

727

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, OCTOBER 26, 1978.

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The meeting was called to order at 1:00 P.M. by the presiding officer, Mayor Pro-Tem Glen Hartman in the temporary absence of the Mayor with the following members present: CISNEROS, WEBB, DUTMER, WING, EURESTE, ORTIZ, ALDERETE, PYNDUS, HARTMAN, STEEN, COCKRELL; Absent: NONE.

78-48 The invocation was given by The Reverend Warren Larck, Alamo Heights Southern Baptist Church.

78-48 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

78-48 The minutes of the meeting of October 19, 1978 were approved.

78-48 CONSENT AGENDA

Mr. Steen moved that items 4 through 32, constituting the Consent Agenda be approved. Mr. Alderete seconded the motion.

Mr. Pyndus then asked that Item 18 be deleted from the Consent Agenda and be considered as a separate item. Mr. Wing asked that Item 31 also be deleted from the Consent Agenda.

Mr. Steen as maker of the motion concurred with these requests. On voice vote the motion carrying with it the passage of the following Ordinances, prevailed by the following vote: AYES: Dutmer, Wing, Eureste, Alderete, Pyndus, Hartman, Steen; NAYS: None; ABSENT: Cisneros, Webb, Ortiz, Cockrell.

Mr. Eureste then asked that Item 30 also be deleted for separate roll call consideration.

Mrs. Dutmer stated that since the vote had already been taken which included Item 30, another motion would have to be considered.

Mr. Pyndus then moved to withdraw Item 30. Mr. Eureste seconded the motion. On voice vote, the motion carried by the following vote: AYES: Dutmer, Wing, Eureste, Alderete, Pyndus, Hartman, Steen; NAYS: None; ABSENT: Cisneros, Webb, Ortiz, Cockrell.

AN ORDINANCE 49,956

ACCEPTING THE LOW QUALIFIED BID OF H.B. ZACHRY CO., IN THE AMOUNT OF \$21,391.01, FOR CONSTRUCTION OF THE LANCASHIRE-VERNLYN SEWER EXTENSION AUTHORIZING EXECUTION OF A CONTRACT COVERING SUCH WORK, APPROPRIATING FUNDS AND AUTHORIZING PAYMENT.

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AN ORDINANCE 49,957

ACCEPTING THE LOW QUALIFIED BID OF R.L. JONES CO. INC., IN THE AMOUNT OF \$141,141.85, FOR CONSTRUCTION OF THE WELLESLEY MANOR OFF-SITE SEWER OUTFALL, AUTHORIZING EXECUTION OF A CONTRACT COVERING SAID WORK, APPROPRIATING FUNDS AND AUTHORIZING PAYMENT.

* * * *

AN ORDINANCE 49,958

APPROPRIATING \$40,730.00 FOR REIMBURSEMENT TO MANOR DEVELOPMENT CO. FOR THE COST OF CONSTRUCTION OF OVERSIZE ON-SITE SANITARY SEWER MAINS.

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AN ORDINANCE 49,959

AUTHORIZING EXECUTION OF FIELD ALTERATION NO. 14, IN THE AMOUNT OF \$14,175.00 TO THE CONTRACT FOR THE CULEBRA-MARTIN DRAINAGE PROJECT NO. 58C, (RELOCATION OF SANITARY SEWER LINES.)

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AN ORDINANCE 49,960

REJECTING ALL BIDS RECEIVED FOR THE TWO MONORAIL CRANES FOR THE MARINA UNDER THE MAIN LIBRARY.

* * * *

AN ORDINANCE 49,961

AMENDING ORDINANCE NO. 49580 SO AS TO INCREASE THE AMOUNT PAYABLE TO COLGLAZIER CONSTRUCTION CO., BY \$4,240.00 FOR CURB LAYING EQUIPMENT AND LABOR IN CONNECTION WITH THE COLUMBIA HEIGHTS STREET PROJECT.

* * * *

AN ORDINANCE 49,962

APPROPRIATING THE SUM OF \$49,135.00 OUT OF VARIOUS FUNDS FOR THE PURPOSE OF ACQUIRING TITLE TO CERTAIN LANDS; ACCEPTING THE DEDICATION OF TITLE AND/OR EASEMENTS TO CERTAIN LANDS; ALL TO BE USED IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS.

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AN ORDINANCE 49,963

ACCEPTING THE LOW BID OF GRAHAM PAPER COMPANY TO FURNISH AN ANNUAL CONTRACT FOR DUPLICATING PAPER.

* * * *

AN ORDINANCE 49,964

ACCEPTING THE LOW QUALIFIED BID OF COLUMBIA CASCADE TO FURNISH THE CITY WITH TIMBER PLAY EQUIPMENT FOR A TOTAL OF \$36,649.00.

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AN ORDINANCE 49,965

ACCEPTING THE BID OF THAD ZIEGLER GLASS, INC., TO FURNISH AND INSTALL THE REQUIRED NUMBERS OF ALUMINUM ANGLES AROUND THE INTERIOR PERIMETER OF EACH OF THE LIGHTS AT THE TOWER OF AMERICAS.

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AN ORDINANCE 49,966

ACCEPTING THE PROPOSAL OF GIRARD MACHINERY AND SUPPLY COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH A GRADALL EXCAVATOR FOR A NET TOTAL OF \$89,334.00.

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AN ORDINANCE 49,967

ACCEPTING THE LOW BID OF JOE A. LEMMONS TO FURNISH THE CITY WITH BUTYL TUBING FOR A TOTAL OF \$6,730.00.

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AN ORDINANCE 49,968

ACCEPTING THE LOW BID OF PLETZ CORPORATION TO FURNISH THE CITY WITH THE PRINTING OF POSTERS FOR A TOTAL OF \$3,519.90.

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AN ORDINANCE 49,969

ACCEPTING THE PROPOSAL OF AMERICAN COMPANIES, INC. TO PROVIDE THE CITY WITH MAIL-A-BOOK SERVICE FOR A NET TOTAL OF \$3,291.05.

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AN ORDINANCE 49,970

ACCEPTING THE BID OF CUES, INC., TO FURNISH THE CITY WITH A SEWER TV CAMERA FOR A TOTAL OF \$5,069.00.

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AN ORDINANCE 49,971

ACCEPTING THE LOW QUALIFIED BIDS OF ANCIRA WINTON CHEV., INC., TOM BENSON CHEVROLET, BROADWAY DODGE, INC., GRANDE FORD TRUCK SALES, INC., JORDAN FORD, INC., AND SAN ANTONIO TRUCKS SALES TO FURNISH THE CITY WITH REPLACEMENT TRUCKS FOR THE 1978-79 FISCAL YEAR FOR A TOTAL OF APPROXIMATELY \$1,415,765.31.

* * * *

AN ORDINANCE 49,972

EXTENDING FOR TWO ADDITIONAL YEARS THE CONTRACT WITH ALAMO ARCHERS ASSOCIATION FOR USE OF 49.594 ACRES IN O.P. SCHNABEL PARK FOR DEVELOPING AND CONDUCTING AN ARCHERY PROGRAM.

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AN ORDINANCE 49,973

AMENDING A LEASE WITH DOUBLEDAY BROADCASTING CO., INC., FOR SPACE LOCATED ON THE TOWER OF THE AMERICAS AND AUTHORIZING SAID LEASE TO BE ASSIGNED TO TEXAS LOTUS CORPORATION.

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AN ORDINANCE 49,974

MANIFESTING AN AGREEMENT AMENDING A LEASE OF SPACE AT SAN ANTONIO INTERNATIONAL AIRPORT TO TEXAS INTERNATIONAL AIRLINES.

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AN ORDINANCE 49,975

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

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AN ORDINANCE 49,976

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

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AN ORDINANCE 49,977

EXTENDING FOR AN ADDITIONAL 13 WEEKS, THE CONTRACT WITH NARIS, INC., TO CARRY OUT FOR THE CITY, A PUBLIC INFORMATION, EDUCATION AND PARTICIPATION PROGRAM IN CONNECTION WITH THE WASTEWATER TREATMENT FACILITIES PLANNING PROJECT.

* * * *

AN ORDINANCE 49,978

APPROPRIATING THE SUM OF EIGHT THOUSAND FIVE HUNDRED AND NO/100 (\$8,500.00) DOLLARS OUT OF FUND NO. 62-009, INDEX NO. 500512 IN FULL AND FINAL SETTLEMENT OF PLAINTIFF'S CLAIMS AGAINST THE CITY OF SAN ANTONIO IN DAMAGE SUIT CAUSE NO. 76CI-15,556 IN THE 131ST JUDICIAL DISTRICT COURT OF BEXAR COUNTY, TEXAS, STYLED MARIA CARMEN SERNA VS. THE CITY OF SAN ANTONIO, ET. AL.

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AN ORDINANCE 49,979

AMENDING THE FLOOD PLAIN ORDINANCE SO AS TO ADOPT THE NEW FLOOD HAZARD BOUNDARY MAP AS ISSUED BY THE FEDERAL INSURANCE ADMINISTRATION AND PROVIDING THAT WHEN ANY GOVERNMENTAL UNIT MAKES FUTURE REVISIONS TO THE MAPS WHICH SHOW SPECIAL FLOOD HAZARD AREAS, SUCH REVISIONS SHALL BE THE BASIS FOR ESTABLISHING AREAS OF SPECIAL FLOOD HAZARD UNDER THE ORDINANCE.

* * * *

AN ORDINANCE 49,980

AUTHORIZING THE CITY MANAGER TO ENTER INTO A 5-YEAR LEASE AGREEMENT WITH JOHN J. CLAYTON PROVIDING THE CITY WITH 1,301 SQUARE FEET OF SPACE LOCATED AT 1023 W. HILDEBRAND AVENUE TO BE USED IN CONNECTION WITH THE YOUTH SERVICES PROJECT.

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730

AN ORDINANCE 49,981

731

CHANGING THE NAME OF MICK WILLIAMS DRIVE TO
CITADEL PLAZA EFFECTIVE SEPTEMBER 1, 1979;
AND REPEALING ORDINANCE 49632.

* * * *

78-48 The following Ordinance was read by the Clerk and explained by George Noe, Administrative Assistant to the City Manager, and after consideration on motion of Mr. Alderete, seconded by Mr. Steen, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen; NAYS: None; ABSENT: Cockrell.

AN ORDINANCE 49,982

ACCEPTING THE BID OF 3M COMPANY-DENTAL
PRODUCTS TO FURNISH THE CITY WITH ION BRAND-
NI-CHRO PRIMARY MOLAR CROWNS FOR A NET TOTAL
OF \$4,400.00.

* * * *

78-48 The Clerk read the following Ordinance:

AN ORDINANCE 49,983

AUTHORIZING PAYMENT FROM THE GENERAL FUND TO
THE U.S. CONFERENCE OF MAYORS FOR MEMBERSHIP
DUES FOR THE PERIOD ENDING JUNE 30, 1979.

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

Mr. Eureste stated that he is in favor of the City's continued participation in the U.S. Conference of Mayors as well as the National League of Cities but expressed concern about the unfavorable controversy surrounding the City's past participation in these organizations.

Mr. Wing spoke against the motion to approve the Ordinance and stated that he does not feel it is a wise use of taxpayers' money.

Council members Webb, Pyndus and Hartman spoke in favor of the Ordinance giving their reasons for supporting the City's membership continuation in these organizations.

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

78-48 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Pyndus, seconded by Mr. Alderete, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen; NAYS: Wing; ABSENT: Cockrell.

AN ORDINANCE 49,984

AUTHORIZING THE PAYMENT OF 1978-1979 DUES
TO THE NATIONAL LEAGUE OF CITIES IN THE
AMOUNT OF \$6,600.00.

* * * *

33. CASE 7482 - to rezone the remaining portion of Lots 30 and 31 Block 3, NCB 11967, in the 9600 Block of Jones Maltsberger Road, from "A" Single Family Residential District to "B-3" Business District, located north of the cutback between U.S. Highway 281 North and Jones Maltsberger Road; having 219.2' on U.S. Highway 281 North, 201.8' on Jones Maltsberger Road and 26.66' on the cutback between U.S. Highway 281 North and Jones Maltsberger.

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, on motion of Mr. Pyndus, seconded by Mr. Steen, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen; NAYS: None; ABSENT: Cockrell.

AN ORDINANCE 49,985

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 REMAINING PORTION OF LOTS 30 AND 31, BLOCK 3, NCB 11967, IN THE 9600 BLOCK OF JONES MALTSBERGER ROAD, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT.

* * * *

34. CASE 7483 - to rezone a 0.894 acre tract of land out of NCB 15837, being further described by field notes filed in the Office of the City Clerk, in the 13200 Block of Wetmore Road from Temporary "R-1" Single Family Residential District to "I-1" Light Industry District, located east of the intersection of Wetmore Road and Thousand Oaks Drive, having 721' on Wetmore Road and 54' on 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.

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, Alderete, Pyndus, Hartman, Steen; NAYS: None; ABSENT: Cockrell.

AN ORDINANCE 49,986

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 0.894 ACRE TRACT OF LAND OUT OF NCB 15837, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 13200 BLOCK OF WETMORE ROAD FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT.

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35. CASE 7470 - to rezone Lots 8 and 9, NCB 13782, in the 6200 Block of Royal Ridge Drive from "R-3" Multiple Family Residential District and "R-6" Townhouse District to "R-1" Single Family Residential District, located on the north side of Royal Ridge Drive, being 843.75' east of the intersection of Grand Park Drive and Royal Ridge Drive; having 1169.20' on Royal Ridge Drive and a depth of 830'.

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. Alderete moved that the recommendation of the Zoning Commission be approved provided that the property is replatted. 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, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen; NAYS: None; ABSENT: Cockrell.

AN ORDINANCE 49,987

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 8 AND 9, NCB 13782, IN THE 6200 BLOCK OF ROYAL RIDGE DRIVE FROM "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT AND "R-6" TOWNHOUSE DISTRICT TO "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT THE PROPERTY IS REPLATTED.

* * * *

36. CASE 7472 - to rezone the northwest 315' of the southeast 465' of the northeast 130' of Lot 3, NCB 14088, from "E" Office District and "JJ" Commercial District to "I-1" Light Industry District, located on the northwest side of Broadway, 405' southwest of the intersection of Chipley Circle and Broadway, being 150' off of Broadway, with a width of 130' and depth of 315' and to rezone the southeast 150' of the northeast 130' of Lot 3, NCB 14088, from "E" Office District to "B-2" Business District, located on the northwest side of Broadway 405' southwest of the intersection of Chipley Circle and Broadway, having 130' on Broadway 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. Pyndus 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, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen; NAYS: None; ABSENT: Cockrell.

AN ORDINANCE 49,988

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 NORTHWEST 315' OF THE SOUTHEAST 465' OF THE NORTHEAST 130' OF LOT 3, NCB 14088, FROM "E" OFFICE DISTRICT AND "JJ" COMMERCIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT AND THE SOUTHEAST 150' OF THE NORTHEAST 130' OF LOT 3, NCB 14088, FROM "E" OFFICE DISTRICT TO "B-2" BUSINESS DISTRICT.

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37. CASE 7477 - to rezone the north 44' of the south 113.7' of Lot 1, Block 1, NCB 391, 108 Ogden Street from "E" Office District to "R-3" Multiple Family Residential District for a day care center caring for over twenty (20) children, located on the east side of Ogden Street being 69.7' north of the intersection of E. Maple Street and Ogden Street, having 44' on Ogden Street and a maximum depth of 110'.

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 street dedication is provided in accordance with the Traffic Department's recommendation. Mr. Alderete seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen; NAYS: None; ABSENT: Cockrell.

AN ORDINANCE 49,989

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 44' OF THE SOUTH 113.7' OF LOT 1, BLOCK 1, NCB 391, 108 OGDEN STREET FROM "E" OFFICE DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT FOR A DAY CARE CENTER CARING FOR OVER TWENTY (20) CHILDREN, PROVIDED THAT STREET DEDICATION IS PROVIDED IN ACCORDANCE WITH THE TRAFFIC DEPARTMENT'S RECOMMENDATION.

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38. CASE 7484 - to rezone Lot 15, NCB 16249 and a 10.926 acre tract of land out of NCB 16249, being further described by field notes filed in the Office of the City Clerk, in the 1200 Block of Silver Sands Drive from "B-3" Business District, "P-1(B-3)" Planned Unit Development Business District and "P-1(B-2)" Planned Unit Development Business District to "B-2" Business District.

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. Alderete 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, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen; NAYS: None; ABSENT: Cockrell.

AN ORDINANCE 49,990

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, NCB 16249 AND A 10.926 ACRE TRACT OF LAND OUT OF NCB 16249, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 1200 BLOCK OF SILVER SANDS DRIVE FROM "B-3" BUSINESS DISTRICT "P-1(B-3)" PLANNED UNIT DEVELOPMENT BUSINESS DISTRICT AND "P-1(B-2)" PLANNED UNIT DEVELOPMENT BUSINESS DISTRICT TO "B-2" BUSINESS DISTRICT.

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78-48

Mayor Cockrell entered the meeting and presided.

78-48

ZONING HEARINGS (Continued)

30. CASE 7444 - to rezone Lot 14 and the north 10' of Lot 13, Block 13, NCB 15504, in the 2600 Block of S.W. Loop 410 from Temporary "R-1" Single Family Residential District to "B-3" Business District, located southeast of the intersection of Glider Avenue and S.W. Loop 410 Expressway; having 162.5' on Glider Avenue and 130' on S.W. Loop 410 Expressway.

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. Pyndus 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. 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, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 49,991

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 14 AND THE NORTH 10' OF LOT 13, BLOCK 13, NCB 15504, IN THE 2600 BLOCK OF S.W. LOOP 410 FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE EAST PROPERTY LINE.

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78-48

CASE 7476 - to rezone Lot 10 and the west 74.19' of Lot 9, and the east 71.23' of Lot 11, Block 1, NCB 12963, in the 2300 Block of Danbury Drive from "B" Two Family Residential District to "O-1" Office District, located on the northeast side of Danbury Drive, being 107' southeast of the intersection of Broadway and Danbury Drive; having 238.51' on Danbury Drive and a maximum depth of 147.57'.

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 a six foot solid screen fence is erected and maintained along the northeast and southeast property lines, and that street dedication is provided in accordance with the Traffic Department's recommendation. 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, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 49,992

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 10 THE WEST 74.19' OF LOT 9, AND THE EAST 71.23' OF LOT 11, BLOCK 1, NCB 12963, IN THE 2300 BLOCK OF DANBURY DRIVE FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "O-1" OFFICE DISTRICT, PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTHEAST AND SOUTHEAST PROPERTY LINES; AND THAT STREET DEDICATION IS PROVIDED IN ACCORDANCE WITH THE TRAFFIC DEPARTMENT'S RECOMMENDATION.

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41. CASE 7478 - to rezone Lots 5, 15, 16, and 17, Block 10, NCB 12906, in the 5000 Block of Rigsby Avenue from "A" Single Family Residential District to "B-3R" Restrictive Business District, located southwest of the intersection of Rigsby Avenue and Christian Drive, having 56' on Rigsby Avenue and 320' on Christian Drive.

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

Mr. Steen moved that the recommendation of the Zoning Commission be approved, provided that a six foot solid screen fence is erected and maintained along the west property lines of Lots 15, 16, and 17, the east property lines of Lots 16 and 17 and the south property lines of Lot 17, and a non-access easement is imposed along the east property lines of Lots 16 and 17 and the south property line of Lot 17. Mr. Hartman seconded the motion.

In response to Mrs. Dutmer's questions the applicant, Mr. James W. Hillis stated that he plans to use Lot 16 and Lot 17 as a sales, service and storage facility. He then described the business operation and the manner in which the property will be utilized. He will be repairing vehicles on Lot 15. Mr. Hillis also described the screening he plans to have erected.

Mr. Pyndus referred to the recommendation made by the staff and stated that he would support the Zoning Commission's recommendation. He also stated that the zoning change could set a precedent.

No citizen appeared to speak in opposition.

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

AN ORDINANCE 49,993

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 5, 15, 16, AND 17, BLOCK 10, NCB 12906, IN THE 5000 BLOCK OF RIGSBY AVENUE FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE WEST PROPERTY LINES OF LOTS 15, 16, AND 17, THE EAST PROPERTY LINES OF LOTS 16 AND 17 AND THE SOUTH PROPERTY LINE OF LOT 17 AND A NON-ACCESS EASEMENT IS IMPOSED ALONG THE EAST PROPERTY LINES OF LOTS 16 AND 17, AND THE SOUTH PROPERTY LINE OF LOT 17.

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7877

78-48 The following Ordinances were read by the Clerk and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 49,994

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.

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AN ORDINANCE 49,995

AUTHORIZING SUBMISSION OF AN APPLICATION TO THE DEPARTMENT OF HEALTH, EDUCATION AND WELFARE FOR A GRANT FOR THE CHILDHOOD IMMUNIZATION MAINTENANCE PROJECT.

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AN ORDINANCE 49,996

ACCEPTING A GRANT FROM THE EPA FOR THE AIR POLLUTION CONTROL PROGRAM FOR THE YEAR BEGINNING OCTOBER 1, 1978; AUTHORIZING A COST OF \$179,080.00 FOR THE PROGRAM: ESTABLISHING A FUND AND ACCOUNTS; ADOPTING A BUDGET AND PERSONNEL COMPLEMENT; AND AUTHORIZING A CONTRIBUTION OF \$87,465.00 TO THE PROGRAM FROM THE GENERAL FUND.

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78-48 The Clerk read the following Ordinance:

AN ORDINANCE 49,997

AUTHORIZING THE SUBMISSION OF APPLICATIONS TO THE OFFICE OF TRAFFIC SAFETY DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION FOR GRANTS IN SUPPORT OF INCREASED ENFORCEMENT ACTIVITY; ESTABLISHING FUNDS AND ACCOUNTS AND ADOPTING BUDGETS.

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

Mayor Pro-Tem Hartman expressed concern about another car-train accident occurring in the City. He urged that the staff do everything possible to expedite the matter of upgrading railroad crossings.

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

79-48 The Clerk read the following Ordinance:

AN ORDINANCE 49,998

ACCEPTING THE REQUEST OF SOUTHWEST RESEARCH
INSTITUTE FOR INSTALLATION OF A TRAFFIC
SIGNAL, WITH THE COST TO BE BORNE BY SOUTHWEST
RESEARCH INSTITUTE.

* * * *

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

Mrs. Dutmer stated that there are other traffic signals which need to be installed in the City and asked for a time schedule report.

Mayor Cockrell asked that Mrs. Dutmer furnish staff with a list of the traffic signals she is interested in and a staff report responding to same will be made.

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

78-48 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Steen, seconded by Mr. Hartman, was passed and approved by the following vote: AYES: Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Cisneros.

AN ORDINANCE 49,999

ACCEPTING THE REQUEST OF AUDIE MURPHY VETERANS
HOSPITAL FOR INSTALLATION OF A TRAFFIC SIGNAL
WITH THE COST TO BE BORNE BY THE HOSPITAL.

* * * *

78-48 The Clerk read the following Ordinance:

AN ORDINANCE 50,000

APPROVING A REVISED COMMUNITY DEVELOPMENT
HOUSING PROGRAM POLICY GUIDE FOR THE CITY.

* * * *

Mr. Ortiz stated that the Housing Task Force had recommended approval of the Ordinance and moved to approve the Ordinance. Mr. Webb seconded the motion.

In response to a question by Mr. Pyndus, regarding the subsidy not subject to annual review, Mr. Roland Bono, Assistant to the City Manager, stated that although the subsidy is not subject to annual review, if the property were sold or otherwise transferred, then the balance of the loan would have to be repaid.

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

8-48

The Clerk read the following Ordinance:

AN ORDINANCE 50,001

AUTHORIZING AN ADDITIONAL APPROPRIATION OF \$53,510.00 IN THE CURRENT BUDGET OF THE EQUAL EMPLOYMENT OPPORTUNITY DEPARTMENT IN THE GENERAL FUND TO PROVIDE THE COST OF THREE EEO OFFICERS TRANSFERRED FROM CETA PROGRAM FUNDS; ESTABLISHING THREE ADDITIONAL EEO OFFICER POSITIONS IN THE EEO DEPARTMENT; AND ABOLISHING THREE EEO OFFICER POSITIONS IN CETA FUNDS.

* * * *

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

In response to a question by Mr. Pyndus regarding the number of EEO officers and if it were possible to fill two positions instead of the required three, Mr. John Bollman, Budget Officer, stated that their positions are already filled and then explained the purpose of the Ordinance.

Mr. George Johnson, Director of Equal Employment Opportunity, explained that these three positions have been filled since the inception of CETA and they work with the CETA workforce. Mr. Johnson also stated that the workload has increased tremendously and will probably need to increase personnel not decrease it.

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

8-48

The Clerk read the following Ordinance:

AN ORDINANCE 50,002

AMENDING SECTIONS 17-1 AND 17-2 OF THE CITY CODE, DEFINING TERMS AND REGULATING PREPARATION OF SOLID WASTE FOR COLLECTION.

* * * *

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

Mr. Pyndus suggested that the public be informed of the new rules regarding brush pick-up through City Public Service billing system.

Mr. Frank Kiolbassa, Director of Public Works, explained what publicity will be done in connection with these new regulations.

A discussion then took place on the brush pick-up situation.

Mr. Webb stated that he will submit specific locations needing brush pick-up to Mr. Kiolbassa for a report.

Mr. Eureste then spoke about the many activities which his neighborhood participates in with regard to the collection of brush and garbage

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

The Clerk read the following Resolution:

A RESOLUTION
NO. 78-48-145

OPPOSING THE INDUSTRIAL COST RECOVERY PORTION
OF THE FEDERAL WATER POLLUTION CONTROL ACT,
P.L. 92-500.

* * * *

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

In response to Mayor Pro-Tem Hartman's questions, Mr. Frank Kiolbassa, Director of Public Works, explained that the Industrial Cost Recovery portion of the Federal Water Pollution Control Act requires that industrial users of wastewater treatment works receiving federal grants repay for that portion of the grant for construction of facilities allocable to the treatment of industrial wastes. In the Clean Water Act of 1977, Congress recognized the problem that industries are also "Taxpayers" at large and placed a hold on the ICR System until July 1, 1979, to allow a period of a restudy. The 201 Advisory Committee feels that ICR is a form of double taxation on a few larger users with little, if any, financial benefits to the sewer system. They are recommending that the Council approve this Resolution and forward same to the Environmental Protection Agency.

In response to Mr. Eureste, Mr. Kiolbassa explained the three costs which are borne by industry.

Mr. Eureste stated that he would prefer to receive more information prior to consideration of the Resolution. Mr. Hartman reiterated Mr. Eureste's comments.

Mrs. Dutmer urged the Council to approve the Resolution.

Mr. Kiolbassa stated that the Resolution would make Council's feelings on this subject, a matter of record. He also explained that the staff had not received notification of public hearings on this matter and explained that there is a dead line in which to submit these comments.

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

The Clerk read the following Ordinance:

AN ORDINANCE 50,003

MANIFESTING AN AGREEMENT AMENDING A CONTRACT
WITH THE CITY OF TERRELL HILLS FOR TRANSPORTA-
TION AND TREATMENT OF SEWAGE AND FOR ROUTINE
MAINTENANCE OF SEWER MAINS TO CLARIFY A PRO-
VISION AS TO FEES REQUIRED TO BE PAID UNDER THE
CONTRACT.

* * * *

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

In response to a question by Mayor Pro-Tem Hartman, Mr. Carl White, Director of Finance, explained that the sewer lines involved have been depreciated and will need to be replaced. He also stated that the City of Terrell Hills is the only City that does not own and maintain its own sewer lines. Mr. White explained the City of San Antonio's role in treating sewage and the charges involved.

Mr. Eureste and Mr. Hartman spoke in favor of retaining the ownership of these sewer lines.

Assistant City Manager Louis Fox, spoke about the present maintenance costs.

After discussion, City Manager Huebner explained the position of Terrell Hills and their possible reluctance to accept the sewer lines if they were completely deteriorated. Mr. Huebner also stated that the City staff has enough problems in trying to maintain the sewer lines within the City limits and he would like the staff to concentrate on maintaining these lines and be rid of this responsibility which uses up City staff time even if the City of San Antonio is reimbursed.

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

73-48 The Clerk read the following Ordinance:

AN ORDINANCE 50,004

AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH BEXAR COUNTY PROVIDING FOR THE IMPLEMENTATION OF THE METROPOLITAN TAX OFFICE PLAN.

* * * *

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

Mr. Pyndus stated that one of the school districts had brought to his attention one item which had been under the old City-County Appraisal Board. He stated that they are concerned about their legal position with the new Metropolitan Tax Office.

City Attorney Jane Macon stated that the Legal Department will work with the school district to see about their concerns and will report back to Mr. Pyndus.

Mr. Pyndus asked that copies of Section 20.03 of the Texas Education Code be included with the minutes of the meeting. (A copy of this Section is included with the papers of this meeting.)

Mrs. Dutmer spoke against the motion to approve the Ordinance.

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

In response to a question by Dr. Cisneros, Assistant City Manager, Louis Fox, stated that there will be an update of tax assessments by May of 1980.

-48 The Clerk read the following Resolution:

A RESOLUTION
NO.78-48-146

SETTING A PUBLIC HEARING FOR DECEMBER 7, 1978,
AT 3:00 P.M., TO CONSIDER ESTABLISHMENT OF THE
PASEO BUENA VISTA URBAN RENEWAL PROJECT.

* * * *

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

In response to Mr. Pyndus' concerns, Mr. Rolando Bono, Assistant to the City Manager, explained that the City Council will be briefed at the November 8th "B" Session on the proposal. He also stated that both the Planning Commission and the SADA Board will review the proposal and make a recommendation to the Council prior to the December 7th Public Hearing.

In response to Mrs. Dutmer's question, Mr. Mike Garcia, representing the Mexican American Unity Council, stated that this project is for the commercial revitalization of Commerce and Buena Vista Streets.

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

78-48 The meeting was recessed at 2:50 P.M. and reconvened at 3:00 P.M.

78-48 The Clerk read the following Ordinance:

AN ORDINANCE 50,005

AMENDING ORDINANCE NO. 49714 OF AUGUST 21, 1978
TO REVISE THE BUDGET OF THE MANPOWER TRAINING
PROGRAM - FIFTH YEAR OPERATED UNDER TITLE I OF
THE COMPREHENSIVE EMPLOYMENT AND TRAINING ACT
OF 1973; AND AUTHORIZING AGREEMENTS WITH TWO
THIRD PARTY AGENCIES FOR THE OPERATION OF
INNOVATIVE EMPLOYMENT AND TRAINING PROGRAMS.

* * * *

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

Mr. Roland Lozano, Assistant to the Director of the Department of Economic and Employment Development, explained what had previously transpired in this matter. Mr. Lozano stated that after Council's acceptance of the number one ranked proposal presented by staff, they were instructed to go through a second bidding process for the second program. After evaluation of the proposals submitted, the staff is recommending that the Council accept the proposal of SER - Jobs for Progress, Inc. He then explained the proposal submitted by SER.

Mrs. Dutmer stated that a womens' program should be implemented and spoke in opposition to the recommendation made by staff.

After discussion, Mr. Steen made a substitute motion to allocate the monies to the Bexar County Women's Program. Mr. Pyndus seconded the motion.

Mr. Eureste spoke in favor of the recommendation made by staff.

The following persons then appeared to speak before the Council.

Ms. Eddie Faye McLeon read a prepared statement on behalf of the Bexar County Women's Center Displaced Homemakers Proposal.

Ms. Ann Buffington also recommended that the Council favorably consider the Bexar County Women's Center proposal.

Ms. Cheryl Whited, Director of the Womens Law Center, stated that the proposal made by the Bexar County Women's Center meets all the criteria for an innovative program which the proposal stipulated. She stated that the proposal recommended by staff does not include any time schedules or measurable goals.

Mrs. Rosemary Stauber also spoke on behalf of the Displaced Homemakers Proposal. She highlighted its important points and stated that their proposal is more innovative than the one recommended by staff.

Mr. Roland Esparza, Director of Project SER, explained their proposal. He stated that they have a very effective program and will provide necessary vocational skills.

A discussion then took place about ESL (English as a Second Language) being a program area that the Mexican-American Legal Defense and Educational Fund (MALDEF) cited in its suit against the Alamo Area Manpower Consortium as being very desirable.

After discussion, the substitute motion failed to carry by the following vote: AYES: Dutmer, Pyndus, Hartman, Steen, Cockrell; NAYS: Cisneros, Wing, Eureste, Alderete; ABSTAIN: Webb, Ortiz; ABSENT: None.

On roll call, the main motion to approve the staff recommendation carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Cisneros, Dutmer, Wing, Eureste, Ortiz, Alderete, Hartman, Cockrell; NAYS: Pyndus, Steen; ABSTAIN: Webb; ABSENT: None.

In response to a question by Mayor Cockrell and Mayor Pro-Tem Hartman, Mr. Roland Lozano stated that the staff will report to Council on funds which will be made available through CETA Title III and other sources of funding for the Bexar County Women's Center Displayed Homemakers Services.

73-48 The following Ordinance was read by the Clerk and explained by Mr. Ken Daly, Assistant Director for Comprehensive Economic and Manpower Planning Division, and after consideration, on motion of Mr. Steen, seconded by Dr. Cisneros, was passed and approved by the following vote: AYES: Cisneros, Webb, Wing, Eureste, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Dutmer, Ortiz.

AN ORDINANCE 50,006

AUTHORIZING THE CITY MANAGER TO EXECUTE A GRANT AGREEMENT, IN BEHALF OF THE ALMO MANPOWER CONSORTIUM, WITH THE GOVERNOR'S OFFICE OF MIGRANT AFFAIRS IN THE AMOUNT OF \$20,000 FOR THE EMPLOYMENT OF A MIGRANT COORDINATOR; AUTHORIZING THE ACCEPTANCE OF THE GRANT; APPROVING THE BUDGET; AND ESTABLISHING A FUND AND ACCOUNT FOR THE GRANT.

* * * *

78-48 The following Ordinance 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, Wing, Eureste, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Dutmer, Ortiz.

AN ORDINANCE 50,007

AMENDING ORDINANCE NO. 49538 AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH CHARLES K. CAMPBELL AND THE BITTERS-WOOLCO PARTNERSHIP, PERMITTING CONSTRUCTION OF DRIVES AND PARKING AREAS OVER A PORTION OR PORTIONS OF A CITY-OWNED DRAINAGE EASEMENT.

* * * *

78-48 The following Resolutions were read by the Clerk and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Ortiz.

A RESOLUTION
NO. 78-48-147

MANIFESTING THE DETERMINATION OF THE CITY COUNCIL THAT DEBORAH L. FORSYTH EVANS HAS VESTED RIGHTS UNDER ARTICLE THREE OF ORDINANCE NO. 48484.

* * * *

A RESOLUTION
NO. 78-48-148

MANIFESTING THE DETERMINATION OF THE CITY COUNCIL THAT MR. JAMES W. GRUBBS HAS VESTED RIGHTS UNDER ARTICLE THREE OF ORDINANCE NO. 48484.

* * * *

78-48 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Steen, seconded by Mr. Hartman, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Ortiz.

AN ORDINANCE 50,008

APPOINTING MRS. JUNE KACHTIK TO THE ZONING COMMISSION.

* * * *

Mrs. June Kachtik will be filling the unexpired term of Mrs. Lois Parkhouse-Newman, who has resigned.

* * * *

78-48 The following Ordinance 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, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Ortiz.

AN ORDINANCE 50,009

APPOINTING AND REAPPOINTING MEMBERS TO THE RIVERWALK COMMISSION.

* * * *

The following persons are hereby appointed/reappointed to the Riverwalk Commission for terms ending October 26, 1981:

1. Reappoint Mrs. Paul Klinger, Mr. Humberto Saldana and Mrs. Delia Rodriguez. (Mrs. Delia Rodriguez was previously appointed as Mrs. Delia Little)
2. Appoint Ms. Margaret Cousins to fill the position previously occupied by Mr. Lawrence Raba.

* * * *

78-48
4:20 P.M.

The meeting was recessed at 4:00 P.M. and reconvened at

78-48

CITIZENS TO BE HEARDMARCH OF DIMES HAUNTED HOUSE

A group of persons representing the Grim Reaper, Count Dracula, Swamp Monster and the Incredible Melting Man appeared to invite the Council and the general public to their annual Halloween March of Dimes Haunted House located at 6111 N.W. I.H. 10.

GARBAGE ALLEY PICK-UP

Mr. Alderete stated that a large group of citizens were present in the Council Chambers to protest the discontinuance of garbage pick-up in alleys. He asked that Mr. Frank Kiolbassa, Director of Public Works, give a summary on the report made to Council on the recommendation to discontinue garbage pick-up in alleys.

Mr. Frank Kiolbassa stated that the discontinuance of garbage pick-up in alleys was recommended by the staff to the Council during budget deliberations. He then summarized the reasons for this recommendation. (A report entitled information on Alley Garbage and Brush Collection, dated October 26, 1978 is on file with the papers of this meeting.)

A discussion then took place by Council regarding the newer equipment which is mandated by the federal government, the maintenance of alleys by individual property owners, and the budget cutback of \$415.00.

The following citizens then appeared to speak before the Council against the discontinuance of garbage pick-up in alleys. They spoke regarding the economic aspects, environmental factors and safety features. They asked that the Council reconsider this decision. Those speaking were:

Mr. Robert L. Jones, 2814 Hopeton Drive
 Mrs. Elizabeth E. Jones, 2814 Hopeton Drive
 Mrs. C.G. House, 2311 Woodmen
 Mr. Stanton Bell, 2206 Woodmen
 Ms. Juanita Prideaux, 205 Sunnyland Drive
 Mrs. Dottie D. Gibbons, 218 Oakhurst
 Mr. Jim Miller, 507 Future (Submitted a petition with 558 signatures)
 Mrs. Anne Knight, 145 E. Elsmere
 Mr. Graham B. Knight, 145 E. Elsmere

Col. Clifton White, 228 W. Huisache
Mr. Arthur F. Brown, 339 Ridgehaven
Mr. Tom Creer, 435 Calumet
Mrs. Virginia Fichtner, 220 W. Mulberry
(Submitted a petition)
Mr. Bob Dunphy, 406 E. Courtland
Mr. Robert J. Cutting, 215 W. Poplar
Mr. Alfred J. Erickson, 329 Kenmar
Dr. Harry A. Richmond, 2517 W. Gramercy
(Submitted a petition)
Mr. Sol Rosenberg, 2521 W. Gramercy
(Submitted a petition)
Mr. Al Eisemann, 2807 Old Moss Road
Mr. Jack Ridgeway, spoke for J.C. Truxheart
Mr. Paul Manna, 9326 Fern Glen - He also sub-
mitted a statement on behalf of Mrs. Drusilla
Pinca.

Due to the one hour allocated for the citizens to be heard on this subject, many of the citizens present were not able to speak. Mayor Cockrell asked them to stand and be recognized. (A complete list of registered speakers is on file with the papers of this meeting.)

After discussion by the Council pro and con on this subject, Dr. Cisneros made a motion to 1) give direction to the City staff to terminate the present plan to suspend alley collection, November 1; 2) indicate an intent to continue alley collection with appropriate provisions for maintenance of alley ways by residents; 3) and identify alternatives for financing the continuance of alley collection and report back in 30 days. Mr. Hartman seconded the motion.

City Manager Huebner stated that the City Council had promised garbage collectors that alley collection would be discontinued.

After considerable discussion and on roll call, the motion to continue alley pick-up carried by the following vote: AYES: Cisneros, Webb, Alderete, Hartman, Steen, Cockrell; NAYS: Dutmer, Wing, Eureste, Ortiz, Pyndus; ABSENT: None.

J. F. KENNEDY BAND BOOSTER ASSN.

Mrs. Tony Jimenez, representing the John F. Kennedy Band Booster Association, spoke to the Council regarding the trip to Guadalajara which the Band had undertaken as the official representatives of the City of San Antonio. She spoke about their efforts in raising the needed funds to make the trip. Mrs. Jimenez then spoke about the many problems that they encountered in making the trip and the criticism in the newspapers and radio against the J.F. Kennedy Band's "free trip" to Mexico. She stated that they raised \$14,000 for the trip and traveled by bus to Guadalajara. They are requesting that the City Council accept the \$2,280 for housing accommodations so that this matter may be cleared up.

Mayor Cockrell on behalf of the City Council expressed sincere appreciation to the J.F. Kennedy High School Band for their service as official City representatives of the City of San Antonio. She also expressed her disappointment over the unfavorable criticism that the band had received. She recommended that the Council not accept the check.

Mrs. Jimenez stated that if the City Council does not accept the check, then the money will be distributed to John Jay High School and other schools having reward funds in connection with recent arson fires at these schools.

Several Council members then spoke regarding this subject and thanked the J.F. Kennedy Band members for their representation during the Sister City celebration in Mexico.

Mr. Steen then made a personal contribution to the Kennedy Booster Club.

Mr. Pyndus stated that in his opinion the best manner in which to avoid any criticism would be for the band to insist that the City accept the money.

After discussion, Mr. Ortiz accepted the check from Mrs. Jimenez and gave it to the City Clerk for deposit in the General Fund.

Mrs. Jimenez then introduced the School's Band members who were present in the audience. She also introduced members of the Edgewood Independent School District's Board of Trustees as well as the principal and vice principal of Kennedy High School.

At this point in the meeting, Mr. Pete Cortez, representing the Mexican-American Business and Professional Men's Association, read a prepared statement and presented Mrs. Jimenez with a \$2,280.00 check. (A copy of Mr. Cortez' prepared statement is on file with the papers of this meeting.)

Mayor Cockrell then invited the band members to the Council meeting next week in order that a special presentation can be made in their honor.

78-48 The meeting was recessed at 7:40 P.M., and reconvened at 8:10 P.M.

78-48

EODC DISCUSSION

Mrs. Armandina Saldivar played a tape for the City Council from a segment of Channel 5 TV news regarding EODC that had appeared on Wednesday, October 25th news. She then spoke about the many activities at EODC and stated that the media will uncover the entire story at EODC. She also stated that she had signed statements from EODC employees which had taken annual leave to help elect certain Council members.

Mr. Pyndus then moved that the City staff meet with the Channel 5 reporter to get the facts regarding the Wednesday, October 25th news report on EODC. Dr. Cisneros seconded the motion.

Several Council members then spoke pro and con the City Council's involvement in this matter.

The following citizens then appeared to speak to the Council:

Ms. Celeste Scalise, EODC Board member, asked that the Green Amendment be invoked and that EODC be taken over by the City of San Antonio. She stated that an accounting firm was willing to audit EODC free of charge and that the majority of the Board had not accepted it.

Mrs. Kay Brown, 334 Dartmoor, stated that the City Council should do something about EODC and the manner in which it is run.

Mr. Ramon Carillo stated that EODC has been harrassed and expressed concern over politics being interjected. He stated that many people are served by EODC and that they should be left alone to perform these needed services.

Mr. Jimmy Flores, Board member of EODC, stated that EODC is not monitored closely enough and the poor people are the losers. He also spoke about what had transpired at several board meetings.

Mrs. Nancy Woods stated that she is the newly elected President of EODC and stated that the Council should give them an opportunity to resolve their own problems.

Mr. Michael Rodriguez, EODC Board Member, stated that if the Green Amendment is invoked then the citizens will be denied adequate representation. He referred to the GAO report and stated that the Council should give them an opportunity to work out their own problems.

After considerable discussion and on roll call, the motion made by Mr. Pyndus and seconded by Dr. Cisneros, prevailed by the following vote: AYES: Cisneros, Dutmer, Wing, Ortiz, Steen, Cockrell; NAYS: Eureste, Alderete; ABSENT: Webb, Pyndus, Hartman.

The staff was also instructed to update the previous staff report on the operations at EODC; prepare a report on legal alternatives available to the City; and schedule a "B" Session discussion on this subject for next week.

MR. ROBERT SALAZAR

Mr. Robert Salazar stated that he had been employed at SANYO for 13 years. He read a letter he had received from that organization advising him that he was terminated and the reason given as a reduction in force. He stated that he had only received a one week's notice. He would like to reach an agreeable settlement with SANYO or else be rehired.

Mr. Alex Briseno, Assistant to the City Manager, stated that SANYO had experienced a reduction in force due to a shortage of funds. The Department of Economic and Employment Development has been working with Mr. Salazar and will continue to do so. A report will be made to the Council on this matter.

MRS. MARGIE L. CAMPBELL

Mrs. Margie L. Campbell, 122 Goodhue, stated that her son's constitutional rights were violated by the San Antonio Police Department. She asked for reimbursement of \$50,000 for medical expenses.

Mayor Cockrell asked Mrs. Campbell to meet with the City Manager's office on this matter.

78-48 The Clerk read the following letter:

October 23, 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.

October 10, 1978

Petition submitted by Ms. Maylin Janney and other merchants located on the 5200 through 7900 block of Fredericksburg Road, requesting that the City of San Antonio remove the concrete median on the above mentioned blocks.

October 13, 1978

Petition submitted by Mrs. Diana Alvarez, requesting permission to install a canopy in front of her store.

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

There being no further business to come before the Council, the meeting was adjourned at 9:50 P.M.

A P P R O V E D

Lila Cockrell
M A Y O R

748

ATTEST: *Anna S. Rodriguez*
City Clerk

October 26, 1978