

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, AUGUST 2, 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, THOMPSON, ALDERETE, CANAVAN, STEEN, COCKRELL; Absent: WEBB, ARCHER.

79-37 The invocation was given by Father Jim Hencke, Holy Family Catholic Church.

79-37 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

79-37 The minutes of the meeting of July 26, 1979, were approved.

79-37 CONSENT AGENDA

Mr. Steen moved that item 6-20, constituting the Consent Agenda be approved, with the exception of items 11 and 14, to be considered individually. Dr. Cisneros 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, Thompson, Alderete, Canavan, Steen, Cockrell; NAYS: None; ABSENT: Webb, Eureste, Archer.

AN ORDINANCE 51,054

ACCEPTING THE LOW QUALIFIED BID OF CALGON CORPORATION TO FURNISH THE CITY WITH AN ANNUAL CONTRACT FOR LIQUID POLYMER FOR THE FISCAL YEAR 1979-1980.

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AN ORDINANCE 51,055

ACCEPTING THE BID OF G.W. MITCHELL & SONS, INC., TO FURNISH THE CITY OF SAN ANTONIO CONVENTION FACILITIES WITH THE WINCH INSTALLATION - ARENA NORTH SPEAKER CLUSTER FOR A NET TOTAL OF \$5,900.00.

\* \* \* \*

AN ORDINANCE 51,056

ACCEPTING THE LOW BID OF AYERS DISTRIBUTING COMPANY TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH PLASTIC BAGS FOR A TOTAL OF \$44,320.00, LESS 1% - 10 DAYS.

\* \* \* \*

AN ORDINANCE 51,057

ACCEPTING THE LOW BIDS OF POLLOCK PAPER DISTRIBUTING & AYERS DISTRIBUTING COMPANY TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH CUSTODIAL PAPER PRODUCTS FOR A TOTAL OF \$119,950.95.

\* \* \* \*

AN ORDINANCE 51,058

ACCEPTING THE BID OF STEELTEX, INC.,  
TO FURNISH THE CITY OF SAN ANTONIO PUBLIC  
WORKS DEPARTMENT WITH ROADWAY FRAMES &  
GRATINGS FOR A TOTAL OF \$3,168.00, LESS  
1/2 OF 1%.

\* \* \* \*

AN ORDINANCE 51,059

CLOSING AND ABANDONING A PORTION OF POTOMAC  
STREET AND A PORTION OF CENTER STREET AND  
DIRECTING THAT THESE SAME PORTIONS BE  
INCORPORATED IN AND USED AS PART OF FAIR-  
CHILD PARK.

\* \* \* \*

AN ORDINANCE 51,060

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

\* \* \* \*

AN ORDINANCE 51,061

FINDING THAT CERTAIN PERSONAL PROPERTY  
AND REAL PROPERTY TAX ASSESSMENTS ARE  
INVALID AND ORDERING THAT THE INVALID  
ASSESSMENTS AND THE TAXES BASED THEREON  
BE CANCELLED.

\* \* \* \*

AN ORDINANCE 51,062

MANIFESTING THE CITY'S CONSENT TO THE  
ASSIGNMENT OF STINSON MUNICIPAL AIRPORT  
LEASE NO. 610A FROM RICHARD D. CROW D/B/A  
CROW AVIATION TO KENNETH SHOUP, DAVID MARSH  
AND ARCHIE POLLOCK D/B/A CROW AVIATION.

\* \* \* \*

AN ORDINANCE 51,063

AUTHORIZING THE WRITE-OFF OF CERTAIN  
ACCOUNTS RECEIVABLE IN THE SUM OF \$34,189.49  
FOR SERVICES RENDERED BY EMERGENCY MEDICAL  
SERVICES.

\* \* \* \*

AN ORDINANCE 51,064

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

\* \* \* \*

AN ORDINANCE 51,065

GRANTING A LICENSE TO TEXAS COMMERCE BANK  
TO MAINTAIN A PNEUMATIC TUBE UNDER THE  
2100 BLOCK OF SOUTH HACKBERRY STREET.

\* \* \* \*

AN ORDINANCE 51,066

AUTHORIZING THE CLOSING OF SAN SABA STREET  
BETWEEN DOLORSA AND WEST COMMERCE STREETS  
ON AUGUST 18 AND 19, 1979, DURING CERTAIN  
HOURS.

\* \* \* \*

79-37

The Clerk read the following Ordinance:

AN ORDINANCE 51,067

REJECTING ALL BIDS RECEIVED FOR CONSTRUCTION  
OF THE HARLANDALE RECREATION COMPLEX.

\* \* \* \*

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

In response to a question by Mrs. Dutmer, Mr. George Noe, Administrative Assistant to the City Manager, stated that the bids had exceeded the architect's estimate and available funds. He explained that the bid items were being reviewed and would be readvertised next week.

After discussion, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Cisneros, Dutmer, Wing, Thompson, Alderete, Canavan, Steen, Cockrell; NAYS: None; ABSENT: Webb, Eureste, Archer.

79-37

The Clerk read the following Ordinance:

AN ORDINANCE 51,068

AUTHORIZING THE CANCELLATION OF TAXES  
ON CERTAIN PERSONAL PROPERTY ACCOUNTS.

\* \* \* \*

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

In response to a question by Mrs. Dutmer, Mr. Noe stated that over six hundred accounts involved over \$11,000.00 of City taxes and he proceeded to explain the reasons for cancellation.

In response to a question by Mr. Alderete, City Attorney Macon explained the situation regarding cases whereby citizens fail to pay their taxes. She also explained about the hardship cases involved and how these were being handled.

After discussion, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Cisneros, Dutmer, Wing, Thompson, Alderete, Canavan, Steen, Cockrell; NAYS: None; ABSENT: Webb, Eureste, Archer.

21. CASE 7749 - to rezone Lot 27, Block 2, NCB 12812, in the 7700 Block of Louis Pasteur Drive from Temporary "A" Single Family Residential District to "B-2" Business District, located southeast of the intersection of Louis Pasteur Drive and Ewing Halsell Drive, having 118.5' on Louis Pasteur Drive and a maximum depth of 334.8'.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

No citizen appeared to speak in opposition.

After consideration, Dr. Cisneros 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, Dutmer, Wing, Thompson, Alderete, Canavan, Steen, Cockrell; NAYS: None; ABSENT: Webb, Eureste, Archer.

AN ORDINANCE 51,069

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 27, BLOCK 2, NCB 12812, IN THE 7700 BLOCK OF LOUIS PASTEUR DRIVE FROM TEMPORARY "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT.

\* \* \* \*

22. CASE 7766 - to rezone Lots 73 and 74, Block 2, NCB 11966 9823 Plymouth Avenue, from "A" Single Family Residential District to "B-3R" Restrictive Business District, located between McCullough Avenue and Plymouth Avenue, being 410' southwest of Portland Road, having 100' on both McCullough Avenue and Plymouth Avenue and a distance of 334.3' between McCullough Avenue and Plymouth Avenue.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

No citizen appeared to speak in opposition.

After consideration, Mr. Steen moved that the recommendation of the Zoning Commission be approved. Mrs. Dutmer 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, Thompson, Alderete, Canavan, Steen, Cockrell; NAYS: None; ABSENT: Webb, Eureste, Archer.

AN ORDINANCE 51,070

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 73 AND 74, BLOCK 2, NCB 11966, 9823 PLYMOUTH AVENUE FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT.

\* \* \* \*

23. CASE 7760 - to rezone Lots 16, 17, and 18, Block 2, NCB 11999, 5205 Efron Avenue, from "A" Single Family Residential District to "I-1" Light Industry District, located on the north side of Efron Avenue, being 300' west of the intersection of Efron Avenue and Rena Drive, having 434' on Efron Avenue and a depth of 435.6'.

Mr. Steen moved that the recommendation of the Zoning Commission be approved. Mr. Canavan seconded the motion.

Mr. Alderete expressed his concern regarding the "I-1" zoning for the entire piece of property.

Mr. Gene Camargo, Planning Administrator, explained the proposed change which the Zoning Commission recommended be approved by the City Council. He stated that the property lies within the Apache Creek Flood Plain area and felt that a residential development was not appropriate for this property.

Mr. Canavan asked that the Zoning Commission make a recommendation for a new zoning classification for baseball diamonds, in place of the "I-1" zoning classifications.

Mr. Thompson expressed his opposition to the "I-1" zoning.

No citizen appeared to speak in opposition.

After discussion, the motion to approve the "I-1" zoning failed to carry by the following vote: AYES: Cisneros, Eureste, Canavan, Steen, Cockrell; NAYS: Dutmer, Wing, Thompson, Alderete; ABSENT: Webb, Archer.

Mrs. Dutmer moved for reconsideration of this case in order to allow the applicant to present his case. Mr. Thompson seconded the motion. On roll call, the motion to reconsider, carried by the following vote: AYES: Cisneros, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Steen, Cockrell; NAYS: None; ABSENT: Webb, Archer.

Mr. Camargo explained that it would take 30 days before the Zoning Commission could come back to Council with information regarding a new zoning classification for baseball diamonds, in place of the "I-1" zoning.

In response to Mr. Wing's question, Mr. Camargo explained the procedure for special approval.

The applicant, Mr. Lee Ramirez, spoke to the Council and stated that he only intends to use this property for a baseball diamond. He stated that he intends to use this property as a means of providing a recreational facility for the neighborhood.

Mr. Alderete stated his concern for a high zoning classification which permits industrial development. He explained to Mr. Ramirez that in case he were to sell the property, the zoning goes with the land.

A discussion then took place between Dr. Cisneros and City Attorney, Jane Macon, on the legal aspect of Mr. Ramirez' obtaining a deed restriction for this property.

After discussion, Mr. Eureste moved that this case be postponed for 30 days in order to allow the Zoning Commission to make a recommendation to the Council on the possibility of a "conditional use" arrangement for baseball diamonds. Mr. Alderete seconded the motion. On roll call, the motion carried by the following vote: AYES: Cisneros, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Steen, Cockrell; NAYS: None; ABSENT: Webb, Archer.

Mayor Cockrell asked that staff go through the appropriate channels on the recommendation of the new zoning classification.

CASE 7760 was postponed for 30 days.

24. CASE 7769 - to rezone Lot 8, Block 20, NCB 1816, 400 Block of W. Huisache Avenue from "E" Office District and "F" Local Retail District to "B-1" Business District, located on the south side of Huisache Avenue, approximately 85' west of the intersection of Huisache Avenue and San Pedro, having 65' on Huisache Avenue, and a depth of 125'; to rezone Lots 9 and 10, Block 20, NCB 1816, 2217 San Pedro Avenue from "F" Local Retail District to "B-3" Business District, located southwest of the intersection of San Pedro Avenue and W. Huisache, having 125' on San Pedro Avenue and 85' on W. Huisache Avenue.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

No citizen appeared to speak in opposition.

After consideration, Dr. Cisneros moved that the recommendation of the Zoning Commission be approved provided that street dedication in accordance with the Major Thoroughfare Plan, is accomplished. Mr. Eureste 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, Thompson, Canavan, Steen, Cockrell; NAYS: Alderete; ABSENT: Webb, Archer.

AN ORDINANCE 51,071

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 8, BLOCK 20, NCB 1118, 400 BLOCK OF W. HUISACHE AVENUE FROM "E" OFFICE DISTRICT & "F" LOCAL RETAIL DISTRICT TO "B-1" BUSINESS DISTRICT AND LOTS 9 AND 10, BLOCK 20, NCB 1816, 2217 SAN PEDRO AVENUE FROM "F" LOCAL RETAIL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT STREET DEDICATION IN ACCORDANCE WITH THE MAJOR THOROUGHFARE PLAN IS ACCOMPLISHED.

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25. CASE 7762 - to rezone a 2.674 acre tract of land out of NCB 11669, being further described by field notes filed in the Office of the City Clerk, in the 2500 Block of Jackson Keller Road from "R-3" Multiple Family Residential District to "B-2" Business District, located northeast of the intersection of Jackson Keller Road and Vance Jackson Road, having 821.37' on Jackson Keller Road and 81.79' on Vance Jackson Road.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

No citizen appeared to speak in opposition.

After consideration, Mr. Canavan moved that the recommendation of the Zoning Commission be approved provided that the property is properly platted, that the deed restriction proposed by Mr. Harry Jewett is adhered to and that a one-foot non-access easement is imposed on Vance Jackson Road. 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, Thompson, Alderete, Canavan, Steen, Cockrell; NAYS: None; ABSENT: Webb, Archer.

AN ORDINANCE 51,072

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 2.674 ACRE TRACT OF LAND OUT OF NCB 11669, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 2500 BLOCK OF JACKSON KELLER ROAD FROM "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT THE PROPERTY IS PROPERLY PLATTED, THAT THE DEED RESTRICTION PROPOSED BY MR. HARRY JEWETT IS ADHERED TO AND THAT A ONE-FOOT NON-ACCESS IS IMPOSED ON VANCE JACKSON ROAD.

\* \* \* \*

79-37 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, Thompson, Alderete, Canavan, Steen, Cockrell; NAYS: None; ABSENT: Webb, Archer.

AN ORDINANCE 51,073

APPROVING THE URBAN RENEWAL PLAN FOR THE VISTA VERDE SOUTH URBAN RENEWAL PROJECT.

\* \* \* \*

79-36 The following Ordinance was read by the Clerk, explained by Mr. Winston Martin, Executive Director of the San Antonio Development Agency, and after consideration, on motion of Dr. Cisneros, seconded by Mr. Wing, was passed and approved by the following vote: AYES: Cisneros, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Steen, Cockrell; NAYS: None; ABSENT: Webb, Archer.

AN ORDINANCE 51,074

APPROVING THE PRICE AND CONDITIONS OF THE SALE BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF PARCEL 679-D-1, CONTAINING APPROXIMATELY 6,046.24 SQUARE FEET, LOCATED WITHIN THE ST. PAUL SQUARE COMMUNITY DEVELOPMENT PROJECT, TO JACK AND JILL SCHOOLS, INC., FOR THE SUM OF \$40,000.00.

\* \* \* \*

79-36

MRS. ALICE GARCIA

At this point, Mrs. Alice Garcia, 914 Buena Vista Street spoke in opposition to the Urban Renewal Plan for the Vista Verde South Urban Renewal Project. She stated that she did not want to move from her residence.

Dr. Cisneros stated that not everyone would be required to move from the area. He referred Mrs. Garcia to Mr. Winston Martin, Executive Director of the San Antonio Development Agency, in order that he may be able to see where she stands on the project and perhaps help her in her situation.

Mr. Martin stated that he would be meeting with Mrs. Garcia regarding her concern.

79-37 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: Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Steen, Cockrell; NAYS: None; ABSENT: Cisneros, Webb, Archer.

AN ORDINANCE 51,075

AUTHORIZING THE REPROGRAMMING OF CERTAIN  
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS.

\* \* \* \*

AN ORDINANCE 51,076

ACCEPTING THE PROPOSAL OF LOCKWOOD, ANDREWS  
& NEWMAN, INC., CONSULTING ENGINEERS, TO  
IDENTIFY AND RECOMMEND NON-STRUCTURAL IMPROVE-  
MENTS TO THE MARINA GARAGE.

\* \* \* \*

79-37 The Clerk read the following Ordinance:

AN ORDINANCE 51,077

AMENDING SECTION 17-3 OF THE CITY CODE  
PERTAINING TO PLACEMENT AND REMOVAL OF  
GARBAGE AND OTHER SOLID WASTES.

\* \* \* \*

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

In response to a question by Mrs. Dutmer, Mr. Joe Aceves, Assistant Director of Public Works, stated that alley pick-up would be starting September 5th and that petitions were now being received requesting discontinuance of the alley pick-up. He explained the procedure one would follow, if he does not wish to be on the program.

Mr. Eureste spoke in support of the Ordinance because it puts a little more order in the business of alley collection and establishes standards that are beneficial to the city employees picking up garbage in the alleys.

In response to a question by Mrs. Dutmer, Mr. Aceves explained the pick-up schedule of the garbage collection.

The following citizen spoke on the Ordinance:

Mr. E.L. Richey spoke regarding the refuse collection fee. He asked that citizens be allowed to use their alleys like before, with no increase at all. He spoke regarding the several pick-up sites in the District 1 area.

After discussion, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Steen, Cockrell; NAYS: None; ABSENT: Cisneros, Webb, Archer.

79-37 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Eureste, seconded by Mrs. Dutmer, was passed and approved by the following vote: AYES: Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Steen, Cockrell; NAYS: None; ABSENT: Cisneros, Webb, Archer.

AN ORDINANCE 51,078

ABOLISHING THE FORT SAM HOUSTON GATEWAY  
NEIGHBORHOOD PROJECT ADVISORY COMMITTEE.

\* \* \* \*

79-37 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: Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Steen, Cockrell; NAYS: None; ABSENT: Cisneros, Webb, Archer.

A RESOLUTION  
NO. 79-37-79

MANIFESTING THE DETERMINATION OF THE  
CITY COUNCIL THAT GIBRALTAR SAVINGS  
ASSOCIATION HAS VESTED RIGHTS UNDER ARTICLE  
THREE OF ORDINANCE NO. 48484.

\* \* \* \*

A RESOLUTION  
NO. 79-37-80

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

\* \* \* \*

79-37 The following Resolution was read by the Clerk and after consideration, on motion of Mr. Steen, seconded by Mr. Wing, was passed and approved by the following vote: AYES: Dutmer, Wing, Thompson, Alderete, Canavan, Steen, Cockrell; NAYS: None; DISQUALIFICATION: Eureste; ABSENT: Cisneros, Webb, Archer.

A RESOLUTION  
NO. 79-37-81

MANIFESTING THE DETERMINATION OF THE CITY  
COUNCIL THAT THE RICHARD CARLYON COMPANY  
HAS VESTED RIGHTS UNDER ARTICLE THREE OF  
ORDINANCE NO. 48484.

\* \* \* \*

79-37 The following Ordinance was read by the Clerk, explained by Ms. Karen Davis, Executive Assistant to the City Manager and after consideration, on motion of Mr. Wing, seconded by Mr. Canavan, was passed and approved by the following vote: AYES: Dutmer, Wing, Eureste, Alderete, Canavan, Steen, Cockrell; NAYS: Thompson; ABSENT: Cisneros, Webb, Archer.

AN ORDINANCE 51,079

AUTHORIZING THE AWARD OF A PROFESSIONAL  
SERVICES CONTRACT FOR AN INCOME AND  
HOUSING SURVEY AND AUTHORIZING THE  
REALLOCATIONS OF FUNDS.

\* \* \* \*

## AN ORDINANCE 51,080

PROVIDING FOR THE DISCONTINUANCE OF THE CITY OF SAN ANTONIO URBAN RAT CONTROL PROGRAM AFTER THE EXPIRATION OF THE PRESENT BUDGET PERIOD AND PROVIDING FOR THE PHASE-OUT OF PROGRAM OPERATIONS.

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Mr. James M. Heidelberg, Attorney, spoke against the discontinuance of the Urban Rat Control Program. He said that the program is not costing the City any money and no one will be doing the job if the program is cut off. He read a statement from a letter received from the Department of Health, Education and Welfare, which commented on the performance of Barrio Betterment Development Corporation with regard to this program. He stated that they have been found to be acceptable by H.E.W. He feels that it will be to the City's advantage to continue the program.

Mr. Alfred Tristan, an employee of Barrio Betterment Development Corporation, spoke on behalf of the Urban Rat Control Program. He stated that this program is needed in the community, and they have had much success with it. He gave the Council some statistics on the number of homes served. He also explained the purpose of the program. Mr. Tristan mentioned the fact that the program had been audited and was given approval.

Mr. Eureste stated that the residents of District 5 are not in favor of having the BBDC perform this type of service in their community. Mr. Eureste then moved to approve the Ordinance.

In response to Mr. Eureste, Mr. Tristan stated that the program has not served the residents of District 5.

Mr. Thompson stated that he has received telephone calls and these citizens are in favor of continuing the program. He expressed concern that if the program is discontinued, no one will be addressing the problem. He also emphasized the fact that the grant is from the federal government and local funds are not involved. He spoke against the motion to approve the Ordinance. Mr. Thompson then moved to continue the program with the present operator, and after staff evaluation, if need be, bid proposals be sent out. Mr. Steen seconded the motion.

Mrs. Dutmer stated that she does not see any evidence that the program has been delinquent in anyway and until she sees evidence, she will support the program.

At this point in the meeting, and after discussion of the motion made by Mr. Eureste, Mayor Cockrell declared the motion out of order since there had not been a second to his motion. She then declared Mr. Thompson's substitute motion to be the original motion.

Mr. Thompson then clarified his motion and stated that he would be in favor of letting the contract out for bids.

The Council and the City staff then discussed the fact that service would be interrupted since there would be a period when the funds will run out and the preparation of an application to H.E.W. As far as the City running this program, City Manager Huebner stated that he would be in favor of an agency handling it since it is targeted at specific neighborhoods and not a City-wide project.

Mr. Harold Scherwitz, Director of Environmental Health, explained the function of this particular program.

Mr. Eureste said that this program should be terminated and no bidding procedure outlined since the same agency could re-apply and possibly be awarded the bid. He then made reference to the investigation conducted by the City staff on the agency.

Ms. Karen Davis, Executive Assistant to the City Manager, spoke about the areas which had been investigated by the City.

Mr. Eureste spoke about the investigation of the agency and the fact that four Barrio Betterment Development Corporation employees had been fired by the Executive Director.

A discussion then took place on the past performance of BBDC in this particular project as well as other projects.

In response to Mr. Eureste, Ms. Jane Macon, City Attorney, stated that the Ordinance that is up for consideration is a reaffirmation of what had transpired at last week's meeting. This Ordinance authorized those actions enabling the phase-out of the project in an orderly manner.

Ms. Davis also stated that if the Ordinance does not pass at this meeting, no money will be available to operate the project through the end of August.

After further discussion, and on roll call, the motion made by Mr. Thompson, failed to carry by the following vote: AYES: Dutmer, Thompson, Steen; NAYS: Cisneros, Wing, Eureste, Alderete, Canavan, Cockrell; ABSENT: Webb, Archer.

After further discussion, Mr. Eureste moved to approve the Ordinance. Dr. Cisneros 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, Eureste, Thompson, Alderete, Canavan, Steen, Cockrell; NAYS: None; ABSENT: Webb, Archer.

Mr. Wing stated that in the future, a contract may be let out on an extermination basis rather than just having the project be of an educational nature.

- - -  
Item 39.

The Council authorized the trip requested by Mayor Cockrell to attend the swearing-in ceremonies of Patricia Roberts Harris as Secretary of H.E.W.

Dr. Cisneros complimented the Mayor in that she was invited to attend the swearing-in ceremony of a cabinet officer.

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79-37

APPEAL OF THE MUSCULAR DYSTROPHY ASSOCIATION

Mr. Ron Darner, Director of Parks and Recreation, stated that the Muscular Dystrophy Association has asked for the right to sell alcohol beverages at the Sunken Garden Theater on August 18 and 19, 1979, in conjunction with the Third Annual Top Rock Search. The staff has denied their request, and they have decided to appeal the staff's decision to the Council.

Mr. Darner then stated that several problems caused the present Ordinance No. 48169, dated June 23, 1977, to be adopted by the City Council. He spoke about occurrences at the Sunken Garden and the fact that these problems have been eliminated due to the passage of the Ordinance. He also foresees a heavy volume of similar requests, if the request is granted.

Mr. Wing spoke about the possibility of disallowing bottled beer to avoid difficulties.

Mr. Canavan stated that this is a method that an agency can use to raise funds and the City can indirectly offer its assistance without any direct cost to taxpayers.

Mr. Steen stated that no exceptions should be made and he could not support the idea of allowing one organization, and disallowing others that may come to the Council with the same request.

Mr. Michael Strobel, representing the Muscular Dystrophy Association, stated that they have hired 30 off duty police officers for security purposes. They hope to make more profit to aid their organization.

Mrs. Dutmer spoke against the proposed ordinance granting them a permit. She said that there are many other locations where alcoholic beverages are allowed.

Councilman Thompson and Eureste also spoke against the motion. Mr. Eureste read from a newspaper clipping that mentioned the riot that had occurred at the Sunken Garden Theater in 1977.

At this point in the meeting, Mayor Cockrell was obliged to leave the meeting, and Councilman Wing presided.

The Clerk then read a proposed ordinance granting permission to the Muscular Dystrophy Association to sell alcohol beverages at the Sunken Garden Theater.

Dr. Cisneros moved to approve the Ordinance. Mr. Alderete seconded the motion. On roll call, the motion failed to carry by the following vote: AYES: Cisneros, Alderete, Canavan; NAYS: Dutmer, Wing, Eureste, Thompson, Steen; ABSENT: Webb, Archer, Cockrell.

79-37 The meeting was recessed at 3:50 P.M. and reconvened at 4:00 P.M.

79-37 4:00 P.M. - PUBLIC HEARING - REQUEST FOR A JUNKYARD PERMIT

Councilman Frank Wing declared open the Public Hearing:

Mr. George Vann, Director of Building and Zoning explained the Ordinance. He described the property in question and the surrounding areas. He stated that it meets the necessary requirements as outlined in Section 21-D of the Junk and Salvage Ordinance. The Building and Zoning Department are recommending the use of this area for the type of operation being proposed by Mr. Holloway. He also explained that part of the property that is located in a flood plain area.

Mayor Cockrell returned to the meeting and presided.

Mr. Mike Holloway, with T & N Warehouse Company, explained that their company proposed solely to accumulate scrap of the area as citizens bring it in and will be preparing it and shipping it out to a company in East Texas. He described the access to the property and spoke regarding the railroad that runs at the top of the property.

A discussion then took place on the location of the property and the fact that it is in a flood plain area.

Mr. Alderete stated that many times when development occurs, drainage problems, especially in a food plain area will occur.

No citizen appeared to speak on the matter.

Mayor Cockrell declared the hearing closed.

The Clerk read the following Ordinance:

AN ORDINANCE 51,081

GRANTING A PERMIT TO GEORGE HART TO ESTABLISH  
A JUNK AND SALVAGE YARD IN THE 3700 BLOCK OF  
NORTH PAN AM EXPRESSWAY LOCATED IN AN "LL"  
MANUFACTURING ZONE.

\* \* \* \*

Dr. Cisneros moved to approve the Ordinance on the condition that the applicant does the absolute that is required to make this business code exist well with the rest of the area. 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, Eureste, Thompson, Alderete, Canavan, Steen, Cockrell; NAYS: None; ABSENT: Webb, Archer.

79-37

DISCUSSION OF THE ALLEY  
PICK-UP FEE

At this time, Mr. Alderete asked for a consensus vote on the discontinuance of the \$2.00 alley pick-up fee. He made the motion that Council stop the initiation of the alley pick-up fee and investigate alternative methods of funding alley collection, including the general fund contingency, additional budget reduction or other funding sources that may be available. He suggested that this be placed on the agenda for next week. Mr. Canavan seconded the motion.

Mr. Wing spoke against the motion because he felt that the majority of the Council had voted on this item, previously.

Mr. Eureste concurred with Mr. Wing's remarks.

After further discussion, the motion, carried by the following vote: AYES: Cisneros, Dutmer, Thompson, Alderete, Canavan, Steen; NAYS: Wing, Eureste, Cockrell; ABSENT: Webb, Archer.

Mr. Wing asked Assistant to the City Manager, Mr. Alex Briseno, that in the search for the extra monies to help those special privileged few, the 9% of the citizens of San Antonio, to look out for the other 91% and find some monies not only to eliminate the 25¢ additional charge for garbage pick-up, but to come back with some information that would eliminate garbage pick-up fee, altogether.

Mr. Eureste concurred with Mr. Wing's remarks and requested the same thing of the Assistant to the City Manager.

Mr. Thompson spoke regarding the landfill project on the sector of south Bexar County that has impact upon the Applewhite Reservoir Project. He made reference to a letter given to the State Agency controlling the permits for landfill. He stated that this letter states the City's position in favoring this landfill project.

Mr. Thompson made a motion to direct staff to review and report on the possible impact of that landfill project upon the Applewhite Reservoir and have it on next week's agenda so that Council can review it and state their position. Mr. Alderete seconded the motion. On roll call, the motion carried by the following vote:  
 AYES: Wing, Eureste, Thompson, Alderete, Canavan, Steen, Cockrell;  
 NAYS: None; ABSTAIN: Dutmer; ABSENT: Cisneros, Webb, Archer,

PRESENTATION OF A PRELIMINARY REPORT  
BY MAYOR COCKRELL

Mayor Cockrell distributed a preliminary report on the fire that occurred in Houston. She asked the City staff to review the issue of wood shingles. She recommended that the subject be referred to the Housing Committee of the City Council for their review in connection with the building code of the City of San Antonio.

The meeting was recessed at 4:50 P.M. and reconvened at 5:00 P.M.

CITIZENS TO BE HEARD

MRS. JANET AHMAD

Mrs. Ahmad, President of the Home Owners Better Building, made a presentation to the Council regarding the construction problems of several homes which were built by Federal Construction Company. She presented a videotape of some of these homes and pointed out some of the code violations. She then presented the following speakers.

The following citizens then spoke to the Council and outlined a series of complaints about the alleged construction problems:

Mr. Richard Arispe  
 Mrs. Alicia Martinez  
 Mrs. Susie Garcia  
 Mrs. E. Espinoza

Mr. Wing stated that he had spoken to Mr. Vann, Director of Building and Zoning concerning the homes in this area. He suggested that the problem go to the Housing Task Force Committee and have them report back to Council with some kind of recommendation.

Mayor Cockrell expressed her appreciation to Mr. Wing on the work he has done on this project and asked that this be referred to the Housing Task Force for their review.

Mr. Eureste expressed concern about the enforcement of the application of City building codes and spoke of a particular incident where a house was to be leveled but was left on temporary cedar posts. He further stated that on the 13th of August, the Housing Task Force will be discussing the plumbing codes and seven days after that, there will be a meeting with the professionals on the field that will be advising the Council on the contracting problem.

A discussion then took place regarding Mr. Alderete's suggestion that a board be drawn up to review these type of cases where contractors are in violation of the City's building codes.

Mayor Cockrell asked for a reponse from staff on the permit situation and the clearing inspection of the homes that are being brought to the attention of the Council.

Mr. Eureste, as Chairman of the Housing Task Force Committee, stated that they would investigate the problems and that by the 20th of August, 1979, this would be on the agenda as a preliminary report on the matter and that a trip would be planned to these homes, in the near future.

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MR. JOHN KIMBROUGH

Mr. Kimbrough expressed concern about open water heaters. He spoke of an incident where a two year old died in a garage due to a hot water heater. He made some suggestions as to where to place the water heater when it is located in a garage. (A copy of his report is on file with the minutes of this meeting.)

Mr. Kimbrough also asked the Council to reconsider their decision regarding the Urban Rat Control Project.

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MR. RAY RAMIREZ

Mr. Ramirez, Administrative Assistant to the National Lulac President, stated that he had submitted a request to the Market Square for use of the mall area for a 4-day festival celebrating "Hispanic Week." He stated that he was advised that even though the dates he had requested for use of this area were open, there was a shortage of manpower funds, which make it impossible to support such an activity. He asked the Council to investigate the matter in order that his application may be reevaluated.

Mr. Wing asked the City Manager's office to provide a report as to why the mall area could not be made available for this celebration.

Mr. Rolando Bono, Assistant to the City Manager, stated that a report would be forthcoming on the matter in one week.

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MR. RAUL RODRIGUEZ

Mr. Rodriguez stated that the City Council should not grant the police department any pay raises. He also spoke regarding the granting of pay raises to City employees.

He spoke regarding the number of policemen who passed away and made reference to a report back in 1976 which shows that those patrolmen who put their lives in the line of duty were the least paid patrolmen; the higher classification of patrolmen are the ones who benefit.

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MR. CLIFFORD CLEBORNE

Mr. Cleborne, Administrative Assistant to the Superintendent of the Southwest Independent School District urged the Council to take a look at the problem of the facility regarding the Nelson Road Permit #1237 as it relates to the Southwest Independent School District.

MRS. ARMANDINA SALDIVAR

Mrs. Saldivar spoke about the newspaper, "El Pueblo," and she stated that she would be writing about the City Council in this newspaper. She also made mention of the Council's action regarding Barrio Betterment Development Corporation.

MR. CARL A. NENTWICH

Mr. Nentwich, 310 W. Sunset Road spoke regarding the Nelson Gardens Sanitary Landfill. He stated that the Council should adopt a resolution opposing this application.

MR. TOM CULBERTSON

Mr. Culbertson, 511 Eastwood, spoke to the Council regarding the Applewhite Reservoir Project and offered his assistance. He also spoke regarding the need of geologists to look into the field of Hydrology.

79-37 The Clerk read the following Letter:

July 27, 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.

July 26, 1979

Petition submitted by Mrs. Guadalupe Delgado and signed by other residents of her area, requesting garbage pick-up at the front of her home.

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

\* \* \* \*

There being no further business to come before the Council, the meeting was adjourned at 6:30 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