

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
TUESDAY, NOVEMBER 22, 1983.

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

83-56 The invocation was given by Reverend Linwood Russ, Grace First Baptist Church.

83-56 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

83-56 ANNIVERSARY OF JOHN F. KENNEDY ASSASSINATION

Mayor Cisneros noted that the late President John F. Kennedy was assassinated in Dallas 20 years ago today, and stated that his last official act prior to that event was to speak at ceremonies at the School of Aerospace Medicine, Brooks Air Force Base, San Antonio, the day previous. He also noted that the man who escorted the late President during that stopover and address at San Antonio was Dr. Billy Welch, Chief Scientist, School of Aerospace Medicine, and asked Dr. Welch to come forward to share with the City Council his recollections of that San Antonio appearance.

Dr. Welch read from the text of Kennedy's speech, noting that the concluding remarks spoke of America's commitment to space exploration and the need to continuously strive for excellence. He stated that he considered it a privilege to share his own goals and dreams with the President, and spoke of the inspiration that Kennedy gave to this nation's space program, noting that the nation has fulfilled his charge. He thanked the Mayor and Council for the privilege of sharing his thoughts about the late President on this occasion, and spoke briefly of the work underway today at the School of Aerospace Medicine, to further the nation's space program.

Dr. Welch presented the City with a book concerning the past 50 years of progress in space medicine, in commemoration of the occasion. He then briefly recalled his feelings upon hearing of the assassination of President Kennedy the following day, and the feeling of the waste of a tremendous talent.

Mayor Cisneros spoke of other traumatic events of the past 20 years since the assassination.

Dr. Welch noted that one of this nation's strengths is the ability to pull together despite problems and setbacks.

Mrs. Dutmer stated that the late President Kennedy still is motivating the people of this nation, and spoke of the memorial event that took place at the School of Aerospace Medicine yesterday, to mark the occasion of Kennedy's last visit there.

Mayor Cisneros thanked Dr. Welch for sharing his thoughts with the Council on this day.

Mr. Archer moved that items 5 - 17, constituting the consent agenda, be approved with the exception of item 16 to be pulled for individual consideration. Mrs. Dutmer seconded the motion.

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

AN ORDINANCE 57,913

APPROPRIATING AND AUTHORIZING THE SUM OF \$8,750.00 IN ADDITIONAL ENGINEERING FEES TO BE PAID TO PAPE-DAWSON ENGINEERS FOR THE UNSEWERED AREA #64, THOUSAND OAKS PHASE I PROJECT.

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AN ORDINANCE 57,914

ACCEPTING THE BID OF R. L. JONES COMPANY, INC. IN THE AMOUNT OF \$58,799.79 FOR THE CONSTRUCTION OF GOLDEN TRIANGLE OFF-SITE SANITARY SEWER, PHASE A; APPROVING A CONTRACT AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 57,915

APPROVING THE EXPENDITURE OF A FEE NOT TO EXCEED \$35,000.00 PAYABLE TO THE JOINT VENTURE OF O'BRIEN-KREITZBURG AND DON TODD ASSOCIATES, INC., FOR CONSULTANT SERVICES FOR WASTEWATER TREATMENT PROCESS.

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AN ORDINANCE 57,916

ACCEPTING THE BID OF COLD TEMP CO., INC. IN THE AMOUNT OF \$62,729.00 FOR CERTAIN MODIFICATIONS TO THE AIR CONDITIONING AND FIRE SPRINKLER SYSTEMS AT THE NEW POLICE RECRUITING AND TRAINING OFFICES LOCATED AT THE CITY HALL ANNEX; APPROVING A CONTRACT AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 57,917

AUTHORIZING THE CITY MANAGER TO EXECUTE THE ANNUAL JOINT FUNDING AGREEMENT WITH THE U.S. GEOLOGICAL SURVEY, DEPARTMENT OF INTERIOR, TO CONTINUE THE U.S. GEOLOGICAL SURVEY PROGRAM OF SURFACE WATER QUALITY AND QUANTITY DATA COLLECTION IN FISCAL YEAR 1984 AND AUTHORIZING \$25,900.00. FOR THE CITY'S PARTICIPATING COST OF THE PROGRAM.

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AN ORDINANCE 57,918

ACCEPTING THE BID OF COMMERCIAL BUILDERS SPECIALIST IN THE AMOUNT OF \$920,024.00 FOR CONSTRUCTION OF THE NOGALITOS AT PARK (COLLINS GARDEN) BRANCH LIBRARY; APPROVING A CONTRACT, AND PROVIDING FOR PAYMENT.

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## AN ORDINANCE 57,919

CLOSING AND ABANDONING A PORTION OF PEBBLE LANE BETWEEN NEW CITY BLOCKS 14727 AND 14732 AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE TO EXECUTE A QUITCLAIM DEED TO VANCE JACKSON VENTURE, THE ADJACENT OWNER, FOR A CONSIDERATION OF \$1.00.

\* \* \* \*

## AN ORDINANCE 57,920

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$54,365.00 OUT OF VARIOUS FUNDS FOR THE PURPOSE OF ACQUIRING TITLE AND/OR EASEMENTS TO CERTAIN LANDS, ACCEPTING AND AUTHORIZING THE CITY MANAGER TO EXECUTE PIPE LINE LICENSES AND AGREEMENTS; ALL IN CONNECTION WITH CERTAIN RIGHT OF WAY PROJECTS.

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## AN ORDINANCE 57,921

CLOSING AND ABANDONING A PORTION OF CARVER ROAD, BETWEEN NEW CITY BLOCKS 13751 AND 13752, AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE A QUITCLAIM DEED TO THE ADJACENT OWNER, FOR A CONSIDERATION OF \$19,000.00.

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## AN ORDINANCE 57,922

CLOSING AND ABANDONING A PORTION OF AN ALLEY AND RELEASING A PORTION OF A DRAINAGE EASEMENT WHERE ENCROACHMENTS EXIST IN AND ADJACENT TO NEW CITY BLOCK 969, AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE A QUITCLAIM DEED TO SAN ANTONIO RETAIL MERCHANTS ASSOCIATION, FOR A CONSIDERATION OF \$20.00, AND TO EXECUTE A RELEASE OF EASEMENT.

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## AN ORDINANCE 57,923

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

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## AN ORDINANCE 57,924

ACCEPTING THE PROPOSAL OF ENVIROTECH OPERATING SERVICES IN THE AMOUNT OF \$115,153.00 FOR CONSULTANT SERVICES TO THE WASTE WATER DIVISION.

\* \* \* \*

83-56 The Clerk read the following Ordinance:

AN ORDINANCE 57,925

AUTHORIZING THE PAYMENT OF \$27,000.00 TO PUBLIC TECHNOLOGY, INC., (PTI), FOR PARTICIPATION IN TECHNOLOGY TRANSFER SERVICES.

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In response to a question by Mr. Thompson, Mr. Rod Anderson, Budget and Research Department, briefly explained the Ordinance, noting that this is the third year that the City has purchased these services from this firm, and spoke briefly to those services.

Mr. George Noe, Assistant to the City Manager, amplified on those remarks noting that the firm played a large role in the Fire Station Relocation Package, among other services performed for the City by this non-profit firm.

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

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

ZONING HEARINGS

18. CASE Z83387 - to rezone Lots 22, 23, and 24, Block 1, NCB 12430, in the 8200 Block of Jones Maltsberger Road, from "R-3" Multiple Family Residence District and "B-1" Business District to "P-1(B-3)" Planned Unit Development, Business District, located southeast of the intersection of Chulie Drive and Jones Maltsberger Road having 128.59' on Jones Maltsberger Road and 681.57' on Chulie Drive, and Lot 10, Block 18, NCB 13033, in the 700 Block of Chulie Drive, from "I-1" Light Industry District to "P-1(B-3)" Planned Unit Development, Business District, located on the south side of Chulie Drive, being approximately 840' east of the intersection of Chulie Drive and Jones Maltsberger Road, having 316.68' on Chulie Drive and a depth of 146.92'.

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

No citizen appeared to speak in opposition.

Mr. Archer moved that the recommendation of the Zoning Commission be approved provided that proper access and off-street parking are provided, that a 6-foot solid screen fence is erected and maintained along the south property line, and that a 25-foot building setback is applied on the rear property line abutting the single-family properties. Mr. Alderete seconded the motion.

Mr. Andy Guerrero, Planner II, briefly explained the fencing requirement in this case.

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

AN ORDINANCE 57,926

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 22, 23, AND 24, BLOCK 1,

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NCB 12430, IN THE 8200 BLOCK OF JONES MALTSBERGER ROAD, FROM "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT AND "B-1" BUSINESS DISTRICT TO "P-1(B-3)" PLANNED UNIT DEVELOPMENT, BUSINESS DISTRICT, AND LOT 10, BLOCK 18, NCB 13033, IN THE 700 BLOCK OF CHULIE DRIVE, FROM "I-1" LIGHT INDUSTRY DISTRICT TO "P-1(B-3)" PLANNED UNIT DEVELOPMENT, BUSINESS DISTRICT, PROVIDED THAT PROPER ACCESS AND OFF-STREET PARKING ARE PROVIDED, THAT A 6-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ADJACENT TO THE SINGLE-FAMILY DWELLINGS, AND THAT A 25-FOOT BUILDING SETBACK IS APPLIED ON THE REAR PROPERTY LINE ABUTTING THE SINGLE-FAMILY PROPERTIES.

\* \* \* \*

19. CASE Z83378 - to rezone Lots 8, 9, and 10C, Block 6, NCB 11848, in the 200 Block of Thrushview Lane, from "R-5" One Family Residence District to "P-1(R-5)" Planned Unit Development, One Family Residence District, located on the west side of Thrushview Lane, being 580.12' north of the intersection of Eisenhower Road and Thrushview Lane, having 626.3' on Thrushview Lane and a depth of 220'.

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

No citizen appeared to speak in opposition.

Mr. Archer moved that the recommendation of the Zoning Commission be approved. Mrs. Dutmer seconded the motion.

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

AN ORDINANCE 57,927

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 10C, BLOCK 6, NCB 11848, IN THE 200 BLOCK OF THRUSHVIEW LANE, FROM "R-5" ONE-FAMILY RESIDENCE DISTRICT TO "P-1(R-5)" PLANNED UNIT DEVELOPMENT, ONE-FAMILY RESIDENCE DISTRICT.

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20. CASE Z83402 - to rezone Lots 9 and 10, Block 2, NCB 6228, 125 Davis Court from "B" Residence District to "R-6" Townhouse Residence District, located on the north side of Davis Court being 350' east of the intersection of Broadway and Davis Court, having 100' on Davis Court and a depth of 140'.

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

No citizen appeared to speak in opposition.

Mr. Archer moved that the recommendation of the Zoning Commission be approved provided that proper access and off-street parking are provided. Mr. Hasslocher seconded the motion.

Mrs. Dutmer spoke of her concern with the increased traffic at

the intersection of Broadway and Davis Court, noting that a car wash facility is being constructed at that location.

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

AN ORDINANCE 57,928

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 9 AND 10, BLOCK 2, NCB 6228, 125 DAVIS COURT, FROM "B" RESIDENCE DISTRICT TO "R-6" TOWNHOUSE RESIDENCE DISTRICT, PROVIDED THAT PROPER ACCESS AND OFF-STREET PARKING ARE PROVIDED.

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21. CASE Z83399 - to rezone Lots 30, 31, and the north 26' of Lot 32, NCB 10761, 2107 So. W. W. White Road, from "A" Single Family Residence District to "B-1" Business District, located southwest of the intersection of So. W. W. White Road and Boxwood Road, having 263.63' on So. W. W. White Road and 366.7' on Boxwood Road.

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.

In response to a question by Mrs. Dutmer, Mr. Robert Lee, 3875 East Southcross, the proponent, stated that he would agree to a three-foot solid screen fence along the north property line, along Boxwood.

Mrs. Dutmer moved that the recommendation of the Zoning Commission be approved provided that proper access and off-street parking are provided, that right-of-way is given in accordance with the Major Thoroughfare Plan and Subdivision Regulations, and that a 6-foot solid screen fence is erected and maintained along the west property line and a 3-foot solid screen fence is erected along the north property line. Mr. Webb seconded the motion.

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

AN ORDINANCE 57,929

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 30, 31 AND THE NORTH 26' OF LOT 32, NCB 10761, 2107 SOUTH W.W. WHITE ROAD, FROM "A" SINGLE-FAMILY RESIDENCE DISTRICT TO "B-1" BUSINESS DISTRICT, PROVIDED THAT PROPER ACCESS AND OFF-STREET PARKING ARE PROVIDED, THAT RIGHT-OF-WAY IS GIVEN IN ACCORDANCE WITH THE MAJOR THOROUGHFARE PLAN AND SUBDIVISION REGULATIONS, AND THAT A 6-FOOT

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SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE WEST PROPERTY LINE AND 3-FOOT SOLID SCREEN FENCE IS ERECTED ALONG THE NORTH PROPERTY LINE.

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22. CASE Z83400 - to rezone Lot 3 and the east 2' of Lot 2, Block 2, NCB 9793, 1351 Basse Road, from "B" Residence District to "B-2" Business District, located on the north side of Basse Road, being 112' east of the intersection of Milo Drive and Basse Road, having 59' on Basse Road and having a depth of 123.56'.

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

No citizen appeared to speak in opposition.

Mr. Alderete moved that the recommendation of the Zoning Commission be approved provided that proper access and off-street parking are provided, that right-of-way is given in accordance with the Major Thoroughfare Plan and that a 6-foot solid screen fence is erected and maintained along the north property line. Mr. Webb seconded the motion.

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

AN ORDINANCE 57,930

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 3 AND THE EAST 2' OF LOT 2, BLOCK 2, NCB 9793, 1351 BASSE ROAD, FROM "B" RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER ACCESS AND OFF-STREET PARKING ARE PROVIDED, THAT RIGHT-OF-WAY IS GIVEN IN ACCORDANCE WITH THE MAJOR THOROUGHFARE PLAN AND THAT A 6-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTH PROPERTY LINE.

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23. CASE Z83396 - to rezone Lot 20, Block 37, NCB 8805, 1839 Santa Monica Street, from "D" Apartment District to "B-3NA" Business District, Non-Alcoholic Sales, located northeast of the intersection of West Avenue and Santa Monica Street, having 120' on West Avenue and 50' on Santa Monica Street.

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.

In response to a question by Mr. Alderete, Mr. Andy Guerrero, Planner II, stated that City staff felt that a B-3 zoning is too intensive a zoning so near to a residential area.

Mr. Pete Olfers, 4203 Gardendale, briefly explained plans for development of this property.

Mr. Alderete moved that the recommendation of the Zoning Commission be approved provided that proper access and off-street parking are provided, that right-of-way is given in accordance with the Major Thoroughfare Plan and that a 6-foot solid screen fence is erected and maintained along the east property line. Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 57,931

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 20, BLOCK 37, NCB 8805, 1839 SANTA MONICA STREET, FROM "D" APARTMENT DISTRICT TO "B-3NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES, PROVIDED THAT PROPER ACCESS AND OFF-STREET PARKING ARE PROVIDED, THAT RIGHT-OF-WAY IS GIVEN IN ACCORDANCE WITH THE MAJOR THOROUGHFARE PLAN AND THAT A 6-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE EAST PROPERTY LINE.

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24. CASE Z83395 - to rezone Lot 13, 15, 17, and 19, NCB 778, in the 300 Block of N. Quincy Street, from "D" Apartment District to "B-4" Central Business District, located on the southwest side of Slocum Place between U.S. Hwy 81 Expressway and W. Quincy St. having 100' on U.S. Hwy 81 Expressway, 155' on Slocum Place, 135' on W. Quincy Street and 40.85' on the cutback between U.S. Hwy 81 Expressway and Slocum Place.

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

In response to a question by Mrs. Dutmer, Mr. Andy Guerrero, Planner II, stated that B-4 zoning was created for use in the downtown area, to help update older zonings as they are changed, in essence combining many of the features of B-3 and I-1 zonings into one category.

Mr. John Petty, 816 North Flores Street, explained plans to construct a new building on the property and to clean it up.

Mrs. Dutmer moved that the recommendation of the Zoning Commission be approved provided that proper access is provided and right-of-way is dedicated. Mr. Webb seconded the motion.

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

AN ORDINANCE 57,932

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 13, 15, 17 AND 19, NCB 778, IN THE 300 BLOCK OF NORTH QUINCY STREET, FROM "D"

APARTMENT DISTRICT TO "B-4" CENTRAL BUSINESS DISTRICT, PROVIDED THAT PROPER ACCESS IS PROVIDED AND RIGHT-OF-WAY IS DEDICATED. -

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25. CASE Z83391 - to rezone a 0.6584 acre tract of land out of Lot 9, Block 2, NCB 16045, being further described by field notes filed in the Office of the City Clerk, in the 8900 Block of Tesoro Drive, from "O-1" Office District to "B-3" Business District, located on the north side of Tesoro Drive, being approximately 775' east of the intersection of Broadway and Tesoro Drive, having 193' on Tesoro Drive and a depth of 148.6'.

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

No citizen appeared to speak in opposition.

Mr. Hasslocher moved that the recommendation of the Zoning Commission be approved. Mr. Wing seconded the motion.

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

AN ORDINANCE 57,933

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 0.6584 ACRE TRACT OF LAND OUT OF LOT 9, BLOCK 2, NCB 16045, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 8900 BLOCK OF TESORO DRIVE, FROM "O-1" OFFICE DISTRICT TO "B-3" BUSINESS DISTRICT.

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26. CASE Z83330 - to rezone a 1.80 acre tract of land out of NCB 14865, being further described by field notes filed in the Office of the City Clerk, in the 7500 Block of North F.M. 1604 West, from "R-1" E.R.Z.D. One Family Residence, Edwards Recharge Zone District and "B-2" E.R.Z.D. Business, Edwards Recharge Zone District, to "B-3" E.R.Z.D. Business, Edwards Recharge Zone District, located on the southeast side of north F.M. 1604 West being approximately 1,664' southwest of the intersection of Babcock Road and north F.M. 1604 West, having approximately 285' on north F.M. 1604 West, and having an approximate maximum depth of 400'; a 0.55 acre tract of land out of NCB 14865, being further described by field notes filed in the Office of the City Clerk from "R-1" E.R.Z.D. One Family Residence, Edwards Recharge Zone District and "B-2" E.R.Z.D. Business, Edwards Recharge Zone District to "B-2" E.R.Z.D. Business, Edwards Recharge Zone District located 450' south of north F.M. 1604 West, having a width of 65' and a length of approximately 370'; and a 5.06 acre tract of land out of NCB 14865, being further described by field notes filed in the Office of the City Clerk, from "R-1" E.R.Z.D. One Family Residence, Edwards Recharge Zone District and "B-2" E.R.Z.D. Business, Edwards Recharge Zone District to "R-2" E.R.Z.D. Two Family Residence, Edwards Recharge Zone District, located approximately 400' southeast of north F.M. 1604 West, being approximately 1,440' west of the intersection of Babcock Road and north F.M. 1604 West, having approximate width of 500' and approximate maximum depth of 640'.

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.

Mrs. Dutmer spoke of her concern with the report of the Aquifer Protection Officer to the effect that since rubble covers much of the property, that office cannot determine effectively if it contains a sinkhole leading to the aquifer below.

Mr. Tim Ryan, 8961 Tesoro, stated that a 1974 report detected no sinkhole on the property.

Mrs. Dutmer moved that the recommendation of the Zoning Commission be approved. Mr. Hasslocher seconded the motion.

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

AN ORDINANCE 57,934

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 1.80 ACRE TRACT OF LAND OUT OF NCB 14865, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 7500 BLOCK OF NORTH F.M. 1604 WEST FROM "R-1" ERZD ONE-FAMILY RESIDENCE, EDWARDS RECHARGE ZONE DISTRICT AND "B-2" ERZD BUSINESS, EDWARDS RECHARGE ZONE DISTRICT TO "B-3" ERZD BUSINESS, EDWARDS RECHARGE ZONE DISTRICT; A 0.55 ACRE TRACT OF LAND OUT OF NCB 14865, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM "R-1" ERZD ONE-FAMILY RESIDENCE, EDWARDS RECHARGE ZONE DISTRICT AND "B-2" ERZD BUSINESS, EDWARDS RECHARGE ZONE DISTRICT AND A 5.06 ACRE TRACT OF LAND OUT OF NCB 14865, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK FROM "R-1" ERZD ONE-FAMILY RESIDENCE, EDWARDS RECHARGE ZONE DISTRICT AND "B-2" ERZD BUSINESS, EDWARDS RECHARGE ZONE DISTRICT TO "R-2" ERZD TWO-FAMILY RESIDENCE, EDWARDS RECHARGE ZONE DISTRICT.

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83-56 The Clerk read the following Resolution:

A RESOLUTION NO. 83-56-96

APPROVING AMENDMENTS TO BYLAWS OF CITY OF SAN ANTONIO INDUSTRIAL DEVELOPMENT AUTHORITY AND DECLARING AN EMERGENCY.

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Mr. Hasslocher moved that the Resolution be approved. Mrs. Dutmer seconded the motion.

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

83-56 The Clerk read the following Resolution:

A RESOLUTION NO. 83-56-97

APPROVING THE ISSUANCE BY CITY OF SAN ANTONIO HEALTH FACILITIES DEVELOPMENT CORPORATION OF ITS HEALTH FACILITIES DEVELOPMENT CORPORATION REVENUE BOND, SERIES 1983 (SOUTHWEST DIAGNOSTIC CLINIC, LTD. PROJECT), MAKING CERTAIN FINDINGS WITH RESPECT TO A PUBLIC HEARING AND DECLARING AN EMERGENCY.

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Mr. Hasslocher moved that the Resolution be approved. Mr. Wing seconded the motion.

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

27. Agenda Item 27, being the request of Henry W. Benavidez for a change in zoning from "B" Residence District to "B-3R" Restrictive Business District on Lots 18, 19 and 20, Block 78, NCB 7145 (1335 Edison Drive), was withdrawn from consideration.

83-56 Agenda Item 30, being a proposed Resolution approving the issuance of bonds by the City of San Antonio Industrial Development Authority to finance a project for McDaniel-Spencer Corp., was withdrawn from consideration.

83-56 The Clerk read the following Ordinance:

AN ORDINANCE 57,935

REAPPOINTING AND APPOINTING INDIVIDUALS TO SERVE AS TRUSTEES OF THE SAN ANTONIO LOCAL DEVELOPMENT COMPANY FOR A TERM TO EXPIRE NOVEMBER 30, 1986. (REAPPOINTMENTS: RON CALCLEUGH (11), REV. LAVELLE LOWE, JR. (2), CINDY BARRETT (3), ALFRED CASTELLANO (4), JAMES SMITH (6), AND KATRINA E. MEREDITH (7); APPOINTMENTS: NONE)

\* \* \* \*

Dr. Ken Daly, Director of the Department of Economic and Employment Development, briefly explained the list of candidates for reappointment/appointment contained in the City Council's briefing notes.

A discussion then took place concerning the reappointment options of Council members present, including the selection of the reappointment option by Mayor Cisneros, Mr. Webb, Mrs. Dutmer, Mr. Wing, Mr. Thompson and Mr. Alderete.

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

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

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

83-56 The Clerk read the following Ordinance:

AN ORDINANCE 57,936

SETTING ADMISSION FEES TO THE THREE MUSEUMS OPERATED  
BY THE SAN ANTONIO MUSEUM ASSOCIATION. (WITTE  
MUSEUM, TRANSPORTATION MUSEUM, AND MUSEUM OF ART)

\* \* \* \*

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

Mr. Thompson stated that he is not in favor of an admission fee increase for the museums.

Mr. Helmuth J. Naumer, Executive Director, San Antonio Museum Association, briefly explained the request, noting that it is expected to generate some \$270,000 per year in additional revenues needed to pay operational costs of the three museums. He also spoke to the free admission times, and noted that the SAMA board also is reluctant to raise the fees, but they are needed to pay the costs of doing business. He spoke of certain forced cutbacks because of revenue shortfalls.

In response to a question by Mrs. Dutmer, Mr. Naumer explained the breakdown of the fee schedules proposed.

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

83-56 The Clerk read the following Ordinance:

AN ORDINANCE 57,937

EXTENDING ORDINANCE NO. 57337 LIMITING THE NUMBER OF  
BILLBOARD PERMITS WHICH CAN BE ISSUED TO BILLBOARD  
COMPANIES EMPLOYING LICENSED BILLBOARD OPERATORS ON  
A MONTHLY BASIS FOR AN ADDITIONAL 120 DAY PERIOD.

\* \* \* \*

Mr. Thompson moved that the Ordinance be approved. Mr. Alderete seconded the motion.

In response to a question by Mr. Thompson, Mr. Gene Camargo, Director of the Department of Building Inspections, spoke to the number of licenses presently in existence and the number of additional permits that have been sought since passage of the July 28, 1983 Ordinance. He also spoke briefly of how billboard sign firms operate and supervise their billboard work.

Mr. Thompson spoke of his concern with problems in understanding the regulations presently being drafted for Council consideration at a later date, and asked to meet with the committee drafting those proposed new regulations at a future date to discuss those regulations being formulated. He also spoke of his continued opposition to small portable electric signs.

Mr. Camargo stated that the Ordinance deals only with the large

billboard type signs, and not the small portable signs opposed by Mr. Thompson.

Mrs. Dutmer spoke of the need for billboard advertising as a viable means of promoting businesses and generating necessary revenues.

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

83-56      TRAVEL AUTHORIZATION - Granted:

Councilman Van Henry Archer, Jr. to travel to Bay City to attend the South Texas Nuclear Hearing on 11-17-83.

83-56      PUBLIC HEARING - ZARZAMORA STREET UDAG PROJECT

Mayor Cisneros declared the Public Hearing to be open, and briefly explained the proposed Ordinance provisions.

No citizen appeared to speak.

Mayor Cisneros declared the Public Hearing to be closed.

The Clerk read the following Ordinance:

AN ORDINANCE 57,938

AUTHORIZING THE CITY MANAGER TO EXECUTE A FINANCIAL AGREEMENT WITH THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION TO PROVIDE CERTAIN STORM SEWERS AND SANITARY SEWERS AS PART OF THE RECONSTRUCTION OF ZARZAMORA STREET FROM U.S. 90 TO BRADY STREET, AND AUTHORIZING A TOTAL OF \$79,800.00 TO PAY THE CITY'S SHARE OF THE PROJECT.

\* \* \* \*

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

A brief discussion then took place concerning funding of the project.

Mayor Cisneros congratulated Mr. Wing for his hard work on behalf of this project.

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

83-56      ROADWAY IN DISTRICT 3

Mrs. Dutmer spoke of a problem existing in District 3, in which a private street, used for some time by schoolchildren enroute to and from school, has now been blocked off, cutting their access to the school. She spoke of the need for some \$25,000 to construct a new roadway to the

school from this direction and stated that she would be asking other members of the City Council for help in this matter at a later time.

83-56

HOUSE BILL 490

Mr. Alderete asked that the City Manager and the legislative consultant Mr. Jerry Henckel investigate the provisions of House Bill 490, enacted by the recent State Legislative session. He asked that San Antonio be bracketed out of the bill by way of an amendment to the bill prepared for the 1985 legislative session.

Mayor Cisneros spoke of the importance of the 1985 legislative session, and the need for the City to begin work now on setting its priorities for that upcoming session. He noted that 1985 will be the year that he becomes the President of the Texas Municipal League.

Mr. Alexander Briseno, Assistant City Manager, spoke of details of the passage of House Bill 490, stating that its passage surprised both City and Bexar County officials. He noted that the City has been meeting with representatives of Bexar County on provisions of this bill, and spoke of how plans will be approved in the future, under provisions of the bill.

Mayor Cisneros spoke of the possibility of the City losing business and jobs if it drives off development outside the City through bureaucratic actions.

Mr. Briseno spoke of the need also to look at the City's staffing patterns in its "one-stop business development" operation.

Mr. Thompson spoke of his concern with how the bill slipped through without the City knowing it, and stated that he would ask Mr. Henckel for a briefing to the City Council on the matter.

Mrs. Dutmer asked that consideration be given to asking a Bexar County State Representative to introduce legislation in the next session of the State Legislature to delete San Antonio from HB 490.

83-56

TRAFFIC LIGHT, FIRETRUCKS, STREETS, BRUSH PICKUP

Mr. Hasslocher stated that a traffic light is needed at the intersection of O'Connor Road and Independence, and asked the City Manager to report back to the Council next week on whether this can be accomplished.

He also asked for a status report on fire trucks scheduled for the new District 10 fire station.

Mr. Hasslocher also asked for a status report on the brush pickup program, noting that it has slowed down considerably and needs to improve.

He also spoke of the deteriorating condition of City streets, and of a meeting held yesterday on this matter, noting that something needs to be done to improve the streets situation.

83-56

PETITIONS

Mrs. Dutmer spoke of her concern with the requirements for the petition process used in San Antonio, stating her belief that legislation is needed to require use of both voting precinct number and voter registration number, if possible, beside names submitted on petitions to the City..

Mayor Cisneros noted that this may well be a constitutional issue, but spoke in favor of the idea.

City Clerk Norma S. Rodriguez stated that a bill passed both houses of the State Legislature last session, generally to that effect, but was vetoed by the Governor.

83-56

BRUSH PICKUP

Ms. Berriozabal spoke of her concern with reports that brush pickup crews are skipping streets in their pickup routes, and stated her opinion that San Antonio does not have an effective system of notifying its citizens when brush pickup services are coming. She spoke in favor of more utilization of the Public Information Office.

Mr. Alexander E. Briseno, Assistant City Manager, stated that a report is being prepared for the City Council on the brush pickup matter, and noted that brush pickup was reduced by one-third this year, cutting back from six to four pickup cycles per year. He noted that City brush pickup crews assisted other cities with their debris cleanup after a recent hurricane on the coast, and that cut into the City's pickup schedules to some degree. He stated that the Public Works Department may have to bring other crews into the brush pickup project on an overtime basis, to catch up.

Mr. Archer spoke of having heard details of the pickup schedule on radio.

Mr. Thompson spoke of the need for the City to consider erecting portable "floating signs" in advance of brush pickup in each area of the City, moving such signs ahead of the pickup vehicles to alert as many citizens as possible. He also stated his opinion that it was a mistake to cut back to only four pickup cycles per year, and spoke of the need to rectify this.

A discussion of possible solutions and costs then took place, as well as the need to increase the number of brush pickup crews.

83-56 The Council recessed its regular meeting at 2:35 P.M. for an executive session, reconvening at 5:00 P.M. for Citizens to be Heard.

83-56

CITIZENS TO BE HEARD

MR. GENARO CANO, SR.

Mr. Genaro Cano, 6419 Keithe Blvd., stated that he is a snow-cone peddler, and that he appeared before City Council some 10 years ago after having been ruled off the streets by the City health laws, which the City Council reversed. He stated that he recently has been arrested twice for alleged violation of City Code specifications that he was operating within 300 feet of a school. He stated that the property he presently occupies with his truck, with full permission of the property owner, is more than 400 feet from the building at Anson Jones Middle School. He stated his opinion that the Metropolitan Health District is seeking to run over small peddlers like himself, and spoke of the City having too many unjust regulations. He also spoke of being the target of continued harrassment, and that he cannot afford to hire an attorney to defend himself. Mr. Cano stated that three icehouses within 3-4 blocks of the school have sent representatives to see if he has a peddler's permit, and stated his opinion that these businesses want to get him off the streets because of competition. He further stated that he had appealed his convictions in

Municipal Court to County Court-at-Law, and stated his opinion that the Bill of Rights won't let him be deprived of his right to sell his merchandise.

In response to a question by Mr. Alderete, Mr. Cano reiterated that he is located more than 400 feet from the actual school building, but within the 300-foot limit of the school grounds, next to a parking area of the school.

Mr. Alexander Briseno, Assistant City Manager, noted that this is a mobile food operation, and the City Code specifies that such operations cannot be conducted, within certain hours, within 300 feet of school grounds.

Mr. Cano spoke of having been confronted by the school principal, and asked to move.

Mr. Wing spoke of other such incidents in the past, stating his opinion that such operations constitute an 'attractive nuisance' to schoolchildren and also a question of safety because of their location on busy streets.

Mr. Cano stated his opinion that he was not creating any hazard.

\* \* \* \*

MR. JAY MEADORS

Mr. Jay Meadors, 102 West Crockett Street, stated that he had written a song about San Antonio, and spoke of his hope that it might be adopted as the official song of San Antonio. He handed out copies of the lyrics to the City Council, then sang the song.

The Mayor and City Council thanked Mr. Meadors for his offer.

\* \* \* \*

83-56 The Clerk read the following Letter:

November 16, 1983

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

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

November 10, 1983

Petition submitted by Mr. Andrew P. Johnson, III, addressed to Roland Lozano, Director of Planning, requesting the City's consent to include land in proposed Bexar County Municipal Utility District No. 1.

\* \* \* \*

November 15, 1983

Petition submitted by Mr. & Mrs. Daryl Zipp requesting the lifting of the present time restriction on carriage services.

\* \* \* \*

/s/Norma S. Rodriguez  
City Clerk

There being no further business to come before the City Council the meeting was adjourned at 5:25 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