

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, OCTOBER 12, 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.

78-46 The invocation was given by The Reverend C. Robert Ryan, Highland Hills Southern Baptist Church.

78-46 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

78-46 The minutes of the meeting of October 5, 1978 were approved.

78-46 LANGUAGE STUDENTS FROM LACKLAND AIR FORCE BASE

Mayor Cockrell welcomed a group of language students from Lackland Air Force Base who were present in the Council Chamber. She invited their instructor, Mr. Ken McFarland, up to the podium and asked him to name the countries represented by the students.

78-46 CONSENT AGENDA

Mr. Ortiz in reference to Item 5, thanked the City Council for approval of the funding for the construction of the Hillside Acres Sanitary Sewer Outfall Main.

Mayor Cockrell stated that Item 7 being a proposed Ordinance accepting the low qualified bid of E Z Bel Construction Company, Inc., in the sum of \$330,030.00 for the John Tobin Recreation Center Enlargement and Renovations was withdrawn from consideration.

Mr. Pyndus spoke regarding this item and stated that he would ask that the staff investigate the feasibility of not providing air conditioning at City recreational centers.

Staff was directed to provide Council with a report on this matter.

Mayor Cockrell asked that Item 12 be considered as a separate item since she will be abstaining on the vote. Council concurred with her request.

After discussion, Dr. Cisneros moved that the consent agenda, being Items 5 through 15, with the exceptions of Item 7 and 12, 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, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 49,919

ACCEPTING THE LOW QUALIFIED BID OF G.P. FALBO, INC., IN THE AMOUNT OF \$554,287.15 FOR CONSTRUCTION OF HILLSIDE ACRES SANITARY SEWER OUTFALL MAIN; AUTHORIZING EXECUTION OF A STANDARD PUBLIC WORKS CONTRACT FOR THE PROJECT; APPROPRIATING THE SUM OF \$586,500.00 OUT OF FUND 52-006 AND AUTHORIZING PAYMENT PURSUANT TO THE CONTRACT, FOR CONTINGENT CONSTRUCTION EXPENSES AND FOR ADDITIONAL ENGINEERING FEES.

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AN ORDINANCE 49,920

AUTHORIZING EXECUTION OF STANDARD PROFESSIONAL SERVICES CONTRACTS FOR CERTAIN ARCHITECTURAL AND ENGINEERING FIRMS TO PROVIDE PROFESSIONAL SERVICES AND TO PREPARE PLANS AND SPECIFICATIONS FOR VARIOUS CAPITAL IMPROVEMENT PROJECTS; AND APPROPRIATING THE NECESSARY FUNDS.

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AN ORDINANCE 49,921

ACCEPTING THE LOW BID OF KLEER COMPANY TO FURNISH THE CITY OF SAN ANTONIO CONVENTION AND VISITORS BUREAU WITH PLASTIC NAME BADGES FOR A TOTAL OF \$4,875.00, LESS 1% - 10 DAYS.

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AN ORDINANCE 49,922

ACCEPTING THE LOW BID OF FRED CLARK ELECTRICAL CONTRACTOR, INC. TO FURNISH THE CITY OF SAN ANTONIO HEMISFAIR PLAZA WITH REPAIR OF MOTOR CONTROL CENTER FOR A NET TOTAL OF \$5,400.00.

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AN ORDINANCE 49,923

ACCEPTING THE LOW BIDS OF KAUFMAN UNIFORMS, SUGARMAN'S UNIFORMS AND KLINE'S OF SAN ANTONIO TO FURNISH THE CITY OF SAN ANTONIO PARKS AND RECREATION DEPARTMENT WITH AN ANNUAL CONTRACT FOR PARK RANGER UNIFORMS.

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AN ORDINANCE 49,924

ACCEPTING THE LOW BID OF NAYAK AVIATION CORP., DBA RUST AVIATION (SHELL OIL CO.) TO FURNISH THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH AN ANNUAL CONTRACT FOR JET "A" FUEL AND AVIATION GAS.

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AN ORDINANCE 49,925

GRANTING A LICENSE TO RICHARD JOSE BELA AND ELAINE DAGEN BELA TO OCCUPY SPACE OVER, UPON AND UNDER CERTAIN RIGHT OF WAY AREAS ADJACENT TO NEW CITY BLOCK 340, AND MANIFESTING AN AGREEMENT IN CONNECTION THEREWITH.

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AN ORDINANCE 49,926

AUTHORIZING PAYMENT OF REFUNDS IN AMOUNTS INDICATED TO PERSONS MAKING OVERPAYMENTS OR DOUBLE-PAYMENTS TO THE CITY OF SAN ANTONIO REGARDING TAXES.

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AN ORDINANCE 49,927

699

AUTHORIZING THE RENEWAL OF FIRE AND EXTENDED COVERAGE INSURANCE FOR THE RILLING ROAD, LEON CREEK AND SALADO CREEK WASTEWATER TREATMENT PLANTS FOR A TERM ENDING AUGUST 1, 1981.

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78-46

The Clerk read the following Ordinance:

AN ORDINANCE 49,928

AUTHORIZING EXPENDITURE OF CITY FUNDS IN AN AMOUNT UP TO \$20,000 TO MATCH A LIKE AMOUNT PROVIDED BY THE MUSIC PERFORMANCE TRUST FUND TO CO-SPONSOR A FREE-TO-THE-PUBLIC, TEMPO '79 LIVE MUSIC PROGRAM; ESTABLISHING A SPECIAL ACCOUNT FOR DISBURSEMENT OF SUCH FUNDS; AND AUTHORIZING A COOPERATIVE AGREEMENT WITH THE MUSICIANS SOCIETY OF SAN ANTONIO COVERING SUCH PROGRAM.

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

Mr. Ortiz asked that the staff examine the possibility of having Tempo '79 performances at Elemendorf Park, Las Palmas Shopping Center or Edgewood Square Shopping Center.

Mayor Cockrell stated that she would abstain on the vote since her daughter belongs to the Musicians Society.

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

78-46

ZONING CASES

16. CASE 7455 - to rezone the west irregular 220' of Tract K, NCB 8682, in the 3900 Block of Jones Maltsberger Road from "B" Two Family Residential District to "B-3R" Restrictive Business District, located south of the cutback between Jones Maltsberger Road and U.S. 281 Expressway, having 260' on Jones Maltsberger Road, 213' on U.S. 281 Expressway and 30' on the cutback between Jones Maltsberger and U.S. 281 Expressway, and to rezone the east irregular 85' of Tract K, NCB 8682, in the 3900 Block of Jones Maltsberger Road from "B" Two Family Residential District to "B-3" Business District, located on the east side of U.S. 281 Expressway being 620' southeast of the intersection of Jones Maltsberger Road and U.S. 281 Expressway; having 200' on U.S. 281 Expressway and a maximum depth of 85'.

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

AN ORDINANCE 49,929

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE WEST IRREGULAR 220' OF TRACT K, NCB 8682, IN THE 3900 BLOCK OF JONES MALTSBERGER ROAD FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT AND THE EAST IRREGULAR 85' OF TRACT K, NCB 8682, IN THE 3900 BLOCK OF JONES MALTSBERGER ROAD FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

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17. CASE 7463 - to rezone Lot 18, Block 38, NCB 11754, 11123 West Avenue from "R-2" Two Family Residential District and "B-2" Business District to "B-3R" Restrictive Business District, located west of the intersection of West Avenue and Pinetum Drive, having 150' on West Avenue and 237' on Pinetum 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, 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, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 49,930

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 18, BLOCK 38, NCB 11754, 11123 WEST AVENUE FROM "R-2" TWO FAMILY RESIDENTIAL DISTRICT AND "B-2" BUSINESS DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT.

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18. CASE 7453 - to rezone the remaining portion of Lots 1 and 2, Block 59, NCB 7193, in the 1100 Block of Fresno Drive from "B" Two Family Residential District to "B-3R" Restrictive Business District, located southeast of the intersection of Fresno Drive and Capitol Avenue, having 140' on Capitol Avenue and a total of 32' on Fresno 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, 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 south property line. 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, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: None.

700

AN ORDINANCE 49,931

701
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 1 AND 2, BLOCK 59, NCB 7193, IN THE 1100 BLOCK OF FRESNO DRIVE FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE SOUTH PROPERTY LINE.

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19. CASE 7457 - to rezone a 7.622 acre tract of land out of NCB 10914, being further described by field notes filed in the Office of the City Clerk, in the 9300 Block of S.E. Loop 410 Expressway from "B" Two Family Residential District to "I-1" Light Industry District, located south of the intersection of S.E. Loop 410 Expressway and San Juan Road, having 1,536.75' on the S.E. Loop 410 Expressway and 94.61' on San Juan Road.

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

Mr. Pyndus moved to approve the recommendation of the Zoning Commission and grant the rezoning, provided that proper platting is accomplished; that a six foot solid screen fence is erected and maintained along the north 200' of the east property line and a non-access easement is imposed along San Juan Road. Mr. Steen seconded the motion.

Mrs. Dutmer stated that Mr. R.O. Brehm, the applicant, would like to address the Council on the matter of the non-access easement.

Mr. R.O. Brehm, 1643 E. Pyron Avenue, explained the circumstances of this case and stated that he will have no access to the subject property with the stipulation of the non-access easement along San Juan Road. He asked the Council to withdraw the stipulation.

Mrs. Dutmer spoke in behalf of the request and stated that the access on San Juan Road is the only reasonable ingress and egress to the subject property.

Mrs. Dutmer the made a motion to amend the motion by deleting the reference to the non-access easement. Mr. Hartman seconded the motion.

In response to Mr. Pyndus' question, Mr. Guerrero explained the reasons for staff recommending the non-access easement. He also stated that the staff would still be in favor of the "I-1" zoning change as requested irregardless of the stipulation being withdrawn because of the surrounding zoning uses already in existence.

No citizen appeared to speak in opposition.

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

On roll call, the original motion to approve the "I-1" zoning as amended, 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.

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 7.622 ACRE TRACT OF LAND OUT OF NCB 10914, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 9300 BLOCK OF S.E. LOOP 410 EXPRESSWAY FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTH 220' OF THE EAST PROPERTY LINE.

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20. CASE 7464 - to rezone a 1.01 acre tract of land out of NCB 15882, being further described by field notes filed in the Office of the City Clerk, from Temporary "R-1" Single Family Residential District to "B-2" Business District, located 536.03' north of Rittiman Road and 1810.35' east of Fratt Road, having a length of 220' and a depth of 200', to rezone a 2.46 acre tract of land out of NCB 15882, being further described by field notes filed in the Office of the City Clerk, from Temporary "R-1" Single Family Residential District to "B-3" Business District, located on the north side of Rittiman Road, being 1810.35' east of the intersection of Fratt Road and Rittiman Road and a depth of 536.03', to rezone a 34.37 acre tract of land out of NCB 15882, being further described by field notes filed in the Office of the City Clerk, in the 5000 Block of Rittiman Road from Temporary "R-1" Single Family Residential District to "I-1" Light Industry District, located northeast of the intersection of Fratt Road and Rittiman Road, having 1810.35' on Rittiman Road and 885.35' on Fratt Road.

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 and that a six foot solid screen fence is erected and maintained along the north property line. 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, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 49,933

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 1.01 ACRE TRACT OF LAND OUT OF NCB 15882, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT; A 2.46 ACRE TRACT OF LAND OUT OF NCB 15882, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT; A 34.37 ACRE TRACT OF LAND OUT OF NCB 15882, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 5000 BLOCK OF RITTIMAN ROAD FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTH PROPERTY LINE.

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702

21. CASE 7460 - to rezone a 2.242 acre tract of land out of NCB 16063, being further described by field notes filed in the Office of the City Clerk, in the 7600 Block of U.S. Highway 90 West Expressway from "R-4" Mobile Home District to "B-3" Business District, located on the northwest side of U.S. Highway 90 West Expressway, being 210' northeast of the intersection of Gunsmoke Drive and U.S. Highway 90 West Expressway, having 299.04' on U.S. Highway 90 West Expressway and a maximum depth of 298.39'.

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

In response to a question by Mr. Ortiz, Ms. Mary Jane Brigham, the applicant, stated that they are requesting the change to "B-3" and would not be in favor of restricting the property to "B-3R". She also stated that the surrounding uses are "B-3" and that the traffic would not affect the area.

Mr. Ortiz explained his reasons for desiring the "B-3R" and asked about the possibility of a non-access easement on Skolout Street.

Mr. Fred Anderson, owner of the subject property, stated that they have tentative plans for a mini-warehouse on the subject property. However, if these plans do not materialize, then they would be desirous of a restaurant operation with on-premise consumption of alcoholic drinks. He would object to a non-access easement being imposed on Skolout because it would prohibit an entrance to the subject property and feels this would be detrimental to the proposed development.

Mr. Pyndus moved to uphold the recommendation of the Zoning Commission and grant the "B-3" zoning, provided that proper platting is accomplished. Dr. Cisneros seconded the motion. Both Mr. Pyndus and Dr. Cisneros spoke in favor of the "B-3" zoning because of the reasons presented by staff and the Zoning Commission.

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

AN ORDINANCE 49,934

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 2.242 ACRE TRACT OF LAND OUT OF NCB 16063, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 7600 BLOCK OF U.S. HWY. 90 WEST EXPRESSWAY FROM "R-4" MOBILE HOME DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

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22. CASE 7442 - to rezone a 4.0 acre tract of land out of NCB 14191, being further described by field notes filed in the Office of the City Clerk, in the 3500 Block of Magic Drive, from "B-3" Business District to "B-2" Business District, located on the northwest side of Magic Drive, being 647.63' northeast of the intersection of Fredericksburg Road and Magic Drive, having 449.7' on Magic Drive and a maximum depth of 468.65'.

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

AN ORDINANCE 49,935

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 4.0 ACRE TRACT OF LAND OUT OF NCB 14191, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 3500 BLOCK OF MAGIC DRIVE, FROM "B-3" BUSINESS DISTRICT TO "B-2" BUSINESS DISTRICT.

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23. CASE 7446 - to rezone Lot 60, Block 9, NCB 11102, 101 Moursund Boulevard, from "B" Two Family Residential District to "B-3" Business District, located southwest of the intersection of Ansley Boulevard and Moursund Boulevard; having 124' on Ansley Boulevard and 217.8' on Moursund Boulevard.

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.

Mr. Alderete moved to uphold the recommendation of the Zoning Commission and grant the "B-3" zoning. Mr. Pyndus seconded the motion.

In response to a question by Mr. Wing, Mr. Phillip Yeager, representing Mr. J.D. Bryant, the applicant, stated that they would not be in favor of the "B-3R" because of the already existing "B-3" zoning in the area. He also stated that the neighbors in the area are not opposed to the proposed change. He stated that a convenience store might be feasible in the future and feels that "B-3R" would be an undue restriction on the subject property.

After discussion, Mr. Wing made a substitute motion that the property be rezoned "B-3R" provided that a six foot solid screen fence is erected and maintained along the west property line. Mr. Eureste seconded the motion.

Mr. Pyndus spoke in favor of the original motion based on the reasons presented by the Zoning Commission. Mr. Steen also concurred with the recommendations made by the Zoning Commission.

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

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 60, BLOCK 9, NCB 11102 101 MOURSUND BOULEVARD FROM "B" TWO 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 LINE.

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24. CASE 7468 - to rezone Lot 12 and the west 24.5' of Lot 13, Block 4, NCB 3125, 2042 E. Houston Street from "H" Local Retail District to "B-3R" Restrictive Business District, located on the south side of E. Houston Street, being 72.5' west of the intersection of E. Houston Street and Saint James; having 73.5' on E. Houston Street and a depth of 124.5'.

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. Webb moved that the recommendation of the Zoning Commission be approved provided that street dedication is provided in accordance with the Major Thoroughfare Plan. 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, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Ortiz.

AN ORDINANCE 49,937

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 12 AND THE WEST 24.5' OF LOT 13, BLOCK 4, NCB 3125, 2042 E. HOUSTON STREET FROM "H" LOCAL RETAIL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT STREET DEDICATION IS PROVIDED IN ACCORDANCE WITH THE MAJOR THOROUGHFARE PLAN.

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25. CASE 7458 - to rezone Tract H, NCB 13804, 10811 I.H. 35 Expressway from Temporary "A" Single Family Residential District to "I-1" Light Industry District, located on the northwest side of I.H. 35 Expressway being 1,410' southwest of the intersection of I.H. 35 Expressway and Brewster Drive, having 488.05' on I.H. 35 Expressway and a maximum depth of 762.87'.

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. 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, Steen, Cockrell; NAYS: None; ABSENT: Webb, Hartman.

AN ORDINANCE 49,938

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 TRACT H, NCB 13804, 10811 I.H. 35 EXPRESSWAY FROM TEMPORARY "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT.

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78-46

ZONING CASES

Dr. Cisneros expressed concern over the length of time it takes from when a person first applies for a zoning change until it is presented to the Council for final approval. He asked that staff do everything possible to expedite these requests.

City Attorney Jane Macon explained that the cases which have been heard this month are those that are in transition. However, next month, the Council will see a considerable improvement with regard to time schedules.

78-46

The Clerk read the following Ordinance:

AN ORDINANCE 49,939

AUTHOTIZING THE CITY MANAGER TO EXECUTE CERTAIN LEASE AGREEMENTS WITH HERITAGE PLAZA LTD., FOR LEASE OF OFFICE SPACE FOR CETA PROGRAM PERSONNEL IN THE HERITAGE PLAZA BUILDING; AUTHORIZING PAYMENT OF LEASE RENTS; AND APPROVING A REVISION TO THE CURRENT BUDGET OF THE GENERAL FUND.

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In response to a question by Dr. Cisneros, Mr. Roland Lozano, Executive Assistant to the Director of Economic and Employment Development, explained that the Heritage Plaza was chosen as the best possible site after a thorough investigation by the staff. The office space will consolidate program staff now located at two separate locations. A plus factor was also its proximity to City Hall.

After consideration, Mr. Alderete moved to approve the Ordinance. Mr. Pyndus 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, Wing, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Eureste, Ortiz.

78-46

Item 27 being a proposed ordinance amending the 1978-79 General Fund as to increase the EEO departmental allocation by \$53,310 for three additional EEO officers, and abolishing these positions in the CETA Title I and IV Budgets was withdrawn from consideration.

78-46

City Manager Huebner explained that Item 28 being a proposed ordinance authorizing execution of an agreement with Bexar County relative to a unified property appraisal system (Metropolitan Tax Office) was withdrawn from consideration at the request of County Tax Assessor Ben Shaw. Mr. Shaw stated that he wished to have time to review the proposed ordinance.

78-46 The following Resolution 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, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Eureste, Ortiz.

A RESOLUTION
NO.78-46-144

MANIFESTING THE DETERMINATION OF THE CITY COUNCIL THAT J.H. UPTMORE AND ASSOCIATES INC., HAS VESTED RIGHTS UNDER ARTICLE THREE OF ORDINANCE NO. 48484.

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78-46 The following Ordinance was read by the Clerk and after consideration, on motion of Steen, seconded by Mrs. Dutmer, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Eureste, Ortiz.

AN ORDINANCE 49,940

APPOINTING COLONEL DONALD R. HOLLIS AS A MEMBER OF THE AIRPORT ADVISORY COMMITTEE.

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78-46 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, Alderete, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Eureste, Ortiz, Pyndus.

AN ORDINANCE 49,941

APPOINTING COLONEL HERMAN LITTLE AS A MEMBER OF THE ANIMAL CONTROL ADVISORY BOARD.

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78-46 Item 30C being a proposed ordinance appointing and reappointing members to the Plumbing Appeals and Advisory Board was withdrawn from consideration.

78-46 The following Ordinance was read by the Clerk and after consideration, on motion of Mrs. Dutmer, seconded by Mr. Webb, was 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 49,942

APPOINTING AND REAPPOINTING MEMBERS TO THE ELECTRICAL EXAMINING AND SUPERVISING BOARD.

* * * *

The appointment and reappointment for members of the the Electrical Examining and Supervising Board for terms ending October 12, 1980:

1. Reappoint Mrs. Mike Passur as a Layman/Consumer.
2. Reappoint Mr. Richard W. Smith as a registered professional Engineer.
3. Appoint Mr. Naun Delgado to fill the Master Electrician previously occupied by Mr. Ermit Urbanczyk.
4. Appoint Mr. Glen C. Miller to fill the Journeyman Electrician position previously occupied by Mr. Joe Marek.
5. Appoint Mr. Dan Bratton to fill the Master Sign Electrician position previously occupied by Mr. James Otterpohl.

78-46 The meeting was recessed at 2:15 P.M. and reconvened at 3:00 P.M.

Mayor Cockrell declared open a Public Hearing on the reprogramming of General Revenue Sharing Funds.

Mr. Marcus Jahns, Director of Budget and Research, explained that there is a total amount of \$250,922.53 of revenue sharing funds available for reprogramming. He detailed their recommendations for the funds as follows: Palo Alto Road Branch Library Equipment - \$110,000.00; Harlandale & Lions Field Centers Equipment - \$21,000.21; Metcalf-Eddy Aquifer Study (Addtl.) - \$57,000.00; Handicap Access Program - \$62,922.00. Mr. Jahns also stated that the School Sidewalk Program is not recommended for funding at this time due to the limited funding available.

City Manager Huebner stated that the first three items are projects which the City is already involved with and recommended that they be funded. He also stated that the money proposed for the Handicap Access Program will begin to implement a program required by Federal law that cities develop a transitional plan and show substantial progress toward implementation of access improvements. The proposed program will provide for initial design and some development work on City-owned facilities.

The following citizens then appeared to speak:

Mrs. Doris Irby, 7123 Thrushview Lane, representing The Promenade, stated that they are requesting a paved curb street with proper drainage on 600 feet of Thrushview Lane. She stated that this is the only ingress and egress to their homes. Mrs. Irby stated that \$23,000 has been quoted by the staff as the necessary funding to do the work on the portion that they are requesting be improved.

* * *

Mr. Hilmer Schneider, 1191 Nacogdoches Road, spoke of the needed \$7,830.00 to get the City Water Board to extend a water main to his home. He stated that it should be the City's obligation to extend this service, and he feels that the City should pay for the necessary extension.

Mr. Bob Fisher, Administrative Assistant, stated that the City Water Board had estimated that \$7,040 will be necessary to extend the water mains. (A report from the City Water Board is included with the papers of this meeting.)

* * *

Mr. Pete DeVries, Superintendent of the Old Spanish Missions, asked that the Council consider allocating \$96,500.00 in revenue sharing funds for the renovation and restoration of the old Spanish Missions. The money will also be used to support the operation and maintenance of the Missions. Mr. DeVries also stated that \$24,500 of the money can be used to match an AACOG Grant for a multi-purpose center at Mission Espada.

Mrs. Dutmer spoke about the importance of the Missions and their contribution to the tourist industry. She urged that the request be taken in earnest to help preserve the Missions.

Mayor Cockrell asked if staff could investigate the possibility of funding this project through an EDA grant.

City Manager Huebner stated that the staff could investigate the matter.

In response to Mr. Eureste's question, Mr. Marcus Jahns stated that this project could possibly be done under Community Development funds because of the historic preservation involved.

* * *

Mr. Ray Sanchez, Chairman of the San Antonio Library Board of Trustees, spoke in support of the staff's recommendation to fund the Palo Alto Road Branch Library Equipment.

A discussion then took place on the needed funding to stock the library.

Mrs. Kay Pena, Vice-Chairman of the San Antonio Library Board of Trustees, also spoke on behalf of the recommendation of the staff. She stated that this amount is necessary to order books and equipment, and the library is a necessity for the south side of town.

* * *

Mrs. Sarah Jane Foshee read from a petition which she submitted to the City Council requesting the improvement of O'Connor Road, to include repaving, widening, curbs, sidewalks, new railroad trestle, and underground drainage. She also distributed photographs of the flooding conditions in the area. (The petitions are on file with the papers of this meeting.)

A discussion then took place on the funding needed to complete the project and a possible time schedule. Mr. Stewart Fischer, Director of Traffic and Transportation, suggested that probably a dollar figure of \$100,000 could be used to acquire the right-of-way thus beginning the project.

(At this point in the meeting, Mayor Lila Cockrell was obliged to leave the meeting and Mayor Pro-Tem Hartman presided.)

Mr. Bill Stout, 13411 Wakewest, also spoke of the funding needed to improve O'Connor Road. He spoke of the property damages which people incur when heavy rains occur. He also presented a petition signed 550 persons in favor of the project. Mr. Stout also suggested methods to fund this particular project.

Mrs. Ann Berg, Northeast Independent School District PTA Council also spoke in favor of the O'Connor Road Project.

* * *

Mr. David Garcia, representing Production Ideas, spoke in favor of revenue sharing funds being used to fund art in public places.

* * *

Mr. Mario Salas requested that \$25,229 of revenue sharing funds be allocated for weatherizing the Child Development Facility at the Ella Austin Community Center.

* * *

(Mayor Cockrell returned to the meeting and presided.)

Mr. Raul Roy Valdez, Youth Services Director of MANCO, presented Council with literature about their program. He asked that \$90,253 in revenue sharing funds be allocated for the continuance of the program dealing with Toxicant Inhalation Drug Abuse Prevention.

Mr. Remigio Valdez, representing the Mexican-American Betterment Organization, and a member of the San Antonio Task Force on Toxicant Inhalation read a resolution in support of MANCO's request for \$90,253. He described the program and the efforts made by MANCO on this serious problem in San Antonio.

Mrs. Sylvia Smith, member of the San Antonio Housing Authority's staff at Cassiano Homes, also spoke on behalf of MANCO's request for funding through revenue sharing funds.

* * *

Mr. Tony Haden, Director of St. John's Senior Center, spoke about their efforts in trying to serve senior citizens in the downtown area. They are requesting \$30,000 in revenue sharing funds to set up a program to better serve these citizens.

* * *

Ms. Christine Pacetti, Chairperson of the Handicapp Access Program, spoke in support of the staff's recommendation of allocating \$62,000 in revenue sharing funds to begin the modification of City-owned buildings and facilities. She spoke about the need to have these buildings accessible to all citizens.

* * *

Mrs. Zernona Black introduced Minister Sams, Chairman of Health Incorporated. Minister Sams spoke about their pilot day care program for the disabled elderly citizens. He stated that they are requesting \$50,000.00 in revenue sharing funds.

* * *

Mr. Pyndus stated that he was asked by Mrs. Patsy Baumann, who had to leave the meeting, to speak to the Council regarding the need for funding of the Colebrook Drainage project.

* * *

Mayor Cockrell declared the Public Hearing closed.

* * *

Mr. Pyndus then spoke about past Community Development Funds and federal revenue sharing funds that have come into the City. He said that Districts 8 and 10 have not received any monies whatsoever and then moved that the entire amount of \$250,000 be allocated to the O'Connor Road Project. Mr. Steen seconded the motion.

After discussion of the motion and the fact that Mr. Fischer, Director of Traffic and Transportation, had indicated that a possible \$100,000 could be used to incept the program, Mr. Steen made a substitute motion that \$100,000 of revenue sharing funds be allocated to the O'Connor Road Project. Mr. Hartman seconded the motion. On roll call, the substitute motion failed to carry by the following vote: AYES: Dutmer, Pyndus, Hartman, Steen, Cockrell; NAYS: Cisneros, Webb, Wing, Eureste, Ortiz, Alderete; ABSENT: None.

On roll call, the original motion to fund the O'Connor Road Project with the entire amount of reprogrammed revenue sharing funds failed to carry by the following vote: AYES: Pyndus, Steen, Cockrell; NAYS: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete; Hartman; ABSENT: None.

Mr. Steen then moved to allocate \$51,000 of reprogrammed revenue sharing funds for the repaving of Thrushview Lane as requested by The Promenade. Mr. Pyndus seconded the motion.

Mr. Eureste offered an amendment to the motion to allocate \$23,000 for only the portion of 600 ft. requested by Mrs. Doris Irby. Mr. Wing seconded the motion. On roll call, the amendment carried by the following vote: AYES: Cisneros, Webb, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: Dutmer; ABSENT: None.

On roll call, the main motion as amended carried by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: None.

Mr. Wing then moved that the allocation for the Palo Alto Library be \$80,000.00. Dr. Cisneros seconded the motion. On roll call, the motion, carried by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Hartman, Steen, Cockrell; NAYS: Pyndus; ABSENT: None.

Mr. Alderete then moved that \$36,000 be allocated for improvements to the Woodlawn Lake Area and also that \$9,440.00 be allocated for the resurfacing of 2100 feet of Callaghan Road. Dr. Cisneros seconded the motion. After discussion of the two projects, Mr. Alderete agreed to divide the motion and moved that \$9,440.00 be allocated for the Callaghan Road resurfacing. Dr. Cisneros seconded the motion. On roll call, the motion, carried by the following vote: AYES: Cisneros, Webb, Wing, Eureste, Ortiz, Alderete, Hartman, Cockrell; NAYS: Pyndus, Steen; ABSENT: Dutmer.

Mr. Webb then moved that \$20,000.00 be allocated to Health, Incorporated. Dr. Cisneros seconded the motion. On roll call, the motion carried by the following vote: AYES: Cisneros, Webb, Wing, Eureste, Ortiz, Alderete, Steen; NAYS: Pyndus, Hartman, Cockrell; ABSENT: Dutmer.

Mr. Steen then moved that \$7,230.00 be allocated to extend the water line main to the Schneider residence. Mr. Wing seconded the motion. On roll call, the motion carried by the following vote: AYES: Cisneros, Webb, Wing, Eureste, Ortiz, Alderete, Hartman, Steen, Cockrell; NAYS: Pyndus; ABSENT: Dutmer.

Mr. Eureste moved that \$50,000.00 be allocated to MANCO for the Toxicant Inhalent Program. Mr. Wing seconded the motion. On roll call, the motion carried by the following vote: Cisneros, Webb, Wing, Eureste, Ortiz, Alderete, Cockrell; NAYS: Pyndus, Hartman, Steen; ABSENT: Dutmer.

Dr. Cisneros then moved to allocate \$13,000.00 for the sandblasting of the Nogalitos Underpass. Mr. Alderete seconded the motion. On roll call, the motion carried by the following vote: AYES: Cisneros, Webb, Wing, Eureste, Ortiz, Alderete; NAYS: Pyndus, Hartman, Steen, Cockrell; ABSENT: Dutmer.

Mr. Hartman then moved to allocate \$48,000.00 to the Handicapp Access Program. Dr. Cisneros seconded the motion.

At this point a discussion then took place on the possibility of using reprogrammed Community Development Funds for the Handicapp Access Program. Mr. Eureste stated that the Council will be considering reprogrammed Community Development Funds very soon and suggested that the motion be voted down and the Handicapp Access Program be addressed through Community Development Funds.

On roll call, the motion to allocate \$48,000.00 to the Handicapp Access Program failed to carry by the following vote: AYES: Hartman, Steen, Cockrell; NAYS: Cisneros, Webb, Wing, Eureste, Ortiz, Alderete; ABSTAIN: Pyndus; ABSENT: Dutmer.

Mr. Ortiz then moved that \$27,000.00 be allocated to the Valley Hi Library Architectural Services project. Mr. Alderete seconded the motion. On roll call, the motion carried by the following vote: AYES: Cisneros, Webb, Wing, Eureste, Ortiz, Alderete, Steen, Cockrell; NAYS: Pyndus; ABSENT: Dutmer, Hartman.

Mr. Eureste asked Mr. Marcus Jahns if the weatherization of the Ella Austin Community Center's Child Development Facility could be an eligible project under Community Development Funds. Mr. Jahns replied that based on what was presented this would be an eligible program under Community Development Funds.

Mr. Alderete then moved that \$18,000.00 be allocated to the Northwest Y.M.C.A. improvements. Mr. Ortiz seconded the motion. On roll call, the motion carried by the following vote: AYES: Cisneros, Webb, Wing, Eureste, Ortiz, Alderete, Hartman, Cockrell; NAYS: Pyndus, Steen; ABSENT: Dutmer.

Mr. Pyndus stated that he had voted against this motion because he had tried previously to allocate monies for this project and was unsuccessful. At this time he feels that other projects are more needed.

The Council concurred that the balance of \$3,252.21 be left as a contingency account.

78-46 The meeting was recessed at 6:15 P.M. and reconvened at
6:30 P.M.

78-46 CONTINUATION OF THE ALLOCATION OF REPROGRAMMED REVENUE SHARING FUNDS

The Clerk then read the following Ordinance:

AN ORDINANCE 49,943

ALLOCATING TO CERTAIN PROJECTS, THE AMOUNT
OF \$250,922.21 AVAILABLE FROM FEDERAL REVENUE
SHARING FUNDS.

* * * *

FEDERAL REVENUE SHARING FUNDS

REPROGRAMMING 1978-79

SCHEDULE OF APPROVED FUNDING ALLOCATIONS

<u>Project</u>	<u>Amount</u>
Thrushview Paving	\$ 23,000.00
Palo Alto Library - Books & Equipment	80,000.00
Callaghan Road Resurfacing	9,440.00
Health, Inc. Day Care Center	20,000.00
Water Main Extension-Old Perrin Beitel Rd.	7,230.00
Toxicant Inhalent - MANCO	50,000.00
Sandblasting Nogalitos Underpass	13,000.00
Valley Hi Library Architectural Services	27,000.00
Northwest Y.M.C.A. Improvements	18,000.00
Unallocated	<u>3,252.21</u>
	<u>\$ 250,922.21</u>

* * * *

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

Mr. Alderete referred to a report included in the Council's packet from Mr. Stewart Fischer, Director of Traffic and Transportation. Mr. Alderete stated that the traffic signal light is very needed at the entrance and exit to Southwest Research Institute, and they have indicated their willingness to pay for the equipment. After discussion, he moved that staff be instructed to install the traffic signal light at this intersection. Mr. Ortiz seconded the motion.

Assistant City Manager Louis Fox stated that a "B" Session is scheduled on this item as well as other traffic signal lights which were not funded in the current budget.

After discussion, the motion instructing the staff to proceed with the installation of the traffic signal light, prevailed by the following vote: AYES: Webb, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSTAIN: Dutmer; ABSENT: Cisneros.

78-46

NORDHAUS COMPANY

Mr. Eureste spoke to the Council regarding a recent occurrence at the Nordhaus Company when 80 gallons of diesel fuel were spilled onto the street. He stated that the residents in the area have asked him to bring this matter to the Council's attention.

After discussion, Mr. Eureste moved to request the staff to investigate the incident and examine the steps involved in revoking a fuel pump permit and whether such action can be taken as a result of this incident. Mr. Alderete seconded the motion. On roll call, the motion prevailed by the following vote: AYES: Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Cisneros.

78-46

CITIZENS TO BE HEARDMR. DANNY WELCH & MR. RON HALLENBERGER

Mr. Steen stated that Mr. Welch and Mr. Hallenberger were in the audience at Council's request. He referred to the report made by Mr. Frank Kiobassa, Director of Public Works, with reference to the Center Park East problem which was discussed at length at last week's Council meeting. After discussion, Mr. Steen moved that \$80,000 be allocated out of the General Fund Contingency Account to pay for the necessary drainage with the Center Park East Industrial Park. Mr. Eureste seconded the motion. On roll call, the motion prevailed by the following vote: AYES: Webb, Wing, Eureste, Ortiz, Pyndus, Steen, Cockrell; NAYS: None; ABSENT: Cisneros, Dutmer, Alderete, Hartman.

MR. MOULTON DOWLER

Mr. Moulton Dowler, representing Classified Parking System, spoke to the Council regarding the free passes provided by Allright Parking Inc. He stated that using these free passes may be a conflict of interest since Allright has a present contract with the City. Mr. Dowler further stated that the Council should bring about competitive bidding especially in the Hemisfair Parking area.

The matter was discussed at length by the Council. After which, the Council concurred that the staff prepare a report on the feasibility of cancelling the present contract and putting it out for bids. A report will be forthcoming to the Council in one week.

Mr. George Noe, Administrative Assistant to the City Manager, stated that Centro 21 will also bring in a report to Council on a parking study.

CITIZENS CONCERNED ABOUT NUCLEAR POWER

Mr. Lanny Sinkin spoke to the Council regarding the South Texas Nuclear Project. He stated that the Committee which the Council had indicated would be appointed three months ago has not yet been appointed.

Mr. Trey Ellison also spoke in opposition to the use of nuclear power.

ECONOMIC OPPORTUNITIES DEVELOPMENT CORPORATION

Mr. Michael Rodriguez spoke to the Council regarding the events which occurred at the E.O.D.C. meeting on October 11, 1978. He reviewed the entire proceedings which included the removal of a certain Board member, the cancellation of the E.O.D.C. attorney's contract, and the removal of himself as Chairman of the E.O.D.C. He asked that Council revoke the appointments which they made to the E.O.D.C. Board. Mr. Rodriguez also stated that he has tapes of the entire meeting which he would like the Council to hear. (A copy of his prepared statement together with other pertinent material is on file with the papers of this meeting.)

A discussion then took place by the Council on various actions taken by the E.O.D.C. Board of Directors.

Mr. Robert Thompson, E.O.D.C. Board Member, stated that the actions taken by the E.O.D.C. Board at the meeting of October 11, 1978, were not legal. He stated that Mr. Rodriguez wanted to inform the Council of these illegal acts made by the Council's appointees.

Mr. Felix Escamilla, E.O.D.C. Board Member, also spoke in support of Mr. Rodriguez' testimony.

Mr. Jimmy R. Flores, newly elected Chairman of the E.O.D.C. asked that the Council allow the E.O.D.C. members to resolve the problem. He stated that Mr. Rodriguez was defeated at the election and the process was legal.

After discussion, Mr. Pyndus moved that the tapes be turned over to Mr. Jimmy Flores for his review. Mrs. Dutmer seconded the motion.

It was determined that the tapes were never turned over to the Council so the motion was moot and not acted on. (The tapes were never turned over to any Council or Staff Member.)

Mr. John Kimbrough, City Council appointee to the E.O.D.C. Board, reviewed his two weeks of experience on the Board and said that an audit is needed. He also stated that he has been unable to get reliable facts and figures from E.O.D.C.

Mr. Armandina Saldivar stated that the Council was unfair to her when she complained in the past about E.O.D.C. She further stated that she had requested that the tapes she has in her possession of past meetings be listened to by the Council.

After considerable discussion, Mayor Cockrell stated that this is a matter for the courts to settle, and no action was taken by the Council.

There being no further business to come before the Council, the meeting was adjourned at 8:45 P.M.

A P P R O V E D

Lien Cockrell

M A Y O R

ATTEST:

[Signature]
C i t y C l e r k

October 12, 1978