

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, DECEMBER 18, 1980

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The meeting was called to order at 1:00 P.M. by the presiding officer, Mayor Lila Cockrell with the following members present: CISNEROS, WEBB, DUTMER, WING, EURESTE, THOMPSON, ALDERETE, CANAVAN, ARCHER, STEEN, COCKRELL: Absent: NONE.

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80-62 The invocation was given by Reverend Dr. Sudduth Cummings, St. Mark's Episcopal Church.

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80-62 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

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80-62 The minutes of the meeting of December 4, 1980 were approved.

80-62 PRESENTATION OF SPECIAL RESOLUTION

A RESOLUTION
NO. 80-62-92

ACCEPTING A GIFT APPROXIMATING \$30,000.00
FROM SOUTHWEST AIRLINES.

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Mayor Cockrell expressed her appreciation on behalf of the City and spoke on the history of the growth of Southwest Airlines. She stated that with the construction of a new terminal building, she felt that it would be appropriate to place a major work of art depicting the role and involvement of the City of San Antonio in aviation.

Mr. Alderete moved to approve the Resolution. Mr. Thompson seconded the motion.

Mayor Cockrell then introduced Mr. Herbert D. Kelleher, Chairman of the Board of Directors of Southwest Airlines, and Mr. Howard D. Putnam, President, who in turn introduced other members of their staff.

Mr. Kelleher and Mr. Putnam expressed their appreciation in appearing before the Council and thanked the City of San Antonio for its patronage and support in making their Airlines a success. He then presented on behalf of their employees a check in the amount of \$40,150.00.

Several of the Councilmembers then spoke in support of the Resolution and expressed their appreciation to the Airlines for their gift.

Mr. Eureste, Chairman of the Arts Committee endorsed the idea of depicting the history of air travel in San Antonio. He suggested that the task be assigned to the Arts Committee.

After discussion, the motion carrying with it the passage of the Resolution prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: None.

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623

80-62

PRESENTATION OF SONG

Mr. Wing introduced Mr. Henry Valadez who presented a song entitled "Guardian Angel Passing By" which was inspired by the Police Department. (A copy of the lyrics of this song is on file with the minutes of this meeting.

Mr. Valadez in turn introduced Mr. Ray West who recorded the song and was present in the audience. He stated that he would be presenting the Police Chief a plaque on Monday, December 29, 1980 in appreciation of the community's gratitude. He invited the Council to be present.

80-62

PRESENTATION OF CITATION

THE CITY OF SAN ANTONIO
(State of Texas)

Hereby presents this

CITATION

TO

1980 HOLMES HUSKIES FOOTBALL TEAM

IN RECOGNITION OF THE OUTSTANDING ATHLETIC ACCOMPLISHMENTS OF THE OLIVER WENDALL HOLMES HUSKIES FOOTBALL TEAM IN COMPIILING A SEASON RECORD OF 13 VICTORIES AND BUT A SINGLE LOSS ENROUTE TO THE SAN ANTONIO CITY CHAMPIONSHIP AND A BERTH TO THE STATE SEMI-FINAL PLAYOFFS.

THE CITY COUNCIL OF THE CITY OF SAN ANTONIO CONGRATULATES HEAD FOOTBALL COACH GARY MALESKY AND THE MEMBERS OF THE HOLMES HUSKIES FOOTBALL TEAM FOR THEIR OUTSTANDING TEAM EFFORT, SPORTSMANSHIP AND PRIDE IN ATHLETIC EXCELLENCE AS REPRESENTATIVES OF SAN ANTONIO.

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Mr. Charles Brown, Principal of Holmes High School and Coach Gary Malesky were on hand to accept the Citation. They thanked the Council for the award and called upon the members of the Holmes Huskies Football Team who introduced themselves individually.

80-62

CONSENT AGENDA

Mr. Steen moved that items 4-27 constituting the consent agenda be approved. Mr. Webb seconded the motion.

On roll call, the motion carrying with it the passage of the following Ordinances, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 53,139

ACCEPTING THE LOW BID OF DE LA GARZA FENCE AND SUPPLY TO FURNISH THE CITY OF SAN ANTONIO WITH POLICE SECURITY FENCE FOR A TOTAL OF \$8,800.00, LESS 1% - 10 DAYS.

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AN ORDINANCE 53,140

ACCEPTING THE LOW BID OF WHEELING CORRUGATING COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH GALVANIZED PERFORATED CORRUGATED STEEL PIPE FOR A TOTAL OF \$6,612.50, LESS 1% - 30 DAYS.

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AN ORDINANCE 53,141

PROVIDING FOR THE PURCHASE OF FOUR (4) IBM COPIES WHICH ARE NOW UNDER LEASE AGREEMENT.

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AN ORDINANCE 53,142

ACCEPTING THE LOW BID OF MISSION INTERNATIONAL TO FURNISH THE CITY OF SAN ANTONIO WITH A TRACTOR/LOADER/BACKHOE FOR A NET TOTAL OF \$20,500.00.

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AN ORDINANCE 53,143

ACCEPTING THE LOW BID OF GIRARD MACHINERY AND SUPPLY COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH A HYDRAULIC EXCAVATOR FOR A NET TOTAL OF \$105,201.00, LESS 2% - 10 DAYS.

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AN ORDINANCE 53,144

ACCEPTING THE LOW BID OF PLAINS MACHINERY COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH LOADERS FOR A NET TOTAL OF \$69,426.00.

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AN ORDINANCE 53,145

ACCEPTING THE LOW BID OF WAUKESHA-PEARCE INDUSTRIES, INC., TO FURNISH THE CITY OF SAN ANTONIO WITH A MOTOR CRANE FOR A NET TOTAL OF \$147,578.00.

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AN ORDINANCE 53,146

ACCEPTING THE LOW BID OF GIRARD MACHINERY AND SUPPLY COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH A SKID STEER LOADER FOR A TOTAL OF \$13,805.00, LESS 2% - 10 DAYS.

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AN ORDINANCE 53,147

ACCEPTING THE LOW BID OF THE TORGERSON COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH AN AIR COMPRESSOR FOR A TOTAL OF \$9,390.00 LESS 1% - 10 DAYS.

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AN ORDINANCE 53,148

ACCEPTING THE LOW BID OF ANDERSON MACHINERY COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH MOTOR GRADERS FOR A NET TOTAL OF \$115,988.00.

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AN ORDINANCE 53,149

ACCEPTING THE LOW BID OF HOBBS TRAILERS TO FURNISH THE CITY OF SAN ANTONIO WITH A FLOAT TRAILER FOR A NET TOTAL OF \$10,515.00.

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AN ORDINANCE 53,150

ACCEPTING THE LOW QUALIFIED BID OF MISSION CONTRACTORS, INC., IN THE AMOUNT OF \$481,212.00 TO PERFORM THE NORTH SAN JOAQUIN STREET RECONSTRUCTION PROJECT; AUTHORIZING EXECUTION OF A STANDARD PUBLIC WORKS CONSTRUCTION CONTRACT; ESTABLISHING A FUND AND BUDGET; AUTHORIZING CONTRIBUTIONS FROM COMMUNITY DEVELOPMENT PROGRAM FUNDS; AUTHORIZING PAYMENT OF THE CONTRACT AND CONTINGENCY EXPENSES; AND ACCEPTING THE COMMITMENT FROM THE CITY WATER BOARD TO CONTRIBUTE THE COST OF \$137,293.18 FOR WATER LINE ADJUSTMENTS IN THE PROJECT.

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AN ORDINANCE 53,151

AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH HOWARD W. GADDIS, CONSULTING ENGINEERS, TO FURNISH ENGINEERING SERVICES AND PREPARE PLANS AND SPECIFICATIONS FOR THE HOT WELLS RELIEF LINE PROJECT.

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AN ORDINANCE 53,152

AUTHORIZING ADDITIONAL ENGINEERING FEES IN THE AMOUNT OF \$15,200.00 TO SELIGMAN AND PYLE CONSULTING ENGINEERS, INC., AND ACCEPTING THEIR PROPOSAL FOR REVISION OF A FILTER BELT PRESS INSTALLATION DESIGN AT THE RILLING ROAD WASTEWATER TREATMENT PLANT.

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AN ORDINANCE 53,153

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF FEE SIMPLE TITLE TO A TRACT OF PRIVATELY OWNED REAL PROPERTY LOCATED IN BEXAR COUNTY, TEXAS, FOR PUBLIC PURPOSES.

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AN ORDINANCE 53,154

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF TEMPORARY CONSTRUCTION EASEMENTS AND PERMANENT SANITARY SEWER UTILITY EASEMENTS ACROSS CERTAIN PRIVATELY OWNED REAL PROPERTIES LOCATED IN BEXAR COUNTY, TEXAS, FOR PUBLIC PURPOSES.

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AN ORDINANCE 53,155

MANIFESTING AN AGREEMENT WITH FROST NATIONAL BANK EXTENDING THE DEPOSITORY CONTRACT AUTHORIZED BY ORDINANCE 50741 THROUGH SEPTEMBER 30, 1981.

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AN ORDINANCE 53,156

AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION PROMISSORY NOTES.

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AN ORDINANCE 53,157

AUTHORIZING PAYMENT OF PREMIUMS ON FIRE AND EXTENDED COVERAGE INSURANCE ON THE LIBRARY CONTENTS.

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AN ORDINANCE 53,158

AUTHORIZING PAYMENT OF PREMIUMS ON GENERAL LIABILITY AND ON CONTRACTUAL LIABILITY INSURANCE, AND ON GARAGE KEEPER'S LEGAL LIABILITY INSURANCE.

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AN ORDINANCE 53,159

AUTHORIZING PAYMENT OF PREMIUMS ON RENEWAL OF COMPREHENSIVE GENERAL LIABILITY INSURANCE POLICIES ON CERTAIN CITY-OWNED FACILITIES AND ACTIVITIES.

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AN ORDINANCE 53,160

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

AN ORDINANCE 53,161

AMENDING THE FEES AND CHARGES FOR
COMMERCIAL AIR TRANSPORTATION ACTIVITIES
NOT OPERATING UNDER LEASE OR CONTRACT
AT INTERNATIONAL AIRPORT.

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AN ORDINANCE 53,162

CLOSING AND ABANDONING NELLIE STREET
IN NEW CITY BLOCK 9552 AND AUTHORIZING
QUITCLAIM DEEDS TO THE ADJACENT OWNERS.

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80-62 ZONING HEARINGS

28. CASE 8306 - to rezone Lot 6, Block 60, NCB 10589, in the 200 Block of Tansyl Drive, in the 2900 Block of Northwest Loop 410 Expressway, from "B" Two Family Residential District to "O-1" Office District, located east of the cutback between Northwest Loop 410 Expressway and Tansyl Drive, having 176.22' on Northwest Loop 410 Expressway, 148.63' on Tansyl Drive and 24.79' on the cutback between Northwest Loop 410 Expressway and Tansyl Drive.

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

Mr. Thompson moved that the recommendation of the Zoning Commission be overruled and the zoning request be granted. Dr. Cisneros seconded the motion.

Mr. Pete Cantu, realtor representing the applicant, explained the purpose of the zoning request. He also explained the ingress and egress from Loop 410. He stated that the proposed plans would be an asset to the neighborhood.

Mr. Archer stated that he does not feel that there should be a change in zoning because of the recommendation imposed by staff and the Zoning Commission.

Mr. Canavan spoke in opposition to the requested zoning change and made a motion to deny the request in zoning change. Mr. Archer seconded the motion.

Colonel Skeldon, owner of the property stated that he bought the property 13-14 years ago and asked the Council to reconsider for future redevelopment of the area. He stated that he did not feel that it would create any major problems with the traffic situation.

Dr. Cisneros spoke in support of the requested zoning change he stated that property along the access road should be zoned for business uses.

Mr. Alderete concurred with Dr. Cisneros' remarks that "O-1" office use would be the best suitable classification for the property.

Mrs. Dutmer expressed concern regarding business zoning in the heart of a residential area.

No citizen appeared to speak in opposition.

After discussion, the substitute motion to deny the zoning request failed to carry by the following vote: AYES: Dutmer, Wing, Canavan, Archer, Cockrell; NAYS: Cisneros, Webb, Eureste, Alderete, Steen; ABSENT: Thompson.

The original motion as substituted failed to carry by the following vote: AYES: Cisneros, Webb, Alderete, Steen; NAYS: Dutmer, Wing, Eureste, Canavan, Archer, Cockrell; ABSENT: Thompson.

CASE 8306 was denied.

29. CASE 8291 S.R. - to rezone Lot 1 and the west irregular 38.82' of Lot 2, Block 7, NCB 9207, 214 Rollins Avenue, from "B" Two Family Residential District to "R-3" S.R. Multiple Family Residential District for a day care center caring for over twenty (20) children, located east of the intersection of Rollins Avenue and Culebra Avenue, having 98.77' on Culebra Avenue and 137.57' on Rollins Avenue.

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

Ms. Connie Trinidad, 1630 W. Hildrebrand Avenue, explained the proposed plans for the requested change in zoning. She also went on to explain the parking which would be available.

No citizen appeared to speak in opposition.

At this time, Mr. Alderete made a motion to postpone this item for three weeks in order to get together with the residents of the neighborhood. Mr. Canavan seconded the motion.

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

CASE 8291 S.R. was postponed.

30. CASE 8281 - to rezone Lots 48, 49 and 50, Block 17, NCB 7939, 1311 Flanders Avenue, from "B" Two Family Residential District to "B-2" Business District, located on the northside of Flanders Avenue, being 100' west of the intersection of Huron Street and Flanders Avenue, having 75' on Flanders Avenue and a depth of 115'.

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

Mr. Joe Garcia, Sr., the applicant stated that he was amending his petition to "B-1" in lieu of "B-2" zoning.

Mr. Andy Guerrero, Planning Administrator, explained the uses allowed under "B-1" classification.

Mr. Lido Macias stated that he has lived in the neighborhood for some time and felt that Mr. Garcia would be building a better grocery store for his customers. He spoke in support of the zoning change.

Mrs. Hope Salazar, 1307 Flanders Avenue, spoke in opposition to the requested change in zoning. She expressed concern that the streets are too narrow and spoke in support of the zoning remaining as it is. She also spoke regarding the number of children that play in the streets. She urged the denial of this requested change in zoning.

Mayor Cockrell explained to Mrs. Salazar that should this zoning request be turned down, the operation would remain as is.

A discussion then took place regarding the size of the proposed new structure.

Mr. Andy Guerrero, Planning Administrator explained that the applicant would have to make an application to the Board of Adjustment requesting a variance to use the extra lot as a parking facility for his customers. He explained that Mr. Garcia had been granted a variance to the building setback requirements.

Mr. Abelardo Salazar, 122 Cheslex Street spoke in opposition to the requested change in zoning. He expressed fear of the applicant selling alcoholic beverages at the subject property.

At this time, Mrs. Dutmer made a motion to deny the requested change in zoning.

The motion died for lack of a second.

After further discussion, Mr. Eureste made a motion to refer this zoning case back to the Zoning Commission for reconsideration of "B-1" zoning on the front portion of the subject property to accommodate the grocery store and "R-1" zoning on the rear portion of the subject property. Mr. Canavan seconded the motion.

Mrs. Dutmer expressed concern regarding the 25' lot to the east of the subject property.

On roll call, the motion to postpone prevailed by the following vote: AYES: Cisneros, Webb, Wing, Eureste, Thompson, Canavan, Steen, Cockrell; NAYS: None; ABSENT: Alderete, Archer; ABSTAIN: Dutmer.

CASE 8281 was postponed.

31. CASE 8305 - to rezone Lot 40 and the west 25' of Lot 41, Block 21, NCB 3426, from "F" Local Retail District to "B-2" Business District, located on the northside of Hearne Avenue, being 75' west of the intersection of Hearne Avenue and Nogalitos Street, having 75' on Hearne Avenue and a depth of 117.5'; Lots 42 and 43, Block 21, NCB 3426, 2527-2531 Nogalitos Street, from "F" Local Retail District to "B-3" Business District, located northwest of the intersection of Nogalitos Street and Hearne Avenue, having 146.28' on Nogalitos Street and 50' on Hearne Avenue; the east 25' of Lot 41, Block 21, NCB 3426, from "F" Local Retail District to "B-3R" Restrictive Business District, located on the northside of Hearne Avenue, being 50' west of the intersection of Hearne Avenue and Nogalitos Street, having 25' on Hearne Avenue and a depth of 117.5'.

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

Mrs. Raymond S. De Leon, the applicant explained the proposed use for the property.

Mr. Andy Guerrero, Planning Administrator, stated that the applicant wanted to rezone all the subject lots "B-3" originally. However, he stated that the Zoning Commission recommended approval of "B-2" zoning on Lot 40 and parts of Lot 41 and "B-3" zoning on the remaining lots.

In response to a question by Mr. Steen, Mrs. De Leon stated that she is agreeable to the recommendation of the Zoning Commission.

At this time, the meeting was recessed at 3:15 P.M. to go into Executive Session and reconvened at 3:30 P.M.

80-62 Discussion on Item 31 continued.

Mr. Guerrero explained that a discussion had taken place and the result of the discussion was that Lot 43 be zoned "B-3R", Lot 42 be zoned "B-3", the east 25' of Lot 41 to "B-3R" and the remaining tract Lot 40 and the west 25' of Lot 41 be zoned "B-2".

Mrs. Dutmer expressed concern that "B-3" does not allow outside storage.

Mr. Guerrero stated that the actual structure will be on "B-3" and "B-3R".

No citizen appeared to speak in opposition.

After consideration, Mr. Eureste moved that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished and that a six foot solid screen fence is erected and maintained along the west property line of Lot 40 and on the north property lines of Lots 40 and 41. Mr. Webb seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Canavan, Steen, Cockrell; NAYS: None; ABSENT: Thompson, Alderete, Archer.

AN ORDINANCE 53,163

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 40 AND THE WEST 25' OF LOT 41, BLOCK 21, NCB 3426, FROM "F" LOCAL RETAIL DISTRICT TO "B-2" BUSINESS DISTRICT; LOT 42, BLOCK 21, NCB 3426, 2527-2531 NOGALITOS STREET, FROM "F" LOCAL RETAIL DISTRICT TO "B-3" BUSINESS DISTRICT; THE EAST 25' OF LOT 41, BLOCK 2, NCB 3426 AND LOT 43, BLOCK 21, NCB 3426, FROM "F" LOCAL RETAIL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE WEST PROPERTY LINE OF LOT 40 AND ON THE NORTH PROPERTY LINES OF LOTS 40 AND 41.

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32. CASE 8282 - to rezone a 20.50 acre tract of land out of NCB 14735, being further described by field notes filed in the Office of the City Clerk, in the 11100 Block of Vance Jackson Road, from Temporary "R-1" Single Family Residential District to "R-3" Multiple Family Residential District, located on the northeast R.O.W. line of Vance Jackson Road, approximately 215' northwest of the intersection of River North Drive and Vance Jackson Road, having approximately 155' on Vance Jackson Road and a depth of approximately 2000'.

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

Mr. David C. Dickson, Petitioner representing Mission Trace Homeowners Association stated that the residents of the adjacent land owners had reached a compromise in an effort to facilitate said rezoning. He requested on behalf of the residents that a one foot permanent non-access easement be imposed along the northwest boundary line of Tract 27, NCB 5620, and that such non-access easement shall be limited to the subject property required for rezoning. He asked that this setback easement be included in the motion.

Mr. Ray Horne, on behalf of the residents of Mission Trace Homeowners Association stated that they did not want apartments in the area however, he submitted a letter representing a compromise to include the following:

1. A One-foot permanent easement to be imposed along the northwest boundary line of Tract 27, NCB 14735, and that such non-access easement shall be limited to the subject property requested for rezoning.
2. Developer of the subject property agreed to Deed restrict for a 10-foot unimproved green belt contiguous to the entire length of the non-access easement line.
3. Developer/Builder agrees to construct the apartments in conjunction with currently acceptable FNMA condominium conversion specifications.
4. Developer agrees to consult and work with the Mission Trace Homeowners Association during the development and construction of the apartment complex.

Mr. Horne asked that these stipulations be included as part of the motion. (The letter is on file with the official minutes of this meeting.)

After consideration, Mr. Canavan moved that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished; that a one-foot permanent easement is imposed along the northwest boundary line of Tract 27, NCB 14735, that such non-access easement shall be limited to the subject property requested for rezoning. Dr. Cisneros seconded the motion.

AN ORDINANCE 53,164

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 20.50 ACRE TRACT OF LAND OUT OF NCB 14735, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 11100 BLOCK OF VANCE JACKSON ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED AND FURTHER PROVIDED THAT A ONE-FOOT PERMANENT NON-ACCESS EASEMENT IS IMPOSED ALONG THE NORTHWEST BOUNDARY LINE OF THE SUBJECT PROPERTY, BEING a 20.50 ACRE TRACT OF LAND OUT OF NCB 14735.

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33. CASE 8307 - to rezone a 3.637 acre tract of land out of NCB 15343, being further described by field notes filed in the Office of the City Clerk, in the 7200 Block of Timbercreek Drive, from "R-2"

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Two Family Residential District to "R-6" Townhouse District, located on the northside of Timbercreek Drive, being 240' southeast of the intersection of Timbercreek Drive and Singing Wind Drive, having 822.65' on Timbercreek Drive and a maximum depth of 201.59'.

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

No citizen appeared to speak in opposition.

After consideration, Mr. Steen moved that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished and that the applicant work closely with the Traffic Division for control access points. Mr. Wing seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Dutmer, Wing, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: Webb, Eureste, Thompson, Alderete.

AN ORDINANCE 53,165

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 3.637 ACRE TRACT OF LAND OUT OF NCB 15343, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM "R-2" TWO FAMILY RESIDENTIAL DISTRICT TO "R-6" TOWNHOUSE DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED AND THAT THE APPLICANT WORK CLOSELY WITH THE TRAFFIC DIVISION FOR CONTROL ACCESS POINTS.

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34. CASE 8310 - to rezone the northeast irregular 727.47' of Arbitrary Tract G, NCB 12117, 3011 Northeast Loop 410 Expressway from Temporary "R-1" Single Family Residential District and "A" Single Family Residential District to "I-1" Light Industry District, located on the northwest side of Northeast Loop 410 Expressway, being 1230' southwest of the intersection of Northeast Loop 410 Expressway and I.H. 35 Expressway, having 565' on Northeast Loop 410 Expressway and a maximum depth of 1220'.

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

No citizen appeared to speak in opposition.

After consideration, Mr. Steen moved that the recommendation of the Zoning Commission be approved. Dr. Cisneros seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Dutmer, Wing, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: Webb, Eureste, Thompson, Alderete.

AN ORDINANCE 53,166

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE NORTHEAST IRREGULAR 727.47' OF ARBITRARY TRACT G, NCB 12117, 3011 NORTHEAST LOOP

410 EXPRESSWAY, FROM TEMPORARY "R-1"
SINGLE FAMILY RESIDENTIAL DISTRICT AND "A"
SINGLE FAMILY RESIDENTIAL DISTRICT TO "I-1"
LIGHT INDUSTRY DISTRICT.

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35. CASE 8309 - to rezone a 0.152 acre tract of land out of Lot 10, Block 5, NCB 14429, being further described by field notes filed in the Office of the City Clerk, in the 2500 Block of Palo Alto Road, from "B-2" Business District to "R-5" Single Family Residential District, located on the west side of Palo Alto Road, being 190' north of the intersection of Palo Alto Road and Reforma Drive, having 55' on Palo Alto Road and a depth of 120'.

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

No citizen appeared to speak in opposition.

After consideration, Mr. Steen moved that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished. Mr. Wing seconded the motion. On roll call, the motion carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Dutmer, Wing, Eureste, Thompson, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: Webb, Alderete.

AN ORDINANCE 53,167

AMENDING CHAPTER 42 OF THE CITY CODE
THAT CONSTITUTES THE COMPREHENSIVE ZONING
ORDINANCE OF THE CITY OF SAN ANTONIO BY
CHANGING THE CLASSIFICATION AND REZONING
OF CERTAIN PROPERTY DESCRIBED HEREIN AS
A 0.152 ACRE TRACT OF LAND OUT OF LOT 10,
BLOCK 5, NCB 14429, BEING FURTHER DESCRIBED
BY FIELD NOTES FILED IN THE OFFICE OF THE
CITY CLERK, IN THE 2500 BLOCK OF PALO
ALTO ROAD, FROM "B-2" BUSINESS DISTRICT TO
"R-5" SINGLE FAMILY RESIDENTIAL DISTRICT,
PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

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36. CASE 8299 - to rezone a 1.47 acre tract of land out of NCB 14591, being further described by field notes filed in the Office of the City Clerk, from "R-3" Multiple Family Residential District to "B-1" Business District, located 150' northeast of Rio D'Oro Drive and 140' southeast of Nacogdoches Road, having a length of 353.12' and a maximum width of 264.8'.

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

No citizen appeared to speak in opposition.

After consideration, Mrs. Dutmer moved that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished and that a six foot solid screen-fence is erected and maintained along the southeast property line. Dr. Cisneros seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Dutmer, Eureste, Thompson, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: Webb, Wing, Alderete.

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AN ORDINANCE 53,168

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 1.47 ACRE TRACT OF LAND OUT OF NCB 14591, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT TO "B-1" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE SOUTHEAST PROPERTY LINE.

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80-62 The following Ordinance was read by the Clerk and after consideration on motion of Mr. Steen, seconded by Dr. Cisneros, was passed and approved by the following vote: AYES: Cisneros, Dutmer, Eureste, Thompson, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: Webb, Wing, Alderete.

AN ORDINANCE 53,169

GRANTING A ONE-YEAR LICENSE TO ROBERT MARSH D/B/A/ WILD WEST TOURS OF TEXAS TO OPERATE A GUIDED TOUR SERVICE IN THE CITY OF SAN ANTONIO.

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80-62 The Clerk read the following Ordinance:

AN ORDINANCE 53,170

ACCEPTING A GRANT OF \$600,000.00 FROM THE ECONOMIC DEVELOPMENT ADMINISTRATION IN SUPPORT OF THE COST OF THE BEETHOVEN HALL RENOVATION PHASE II PROJECT; AUTHORIZING A CONTRIBUTION OF \$150,000.00 FROM THE GENERAL FUND; ESTABLISHING A FUND AND ACCOUNTS AND ADOPTING A BUDGET.

* * * *

Mrs. Dutmer moved to approve the Ordinance. Mr. Archer seconded the motion.

In response to a question by Mr. Thompson, Mr. David Garcia, Project Manager, explained the purpose of the recital auditorium facility. He stated that the work is being done by a private contractor. He spoke regarding the possibility of the building being used on an on-going UTSA contract basis.

Dr. Cisneros stated that he doesn't want to foreclose any options on this building. He stated that he wants a commitment of evaluation of proposals.

Mr. Garcia explained that the way this grant is established is that it will remain a public facility for a variety of public uses.

Mrs. Dutmer stated that it is a historic building and expressed her concern that the City not go into a long-term agreement with anyone.

Mr. Garcia stated that the decision as to the use of the building would be one decided by the City Council.

Mr. Thomson also expressed concern about the public use of the facility.

Mr. Eureste stated that the concern expressed by the City Council is due to the manner in which leases at the Convention Center were handled at one time.

Mr. David Garcia stated that a report would be prepared on what the policy will be for public use of the renovated Beethoven Hall.

After discussion, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: Thompson.

80-62 The following Ordinance was read by the Clerk and, after consideration, on motion of Mr. Alderete, seconded by Mrs. Dutmer, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: Thompson,

AN ORDINANCE 53,171

AUTHORIZING A SAN ANTONIO-GUADALAJARA SISTER CITY EMERGENCY MEDICAL SERVICES RECRUITMENT AND TRAINING PROJECT; ACCEPTING A GRANT FROM TOWN AFFILIATION ASSOCIATION OF THE U.S. INC. IN SISTER CITIES INTERNATIONAL PROGRAM FUNDS; ESTABLISHING A FUND AND ADOPTING A BUDGET.

* * * *

80-62 The Clerk read the following Ordinance:

AN ORDINANCE 53,172

AMENDING THE BUDGET TO ADD ONE PERSONNEL POSITION TO THE DEPARTMENT OF CITIZEN ACTION AND PUBLIC INFORMATION (SECURITY GUARD I).

* * * *

Mr. Steen moved to approve the Ordinance. Mr. Webb seconded the motion.

In response to a question by Mr. Archer, Mr. Roy Montez, Director of Citizen Action and Public Information, explained that it would be impossible to keep doors locked in the basement because these doors provide handicapped access, particularly for people in wheelchairs. He explained the purpose of the Ordinance and stated that they would be proceeding to start announcements for this job.

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

(Mayor Cockrell was obliged to leave the meeting and Acting Mayor Joe Webb presided).

80-62 The Clerk read the following Ordinance:

AN ORDINANCE 53,173

ESTABLISHING PARKING RATES FOR PARKING
AT THE RIVER BEND PARKING GARAGE.

* * * *

Mr. Steen moved to approve the Ordinance. Mr. Wing seconded the motion.

Mr. Frank Kiolbassa, Director of Public Works explained the proposed parking rates for the River-Bend Parking Garage.

Mrs. Dutmer expressed concern that the rates are too low and expressed concern about the security.

Mr. Steen stated that he doesn't want taxpayers to subsidize parking.

After discussion, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Webb, Dutmer, Wing, Eureste, Canavan, Steen; NAYS: None; ABSENT: Cisneros, Thompson, Alderete, Archer, Cockrell.

80-62 The following Ordinance was read by the Clerk and after consideration, on motion of Mrs. Dutmer, seconded by Mr. Steen, was passed and approved by the following vote: AYES: Webb, Dutmer, Wing, Eureste, Canavan, Steen; NAYS: NONE; ABSENT: Cisneros, Thompson, Alderete, Archer, Cockrell.

AN ORDINANCE 53,174

ALLOCATING \$26,000 TO THE SAN ANTONIO
MUSEUM ASSOCIATION FOR REPAIRS TO FIRE DAMAGE
AT THE MUSEUM OF TRANSPORTATION.

* * * *

80-62 The Clerk read the following Ordinance:

AN ORDINANCE 53,175

ACCEPTING A \$1,700,000 ECONOMIC DEVELOPMENT
ADMINISTRATION GRANT FOR RESTORATION OF
LA VILLITA, TRANSFERRING AND APPROPRIATING
FUNDS, AND ESTABLISHING A FUND AND ACCOUNTS
FOR THE PROJECT.

* * * *

Mr. Canavan moved to approve the Ordinance. Mr. Steen seconded the motion.

In response to a question by Mrs. Dutmer, Mr. Ron Darner, Director of Parks and Recreation stated that the staff would be looking at all contracts regarding the buildings at La Villita in the

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near future and will be reporting on the use of pinball machines at Tiny's Cantina in La Villita.

After discussion, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Webb, Dutmer, Wing, Eureste, Canavan, Steen; NAYS: None; ABSENT: Cisneros, Thompson, Alderete, Archer, Cockrell.

80-62 The following Ordinance was read by the Clerk and after consideration on motion of Mr. Steen, seconded by Mr. Archer, was passed and approved by the following vote: AYES: Webb, Dutmer, Wing, Eureste, Canavan, Steen; NAYS: None; ABSENT: Cisneros, Thompson, Alderete, Archer, Cockrell.

AN ORDINANCE 53,176

ESTABLISHING THE CLEAN COMMUNITY COMMISSION FOR THE PURPOSE OF ADVISING THE CITY COUNCIL IN ESTABLISHING A CITY WIDE POLICY FOR THE REDUCTION OF LITTER; PRESCRIBING ITS MEMBERSHIP, DUTIES, AND FUNCTIONS; ESTABLISHING THE CLEAN COMMUNITY TRUST FUND FOR THE RECEIPT OF CONTRIBUTIONS TO PROMOTE SUCH CITY-WIDE POLICY FOR THE REDUCTION OF LITTER; ESTABLISHING A STAFF LIAISON TO THE COMMISSION; AND LISTING THE INDIVIDUALS TO SERVE ON SUCH COMMISSION.

* * * *

The following persons appointed by Ordinance No. 53078 of November 28, 1980, shall serve on the Clean Community Commission:

SADIE MAY GRAFF (Mayor) Chairperson
 EFFIE BLANDIN (District 2)
 HELEN DUTMER (District 3)
 CARLOS GONZALEZ (District 1)
 FRANK WING (District 4)
 DANNY ESCALANTE (District 7)
 LONNIE CRISP (District 8)
 ED DAVIS (District 9)
 CHERYL MZIREK (District 10)

* * * *

The following persons also are hereby appointed:

ELIECER BARRIERO (District 5)
 SYBIL KANE (District 6)

* * * *

80-62 The meeting was recessed at 4:25 P.M. to go into a Special Meeting and reconvened at 5:00 P.M.

80-62 (Mayor Cockrell returned to the meeting and presided.)

City Manager, Thomas Huebner reported to the City Council that he has been working with Allied Corporation and the De Bartolo Corporation on finalizing the UDAG Grant. He stated that there is a zero chance of the City getting \$27,000,000 and they are modifying the project in order to create a maximum potential for the UDAG Award. He stated that the method of financing and recapturing provisions have been changed. He stated that the list at the earliest will go to the President's Office tomorrow. He further stated that the City of San Antonio will be notified by the UDAG staff in Washington and everything that can be done within the City's standpoint has been done.

Mayor Cockrell commended the City Manager and his staff for their efforts in this matter.

Mr. Huebner then stated that the Council will be kept abreast of any development in this matter.

MS. DEBBIE HEBERT

Ms. Debbie Hebert, representing the Leukemia Society of America, spoke to the City Council requesting a waiver of Ordinance No. 52865. She spoke about the drive of the Bexar County Sheriff's Reserve and the useful purpose it serves. (A copy of the request is on file with the minutes of this meeting).

Mr. Eureste at this time moved to prepare the necessary ordinance for next week's agenda to waive the Ordinance. Mr. Alderete seconded the motion.

Mrs. Dutmer expressed concern about a precedent being set. She stated that perhaps the entire Ordinance should be reviewed.

Ms. Hebert stated that another organization had been granted a waiver on this matter.

Mr. Thompson stated that at the time the Ordinance was approved, it was discussed that each case would be considered on its own merits and exceptions were also discussed.

Mr. Wing concurred with Mr. Thompson's statement about handling each case on its own merits.

At this time, Mr. Alderete moved to close debate. Mr. Archer seconded the motion. On roll call, the motion failed to carry by the following vote: AYES: Archer; NAYS: Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Cockrell; ABSENT: Cisneros, Canavan, Steen.

After further discussion, the motion to place this item on the agenda next week prevailed by the following vote: AYES: Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Cockrell; NAYS: None; ABSENT: Cisneros, Canavan, Archer, Steen.

Mrs. Dominguez wished each Councilmember a Merry Christmas.

REVEREND R.A. CALLIES SR.

Reverend Callies read a prepared statement to the City Council regarding needed sidewalks and traffic lights. (A copy of his statement listing the locations at which sidewalks are needed and the locations at which traffic signals are needed are file with the papers of this meeting.)

He asked that the Council consider his request.

Mayor Cockrell stated that reference is made to staff reports on certain matters, and urged that these reports be completed.

Mr. Wing stated that he shares Reverend Callies' concern on the need for sidewalks, however, with the limited amount of money available, it is very difficult to address all the needs in one district.

Mayor Cockrell asked that the staff made a report to the Council on the matter.

Mr. Wing stated that he will also be coming to the staff with a list of needed traffic lights and needed sidewalks in his district.

Mr. Webb made reference to the photographs distributed by Reverend Callies. He mentioned the number of accidents and the traffic hazards to the children in these areas. He stated that these conditions are getting worse every year.

Mr. Thompson concurred with Mr. Wing's statement and the problems in his district with needed sidewalks.

Mayor Cockrell stated that every Council district has problems and that Reverend Callies' request will be referred to staff.

MRS. EDWARD C. DUNCAN

Mrs. Duncan spoke about the problem with the bus stop which was moved from Cotton Street. She stated that the bus stop was extended five blocks.

Mayor Cockrell advised Mrs. Duncan to discuss this matter with VIA.

Mrs. Dutmer stated that the purpose of Mrs. Duncan's presentation was to have a Councilmember bring it to the attention of the VIA Board.

Mr. Alderete asked who was responsible for securing advertising space on VIA buses for the logo of the Committee on Crime Prevention, and how does an entity go about securing free advertising on VIA buses.

Mr. Roy Montez, Director of Citizen Action and Public Information stated that he would seek answers for Councilman Alderete.

Mr. Thompson stated that a review was needed to determine if advertisement for the neighborhood crime-watch program, which carries the name of Councilman John Steen in it, is in fact a conflict of interest because of the Councilman's stated intent to run for Mayor.

After a brief discussion, it was decided that the Council Transportation Committee would meet on the matter and report back to the full City Council on its recommendations.

Mr. Thompson stated his concern about recent statements made concerning Municipal Court and their possible interference with the Court's judicial discretion.

Mayor Cockrell stated that the City Council members have the right to investigate into any municipal matters concerning its policies, and receive a response on that inquiry.

Mr. Wing noted his concern that the City Councilmembers might be getting information directly rather than through the City Manager's Office.

Mayor Cockrell noted that administrative matters should be handled through the City Manager.

In response to a question by Mayor Cockrell, Assistant City Attorney, Mr. Luis Garcia stated that Municipal Court records are not subject to the Privacy Act; thus any cases filed in Municipal Court are open to any citizen for study.

Mr. Webb noted that Mr. Archer's report stated that there had been fewer case dismissals in Municipal Court in recent years, and he commended the court for its good record in this area. He also noted that there had been an increase in fines levied by Municipal Court in recent years, and stated that plea bargaining is an integral part of the judicial system.

Mr. Alderete stated that Municipal Court Administrator, Bill Arnette and the Municipal Court judges were very effective, and doing outstanding jobs, noting that more fines had been paid last year than ever before.

Mr. Eureste stated his support to Mr. Thompson's concern regarding the involvement of City Councilmembers in Municipal Court and Police Department matters. He stated that records should be made available to all City Councilmembers, not to single members of the Council and stated his fear for the sensitivity of police records. He noted that there had been no allegations of corruption in Municipal Court, only complaints to plea bargaining.

Mrs. Dutmer spoke to the pending City Council meeting with the Municipal Court judges and stated her feeling that Mr. Archer is correct in asking for the meeting to discuss the large number of traffic violation citations that have been dismissed.

80-62 There being no further business to come before the Council, the meeting was adjourned at 6:00 P.M.

A P P R O V E D

Lyle Cockrell

M A Y O R

ATTEST:

Norma S. Rodriguez
C i t y C l e r k