

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO, HELD IN  
THE COUNCIL CHAMBERS, CITY HALL, ON  
THURSDAY, MAY 28, 1937.

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87-27 The meeting was called to order by the presiding officer, Mayor Henry Cisneros, with the following members present: BERRIOZABAL, WEBB, DUTMER, WING, MARTINEZ, THOMPSON, VERA, WOLFF, LABATT, HASSLOCHER, CISNEROS.

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87-27 The invocation was given by Reverend Albert Snyder, Holy Cross Episcopal Church.

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87-27 The members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

87-27 MEXICO EARTHQUAKE FUND

Mayor Cisneros introduced former U.S. Ambassador to Mexico Mr. Bob Krueger and several students from the Laredo High Schools who are present in San Antonio to present a check to the Mayor for the Mexico City High School affected by the earthquake.

Mr. Krueger briefly explained the reason for his presence in San Antonio and spoke of the status of the rebuilding certain structures destroyed in the Mexico City earthquake and he noted that five plane loads of goods were eventually flown into the quake stricken area from San Antonio. He then spoke of the response of San Antonio to the earthquake disaster.

A student representative from Laredo then presented a check for \$5,000.00 to Mayor Cisneros on behalf of all Laredo High School students.

Mayor Cisneros then introduced others present in the audience who were part of the delegation from Laredo.

Mr. Tom Adams, one of the leaders of the fund raising operation in Texas noted that those fund raising activities in Texas raised between \$750,000 and \$800,000 with the funds used to rebuild schools and hospitals in Mexico City. He then spoke of current status of the rebuilding efforts and he thanked Mayor Cisneros and former Ambassador Krueger for their efforts in this regard.

Former Ambassador Krueger then spoke of how the donated funds were used to rebuild schools and medical buildings in Mexico City.

87-27

COUNCILWOMAN FROM NORWAY

Mayor Cisneros introduced Councilwoman Liv Ingrid Grov from Stord, Norway. He presented her with a book and a special scarf from San Antonio.

Councilwoman Grov thanked the Mayor for the gifts from the city of San Antonio and spoke briefly of her position as one of forty-five Councillors in the city of Stord, Norway, a group that includes nineteen women. She stated that almost all democratic processes in Norway currently have an average of about 40% female representation.

Mayor Cisneros spoke of the progressive nature of Norway and the Norwegian effects upon the United States.

87-27

MO-TECH INCORPORATED

Mayor Cisneros spoke of San Antonio's activities in securing federal contracts for small businesses in San Antonio and he congratulated Mr. Sam Peck, the President of Mo-Tech Incorporated on that firm's recent reception of a \$9 million Navy contract which will bring on some 40 new jobs for San Antonio. He noted that the job involves manufacturing on electronic scanning and would increase the local employment by some 40 persons. Mr. Peck then came forward and briefly explained the jobs to be performed under this new navy contract.

87-27

25TH ANNIVERSARY OF RIVERWALK COMMISSION

Mayor Cisneros introduced members of the Riverwalk Commission present in the audience and he spoke briefly of the celebration of the 25th Anniversary of the Riverwalk Commission in San Antonio. He then read a proclamation commemorating this event.

Riverwalk Commission Vice-Chairman, Doris Irby, thanked the Mayor for the proclamation and invited all City Councilmembers to the Riverwalk Commission's 25th Anniversary celebration.

Individual City Councilmembers then congratulated the Riverwalk Commission and its members for their hard work and spoke of the "Shades and Shadows" study along the river now being performed by Texas A & M.

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87-27

NEIGHBORHOOD OF THE YEAR

Mayor Cisneros introduced Mr. David Chaney and members of the staff of Neighborhoods U.S.A. along with Ms. Raquel Oliva, president of the Woodlawn Neighborhood Association in San Antonio.

Mr. Chaney spoke of the annual "Neighborhoods U.S.A." conference that was held in San Antonio last week, noting that it included some 500 delegates from 45 states and he thanked the Mayor and City Councilmembers for taking part in that conference.

Ms. Oliva spoke of the Woodlawn Neighborhood Association's victory in being named the "Neighborhood of the Year". She then thanked the City Council for its support of the group and addressed the work done along Woodlawn Lake.

Mrs. Berriozabal spoke of the major support sponsorship by Church's Fried Chicken and she also thanked Ms. Vera and the Neighborhood Association for their hard work. She stated further that she hopes to attract CDBG funds in the future to continue work being done at Woodlawn Lake.

Ms. Vera congratulated the Woodlawn group for being named "Neighborhood of the Year".

Ms. Oliva thanked the city staff and various supporting individual businesses who contributed funds or services to the effort.

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87-27

VISITING COUNCILMEMBER FROM ARGENTINA

Mayor Cisneros noted the presence in the audience today of Council person Adelina J. Dalesia De Viola, Council person from Buenos Aires, Argentina.

Council person De Viola thanked the Mayor for the recognition and presented the Mayor with a special belt from Argentina and also spoke of her coming candidacy for a seat in the National Legislature of Argentina.

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87-27 The Clerk read the following Ordinance:

AN ORDINANCE 65,083

BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO,

TEXAS, AUTHORIZING THE ISSUANCE OF \$50,000.00 "CITY OF SAN ANTONIO, TEXAS, GENERAL IMPROVEMENT BONDS, SERIES 1987", LEVYING A CONTINUING DIRECT ANNUAL AD VALOREM TAX FOR THE PAYMENT OF SAID BONDS; PRESCRIBING THE FORM, TERMS, CONDITIONS, AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE AND DELIVERY OF SAID BONDS, INCLUDING THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING THERETO; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT; AND DECLARING AN EMERGENCY. (DILLON READ & CO.)

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Mayor Cisneros spoke of the pending use for the bonds being sold at this time including a number of public safety items for the most part and he noted that the firm of Dillon Read & Company is the apparent successful bidder on the bond.

Mr. Louis J. Fox, City Manager, noted that San Antonio retained its double A and double A+ bond rating and he noted that it is a good bid below 8% on the current market. Mr. Fox then briefly explained the procedures that were used to advertise these bonds for sale.

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

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

Mr. Fox stated that a portion of the bonds was for financing of the Police Training Facility, various firestations and their repairs around the city. He also noted that funds would be used for the Northwest Police Substation as well as for some streets and drainage projects remaining from the 1985 bond issue. He noted that by fall of this year, all capital improvement bonds will have been issued.

In response to a question by Mr. Hasslocher, Mr. David Steitle, Director of Public Works, noted that Haskin Road project is not in this bond issue.

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87-27 CONSENT AGENDA

Mrs. Dutmer made a motion to approve Agenda Items 5 - 21, constituting the Consent Agenda, with the exception of Items #5, 6, 14, 15, 18, 19 and 21, which were pulled for individual consideration. Mr.

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Labatt seconded the motion.

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

AN ORDINANCE 65,084 .

CANCELLING THE CONTRACT OF VC CONSTRUCTION FOR RIVER BARGES AND AWARDING IT TO R & R WELDING FOR THE PARKS AND RECREATION DEPARTMENT FOR A TOTAL OF \$5,850.00.

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AN ORDINANCE 65,085 .

CANCELLING THE CONTACT OF MOTION INDUSTRIES, INC., FOR INDUSTRIAL BEARINGS, OIL & GREASE & PILLOW BLOCKS ON A CONTRACT BASIS AND AWARDING IT TO MIDCAP BEARING CORPORATION FOR A TOTAL OF APPROXIMATELY \$31,513.00.

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AN ORDINANCE 65,086 .

AUTHORIZING FIELD ALTERATION NO. 5 IN THE AMOUNT OF \$24,471,05 FOR THE WESTSIDE EXPRESSWAY ROW CLEARANCE PROJECT - PHASE II, PAYABLE TO HEATH CONSTRUCTORS, INC.

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AN ORDINANCE 65,087 .

AUTHORIZING \$47,500.00 PAYABLE TO THE SAN ANTONIO RIVER AUTHORITY FOR RIGHT-OF-WAY ACQUISITION ON THE SAN ANTONIO RIVER CHANNEL IMPROVEMENT PROJECT, UNIT 8-3-2.

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AN ORDINANCE 65,088 .

ACCEPTING THE BID OF V.K. KNOWLTON PAVING CONTRACTOR, INC., IN THE AMOUNT OF \$2,070,531.66 FOR THE JONES MALTSBERGER/NORTH LOOP ROAD, PHASE I PROJECT; PROVIDING A MISCELLANEOUS CONSTRUCTION

CONTINGENCY IN THE AMOUNT OF \$103,526.58; APPROVING A CONTRACT; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 65,089

AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT AMENDMENT NO. 1 AND APPROPRIATING ADDITIONAL FUNDS TO THE PRECONSTRUCTION SERVICES CONTRACT FOR THE DESIGN OF CATEGORY 4, PACKAGE "E" WITH BAIN, MCCRARY, BAIN ENGINEERS AND SURVEYORS, INC., IN THE AMOUNT OF \$54,065.00.

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AN ORDINANCE 65,090

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$26,508.00 OUT OF VARIOUS FUNDS FOR THE PURPOSE OF ACQUIRING TITLE AND/OR EASEMENTS TO CERTAIN LANDS; ACCEPTING THE DEDICATION OF TITLE AND/OR EASEMENTS TO CERTAIN LANDS; ALL IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS. (\$100.00 - HUMBERTO VINTON AND GLORIA VINTON; \$500.00 - BEATRICE CAVAZOS; \$160.00 - SALVADOR R. CARDENAS AND SOLEDAD S. CARDENAS; \$315.00 - ESTEFANA F. ARREDONDC; \$140.00 - MANUEL R. PROUTY, JR. AND FRANCES M. PROUTY; \$300.00 - MANUEL PROUTY AND JUANITY PROUTY; \$160.00 - BELEN RAMOS. DEDICATION - NBC BANK HARLANDALE; \$7,781.00 - KELLER, REHMAN, STARK & STRIBLING STREET PROJECT: \$2,360.00 - ALAMO TITLE COMPANY AS ESCROW AGENT FOR STRIBLING STREET PROPERTIES; \$5,271.00 - ALAMO TITLE COMPANY AS ESCROW AGENT FOR ESSKAY MANUFACTURING COMPANY; \$150.00 - SAN ANTONIO INDEPENDENT SCHOOL DISTRICT. \$400.00 - VIRREY, A PARTNERSHIP BY JOSE A. GARCIA AND SOCORRO V. GARCIA. \$8,550.00 - COMMERCIAL ABSTRACT & TITLE COMPANY AS ESCROW AGENT FOR KENNETH I. REUS AND VELMA JEAN REUS. \$2,162.00 - MITCHELL/WELLINGTON/NOGALITOS/MARGIL AND RIPFORD STREET PROJECT: \$1,500.00 - SOLEDAD SANCHEZ, NAOMI SAUCEDA AND ELEAZAR SANCHEZ; \$312.00 - SOLEDAD SANCHEZ, NAOMI SAUCEDA AND ELEAZAR SANCHEZ; \$350.00 - MANUEL HERNANDEZ. \$5,940.00 - GROFF/HORTENCIA/CARLOTA/FLORENCIA/CONSUELO/ALICIA & DOLORES STREET PROJECT; \$2,490.00 - PACUAL R. VILLEGAS, JR AND REBECCA VILLEGAS; \$2,890.00 - FIRST AMERICAN TITLE COMPANY AS ESCROW AGENT FOR LUCIANO AGUILAR AND MARY HELEN AGUILAR; \$560.00 - MARTIN EPSTEIN AND NORMAN EPSTEIN. DEDICATION - VAN DE

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WALLS AGRICULTURAL PROPERTIES. DEDICATION - LOUIS  
KNEIPP SURVEY. DEDICATION - ALFRED MILLER AND  
MARJORIE J. MILLER; DEDICATION - MAY TWENTIETH,  
LTD.)

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AN ORDINANCE 65,091 .

AUTHORIZING A LEASE WITH SEA WORLD OF TEXAS, INC.,  
FOR USE OF CITY-OWNED LAND ON MAVERICK WALK FOR  
OUTDOOR DINING AREA.

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AN ORDINANCE 65,092 .

CLOSING ALAMO PLAZA EAST FROM HOUSTON TO CROCKETT  
STREET ON JUNE 12, 1987 FROM 9:00 A.M. TO 3:00 P.M.

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AN ORDINANCE 65,093 .

AUTHORIZING FUNDING OF THE YOUTH OPPORTUNITY  
UNLIMITED PROGRAM IN THE AMOUNT OF \$102,000.00 FROM  
UNALLOCATED PROGRAM YEAR 1986 JTPA TITLE II-A FUNDS;  
REVISING THE BUDGET; AUTHORIZING EXECUTION OF  
AGREEMENTS AND PAYMENTS TO SERVICE PROVIDERS.

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87-27 The Clerk read the following Ordinance:

AN ORDINANCE 65,094 .

ACCEPTING THE LOW BID OF BROWNING FERRIS INDUSTRIES  
TO FURNISH THE CITY OF SAN ANTONIO PARKS &  
RECREATION DEPARTMENT WITH DUMPSTER SERVICE FOR THE  
1987 SUMMER NUTRITION PROGRAM FOR A TOTAL OF  
\$4,638.00.

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Mrs. Dutmer stated for the record that she would be voting  
against this ordinance because of pending litigation against the firm  
involved.

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

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

87-27 The Clerk read the following Ordinance:

AN ORDINANCE 65,095

ACCEPTING THE LOW BID OF SAACO FOR EMERGENCY REPAIRS TO THE AIR CONDITIONING SYSTEM AT THE POLICE DEPARTMENT FOR A TOTAL OF \$3,470.00.

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In response to a question by Mr. Hasslocher, Mr. John Brooks, Director of Purchasing and General Services, explained the need for emergency repairs for the San Antonio Police Department headquarters air conditioning system.

Mr. Hasslocher noted that the air conditioning system in Police headquarters has been a problem for a number of years and he feels that several repairs in the past have not brought that system up to par.

Mr. Brooks noted that a new air conditioning system is now being designed for the Police headquarters building.

A discussion then took place on the status of the old air conditioning system and the plans for the new system.

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

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

87-27 The Clerk read the following Ordinance:

AN ORDINANCE 65,096

AUTHORIZING THE DIRECTOR OF FINANCE TO WRITE-OFF  
19,374 UNCOLLECTABLE EMERGENCY MEDICAL SERVICE  
ACCOUNTS TOTALING \$992,570.55.

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Mr. Louis J. Fox, City Manager, explained that the Bexar County Hospital District currently collects emergency medical service fees for the city of San Antonio and he noted that everything is done to collect on delinquent bills however, a certain number of those exemplified by the list included with the ordinance today simply cannot be collected. He explained how the city loses out on some collections.

In response to a question by Mr. Hasslocher, Mr. Fox discussed the collections rate which is about 50% at the present time and he spoke to the reasons for certain non-collection problems.

Mr. Labatt stated that he would like to have figures on the current collections as well as the amount of write-offs of the last 5 years.

Mayor Cisneros spoke of many reasons for non-collection of EMS bills and he noted that San Antonio is underwriting the EMS service to the tune of about \$1 million per year as a result. He noted that EMS picks up all calls who need treatment and transportation to hospitals regardless of ability to pay.

Mr. Fox noted that the system has had very few law suits filed against it since its inception.

Mr. Labatt stated that he favors getting a judgement against a persons home for non-payment of an EMS bill if that it is necessary to collect it.

Mr. Carl White, Director of Finance, noted that only a few legal remedies are available to the city for collection procedures under the current law and he noted that the Bexar County Hospital District has less of a collection rate than did the city when it handled its own collections. He did state however, that the EMS rates also have risen over the years which probably causes some of the uncollectibility problems.

Mr. Wolff asked to receive an analysis of the collections by the Bexar County Hospital District versus the collections performed by the city of San Antonio in the past, noting that it may be better for the city to make its own EMS bill collections.

In response to a question by Mr. Thompson, Mr. White explained the process of screening bills for collection.

Mr. Thompson stated that he feels that the Bexar County Hospital District is not doing well in collecting any of its own bills much less the EMS bills and he stated that in his opinion, the city may be able to do it better itself.

Mr. Thompson made a motion to approve the proposed Ordinance with the proviso that the city staff review the current collections procedures and then make recommendations to the City Council as to the possibility of the city collecting its own bills in the future. Mrs. Dutmer seconded the motion.

Mr. White noted that collection rates have dropped from 53% to 41% under the Bexar County Hospital District collections and he spoke of the city's annual payment to the Hospital District for collecting EMS fees which is in excess of \$400,000 per year.

Mrs. Dutmer stated that she favors fingerprinting of EMS patients in some cases especially in the cases of transients.

Mr. Lloyd Garza, City Attorney, stated that the city can separate EMS billings from the actual collections if necessary.

Ms. Vera stated that she would like to receive a comparison report of the collections under the Hospital District and those done by the city in the past.

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

87-27 The Clerk read the following Ordinance:

AN ORDINANCE 65,097

ESTABLISHING FEES AND CHARGES FOR SERVICES OFFERED AT THE CITY-OPERATED BRACKENRIDGE PARK POLO FIELD DRIVING RANGE.

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

In response to a question by Mr. Martinez, Mr. Ron Darner, Director of Parks and Recreation, explained the reasons for the Parks and Recreation staff recommendations that the city operate the driving range at the Brackenridge Park Polo Field instead of farming it out to an independent contractor. Mr. Darner noted that his department projects a profit to be made from city operation of this facility.

Mr. Martinez stated that he wants the operation to at least break even.

Mrs. Berriozabal noted that several groups have stated to her that they feel they can handle this driving range operation better than the city and she would like to have a 6 months status report made to the City Council after 6 months of city operation.

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

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87-27 The Clerk read the following Ordinance:

AN ORDINANCE 65,098 .

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APPROPRIATING FUNDS AND AUTHORIZING BUDGET LINE  
ITEMS REQUIRED FOR ADMINISTRATIVE EXPENDITURES FOR  
THE SOUTHSIDE MUNICIPAL GOLF COURSE PROJECT.

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

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

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87-27 The Clerk read the following Ordinance:

AN ORDINANCE 65,099 .

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APPROPRIATING FUNDS AND SETTING UP BUDGET LINE ITEMS  
REQUIRED FOR ADMINISTRATIVE EXPENDITURES FOR THE  
NORTHWEST MUNICIPAL GOLF COURSE PROJECT.

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

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

87-27 The Clerk read the following Ordinance:

AN ORDINANCE 65,100

AUTHORIZING PAYMENT OF \$4,057.59 FOR 1,000 MAPS OF SAN ANTONIO, NECESSITATED BY RECENT ANNEXATIONS.

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

In response to a question by Mr. Hasslocher, Mr. Roland Lozano, Director of Planning, explained the accuracy status of the maps currently in use and the difference between these maps and others used by the Police Department and the Fire Department.

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

87-27 ZONING HEARINGS

22. CASE 287066 - to rezone a 0.2056 acre tract of land out Lot 3, Block 1, NCB 15691, 12571 Nacogdoches Road, from "B-2" Business District to "B-3NA" Non-Alcoholic Sales Business District, located southwest of the intersection of Roland Drive and Nacogdoches Road, having 80.01 on Nacogdoches Road and 94.60' on Roland Drive.

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

Mr. Hasslocher made a motion to approve the recommendation of the Zoning Commission provided that a six-foot solid screen fence is erected and maintained along the northwest property line. 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, Martinez, Vera, Wolff, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: Thompson.

AN ORDINANCE 65,101

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 0.2056 ACRE TRACT OF LAND OUT OF LOT 3, BLOCK 1, NCB 15691, 12571 NACOGDOCHES ROAD, FROM "B-2" BUSINESS DISTRICT TO "B-3NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES, PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTHWEST PROPERTY LINE. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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23. CASE 287105 - to rezone Lot 13, NCB 7469, 3150 Culebra Road, from "B-3R" Restrictive Business District to "B-2" Business District, located on the southeast corner of Culebra Road and Memorial Street, having 50' on Culebra Road and 150' on Memorial Street.

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

Ms. Vera made a motion to approve the recommendation of the Zoning Commission provided that three feet of dedication is given along Culebra Road; that a property line return is accomplished; and that off-street parking is 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, Martinez, Vera, Wolff, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: Thompson.

AN ORDINANCE 65,102

AMENDING CHAPTER 35 OF THE CITY CODE THAT

CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 13, NCB 7469, 3150 CULEBRA ROAD, FROM "B-3R" RESTRICTIVE BUSINESS DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT THREE FEET OF DEDICATION IS GIVEN ALONG CULEBRA ROAD; THAT A PROPERTY LINE RETURN IS ACCOMPLISHED; AND THAT OFF-STREET PARKING IS PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION. THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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24. CASE 287097 - to rezone a 0.965 acre tract out of P-76, NCB 17990, from Temporary "R-1" One Family Residence District to "B-3" Business District; a 5.715 acre tract out of P-76, NCB 17990, from Temporary "R-1" One Family Residence District to "I-1" Light Industry District, located on the northwest side of I.H. 10 East, 1700' southwest of FM 1516, having 399.73' on I.H. 10 and a maximum depth of 712.6'.

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. Webb, Mr. Andy Guerrero, Planner III, stated that the proponent plans to put mini-warehouses on the property.

In response to a question by Mr. Webb, Mr. Payton Smith, the proponent stated that he has no plans for the "B-3" proposed area as yet but spoke to several possible options.

Mr. Webb stated his desire to have "B-3NA" instead of "B-3" on that property.

Mr. Smith spoke in favor of the "B-3" zoning in order to allow him more flexibility but stated that he would accept a "B-3R" if necessary.

A discussion then ensued concerning the various options available to the Council during which Mr. Smith then agreed to accept a "B-3" zoning.

In response to a question by Mr. Webb, Mr. Smith stated that he owns and operates a massage parlor in Bexar County.

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In response to a question by Mr. Webb, Mr. Guerrero noted that "B-3R" zoning allows for a massage parlor on the property but no on premises consumption of alcoholic beverages.

Mr. Webb spoke against so called "blind zoning" in which zoning is granted with no planned use for the property involved.

Mr. Webb made a motion to approve "B-3R" zoning provided that driveway approval is secured from the State Department of Highways and Public Transportation, and that off-street parking is 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, Martinez, Vera, Wolff, Labatt, Cisneros; NAYS: Wing; ABSENT: Thompson, Hasslocher.

AN ORDINANCE 65,103

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 0.965 ACRE TRACT OF LAND OUT OF PARCEL 76, NCB 17990 FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT; AND A 5.715 ACRE TRACT OF LAND OUT OF PARCEL 76, NCB 17990 FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT, 8465 IH 10 EAST, PROVIDED THAT DRIVEWAY APPROVAL IS SECURED FROM THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION, AND THAT OFF-STREET PARKING IS PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

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25. CASE 287100 - to rezone a 7.54 acre tract out of Lot 2, Block 1, NCB 17054, 13400 Block of West Avenue, from "R-3" Multiple Family Residence District to "B-2" Business District, located on the northwest side of West Avenue, 1168.98' northeast of the intersection of West Avenue and Woodvalley Drive, having 562.65' on West Avenue and a maximum depth of 670'.

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

Mr. Wolff made a motion to approve the recommendation of the Zoning Commission provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. Mr. 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, Thompson, Vera, Wolff, Labatt, Cisneros; NAYS: None; ABSENT: Martinez, Hasslocher.

AN ORDINANCE 65,104

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 7.54 ACRE TACT OF LAND OUT OF LOT 2, BLOCK 1, NCB 17054, IN THE 13400 BLOCK OF WEST AVENUE, FROM "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

26. CASE Z87101 - to rezone a 0.8612 acre tract out of Lot 45, NCB 14735, from "R-3" Multiple Family Residence District to "R-3" Multiple Family Residence District in addition to City Council approval for a day center caring for over twenty children, located 1270' northeast of Vance Jackson and 332.16' southeast of Wall Street being a tract of land 136' by 277' in size.

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

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

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AN ORDINANCE 65,105

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 0.8612 ACRE TRACT OF LAND OUT OF LOT 45, NCB 14735, FROM "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT WITH CITY COUNCIL APPROVAL FOR A DAY-CARE CENTER CARING FOR OVER TWENTY (20) CHILDREN. "THE PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED \$1,000.00."

\* \* \* \*

27. CASE Z87070 - to rezone NCB 8087, All of NCB, save and except Lots 1 thru 6. NCB 11324, All of NCB. NCB 11327, All of NCB, save and except Lots 1, 2, 15, 16 and 17. NCB 11328, All of NCB. NCB 11329, All of NCB. NCB 11329, All of NCB. NCB 11330, All of NCB. NCB 11331, All of NCB, save and except Lots 1 and 2, NCB 11332, All of NCB. from "B" Residence District to "R-7" Small Lot Homes; NCB 11327, Lots 1 and 2, from "B" Residence District to "R-7" S.U.P. Small Lot Homes Special Use Permit for two residences on a lot; NCB 11331, Lots 1 and 2, from "B-2" Business District to "R-7" S.U.P. Small Lots Homes Special Use Permit for a duplex; NCB 8089, Tracts A and B, save and except the north 160.94'. NCB 14463, All of NCB. NCB 14464, All of NCB, from "B" Residence District to "R-5" One Family Residence District; NCB 8080, All of NCB, save and except Lots 1 thru 5. NCB 8081, All of NCB, save and except Lots 42 thru 45. NCB 8082, All of NCB, save and except Lots 1 thru 5. NCB 8083, All of NCB, save and except Lots 1 thru 5 and Lot 32. NCB 8084, All of NCB, save and except Lots 1 thru 5, Lots 29 thru 32, Lots 21 and 25, 28, 39, 11-C, 11-D, 11-I, 11-J, 12-C, 12-D, 12-I, 12-J, 13-C, 13-D, 13-I, 13-J, 14-C, 14-D, 14-G, 14-H, 14-I, 14-K, 15-A and 15-B. NCB 8091, All of NCB, save and except Lot 11. NCB 8092, All of NCB, save and except the north 160' of Lots 1 and 2. NCB 8197, All of NCB. NCB 8198, All of NCB. NCB 11344, All of NCB. NCB 11345, All of NCB. NCB 11346, All of NCB. NCB 11347, All of NCB. NCB 11348, All of NCB. NCB 11349, All of NCB. NCB 11350, All of NCB. NCB 11351, All of NCB. NCB 11352, All of NCB. NCB 11353, All of NCB. NCB 11354, All of NCB. NCB 11355, All of NCB. NCB 11356, All of NCB. NCB 11357, All of NCB. NCB 11358, All of NCB. NCB 11359, All of NCB. NCB 11360, All of NCB. NCB 11361, All of NCB. NCB 11362, All of NCB. NCB 11363, All of NCB. NCB 11364, All of NCB. NCB 11365, All of NCB, save and except Lot 10. NCB 11370, All of NCB, save and except Lot 25. NCB 11371, All of NCB, save and except Lots 3, 4, 10, 11, 12, 29, 30, 48, 49 and 50, from "B" Residence District, "R-3" Multiple Family Residence District, "JJ" Commercial District, "B-3NA" Non-Alcoholic Sales District and "B-3" Business District to "R-1" One Family Residence District. NCB

11365, Lot 10, from "R-3" Multiple Family Residence district to "R-1" S.U.P. One Family Residence District Special Use Permit for a duplex. NCB 8084, Lot 21, NCB 11353, Lot 27, NCB 11371, Lots 3 and 4, from "B" Residence District to "R-2" Two Family Residence District. NCB 8084, Lots 1, 2, 3, and 5, NCB 8669, Tract A-13, save and except the north 160', from "B" Residence District and "JJ" Commercial District to "R-3" Multiple Family Residence District, provided that a one-foot non-access easement is imposed on the property lines fronting on S.W. 35th Street and further provided that a six-foot solid screen fence is erected and maintained on the east and south property lines. NCB 8087, Lot 6, from "B" Residence District and "JJ" Commercial District to "B-1" S.U.P. Business District Special Use Permit for a shoe repair shop. NCB 8593, Lot 3, from "B" Residence District to "B-2NA" Non-Alcoholic Sales District. NCB 8081, Lot 43, NCB 8594, Lot 26, from "JJ" Commercial District to "B-3" Business District. NCB 8080, Lots 1 thru 5. NCB 8081, Lots 42, 44 and 45. NCB 8082, Lots 1 thru 5. NCB 8-083, Lots 1 thru 5 and Lot 32. NCB 8084, Lot 4, 30, 11-C, 11-D, 11-I, 11-J, 12-C, 12-D, 13-D, 13-I, 13-J, 14-C, 14-D, 14-I, and the west 149 feet of Lots 12-I and 12-J. NCB 8087, Lots 1 thru 5. NCB 8089, Lots 2, 3 and the north 160.94 feet of Tracts A and B. NCB 8091, the north 160 feet of Lot 11. NCB 8092, the north 160 feet of Lots 1 and 2. NCB 8593, Lots 10 thru 18 and Lots 27 thru 41. NCB 8669, Lot 4, and the north 150 feet of the west 417.5 feet of Tract A, and the north 160 feet of Tract A-13. NCB 8670, Lots 2 and 35, from "B" Residence District, "JJ" Commercial District, "B-3NA" Non-Alcoholic Sales District, "B-3" Business District and "I-1" Light Industry District to "B-3R" Restrictive Business District. NCB 11370, Block 5, Lot 25, from "I-1" Light Industry District to "B-3R" S.U.P. Restrictive Business District Special Use Permit for a concrete batching plant. NCB 8084, the west irregular 53 feet of Lot 31. NCB 8084, the southwest triangle 46.46 feet of Lot 15-D. NCB 8084, the west irregular 108 feet of Lot 39. NCB 8669, the north and east 100 feet of Lot 2. NCB 8669, the east 100 feet of Lot 3. NCB 8669, the south 100 feet of Parcel 101. NCB 8669, the south 65 feet of the west 690 feet, the east 160 feet of the north 290 feet and the east irregular 210 feet of the south 300 feet of Lot 5. NCB 8670, the south irregular 100 feet of Lot 3-A, NCB 8670, the east 65' and the south irregular 150 feet of the west 65 feet of the Lot 3-B. NCB 8670, the south irregular 130 feet of Lot 34. NCB 8671, the south irregular 70 feet of the east 180 feet of Lot 1. NCB 8671, the south 136 feet of lot east irregular 50 feet of Lot 7. NCB 11371, the south 25 feet of Lot 49, from "B" Residence District, "JJ" Commercial District, "LL" First Manufacture District, "I-1" Light Industry District and "I-2" Heavy Industry District to "B-3NA" Non-Alcoholic Sales District. NCB 8084, Lots 14-K, 15-A, 15-B, 25, 28, 29 and Lot 30, save & except the west irregular 108 feet and Lot 31, save and except the west irregular 53 feet. NCB 8594, Lots 1 thru 8. NCB 8669, the south irregular 100 feet of the east 230 feet of the west 417.5 feet of Tract A. NCB 8669, Lot 5, save and except the south 65 feet of the west 690 feet, the east 160 feet of the north 290 feet and east irregular 210 feet of the south 300 feet. NCB 8670, Lots 19 thru 23. NCB 8671, the east 590 feet of Lot 3. NCB 8671, the east irregular 250 feet of Lot 4. NCB 8671, the east irregular 160 feet of Lot 5. NCB 8671, the

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east irregular 80 feet of Lot 6. NCB 8671, the north 120 feet of the east irregular 80 feet of Lot 7. NCB 11371, Lots 11, 12, 29, 48, 50, the south 75 feet of Lot 30 and Lot 49, save and except the south 25 feet, from "B" Residence District, "LL" First Manufacture District and "I-2" Heavy Industry District to "I-1" Light Industry District.

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

Mr. Andy Guerrero, Planner III, briefly discussed the differences between the Zoning Commission recommendations and the city staff recommendations on the large area involved.

Mr. Louis Vasquez, 2605 S.W. 36th Street, stated that he plans to move his own manufacturing company into this area and he asked for "B-3R" zoning on the property involved.

Mr. Mike Guerrero, 4446 Eldridge, stated that he would like to erect a duplex on the property he owns.

Mr. William Valdez, 2440 S.W. 36th Street, stated he owns the business located on the property and he noted that under the proposed rezoning he cannot store materials outside of a building.

Mayor Cisneros briefly explained "non-conforming rights" to the citizens involved which will allow them to continue using their property under the current uses despite a change in zoning.

Ms. Emma Lopez, 2423 Barney, representing Communities Organized for Public Service, spoke to the advantages and the objectives of the rezoning project in order to protect certain residential areas and to encourage economic development in the area. She stated that her group is against rezonings that adversely affect residential areas and she spoke to the requested rezonings of certain lots containing cement operations.

Mr. Richard Paiz, 3907 Bay, spoke against commercial intrusion into residential areas.

Mr. Francisco J. Gomez, 3018 Hatton, spoke in support of the points made by the previous speaker.

Mr. Kenneth Gindy, 711 Navarro, stated that he would like to have the frontage along the property along Castroville Road to be zoned for business uses.

Mr. Navidad Cano, 306 Lemur Drive, stated that he would like to retain "B-3" zoning on his property.

Mr. Thompson made a motion to approve the recommendation of the Zoning Commission with the following exceptions and or stipulations: in

order to allow the "I-1" zoning between "B-3" uses as requested by Mr. Vasquez this particular portion of the case must be removed from consideration and sent back through the zoning process as an individual case; they would support expansion of business uses on certain properties on a case by a case basis as an exception as noted by Mr. Vasquez; that "B-3R" S.U.P. zoning is provided on that particular portion of property where a cement batching plant is now located and "R-1" on the other two lots in question. Mr. Martinez seconded the motion.

Mr. George Leader, owner of the cement batching plant, explained the need to retain the zoning on his property, stating that he wants to expand the batching plant operations to the other two lots if possible.

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

AN ORDINANCE 65,106

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS NCB 8087, ALL OF NCB, SAVE AND EXCEPT LOTS 1 THRU 6. NCB 11324, ALL OF NCB. NCB 11327, ALL OF NCB, SAVE AND EXCEPT LOTS 1, 2, 15, 16 AND 17. NCB 11328, ALL OF NCB. NCB 11329, ALL OF NCB. NCB 11329, ALL OF NCB. NCB 11330, ALL OF NCB. NCB 11331, ALL OF NCB, SAVE AND EXCEPT LOTS 1 AND 2, NCB 11332, ALL OF NCB. FROM "B" RESIDENCE DISTRICT TO "R-7" SMALL LOT HOMES; NCB 11327, LOTS 1 AND 2, FROM "B" RESIDENCE DISTRICT TO "R-7" S.U.P. SMALL LOT HOMES SPECIAL USE PERMIT FOR TWO RESIDENCES ON A LOT; NCB 11331, LOTS 1 AND 2, FROM "B-2" BUSINESS DISTRICT TO "R-7" S.U.P. SMALL LOTS HOMES SPECIAL USE PERMIT FOR A DUPLEX; NCB 8089, TRACTS A AND B, SAVE AND EXCEPT THE NORTH 160.94'. NCB 14463, ALL OF NCB. NCB 14464, ALL OF NCB, FROM "B" RESIDENCE DISTRICT TO "R-5" ONE FAMILY RESIDENCE DISTRICT; NCB 8080, ALL OF NCB, SAVE AND EXCEPT LOTS 1 THRU 5. NCB 8081, ALL OF NCB, SAVE AND EXCEPT LOTS 42 THRU 45. NCB 8082, ALL OF NCB, SAVE AND EXCEPT LOTS 1 THRU 5. NCB 8083, ALL OF NCB, SAVE AND EXCEPT LOTS 1 THRU 5 AND LOT 32. NCB 8084, ALL OF NCB, SAVE AND EXCEPT LOTS 1 THRU 5, LOTS 29 THRU 32, LOTS 21 AND 25, 28, 39, 11-C, 11-D, 11-I, 11-J, 12-C, 12-D, 12-I, 12-J, 13-C, 13-D, 13-I, 13-J, 14-C, 14-D, 14-G, 14-H, 14-I, 14-K, 15-A AND 15-B. NCB 8091, ALL OF NCB,

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SAVE AND EXCEPT LOT 11. NCB 8092, ALL OF NCB, SAVE AND EXCEPT THE NORTH 160' OF LOTS 1 AND 2. NCB 8197, ALL OF NCB. NCB 8198, ALL OF NCB. NCB 11344, ALL OF NCB. NCB 11345, ALL OF NCB. NCB 11346, ALL OF NCB. NCB 11347, ALL OF NCB. NCB 11348, ALL OF NCB. NCB 11349, ALL OF NCB. NCB 11350, ALL OF NCB. NCB 11351, ALL OF NCB. NCB 11352, ALL OF NCB. NCB 11353, ALL OF NCB. NCB 11354, ALL OF NCB. NCB 11355, ALL OF NCB. NCB 11356, ALL OF NCB. NCB 11357, ALL OF NCB. NCB 11358, ALL OF NCB. NCB 11359, ALL OF NCB. NCB 11360, ALL OF NCB. NCB 11361, ALL OF NCB. NCB 11362, ALL OF NCB. NCB 11363, ALL OF NCB. NCB 11364, ALL OF NCB. NCB 11365, ALL OF NCB, SAVE AND EXCEPT LOT 10. NCB 11370, ALL OF NCB, SAVE AND EXCEPT LOT 25. NCB 11371, ALL OF NCB, SAVE AND EXCEPT LOTS 3, 4, 10, 11, 12, 29, 30, 48, 49 AND 50, FROM "B" RESIDENCE DISTRICT, "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT, "JJ" COMMERCIAL DISTRICT, "B-3NA" NON-ALCOHOLIC SALES DISTRICT AND "B-3" BUSINESS DISTRICT TO "R-1" ONE FAMILY RESIDENCE DISTRICT. NCB 11365, LOT 10, FROM "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT TO "R-1" S.U.P. ONE FAMILY RESIDENCE DISTRICT SPECIAL USE PERMIT FOR A DUPLEX. NCB 8084, LOT 21, NCB 11353, LOT 27, NCB 11371, LOTS 3 AND 4, FROM "B" RESIDENCE DISTRICT TO "R-2" TWO FAMILY RESIDENCE DISTRICT. NCB 8084, LOTS 1, 2, 3, AND 5, NCB 8669, TRACT A-13, SAVE AND EXCEPT THE NORTH 160', FROM "B" RESIDENCE DISTRICT AND "JJ" COMMERCIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENCE DISTRICT, PROVIDED THAT A ONE-FOOT NON-ACCESS EASEMENT IS IMPOSED ON THE PROPERTY LINES FRONTING ON S.W. 35TH STREET AND FURTHER PROVIDED THAT A SIX-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ON THE EAST AND SOUTH PROPERTY LINES. NCB 8087, LOT 6, FROM "B" RESIDENCE DISTRICT AND "JJ" COMMERCIAL DISTRICT TO "B-1" S.U.P. BUSINESS DISTRICT SPECIAL USE PERMIT FOR A SHOE REPAIR SHOP. NCB 8593, LOT 3, FROM "B" RESIDENCE DISTRICT TO "B-2NA" NON-ALCOHOLIC SALES DISTRICT. NCB 8081, LOT 43, NCB 8594, LOT 26, FROM "JJ" COMMERCIAL DISTRICT TO "B-3" BUSINESS DISTRICT. NCB 8080, LOTS 1 THRU 5. NCB 8081, LOTS 42, 44 AND 45. NCB 8082, LOTS 1 THRU 5. NCB 8-083, LOTS 1 THRU 5 AND LOT 32. NCB 8084, LOT 4, 30, 11-C, 11-D, 11-I, 11-J, 12-C, 12-D, 13-D, 13-I, 13-J, 14-C, 14-D, 14-I, AND THE WEST 149 FEET OF LOTS 12-I AND 12-J. NCB 8087, LOTS 1 THRU 5. NCB 8089, LOTS 2, 3 AND THE NORTH 160.94 FEET OF TRACTS A AND B. NCB 8091, THE NORTH 160 FEET OF LOT 11. NCB 8092, THE NORTH 160 FEET OF LOTS 1

AND 2. NCB 8593, LOTS 10 THRU 18 AND LOTS 27 THRU 41. NCB 8669, LOT 4, AND THE NORTH 150 FEET OF THE WEST 417.5 FEET OF TRACT A, AND THE NORTH 160 FEET OF TRACT A-13. NCB 8670, LOTS 2 AND 35, FROM "B" RESIDENCE DISTRICT, "JJ" COMMERCIAL DISTRICT, "B-3NA" NON-ALCOHOLIC SALES DISTRICT, "B-3" BUSINESS DISTRICT AND "I-1" LIGHT INDUSTRY DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT. NCB 11370, BLOCK 5, LOT 25, FROM "I-1" LIGHT INDUSTRY DISTRICT TO "B-3R" S.U.P. RESTRICTIVE BUSINESS DISTRICT SPECIAL USE PERMIT FOR A CONCRETE BATCHING PLANT. NCB 8084, THE WEST IRREGULAR 53 FEET OF LOT 31. NCB 8084, THE SOUTHWEST TRIANGLE 46.46 FEET OF LOT 15-D. NCB 8084, THE WEST IRREGULAR 108 FEET OF LOT 39. NCB 8669, THE NORTH AND EAST 100 FEET OF LOT 2. NCB 8669, THE EAST 100 FEET OF LOT 3. NCB 8669, THE SOUTH 100 FEET OF PARCEL 101. NCB 8669, THE SOUTH 65 FEET OF THE WEST 690 FEET, THE EAST 160 FEET OF THE NORTH 290 FEET AND THE EAST IRREGULAR 210 FEET OF THE SOUTH 300 FEET OF LOT 5. NCB 8670, THE SOUTH IRREGULAR 100 FEET OF LOT 3-A, NCB 8670, THE EAST 65' AND THE SOUTH IRREGULAR 150 FEET OF THE WEST 65 FEET OF THE LOT 3-B. NCB 8670, THE SOUTH IRREGULAR 130 FEET OF LOT 34. NCB 8671, THE SOUTH IRREGULAR 70 FEET OF THE EAST 180 FEET OF LOT 1. NCB 86711, THE SOUTH 136 FEET OF LOT EAST IRREGULAR 50 FEET OF LOT 7. NCB 11371, THE SOUTH 25 FEET OF LOT 49, FROM "B" RESIDENCE DISTRICT, "JJ" COMMERCIAL DISTRICT, "LL" FIRST MANUFACTURE DISTRICT, "I-1" LIGHT INDUSTRY DISTRICT AND "I-2" HEAVY INDUSTRY DISTRICT TO "B-3NA" NON-ALCOHOLIC SALES DISTRICT. NCB 8084, LOTS 14-K, 15-A, 15-B, 25, 28, 29 AND LOT 30, SAVE & EXCEPT THE WEST IRREGULAR 108 FEET AND LOT 31, SAVE AND EXCEPT THE WEST IRREGULAR 53 FEET. NCB 8594, LOTS 1 THRU 8. NCB 8669, THE SOUTH IRREGULAR 100 FEET OF THE EAST 230 FEET OF THE WEST 417.5 FEET OF TRACT A. NCB 8669, LOT 5, SAVE AND EXCEPT THE SOUTH 65 FEET OF THE WEST 690 FEET, THE EAST 160 FEET OF THE NORTH 290 FEET AND EAST IRREGULAR 210 FEET OF THE SOUTH 300 FEET. NCB 8670, LOTS 19 THRU 23. NCB 8671, THE EAST 590 FEET OF LOT 3. NCB 8671, THE EAST IRREGULAR 250 FEET OF LOT 4. NCB 8671, THE EAST IRREGULAR 160 FEET OF LOT 5. NCB 8671, THE EAST IRREGULAR 80 FEET OF LOT 6. NCB 8671, THE NORTH 120 FEET OF THE EAST IRREGULAR 80 FEET OF LOT 7. NCB 11371, LOTS 11, 12, 29, 48, 50, THE SOUTH 75 FEET OF LOT 30 AND LOT 49, SAVE AND EXCEPT THE SOUTH 25 FEET, FROM "B" RESIDENCE DISTRICT, "LL" FIRST MANUFACTURE DISTRICT AND "I-2" HEAVY INDUSTRY DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT. "THE

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PENALTY FOR VIOLATION IS A FINE NOT TO EXCEED  
\$1,000.00."

\* \* \* \*

87-27 The Clerk read the following Ordinance:

AN ORDINANCE 65,107

AUTHORIZING PAYMENT OF REFUNDS TO PERSONS MAKING  
OVERPAYMENTS OR DOUBLEPAYMENTS ON 77 TAX ACCOUNTS.

\* \* \* \*

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

87-27 The Clerk read the following Ordinance:

AN ORDINANCE 65,108

ACCEPTING THE BID OF MEADER CONSTRUCTION CO., INC.,  
IN THE AMOUNT OF \$691,983.35 FOR THE  
RECONSTRUCTION OF MAIN AVENUE FROM LAUREL TO FRENCH  
PLACE; PROVIDING A MISCELLANEOUS CONSTRUCTION  
CONTINGENCY IN THE AMOUNT OF \$48,438.83; AND  
AUTHORIZING AN ADDITIONAL \$12,361.20 PAYABLE TO  
REAVES ENGINEERING, INC., FOR CONSTRUCTION PHASE  
SERVICES.

\* \* \* \*

Mrs. Berriozabal asked Mr. David Steitle, Director of Public  
Works, to ensure that his Capital Program Management Team meets as soon as  
possible with business representatives in the area to discuss the  
ramifications of this project. Mrs. Berriozabal also stated she is not  
satisfied with the Meader Construction Company as the contractor on this  
property and she noted that only some \$19,000 in bidding separated Meader  
and the second lowest bidder. She noted that a group of businesses in  
this area has stated to her that they feel they would be willing to pay  
the difference between the lowest bidder and the second lowest bidder in

order to award the bid to the second lowest bidder.

Mr. Steitle stated that Mr. Meader and his firm have improved greatly since meeting with the city over the city's concerns in the past.

Mrs. Berriozabal asked that a number of memorandums in her possession be part of the record of this case involved and filed with the papers of the case. She further stated that she would be watching this project very closely.

Mrs. Berriozabal made a motion to approve the recommended motion. Mr. Labatt seconded the motion.

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

87-27 The Clerk read the following Ordinance:

AN ORDINANCE 65,109

AUTHORIZING THE ACCEPTANCE AND ADMINISTRATION OF THE JOB TRAINING PARTNERSHIP ACT (JTPA) TITLE IIA PROGRAM IN THE AMOUNT OF \$7,360,713.00 ESTABLISHING BUDGETS AND PERSONNEL COMPLEMENTS FOR ADMINISTRATION, PLANNING AND OUTSIDE AGENCY SERVICE PROVIDERS AND AUTHORIZING THE CITY MANAGER AND THE DIRECTOR OF THE DEPARTMENT OF ECONOMIC & EMPLOYMENT DEVELOPMENT TO NEGOTIATE AND EXECUTE CONTRACTS AND OTHER APPROPRIATE DOCUMENTS.

\* \* \* \*

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

Mr. Stuart Summers, Director of Economic and Employment Development, briefly explained the substance of the ordinance that is being recommended by the Private Industry Council (PIC). He noted however that city staff has two exceptions to the recommendations of the PIC and he briefly addressed each including the staff recommendation that the allocated funds for the Alamo Community College District be continued on a probationary basis for a second year, and also that the compensation for the PIC Director be established at a maximum of \$43,035.

Mr. Al Rhode, member of the Private Industry Council, spoke in support of the Alamo Community College District request for funding

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despite the overall PIC recommendations for denial and he spoke in support of city staff recommendations for refunding of that program in the amount of \$100,142.00.

Dr. Ivory Nelson, Chancellor of the Alamo Community College District, spoke to the economic reasons for the delay in implementing the program by the Community College District.

Ms. Nancy Coryell stated that she foresees no further problems with the ACCD program now that it is fully underway.

Mr. Summers stated that the city staff recommendation is that the City Council fund the ACCD program and appoint an arbitrator to meet with the other three governmental entities involved in order to reach consensus on this particular item as required by law.

In response to a question by Mr. Labatt, Mr. Joe Constantino, the city Director of Personnel, spoke to the process of recruitment for the PIC Executive Director and he then addressed the details of a comparison chart of Executive Directors of similar organizations around Texas, (a copy of which is made a part of the papers of this meeting). Mr. Constantino noted that the city staff is recommending a salary range between \$41,000 and \$43,035 for the the new PIC director.

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

Mr. Labatt offered the first amendment to fund the ACCD program for the full first year and to place it on probation for the second year; to recommend that the PIC Executive Director salary not exceed \$43,035. Mr. Martinez seconded the motion.

Mr. Labatt stated that he personally has a problem with PIC board members being connected to agencies which receive funding through the PIC. He also stated he is against using so called "proxy votes".

Mr. Martinez spoke in support of the Labatt amendment.

Mrs. Dutmer spoke in support of the staff recommendation on the Executive Director's salary and on the proposal by both staff and the PIC board that funding for the San Antonio Alliance of Business be delayed until SAAB has responded to the current federal investigations and the PIC can fully consider the overall situation. Mrs. Dutmer also stated she feels the City Council should support its own PIC recommendations.

Mr. Webb briefly discussed the clarification of the existing motion and amendment.

Mr. Wolff spoke in support of the pending motions.

Mrs. Berriozabal spoke in support of the motions and asked that she be allowed to continue as the City Council representative on the arbitration panel.

Mrs. Dutmer spoke in favor of the City Council voting on the three staff recommendations separately.

Mrs. Dutmer offered the second amendment to consider separately the line item involving the San Antonio Alliance for Business (SAAB). Mr. Wing seconded the motion.

Mr. Webb urged the City Council to let the Private Industry Council to its own job.

Ms. Vera voiced her concern that there is no representative of the PIC present in the audience today.

After consideration, the motion to approve amendment #2, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Vera, Wolff, Labatt, Hasslocher, Cisneros; NAYS: None; ABSENT: None.

After consideration, the motion to approve amendment #1, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Wing, Martinez, Thompson, Vera, Wolff, Labatt, Hasslocher; NAYS: None; ABSENT: Cisneros.

Mrs. Dutmer offered the third amendment to follow the city staff and the PIC recommendations as concerns the San Antonio Alliance for Business. Mr. Wing seconded the motion.

After consideration, the motion to approve to amendment #3, prevailed by the following vote: AYES: Berriozabal, Webb, Dutmer, Martinez, Vera, Wolff, Hasslocher; NAYS: Wing, Labatt; ABSENT: Thompson, Cisneros.

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

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

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

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87-27 The Clerk read the following Ordinance:

AN ORDINANCE 65,110

APPOINTING MARLENE MARTIN TO SERVE ON THE  
AFFIRMATIVE ACTION ADVISORY COMMITTEE.

\* \* \* \*

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

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87-27 The City Council recessed at 4:22 for "B" Session, reconvening at 5:00 P.M. for Citizens to be Heard.)

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87-27

CITIZENS TO BE HEARD

LIBRARY FOUNDATION

Mr. Phillip Pfeiffer, representing the San Antonio Library Foundation, spoke of their efforts to improve libraries by expediting the movement of progress in the library system. He stated that they are being thwarted in their efforts because of the budget cuts being imposed by the city. He spoke about how these budget cuts are having a serious detrimental effect on the current level of service. He spoke in favor of raising taxes or increasing other user services in order to preserve the library system.

Mayor Pro Tem Hasslocher stated that the City Council is committed to preserving the current level of service in the library system, however these are austere times.

Mr. Joel Reitzer reiterated the comments made by Mr. Pfeiffer and spoke in particular to the Thousand Oaks Branch.

Ms. Jo Ann Owens, teacher, spoke on behalf of 14,000 students in the Harlandale area who use the McCreless, Cortez and Pan American branch libraries. She spoke of their concern with any curtailment of library hours and the detrimental effect it will have on these students.

She spoke against any more library cuts.

Mayor Pro Tem Hasslocher recognized the other members who were present in the audience in support of the library budget.

Ms. Gladys Leverett, Chairman of the Library Board, urged the Council not to cut the budget any further after its approval.

Ms. Vera also expressed her commitment to library funding and that the City Manager take the fact that the Council considers the library a top priority when he brings the budget to the City Council.

Mrs. Dutmer spoke about these austere times and spoke of the necessity of a good education. She requested that the schools upgrade the school libraries and perhaps consider reducing the number of libraries in the city.

Mrs. Berriozabal stated that she considers the library a top priority in the budget process and suggested that different groups get together to place the library in their own individual priorities to the City Council.

Mr. Wolff stated that the 5 and 10% cuts across the board is not a very good process, however it might have been necessary. He stated that the City Manager and the City Council have to establish a good set of priorities in order to make intelligent decisions.

\* \* \* \*

#### APPLEWHITE RESERVOIR

Mr. Ross, 307 Burnet Street, spoke to the Council regarding the Applewhite Reservoir and presented a copy of his letter to Col. Genetti of the Army Corps of Engineers. He asked that another public hearing be held on the Applewhite Reservoir. He stated that AACOG is called for another hearing because the first one lacked adequate public involvement. He spoke of his concern with 127 unresolved issues in the Army Corps of Engineers's Environmental report statement which was released in February.

Mrs. Dutmer stated that AACOG is drafting a letter requesting another hearing as is Congressman Albert Bustamante. She also spoke of her concern with the report of the Army Corps of Engineers. She then moved to place this item on the "A" session of the agenda for discussion next week. Ms. Vera seconded the motion.

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

Ms. Peggy Oppelt, 122 Brees, also expressed her concern with the Army Corps of Engineers Draft Environmental Impact Statement. She read excerpts from the report she is particularly concerned with and urged that the Council call for another public hearing.

\* \* \* \*

Mayor Pro Tem Hasslocher read an invitation from the 1987 Holmes High School graduation class inviting the entire City Council to their graduation exercises.

Mr. Louis J. Fox, City Manager, mentioned that Ms. Willie Bates, Administrative Assistant in the City Manager's Office, had received her Associates Degree from San Antonio College last week.

- - -  
May 20, 1987

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

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

May 18, 1987

Petition submitted by Mr. & Mrs. Antonio E. Jimenez, 307 Rollins Ave., San Antonio, Texas 78228, et al opposing the continuing noise created by the bars in the 2500 block of Culebra Road.

\* \* \* \*

/s/Norma S. Rodriguez  
City Clerk

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

May 28, 1987  
sr

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