Clerk, 8607 Wurzbach Road, from Temporary "R-1" One Family Residence District to "O-1" Office District, located on the northside of Wurzbach Road, being approximately 750' northeast of the intersection of Fredericksburg Road and Wurzbach Road, having 193.91' on Wurzbach Road and a maximum depth of 212.99'.

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. Hasslocher moved that the recommendation of the Zoning Commission be approved provided that street dedication is given along Wurzbach Road, and that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. 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, Wing, Eureste, Thompson, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: None.

AN ORDINANCE 60,405

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 0.905 ACRE TRACT OF LAND OUT OF TRACT 29, NCB 12858, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 8607 WURZBACH ROAD, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT, PROVIDED THAT STREET DEDICATION IS GIVEN ALONG WURZBACH ROAD, AND THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

* * * *

29. CASE Z85051 - to rezone Lots 39, 40, 41 and 42, Block 18, NCB 7504, 3930 Culebra Road, from "C" Apartment District to "B-3NA" Business District, Non-Alcoholic Sales, located southwest of the intersection of Dolores Avenue and Culebra Road, having 100' on Culebra Road and 201' on Dolores Avenue.

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. Hasslocher moved that the recommendation of the Zoning Commission be approved provided that driveways and off-street parking are provided, and that a 6' solid screen fence is erected and maintained along the south and west property lines. Mr. Alderete seconded the motion.

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Mr. Alderete briefly explained the agreement made between the proponent and residents of the area.

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

AN ORDINANCE 60,406

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 39, 40, 41 AND 42, BLOCK 18, NCB 7504, 3930 CULEBRA ROAD, FROM "C" APARTMENT DISTRICT TO "B-3NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION, AND THAT A SIX-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE SOUTH AND WEST PROPERTY LINES.

* * * *

30. CASE Z85065 - to rezone a 8.912 acre tract of land out of Lot 14, NCB 12171, being further described by field notes filed in the Office of the City Clerk, in the 3600 Block of Eisenhower Road, from "B-3" Business District and "B-2" Business District to "R-3" Multiple Family Residence District, located on the southside of Eisenhower Road, westside of Corrinne Drive, being 610.48' west of the intersection of Corrinne Drive and Eisenhower Road, 289.95' southwest of the intersection of Eisenhower Road and Corrinne Drive, having 41.50' on Eisenhower Road and 603.22' on Corrinne Drive.

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. Harrington moved that the recommendation of the Zoning Commission be approved provided that 13' of right-of-way dedication is given along Eisenhower Road, and that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 60,407

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 AN 8.912 ACRE TRACT OF LAND OUT OF LOT 14, NCB 12171, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 3600 BLOCK OF EISENHAUER ROAD, FROM "B-3" BUSINESS DISTRICT AND "B-2" BUSINESS DISTRICT TO "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT, PROVIDED THAT 13 FEET OF RIGHT-OF-WAY DEDICATION IS GIVEN ALONG EISENHAUER ROAD, AND THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

* * * *

31. CASE Z85058 - to rezone a 2.631 acre tract of land out of NCB 15676, being further described by field notes filed in the Office of the City Clerk, 2823 Thousand Oaks Drive, from "B-3R" Restrictive Business District to "B-2" Business District, located 168' northeast and 400' northwest of the intersection of Jones Maltsberger Road and Thousand Oaks Drive, having 154' on Thousand Oaks Drive and 150' on Jones Maltsberger Road.

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

Mr. Hasslocher moved that the recommendation of the Zoning Commission be approved provided that 13' of right-of-way dedication is given along Jones-Maltsberger Road and that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. Mr. Harrington seconded the motion.

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

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AN ORDINANCE 60,408

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 2.631 ACRE TRACT OF LAND OUT OF NCB 15676, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 2823 THOUSAND OAKS DRIVE, FROM "B-3R" RESTRICTIVE BUSINESS DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT 13 FEET OF RIGHT-OF-WAY DEDICATION IS GIVEN ALONG JONES-MALTSBERGER ROAD, AND THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

* * * *

32. CASE Z84511 P.P. - to rezone a 9.5941 acre tract of land out of NCB 9486, being further described by field notes filed in the Office of the City Clerk, in the 400 Block of Curtis Street, from "B-3" Business District to "R-3" Multiple Family Residence District, located on the eastside of Curtis Street, being 120' north of the intersection of Lorita Drive and Curtis Street, having 455.17' on Curtis Street and a depth of 1045.96'

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

Mr. Andy Guerrero, Planner II, explained that the proponent has requested a three-week postponement in consideration of this case.

Mrs. Dutmer made a motion to postpone consideration of this case for three weeks. Mr. Wing seconded the motion.

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

Case Z84511 P.P. was postponed.

33. CASE Z84501 - to rezone a 8.688 acre tract of land out of NCB 16324, being further described by field notes filed in the Office of the City Clerk, in the 12700 Block of West Avenue, from "R-3" Multiple Family Residence District to "B-2" Business District, located on the northwest side of West Avenue, being 130' northeast of the intersection of the

center line of Panther Springs Creek and West Avenue, having 1050.28' on West Avenue and a depth of 318'; and a 9.743 acre tract of land out of NCB 16324, being further described by field notes filed in the Office of the City Clerk, in the rear of the 12700 Block of West Avenue, from Temporary "R-1" One Family Residence District to "R-3" Multiple Family Residence District, located 620' northwest of West Avenue, being 130' northeast of the intersection of the center line of Panther Spring Creek and West Avenue, having a width of 700' and a depth of 720'.

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

Mr. Harrington moved that the recommendation of the Zoning Commission be approved provided that 13' of right-of-way dedication is given along West Avenue, and that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 60,409

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 AN 8.688 ACRE TRACT OF LAND OUT OF NCB 16324, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 12700 BLOCK OF WEST AVENUE, FROM "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT; AND A 9.743 ACRE TRACT OF LAND OUT OF NCB 16324, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE REAR OF THE 12700 BLOCK OF WEST AVENUE, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT, PROVIDED THAT 13 FEET OF RIGHT-OF-WAY DEDICATION IS GIVEN ALONG WEST AVENUE, AND THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

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34. CASE Z85060 - to rezone a 1.514 acre tract of land out of NCB 15679, being further described by field notes filed in the Office of the City Clerk, 13499 Wetmore Road, from Temporary "R-1" One Family Residence District to "B-3" Business District, located on the northwest side of Wetmore Road, being 800' northeast of the intersection of Thousand Oaks Drive, and Wetmore Road, having 263.50' on Wetmore Road and a depth of 250'.

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

No citizen appeared to speak in opposition.

Mr. Hasslocher moved that the recommendation of the Zoning Commission be approved provided that 25' of right-of-way dedication is given along Wetmore Road, and that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. 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, Webb, Dutmer, Wing, Thompson, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Eureste.

AN ORDINANCE 60,410

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 1.514 ACRE TRACT OF LAND OUT OF NCB 15679, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 13499 WETMORE ROAD, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT 25 FEET OF RIGHT-OF-WAY DEDICATION IS GIVEN ALONG WETMORE ROAD, AND THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

* * * *

35. CASE Z85048 - to rezone Lots 10, 11, and 12, Block 32, NCB 11748, 11219 West Avenue, from "A" Single Family Residence District to "B-3R" Restrictive Business District, located north of the intersection of

Pinetum Drive and West Avenue, having 158.75' on Pinetum and 330' on West Avenue.

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. Harrington moved that the recommendation of the Zoning Commission be approved provided that 5' of right-of-way dedication is given along Pinetum Drive, and 13' of right-of-way dedication along West Avenue. Further provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division.

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

AN ORDINANCE 60,411

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 10, 11 AND 12, BLOCK 32, NCB 11748, 11219 WEST AVENUE, FROM "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT FIVE FEET OF RIGHT-OF-WAY DEDICATION IS GIVEN ALONG PINETUM DRIVE AND 13 FEET OF RIGHT-OF-WAY DEDICATION ALONG WEST AVENUE. FURTHER PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

* * * *

36. CASE Z85057 - to rezone Lots 1 and 2, Block 14, NCB 16524, 2118 and 2122 Pinn Road, from Temporary "R-1" One Family Residence District to "B-3NA" Business District, Non-Alcoholic Sales, located on the eastside of Pinn Road, being 150' north of the intersection of Orr Drive and Pinn Road, having 141.4' on Pinn Road and a depth of 150'.

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

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No citizen appeared to speak in opposition.

Mr. Thompson moved that the recommendation of the Zoning Commission be approved provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division, and that a 6' solid screen fence is erected and maintained along the south property line until such time as the residential property transitions to commercial. Further provided that a 6' solid screen fence is erected and maintained along the east property line. Mr. Wing seconded the motion.

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

AN ORDINANCE 60,412

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 1 AND 2, BLOCK 14, NCB 16524, 2118 AND 2122 PINN ROAD, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-3NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION, AND THAT A SIX-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE SOUTH PROPERTY LINE UNTIL SUCH TIME AS THE RESIDENTIAL PROPERTY TRANSITIONS TO COMMERCIAL. FURTHER PROVIDED THAT A SIX-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE EAST PROPERTY LINE.

* * * *

37. CASE Z85049 - to rezone Lots 1-2, Block 11, NCB 15701, 12735 Nacogdoches Road, from Temporary "R-1" One Family Residence District to "B-3" Business District, located on the northwest side of Nacogdoches Road, being 225' southwest of the cutback at Bell Drive and Nacogdoches Road, having 50' on Nacogdoches Road and a depth of 120'.

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

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No citizen appeared to speak in opposition.

Mr. Hasslocher moved that the recommendation of the Zoning Commission be approved provided that a 6' solid screen fence is erected and maintained along the northwest property line, and that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. Ms. Berriozabal seconded the motion.

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

AN ORDINANCE 60,413

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 1 AND 2, BLOCK 11, NCB 15701, 12735 NACOGDOCHES ROAD, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT A SIX-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTHWEST PROPERTY LINE, AND THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

* * * *

38. CASE Z84482 - to rezone a 1.073 acre tract of land out of NCB 15655, being further described by field notes filed in the Office of the City Clerk, in the 5300 Block of Medina Base Road, from "I-1" Light Industry District to "B-2" Business District, located on the northside of Medina Base Road, being 1600' west of the intersection of Whitewood Drive, and S.W. Military Drive, having 310' on Medina Base Road and a depth of 170'; and a 4.042 acre tract of land out of NCB 15655, being further described by field notes filed in the Office of the City Clerk, from "I-1" Light Industry District to "B-2" Business District, 5600 Block of S.W. Military Drive, located on the southside of S.W. Military Drive, being 1100' west of the intersection of Medina Base Road and S.W. Military Drive and a width of 370' and a depth of 590'.

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

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No citizen appeared to speak in opposition.

Mr. Thompson moved that the recommendation of the Zoning Commission be approved provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. Mrs. Dutmer seconded the motion.

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

AN ORDINANCE 60,414

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 1.073 ACRE TRACT OF LAND OUT OF NCB 15655, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 5300 BLOCK OF MEDINA BASE ROAD FROM "I-1" LIGHT INDUSTRY DISTRICT TO "B-2" BUSINESS DISTRICT, AND A 4.042 ACRE TRACT OF LAND OUT OF NCB 15655, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 5600 BLOCK OF SOUTHWEST MILITARY DRIVE, FROM "I-1" LIGHT INDUSTRY DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

* * * *

85-21 The Clerk read the following Ordinance:

AN ORDINANCE 60,415

AUTHORIZING THE EXECUTION OF A CONTRACT WITH PROMARK SERVICES IN AN AMOUNT NOT TO EXCEED \$50,000.00 TO CONDUCT AN ANALYSIS OF ATTITUDE TOWARD BUSINESS DEVELOPMENT AND THE IMPACT THESE HAD ON MARKETING THE SOUTHERN SECTOR OF SAN ANTONIO.

* * * *

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

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Mrs. Dutmer questioned the large amount of funds involved, stating her contention that the City already knows what's wrong with business development in the southern sector. She spoke of the matter of location of wastewater treatment plants as one factor inhibiting southside development. She spoke of the need to overcome certain attitudes against developing the south side of the city and spoke against the proposed Ordinance.

Mr. Archer spoke against spending \$50,000 where it may not be needed, and voiced his belief that this work could be done by the City 'in-house' for much less.

Ms. Lorraine Salazar, Assistant Director of the Department of Economic and Employment Development, noted that this proposed Ordinance represents the recommendations of the Southern Sector Task Force, and is an in-depth study of attitudes on Southern Sector Development.

Mrs. Dutmer stated that she wants definite results for expenditure of this amount of money. Ms. Salazar noted that the study also will produce a recommended plan of action.

Mr. Wing spoke to the need to determine where to spend the remainder of the available monies, once this study is completed, with an eye toward using any available leftover funds.

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

- - -
85-21 Agenda Item 40, being a proposed resolution approving the realignment of the North Loop-Jones Maltsberger Street 1984 Bond Issue Project, was considered at this time.

Mr. Hasslocher asked that consideration of this item be postponed 30 days to allow time for him to meet with Mr. Harrington over this matter.

Mr. Hasslocher then moved for a 30-day postponement. Mr. Eureste 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.

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85-21 The Clerk read the following Ordinance:

AN ORDINANCE 60,416

AUTHORIZING THE CITY MANGER TO EXECUTE A CONTRACT WITH SOUTHWEST RESEARCH INSTITUTE, FOR THE AMOUNT OF \$20,000.00 TO DETERMINE WATER QUALITY FROM WATER WELLS ON PROPERTIES ADJACENT TO THE SALADO CREEK WASTEWATER TREATMENT PLAN.

* * * *

Mr. Hasslocher made a motion that the Ordinance be approved. Mr. Harrington seconded the motion.

A brief discussion then took place concerning the contract with Southwest Research Institute.

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

85-21 The Clerk read the following Ordinance:

AN ORDINANCE 60,417

APPROPRIATING \$62,440.00 FROM THE CONTINGENCY RESERVE TO IMPLEMENT THE MUNICIPAL COURT OF RECORD SYSTEM.

* * * *

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

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85-21 The Clerk read the following Ordinance:

AN ORDINANCE 60,418

AUTHORIZING AN AMENDMENT TO ORDINANCE NO. 59847 DATED NOVEMBER 29, 1984 AND AUTHORIZING THE CITY MANAGER TO EXECUTE BOTH AN AMENDMENT TO LEASE AND A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SAN ANTONIO; BONA VENTURES, INC., BERNARD LIFSHUTZ DBA GUADALUPE MEDICAL OFFICE JOINT VENTURE; AND RODOLFO DAVILA, AND TO EXECUTE A PHARMACY UNIT GROUND LEASE AGREEMENT WITH RODOLFO DAVILA.

* * * *

Mr. Archer made a motion to approve the Ordinance. Ms. Berriozabal 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, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: None.

85-21 Agenda Item 44, by general concensus of the Council, was temporarily bypassed.

85-21 Agenda Item 45, being a proposed ordinance approving street closures for Fiesta '85 activities in the downtown area, including Night in Old San Antonio, the King William Fair, and Market Square, was pulled from consideration.

85-21 Agenda Item 46, being a proposed ordinance adding provisions to Article IV of Chapter of the City Code of the City of San Antonio relating to solicitations, was pulled from consideration.

85-21 The Clerk read the following Resolution:

A RESOLUTION NUMBER 85-21-35

AUTHORIZING THE WATER WORKS BOARD OF TRUSTEES OF

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THE CITY OF SAN ANTONIO TO EXECUTE AN AGREEMENT FOR
FUNDING OF PROPOSED BAD WATER LINE STUDY OF THE
EDWARDS AQUIFER.

* * * *

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

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

- - -
85-21 The Clerk read the following Ordinance:

AN ORDINANCE 60,419 .

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PROVIDING FOR A 4-WAY STOP SIGN AT THE INTERSECTION
OF EARLY TRAIL AND W. QUILL.

* * * *

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

Mr. Archer stated his belief that the Council needs to have more information on such items as this, and noted that a City traffic count at this intersection yielded the result that the City cannot recommend a four-way stop sign there because not enough traffic is involved. He spoke of his concern with halting some 4,400 cars per day on a busy street such as West Quill Drive.

Mr. Frank Kiolbassa, Director of Public Works, stated that City staff cannot recommend enactment of this proposed Ordinance.

Mr. Alderete stated that his information shows that a four-way stop sign is needed at this intersection to prevent further accidents there, by slowing down traffic on West Quill Drive.

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

85-21 Agenda Item 44 was reconsidered at this time.

The Clerk then read the following Ordinance:

AN ORDINANCE 60,420

APPROVING LOCATIONS FOR THE FIESTA CARNIVAL FOR FIESTA, 1985 AND SETTING CERTAIN TERMS AND CONDITIONS THEREWITH; AND CLOSING CERTAIN STREETS IN CONNECTION WITH FIESTA 1985; AND PROHIBITING PARKING ON COMMERCE STREET FROM PECOS STREET TO SOLEDAD STREET FROM APRIL 19, 1985 THROUGH APRIL 28, 1985.

* * * *

Mr. Webb made a motion to approve the Ordinance. Ms. Berriozabal seconded the motion.

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

Mr. Hasslocher spoke against allowing the carnival to use the area immediately surrounding City Hall for 14 days, noting that there may be possible interference with the smooth functioning of the runoff election for city office, held if necessary on April 20. He stated his contention that to locate the carnival around City Hall would adversely affect City government, and also voiced fears that access to City Hall could be impeded for citizens.

Mr. Archer noted that the carnival finances the remainder of the Fiesta events, and spoke in favor of the Ordinance. He thanked Ms. Karen Kliever for her work in coordinating the matter of the carnival during Fiesta Week.

Mr. Webb stated that no location recommended by the Fiesta Committee would please everyone concerned, and spoke of locating the carnival 'in our own back yard to give us a taste of what we have in the past imposed upon others'. He also spoke to the fact that carnival finances other Fiesta events.

Mr. Thompson spoke in support of the committee recommendations.

In response to a question by Mr. Harrington, Ms. Kliever stated that she is working with the carnival concessionaire, Mr. Philip Sheridan, on the matter of security around the carnival area. She also noted that the carnival will not be located in front of City Hall, facing South

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Flores, and briefly addressed relocation of City Hall-area parking for the duration of the carnival. She also noted that last year, the carnival paid some \$169,000 to Fiesta San Antonio.

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

85-21

TAXICABS

On a point of personal privilege, Mrs. Dutmer spoke of the matter of City Council action recently, denying 19 additional taxicab allocations. She stated her belief that the threat of a lawsuit now exists over this matter, since the City allowed the owners of 19 permits to pay their necessary back fees under the assumption that they would be granted the 19 forfeited permits. She further noted that, based upon the assumption that by paying-up their back fees, they would be given the permits back, a number of taxicab owners purchased or contracted for additional equipment to fill those permits, and now the City refuses to allow them to have the additional permits in question.

Mr. Tom Finlay, Assistant City Attorney, stated that an attorney for some of the permit holders concerned has spoken to him concerning belief that they have grounds for a lawsuit. He spoke of the matter as being a question of facts.

Mrs. Dutmer briefly explained the background details of the matter, noting that many of the permits issued by the City for taxicabs have a provision that they be utilized within 90 days, or the permits are forfeited. She stated that the question now surrounds the status of those persons who hold permits for which no use-time-limit is involved; that is, holders of taxi permits before the 90-day rule was put into force. She asked that an extension of time be given for the use of equipment sanctioned by those permits in question, at least until a final decision is reached in this matter.

Mrs. Dutmer made a motion to reconsider the earlier Council vote on the matter of the 19 taxicab permits in question, and to place this matter on the Council's regular agenda next week. Ms. Berriozabal seconded the motion.

Mr. Alderete asked the City Manager for documented data on this entire matter.

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The motion to place this matter on the Council's regular agenda prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Thompson, Alderete; NAYS: None; ABSENT: Eureste, Harrington, Archer, Hasslocher, Cisneros.

Mr. Thompson voiced his concern that too many conflicting signals are being given to the local taxicab industry.

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85-21 The meeting was recessed at 3:12 P.M., reconvening at 5:00 P.M. for Citizens to be Heard.
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85-21

CITIZENS TO BE HEARD

TEODORO T. ZAMORA, JR.

Mr. Teodoro Zamora spoke of a situation that has developed between the Foster Grandparents Program and his mother, age 72, whereby she was laid off work last week because he lives with her and together, they make too much income and thus exceed federal guidelines for the program participation. He noted that she had worked for three separate program directors in the past without any such question. He spoke of having questioned the director of the program, Mrs. Davis, and another official, Mrs. Ramos, and was allegedly told that the matter is none of his business because he is not part of the program. He stated that he received the same reply when he asked about the program budget. He stated that his mother, in the past, has sold various items to raise funds for the program. He also stated that his mother has allegedly been told that he could get into trouble by asking more questions about the program. He then spoke of allegedly unqualified persons being served by the Foster Grandparents Program.

Mr. Archer asked that Ms. Teree Caldwell and Ms. Julia Castellano-Hoyt meet with Mr. Zamora to see if they can help him.

Ms. Berriozabal stated that she is somewhat familiar with this case, and that she has talked with Mrs. Davis, the program director, about why Mr. Zamora's mother's employment was terminated. She further stated that she informed Mrs. Davis that the answers given Mr. Zamora were not adequate, and noted that Mrs. Davis has agreed to explain the matter in writing. Ms. Berriozabal asked that she be given the names of persons who allegedly are not qualified to be served by this program.

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JOSE CHAVEZ

Mr. Jose Chavez thanked the City for cleaning up San Pedro Park and picking up trash there. He spoke of having recently witnessed problems of elderly persons seeking to cross an area street to reach a bus stop, and spoke of the need for protective street markings at that location to protect them in crossing, noting that the City has refused to erect a traffic light in the park itself, and spoke against use of any further park property for uses other than of benefit to children. He also asked for an explanation of current construction taking place on West Ashby Place, near the park, and voiced his concern for gas fumes in that immediate area. He stated that holes six feet in depth have been dug in the street, and voiced his fears that a child might fall into one of these holes, filled with water, and drown. He asked that some type of cover be placed over the holes, noting that barricades do not stop children from investigating the holes. He also addressed his concern that pecan trees in San Pedro Park reportedly are being cut down, and that pesticides are also being used in the park.

Ms. Berriozabal stated that she is familiar with much of what Mr. Chavez speaks to, and has been working with VIA Metropolitan Transit on the street crossing involved. She briefly spoke to details of the Ripley Street project, and asked Mr. Chavez to get in touch with persons involved in neighborhood revitalization in this area, so that he can help.

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MR. MIKE HEGARTY

Mr. Hegarty spoke to recent political events in the city having inspired creation of a special T-shirt, and he distributed a number of the shirts to members of the City Council present.

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

MR. LYNN R. HUGHES

Mr. Lynn R. Hughes stated that his home has been damaged by a sewage backup, with some \$14,000 damage being done this most recent time that this has occurred at his home. He noted that the City has assumed liability only for some \$300 of that damage figure, and that his insurance only covers a portion of the bill. He asked the City to reimburse him for his total losses, noting that the City put him up in a motel for some two weeks because of the sewage backup. He stated that he had spoken to Mr. Webb's assistant on this matter.

Mrs. Dutmer stated that she had turned this man's case over to the City Manager today.

A discussion took place concerning the most recent sewage backup and his motel stay at the expense of the City.

Mr. Lowell Denton, City Attorney, stated that the City is not liable in this case, and briefly explained the matter. He stated that perhaps the claim is coming too soon, and that usually, the City agrees to split the insurance deductible with the homeowner in these cases. He also stated that the City seeks to assist the homeowner in many cases while the home is being cleaned up. He stated that the City now is working on new proposed policies in this area. He then stated that the City is not totally liable in this case because the home in question is covered by homeowners' insurance.

Mr. Hughes stated that the City has been working on the wastewater system in his area, and further stated that he has no place to stay.

Mayor Cisneros stated that the City Attorney's office will seek to work with Mr. Hughes on this matter, and asked that someone be assigned by that office to work on the matter. He stated that Mr. Hughes would have an answer from the City as soon as possible.

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DR. JOSHUA SMITH

Dr. Joshua Smith spoke in endorsement of Mayor Cisneros' proposal to limit the terms of service as Mayor and City Council member, their salaries, and a reworking of the Code of Ethics for Council members, especially as it related to financial accountability. He further stated that he personally endorses a limit on political contributions and expenditures, and a limit on terms for Council members, and spoke of his desire that a future Charter Revision Commission consider these matters.

In response to question by Mr. Webb, Dr. Smith stated that he is not, at this time, willing to get into specifics of any particular proposal, only endorsing the concept involved. He further stated that he generally is not in favor of higher salaries for City Council members.

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85-21 The Clerk read the following Letter:

March 7, 1985

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.

February 27, 1985

Petition submitted by Mr. Hoyt D. McGowan requesting the improvement of Judson Road, that portion between I-35N and Nacogdoches Road.

* * * *

February 28, 1985

Petition submitted by Mr. Harry J. Burns, Attorney at Law, on behalf of Guido Properties, Inc. requesting the City of San Antonio to place necessary fill material on the property of Guido Properties, Inc., to bring its elevation out of the flood area.

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/s/Norma S. Rodriguez
City Clerk

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