

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, OCTOBER 5, 1978.

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

78-45 The invocation was given by The Reverend Paul F. Perry, Trinity United Methodist Church.

78-45 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

78-45 The minutes of the meeting of September 28, 1978 were approved.

78-45 RESOLUTION OF RESPECT -- REUBEN DIETERT

Mayor Cockrell read the following Resolution of Respect:

A RESOLUTION  
NO.78-45-141

WHEREAS, Life came to a close for Reuben Dietert on September 15, 1978, and

WHEREAS, Reuben Dietert served with honor and distinction as a member of the City Council of the City of San Antonio from May 1, 1957 to April 30, 1961, and

WHEREAS, The stabilizing influence of Mr. Dietert was instrumental in creating an atmosphere of leadership and progress in the young Council-Manager Government of our City and his business acumen was helpful and effective in resolving serious financial problems, and

WHEREAS, In his passing San Antonio has lost a staunch and loyal friend, NOW, THEREFORE:

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

SECTION 1. That this Council, on behalf of City officials and employees, as well as the citizens of this community, does hereby express profound regret on the occasion of the death of Reuben Dietert and tenders, to his family, our heartfelt sympathy.

SECTION 2. That this Resolution be spread upon the minutes of this meeting and a copy thereof delivered to the bereaved family.

\* \* \* \*

Mr. Steen moved to approve the Resolution. Mr. Hartman seconded the motion. On roll call, the motion, carrying with it the passage of the Resolution, prevailed by the following vote: AYES: Cisneros, Wing, Eureste, Ortiz, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Webb, Dutmer, Alderete.

Mayor Cockrell then presented a copy of the Resolution to Mr. Jerry Dietert, son of the late Mr. Reuben Dietert.

Mr. Dietert thanked the Council for their expression of sympathy on behalf of the Dietert family.

78-45

VISIT OF MR. ANTONIO AGUILAR

Mayor Cockrell introduced Mr. Antonio "Tony" Aguilar who was present in the audience. She stated that Mr. Aguilar, an international film star and rodeo entertainer, has recently announced his decision to relocate his international headquarters in the City of San Antonio. She welcomed him to the City and presented him with a book as a memento of his visit to the Council meeting.

Mr. Aguilar thanked the Council and expressed his pleasure in being in San Antonio.

78-45

CONSENT AGENDA

Mr. Steen moved that items 5 through 18, constituting the Consent Agenda be approved. Mr. Eureste seconded the motion.

Mr. Pyndus asked that Item 17 be deleted from the Consent Agenda in order that it could be considered as a separate item. Mr. Steen, maker of the motion, concurred with Mr. Pyndus' request. Mr. Eureste seconded the motion.

On roll call, the motion, carrying with it the passage of the following Ordinances and Resolution, prevailed by the following vote: AYES: Cisneros, Wing, Eureste, Ortiz, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Webb, Dutmer, Alderete.

AN ORDINANCE 49,893

AUTHORIZING EXECUTION OF FIELD ALTERATION NO. 4 IN THE SUM OF \$9,383.50 TO THE CONTRACT FOR CONSTRUCTION OF HILDEBRAND DRAINAGE PROJECT NO. 37.

\* \* \* \*

AN ORDINANCE 49,894

APPROPRIATING THE SUM OF \$9,530.00 OUT OF VARIOUS FUNDS FOR THE PURPOSE OF ACQUIRING TITLE AND/OR EASEMENTS TO CERTAIN LANDS; ACCEPTING THE DEDICATION OF EASEMENTS AND/OR TITLE TO CERTAIN LANDS; ALL TO BE USED IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS.

\* \* \* \*

## AN ORDINANCE 49,895

ACCEPTING THE LOW BID OF ALEMITE CO. OF SAN ANTONIO TO FURNISH THE CITY OF SAN ANTONIO WITH LUBRICATION AND AIR EQUIPMENT FOR A NET TOTAL OF \$18,192.00.

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## AN ORDINANCE 49,896

ACCEPTING THE HIGH QUALIFIED BID OF G.W. ANDERSON TO FURNISH THE CITY OF SAN ANTONIO WITH A 1978 PECAN CROP HARVESTING CONTRACT.

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## AN ORDINANCE 49,897

ASSIGNING THE CURRENT CONTRACT FOR PROPANE FROM TEXAS ENERGY TO EMPIREGAS TRADING CORPORATION.

\* \* \* \*

## AN ORDINANCE 49,898

ACCEPTING THE LOW BID OF TRAVENOL LABORATORIES, INC., TO FURNISH THE CITY OF SAN ANTONIO WITH AN ANNUAL CONTRACT FOR I.V. ADMINISTRATION SETS.

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## AN ORDINANCE 49,899

ACCEPTING THE LOW BID OF GUIDO BROTHERS CONSTRUCTION COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH RENTAL OF HEAVY EQUIPMENT FOR SITE WORK FOR JOHN-JAMES PARK PHASE I FOR A NET TOTAL OF \$39,798.00.

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## AN ORDINANCE 49,900

ACCEPTING THE LOW BIDS OF AMERICAN SPORTS CENTER, BARRY ATHLETIC, COAST MARKETING, POTCHERNICK'S AND WRIGHT SPORTS TO FURNISH THE CITY OF SAN ANTONIO WITH ATHLETIC EQUIPMENT FOR A TOTAL OF \$22,476.65.

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## AN ORDINANCE 49,901

MANIFESTING AN AGREEMENT AMENDING THE PERMIT TO ELSINORE AEROSPACE SERVICES, INC., FOR CERTAIN OPERATIONS AT INTERNATIONAL AIRPORT.

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## AN ORDINANCE 49,902

CLOSING MERIDA STREET BETWEEN SAN JACINTO AND SABINAS STREETS TO VEHICULAR TRAFFIC ON OCTOBER 15, 1978, BETWEEN 9:00 A.M. AND MIDNIGHT.

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AN ORDINANCE 49,903

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

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AN ORDINANCE 49,904

AUTHORIZING PAYMENT OF REFUNDS TO PERSONS MAKING OVERPAYMENTS OR DOUBLE PAYMENTS ON CITY OF SAN ANTONIO TAXES.

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A RESOLUTION  
NO. 78-45-142

PROVIDING THAT A PUBLIC HEARING BE HELD BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO ON THE 9TH DAY OF NOVEMBER, 1978, AT 3:00 P.M., IN THE COUNCIL CHAMBER OF THE CITY HALL IN THE CITY OF SAN ANTONIO ON THE MAJOR AMENDMENT NO. 1 MODIFYING THE URBAN RENEWAL PLAN FOR VISTA VERDE PROJECT, TEX. R-109 AS PROPOSED BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO; DIRECTING THE CITY CLERK TO ADVERTISE NOTICE OF SAID PUBLIC HEARING AS PRESCRIBED BY LAW, IDENTIFYING THE PROJECT AREA; STATING THE PURPOSE OF SAID PUBLIC HEARING AND OUTLINING THE GENERAL SCOPE OF THE AMENDMENT UNDER CONSIDERATION; AND PROVIDING THAT ANY PERSON OR ORGANIZATION WILL BE AFFORDED AN OPPORTUNITY TO BE HEARD AT SUCH PUBLIC HEARING.

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78-45

The Clerk read the following Ordinance:

AN ORDINANCE 49,905

AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENTS WITH ARTISTS INVOLVING PAYMENTS IN EXCESS OF \$3,000 FOR PERFORMANCES AT THE CARVER COMMUNITY CULTURAL CENTER DURING FISCAL YEAR 1978-79.

\* \* \* \*

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

In response to Mr. Pyndus' concerns, Mr. George Noe, Administrative Assistant in the City Manager's Office, explained the Ordinance and stated that the fees for the contracts are included in the General Fund Account of the Carver Community Cultural Center. He also named the numerous artists that will be performing at the Center.

After discussion and on roll call, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote:  
AYES: Cisneros, Wing, Eureste, Ortiz, Pyndus, Hartman, Steen, Cockrell;  
NAYS: None; ABSENT: Webb, Dutmer, Alderete.

19. CASE 7399 - to rezone Lot 15, Block 18, NCB 3941, 1315 Ridgewood Court from "B" Two Family Residential District to "B-1" Business District, located northwest of the intersection of Ridgewood Court and I.H. 10 Expressway, having 50' on Ridgewood Court and 120' on I.H. 10 Expressway.

Mr. Andy Guerrero, Planning Administrator, explained the proposed change, which the Zoning Commission recommended be denied by the City Council.

Dr. Cisneros moved to overrule the recommendation of the Zoning Commission and grant the rezoning. Mr. Eureste seconded the motion.

Mr. Vernon A. Behrendt, the applicant, explained his purposes for wanting the subject property rezoned. He also stated that he has contacted surrounding property owners in the area and they are in favor of the proposed change. He also stated that the proposed businesses to be erected would not generate additional traffic.

In response to Mr. Hartman's question, Mr. Guerrero stated that even if the request had been for "O-1", the staff would still have recommended denial because in their opinion the granting of business zoning on a residentially platted lot, with access to a one-way access road would not be appropriate. They also feel that this would introduce non-residential traffic into a residential area.

In response to Mr. Hartman's question, Mr. Behrendt stated that he would not object to amending his request to "O-1" in lieu of "B-1".

Mr. Pyndus stated that he had personally investigated the subject property and although the neighbors are not opposed to the change he is concerned about the additional traffic that would be generated and feels that this zoning change would set a precedent.

After further discussion of the traffic patterns in the area as well as the location of the subject property. Mr. Hartman stated that he is not opposed to the "B-1" zoning, however, he felt that the "O-1" zoning would be more precise as to the intended use of the property and then made a substitute motion to approve "I-1" in lieu of "B-1". Mr. Ortiz seconded the motion.

No citizen appeared to speak in opposition.

After discussion and on roll call, the substitute motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Eureste, Ortiz, Hartman, Steen, Cockrell; NAYS: Pyndus; ABSENT: Webb, Dutmer, Wing, Alderete.

#### AN ORDINANCE 49,906

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 15, BLOCK 18, NCB 3941, 1315 RIDGEWOOD COURT, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "O-1" OFFICE DISTRICT.

\* \* \* \*

20. CASE 7443 - to rezone Parcels 87 and 87-A, NCB 15583, in the 100 Block of Westrock, in the 7200 Block of U.S. Hwy. 90 West Expressway, from Temporary "R-1" Single Family Residential District to "B-3R" Restrictive Business District

Mr. Andy Guerrero, Planning Administrator, explained the proposed change which the Zoning Commission recommended be approved by the City Council.

Mr. Hartman stated for the record that at one time he was President of the Security Service and Federal Credit Union, who are the applicants in this case. However, since 1974, he no longer is associated in that capacity and is at the present time just a member. He feels that there is no conflict of interest involved whatsoever.

No citizen appeared to speak in opposition.

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

#### AN ORDINANCE 49,907

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 PARCELS 87 AND 87-A, NCB 15583, IN THE 100 BLOCK OF WESTROCK AND IN THE 7200 BLOCK OF U.S. HWY. 90 EXPRESSWAY FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

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21. CASE 7445 - to rezone Lot 22, NCB 12167, 2423 Austin Highway from "F" Local Retail District to "B-3" Business District, located on the northwest side of Austin Highway, being 240' northeast of the intersection of Austin Highway and Perrin Beitel Road; having 60' on Austin Highway and a maximum depth of 262.2'.

Mr. Andy Guerrero, Planning Administrator, explained the proposed change which the Zoning Commission recommended be approved by the City Council.

No one spoke in opposition.

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

#### AN ORDINANCE 49,908

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 22, NCB 12167, 2423 AUSTIN HIGHWAY, FROM "F" LOCAL RETAIL DISTRICT TO "B-3" BUSINESS DISTRICT.

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22. CASE 7388 - to rezone a 4.8917 acre tract of land out of NCB 13732, being further described by field notes filed in the Office of the City Clerk, from Temporary "A" Single Family Residential District to "B-3R" Restrictive Business District, located on the southwest side of Thousand Oaks Drive, being 2,462.22' southeast of the cutback between Jones Maltsberger Road and Thousand Oaks Drive, having 192.18' on Thousand Oaks Drive and a depth of 1108.83', in the 3000 Block of Thousand Oaks Drive.

Mr. Andy Guerrero, Planning Administrator, explained the proposed change which the Zoning Commission recommended be approved by the City Council.

No one spoke in opposition.

In response to Mr. Pyndus' question, Mr. Guerrero explained the reasons for staff recommending denial to the Zoning Commission of this request. He stated that in their opinion, the granting of the "B-3" classification at this location could establish a precedent in an area where new residential development is occurring.

After consideration, Mr. Steen moved that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished. Dr. Cisneros seconded the motion. On roll call, the motion carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Wing, Eureste, Hartman, Steen, Cockrell; NAYS: Pyndus; ABSENT: Webb, Dutmer, Ortiz, Alderete.

#### AN ORDINANCE 49,909

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 4.8917 ACRE TRACT OF LAND OUT OF NCB 13732, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 3000 BLOCK OF THOUSAND OAKS DRIVE, FROM TEMPORARY "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

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23. CASE 7447 - to rezone a 4.892 acre tract of land out of NCB 13732, being further described by field notes filed in the Office of the City Clerk, 3000 Block of Thousand Oaks Drive from Temporary "A" Single Family Residential District to "B-3R" Restrictive Business District, located on the southwest side of Thousand Oaks Drive, being 2554.40' southeast of the cutback between Jones Maltsberger Road and Thousand Oaks Drive; having 192.03' on Thousand Oaks Drive and a maximum depth of 1110.31'.

Mr. Andy Guerrero, Planning Administrator, explained the proposed change which the Zoning Commission recommended be approved by the City Council.

No one spoke in opposition.

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

AN ORDINANCE 49,910

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 4.892 ACRE TRACT OF LAND OUT OF NCB 13732, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 3000 BLOCK OF THOUSAND OAKS DRIVE FROM TEMPORARY "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

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24. CASE 7449 - to rezone a 12.00 acre tract of land out of Lot 25, Block 16, NCB 15786, being further described by field notes filed in the Office of the City Clerk, in the 5300 Block of Walzem Road, from "B-2" Business District to "B-3" Business District, located on the south side of Walzem Road, being 140' west of the intersection of Walzem Road and Chas. Windham Drive; having 579.67' on Walzem Road and a depth of 640'.

Mr. Andy Guerrero, Planning Administrator, explained the proposed change which the Zoning Commission recommended be approved by the City Council.

No one spoke in opposition.

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

AN ORDINANCE 49,911

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 12.00 ACRE TRACT OF LAND OUT OF LOT 25, BLOCK 16, NCB 15786, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 5300 BLOCK OF WALZEM ROAD, FROM "B-2" BUSINESS DISTRICT TO "B-3" BUSINESS DISTRICT.

\* \* \* \*

78-45 The Clerk read a proposed ordinance repealing Ordinance No. 49632 which changed the name of Mick Williams Street to Citadell Plaza.

Dr. Cisneros moved to approve the Ordinance. Mr. Hartman seconded the motion.

Mr. George Noe, Administrative Assistant in the City Manager's Office, explained what had previously transpired in this case and reported on the survey made of the tenants and landowners of the street. He stated that staff had recommended that the street name of Citadell Plaza remain because of the results of the survey.

Mr. Tom Stevens, attorney representing 100,000 Auto Parts, stated that on Mick Williams Street, only two buildings exist, one is his client, 100,000 Auto Parts, and the Boldt Office Building which houses eight tenants. He stated that they have suffered an economic loss as a result of this Ordinance because of advertising expenses, yellow page advertising, invoices and computer statements which all bear the address of 1712 Mick Williams Street.

Assistant City Manager, Louis W. Fox, suggested that this item be postponed so that staff could meet with interested parties and attempt to resolve their differences.

Mr. Daniel L. Rutherford, the original petitioner requesting the name change, stated that he would be willing to meet with the parties involved to discuss the matter.

Mr. Pyndus then moved to postpone the item and refer the matter to staff. Mr. Steen seconded the motion.

Dr. Cisneros then withdrew his original motion.

On roll call, the motion to postpone prevailed by the following vote: AYES: Cisneros, Webb, Wing, Eureste, Ortiz, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Dutmer, Alderete.

The staff was instructed to meet with the interested parties and report back to Council in one week.

78-45 At this point in the meeting, Mr. Pyndus moved that Items 25 and 26 on today's agenda be delayed until a time certain since Mrs. Dutmer had indicated that she wished to be present for these zoning cases. Mr. Steen seconded the motion.

Mr. Eureste spoke against the motion and stated that the cases should be allowed to proceed. He also stated that he would not wish to postpone the hearings since no specific reason was given for the postponement.

On roll call, the motion failed to carry by the following vote: AYES: Webb, Pyndus, Steen, Cockrell; NAYS: Cisneros, Wing, Eureste, Ortiz, Hartman; ABSENT: Dutmer, Alderete.

The Zoning Cases proceeded as scheduled.

25. CASE 7434 - to rezone Lot 5, Block 55, NCB 3323, 118 Kayton Avenue, from "B" Two Family Residential District to "B-2" Business District, located on the southside of Kayton Avenue, being 208.1' east of the intersection of S. Hackberry Street and Kayton Avenue, having 50' on Kayton Avenue and a depth of 150'; and a proposal to remove non-access easement and six foot solid screen fence requirements in Lot 23, Block 55, NCB 3323 518 Highland Boulevard, from "B" Two Family Residential District to "B-2" Business District and removal of non-access easement and six foot solid screen fence requirements, located on the north side of Highland Boulevard, being 105.10' east of the intersection of S. Hackberry Street and Highland Boulevard, having 153' on Highland Boulevard and a depth of 160'. The non-access easement and six foot solid screen fence requirements are located along the north property line of Lot 23.

Mr. Andy Guerrero, Planning Administrator, explained the proposed change which the Zoning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, Dr. Cisneros moved that the recommendation of the Zoning Commission be approved provided that a six foot solid screen fence is erected and maintained along the east property line, save and except the south 25 feet. Mr. Hartman seconded the motion. On roll call, the motion carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Wing, Eureste, Ortiz, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Dutmer, Alderete.

AN ORDINANCE 49,912

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 5, BLOCK 55, NCB 3323, 118 KAYTON AVENUE, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT; AND LOT 23, BLOCK 55, NCB 3323, 518 HIGHLAND BOULEVARD, PROPOSAL TO REMOVE NON-ACCESS EASEMENT AND SIX FOOT SOLID SCREEN FENCE, PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE EAST PROPERTY LINE, SAVE AND EXCEPT THE SOUTH 25 FEET.

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26. CASE 7448 - to rezone Lot 23, Block 67, NCB 3335, 123 Avant Avenue from "E" Office District to "B-2" Business District, located on the north side of Avant Avenue, being 258.1' east of the intersection of S. Hackberry Street and Avant Avenue, having 100' on Avant Avenue and a depth of 150'.

Mr. Andy Guerrero, Planning Administrator, explained the proposed change which the Zoning Commission recommended be approved by the City Council.

No one spoke in opposition.

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

AN ORDINANCE 49,913

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 23, BLOCK 67, NCB 3335, 123 AVANT AVENUE FROM "E" OFFICE DISTRICT TO "B-2" BUSINESS DISTRICT.

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78-45 Item 28 being a proposed Ordinance amending Chapter 4 of the City Code, making provisions relating to the air operations area and adopting rules and regulations regarding San Antonio International Airport, were withdrawn from consideration at the request of the City Manager.

78-45 TEXAS COMMERCE BANK

Dr. Cisneros commended the applicants in Zoning Case No. 7448, and stated that the Texas Commerce Bank will be a boost to the economy of San Antonio and spoke of their high loan capacity.

78-45 The Clerk read the following Ordinance:

PROVIDING FOR THE CONVEYANCE TO THE COUNTY OF MATAGORDA OF AN EASEMENT AND RIGHT-OF-WAY COVERING A CERTAIN 24.210 ACRE TRACT OF LAND IN MATAGORDA COUNTY, TEXAS.

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Dr. Cisneros moved to approve the Ordinance. Mr. Steen seconded the motion.

In response to Mr. Ortiz' questions about the City's involvement in the South Texas Nuclear Project, Mayor Cockrell spoke regarding the Council's majority decision to proceed with the South Texas Nuclear Plant. She also spoke regarding the formation of a Council Committee to review alternate energy sources and the costs involved.

After discussion, Mr. Pyndus asked that action on this Ordinance be withheld until more Council members were present in the Chamber.

Later in the meeting, Dr. Cisneros moved to postpone consideration on this Ordinance until more Council members were present. Mr. Steen seconded the motion. On roll call, the motion carried by the following vote: AYES: Cisneros, Webb, Wing, Eureste, Ortiz, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Dutmer, Alderete.

After discussion, Dr. Cisneros moved to approve the Ordinance. Mr. Steen seconded the motion. On roll call, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Cisneros, Wing, Pyndus, Hartman, Steen, Cockrell; NAYS: Webb, Eureste, Ortiz; ABSTAIN: Dutmer; ABSENT: Alderete.

78-45

The Clerk read the following Ordinance:

AN ORDINANCE 49,915

AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT RELATIVE TO A SCOREBOARD SYSTEM FOR THE SAN ANTONIO CONVENTION CENTER ARENA.

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Mr. Pyndus moved to approve the Ordinance. Dr. Cisneros seconded the motion.

In response to Mr. Wing's question on the cost of operation, Mr. Francis Vickers, Director of Convention Facilities, explained that the City will manage and operate the system, however, the cost of labor and electricity will be borne by the system's users exclusive of sponsors or advertisers.

On roll call, the motion to approve the Ordinance failed to carry by the following vote: AYES: Cisneros, Pyndus, Steen, Cockrell; NAYS: Wing; ABSTAIN: Ortiz; ABSENT: Webb, Dutmer, Eureste, Alderete, Hartman.

After discussion of the number of Council members absent, Mr. Wing moved for reconsideration. Mr. Steen seconded the motion. On roll call, the motion prevailed by the following vote: AYES: Cisneros, Wing, Eureste, Ortiz, Pyndus, Steen, Cockrell; NAYS: None; ABSENT: Webb, Dutmer, Alderete, Hartman.

This item was postponed until a fuller Council could be present.

Later in the meeting, Dr. Cisneros moved to approve the Ordinance. Mr. Steen seconded the motion. On roll call, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Eureste, Pyndus, Hartman, Steen, Cockrell; NAYS: Wing; ABSTAIN: Ortiz; ABSENT: Alderete.

78-45 Item 31 being a proposed resolution supporting the construction of a GSA Motor Pool and SAISD Food Facility and Test Kitchen on property bounded by Main Avenue, Guenther Street, South Flores Street, and Sheridan Street was withdrawn from consideration.

78-45 The Clerk read the following Ordinance:

AN ORDINANCE 49,916

AUTHORIZING THE CITY MANAGER TO EXECUTE QUIT-CLAIM DEEDS FOR TWO PROPERTIES ACQUIRED THROUGH TAX FORECLOSURES AND AUTHORIZING PAYMENTS TO OTHER TAXING ENTITIES AND COSTS INCURRED THEREIN.

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Mr. Steen moved to approve the Ordinance. Dr. Cisneros seconded the motion.

Mr. Pyndus stated that he would be voting against this Ordinance.

In response to Dr. Cisneros' question, City Attorney Jane Macon explained the general policy which the Council has directed be followed in cases of similar nature and stated that the right of first refusal will be given to adjacent property owners.

On roll call, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Wing, Eureste, Ortiz, Steen, Cockrell; NAYS: Pyndus; ABSENT: Dutmer, Alderete, Hartman.

78-45 The Clerk read a proposed resolution supporting the Good Neighbor Commission of Texas and urging its continuation.

Dr. Cisneros moved to approve the resolution. Mr. Steen seconded the motion.

Mrs. Dutmer explained the need for continuation of the Commission and spoke in favor of the motion.

Mr. Eureste stated that he would be voting against it because he is not sure that the Commission is beneficial to the entire State.

Mr. Pyndus stated that he, too, will vote against the motion because there is not sufficient information to support the continuation of the Commission.

On roll call, the motion to approve the Resolution, failed to carry by the following vote: AYES: Cisneros, Webb, Dutmer, Steen, Cockrell; NAYS: Wing, Eureste, Ortiz, Pyndus, Hartman; ABSENT: Alderete.

78-45 Item 34 being a proposed resolution manifesting the determination of the City Council that J.H. Uptmore and Associates, Inc., has vested rights under Article Three of Ordinance No. 48484 was withdrawn from consideration.

78-45 The following Resolution was read by the Clerk and after consideration, on motion of Mr. Steen, seconded by Mr. Pyndus was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Alderete.

A RESOLUTION  
NO.78-45-143

MANIFESTING THE DETERMINATION OF THE CITY COUNCIL THAT RAY ELLISON HOMES HAS VESTED RIGHTS UNDER ARTICLE THREE OF ORDINANCE NO. 48484.

\* \* \* \*

78-45 The following Ordinance was read by the Clerk and explained by City Attorney, Jane Macon, and after consideration, on motion of Mr. Steen, seconded by Dr. Cisneros, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Alderete.

AN ORDINANCE 49,917

REPEALING SECTION 2 OF ORDINANCE NO. 44748, PASSED AND APPROVED ON DECEMBER 19, 1974, AS MODIFIED BY ORDINANCE 48053, PASSED AND APPROVED ON MAY 19, 1977, SAID REPEAL TO BE EFFECTIVE ON CPSB BILLINGS BEGINNING OCTOBER 31, 1978.

\* \* \* \*

78-45 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Steen, seconded by Dr. Cisneros, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Alderete.

AN ORDINANCE 49,918

CLOSING HORACE STREET BETWEEN SHORT AND BELKNAP ON OCTOBER 8, IN CONNECTION WITH THE ST. JOHN'S CHURCH FESTIVAL.

\* \* \* \*

78-45 The meeting was recessed at 2:45 P.M. and reconvened at 4:00 P.M.

78-45

CITIZENS TO BE HEARD

MRS. LOIS M. DUGGAN

Mrs. Lois M. Duggan read a prepared statement regarding the 208 Waste Water Treatment Management Plan. She stated that AACOG is using improper procedures and questioned them as the Planning Agent. She also spoke regarding several sections of the 208 Text and asked why Olmos Creek was not made a part of the 208 Study.

Mayor Cockrell stated that there were many technical aspects and information which Mrs. Duggan had presented and advised her to discuss the matter further with Mr. Hartman, Chairman of AACOG.

MR. GEORGE GEISER

Mr. George Geiser, 7531 Hummingbird Lane, stated that he had consulted with the City's Public Works Department before purchasing land for an industrial park on the east side of San Antonio. He stated that he is in a real dilemma because he can't get plat approval from the Director of Public Works. He explained what he intends to develop in the area.

Mr. Frank Kiolbassa, Director of Public Works, explained the drainage problem and what is required. He also presented the Council with a report on Center Park East Industrial Park. (A copy of the report is on file with the papers of this meeting.) He then detailed to the Council the cost of \$125,000.00 which would be needed to resolve this problem.

Mr. Ron Hallenberger, Consulting Engineer presented the Council with a written economic analysis on the Industrial Park. (A copy of which is included with the papers of this meeting.)

A discussion then took place regarding oral commitments which Mr. Hallenberger stated were made by City personnel on their willingness to participate in this project.

After further discussion, Mr. Pyndus moved that the staff review funding sources for this project and also report back to Council on recommendations for the release of the plat. Mr. Steen seconded the motion.

Mr. Eureste suggested the use of contingency funds as a source of funding.

After discussion, Council concurred that the staff be directed to report back to Council next week with recommendations including the release of the subject plat and funding for required drainage facilities.

Mr. Geiser was asked to appear at next week's Citizens to be Heard Session for the report.

VALLEY-HI RESIDENTS

Mrs. Diane Hutchinson, 162 Daytona, stated that she is a resident of the Valley Hi area and spoke about the many attempts she has made to have sidewalks installed in their neighborhood. She said that there are also no stop or yield signs at street intersections and this makes for a very hazardous situation for school children. She stated that she has had no success from the staff on these requests.

Mr. Alderete stated that the subdivisions regulations need to be reviewed and perhaps altered with regard to the building of sidewalks.

Mrs. Sylvia James, 174 Daytona, also spoke and stated that there are no street lights. She stated that they have been paying City taxes, but do not receive any City services.

After discussion of the matter, the staff was directed to discuss this matter with the interested parties. They were also directed to review sidewalk priorities with the school district, and report back to Council.

COMMUNITIES ORGANIZED FOR PUBLIC SERVICE

Mrs. Beatrice Gallegos, President of C.O.P.S., spoke about the flooding in San Antonio and the millions of dollars in property damage and loss of lives. (A prepared statement of Mrs. Gallego's remarks as well as other C.O.P.S. members is included with the papers of this meeting.)

Mrs. Carmen Badillo, Bond Chairperson for C.O.P.S., spoke regarding the status of drainage projects funded in the 1974 Bond Program which have not yet been completed. Out of 15 projects, she stated only one has been completed.

Mrs. Janie Gonzales, C.O.P.S. CDA Chairperson, spoke about various Community Development Projects which have not been completed since the inception of the Community Development Program. She stated that the delays have been caused by mismanagement of the program.

Father Al Benavides stated that the finger of blame for flooding in San Antonio should be pointed to the mismanagement emitting from the City Manager's Office. He stated that there are inaccurate cost estimates and inaccurate time schedules. He also spoke of cost overruns because of utilities not cooperating with the City. He also spoke about unenforced contracts and stated that contractors need to be held accountable.

Mrs. Gallego then presented a list of demands as follows:

1. "That the City Manager meet with C.O.P.S. and provide us with accurate and realistic timetables on all streets and drainage projects that are long overdue.
2. That the City enforce provisions for collection of damages for lateness on all public works contracts, and that the City Manager disclose within 2 weeks damages collected for lateness on all public works contracts, and that the City Manager disclose within 2 weeks damages collected for lateness on all public works contracts for 1976, 1977, 1978.
3. That the City Council pass an ordinance instructing the City Water Board to finance the relocation of water mains and meters from water rates, and not from C.D.A. funds.
4. We ask the Council to instruct the City Manager to set up and attend a meeting among C.O.P.S. and Utility heads: John Schaeffer (City Water Board); Eloy Centeno (City Public Service Board); and Chet Todd (Southwestern Bell). This meeting to be set up within 14 days."

After discussion, Mr. Alderete moved that the list presented by C.O.P.S. be approved. Mr. Eureste seconded the motion.

A discussion then took place between the Council pro and con the recommendations presented by C.O.P.S.

In response to Mr. Alderete's question about a proper time frame to provide accurate information, Assistant City Manager, Louis Fox stated that the compilation of the information would warrant about three weeks time.

After further discussion and on roll call, the motion prevailed by the following vote: AYES: Cisneros, Webb, Wing, Eureste, Ortiz, Alderete, Hartman, Cockrell; NAYS: Dutmer, Pyndus, Steen; ABSENT: None.

78-45  
6:15 P.M.

The meeting was recessed at 6:10 P.M. and reconvened at

MRS. JOANNA PARISH

Mrs. Joanna Parish, representing the San Antonio Conservation Society, spoke of a conference on historic preservation to be held in Chicago next week. She asked the Council to send a representative from the City Manager's Office as well as the Historic Preservation Officer to attend this worthwhile conference.

Dr. Cisneros suggested that the Council ask that the City Manager send representatives to the conference.

ALTERNATE ENERGY COMMITTEE

Mayor Pro-Tem Hartman raised the question of proceeding with the Council's previous plan to study alternate energy sources.

Mayor Cockrell stated that the City Public Service Board has indicated that it does not wish to participate in the forming of a committee to study alternate energy sources. She asked the Council for consensus to appoint a Council sub-committee on this matter and they will report to Council on formation of a citizen's committee.

Mayor Pro-Tem Hartman then moved to have the Council proceed on the appointment of an Alternate Energy Committee. Dr. Cisneros seconded the motion. On roll call, the motion, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Eureste, Ortiz.

78-45 The Clerk read the following Letter:

October 2, 1978

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 Council consideration.

September 27, 1978

Petition submitted by Mrs. Marvin M. Wawrzyniak requesting permission to leave a carport on her property extending 2 feet into the City right of way.

September 27, 1978

Petition submitted by Lanny Swarthout, Sr., requesting that the City purchase a small tract of land from him.

September 29, 1978

Petition submitted by Mr. Fred B. Helmle, requesting permission to construct a carport which will extend sixteen feet over the city easement in front of his residence.

/s/ G.V. JACKSON, JR.  
City Clerk

\* \* \* \*

There being no further business to come before the Council, the meeting was adjourned at 6:20 P.M.

A P P R O V E D

*Lila Cockrell*  
M A Y O R

ATTEST:

*G.V. Jackson, Jr.*  
City Clerk

October 5, 1978  
md