

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, JANUARY 24, 1985.

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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, EURESTE, THOMPSON, ALDERETE, HARRINGTON, ARCHER, HASSLOCHER, CISNEROS.

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85-06 The invocation was given by Reverend Robert Preston, MacArthur Park Church of God.

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85-06 The City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

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85-06 MRS. ELLA SAENZ

Mayor Cisneros spoke to an explosion on December 31, 1984 at the Chateau Orleans Apartments in which Mrs. Ella Saenz, a long-time city employee died. He asked family members, present in the audience, to come forward and read the following Resolution of Respect:

A RESOLUTION NUMBER 85-06-08 .

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WHEREAS, a lifetime of civic service came to an untimely end on December 31, 1984 for Ella Saenz, and

WHEREAS, for more than 37 years, she held a series of positions within the City of San Antonio, jobs of ever-increasing responsibilities commensurate with her talents and abilities, and

WHEREAS, she was known throughout her municipal career with the City of San Antonio as one of the most knowledgeable, responsible, yet caring persons among City employees, thousands of whom, past and present, called her friend and confidant, and

WHEREAS, it is perhaps most fitting that she spent the final years of her work as TMRS Retirement Administrator preparing others for their smooth transition into retirement, a move she was planning to make herself in but a short time, and

WHEREAS, the living testimony to her innate goodness and concern for others lives on in the lives of so many whom she touched,
NOW THEREFORE:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. that with the passing of Ella Saenz, the City of San Antonio has lost a valuable asset to its past, present and its future.

SECTION 2. that this City Council joins with her family and friends in their sorrow over her death, and extends its sincerest sympathy and prayer of comfort to those who were near her.

SECTION 3. and it is hereby directed that a copy of this Resolution be spread upon the minutes of this meeting and a copy thereof presented to her family as a token of our deepest sympathy.

* * * *

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

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

Mayor Cisneros asked the City Council to join him in presenting the Resolution of Respect and an employee service award to Mrs. Saenz's family.

85-06

PHILIPPINE ISLAND VISITORS

Mayor Cisneros introduced Monsignor Francisco G. Tantoco, Rufino Eduardo N. Abad, Assemblyman Rodolfo Albano, Mariano Quesada, and

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Assemblyman Alberto Romulo, Philippine Island members of the National Citizens Movement for Free Elections Committee which oversees the running of the Philippine Island elections. He stated they were visiting the United States under a grant from the U.S. Information Agency to learn about the U.S. electoral process.

Mayor Cisneros spoke to the history of the Philippine Islands and its close relationship to the United States. He then asked the Council to join him in welcoming these visitors to the City and presented them with a book on San Antonio.

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85-06

PILLARS OF THE CATHEDRAL

Mayor Cisneros introduced Mr. George Volz and Mr. Roberto Benavides, members of the Pillars of the Cathedral of San Fernando Cathedral, who were in the audience to make a presentation.

Mr. Volz spoke of their organization and its efforts to raise funds to assist in the upkeep of San Fernando Cathedral. He explained that a limited edition of prints of a painting of San Fernando Cathedral by Mr. Ramon Vasquez y Sanchez, a local artist, would be offered for sale as a means of raising funds.

Mr. Roberto Benavides gave a brief description of what the painting signified, introduced the artist, and presented a print to each of the City Council members.

Mayor Cisneros received a framed print on behalf of the City of San Antonio.

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85-06

TEXAS SOCIETY OF THE DAUGHTERS OF THE AMERICAN REVOLUTION

Mayor Cisneros introduced members of the Daughters of the American Revolution who were present in the audience to present a plaque to the City.

Mrs. W. Tiner, State Regent of the TSDAR, explained that one of TSDAR's projects is to plant trees in commemoration of Texans who served in the defense of our Country. She added that one of the trees had been planted at the Municipal Auditorium and the plaque would be placed by that tree.

Mayor Cisneros read the inscription on the plaque and thanked the TSDAR for having chosen the Municipal Auditorium as one of their sites to plant a tree. He added that an open house at the Municipal Auditorium for the citizens of San Antonio would be held on February 24, 1985.

85-06BUDGET AND FINANCE DEPARTMENTS AWARDS

Mayor Cisneros requested that Mr. Carl White, Director of Finance, and Mr. Stuart Summers, Director of Budget, come forward to receive awards of merit presented to their individual departments for achievement in their respective fields. He then read the inscriptions on the awards and congratulated both directors for the honors bestowed on their departments.

Mr. White and Mr. Summers thanked the Mayor and introduced members of their respective staffs.

85-06NEWSPAPER ARTICLE

Mr. Webb, on a point of personal privilege, read a letter addressed to Mr. Ralph Bender objecting to remarks he made about the southern section of the City (a copy of which is made a part of the papers of this meeting).

Mayor Cisneros thanked Mr. Webb for sharing his letter with the Council and expressed surprise at the remarks attributed to Mr. Bender.

Mrs. Dutmer also expressed her dissatisfaction at Mr. Bender's remarks. She asked for a formal apology from Mr. Bender and/or the North San Antonio Chamber of Commerce and expressed hope that this matter would be rectified quickly.

Ms. Berriozabal and Mr. Eureste expressed support for the comments made by Mr. Webb.

Mr. Hasslocher requested his colleagues on the Council give Mr. Bender an opportunity to clarify his statements.

85-06SEA WORLD LAND ACQUISITION

Mr. Archer requested he be given a briefing on the method of financing the purchase of 500 acres of land by the City of San Antonio for use by Sea World.

Mayor Cisneros assured Mr. Archer that the Council would be briefed by the staff.

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POLICE REPORTING STATIONS

Mr. Hasslocher requested information on the reporting stations being set up by the Police Department. He stated that he had not been briefed on this new procedure.

Mayor Cisneros stated that this had strictly been an administrative procedure. Police patrols will check into fire stations where citizens will leave messages of a non-emergency nature for the Police Department. He stated this is an effort to get community organizations in touch with the Police Department. He further explained that police officers would not be taken from their regular duties but rather during the course of their patrol, stop at a fire station to check if messages had been left for them. Police would then follow up on these messages.

In response to a comment by Mr. Hasslocher requesting that he, as chairman of the 911 Committee, be notified of new programs in the Police Department, Mayor Cisneros requested the Chief brief the committee on this matter.

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85-06 The minutes of the Special Meeting of January 9, 1985 and the Regular Meeting of January 10, 1985 were approved.

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85-06 The Clerk read the following Ordinance:

AN ORDINANCE 60,114

BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS, AUTHORIZING THE ISSUANCE OF \$116,380,000 "CITY OF SAN ANTONIO, TEXAS, ELECTRIC AND GAS SYSTEMS REVENUE REFUNDING BONDS, NEW SERIES 1985", FOR THE PURPOSE OF REFUNDING CERTAIN OF THE CITY'S OUTSTANDING ELECTRIC AND GAS SYSTEMS REVENUE BONDS; PROVIDING THE TERMS, CONDITIONS AND SPECIFICATIONS FOR SUCH BONDS; MAKING PROVISIONS FOR THE PAYMENT AND SECURITY THEREOF; STIPULATING TERMS AND CONDITIONS FOR THE ISSUANCE OF ADDITIONAL REVENUE BONDS ON A PARITY THEREWITH; ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE; AND DECLARING AN EMERGENCY.

* * * *

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

In response to a question by Mr. Thompson, Mr. Howard Freeman, Assistant General Manager of City Public Service, stated that City Public Service had passed a resolution asking that certain bonds be refunded for lower interest bonds. He stated that the savings realized by the lower interest would be put in an escrow account to pay off the refunded bonds.

In response to a question by Mr. Alderete, Jack Hubbard, Assistant City Attorney, stated that a public hearing has been scheduled to discuss the feasibility of constructing a plant that would burn garbage to generate electrical power.

Mr. Frank Kiolbassa, Director of Public Works, stated that a very detailed, financial agreement had been worked out and the public hearings would be scheduled in Council Districts 4 and 6.

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

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85-06 The Clerk read the following Resolution:

A RESOLUTION NUMBER 85-06-09 .

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 BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS, APPROVING THE "OFFICIAL STATEMENT" PREPARED IN CONNECTION WITH THE ISSUANCE OF "CITY OF SAN ANTONIO, TEXAS, ELECTRIC AND GAS SYSTEMS REVENUE REFUNDING BONDS, NEW SERIES 1985"; AUTHORIZING EXECUTION OF SAID DOCUMENT; AND DECLARING AN EMERGENCY.

* * * *

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

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

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85-06 The Clerk read the following Resolution:

A RESOLUTION NUMBER 85-06-10 .

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AUTHORIZING THE EXECUTION OF AN ESCROW AGREEMENT
RELATING TO THE REFUNDING OF ELECTRIC AND GAS
SYSTEMS REVENUE BONDS; 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: Berriozabal, Webb, Dutmer, Wing, Thompson, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Eureste.

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85-06 The Clerk read the following Resolution:

A RESOLUTION NUMBER 85-06-11 .

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CALLING CERTAIN OBLIGATIONS PAYABLE FROM ELECTRIC
AND GAS SYSTEMS REVENUES FOR REDEMPTION PRIOR TO
MATURITY; AND DECLARING AN EMERGENCY.

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

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

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85-06 CONSENT AGENDA

Mr. Hasslocher moved that Agenda Items 5 - 30, constituting the Consent Agenda, be approved with Items 6, 8, 25, 26, 28, and 29 pulled for individual consideration. Mr. Harrington 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, Thompson, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Eureste.

AN ORDINANCE 60,121

ACCEPTING THE BID OF TRANS-TEX SUPPLY CO. TO FURNISH THE CITY OF SAN ANTONIO WASTEWATER MANAGEMENT DEPARTMENT WITH PVC SEWER PIPE FOR A TOTAL OF \$176,052.

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AN ORDINANCE 60,122

APPROPRIATING \$5,000.00 PAYABLE FOR UTILITY RELOCATION OF CITY PUBLIC SERVICE UTILITY POLES IN CONJUNCTION WITH 201 PROGRAM, CATEGORY 4, PACKAGE "C" CONSTRUCTION.

* * * *

AN ORDINANCE 60,123

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH ROSIN-KROESCHE ENGINEERING, IN THE AMOUNT OF \$40,000.00 TO PROVIDE PLANS AND SPECIFICATIONS FOR THE JONES MALTSBERGER OUTFALL SEWER PROJECT; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 60,124

ACCEPTING THE BID OF R. L. JONES, INC., IN THE AMOUNT OF \$245,748.36 FOR THE CONSTRUCTION OF VISTA DEL NORTE SEWER RECONSTRUCTION PROJECT; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 60,125

AUTHORIZING THE CITY MANAGER TO EXECUTE FIELD ALTERATION NO. 2, IN THE AMOUNT OF \$18,470.22, TO THE CONTRACT WITH HEATH CONSTRUCTORS, INC., FOR THE OVERLAY & SAFETY GROOVE RUNWAY 3-21 - PART A.

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AN ORDINANCE 60,126

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF PERMANENT AND TEMPORARY EASEMENTS ACROSS CERTAIN PRIVATELY OWNED REAL PROPERTY FOR THE PANTHER SPRINGS CREEK OUTFALL SEWER PROJECT AND DIRECTING THE CITY ATTORNEY TO INSTITUTE AND PROSECUTE TO CONCLUSION PROCEEDINGS IN EMINENT DOMAIN TO ACQUIRE THOSE EASEMENTS WHICH CANNOT BE ACQUIRED BY NEGOTIATION.

* * * *

AN ORDINANCE 60,127

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$76,327.00 OUT OF VARIOUS FUNDS FOR THE PURPOSE OF ACQUIRING TITLE AND/OR EASEMENTS TO CERTAIN LANDS; ACCEPTING THE DEDICATION OF EASEMENTS TO CERTAIN LANDS; ALL IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS. (DURANGO STREET OVERPASS PROJECT - \$42,625.00 PAYABLE TO ALAMO TITLE COMPANY AS ESCROW AGENT FOR HARRY B. ADAMA; STONEWALL STREET PROJECT, PHASE II - ZARZAMORA TO BUFFALO - \$1,185.00 PAYABLE TO ALAMO TITLE COMPANY AS ESCROW AGENT FOR MARIA T. BUSTAMANTE, A FEMME SOLE; \$2,012.00 PAYABLE TO ALAMO TITLE COMPANY AS ESCROW AGENT FOR JUANITA G. RODRIGUEZ; \$705.00 PAYABLE TO ALAMO TITLE COMPANY AS ESCROW AGENT FOR ANTONIO FLORES RANGEL; SAN ANTONIO WASTEWATER FACILITIES IMPROVEMENTS PROGRAM, CATEGORY NO. 4, PACKAGE A., SALADO CREEK OUTFALL PROJECT - \$7,050.00 PAYABLE TO STEWART TITLE COMPANY AS ESCROW AGENT FOR MARY ANN SANDERS; SAN ANTONIO WASTEWATER FACILITIES IMPROVEMENTS PROGRAM, CATEGORY NO. 4, PACKAGE B, SALADO CREEK OUTFALL PROJECT - \$22,750.00 PAYABLE TO EL TOJOJI, INC; CROWNRISE UNIT 1-A SANITARY SEWER & LIFT STATION PROJECT - AN EASEMENT FROM CROWNRISE JOINT VENTURE; PARK 410 WEST SANITARY SEWER PROJECT, LINE B - AN EASEMENT FROM PARK 410 WEST, LTD.; PEMBROKE PLACE PUB OFF-SITE DRAINAGE PROJECT - AN EASEMENT FOR GAS, WATER AND DRAINAGE FROM PEMBROKE, LTD.)

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AN ORDINANCE 60,128

APPROVING PROFESSIONAL SERVICES CONTRACT WITH DAVID D. GROW, M.A.I. TO PERFORM APPRAISAL SERVICES FOR ACQUISITION AND USE OF PARCELS IN CONNECTION WITH

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THE PANTHER SPRINGS CREEK OUTFALL SEWER PROJECT
LOCATED IN NEW CITY BLOCK 12059 AND AUTHORIZING
PAYMENT.

* * * *

AN ORDINANCE 60,129 .

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APPROVING THE PRICE AND CONDITIONS OF THE SALE BY
THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO
OF PARCEL 679-D-10, CONTAINING APPROXIMATELY
9377.145 SQUARE FEET, LOCATED WITHIN THE ST. PAUL
SQUARE COMMUNITY DEVELOPMENT PROJECT, TO MARSHALL T.
STEVES, SR. FOR THE SUM OF \$55,000.00.

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AN ORDINANCE 60,130 .

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

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AN ORDINANCE 60,131 .

.
AUTHORIZING THE DIRECTOR OF PUBLIC WORKS, ON BEHALF
OF THE CITY OF SAN ANTONIO, TO EXECUTE AGREEMENTS
BETWEEN THE CITY AND THE STATE DEPARTMENT OF
HIGHWAYS AND PUBLIC TRANSPORTATION WHEREBY THE CITY
IS AUTHORIZED TO CONSTRUCT CERTAIN DRAINAGE
STRUCTURES ON OR ACROSS STATE HIGHWAY RIGHT-OF-WAY.

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AN ORDINANCE 60,132 .

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AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN
THE CITY OF SAN ANTONIO AND MIDWAY DEVELOPMENT
COMPANY ALLOWING FOR THE CONSTRUCTION OF A
LANDSCAPED WATER FEATURE PROJECT WITHIN A CITY
DRAINAGE EASEMENT LOCATED IN METROPOLITAN BUSINESS
PARK SUBDIVISION, UNIT I.

* * * *

A RESOLUTION NUMBER 85-06-12

APPROVING THE BASIC ASSUMPTIONS TO BE USED IN FORMULATING THE LONG RANGE FINANCIAL FORECAST FOR FISCAL YEARS 1985-90.

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AN ORDINANCE 60,133

AUTHORIZING EXECUTION OF AN AGREEMENT WITH BEXAR COUNTY FOR LEASE OF VOTING MACHINES FOR THE UPCOMING CITY ELECTION.

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85-06 The Clerk read the following Ordinance:

AN ORDINANCE 60,134

ACCEPTING THE LOW BID OF CHARLES M. WILFORD TO FURNISH THE CITY OF SAN ANTONIO BUILDING INSPECTIONS DEPARTMENT WITH VACANT LOT CLEANUP FOR A TOTAL OF \$5,470.

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

In response to a question by Ms. Berriozabal, Mr. John Brooks, Director of Purchasing, stated that in this particular case the lot to be cleaned was large and the amount for cleanup was in excess of \$3,000.00 necessitating Council action. He added that in most cases, the areas to be cleaned are small and the bids are frequently awarded to small business contractors.

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

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85-06 The Clerk read the following Ordinance:

AN ORDINANCE 60,135

ACCEPTING THE LOW QUALIFIED BID OF TOMSED CORP. TO FURNISH THE CITY OF SAN ANTONIO CONVENTION FACILITIES WITH TURNSTILES FOR THE MUNICIPAL AUDITORIUM FOR A TOTAL OF \$5,820.

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

In response to a question by Mr. Archer, Mr. Edward Garcia, Assistant Director, Convention Facilities, stated that these would be portable turnstiles and would not be permanently affixed to the building.

Mrs. Dutmer expressed concern with the location and size of the delivery ramp at Municipal Auditorium and stated there were several other concerns she would discuss with him later.

Mr. Alderete also stated he also would like to discuss with Mr. Garcia concerns he had with the Municipal Auditorium.

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

85-06 The Clerk read the following Ordinance:

AN ORDINANCE 60,136

WAIVING THE CITY CODE PROVISIONS SO AS TO ALLOW THE DAP FOUNDATION, "TEENS AGAINST DRUG ABUSE", TO COLLECT DONATIONS ON CITY STREETS.

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

In response to a question by Mr. Harrington, Dick Porter, Assistant City Clerk, read the dates the donations would be collected.

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In response to a question by Mr. Thompson, Mr. Frank Kiolbassa, Director of Public Works, stated that staff had looked at the intersections the DAP Foundation would be using and found them to be reasonably safe.

On roll call vote, the motion prevailed by the following vote:
 AYES: Berriozabal, Webb, Wing, Eureste, Alderete, Harrington, Cisneros;
 NAYS: Dutmer, Thompson, Archer; ABSENT: Hasslocher.

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85-06 The Clerk read the following Ordinance:

AN ORDINANCE 60,137 .

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 .
 GRANTING A FEE WAIVER TO THE BOARD OF DIRECTORS OF "CRIME STOPPERS" FOR THE USE OF THE ARNESON RIVER THEATER, PLAZA NACIONAL AND MAVERICK PLAZA FOR A MAJOR FUND RAISING EVENT ON MARCH 29, 30 AND 31, 1985.

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Mr. Eureste made a motion that the Ordinance be approved. Mr. Wing seconded the motion.

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

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85-06 The Clerk read the following Ordinance:

AN ORDINANCE 60,138 .

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 .
 RESTRUCTURING THE MEXICAN AMERICAN UNITY COUNCIL NEIGHBORHOOD HOUSING SERVICES PROGRAM; AWARDING THE REORGANIZATION CONTRACT TO NEIGHBORHOOD REINVESTMENT CORPORATION; AND APPROVING THE NECESSARY BUDGET ADJUSTMENTS.

* * * *

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

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

85-06 The Clerk read the following Ordinance:

AN ORDINANCE 60,139

APPROVING THE TRANSFER OF TAXICAB OPERATING PERMITS FROM MR. RALPH BROCK, OWNER OF DIAMOND CAB COMPANY, AND MR. JERRY REED, OWNER OF CITY WIDE CAB COMPANY TO MR. MOHAMMAD JAVAD KHADEMROHANIZAD.

* * * *

Mr. Eureste made a motion that the Ordinance be approved. Mrs. Dutmer seconded the motion.

Mr. Thompson expressed his support for upgrading the quality of service and appearance of the cab industry in San Antonio.

In response to a question by Mr. Webb, Mr. Roger Ibarra, Director of Public Utilities, stated that in the transfer of a permit from one owner to another, the new owner must meet all the inspection standards as the previous owner.

In response to a question by Mr. Alderete, Mr. Ibarra that a new owner buys only the name of the firm and any physical assets. They do not buy the permits, those are issued only by the Council.

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

ZONING HEARINGS

31. CASE Z84521 - to rezone Lot 32, NCB 11668, 10918 Wurzbach Road, from "B-1" Business District to "B-2" Business District, located 185' northeast and 165' southeast of the intersection of Wurzbach Road and Vance Jackson Road, having 234.90' on Wurzbach Road and 226.17' on Vance Jackson Road.

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

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No citizen appeared to speak in opposition.

In response to a question by Mr. Harrington, Mr. Paul Cook, 7015 Oakridge, stated that he had met with the original opposition in this area and has agreed to certain stipulations.

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, and that a six-foot solid screen fence is erected and maintained along the southeast property line. Further provided that additional stipulations contained in Attachment "A" also are imposed. Mr. Archer 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, Eureste, Thompson, Alderete, Harrington, Archer, Hasslocher, Cisneros; NAYS: None; ABSENT: Wing.

AN ORDINANCE 60,140

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 32, NCB 11668, 10918 WURZBACH ROAD, FROM "B-1" BUSINESS DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION, AND THAT A SIX-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE SOUTHEAST PROPERTY LINE. FURTHER PROVIDED THAT ADDITIONAL STIPULATIONS CONTAINED IN ATTACHMENT "A" ALSO ARE IMPOSED.

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32. CASE Z84523 - to rezone a 109.60 acre tract of land out of NCB 15671, CB 4946, CB 4947, CB 4948 and CB 4953, being further described by field notes filed in the Office of the City Clerk, in the 18500 Block of U.S. Hwy. 281 North, in the 1700 Block of FM Road 1604, from Temporary "R-1" ERZD One Family Residence Edwards Recharge Zone District to "B-3" ERZD Business Edwards Recharge Zone, located northeast of FM Road 1604 and U.S. Hwy. 281 North, having 2100' on FM Road 1604 and 2750' on U.S. Hwy 281 North.

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

No citizen appeared to speak in opposition.

Mr. Hasslocher moved that the recommendation of the Zoning Commission be approved provided that driveways are approved by the State Department of Highways and Public Transportation, and that off-street parking is provided and submitted for approval by the Traffic Engineering Division. Mr. Archer seconded the motion.

Mrs. Dutmer spoke to her concern with cases that come before the Council requesting changes in zoning and which are located over the Edwards Recharge Zone. She stated that until more definite regulations are enacted she cannot support any rezoning over the Aquifer.

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

AN ORDINANCE 60,141

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 109.60 ACRE TRACT OF LAND OUT OF NCB 15671, CB 4946, CB 4947, CB 4948 AND CB 4953, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 1700 BLOCK OF FM 1604, FROM TEMPORARY "R-1" ERZD ONE-FAMILY RESIDENCE EDWARDS RECHARGE ZONE DISTRICT TO "B-3" ERZD BUSINESS EDWARDS RECHARGE ZONE DISTRICT PROVIDED THAT DRIVEWAYS ARE APPROVED BY THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION, AND THAT OFF-STREET PARKING IS PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

* * * *

33. CASE Z84518 - to rezone a 1.5972 acre tract of land out of NCB 14939, being further described by field notes filed in the Office of the City Clerk, in the 9300 Block of Bluemel Road, from Temporary "R-1" One

Family Residence District to "B-2" Business District, located southeast of the intersection of Colonial Square Drive and Bluemel Road, having 144.77' on Colonial Square Drive and 417.74' on Bluemel 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.

Mr. Harrington moved that the recommendation of the Zoning Commission be approved provided that 2.2 feet of street dedication is given along Bluemel Road, and that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. Mr. Thompson seconded the motion.

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

AN ORDINANCE 60,142

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 1.5972 ACRE TRACT OF LAND OUT OF NCB 14939, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 9300 BLOCK OF BLUEMEL ROAD, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT 2.2 FEET OF STREET DEDICATION IS GIVEN ALONG BLUEMEL ROAD, AND THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

* * * *

34. CASE Z84525 - to rezone the north 75' of Lot 9, NCB 10837, from "A" Single Family Residence District to "O-1" Office District and Lot 9, save and except the north 75', NCB 10837, from "A" Single Family Residence District to "B-2" Business District, 4323 E. Southcross Boulevard, located on the northside of Southcross Blvd., being 186' east of the intersection of Gittinger Drive and Southcross Blvd., having 186.4' on Southcross Boulevard and a depth of 233.68'.

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

Mr. C. P. Klufas, Naylor Realty, on behalf of the owner, Gertrude C. Kirchner, stated that the owner was considering putting the property on the market and was requesting the change in zoning to conform and be consistent with the zoning on the surrounding properties. He stated further that every effort would be made to maintain the highest possible design standards on development of the property.

Mr. Robert C. Blair, 4310 Valleyfield, and Mr. C. M. Gibcrease, 4311 Valleyfield, spoke against the rezoning as it might depreciate the value of the surrounding homes.

Ms. J. McKnight, 4302 Valleyfield, stated she had lived in the neighborhood for many years and was concerned that this property might be rezoned to allow for beer to be sold on the premises.

Mr. David Albert, 4319 Valleyfield, spoke against the requested zoning stating that O-1 would allow a portion of the property to be made into a parking lot which he opposed.

Mr. Ronald Cosgrove, 4314 Valleyfield, spoke in favor of the continuation of a one-story pattern in the area.

In rebuttal, Mr. Klufas spoke to the various points raised by the opposition.

Mrs. Kirchner, the proponent, spoke to the business-type zoning on properties adjoining hers.

Mrs. Dutmer pointed out that the zoning on the property surrounding the property in question is zoned commercial and retail.

Mrs. Dutmer made a motion for "O-1" and "B-2NA" zoning provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division, and that a six-foot solid screen fence is erected and maintained along the north property line. Further provided that a 35-foot building setback is established from the north property line, and that a one-story height limitation is established on any structure on the property. Ms. Berriozabal seconded the motion.

Mr. Archer spoke in support of the residents who were in opposition to the rezoning.

In response to a question by Mr. Webb, Mr. Andy Guerrero, Planner II, stated that should the property be sold the conditions set by the Council would apply to the new owner.

Mrs. Dutmer spoke in favor of the requested rezoning.

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

AN ORDINANCE 60,143

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 75' OF LOT 9, NCB 10837, FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT AND LOT 9, SAVE AND EXCEPT THE NORTH 75', NCB 10837, FROM "A" SINGLE FAMILY RESIDENCE DISTRICT TO "B-2NA" BUSINESS DISTRICT, NON-ALCOHOLIC SALES, 4323 EAST SOUTHCROSS BLVD., PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION, AND THAT A SIX-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTH PROPERTY LINE. FURTHER PROVIDED THAT A 35-FOOT BUILDING SETBACK IS ESTABLISHED FROM THE NORTH PROPERTY LINE, AND THAT A ONE-STORY HEIGHT LIMITATION IS ESTABLISHED ON ANY STRUCTURE ON THE PROPERTY.

* * * *

35. CASE Z84517 - to rezone Lot 1, save and except the north 115.56', Block 2, NCB 13840, 8315 Quail Creek Drive, from "R-3" Multiple Family Residence District to "O-1" Office District, located on the westside of Quail Creek Drive, being 290.56' south of the intersection of NE Loop 410 Expressway and Quail Creek Drive, having 940' on Quail Creek Drive and a depth of 340'.

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

No citizen appeared to speak in opposition.

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

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Ms. Ruby Gilmore, 8243 Quail Creek, spoke to the present drainage problems in the area and the danger of incurring additional problems if the proposed development occurs.

Mr. Harry B. Jewett, III, 342 W. Woodlawn, stated that the drainage problem would be solved with development of the property as regulations require that certain design criteria must be met.

Mr. Andy Guerrero, Planner II, stated that the drainage easement must be maintained by any present or future owners.

Ms. Lillian Samm, 8235 Quail Creek, also expressed concern with the drainage and spoke to problems encountered in the past.

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

AN ORDINANCE 60,144

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 1, SAVE AND EXCEPT THE NORTH 115.56', BLOCK 2, NCB 13840, 8315 QUAIL CREEK DRIVE, FROM "R-3" MULTIPLE-FAMILY RESIDENCE DISTRICT TO "O-1" OFFICE DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION, AND THAT A SIX-FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE SOUTH PROPERTY LINE.

* * * *

36. CASE 284488 - to rezone a 7.637 acre tract of land out of NCB 14660, being further described by field notes filed in the Office of the City Clerk, 6400 Block of Hollyhock Road, 6500 Block of Kitchener Road, from Temporary "R-1" One Family Residence District to "P-1(R-1)" Planned Unit Development One Family Residence District, located west of the intersection of Hollyhock Road and Kitchener Road, having 561' on Hollyhock Road and 980' on Kitchener Road.

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

Mr. Dennis Hoyt, Pape-Dawson Engineers, spoke to the current zoning in the area. He stated that construction of fifty-two units on subject property was proposed.

Mr. Mark K. Barbien, P. O. Box 29013, presented a letter to the City Council from Mr. Charles Hughes who supported the change of zoning.

Mr. Owen Massey, 6562 Stony Kirk, spoke to the makeup of the neighborhood and to the possible lowering of property values should the requested zoning be approved and development is carried out as planned.

Mr. Charles Deitiker, a member of the Alamo Farmsteads Homeowners Association, stated that their association is trying to provide input on how this area should be developed and stated that no one on his street is in favor of this type of development.

Ms. Jacqueline Mikiten, 6602 Pembroke, spoke to the possible change in the traffic pattern and stated that the lack of good streets would make it difficult to absorb the added traffic.

Ms. Lee Leon, 6866 Stony Kirk, stated her opposition to the increased traffic and the higher density of the proposed development.

Ms. Kathy Harding, a member of the Alamo Farmsteads Homeowners Association, spoke against PUDs and the further multiplying of problems that already exist in the area. She added that in her opinion the proposed development would be detrimental to the area.

Mr. Barbien stated that traffic problems do exist in the area but he is confident that the City would take care of the situation. He added that the trend is for higher density housing.

Mr. Harrington stated that the Council did not have the power to maintain the area as is although he is sympathetic to what the Alamo Farmsteads Homeowners are attempting to do.

Mr. Harrington then made a motion for "R-1" One-Family Residence District provided that driveways and off-street parking are provided and submitted for approval by the Traffic Engineering Division. Mr. Archer seconded the motion.

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

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AN ORDINANCE 60,145

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 7.637 ACRE TRACT OF LAND OUT OF NCB 14660, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 6400 BLOCK OF HOLLYHOCK ROAD, IN THE 6500 BLOCK OF KITCHENER ROAD, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "R-1" ONE-FAMILY RESIDENCE DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

* * * *

37. CASE Z84470 P.P. - to rezone a 16.36 acre tract of land out of NCB 15671, being further described by field notes filed in the Office of the City Clerk, in the 2800 Block of FM 1604 Road, from Temporary "R-1" ERZD One Family Residence Edwards Recharge Zone District to "B-3" ERZD Business Edwards Recharge Zone District, located northwest of the intersection of Redland Road and FM 1604 Road, having 1140' on FM 1604 and 480' on Redland Road.

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

Mr. Hasslocher moved that the recommendation of the Zoning Commission be approved provided that access from FM 1604 is secured from the State Department of Highways and Public Transportation, and that access from Redland Road and off-street parking are provided and submitted for approval by the Traffic Engineering Division. Mr. Harrington seconded the motion.

Mrs. Dutmer spoke against the rezoning stating that this property lies over the Edwards Recharge Zone and feared that run-off from the development would go to Mud Creek. She stated that she could not vote in the affirmative for this zoning case.

Mr. Webb expressed concern with zoning on cases as sensitive as those over the Recharge Zone.

In response to questions by Mr. Alderete, Mayor Cisneros stated that the Environmental Protection Office is clear on where it stands on

issues involving the Recharge Zone, instead it is the Council who needs to make a decision on where it stands on all cases involving the Recharge Zone.

Ms. Berriozabal stated that there are no laws addressing the Recharge Zone issue that are strong enough to protect the aquifer.

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

Case Z84470 P.P. failed to carry.

38. CASE Z84501 - to rezone a 8.162 acre tract of land out of NCB 16324, being further described by field notes filed in the Office of the City Clerk, in the 12700 Block of West Avenue, from "R-3" Multiple Family Residence District to "B-2" Business District and a 9.743 acre tract of land out of NCB 16325, being further described by field notes filed in the Office of the City Clerk, from Temporary "R-1" One Family Residence District to "B-3" Multiple Family Residence District, located on the northwest side of West Avenue, being 130' northeast of the intersection of the center line of Panther Springs Creek and West Avenue, having 1051.28' on West Avenue and a depth of 1587'.

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

Mr. Andy Guerrero, Planner II, responded to a question by Mr. Harrington with regard to the 13-foot of right-of-way dedication on the area to be rezoned B-2 and stated that a recommendation for any further dedication would have to be referred back to the Zoning Commission for preliminary approval.

Mr. Harrington made a motion that this case be referred back to the Zoning Commission. Ms. Berriozabal seconded the motion.

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

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

Case Z84501 was referred back to the Zoning Commission.

39. CASE Z84524 - to rezone a 5.162 acre tract of land out of NCB 15595, being further described by field notes filed in the Office of the City Clerk, in the 7400 Block of Culebra Road, from "B-3" Business District to "P-1" (B-3) Planned Unit Development Business District, located on the northeast side of Culebra Road, being 700' southeast of the intersection of Ingram Road and Culebra Road, having 860' on Culebra Road and a depth of 990'.

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, and that right-of-way is given along Culebra Road and submitted for approval by the State Department of Highways and Public Transportation. Mr. Thompson seconded the motion.

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

AN ORDINANCE 60,146

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 5.162 ACRE TRACT OF LAND OUT OF NCB 15595, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 7400 BLOCK OF CULEBRA ROAD, FROM "B-3" BUSINESS DISTRICT TO "P-1 (B-3)" PLANNED UNIT DEVELOPMENT BUSINESS DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION, AND THAT RIGHT-OF-WAY IS GIVEN ALONG CULEBRA ROAD AND SUBMITTED FOR APPROVAL BY THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION.

* * * *

40. CASE Z84510 - to rezone a 2.205 acre tract of land out of NCB 17338, being further described by field notes filed in the Office of the City Clerk, from Temporary "R-1" ERZD One Family Residence Edwards Recharge Zone District to "B-2" ERZD Business Edwards Recharge Zone

District, located on the northwest side of Jones Maltsberger Road, being 387' southwest of the intersection of Redland Road and Jones Maltsberger Road, having 232.19' on Jones Maltsberger Road and a depth of 432.10'.

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

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

The motion failed to carry by the following vote: AYES: Wing, Eureste, Thompson, Harrington, Hasslocher; NAYS: Berriozabal, Dutmer, Alderete, Archer; ABSENT: Webb, Cisneros.

Case Z84510 failed to carry.

41. CASE Z84516 - to rezone Parcel 13-B, NCB 15655, 5000 S.W. Military Drive, from Temporary "R-1" One Family Residence District to "B-3R" Restrictive Business District, located on the southwest side of S.W. Military Drive, being 391' southeast of the intersection of Whitewood Drive and S.W. Military Drive, having 402.82' on S.W. Military Drive and a depth of 680'.

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

In response to a question by Mr. Thompson, Mr. Joseph Slapper stated that the buyer is requesting this property be rezoned B-3R.

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

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

AN ORDINANCE 60,147

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 PARCEL 13-B, NCB 15655, 5000

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SOUTHWEST MILITARY DRIVE, FROM TEMPORARY "R-1" ONE-FAMILY RESIDENCE DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT DRIVEWAYS AND OFF-STREET PARKING ARE PROVIDED AND SUBMITTED FOR APPROVAL BY THE TRAFFIC ENGINEERING DIVISION.

* * * *

42. CASE Z84364 - to rezone Tract 17-D, and the southeast 200' of Tract 17-B, NCB 15069, from Temporary "R-1" One Family Residence District and "B-2" Business District to "B-3R" Restrictive Business District and Tract 17-B, save and except the southeast 200' of Tract 17-B, NCB 15069, from Temporary "R-1" One Family Residence District to "R-3" Multiple Family Residence District, in the 16000 Block of Poteet-Jourdanton Highway, located on the west side of Poteet-Jourdanton Highway, being 2277' south of the intersection of Loop 410 Expressway and Poteet-Jourdanton Highway, having 370' on Poteet-Jourdanton Highway and a depth of 600'.

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

Mr. Wing made a motion that this zoning case be postponed for 30 days so that the applicant can work with the COPS organization to resolve some issues. Mr. Hasslocher seconded the motion.

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

Case Z84364 was postponed 30 days.

85-06 The Clerk read the following Ordinance:

AN ORDINANCE 60,148

ACCEPTING THE BID OF CLEARWATER CONSTRUCTORS IN THE AMOUNT OF \$13,256,000.00 FOR THE CONSTRUCTION OF SALADO CREEK WASTEWATER TREATMENT PLANT IMPROVEMENTS PROJECT; APPROVING A CONTRACT WITH CH2M-HILL CENTRAL, INC., IN THE AMOUNT OF \$1,050,000.00 FOR ENGINEERING SERVICES IN CONNECTION WITH THE ABOVE PROJECT; APPROVING A CONTRACT WITH THE JOINT VENTURE OF PAPE-DAWSON, INC./VICKREY AND ASSOCIATES, INC./LOCKWOOD, ANDREWS & NEWNAM, INC., IN THE AMOUNT OF \$395,000.00 FOR CONSTRUCTION AND POST-CONSTRUCTION MANAGEMENT SERVICE IN CONNECTION WITH THE ABOVE PROJECT; PROVIDING FOR CONTINGENCY

ACCOUNTS; APPROPRIATING FUNDS; AND PROVIDING FOR
PAYMENT.

* * * *

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

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

85-06 Agenda Item 44, being a proposed resolution recommending acceptance of the VIA's Transportation Improvement Plan, was presented for discussion and consideration.

Mr. Hasslocher made a motion to approve the Resolution. Mr. Harrington seconded the motion.

In response to a question by Ms. Berriozabal, Ms. Rebecca Cedillo, Assistant Director of Planning, stated that staff would investigate location of a bus shelter between San Pedro and Warren Streets.

Ms. Cedillo explained the two phases involved in the improvement plan.

Mr. Webb stated his preference for VIA to provide more bus shelters in lieu of just bus benches, noting that bus benches can be provided by Allied Advertising for the City of San Antonio.

In response to a question by Mr. Thompson, Mr. Stuart Summers, Director of Budget & Research, discussed VIA's lack of payment to the City of San Antonio of some \$200,000 agreed to as payment for their right to place bus benches on City property. He stated that he would investigate the matter and determine recommendations for a solution.

Mr. Thompson stated his feeling that a portion of that contract must be re-negotiated.

Ms. Cedillo spoke of the estimated \$217,000 cost to VIA as payment to the City for roadway improvements, because of wear-and-tear caused by the buses.

Mr. Rod Smith, Director of Planning, VIA, stated that VIA is working on a federal grant to pay this cost.

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Mr. Alexander Briseno, Assistant City Manager, noted that about one year ago, both VIA and the City surveyed their books on the amounts of monies owed, and further stated that the City still is working on the matter of payment by VIA for City streets repair. He stated that the City would call a meeting of the old Transportation Committee to resolve this issue.

Mr. Thompson discussed the matter of VIA duplicating bus benches already in place at some locations, stating that there is a great need for bus benches in the downtown area, where there are practically none. He stated his feeling that a \$225,000 federal grant to VIA for bus benches could have been better used to pay the firm's street-repair debt to the City.

Mr. Alderete voiced his concern with the lack of minorities among VIA executives.

In response to a question by Mr. Alderete, Ms. Linda Ramirez, member of the VIA board, stated that the board of directors is concerned with affirmative action at VIA, and spoke to details of its Affirmative Action Plan. She stated that several VIA board members have shared their concerns with her on the need for more minority representation at the upper levels of VIA management.

In response to a question by Mr. Alderete, Mr. Elliott Whelan, Director of Equal Employment Opportunity, City of San Antonio, stated that he would secure for Mr. Alderete, at his request, a copy of VIA's Affirmative Action Plan and a comparison of how VIA's upper-level executives reflect the current population mix of San Antonio.

Mrs. Dutmer discussed the City's lack of any leverage over VIA, now.

In response to a question by Mr. Eureste, Ms. Cedillo discussed projects of the 1984-87 Annual Transportation Element.

Mr. Daniel Pearson, Metropolitan Planning Organization, spoke of the possible ramifications of Council denial of the Transportation Improvement Plan, under consideration today.

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

Mr. Eureste spoke of several problems he has experienced with VIA, including the bus-bench controversy with private enterprise, and the lack of City representation and impact upon actions of the VIA board of directors. He spoke to the lack of bus benches and bus shelters on some VIA bus lines, including the Guadalupe line.

In response to a question by Mr. Eureste, Mr. Smith discussed several line-items in the budget.

Mr. Webb voiced his concern that VIA wants to eliminate private-enterprise bus benches. He spoke to the elimination of advertising on VIA buses and the adverse impact that this has had upon some local painting contractors who provided silk-screening services for such advertising.

A discussion then took place concerning the elimination of bus advertising by VIA.

In response to a question by Mr Webb, Mr. Scott Baker, Assistant General Manager, VIA, explained the reasons for the decision to eliminate the bus advertising.

Ms. Berriozabal stated her belief that the VIA Affirmative Action plan is not well broken-down as to policy, and further stated that the Target EEO Coalition would like to work with VIA on this aspect, and asked that VIA cooperate with the group.

In response to a question by Mr. Alderete, Mr. Baker noted the last names of some of the higher-level executives at VIA, during which Mr. Alderete noted that none apparently are Hispanic or black. Mr. Baker stated that VIA has been successful in recruiting Hispanics at the assistant manager level, thus far, and spoke of VIA seeking to promote as many persons as possible from within, as policy.

Mr. Alderete recommended that VIA study San Antonio's Affirmative Action Plan and consider following it in the future. He stated his belief that affirmative action is poor at the VIA executive level.

The motion failed to carry by the following vote: AYES: Berriozabal, Thompson, Archer, Hasslocher, Cisneros; NAYS: Webb, Wing, Eureste, Alderete; ABSENT: Dutmer, Harrington.

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85-06 The Clerk read the following Ordinance:

AN ORDINANCE 60,149 .

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AUTHORIZING THE TRANSFER OF \$200,000 FROM THE
GENERAL FUND CONTINGENCY TO SPECIFIC DEPARTMENTAL
BUDGETS TO FINANCE UNBUDGETED EXPENDITURES INCURRED
AS A RESULT OF THE SNOWSTORM.

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

Ms. Rosa Rosales, representing the National Association of Government Employees and the United Public Employees Association, spoke in support of the ordinance.

In response to a question by Mr. Archer, Mr. Louis J. Fox, City Manager, explained the matter of proposed compensation for municipal workers, the garbage pickup that took place on Thursday instead of Wednesday, and the commonalities involved in the matter of compensation.

Mr. Archer spoke against paying workers overtime for work they would regularly have been performing on Monday, despite the snow, and spoke against this proposal.

Mr. Stuart Summers, Director of Budget and Research, stated that the City does not have a firm policy for handling such emergency cases as this.

Mr. Fox briefly explained the decision that was made to call some City employees to work, while others were given the day off because of the emergency conditions, and his feeling that those who were called in to work should be compensated in an extra measure.

Mr. Thompson spoke in support of the motion.

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

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85-06 TRAVEL AUTHORIZATION - Approved.

Mayor Henry Cisneros to travel to Ft. Myers, Florida from January 18, 1985 to January 19, 1985 to attend NLC Board of Directors meeting.

- - -
85-06 The Clerk read the following Ordinance:

AN ORDINANCE 60,150

AMENDING THE CITY CODE, SECTION 38-89.5, PROHIBITING PARKING OF CERTAIN VEHICLES IN CERTAIN RESIDENTIAL ZONES AND TO PROHIBIT PARKING OF VEHICLES IN FRONT YARD SET-BACKS IN CERTAIN RESIDENTIAL DISTRICTS;

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PROVIDING FOR CERTAIN EXCEPTIONS; PROVIDING A PENALTY OF NOT LESS THAN \$1.00 NOR MORE THAN \$200.00; AND PROVIDING FOR AN EFFECTIVE DATE OF NINETY (90) DAYS FROM PASSAGE HEREOF.

* * * *

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

Mr. Bernard Davis, 707 Dunwoodie, representing the United Homeowners Association, voiced support for the motion.

Mr. Ken Szymanski, President, Highland Park Neighborhood Association, spoke in support of the motion, stating his contention that it would help stop block-by-block decline of neighborhoods. He then distributed copies of photographs of examples of front-yard parking in his area.

Ms. Barbara Traugott, representing the same group, also voiced support for the Ordinance.

Mrs. Dutmer spoke to modifications made to the original proposal on this matter, including special exceptions made in areas which do not meet certain current City Code standards.

Mr. Jose Ybarra, Assistant City Attorney, explained the City law on parking on sidewalks, and spoke to details of the new proposed Ordinance.

Mr. Alderete lauded Mrs. Dutmer and Ms. Berriozabal for bringing this issue before the City Council, stating his belief that it will work to deter blight in City neighborhoods.

Mr. Gene Camargo, Director of Building Inspections, described how the Ordinance would be enforced, with his Building Inspections workers enforcing it on private property and the Police Department enforcing that aspect of the Ordinance that deals with public property. He noted that complaints of violations of the new proposals already have been received by the City, and spoke of the need for a 90-day 'trial period' before full enforcement of the Ordinance provisions, to see the full impact of the Ordinance on all concerned, including City forces. He spoke of the need to slightly revise the proposed Ordinance to include "D" Apartment District areas where they are being used for single-family development. He further stated that he would be working with the City Attorney's office to work out exact wording, so that what the Council intends to accomplish will come to pass as proposed.

Mr. Eureste spoke against the proposed Ordinance, stating that he feels it is unenforceable in many cases. He noted that many homes have no

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room for driveways, and stated his contention that the provisions of the Ordinance will be an economic hardship on some persons in order to properly prepare parking areas in front of their homes, in compliance with Ordinance provisions.

A discussion then took place relative to prosecution of cases under this Ordinance.

Mayor Cisneros spoke to possible exceptions to the Ordinance because of certain conditions.

Mr. Harrington stated his feeling that perhaps the Ordinance is not strict enough, as written, and spoke to examples of the parking of vehicles and trailers in front yards in his district.

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

Mrs. Dutmer stated her feeling that the proposed Ordinance is just, and further noted that the City of Dallas has a similar Ordinance that is being enforced. She stated her feeling that the Ordinance should be applied to any 'vehicle', not simply a 'motor vehicle', as defined in the law. She spoke to other possible wording changes in the proposed Ordinance.

Mr. Wing spoke to passage of an earlier Ordinance regulating the parking of trucks in residential areas, noting that many homes in his district also have no driveways. He spoke to the hardships imposed on many by this proposed Ordinance, and spoke against it.

Ms. Berriozabal proposed an amendment to the motion which adds to list of exceptions the wording relative to properties of 25-foot frontage or less. Mr. Webb seconded the motion.

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

A discussion then took place concerning unsightly conditions brought on by front-yard parking in front of many rental properties.

Mrs. Dutmer proposed a second amendment to the motion which would delete the word 'motor' in the caption and Section (b), substitute 'parking areas' instead of driveways, and exempt curbless streets. Mr. Harrington seconded the motion.

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

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

Mr. Alderete proposed an additional amendment to add to Section 1 (c) the statement: "It is further provided that this section shall not apply where there is an approved site plan in multi-family zone." Mr. Harrington seconded the motion.

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

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

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January 18, 1985

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

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

January 15, 1985

Petition submitted by Mr. Allan B. Polunsky, Attorney at Law, 40 N.E. Loop 410, Suite 330, San Antonio, TX 78216, requesting the annexation of property within the extra-territorial jurisdiction of the City of San Antonio.

* * * *

/s/Norma S. Rodriguez
City Clerk

January 24, 1985
mlr

The Council recessed for an executive session, reconvening to formally adjourn at 6:56 P.M.

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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