

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, OCTOBER 17, 1985.

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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, HARRINGTON, ARCHER, HASSLOCHER, CISNEROS. Absent: NONE.

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85-58 The invocation was given by Reverend Manuel Cortez Roman, San Francisco de la Espada Mission.

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85-58 DAVIS CUP

Mayor Cisneros spoke of the presence in the audience today of Mr. John Braubach and Mr. John Gorman, representing Louisiana Pacific Corporation, a major sponsor of the Davis Cup tennis competition.

Mr. Braubach briefly explained that the second round of Davis Cup competition probably will be held in San Antonio with the most likely site to be in the arena because of the requirement for a minimum of 16,000 seats for Davis Cup play. He spoke of how San Antonio could come to be host of that second round event.

Mayor-Cisneros then presented Mr. Gorman with a book and a tie.

Mr. John Gorman noted that San Antonio has a great history of supporting tennis and that he now is on a tour of several possible sites in the United States, including San Antonio, for that second round of Davis Cup play. He thanked the Mayor for the recognition and for the gifts.

Mr. Archer thanked Mr. Gorman for his strong support for the game of tennis and he noted his firm's strong stand against professional tennis players on-court misbehavior.

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85-58 SMALL BUSINESS WEEK

Mayor Cisneros introduced Ms. Sylvia Cancino, an employee of Mil-Tronics, and spoke to the opening of the new Mil-Tronics Plant in

Vista Verde South recently and the taking over of an existing business from Control Data Corporation. The mayor spoke then of the unique minority ownership of the new firm by its employees and read a proclamation designating October 17-21, 1985 as Small Business Week in San Antonio. He then recognized Mr. Gene Rodriguez, the president of the Mil-Tronics firm.

Mr. Rodriguez thanked the City for its support for the new firm.

Mayor Cisneros then presented the proclamation to Ms. Sylvia Cancino, representative of the workers of Mil-Tronics.

Ms. Cancino then handed out to the City Council newspaper mementos of today's transfer of ownership ceremony.

Mr. Rodriguez spoke of the products being produced by the firm.

Ms. Berriozabal spoke to the significance of the new firm and its employees to San Antonio.

Mr. Martinez congratulated the firm and Control Data Corporation for their joint efforts in providing jobs and job training for San Antonians.

Mr. Rodriguez then recognized the representative from Control Data Corporation present in the audience.

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BOARD APPOINTMENTS

Mayor Cisneros stated that the City Council, if time permits, should do a large amount of work on the needed board appointments to City boards and commissions.

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The minutes of the City Council meeting of October 3, 1985 were approved.

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CONSENT AGENDA

Mrs. Dutmer made a motion to approve Agenda Items 5 - 33, representing the Consent Agenda, with Items 11, 12, and 18 to be pulled for individual consideration. Mr. Archer 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, Vera, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Thompson.

AN ORDINANCE 61,637 .

ACCEPTING THE LOW BID OF GRAPHIC ARTS, TO FURNISH THE CITY OF SAN ANTONIO PUBLIC INFORMATION OFFICE WITH A CONTRACT TO PRINT A NEWSLETTER FOR CITY EMPLOYEES FOR A TOTAL COST OF \$14,894.

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AN ORDINANCE 61,638 .

ACCEPTING THE LOW QUALIFIED BIDS OF ANCIRA WINTON CHEVROLET, INC., AN MBE COMPANY, AND MISSION CHEVROLET, INC. TO FURNISH THE CITY OF SAN ANTONIO WITH AUTOMOBILES FOR AN ESTIMATED TOTAL OF APPROXIMATELY \$303,620.

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AN ORDINANCE 61,639 .

ACCEPTING THE PROPOSAL OF AMDAHL CORPORATION TO FURNISH THE CITY OF SAN ANTONIO INFORMATION RESOURCES WITH AMDAHL SOFTWARE AND MAINTENANCE FOR A TOTAL OF \$223,732 FOR THE 1985-86 FISCAL YEAR.

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AN ORDINANCE 61,640 .

ACCEPTING THE LOW BID OF UNITED STATES ELEVATOR CORPORATION TO FURNISH THE CITY OF SAN ANTONIO AVIATION DEPARTMENT WITH AN ANNUAL CONTRACT FOR ELEVATOR/ESCALATOR MAINTENANCE FOR AN APPROXIMATE TOTAL OF \$18,840.

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AN ORDINANCE 61,641 .

ACCEPTING THE BIDS TO FURNISH THE CITY OF SAN ANTONIO WITH VARIOUS MATERIALS AND SERVICES ON AN ANNUAL CONTRACT BASIS FOR THE 1985-86 FISCAL YEAR.

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AN ORDINANCE 61,642

ACCEPTING THE BID OF ROSS EXCAVATING COMPANY IN THE AMOUNT OF \$428,375.00 FOR THE GLENN/PRADO RECONSTRUCTION PROJECT #2; APPROVING A CONTRACT; AND AUTHORIZING PAYMENT.

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AN ORDINANCE 61,643

AUTHORIZING FIELD ALTERATION NO. 11 ON THE CONVENTION CENTER EXPANSION PHASE 2A IN THE AMOUNT OF \$27,949.00 FOR RE-ROOFING OF THE ARCADE WALKWAY AREA IN FRONT OF THE LILA COCKRELL THEATER AND THE ARENA.

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AN ORDINANCE 61,644

AUTHORIZING AN ADDITIONAL \$25,104.07 FOR ENGINEERING FEES PAYABLE TO GROVES & ASSOCIATES, IN CONNECTION WITH THE N. NEW BRAUNFELS RECONSTRUCTION PROJECT.

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AN ORDINANCE 61,645

AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FROM BARRY F. JOHNSON, P.E., CONSULTING ENGINEER, TO PROVIDE DESIGN SERVICES FOR THE DEPARTMENT OF INFORMATION RESOURCES - COMPUTER ROOM AIR CONDITIONING REPLACEMENT, CITY HALL ANNEX IN THE AMOUNT OF \$12,200.00.

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AN ORDINANCE 61,646

AUTHORIZING AN ADDITIONAL \$8,350.00 FOR ENGINEER FEES PAYABLE TO WILLIAM E. WALLIS & ASSOCIATES, CONSULTING ENGINEERS, INC., IN CONNECTION WITH THE HVAC SYSTEMS/AIR CONDITIONING COMPRESSORS; 5 LIBRARIES AND 2 MULTI-SERVICE CENTERS - PROJECT.

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AN ORDINANCE 61,647 .

ACCEPTING THE BID OF V. K. KNOWLTON PAVING CONTRACTOR, INC. IN THE AMOUNT OF \$1,077,810.54 FOR THE WEST COMMERCE STREET RECONSTRUCTION PROJECT (CALLAGHAN TO MILITARY); PROVIDING AN ADDITIONAL \$53,890.53 FOR A CONSTRUCTION CONTINGENCY; APPROVING A CONTRACT; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 61,648 .

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$20,000.00 TO PROVIDE PLANS AND SPECIFICATIONS ON THE SCHAEFER/HAUSMAN ROAD SUBDIVISION SEWER MAIN; AUTHORIZING AN ADDITIONAL \$5,000.00 FOR AN ENGINEERING CONTINGENCY AND \$125.00 FOR BID ADVERTISING; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 61,649 .

ACCEPTING A LETTER OF CREDIT FROM THE STONE OAK JOINT VENTURE IN THE AMOUNT OF \$585,000.00; AUTHORIZING THE CITY MANAGER TO AWARD A CONSTRUCTION CONTRACT TO R.D.M. CONSTRUCTION, INC., FOR THE CONSTRUCTION OF THE PANTHER SPRINGS CREEK SANITARY SEWER OFF-SITE OVERSIZE OUTFALL LINE, PHASE 2 IN THE AMOUNT OF \$76,580.00 FROM THE DEVELOPER CUSTOMER FUND FOR OVERSIZING OF THE OUTFALL LINE.

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AN ORDINANCE 61,650 .

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$57,925.00 OUT OF VARIOUS FUNDS FOR THE PURPOSE OF ACQUIRING EASEMENTS TO CERTAIN LANDS; ACCEPTING THE DEDICATION OF TITLE TO CERTAIN LANDS; AUTHORIZING THE CITY MANAGER TO EXECUTE A LICENSE AGREEMENT; ALL IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS. (WHEATLEY DRAINAGE PROJECT NO. 200; LORENCE CREEK OUTFALL SEWER PROJECT; LORENCE CREEK LOW WATER CROSSING AT JONES MALTSBERGER PROJECT; INTERSTATE BUSINESS PARK OFF-SITE SANITARY SEWER SYSTEM; ZONING CASE NO. Z84405 ON PERRY COURT.)

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AN ORDINANCE 61,651

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 61,652

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

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AN ORDINANCE 61,653

AUTHORIZING THE RENEWAL OF THE AIRPORT LIABILITY INSURANCE POLICY NO. GLA 4118273, FOR THE COMBINED AVIATION ACTIVITIES OF THE CITY OF SAN ANTONIO.

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AN ORDINANCE 61,654

APPROVING AMENDMENT NO. 3 TO REIMBURSABLE AGREEMENT NO. SW-223 WITH THE FEDERAL AVIATION ADMINISTRATION FOR RELOCATION OF THE INTERNATIONAL AIRPORT TRAFFIC CONTROL TOWER AND RADAR APPROACH CONTROL FACILITIES.

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AN ORDINANCE 61,655

AUTHORIZING THE EXECUTION OF A LETTER OF AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION RELEASING FEDERAL RESTRICTIONS ON TWO PARCELS OF AIRPORT PROPERTY TO BE USED FOR STREET RIGHT-OF-WAY FOR WETMORE ROAD.

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AN ORDINANCE 61,656

AUTHORIZING THE 1985/86 AIR POLLUTION CONTROL PROGRAM; APPROVING A BUDGET OF \$206,655.00 AND PERSONNEL POSITIONS ON AN INCREMENTAL BASIS ACCORDING TO FEDERAL GRANT FUNDING; ACCEPTING AWARD

OF A GRANT OF \$85,000.00 FROM THE ENVIRONMENTAL PROTECTION AGENCY WITH \$15,000.00 AWARDED INITIALLY AND THE BALANCE OF \$70,000.00 DEPENDENT ON THE AVAILABILITY OF FEDERAL FUNDS; AND AUTHORIZING A CITY MATCH CONTRIBUTION OF \$121,655.00.

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AN ORDINANCE 61,657 .

AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE WITH DONNA ENTERPRISES, INC., FOR USE OF CITY-OWNED LAND FOR OUTDOOR DINING SPACE.

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AN ORDINANCE 61,658 .

ACCEPTING AN URBAN CONSORTIUM/ENERGY TASK FORCE GRANT IN THE AMOUNT OF \$69,600.00 TO CONDUCT THE NEIGHBORHOOD ENERGY EFFICIENCY AND REINVESTMENT PROJECT.

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AN ORDINANCE 61,659 .

APPROPRIATING AND AUTHORIZING PAYMENT TO THE TEXAS WATER COMMISSION IN THE AMOUNT OF \$11,300.00 FOR ANNUAL INSPECTION FEE RELATED TO WASTEWATER DISCHARGE PERMITS.

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AN ORDINANCE 61,660 .

AUTHORIZING THE CITY MANAGER TO EXECUTE A SEWER SERVICE CONTRACT WITH PEERMAN DEVELOPERS, INC., FOR A 71.035 ACRES TRACT OF LAND LOCATED EAST OF U.S. HIGHWAY 281 AND SOUTHWEST OF BULVERDE ROAD.

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AN ORDINANCE 61,661 .

AUTHORIZING THE CITY MANAGER TO EXECUTE A SEWER SERVICE CONTRACT BETWEEN THE CITY AND SHEARER HILLS BAPTIST CHURCH FOR A 22 ACRE TRACT OF LAND LOCATED ALONG THE NORTH SIDE OF FM 1604 WEST OF INTERSECTION 281 NORTH.

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AN ORDINANCE 61,662

AWARDING A CONTRACT FOR PUBLIC ART INSTALLATION IN TERMINAL 1 AT SAN ANTONIO INTERNATIONAL AIRPORT, AND AUTHORIZING PAYMENT OF THE SUM OF \$50,000.00 TO THE SCULPTOR FOR HIS FEE.

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85-58 The Clerk read the following Ordinance:

AN ORDINANCE 61,663

ACCEPTING THE BID OF V. K. KNOWLTON PAVING CONTRACTOR, INC., IN THE AMOUNT OF \$945,300.26 FOR THE ALBERT, MENCHACA, MICKLEJOHN RECONSTRUCTION PROJECT #2; APPROVING A CONTRACT; AND AUTHORIZING PAYMENT.

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

In response to a question by Ms. Berriozabal, Mr. Frank Kiolbassa, Director of Public Works, stated that RAM II is the construction firm who defaulted on the original job. He stated that the firm would not be recommended for future jobs with the City, and he spoke to measures that had been taken to begin work on the renewed project in the area already under excavation.

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

85-58 The Clerk read the following Ordinance:

AN ORDINANCE 61,664

AUTHORIZING FIELD ALTERATION NO. 3 ON THE SABINAS STREET RECONSTRUCTION PROJECT IN THE AMOUNT OF \$21,814.25 FOR RAISING THE GRADE AND SHIFTING THE ALIGNMENT TO THE WEST ON SABINAS BETWEEN UNIVERSITY AND CINCINNATI.

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

In response to a question by Ms. Berriozabal, Mr. Frank Kiolbassa, Director of Public Works, noted that his staff had met with residents of the area concerning the problems with this project and he spoke to the corrections to the drainage problems that have been taken in the area as well as City plans to continue to work with neighborhood representatives on the project.

In response to a question by Mrs. Dutmer, Mr. Kiolbassa stated that the Jackson-Keller bridge opened for two lanes of traffic this past Sunday and he briefly explained the process taken to speed up the final work towards completion of the bridge work.

A brief discussion then took place concerning the quality of work on the Jackson-Keller bridge and the status of construction schedules and the fact that the particular contractor on that project also was the contractor on the controversial Rivas Street Project.

Mr. Archer stated that there was no other alternative to the construction tactics that were made on the Jackson-Keller bridge in order to save lives in the area because of flooding that was occurring.

The discussion on the status of a current lawsuit filed because of this project then took place.

Mr. Hasslocher spoke of his concern with the adverse impact of such projects on area homeowners.

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

85-58 The Clerk read the following Ordinance:

AN ORDINANCE 61,665

AUTHORIZING FIELD ALTERATION NO. 4 ON THE RIVAS STREET RECONSTRUCTION PROJECT IN THE AMOUNT OF \$58,403.50 TO PROVIDE FOR AN ADDITIONAL 4 FOOT SIDEWALK, CONCRETE RAMPS AND HANDRAILS.

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

In response to a question by Ms. Berriozabal, Mr. Frank Kiolbassa, Director of Public Works, discussed the list of needed changes requested by the neighbors.

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

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ELADIA H. GUIDRY

Mr. Webb informed members of the City Council that Mrs. Guidry died earlier today. He noted that her husband is one of the frequent caterers to the City Council meals.

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CITY HALL NEWSLETTER

Mr. Webb spoke of plans to reinstitute the City Hall Newsletter by the Public Information Office and he also congratulated the Public Information Office for the job that it had done in producing the recent television program on AIDS.

ZONING HEARINGS

34. CASE Z85262 - to rezone Lots 117, 121 and the east 204' of Lots 122 and 123, Block 11, NCB 11107, from "B" Residence District to "B-1" Business District and Lots 118, 119 and the west 175' of Lots 122 and 123, Block 11, NCB 11107, in the 100 Block of E. Baetz, from "B" Residence District to "B-2" Business District, located on the northside of Baetz Blvd., between Moursund Blvd. and Pleasanton Road, having 758' on E. Baetz Blvd. with a maximum depth of 345' on Moursund Blvd. and 345' on Pleasanton Blvd.

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

Mr. Wing discussed the possibility of postponing the case in order to allow time for the opponents and the proponent to meet and discuss possible settlement of the issue.

Mr. Daniel D. White, the proponent, stated that he would accept the motion to postpone this case for three weeks.

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

The motion to postpone was approved by the following vote:
 AYES: Berriozabal, Webb, Dutmer, Wing, Thompson, Vera, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Martinez.

CASE Z85262 was postponed for three weeks.

35. CASE Z85325 (PP) - to rezone the north 110.37' of Lot F, NCB 11493, in the 4400 Block of Culebra Road, from "A" Single Family Residence District to "B-2" Business District, located on the southside of Culebra Road, being 525' west of the intersection of Laven Drive and Culebra Road, having 315' on Culebra Road, with a maximum depth of 110.37'.

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 "B-2" NA for subject property provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. Mr. Thompson seconded the motion.

Mr. Clemente Gonzales, 4518 Walzem Road, stated that he would be willing to accept a B-2 NA zoning.

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

AN ORDINANCE 61,666

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE NORTH 110.37' OF LOT 7, NCB 11493, IN THE 4400 BLOCK OF CULEBRA ROAD, FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "B-2NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND

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SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING
DIVISION.

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36. CASE Z85345 - to rezone Lot 6, Block 10, NCB 10382, 2700 Block of West Avenue, from "F" Local Retail District to "B-3NA" Non-Alcoholic Sales Business District, located on the west side of West Avenue, being 265' north of the intersection of El Monte Blvd., and West Avenue, having 130' on West Avenue, with a depth of 270'.

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

Mr. Archer 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, Vera, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Martinez.

AN ORDINANCE 61,667

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 6, BLOCK 10, NCB 10382, IN THE 2700 BLOCK OF WEST AVENUE, FROM "F" LOCAL RETAIL 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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37. CASE Z85362 - to rezone Lot 4, Block 2, NCB 14864, in the 10500 Block of Huebner Road, from "B-2" Business District to "B-3" Business District, located on the northwest side of Huebner Road, being 946.11' southwest of the cutback of Huebner Road and Fredericksburg Road, having 389.29' on Huebner Road and a depth of 121.06'.

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

Mr. Harrington made a motion to approve "B-3R" on subject property provided that 25' of dedication is given along Huebner Road and that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. Mr. Hasslocher seconded the motion.

Mr. Charles W. Farrell, 13123 Hunters Valley, stated that he prefers a B-3 zoning in order to meet area competition which also has B-3 zoning nearby.

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

AN ORDINANCE 61,668

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 4, BLOCK 2, NCB 14864, IN THE 10500 BLOCK OF HUEBNER ROAD, FROM "B-2" BUSINESS DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT 25-FEET OF DEDICATION IS GIVEN ALONG HUEBNER ROAD, AND THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

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38. CASE Z85363 - to rezone Lots 8, 9 and 10, Block 12, NCB 16543, 9200 Block of I.H. 10 East, from Temporary "R-1" One Family Residence District to "B-3" Business District, located northeast of the intersection of Lincolnwood Drive and I.H. 10 East, having 180' on Lincolnwood Drive and 165' on I.H. 10 East.

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

Mr. Webb moved that the recommendation of the Zoning Commission be approved provided that approval for driveways on IH 10 is secured from the Department of Highways and Public Transportation, and that other

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driveways 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, Martinez, Thompson, Vera, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Wing.

AN ORDINANCE 61,669

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 8, 9 AND 10, BLOCK 12, NCB 16543, IN THE 9200 BLOCK OF IH 10 EAST, FROM TEMPORARY "R-1" ONE FAMILY RESIDENCE DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT APPROVAL FOR DRIVEWAYS ON IH 10 IS SECURED FROM THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION, AND THAT OTHER DRIVEWAYS ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

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39. CASE Z85343 - to rezone Lot 13, NCB 11622, 7900 Block of Fredericksburg Road, from "B-2" Business District to "B-3" Business District, located on the northeast side of Fredericksburg Road, being 880' northwest of the intersection of Donore and Fredericksburg Road, having 83.30' on Fredericksburg Road with a maximum depth of 200'.

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 driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. Ms. Vera 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, Thompson, Vera, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Martinez.

AN ORDINANCE 61,670

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 13, NCB 11622, IN THE 7900 BLOCK OF FREDERICKSBURG ROAD, FROM "B-2" BUSINESS DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

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MORATORIUM

Mr. Bill Kaufman, attorney, on behalf of Trinity Baptist Church, spoke against the proposed moratorium stating that in 36 years of existence Trinity Baptist Church has removed only one house for additional parking. He noted that the church is now asking for demolition of some ten homes already owned by the church and located across the street from the church property and he spoke to the need to provide additional parking for church users including the parking for special ministries such as counseling. He then spoke to the reasons for rejecting the idea for a multi-story parking garage for Trinity Baptist Church and stated that the church would agree not to remove any houses other than these for a period of 25 years in order to allay the fears of neighborhood residents of possible future encroachment. He then spoke of how the parking area would look when it was completely landscaped.

Mr. Kaufman then stated that he feels that the moratorium would adversely affect further inner city development such as this. He also noted that the proposed new zoning regulations would affect Trinity Baptist Church's use of neighborhood streets for parking thus accentuating the need for additional off-street parking for the church.

Mr. Barry Brooks, Chairman of the Trinity Baptist Church Board of Deacons, asked the supporters of the church in the audience to stand and noted that Trinity Baptist Church presently has 7,200 members on the rolls. He spoke of the adverse impact of the proposed moratorium on development and asked the Council not to support it.

Mr. Gene Dawson, Chairman of the Trinity Baptist Church Building Committee and Steering Committee, spoke against the proposed moratorium and about the negotiations with the Monte Vista Historical Association over the proposed removal of homes from the parking area. He asked the Council to allow Trinity Baptist Church and the Monte Vista Historical

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Association to work out its differences without having a moratorium in place.

Mr. Huebert Green, attorney, feels that a moratorium represents an attack upon the individual development of private property and asked the Council not to intervene with a moratorium here.

Mr. James Ingram, representing the Greater San Antonio Chamber of Commerce, read a letter from the Chamber's Board of Directors stating that the moratorium in their opinion would be harmful and asked that both sides continue to negotiate to reach a settlement on this issue.

Mr. Dick Stahl spoke against the moratorium as an impediment to growth.

Mr. Charles Martin Wender stated that he feels the City's attitude toward growth, such as through the instigation of moratoriums, could adversely affect plans for businesses locating in San Antonio.

Mr. Paul Smith, member of the Trinity University Board of Directors, stated that Trinity University supports the basic property rights as expressed by Trinity Baptist Church and added that the University feels a moratorium would be counter to this right.

At this point representatives of a number of organizations then presented separate resolutions to the City Council urging them not to enact the moratorium. Copies of the resolutions are on file with the papers of this meeting.

Ms. Janet Francis, President of the San Antonio Conservation Society, spoke in support of the Monte Vista Historical Association's and the Tobin Hill Neighborhood Association's stance against demolition of these homes in historic districts. She stated that her group feels that the new historic ordinance and formation of the new neighborhood development department of the City of San Antonio would be of a great help to everyone in this regard and asked for a six-month moratorium on demolition of these homes.

Mr. Frank Cortez, 321 E. Huisache, stated that he favors the moratorium. He further stated that since his home is in the area, he is being threatened.

Mr. John Heard, a neighborhood resident, who lives adjacent to the proposed parking lot, asked that the moratorium be enacted in order to allow time for further negotiations stating that it would only be a temporary moratorium.

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Mr. Paul Offer, a resident of the area who lives at the intersection of Carlton and Summit Avenue, stated that he feels that Trinity Baptist Church has not lived up to promises made to the neighbors in the past, such as neighborhood development, and spoke in favor of the moratorium.

Ms. Tertia Emerson, 415 E. Huisache, described the Monte Vista Historical Association as a community of people with like values and she spoke in support of the moratorium.

Ms. Gale Spencer, resident of a home located between two proposed Trinity Baptist Church parking lots, stressed the importance of maintaining neighborhoods in order to secure growth and spoke in favor of the moratorium.

Ms. Madelyn Geyer, President of the San Antonio Coalition of Neighborhood Associations, stated that she feels that residents of neighborhoods deserve to have something to say about the development of their neighborhoods.

Mr. Lloyd Jary, Chairman of the City's Historic Review Board, stated that his board had denied the request for demolition because of concern of possible erosion of the neighborhood. He spoke in support of the moratorium.

Ms. Emily Thuss, President of the Monte Vista Historical Association, spoke of revitalization of that neighborhood and also spoke in support of the moratorium. She stated her belief that the City needs time to complete a land use plan for the entire area and City policy to be developed concerning neighborhood preservation. She also stated that the groups need time to meet with Trinity Baptist Church on plans for future development.

Mr. Jose Villarreal, President of the Tobin Hill Neighborhood Association, spoke in support of the moratorium in the area to provide a temporary freeze on demolition of the homes in order to allow completion of a master plan for the entire neighborhood.

Ms. Berriozabal stated that she feels that whatever is happening in downtown San Antonio affects every citizen no matter where they live and she spoke to plans for current and future development in the area and the need to stabilize San Antonio's neighborhoods. She spoke in support of plans for neighborhood residents and businesses to work together in development of the entire neighborhood. Ms. Berriozabal spoke to the democratic makeup of Council District 1 and for the need for neighborhood planning. She stated that she wants to divide the issues of the Monte Vista Historical Assn. and the Tobin Hill Neighborhood Assn. into two separate motions if possible concerning six month moratoriums in each

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area. She further stated that neighbors fear that once Trinity Baptist Church removes the ten houses in question the so-called 'domino' effect will take place.

Ms. Berriozabal made a motion to approve a six-month moratorium on any demolition in the Tobin Hill Neighborhood, except for the Walter Embrey properties and the Republic Bank properties, both of which already are underway. Ms. Vera seconded the motion.

Mayor Cisneros then defined by streets the Tobin Hill area concerned.

Mr. Tom Finlay, Assistant City Attorney, spoke to the uses of moratoriums while area master plans are being drawn up and other provisions of the proposed ordinance are being discussed.

Mr. Archer spoke of his hopes for an agreement in negotiations between Trinity Baptist Church and the Monte Vista Historical Association and he also addressed details of these negotiations, stating that he is against any moratorium.

Mr. Thompson spoke in favor of neighborhood planning and land use planning but against a moratorium in this case as, in his words, being improper at this time.

Mr. Harrington spoke against any moratoriums in this area and stated that he feels it is an imposition upon individual rights.

Mr. Hasslocher spoke against a moratorium motion stating that he feels it could set a dangerous precedent.

Mrs. Dutmer stated that she would not vote for a moratorium.

Mr. Martinez spoke in support of the motion because it is limited in time and scope and is in an unusual situation where neighborhood planning is currently underway. He feels that it would not set a dangerous precedent.

Ms. Berriozabal stated that the pending ordinance would affect demolition of only good housing stock in the Tobin Hill area not dilapidated homes.

The motion to impose a six-month moratorium in the Tobin Hill area failed to carry by the following vote: AYES: Berriozabal, Martinez, Vera, Cisneros; NAYS: Webb, Dutmer, Wing, Harrington, Archer, Hasslocher; ABSENT: Thompson.

Mr. Webb spoke to the background of Trinity Baptist Church in its particular neighborhood and the church's growth that now necessitates

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creation of off-street parking. He asked the church to make the parking lot as esthetically pleasing as possible.

Mayor Cisneros spoke of Mr. Archer's negotiating efforts in the Trinity Baptist Church parking lot matter and asked for Mr. Archer's assessment of a possible compromise. He stated that he would be in favor of agreeing to allow the demolishing of nine homes with one left up on each end of the subject property; that four homes could be preserved and used for church uses, such as staff homes, except for any that could be negotiated with the neighborhood association for removal; that Trinity Baptist Church would oppose any widening of Mulberry Avenue; that the so-called Alpha House would be restored; and that the parking area would be completely landscaped and beautified.

Mr. Gene Dawson spoke of the church's stand on several of the proposals and stated that they have not yet been answered by the Monte Vista Historical Association including the matter of construction of a parking garage after a five year time span.

Ms. Thuss stated that she wants the church's assurance against any demolition for 99 years as well as other exceptions and stated that negotiations now appear to be at a standstill with the church authorities.

Mayor Cisneros stated that the neighborhoods in this area now have very little negotiating strength because of the law and he cautioned against the Monte Vista Historical Association adopting too stringent a stance in this case.

Ms. Thuss stated that her group needs agreements with the church concerning projected curbs on Trinity Baptist Church's future expansion plans.

Mayor Cisneros stated that he feels Monte Vista Historical Association should favor the tabling of this ordinance pending more negotiations in order to preserve what strength it has in this negotiating issue.

Mr. Archer stated that his feeling is that all would benefit from the acceptance of the church's concessions in the negotiating matter and he spoke to Trinity Baptist Church's many counseling services for the community, such as to women alcoholics, the adult mentally retarded and their grief support program. He stated that he feels an agreement in principle is near in the negotiations.

Ms. Berriozabal stated that she favors tabling the issue and having negotiations continue with the Mayor's assistance.

Ms. Berriozabal made a motion to table consideration of this ordinance. Ms. Vera seconded the motion.

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The motion to table the matter failed to carry by the following vote: AYES: Berriozabal, Martinez, Vera, Archer, Cisneros; NAYS: Webb, Dutmer, Wing, Thompson, Harrington, Hasslocher; ABSENT: None.

Mr. Harrington made a motion to approve the moratorium. Mr. Wing seconded the motion.

Various City Council members then reiterated their positions on this issue.

Ms. Berriozabal spoke to the need to get the new historical preservation ordinance enacted in order to protect San Antonio's neighborhoods.

Mr. Hasslocher spoke against the Council sending out anti-business signals by its actions today on such things as a possible moratorium.

Mr. Thompson spoke in favor of continued negotiations.

The motion to approve a moratorium failed to carry by the following votes: AYES: Cisneros; NAYS: Webb, Dutmer, Wing, Martinez, Thompson, Vera, Harrington, Archer, Hasslocher; ABSTAIN: Berriozabal; ABSENT: None.

- - -
85-58 The Clerk read the following Ordinance:

AN ORDINANCE 61,671 .

.
ACCEPTING THE PROPOSAL OF MASTERSON & CO. TO PERFORM
A STUDY OF CERTAIN FINANCIAL ALTERNATIVES OF THE
WATER AND SEWER UTILITIES OF THE CITY AND
APPROPRIATING THE SUM OF \$10,000.00 TO DERIVE THE
COST OF THIS STUDY.

* * * *

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

85-58 TRAVEL AUTHORIZATION - APPROVED

Councilman Walter Martinez to travel to Guadalajara, Mexico from October 19, 1985 to October 21, 1985 on a Sister City trip.

Councilman Robert S. Thompson to travel to Guadalajara, Mexico from October 19, 1985 to October 21, 1985 on a Sister City trip.

85-58 TRAVEL AUTHORIZATION - APPROVED

Mayor Henry G. Cisneros to travel to Washington, D.C. from October 21, 1985 to October 22, 1985 to attend the NLC Revenue Sharing Task Force Meeting.

85-58 PUBLIC HEARING - CLOSING OF DONAVAN AVENUE

Mayor Cisneros declared the Public Hearing to be open.

No citizen appeared to speak on the matter.

Mayor Cisneros declared the Public Hearing to be closed.

The Clerk then read the following Ordinance:

AN ORDINANCE 61,672

. . .
CLOSING AND ABANDONING DONAVAN AVENUE, AN UNIMPROVED STREET, BETWEEN LOTS 19 AND 20, BLOCK 4, NEW CITY BLOCK 11264, AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE A QUITCLAIM DEED TO BEN F. FRIEDMAN, FOR A CONSIDERATION OF \$1.00.

* * * *

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

Mrs. Dutmer voiced her concern with the City giving land away and stated that she favors some charge for property in cases like this.

Mr. Frank Kiolbassa, Director of Public Works, noted that this proposed action is in line with current City Council policy.

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

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Dutmer, Wing, Martinez, Thompson, Vera, Harrington, Archer, Cisneros;
NAYS: None; ABSENT: Hasslocher.

The City Council at 4:27 P.M. recessed to take up the "B" Session
Item on Board Appointments, reconvening at 5:00 P.M. for Citizens to be
Heard.

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CITIZENS TO BE HEARD

MR. BOB PARISHER

Mr. Bob Parisher stated that he is the owner of UIC Contracting
and has operated and serviced Encino Park Municipal Utility District. He
stated that the City of San Antonio had first told him that they would
honor his contract; however, seven months later he was told that there was
no contract.

Mr. Roger Ibarra, Supervisor of Public Utilities, explained the
staff's position that upon assumption of that area there was no valid
contract with Mr. Parisher.

Mr. Parisher stated that he has been attempting to meet with Mr.
Fox but has been unable to do so.

City Manager Louis J. Fox stated that the City Attorney has ruled
that the City does not owe Mr. Parisher any money and he will not do
anything contrary to this advice.

Mayor Cisneros stated that the Council does not wish to make a
motion contrary to the staff's recommendation and have a fundamental
disagreement on what has occurred.

Mr. Parisher stated that he wanted to speak to the Council to see
if this issue could be resolved.

* * * *

ROBERT SCHMELLEKOPF

Mr. Robert Schmellekopf, Executive Director of the San Antonio
Baptist Association, read a resolution which had been approved by their

association with regard to heavy metal concerts. (A copy of this Resolution is on file with the papers of this meeting.)

* * * *

GUARDIAN ANGELS

Mayor Cisneros expressed appreciation to the Guardian Angels who participated in the Mexico Earthquake Relief effort.

* * * *

PLAZA APARTMENTS

Ms. Grace Veillette spoke regarding the safety hazard situation surrounding the Plaza Apartments on W. Euclid Avenue. She spoke with particular concern to incidents occurring in the area.

Ms. Bonnie Hernandez, Manager of Plaza Apartments, stated that she has been attempting to seek relief from state, city and federal agencies with regard to the vacant lots and illegal aliens congregating in the area.

Mayor Cisneros asked Mr. Fox to check to see if the R.O.P. can be utilized in this area. He also suggested that Ms. Berriozabal personally investigate this area and make notations of the various infractions.

Ms. Berriozabal stated that there are several problems with this area and mentioned the efforts already made to attempt to secure this area.

* * * *

ROCK CONCERTS

Mr. Don Rex, Citizens for Musical Liberty, stated that he worked on a Voter Registration Drive at the Motley Crue concert and their group is gaining strength. He stated that there are many citizens concerned about government getting involved in their personal lives. He stated that they will oppose any ordinance which will deal with bans or censorship of rock music.

Mr. Gordon Weidman stated that their group, Rock, Inc., is composed of individuals from throughout the City. He stated that the City Council should be alerted to the fact that they will file a lawsuit if any ordinance is approved which will ban or censor rock music. They wish to debate with concerned persons on this issue.

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Mr. Bob Thompson stated that he would like to debate anyone who wishes on this issue.

* * * *

85-58 The Clerk read the following Letter:

October 9, 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.

October 3, 1985

Petition submitted by Mr. Robert A. Wagner and other residents of the Castle Hills Forest Homeowner's Association regarding a drainage ditch situation located at the rear of Shady Walk.

* * * *

October 4, 1985

Petitions submitted by various individuals requesting the denial of Zoning Case Z85332 and the annexation of any remaining unincorporated land in the area bounded on the east of Lockhill Selma Road, on the north of DeZavala Road and on the west by the Southern Pacific Railroad and on the south by Huebner Road as Temporary R-1.

* * * *

/s/Norma S. Rodriguez
City Clerk

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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

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