

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, DECEMBER 22, 1977.

722

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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.

77-63 The invocation was given by the Reverend Marvin O. Huth, Pastor, Shepherd King Lutheran Church.

77-63 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

77-63 The Minutes of the Regular Meeting of December 15, 1977 were approved.

77-63 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, Webb, Dutmer, Wing, Eureste, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Ortiz.

AN ORDINANCE 48,850

MANIFESTING THE CITY'S AGREEMENT TO LEND \$420,000.00 OUT OF COMMUNITY DEVELOPMENT BLOCK GRANT SECOND YEAR BUDGET FUNDS, UNDER CERTAIN TERMS AND CONDITIONS FOR THE CONVERSION OF THE RIVERSIDE HOTEL INTO MULTI-FAMILY RESIDENTIAL UNITS.

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77-63 PRESENTATION BY MR. & MRS. PEPE LUCERO

Mr. & Mrs. Pepe Lucero presented each Council member with a "hard" hat and invited them to tour the construction of their hotel. Mr. Lucero then stated that the hotel is scheduled to be completed by March of 1979. They wished the Council a Merry Christmas and thanked them for all their past cooperation in connection with the building of their hotel.

77-63 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, Webb, Dutmer, Wing, Eureste, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Ortiz.

AN ORDINANCE 48,851

EXTENDING FOR A ONE YEAR PERIOD, WITH A ONE YEAR OPTION, THE CONTRACT WITH CHARLES S. MARSH TO MANAGE, CONTROL AND DIRECT THE OPERATION OF THE PAINTING AND ART WORK DISPLAY AREA AT INTERNATIONAL AIRPORT; SUBJECT TO THE SAME TERMS AND CONDITIONS.

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77-63 Dr. Cisneros stated that CETA Workers in San Francisco are utilized in innovative and creative projects, and asked if the CETA Workers in San Antonio could be utilized in such projects.

City Manager Huebner stated that he will take this suggestion into consideration.

Mr. Pyndus, referring to the Ordinance which was approved under No. 1 on the agenda, asked that Centro 21 make recommendations to the City Council for other projects that could be financed with CDA Funds.

Mr. Jimmy Gause, Executive Director of Centro 21, said that his organization already has a project in mind and will comply with Mr. Pyndus' suggestion.

Mayor Cockrell suggested that Centro 21 put their recommendation in the form of a package for consideration.

77-63 The following Ordinances were read by the Clerk and after consideration, on motion made and duly seconded, were passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Steen, Cockrell; NAYS: None; ABSENT: Hartman.

AN ORDINANCE 48,852

AMENDING ORDINANCE NO. 46692 BY PROVIDING FOR LANDING FEES OF \$0.27 PER 1,000 POUNDS; INSPECTION AREA CHARGES OF \$1.80 PER PASSENGER, AND SURVEILLANCE CHARGES OF \$0.12 PER PASSENGER EFFECTIVE JANUARY 1, 1978.

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AN ORDINANCE 48,853

SCHEDULING A PUBLIC HEARING FOR 3:00 P.M. ON JANUARY 5, 1978, REGARDING AN AMENDMENT TO THE MAJOR THOROUGHFARE PLAN CHANGING THE RIGHT-OF-WAY REQUIREMENT ON THOUSAND OAKS DRIVE BETWEEN HENDERSON PASS AND SAN PEDRO AVENUE FROM 110' TO 86'.

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77-63 The Clerk read the following Ordinance:

AN ORDINANCE 48,854

AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE STATE DEPARTMENT OF HIGHWAYS AND TRANSPORTATION AND THE MISSOURI-KANSAS-TEXAS RAILROAD COMPANY FOR WORK ON WALZEM ROAD (RAILROAD MILEPOST 1025.6).

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

Mrs. Dutmer stated that many railroad crossings on the Southside are in dire need of repair and asked that those be brought to the attention of the State.

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

77-63 The following Ordinances were read by the Clerk and after consideration, were passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Steen, Cockrell; NAYS: None; ABSENT: Hartman.

AN ORDINANCE 48,855

GRANTING A LICENSE TO MAINTAIN A CONDUIT UNDER EUCLID STREET APPROXIMATELY 75 FEET EAST OF HOWARD STREET TO MAIN BANK AND TRUST COMPANY FOR THE PERIOD FROM JULY 6, 1977 THROUGH JULY 5, 1982; AS PROVIDED FOR IN ORDINANCE NO. 40910 OF JULY 6, 1972.

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AN ORDINANCE 48,856

MANIFESTING AN AGREEMENT WITH BEXAR COUNTY TO CONTINUE PUBLIC HEALTH SERVICES THROUGH SEPTEMBER 30, 1978, AND AMENDING THE COST SHARING ESTIMATE.

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AN ORDINANCE 48,857

GRANTING PERMISSION TO THE SAN ANTONIO CONSERVATION SOCIETY TO HOLD BONFIRES JANUARY 7 AND 8, 1978 ON MISSION SAN JOSE GROUNDS FOR LOS PASTORES.

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AN ORDINANCE 48,858

MANIFESTING AN AGREEMENT WITH BEXAR COUNTY TO CONTINUE LIBRARY SERVICES THROUGH SEPTEMBER 30, 1978, AND AMENDING THE COST SHARING ESTIMATES.

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77-63

The Clerk read the following Ordinance:

AN ORDINANCE 48,859

AUTHORIZING EXPENDITURE OF \$18,500.00 FOR THE CONVENTION AND VISITORS BUREAU TO CO-HOST WITH CATERING BY ROSEMARY, INC., A DINNER DANCE FOR THE JOINT CONFERENCE ON MEDICAL CONVENTIONS ON JANUARY 6, 1978.

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

Mr. Henry Nussbaum, Director of the Convention and Visitors Bureau, explained that this Ordinance will approve the co-hosting of a dinner dance for the Joint Conference on Medical Conventions meeting on January 6, 1978. He further stated that this convention is a very important one in that there will be approximately three hundred twenty-five association executives out of the seven hundred delegates. Each of these members represent their own medical associations and each of these not only select sites for their national meetings but also select sites for numerous continued medical education seminars.

Mayor Cockrell stated for the record that her husband, who is Executive Director of the Bexar County Medical Society, is not a member of the Association that is holding the convention.

Mrs. Dutmer then stated that the money to be expended will come out of the Convention and Visitors Bureau Fund and does not affect the City's General Fund.

In response to Mr. Pyndus' question, Mr. Nussbaum spoke of the problem with a lack of hotel rooms in the immediate downtown area.

After consideration, 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, Steen, Cockrell; NAYS: None; ABSENT: Hartman.

77-63 The following Ordinances were read by the Clerk and after consideration, on motion made and duly seconded, were passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Steen, Cockrell; NAYS: None; ABSENT: Hartman.

AN ORDINANCE 48,860

AUTHORIZING CERTAIN ADJUSTMENTS IN THE TAX ROLL RECOMMENDED BY THE TAX ERROR BOARD OF REVIEW.

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AN ORDINANCE 48,861

APPROVING A PROJECT TO COMPLETE THE FOURTH COURTROOM IN THE MUNICIPAL COURTS & POLICE BUILDING AT A COST OF \$12,786.00; AND ESTABLISHING A FUND FOR THE PROJECT; AND PROVIDING FOR TRANSFERS OF FUNDS FOR THE PROJECT FROM THE GENERAL FUND AND FROM FEDERAL REVENUE SHARING FUNDS.

* * * *

AN ORDINANCE 48,862

AUTHORIZING THE CUELLAR PARK POOL DEVELOPMENT PROJECT AT A COST OF \$476,048; ACCEPTING A GRANT OF \$179,240 FROM THE FEDERAL BUREAU OF OUTDOOR RECREATION THROUGH THE TEXAS PARKS AND WILDLIFE DEPARTMENT; AND PROVIDING FOR A CONTRIBUTION OF \$296,808 FROM THIRD YEAR COMMUNITY DEVELOPMENT ACT PROGRAM.

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77-63 The following Ordinances were read by the Clerk and after consideration, on motion made and duly seconded, were passed and approved by the following vote: AYES: Cisneros, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Steen, Cockrell; NAYS: None; ABSENT: Webb, Hartman.

AN ORDINANCE 48,863

AUTHORIZING THE MILLER'S POND (VALLEY HI) PARK PROJECT AT A COST OF \$199,500; ACCEPTING A GRANT OF \$99,500 FROM THE FEDERAL BUREAU OF OUTDOOR RECREATION THROUGH THE TEXAS PARKS AND WILDLIFE DEPARTMENT; AND PROVIDING FOR A CONTRIBUTION OF \$100,000 FROM EIGHTH ENTITLEMENT PERIOD GENERAL REVENUE SHARING.

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AN ORDINANCE 48,864

APPROVING THE GILBERT GARZA PARK POOL PROJECT AT A COST OF \$549,240, ACCEPTING A GRANT OF \$199,240 FROM THE FEDERAL BUREAU OF OUTDOOR

RECREATION THROUGH THE TEXAS PARKS AND
WILDLIFE DEPARTMENT, AND PROVIDING FOR A
CONTRIBUTION OF \$350,000 FROM THIRD YEAR
COMMUNITY DEVELOPMENT ACT PROGRAM FUNDS. 726

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77-63 The Clerk read the following Ordinance:

AN ORDINANCE 48,865

ACCEPTING A GRANT OF \$290,850.00 FROM THE
BUREAU OF OUTDOOR RECREATION THROUGH THE
TEXAS PARKS AND WILDLIFE DEPARTMENT AWARDED
IN PARTIAL SUPPORT OF KENNEDY PARK AND
SOFTBALL COMPLEX; ESTABLISHING A FUND AND
ACCOUNTS AND PROVIDING FOR A CONTRIBUTION
OF \$500,000.00 TO THE PROJECT FROM COMMUNITY
DEVELOPMENT PROGRAM-YEAR THREE GRANT FUNDS.

* * * *

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

In response to Mr. Eureste's question, Mr. Ron Darner, Director of Parks and Recreation, stated that plans for this park include a swimming pool, tennis courts, and other amenities. Final construction of the Park should be completed in March or April of 1978.

Mr. Steen expressed concern about the operating and maintenance costs of the park projects that have been approved by the Council. He stated that this matter should be addressed by Council at some date in the near future.

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

77-63 The following Ordinances were read by the Clerk and after consideration, on motion made and duly seconded, were passed and approved by the following vote: AYES: Cisneros, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Steen, Cockrell; NAYS: None; ABSENT: Webb, Hartman.

AN ORDINANCE 48,866

EXTENDING FOR A ONE YEAR PERIOD BEGINNING
JANUARY 1, 1978, AN AGREEMENT TO LEASE
CITY-OWNED PROPERTY ON THE RIVER WALK TO BE
USED IN CONJUNCTION WITH THE CASA RIO MEXICAN
RESTAURANT.

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AN ORDINANCE 48,867

EXTENDING FOR A THREE YEAR PERIOD AN
AGREEMENT WITH THE SAN ANTONIO POLO CLUB
INC., TO OPERATE THE GOLF DRIVING RANGE
CONCESSION AT BRACKENRIDGE PARK POLO FIELD.

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77-63 The Clerk read the following Ordinance:

AN ORDINANCE 48,868

EXTENDING FOR A ONE YEAR PERIOD AN AGREEMENT WITH PASEO DEL RIO ASSOCIATION FOR USE OF RIVER WALK PROPERTY IN CONJUNCTION WITH RIVER FESTIVALS.

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

Mr. Eureste asked how a group or individual can conduct an activity on the river.

Mr. Ron Darner, Director of Parks and Recreation, explained that the City contracts with the Paseo Del Rio Association, as do other groups for use of the River.

Mr. Eureste stated that he has had several individuals contact him and advise him of difficulties in setting up booths along the river.

Mr. Darner stated that he will be happy to take any calls for anyone who desires, and discuss this matter with them.

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, Steen, Cockrell; NAYS: Wing; ABSENT: Hartman.

77-63 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, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Steen, Cockrell; NAYS: None; ABSENT: Hartman.

AN ORDINANCE 48,869

AMENDING THE PRESENT AGREEMENT WITH WESTWOOD TERRACE LITTLE LEAGUE FOR LEASE OF CITY-OWNED PROPERTY AND EXTENDING SAME FOR FIVE YEARS.

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77-63 The Clerk read the following Ordinance:

AN ORDINANCE 48,870

NAMING A CERTAIN CITY PARK LOCATED NEAR THE INTERSECTION OF BANDERA ROAD AND BRAUN ROAD THE O.P. SCHNABEL PARK.

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

Mr. Pyndus then spoke in reference to the many efforts and diligent work that Mr. Schnabel has exerted through the years in beautifying San Antonio and improving its quality of life.

Several Council members also spoke regarding Mr. Schnabel's beautifying efforts.

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

Mr. Bill Hollingsworth, representing the Beautify San Antonio Association, then spoke to the Council regarding Mr. Schnabel's 30 years of service in this effort. He said that the Beautify San Antonio Association has won twenty-six awards in the twenty-seven years of its existence.

Mayor Cockrell then recognized and welcomed Mr. Ted O'Krent, President of the Beautify San Antonio Association and other members who were present in the audience. She stated that an appropriate ceremony will be scheduled for the dedication of the park.

77-63 The Clerk read the following Ordinance:

AN ORDINANCE 48,871

ACCEPTING THE LOW QUALIFIED BID OF ARMSTRONG CONSTRUCTION CO. IN THE AMOUNT OF \$278,985.00 TO ENLARGE THE HARLANDALE PARK CENTER; AUTHORIZING THE CITY MANAGER TO EXECUTE A STANDARD PUBLIC WORKS CONSTRUCTION CONTRACT COVERING SAID WORK; ESTABLISHING A FUND AND BUDGET FOR THE PROJECT AND PROVIDING FUNDS THEREFORE FROM COMMUNITY DEVELOPMENT FUNDS; AND AUTHORIZING PAYMENT OF THE CONTRACT, ADDITIONAL ARCHITECT FEES & CONSTRUCTION CONTINGENCIES.

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

Mrs. Dutmer asked City Manager Huebner to have the drainage ditch along this park mowed as she has had many complaints about the high weeds.

City Manager Huebner stated that he has been advised that this is scheduled for the 15th day of January, 1978.

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.

77-63 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Steen, seconded by Dr. Cisneros, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Alderete, Steen, Cockrell; NAYS: None; ABSTAIN: Pyndus; ABSENT: Ortiz, Hartman.

AN ORDINANCE 48,872

APPROPRIATING CERTAIN FUNDS FROM THE CONTINGENCY ACCOUNT TO COVER THE REMAINING DEFICIT INCURRED BY THE BICENTENNIAL COMMITTEE DURING ITS PROGRAM.

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77-63 The following Ordinance was read by the clerk and after consideration, on motion of Dr. Cisneros, seconded by Mr. Webb, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Alderete, Pyndus, Steen, Cockrell; NAYS: None; ABSENT: Ortiz, Hartman.

AN ORDINANCE 48,873

AUTHORIZING THE CITY MANAGER TO EXECUTE A SUBGRANT AGREEMENT WITH THE TEXAS ENGINEERING EXTENSION SERVICE, TEXAS A & M UNIVERSITY

UNDER THE PROVISIONS OF THE FISCAL YEAR 1978 TITLE I GRANT, COMPREHENSIVE EMPLOYMENT AND TRAINING ACT OF 1973; AND MODIFY THE NON-FINANCIAL AGREEMENT WITH THE TEXAS STATE BOARD OF EDUCATION FOR CONDUCTING VOCATIONAL SKILLS TRAINING.

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77-63 The Clerk read the following Ordinance:

AN ORDINANCE 48,874

AUTHORIZING THE CITY MANAGER TO TERMINATE THE SUBGRANT AGREEMENT WITH THE ECONOMIC OPPORTUNITIES DEVELOPMENT CORPORATION FOR THE OPERATION OF THE CETA PROGRAMS CENTRAL RECORDS UNIT; ESTABLISH THE CENTRAL RECORDS UNIT UNDER THE DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT; APPROVING A PERSONNEL COMPLEMENT; AND APPROVING THE OPERATING BUDGET.

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

Mr. Gene Rodriguez, Interim-Director of the Department of Economic and Employment Development, explained that this Ordinance will authorize the City Manager to terminate the subgrant agreement with EODC effective December 31, 1977, and transfer the unexpended funds, the operational control management and supervision of the personnel currently employed in the CETA programs Central Records Unit to the Department of Economic and Employment Development.

After Consideration, 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.

77-63 The Clerk read the following Ordinance:

AN ORDINANCE 48,875

AUTHORIZING THE CITY MANAGER TO EXTEND THE SUBGRANT AGREEMENTS FOR NINETY DAYS WITH THE ECONOMIC OPPORTUNITIES DEVELOPMENT CORPORATION UNDER THE COMPREHENSIVE EMPLOYMENT AND TRAINING ACT OF 1973 TITLE I AND TITLE VI.

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

Mr. Gene Rodriguez, Interim-Director of the Department of Economic and Employment Development, explained the proposed Ordinance. He further explained that the appropriations made to EODC through previous ordinances were made with the stipulation that subgrant agreements be limited to 90 days duration pending the ongoing audit by the General Accounting Office (GAO). Since the first 90 day period of the funding is expiring on December 31, 1977, and the ongoing audit by GAO is not complete, this ordinance will extend the period of the subgrant agreement for another 90 day period.

In response to Mrs. Dutmer's question, Mr. Rodriguez stated that the 90 day extension is a reasonable period.

In response to Mr. Pyndus' question, Mr. Rodriguez stated that the Manpower Planning Council had endorsed this extension.

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

77-63 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, Webb, Dutmer, Wing, Eureste, Alderete, Pyndus, Steen, Cockrell; NAYS: None; ABSENT: Ortiz, Hartman.

AN ORDINANCE 48,876

ACCEPTING THE HIGH BIDS FOR SALE OF CERTAIN CITY-OWNED IMPROVEMENTS IN CONNECTION WITH THE 36TH STREET IMPROVEMENT PROJECT; MAKING AND MANIFESTING A BILL OF SALE TO EACH OF TWO HIGH BIDDERS; AND REJECTING ALL OTHER BIDS.

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77-63 The following Ordinances were read by the Clerk and after consideration, were passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Steen, Cockrell; NAYS: None; ABSENT: Hartman.

AN ORDINANCE 48,877

AUTHORIZING THE CITY MANAGER TO EXECUTE FIELD ALTERATION NUMBERS 10 AND 11 TO THE CONTRACT FOR CONSTRUCTION OF THE CLOVIS DRAINAGE PROJECT 68-A.

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AN ORDINANCE 48,878

ACCEPTING THE PROPOSAL OF PFENNIG, WEYMAN, & ASSOCIATES, INC., CONSULTING ENGINEERS TO PROVIDE ENGINEERING SERVICES IN CONNECTION WITH THE SAN ANTONIO RIVER FLOOD PLAIN STUDY-JOHNSON STREET TO OLMOS DAM, PHASE II; AND AUTHORIZING PAYMENT AS HEREIN PROVIDED SUCH PAYMENT TO BE PROPORTIONED BETWEEN THE CITY AND AND THE SAN ANTONIO RIVER AUTHORITY.

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77-63 Item 30 being a proposed Ordinance revising the prevailing wage rates for both the Building Construction Grades and Heavy Construction Trades was withdrawn from consideration at the request of the City Manager.

Mr. Mel Sueltenfuss, Director of Public Works, explained that they had failed to contact the affected industries as has always been done in the past, so the item has been rescheduled for the January 12, 1977 Council Meeting.

77-63 The following Ordinances were read by the Clerk and after consideration, were passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Steen, Cockrell; NAYS: None; ABSENT: Hartman.

AN ORDINANCE 48,879

ACCEPTING THE PROPOSAL OF DR. DAVID R. BASCO, JR., P.E., AND DR. CHRISTOPHER C. MATHEWSON, P.E., FOR A STUDY OF THE EFFECT OF PROPOSED SAN ANTONIO RIVER CHANNEL IMPROVEMENTS AND

HUD/FIA REGULATIONS WITHIN DOWNTOWN SAN ANTONIO; AND AUTHORIZING PAYMENT OF \$7,500.00 TO THE ABOVE NAMED CONSULTING ENGINEERS FOR SAID PROPOSAL.

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AN ORDINANCE 48,880

APPROPRIATING FUNDS AND AUTHORIZING PAYMENT OF SAID FUNDS TO THE ENGINEERING FIRMS LISTED ON ATTACHED SCHEDULE I. FOR CITY PROJECTS LISTED ON SAID SCHEDULE.

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AN ORDINANCE 48,881

ACCEPTING THE LOW QUALIFIED BID OF SCOTTS PROTURE TO FURNISH THE CITY OF SAN ANTONIO PARKS AND RECREATION WITH FERTILIZER FOR A TOTAL OF \$5,504.36, LESS 4% - 30 DAYS.

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AN ORDINANCE 48,882

ACCEPTING THE LOW BID OF CENTURY PAPERS, INC. TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH CUSTODIAL PAPER PRODUCTS FOR A TOTAL OF \$6,520.26, LESS 1% - 10TH PROX.

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AN ORDINANCE 48,883

AUTHORIZING PAYMENT TO DALTON SERVICE AGENCY FOR REPAIRS TO THE AIR CONDITIONING SYSTEM AT THE SAN ANTONIO PUBLIC LIBRARY FOR A NET TOTAL OF \$5,713.69.

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77-63 The Clerk read a proposed ordinance revising and establishing City Voting Precincts effective March 1, 1978.

Mr. Ortiz expressed concern over the division of Precinct 205 and asked that this ordinance be postponed until he has the opportunity to confer with Commissioner's Court on this matter.

Council concurred with Mr. Ortiz' request and item 36 was postponed.

77-63 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, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Steen, Cockrell; NAYS: None; ABSENT: Hartman.

AN ORDINANCE 48,884

PROVIDING FOR SUBORDINATION BY THE CITY OF ANY LIEN OR CLAIM AGAINST CERTAIN EQUIPMENT PURCHASED BY HAYES PRODUCTIONS INC., A HEMISFAIR PLAZA LESSEE, WHICH PROPERTY IS BEING USED AS COLLATERAL BY THE LESSEE TO SECURE PAYMENT TO GENERAL LEASING CO., SELLER OF THE EQUIPMENT.

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77-63 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, Ortiz, Alderete, Pyndus, Steen, Cockrell; NAYS: None; ABSENT: Hartman.

A RESOLUTION
NO.77-63-106

MANIFESTING THE DETERMINATION OF THE CITY COUNCIL THAT BILLY REILLY, INC., HAS VESTED RIGHTS UNDER THE PROVISIONS OF ARTICLE THREE OF ORDINANCE NO. 48484 OF SEPTEMBER 8, 1977, TO THE ISSUANCE OF ONE BUILDING PERMIT AND THE INSTALLATION OF NECESSARY WATER FACILITIES.

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A RESOLUTION
NO.77-63-107

MANIFESTING THE DETERMINATION OF THE CITY COUNCIL THAT AQUARIUS HOMES, INC., HAS VESTED RIGHTS UNDER THE PROVISIONS OF ARTICLE THREE OF ORDINANCE NO. 48484 OF SEPTEMBER 8, 1977, TO THE ISSUANCE OF SEVEN BUILDING PERMITS AND THE INSTALLATION OF NECESSARY WATER FACILITIES.

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77-63 APPEAL OF MANUEL R. HERNANDEZ AGAINST THE DENIAL OF HIS APPLICATION FOR A TAXICAB PERMIT.

Mayor Cockrell declared open the hearing.

Mr. Steve Arronge, Assistant City Attorney, explained that the hearing was being held for the purpose of hearing the appeal of Mr. Manuel R. Hernandez who was denied a license to operate his own cab company for failure to show financial responsibility. He further explained that Section 40-24 of the City Code requires the applicant to show a need for the taxicab company, financial responsibility, whether or not traffic congestion will be increased, and such other requirements that Council may deem necessary. He then made reference to the letter sent to Mr. Hernandez by the Taxicab Inspector.

Mr. Manuel R. Hernandez, the applicant, spoke to the Council regarding the denial of a license to operate a one vehicle cab company. He stated that he had the necessary insurance to cover the requirements as imposed by the City of San Antonio.

In response to Mr. Eureste's question, Mr. Arronge stated that the City follows the state law in its standards for insurance liability. He further stated that the insurance certificate must be filled with the City Clerk prior to the license being issued.

Mr. W.D. Martin, Taxicab Inspector, then spoke to the Council regarding his determination to deny Mr. Hernandez the permit because of the lack of financial responsibility. Mr. Martin then explained the many features that cabs must have in order to pass inspection.

A discussion then took place between Mr. Hernandez and the Council regarding some motor vehicle collisions Mr. Hernandez had been involved in.

Mr. Hernandez explained the circumstances of these motor vehicle collisions.

Mr. Marvin Pippman, Attorney representing Checker, Bell, and Yellow Cab Companies, spoke against the issuance of the permit to Mr. Hernandez. He spoke of Mr. Hernandez' past driving record with Chapparal Limousine Service.

Mrs. Dutmer and Mr. Hartman stated that the statements made by Mr. Pippman about Mr. Hernandez were allegations and should be substantiated with proof.

Mr. Ortiz stated that he would like to have documentation of all the allegations made and attached to the minutes of this hearing.

Dr. Cisneros stated that statements were made regarding overcharging by Mr. Hernandez and asked him for an explanation.

Mr. Hernandez described the circumstances of this matter to the Council.

Mr. Jack Kaufmann, representing Yellow, Bell, and Checker Cabs, stated that the Council should make its determination to grant the permit on whether the public's necessity and convenience is met by granting this permit.

Mr. Sam Geoffrey, Chapparal Cab Company, spoke against the issuance of a permit to Mr. Hernandez. He stated that this action could set a precedent and stated that there is not enough business for the cab companies that are in operation at the present time.

Mayor Cockrell then declared the hearing closed.

Mr. Eureste then moved to approve the permit pending the filing of the insurance certificate with a six month probation.

In response to Mayor Cockrell's question, Mr. Arronge stated that there are no provisions in the Ordinance for a probation period. He stated that the Council could require a report in six months and if the report is unfavorable, then the Council can revoke the permit.

Mr. Eureste then expressed concern about the six month probation and how this could affect Mr. Hernandez' permit. He then withdrew the reference to the six months probation as part of his motion. Mr. Ortiz seconded the motion.

Mr. Pyndus spoke against the motion because of Mr. Hernandez' past driving record.

Mrs. Dutmer then made a substitute motion that the permit be granted subject to his proof of financial responsibility and subject to a six months probation period. Mr. Hartman seconded the motion.

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

The permit was granted pending the filing of the insurance certificate with a six months probation.

77-63 The meeting was recessed at 3:50 P.M. to allow the Council to meet in Executive Session and reconvened at 6:05 P.M.

77-63 DISCUSSION REGARDING LEASE OF CITY-OWNED LAND FOR FUTURE HOTEL DEVELOPMENT

Mr. Pyndus stated that he wanted to make a motion to direct the City staff to draft a proposed lease with the San Antonio River Hotel Company and draft the appropriate resolution of adoption with the conditions necessary for authorization to the Manager to execute the lease. Mr. Wing seconded the motion.

Mayor Cockrell stated that this action, if approved by the Council, will let the intent of the Council be known in that it will show intent to approve the necessary resolution instructing the City Manager to sign a lease subject to the agreed condition. This will give the opportunity for the document to be perfected.

Mr. Pyndus stated that the City is committed to this group and should live up to that commitment.

Mr. Ortiz spoke against the motion and stated that this action will kill the UDAG application and kill downtown revitalization for at least the next five years.

Councilmen Alderete, Steen, Webb, and Eureste also spoke in opposition to the motion.

Mr. Hartman, Dr. Cisneros, and Mrs. Dutmer spoke in favor of the motion.

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

77-63

CITIZENS TO BE HEARD

FLOURIDATION

A group of citizens spoke to the Council in opposition to the use of flouride in the City's drinking water. They stated that this issue has been voted on and decided by the citizens by a referendum. They further stated that flouridation is dangerous to the body and spoke of an increase in cancer statistics in those cities that have flouridation. They also said that sugar is the main cause for cavities and a nutrition program should be initiated by the City, but not the use of flouride. They stated that flouridation is a violation of individual citizens' constitutional rights. The group of speakers included.

- Mr. Curtis Bell
- Mrs. Violet Gynes
- Ms. Cheryl Jennings
- Mr. Warren Harrison

* * * *

MRS. MARY HICKS

Mrs. Mary Hicks commended Mrs. Helen Dutmer for taking a stand and renouncing her membership in an organization because of its involvement in the International Womens' Year Conference and because of positions taken with regard to resolutions adopted at the Conference. She then made reference to the points that were approved at the Conference and distributed to each Council member a copy of the U.S. National Women's Agenda. (A copy of same is on file with the papers of this meeting.)

MR. DOMINIC PISANO

Mr. Dominic Pisano, representing the Greater San Antonio Builders Association, stated that the Greater San Antonio Builders Association by a substantial margin has ratified the Homeowners Warranty Program (HOW). He thanked the Council for giving them an opportunity to develop a consumer program in lieu of ineffective licensing ordinances. He said that members of the HOW Task Force are working diligently on implementation of the program and hope to begin registration of the builders by March 1, 1978. He then gave a brief history of the HOW program and mentioned its successful efforts, nationally. He then stated that they feel there is already ample legislative protection in current state and national law to protect the homebuying consumer and asked that the City Council terminate any further action toward builder licensing.

Mr. Hartman stated that the Council will be discussing the matter of licensing of homebuilders at the January 4, 1978 "B" Session.

MR. KARL WURZ

Mr. Karl Wurz read a prepared statement to the Council, a copy of which is on file with the papers of this meeting. Mr. Wurz asked that the Bond Election proposed for March of 1978 be cancelled. He spoke of the benefits of a pay-as-you-go plan versus capital improvements through the issuance of bonds.

MRS. MARIE PORTER

Mrs. Marie Porter, Executive Director of Drug Abuse Central, stated that they are encountering many problems due to the fact that they are funded on a month-to-month basis and she asked the Council to consider changing this situation.

After discussion, Mr. Eureste moved that the staff secure funding for the rest of the fiscal year (nine months). Mr. Steen seconded the motion.

Mr. Pyndus spoke against the motion. He stated that he would prefer to get a report from staff as to where the funds will be coming from. Mr. Wing agreed with Mr. Pyndus and stated that Drug Abuse Central was to find an alternate source of funds, and that this was the reason for the month-to-month funding arrangement.

Mrs. Porter spoke of the efforts they have made in trying to find alternate sources of funding. She stated that San Antonio has the sixth largest drug problem in the United States.

Mr. Wing stated that other agencies did not get funded which also address the drug problem.

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

DR. BILL THORNTON
MR. ALEX CUELLAR
MR. JOSE CONTRERAS

Dr. Bill Thornton stated that he along with Mr. Alex Cuellar and Mr. Jose Contreras were prepared to present to Council at its convenience some explanation with regard to citizens speaking about flouridation.

Mr. Jose Contreras, Executive Director of El Camino Real Health Systems, asked for an opportunity to brief the Council on this matter. He asked if this could be arranged for a "B" Session.

Mr. Pyndus stated that since citizens have appeared on this topic at "Citizens to be Heard" that Council should also hear this group at "Citizens to be Heard " and not at "B" Session.

Council concurred and Mayor Cockrell advised Mr. Contreras that they will be placed on the list first on the January 5, 1978 Citizens to be Heard agenda.

77-63 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Pyndus, seconded by Mr. Wing, was passed and approved by the following vote: AYES: Cisneros, Webb, Wing, Eureste, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Dutmer, Ortiz, Alderete.

December 22, 1977

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AN ORDINANCE 48,885

SCHEDULING A PUBLIC HEARING FOR JANUARY 12, 1978 AT 3 P.M. TO CONSIDER AN APPLICATION FOR AN URBAN DEVELOPMENT ACTION GRANT TO PROVIDE FUNDS FOR THE ALAMO PLAZA - PASEO DEL RIO LINKAGE PROJECT.

* * * *

77-63 The Clerk read the following Ordinance:

AN ORDINANCE 48,886

EXTENDING THE CITY'S COMMITMENT UNDER THE TERMS OF THE CITY-COUNTY APPRAISAL BOARD CHARTER IN ACCORDANCE WITH ORDINANCE #46359, AS AMENDED, FROM JANUARY 1, 1978 TO MARCH 31, 1978.

* * * *

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

Mr. Pyndus spoke against the time period, and said that the 30 days will not be sufficient to take care of all the business that needs to be done. He asked that the period be extended to 90 days.

Mr. Steen moved to amend the motion by providing 90 days instead of 30 days. Mr. Wing seconded the motion. On roll call, the motion to amend, prevailed by the following vote: AYES: Cisneros, Wing, Pyndus, Hartman, Steen, Cockrell; NAYS: Webb, Eureste, ABSENT: Dutmer, Ortiz, Alderete.

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

77-63 OMNI PROJECT DISCUSSION

City Manager Huebner made the following statement: "Madam Mayor, I'd like to offer a couple of comments. I wonder if the Council would authorize me to attempt to save this UDAG proposal by amending the terms or the assumption that the OMNI people and the Hardin Corporation were assuming. You know they were talking between one and two percent of their gross receipts returned to the City. Conceivably that could be modified and perhaps that might encourage them to stay active with the proposal. I just flat do not believe that I can go to any other hotel at this late day and put together a package which is professional by January 31. I would like - you don't have to agree to whatever it is I might want to talk to them about, but I would like to have the authority to discuss some kind of amendment to that in order to save that project."

Mayor Cockrell stated that the Council would like to keep the OMNI Project viable, and after discussion, the Council gave its concurrence to City Manager Huebner to continue negotiations.

77-63 The Clerk read the following letter:

December 16, 1977

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 investigation and report to the City Council.

December 12, 1977

Petition submitted by Mr. Henry Beltran, requesting a clearance for gas and electricity service for his client, Mr. Roy A. Ruiz.

December 12, 1977

Petition submitted by Mr. Henry Beltran, requesting permission for Alto Fence Company to erect a six foot chain link fence for the Capitol Cement Company located at 11551 Nacogdoches Road.

December 12, 1977

Petition submitted by Ms. Sarah C. Seawell, requesting permission for her client, Mr. Geoffrey Knox, to build a ten foot (10') cyclone 11 gauge wire mesh fence around his proposed tennis court.

December 14, 1977

Petition submitted by Mr. Garold S. Fuller, requesting additional fencing six feet in height and placement of barb-wire on top of fencing located on 3723 West Avenue.

December 14, 1977

Petition submitted by Mr. E.W. Beitler, requesting permission to conduct two bonfires on the grounds of Mission San Jose; one on January 7, 1978, and one on January 8, 1978.

December 14, 1977

Petition submitted by Mr. Al Franz Fence Co., requesting permission to install a six-foot (6') chain link fence with three strands of barb wire on property located at 2446 Wurzbach.

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

* * * *

There being no further business to come before the Council, the meeting was adjourned at 7:25 P.M.

A P P R O V E D

Lila Cockrell
M A Y O R

ATTEST:

G.V. Jackson Jr.
C i t y C l e r k

December 22, 1977
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