

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, FEBRUARY 8, 1979.

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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, DUTMER, WING, EURESTE, ORTIZ, ALDERETE, PYNDUS, McDANIEL, STEEN, COCKRELL; Absent: WEBB.

79-7 The invocation was given by The Reverend Delbert L. Brown, Colonial Hills United Methodist Church.

79-7 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

79-7 GARLAND V. JACKSON, JR.

Council members welcomed back Garland V. Jackson, Jr., City Clerk, who had been absent for several weeks following major surgery.

79-7 FOREIGN LANGUAGE STUDENTS

Mayor Cockrell recognized a group of persons present in the audience from Lackland A.F.B. Officer Dan Walding, their representative introduced this group of foreign language students representing 9 different countries.

Mayor Cockrell and Council welcomed the group to the Council Meeting.

79-7 The minutes of the meeting of February 1, 1979 were approved.

79-7 CONSENT AGENDA

Councilman Cisneros moved that Items 6-23 constituting the consent agenda be approved. Mr. Pyndus seconded the motion.

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

AN ORDINANCE 50,364

APPROPRIATING FROM CERTAIN FUNDS AMOUNTS IN THE TOTAL SUM OF \$1,373.00 IN PAYMENT FOR EXPENSES INCURRED IN CONNECTION WITH OLMO'S CREEK DRAINAGE #88-87, CHURCHILL ESTATES SUBDIVISION UNIT 5 SANITARY SEWER, CASTLE HUNT RECONSTRUCTION & SANITARY SEWER, AND SEIDEL HILLS SANITARY SEWER PROJECT.

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AN ORDINANCE 50,365

APPROPRIATING THE SUM OF \$73,830.00 OUT OF VARIOUS FUNDS FOR THE PURPOSE OF ACQUIRING TITLE AND/OR EASEMENTS TO CERTAIN LANDS; ACCEPTING THE DEDICATION OF TITLE AND/OR EASEMENTS TO CERTAIN LANDS; AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PIPE LINE LICENSE; ALL TO BE USED IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS.

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AN ORDINANCE 50,366

AUTHORIZING PAYMENT OF \$51,119.45 TO THE SAN ANTONIO RIVER AUTHORITY AS THE CITY SHARE OF THE CONSTRUCTION COSTS ON THE PIEDRAS (SIX MILE) CREEK CHANNELIZATION PROJECT.

* * * *

AN ORDINANCE 50,367

ACCEPTING THE LOW QUALIFIED BID OF HALLMARK ELECTRICAL CONTRACTORS, INC., IN THE AMOUNT OF \$14,173.00 FOR CONSTRUCTING THE TENNIS COURT LIGHTING AT MARTINEZ PARK; AUTHORIZING EXECUTION OF A CONTRACT COVERING SUCH WORK; APPROVING A BUDGET, AND AUTHORIZING PAYMENT.

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AN ORDINANCE 50,368

APPROVING THE ELMENDORF LAKE PARK LIGHTING PROJECT, APPROPRIATING \$7,500 FROM 1970 PARK IMPROVEMENT BOND PROGRAM AND AUTHORIZING PURCHASE OF MATERIALS AND EQUIPMENT NEEDED TO ACCOMPLISH THE PROJECT.

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AN ORDINANCE 50,369

ACCEPTING THE LOW QUALIFIED BID OF \$3,401,952.71 FROM MEADER CONSTRUCTION CO., INC., TO PERFORM THE SAUNDERS DRAINAGE PROJECT NO. 47D; AUTHORIZING EXECUTION OF A STANDARD PUBLIC WORKS CONSTRUCTION CONTRACT; ESTABLISHING A FUND AND ACCOUNTS FOR THE PROJECT; ADOPTING A BUDGET; AUTHORIZING A REVISION IN THE BUDGETS OF COMMUNITY DEVELOPMENT PROGRAM FUNDS; AND AUTHORIZING PAYMENT OF THE CONTRACT, ENGINEERING FEES AND CONTINGENT EXPENSES.

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AN ORDINANCE 50,370

ACCEPTING THE LOW QUALIFIED BID OF BRUCE CONTRACTING CO., INC., IN THE SUM OF \$71,794.95, FOR PYRON AVE. PAVING PROJECT; AUTHORIZING EXECUTION OF A STANDARD PUBLIC WORKS CONTRACT; AND AUTHORIZING PAYMENT.

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AN ORDINANCE 50,371

ACCEPTING THE LOW QUALIFIED BID OF BRUCE CONTRACTING CO., INC., IN THE SUM OF \$868,171.95 FOR STREET, SIDEWALK AND CURB RECONSTRUCTION; AUTHORIZING EXECUTION OF A STANDARD PUBLIC WORKS CONTRACT; APPROVING A BUDGET; AND AUTHORIZING PAYMENT.

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AN ORDINANCE 50,372

ACCEPTING THE LOW QUALIFIED BID OF AUSTIN BRIDGE COMPANY IN THE SUM OF \$382,011.00 FOR PROBANDT ST. BRIDGE OVER SAN PEDRO CREEK; AUTHORIZING EXECUTION OF A STANDARD PUBLIC WORKS CONTRACT; APPROVING A BUDGET; AND AUTHORIZING PAYMENT.

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AN ORDINANCE 50,373

ACCEPTING THE LOW QUALIFIED BID OF SCOTT & JENNISON, INC., IN THE SUM OF \$368,700.00 FOR KENWOOD NORTH PUBLIC HEALTH CLINIC; AUTHORIZING EXECUTION OF A STANDARD PUBLIC WORKS CONTRACT; ESTABLISHING A FUND AND ACCOUNTS; AUTHORIZING REPROGRAMMING OF COMMUNITY DEVELOPMENT FUNDS; AND AUTHORIZING PAYMENT.

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AN ORDINANCE 50,374

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

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AN ORDINANCE 50,375

FINDING THAT FIFTEEN TAX ASSESSMENTS ARE INVALID AND ORDERING THAT THE ASSESSMENTS AND THE TAXES BASED THEREON BE CANCELLED.

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AN ORDINANCE 50,376

ACCEPTING A GRANT OF \$179,253.00 FROM THE TEXAS STATE LIBRARY IN FEDERAL LIBRARY SERVICES AND CONSTRUCTION ACT FUNDS TO OPERATE THE 1978/79 LIBRARY SYSTEM SERVICES PROGRAM IN DISTRICT 10 OF THE STATE LIBRARY SYSTEM; ESTABLISHING A FUND AND ACCOUNTS; AND ADOPTING A BUDGET.

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AN ORDINANCE 50,377

ACCEPTING A GRANT OF \$159,453.00 FROM THE PUBLIC HEALTH SERVICE OF THE U.S. DEPARTMENT OF HEALTH, EDUCATION AND WELFARE IN SUPPORT OF THE OPERATION OF THE IMMUNIZATION ASSISTANCE PROGRAM IN 1979; ESTABLISHING A FUND AND ACCOUNTS AND ADOPTING A BUDGET AND APPROVING PERSONNEL POSITIONS.

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AN ORDINANCE 50,378

ACCEPTING THE HIGH BIDS FROM CENTRAL PARK BANK AND KELLY FIELD NATIONAL BANK IN CONNECTION WITH \$3,000,000 IN CITY FUNDS AVAILABLE FOR DEPOSIT IN INTEREST-BEARING CERTIFICATES OF DEPOSIT.

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AN ORDINANCE 50,379

AMENDING ORDINANCE NO. 50269 PASSED ON JANUARY 11, 1979 WHICH APPROVED AN AGREEMENT BETWEEN THE CITY AND THE SOUTHERN PACIFIC TRANSPORTATION COMPANY WITH THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION FOR CONSTRUCTING CROSSING SIGNALS ON PENDLETON AVE. AND CORRECTING THE IDENTITY OF THE RAILROAD TO THE MISSOURI PACIFIC RAILROAD COMPANY.

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AN ORDINANCE 50,380

APPROVING THE ASSIGNMENT OF THE PEDAL BOAT CONCESSION ON THE SAN ANTONIO RIVER IN BRACKENRIDGE PARK FROM WILLIAM L. SCHWETHELM AND MARJORIE W. SCHWETHELM, A PARTNERSHIP TO PENELOPE S. ARNOLD AND JOHN R. ARNOLD, A PARTNERSHIP.

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AN ORDINANCE 50,381

CLOSING AND ABANDONING A PORTION OF GREATVIEW DRIVE AND AUTHORIZING A QUITCLAIM DEED TO HEMPHILL McCOMBS NORTHSIDE FORD FOR THE CONSIDERATION OF \$1.00.

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79-7

ZONING HEARING

24. CASE 7588 - to rezone Lot 28, NCB 12051, 923 Isom Road from "B-3" Business District to "I-1" Light Industry District, located on the northwest side of Isom Road being 200' northeast of the intersection of Gulfdale Drive and Isom Road, having 200' on Isom Road and a depth of 492.83'.

Mr. Gene Camargo, 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, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, McDaniel, Steen, Cockrell; NAYS: None; ABSENT: Webb.

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AN ORDINANCE 50,382

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 28, NCB 12051, 923 ISOM ROAD FROM "B-3" BUSINESS DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT.

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25. CASE 7592 - to rezone Lots 1, 3, 4, 5 and 2, save and except the east 30', Block 3, NCB 6968, 2914 S. Zarzamora Street, from "B" Two Family Residential District and "B-3" Business District to "B-3R" Restrictive Business District, located between S. Zarzamora Street and Phyllis Street and between Thompson Place and Walton Avenue, having 254' on S. Zarzamora Street, 204' on Phyllis Street, 150' on Thompson Place and 149.16' on Walton Avenue.

Mr. Gene Camargo, 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 non-access easement is imposed on Phyllis Street. Mr. Pyndus seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance prevailed by the following vote: AYES: Cisneros, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, McDaniel, Steen, Cockrell; NAYS: None; ABSENT: Webb.

AN ORDINANCE 50,383

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 1, 3, 4, 5, AND 2, SAVE AND EXCEPT THE EAST 30', BLOCK 3, NCB 6968, 2914 S. ZARZAMORA STREET FROM "B" TWO FAMILY RESIDENTIAL DISTRICT AND "B-3" BUSINESS DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT PROVIDED THAT A NON-ACCESS EASEMENT IS IMPOSED ON PHYLLIS STREET.

* * * *

79-7 Mayor Cockrell read a Proclamation designating February 11-17, 1979, as "Lulac Week" in celebration of their 50th Anniversary. Mr. Oscar Moran, District Manager and his delegation were present to receive the award.

Mayor Cockrell and Council members congratulated the members of the Lulac Organization.

79-7 ZONING (Cont'd)

26. CASE 7591 - to rezone Lot 22, Block 13, NCB 13182, in the 4800 Block of Rigsby Avenue, from "R-3" Multiple Family Residential District to "B-3R" Restrictive Business District, located on the north side of Rigsby Avenue, being 330' east of the cutback between Rigsby Avenue and Diane Road, having 166' on Rigsby Avenue and a maximum depth of 408.55'.

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

Mr. Ed Shivitz, representing the applicant Ms. Thornton, requested a "B-3" Business District zoning for the purpose of erecting a self-service car wash, with a mini storage to the rear portion of the property. The applicant was willing to erect a privacy fence to the rear of the property. He stated that they would accept the Zoning Commission's recommendation for a 75' building setback to the rear of the property and zone the whole piece of property "B-3R".

Mrs. Dutmer made a substitute motion to zone "B-3R" on 250' and "B-1" to the north of that, but after further discussion she withdrew her motion and restated her substitute motion that "B-3R" zoning be allowed on 333' fronting Rigsby and on the back 75', a "B-1" zoning. Mr. Pyndus seconded the motion.

No citizen appeared to speak in opposition.

After consideration, the substitute motion carried by the following vote: AYES: Cisneros, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, McDaniel, Steen, Cockrell; NAYS: None; ABSENT: Webb.

AN ORDINANCE 50,384

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 SOUTH 333' OF LOT 22, BLOCK 13, NCB 13182, IN THE 4800 BLOCK OF RIGSBY AVENUE FROM "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT; THE NORTH 75.55' OF LOT 22, BLOCK 13, NCB 13182, IN THE 4800 BLOCK OF RIGSBY AVENUE FROM "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT TO "B-1" BUSINESS DISTRICT, PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTH PROPERTY LINE.

* * * *

27. CASE 7590 - to rezone Lot 18, Block 3, NCB 9672, 1727 Basse Road from "B" Two Family Residential District to "B-2" Business District, located on the north side of Basse Road, being 281' east of the intersection of Basse Road and Allena Drive, having 55' on Basse Road and a depth of 120'.

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

Mrs. Dutmer disqualified herself from this case.

Mr. Frederick J. Brawner, the applicant requested approval to rezone a small portion of his home. He is proposing to open a small key shop by remodeling his den to install a door to the side closing this off from the rear of the house.

Mr. Camargo stated that "B-2" zoning is required for a locksmith operation and that overall Basse Road is a mixture of residential and commercial zoning.

Mr. Dan Banks, representing Concordia Lutheran Church, 3018 Colony Drive spoke in opposition because he stated that Basse Road was a well-developed residential street. The only commercial development was along the Basse Rd. and Blanco Intersection.

Mr. Donald J. Barian spoke in opposition and presented a letter from Elizabeth L. Rhodes, President of Allena Neighborhood Protective Organization requesting denial.

After discussion, Mr. Wing made the original motion to grant "B-2" zoning to the west 25' of Lot 18. Dr. Cisneros seconded the motion.

After further discussion, Mr. Pyndus made a substitute motion to postpone Case 7590 for three weeks in order that staff determine which area needed to be rezoned that will be compatible with the neighborhood. Mr. McDaniel seconded the motion. On roll call, the motion failed to carry by the following vote: AYES: Pyndus, McDaniel; NAYS: Cisneros, Wing, Eureste, Ortiz, Alderete, Steen, Cockrell; ABSENT: Webb, Dutmer.

Mr. Wing's original motion to grant "B-2" zoning to the west 25' of Lot 18 carried by the following vote: AYES: Cisneros, Wing, Eureste, Ortiz, Alderete, Pyndus, McDaniel, Steen, Cockrell; NAYS: None; ABSENT: Webb, Dutmer.

AN ORDINANCE 50,385

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 WEST 25' OF LOT 18, BLOCK 3, NCB 9672, 1727 BASSE ROAD FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT.

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79-7 Mayor Cockrell declared open the Public Hearing.

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

AN ORDINANCE 50,386

AMENDING ARTICLE FIVE, SECTION 503 OF ORDINANCE NO. 48484 AND PROVIDING FOR AN EXPIRATION DATE OF AUGUST 10, 1979, FOR SAID ORDINANCE.

* * * *

No citizen appeared to speak.

The Mayor declared the Public Hearing closed.

79-7 The following Ordinance was read by the Clerk and after consideration, on motion of Dr. Cisneros, seconded by Mr. Steen, was passed and approved by the following vote: AYES: Cisneros, Dutmer, Wing, Eureste, Alderete, Pyndus, McDaniel, Steen, Cockrell; NAYS: None; ABSENT: Webb, Ortiz.

AN ORDINANCE 50,387

AMENDING ORDINANCE NO. 50121 (ZONING CASE 7511) SO AS TO CORRECT THE DESCRIPTION OF THE PROPERTY INVOLVED.

* * * *

79-7 The Clerk read the following Ordinance:

AN ORDINANCE 50,388

APPROVING THE PRICE AND CONDITIONS OF THE SALE BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF PARCEL C-b-20, CONTAINING APPROXIMATELY 120,140 SQUARE FEET, LOCATED WITHIN THE VISTA VERDE PROJECT, TEX. R-109, TO HARBENITO REALTY CORPORATION, FOR THE SUM OF \$192,224.00.

* * * *

Mr. Winston Martin, Executive Director of San Antonio Development Agency, presented plans and sketches of the proposed area.

Members of the Council congratulated KCOR on their purchase of this property for their attractive new development.

79-7 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: Dutmer, Wing, Eureste, Alderete, Pyndus, Steen, Cockrell; NAYS: None; ABSENT: Cisneros, Webb, Ortiz, McDaniel.

AN ORDINANCE 50,389

AUTHORIZING EXECUTION OF AGREEMENTS WITH SUBURBAN CITIES AND BEXAR COUNTY FOR CONTINUATION OF EMERGENCY MEDICAL SERVICES TO BE PROVIDED BY THE CITY OF SAN ANTONIO FOR THE YEAR 1979 AT A PER CAPITA RATE OF \$4.16.

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79-7 Mayor Cockrell was obliged to leave the meeting, Acting Mayor Pro-Tem John Steen presided.

79-7 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: Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Steen; NAYS: None; ABSENT: Cisneros, Webb, McDaniel, Cockrell.

AN ORDINANCE 50,390

APPROPRIATING \$7,100.00 FROM THE HOTEL-MOTEL OCCUPANCY TAX FUND FOR PURCHASE OF A NEW MAILING MACHINE AND OFFICE EQUIPMENT.

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79-7

The Clerk read the following Ordinance:

AN ORDINANCE 50,391

AUTHORIZING PAYMENT OF \$140,000.00 TO METCALE & EDDY, INC. FOR COMPLETION OF THE AQUIFER ZONE WATER QUALITY MANAGEMENT PLAN AND PROGRAM DEVELOPMENT PROJECT AND PAYMENT OF \$7,600.00 TO SAID ENGINEERING FIRM FOR PURCHASE OF A LOGGING UNIT FOR USE BY THE CITY IN CONTINUED MONITORING OF THE EDWARDS AQUIFER; AND AUTHORIZING TRANSFER OF SAID SUM FROM THE GENERAL FUND TO THE PROJECT BUDGET.

* * * *

Mr. Pyndus' main concern was the additional funding. He stated that Council had received a report from Metcalf & Eddy which had some recommendations and undrawn conclusions. He offered a substitute motion to pull this item from the agenda until a report was received from staff. The motion died for lack of a second.

Frank Kiolbassa, Director of Public Works stated that the \$147,000.00 was for part II and part III of Metcalf & Eddy study that would provide funds to complete the study. At the moment, we are in part III and without the funding, the project would not be completed. The payment would be for work which has already been completed for the city. Mr. Kiolbassa assured the Council that to withhold funding would not be a benefit to the city.

Mr. Pyndus asked that conclusions on the project be reviewed by the legal department before the money is put forth.

After considerable discussion, Mrs. Dutmer moved to accept the Ordinance. Mr. Wing seconded the motion. On roll call, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Cisneros, Dutmer, Wing, Ortiz, Pyndus, McDaniel, Steen; NAYS: None; ABSENT: Webb, Eureste, Alderete, Cockrell.

79-7 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, Dutmer, Wing, Ortiz, Pyndus, McDaniel, Steen; NAYS: None; ABSENT: Webb, Eureste, Alderete, Cockrell.

AN ORDINANCE 50,392

AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES CONTRACT FOR WASTEWATER FACILITIES PROJECT MANAGEMENT SERVICES WITH THE JOINT VENTURE OF PAPE-DAWSON, INC., VICKREY & ASSOCIATES, INC., AND LOCKWOOD, ANDREWS & NEWMAN, INC., APPROPRIATING FUNDS AND AUTHORIZING PAYMENT.

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AN ORDINANCE 50,393

ORDERING THE REGULAR MUNICIPAL ELECTION TO BE HELD ON THE 7TH DAY OF APRIL, 1979, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, FOR THE ELECTION OF THE MEMBERS OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO.

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79-7 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, Dutmer, Wing, Eureste, Ortiz, Pyndus, McDaniel, Steen; NAYS: None; ABSENT: Webb, Alderete, Cockrell.

AN ORDINANCE 50,394

AUTHORIZING ESTABLISHMENT OF TEMPORARY BRANCH OFFICES FOR CONDUCTING ABSENTEE VOTING BY PERSONAL APPEARANCE FOR THE CITY ELECTION TO BE HELD ON APRIL 7, 1979.

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AN ORDINANCE 50,395

AUTHORIZING EXECUTION OF A LEASE CONTRACT WITH PARKING, INC., PROVIDING FOR THE LEASE OF CERTAIN CITY-OWNED LAND AND THE DEMOLITION OF STRUCTURES ON SAID PROPERTY; AUTHORIZING THE CITY MANAGER TO TERMINATE A LEASE TO CLASSIFIED PARKING SYSTEM OF A PORTION OF SAID PROPERTY; AND DECLARING AN EMERGENCY.

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79-7 The following Resolution was read by the Clerk and after consideration, on motion of Mrs. Dutmer, seconded by Mr. Wing, was passed and approved by the following vote: AYES: Cisneros, Dutmer, Wing, Eureste, Ortiz, Pyndus, McDaniel, Steen; NAYS: None; ABSENT: Webb, Alderete, Cockrell.

A RESOLUTION
NO. 79-6-11

MANIFESTING THE DETERMINATION OF THE CITY COUNCIL THAT MR. WILLIAM E. OLIVE, JR., HAS VESTED RIGHTS UNDER ARTICLE THREE OF ORDINANCE NO. 48484.

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79-7 The following Ordinance was read by the Clerk and after consideration, on motion of Dr. Cisneros, seconded by Mr. Eureste, was passed and approved by the following vote: AYES: Cisneros, Dutmer, Eureste, Ortiz, Alderete, Pyndus, McDaniel, Steen; NAYS: Wing; ABSENT: Webb, Cockrell.

AN ORDINANCE 50,396

APPOINTING MEMBERS TO THE COMMISSION FOR THE INSTITUTE OF THE AMERICAS.

* * * *

The following individuals are hereby appointed to the Commission for the Institute of the Americas for indefinite terms:

William R. Sinkin, Chairman
Dr. Gerald Burns
Mr. Richard Calvert
Mr. Eloy Centeno
Mr. W.G. Conway

- Mr. Hector Herbeck
- Consul General Raul Gonzalez Galarza
- Dr. Richard Howe
- Mr. Morris Jaffe
- Mr. Charles Kilpatrick
- Mr. Rudy Kirchner
- Mr. Pat Legan
- Mr. Richard Mason
- Mr. Ruben Montemayor
- Mr. R.L. Montalvo
- Mr. Frank Saucedo
- Mr. Duncan Wimpres
- Mr. Lewis Stumberg
- Mr. Tom Frost
- Mr. Arturo Villarreal
- Mr. George Weinbrenner
- Ms. Maria Elena Torralva
- Ms. Reba Malone

Mayor Lila Cockrell, Ex-Officio
 Councilman Henry Cisneros, Ex-Officio
 Councilman Bernardo Eureste, Ex-Officio

- - -
79-7 Mayor Cockrell returned to the meeting and presided.

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79-7 The Clerk read the following Resolution:

A RESOLUTION
 NO. 79-6-12

SUPPORTING EFFORTS BY REPRESENTATIVE JAMES
 NOWLIN TO RESTRICT THE BOARD OF PARDONS &
 PAROLES FROM PAROLING CERTAIN PERSONS
 CONVICTED OF CRIMES OF AGGRAVATED VIOLENCE.

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Mrs. Dutmer made a motion to accept the Resolution. Dr. Cisneros seconded the motion.

Dr. Cisneros spoke in support of the Resolution making reference to our police officers who are endangered while in the line of duty and our citizens who are threatened. He read a letter to Council he had received concerning this matter.

Mrs. Dutmer also spoke in support of the Resolution.

Mr. Jerry Clancy, President of the San Antonio Police Officer's Association urged the passage of the Resolution.

Mr. Eureste spoke in opposition.

Mr. Pyndus made a motion to close debate. Mr. McDaniel seconded the motion. On roll call, the motion failed to carry by the following vote: AYES: Dutmer, Pyndus, McDaniel, Steen, Cockrell; NAYS: Cisneros, Wing, Eureste; ABSENT: Webb, Ortiz, Alderete.

Debate continued.

A general discussion then took place, pro and con regarding the passage of the Resolution.

Mrs. Dutmer made a motion to close debate again. Mr. Pyndus seconded the motion. On roll call, the motion failed to carry by the following vote: AYES: Dutmer, Pyndus, Steen, Cockrell; NAYS: Cisneros, Wing, Eureste, McDaniel; ABSENT: Webb, Ortiz, Alderete.

After considerable discussion, the motion carried by the following vote: AYES: Cisneros, Dutmer, Wing, Pyndus, McDaniel, Steen, Cockrell; NAYS: Eureste; ABSENT: Webb, Ortiz, Alderete.

79-7

APPEAL OF MRS. EDITH MOLNAR
BUDAPEST RESTUARANT

Mayor Cockrell declared open the public hearing regarding Mrs. Edith Molnar, owner of the Budapest Restuarant.

Mrs. Edith Molnar, owner of the Budapest Restuarant, explained the problems that they have encountered. She stated that the building operation is in much need of improvements. She requested permission from the City Council to install a roof extension to La Casita, 514 Paseo de la Villita in La Villita.

Mrs. Pat Osborne, Historic Preservation Officer spoke in oppositon stating that Mrs. Molnar was denied permission for the roof extension because the addition was not in keeping with the character and the architectural design of the building and it will destroy the integrity of the structure. She stated that Mrs. Molnar has refused to construct a roof that will uphold the integrity of the building.

Mr. Joe Madison, Assistant Director of the Convention Facilities, stated that the existence of the roof will help in the operation of the restuarant, but as far as being a detriment to the historical structure that is up to the Historic Review Board to determine.

Mr. Don Patterson with Ralph Bener and Co., attorney for Mrs. Molnar made his presentation with plans and sketches that have not yet been presented to the Historic Review Board.

Mr. Steen felt that the Historic Review Board should be allowed to review the new material first before the Council makes a decision.

Mr. Pyndus moved to postpone the appeal and refer it back to the Historic Review Board. Mr. Alderete seconded the motion.

Discussion then took place on the rulings of the Historic Review Board and the intent of the applicant to construct the roof as per the Historic Review Board's decision. Mr. Patterson then stated that Mrs. Molnar will withdraw her appeal.

Dr. Cisneros stated that his main concern is the City Council's outlook at La Villita and the lease agreement there. He asked Mr. Joe Madison to discuss this with the Council at a future date.

Mr. Pyndus made a motion to table the pending motion. Dr. Cisneros seconded the motion. On roll call, the motion carried by the following vote: AYES: Cisneros, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, McDaniel, Steen, Cockrell; NAYS: None; ABSENT: Webb.

79-7

CITIZENS TO BE HEARD

LOUIS STUMBERG

Mr. Louis Stumberg, with the Greater San Antonio Chamber of Commerce, spoke to the Council regarding the announcement of CPS price increases. He urged the support of the South Texas Nuclear Project and presented Dr. Martin Goland, also with the Greater San Antonio Chamber of Commerce and President of Southwest Research.

DR. MARTIN GOLAND

Dr. Martin Goland, with the Greater San Antonio Chamber of Commerce and President of Southwest Research, presented Council with a conclusion of a report issued by the Energy Task Force of San Antonio. Mr. Goland asked Council to review the report and stated that he would be available. The report, entitled "South Texas Nuclear Project- Should San Antonio Continue its Participation?"

A discussion took place on the cost of electricity to the consumer and each council person voiced his opinion on the issue.

REVEREND C.C. HOUSTON

Reverend C.C. Houston, State President of the Texas Ministers and Citizens Leadership Council, presented City Council with a group of proposed resolutions with regard to different subjects which they wish to have passed by the City Council. (A copy of the resolutions are on file with the minutes of this meeting).

A general discussion then took place on the subject matter of the resolutions.

Mayor Cockrell then advised Reverend Houston that the staff would review the proposed resolutions and report back to Council.

COLON TAYLOR
COLLIS MCKNIGHT

Mr. Colon Taylor, President of the Board of Directors of UCPPOC, and Mr. Collis McKnight, Chairman, informed City Council that EODC should be commended for working without pay.

City Manager Huebner informed City Council that CSA members would be in town tomorrow to meet with City staff and EODC to discuss plans to continue EODC operations.

Mayor Cockrell expressed appreciation to Henry B. Gonzalez for writing a letter to CSA in helping out the program.

Mr. Pyndus asked City Manager to report back to Council on whether staff is going to participate in this delegation. Mr. Huebner stated that there would be representation from City staff at the meeting and a report will be forthcoming to the Council.

A general discussion then took place on the Advisory Board which has to be in place as of April 1, 1979. Dr. Cisneros suggested that the Advisory Board be a part of the transaction activities.

NICK MONREAL

Mr. Nick Monreal, Executive Director of CAP West, commended the City Council for taking over EODC. He stated that the Council did the City of San Antonio a great deal of service. He also commended the City staff for their help in the transition.

FRANK ALVAREZ

Mr. Frank Alvarez, Director of Barrio Betterment and Development Corporation stated that the concerns brought up by the City Council answer the concerns of the citizens. He urged the City Council to use all powers to be vigilant to what is about to take place.

Mr. Alex Briseno, Assistant to the City Manager, stated that there was an ordinance pending on this matter and explained the purpose of the ordinance.

The Clerk read the following Ordinance:

AN ORDINANCE 50,397

AUTHORIZING THE CITY MANAGER TO APPLY FOR ANY FUNDS AVAILABLE TO CONTINUE EODC PROGRAMS FROM WHATEVER SOURCE AND TO ASSIGN, DELEGATE OR SUBCONTRACT FOR THE CONTINUANCE OF SUCH PROGRAMS WITH SUCH FUNDS IN THE MANNER APPROVED HEREIN.

* * * *

Mrs. Dutmer moved to adopt the Ordinance. Dr. Cisneros seconded the motion. On roll call, the motion carried by the following vote: AYES: Cisneros, Dutmer, Wing, Eureste, McDaniel, Steen, Cockrell; NAYS: Pyndus; ABSENT: Webb, Ortiz, Alderete.

TOM WOOD

Mr. Tom Wood, a Businessman with Wood Industries, asked City Council to schedule a special meeting regarding the City's pre-application dated December 15, 1978 on the Resource Recovery Program. (A copy of his report is on file with the minutes of this meeting.)

Mr. George Noe, Administrative Assistant to the City Manager, stated that the proposal had been submitted to EPA and staff was waiting on EPA's decision.

Mr. Steen asked that Mr. Woods be given the opportunity to meet with Council on a "B" Session and to allow him a 30 minute presentation. He made a motion to schedule Mr. Woods for 4:30 at next week's "B" Session. Dr. Cisneros seconded the motion. On roll call, the motion carried by the following vote: AYES: Cisneros, Dutmer, Wing, Pyndus, McDaniel, Steen, Cockrell; NAYS: None; ABSENT: Webb, Eureste, Ortiz, Alderete.

Mr. Woods asked that Southwest Research be present at this presentation.

79-7 Mayor Cockrell was obliged to leave the meeting and Councilman Cisneros presided.

LOUIS CARDENAS

Mr. Louis Cardenas presented each Council member with copies of Records of Inspection which were all satisfactory. He stated that he had been advised that his license had been suspended and asked that Council reinstate his license. Mr. Cardenas stated that he felt that he had been discriminated against by the Home Improvement Contractor's Board.

In response to Council's question, Assistant City Attorney, Louis Garcia, explained the manner in which a decision can be appealed.

Mrs. Dutmer expressed concern as to the manner in which inspections were being approved by the Building and Zoning Department.

Mr. Pyndus made a motion to direct staff to investigate the charges made by Louis Cardenas regarding his being discriminated against by the Home Improvement Contractor's Board. Mr. McDaniel seconded the motion. On voice vote, the motion failed to carry.

Mr. Jose F. Olivares distributed to each member, a copy of Ordinance No. 41459. He stated that \$8,000,000.00 had been obtained by the Urban Renewal Agency and because of this Ordinance the residents of the Continental Hotel were on the verge of being evicted. Mr. Olivares asked City Council to direct SADA Board to live up to the terms of the Ordinance which would require them to condemn the building in which case he would receive the relocation assistance that comes with being part of the Urban Renewal process.

City Attorney, Jane Macon explained the legal proceedings and the Council's position in the situation. She also stated that Council could pass a resolution expressing concern on the eviction of Mr. Olivares

After considerable discussion, Mr. Eureste made a motion that the City Council request the SADA Board to meet immediately for the purpose of discussing Ordinance No. 41459 and respond to the Council as to how they intend to live up to the terms of the Ordinance. Mr. Ortiz seconded the motion. On roll call, the motion carried by the following vote: AYES: Cisneros, Dutmer, Wing, Eureste, Ortiz, McDaniel; NAYS: Pyndus; ABSENT: Webb, Alderete, Steen, Cockrell.

ARMANDINA SALDIVAR

Mrs. Armandina Saldivar spoke again regarding the alleged actions taken against her by the City Manager.

79-7 The Clerk read the following Letter:

February 5, 1979

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

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

January 29, 1979

Petition submitted by Joe R. Straus, Jr., for Straus-Frank Co., requesting removal of the median strip from the center of Alamo Street westward from South Flores Street, at least as far as the Katy Railroad Tracks and preferably to Laredo Street.

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

79-7 There being no further business to come before the Council, the meeting was adjourned at 7:45 P.M.

A P P R O V E D

Lila Cockrell

M A Y O R

ATTEST: *G.V. Jackson*
City Clerk

February 8, 1979
mdg