

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

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The meeting was called to order at 1:00 P.M. by the presiding Officer, Mayor Pro-Tem John Steen, with the following members present: CISNEROS, WEBB, DUTMER, WING, EURESTE, ORTIZ, ALDERETE, PYNDUS, HARTMAN, STEEN; Absent: Cockrell.

78-4 The invocation was given by The Reverend Lawrence Stuebben, St. Matthew's Catholic Church.

78-4 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

78-4 The minutes of the meeting of January 19, 1978 were approved.

78-4 LETTER FROM CONGRESSMAN HENRY B. GONZALEZ

The Clerk read the following letter:

January 26, 1978

The Honorable Lila Cockrell, Mayor
Members of the City Council
City Hall
San Antonio, Texas

Dear Mayor Cockrell and Members of the City Council:

Words cannot adequately express to you my gratitude for the high honors you have recently bestowed on me.

Last year when the Council passed the Resolution naming the Convention Center Building after me, I was overwhelmed at the honor. I am also grateful for the Proclamation issued making January 16 "Henry B. Gonzalez Day" in San Antonio. That was a very special day for me and my family, and I thank you from the bottom of my heart.

I assure you that I will continue to serve the City of San Antonio to the best of my ability.

With warmest regards, I remain.

Sincerely yours,

/s/ Henry B. Gonzalez
Member of Congress

78-4 MAKE-UP "B" SESSION

Councilman Hartman, Chairman of the Policies and Objectives Committee, stated that there are so many items scheduled for "B" Sessions that they see the need to have an extra "B" Session to catch up with the schedule. He distributed among the Council a preference sheet so that a time and date can be set up for the make-up meeting.

Councilman Hartman stated that the discussion for a southeast landfill has been scheduled for next Wednesday's "B" Session. It has been suggested that the Council meet at 4:00 P.M. on that date in order that they may tour the sites.

Council concurred with this suggestion.

RESOLUTION OF RESPECT
MRS. LUCINDA G. SALAZAR

Mayor Pro-Tem Steen read the following Resolution of Respect:

A RESOLUTION OF RESPECT
NO. 78-4-9

WHEREAS, Life came to an end for Mrs. Lucinda G. Salazar on Wednesday, January 18, 1978, AND

WHEREAS, Mrs. Salazar was the Founder and Proprietor of the Pan American Restaurant since 1939, NOW THEREFORE;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. That this City Council on behalf of City officials as well as citizens of this community does hereby express profound regret on the occasion of the death of Mrs. Lucinda G. Salazar and tenders to her family our heartfelt sympathy.

SECTION 2. That this Resolution be spread upon the minutes of the City Council and a copy thereof be delivered to the bereaved family.

* * * *

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

Mayor Pro-Tem Steen then presented the Resolution to Councilman Wing who will present the Resolution to the family of Mrs. Salazar.

The Clerk read the following Resolution.

A RESOLUTION
NO. 78-4-10

DECLARING THE INTENTION OF THE CITY COUNCIL
TO FUND CERTAIN SPECIFIC CAPITAL IMPROVEMENT
PROJECTS FROM THE PROCEEDS OF A CAPITAL IMPROVE-
MENT BOND ELECTION TO BE HELD ON MARCH 4, 1978.

* * * *

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

Mr. Pyndus spoke against the motion. He stated that the bond issue will cost citizens 200 million dollars. He stated that enough money is coming into the city from federal sources so that the City should not pass such a costly bond issue at this time. Mr. Pyndus further stated that revenue sharing funds and Community Development Block grants should be used for capital improvements.

Mrs. Carmen Badillo, representing COPS, spoke of the many times they have approached Council with the problems of drainage throughout the City. She urged Council to approve the Resolution.

Mr. Pyndus responded that a tax increase will be needed in order to pay the high interest rates on the bonds.

Mrs. Dutmer stated that District 3 is not qualified for Community Development funds as other Districts are and further stated that District 3 has been left out of previous bond issues.

Mrs. Beatrice Gallego, President of COPS, also spoke of the need to approve the bond package. She spoke of the reasons why they are of the opinion that drainage is the main problem that needs to be addressed through the bond issue. She also stated that COPS will campaign for passage of the bond election.

Councilman Hartman, Ortiz and Eureste spoke in favor of the bond package and commended the Bond Steering Committee for their efforts in putting it together.

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

78-4 The following Resolution was read by the Clerk and after consideration, on motion of Mr. Alderete, seconded by Mr. Hartman, was passed and approved by the following vote: AYES: Cisneros, Webb, Eureste, Ortiz, Alderete, Hartman, Steen; NAYS: Pyndus; ABSTAIN: Dutmer; ABSENT: Wing, Cockrell.

A RESOLUTION
NO. 78-4-11

MANIFESTING THE INTENT OF THE CITY COUNCIL
TO USE APPROVED CAPITAL IMPROVEMENT BOND
FUNDS FROM ANY PROJECT HEREINAFTER FUNDED
BY OTHER SOURCES TO COVER THE COST OF
CERTAIN PROJECTS.

* * * *

78-4 The Clerk read the following Ordinance:

AN ORDINANCE 48,972

AN ORDINANCE CALLING A BOND ELECTION

* * * *

Mr. Hartman moved to approve the Ordinance. Mr. Ortiz seconded the motion.

Mr. Pyndus stated that he intended to vote for the motion to call the bond election so that the citizens can make the decision whether or not to approve the bond issue. He further requested that the costs be made available and the fact that a possible tax increase could be necessary be brought to the attention of the citizens.

Mrs. Dutmer concurred with Mr. Pyndus' statements. She further stated that the previous Resolutions approved by the Council are merely resolutions of intent and are not binding.

Mr. Hartman stated that the Resolutions of Intent which were approved earlier are binding statements of policy.

In response to Mr. Hartman, City Attorney, Jane Macon stated that the Resolutions constitute a contract with the voters and if the city would fail to carry out the projects it could risk lawsuits.

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; ABSENT: Cockrell.

78-4 The Clerk read the following Resolution:

A RESOLUTION
NO. 78-4-12

DISCLOSING THE CRITICAL NEED FOR DEFAULT
COUNSELING SERVICES FOR SAN ANTONIO HOME-
OWNERS.

* * * *

Mr. Webb moved to approve the Resolution. Mr. Hartman seconded the motion.

In response to Mr. Pyndus' question, Mr. Rudy Ortiz, Chairman of the Council's Housing Task Force, stated that this Resolution will not create another agency. It simply requests that the federal government consider the needs which exist at this time in the area of housing. He further stated that the San Antonio Development Agency is in the process of applying for the necessary certification and licensing to provide this service.

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

78-4 The Clerk read the following Resolution:

A RESOLUTION
NO. 78-4-13

URGING THAT PUBLIC HOUSING REHABILITATION
AND MODERNIZATION BE ADEQUATELY FUNDED
THROUGH THE DEPARTMENT OF HOUSING AND URBAN
DEVELOPMENT'S PUBLIC HOUSING MODERNIZATION
FUND AND NOT AS A FURTHER DEMAND ON THE
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

* * * *

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

At this point in the meeting, Mr. Rolando Bono, Assistant to the City Manager, stated that Mr. Perfecto Villarreal from the San Antonio Housing Authority had wished to speak on this item.

Mayor Pro-Tem Steen then recognized Mr. Villarreal.

Mr. Perfecto Villarreal expressed concern about the Resolution. He stated that it is a negative Resolution and indicates that the San Antonio Housing Authority should not seek out Community Development funds as other cities have done. He further stated that it limits their funding even though they are eligible for funding.

Councilman Eureste stated that this Resolution was supposed to have been presented at the National League of Cities conference to bring attention

to the federal government that more funds be provided to adequately fund public housing rehabilitation and modernization. He further stated that this Resolution is not meant to exclude the San Antonio Housing Authority from CDA funds.

Councilman Ortiz, Chairman of the Housing Task Force, stated that he purposely allowed enough time for discussion of this Resolution prior to bringing it forth to Council, yet no one from the San Antonio Housing Authority ever attended any of these meetings. He also explained the purpose for the Resolution.

Mr. Pyndus suggested that the Resolution be reconsidered and postponed in order to have input from the San Antonio Housing Authority.

Mr. Winston Martin, Executive Director of the San Antonio Development Agency, then spoke to the Council. He addressed the method by which federal monies are allocated for public housing and also explained the reasons necessary for passage of this Resolution.

Mr. Ortiz then stated that if Mr. Villarreal had approached him about this matter prior to the meeting, he would have held up action on the Resolution.

78-4 The Clerk read the following Ordinance:

AN ORDINANCE 48,973

ESTABLISHING A CITIZENS' COMMISSION OF PUBLIC UTILITIES, SETTING ITS DUTIES AND FUNCTIONS AND APPOINTING MEMBERS THERETO.

* * * *

At this point in the meeting, Councilman Wing moved that the entire Council should discuss this Ordinance at a "B" Session, as well as the next Ordinance which sets standards for future appointments to the City Water Board and the City Public Service Board before a formal vote is taken. Mr. Alderete seconded the motion.

Mr. Pyndus stated that he, too, has some concerns particularly about the ethnic requirements.

Mr. Webb then stated that the Committee working on these two ordinances had worked very diligently and were under the impression that there was full consensus from the Council to bring this forth for action at "A" Session. He further stated that it was presented to the Policies and Objectives Committee and they concurred that it be presented to Council at "A" Session. He stated that if the Council wants a "B" Session then he has no qualms about it, but had already received consensus from the Council to present it at this time.

Mrs. Dutmer stated she had similar concerns as expressed by Mr. Pyndus and that this was the first time she had seen the Ordinance.

After further discussion, Mr. Wing withdrew his motion to postpone the item. Mr. Alderete withdrew his second.

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

Mr. Hartman expressed concerns on the specific duties as outlined in Sections b and c of the Ordinance.

City Attorney, Jane Macon explained the advisory nature of this Committee as well as other committees appointed by Council.

Mrs. Dutmer spoke of the indentures and the Council's role as it relates to City Public Service Board.

Dr. Cisneros then spoke regarding Southwestern Bell and the fact that it is regulated by the Public Utilities Commission.

Mr. Webb explained the reasons for the inclusion of Southwestern Bell in the Ordinance.

City Attorney Maçon again explained that the committee is an advisory one and cannot circumvent the indentures.

Mr. Pyndus then made a substitute motion that Item 3 be placed on next week's "B" Session for discussion and then on the "A" Session for formal action. Mrs. Dutmer seconded the motion.

At this point, Reverend Clifton Byrd addressed the Council and spoke of the many meetings they had where they discussed these issues thoroughly.

He spoke against deferring these items to "B" Session and asked for Council to take action at today's meeting. He also stated that there had been consensus at these meetings to proceed.

After discussion and on roll call, the substitute motion to postpone failed by the following vote: AYES: Cisneros, Webb, Wing, Eureste, Ortiz, Pyndus; NAYS: Dutmer, Steen; ABSENT: Alderete, Hartman, Cockrell.

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

78-4 At this point in the meeting, Mr. Webb moved that Item 4 being a proposed Ordinance setting standards for future appointments to the City Water Board and the City Public Service Board be scheduled for discussion at next week's "B" Session and also placed on next week's "A" Session for formal action by Council. Mr. Pyndus seconded the motion. On roll call, the motion carried by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Pyndus, Steen; NAYS: None; ABSENT: Alderete, Hartman, Cockrell.

Item 4 was postponed.

78-4 PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE INCREASING THE SEWER RATES FOR THE CITY OF SAN ANTONIO

Mayor Pro-Tem Steen declared open the Public Hearing.

Mrs. Maria Dominguez spoke against the sewer rate increases. She stated that not enough studies were made to determine the need for the increases.

Mr. Kenneth Ports, City Engineer for the City of Alamo Heights, stated that they have studied the Black and Veatch Report and wish to reserve comment on sewer rates for entities until they have the opportunity to discuss the report and how it relates to PL92-500 with Mr. Carl White and Mr. Tom Ivy.

Mr. David Seyfarth, City Manager of the City of Castle Hills, asked that it be noted that they wish to echo the comments made by the City of Alamo Heights.

Mayor Pro-Tem Steen stated that each Council member had received a letter from the Mayor of Leon Valley and it will be made a part of the record of this Council meeting. (A copy of the letter is on file with the papers of this meeting).

Mayor Pro-Tem Steen then declared the public hearing closed.

The Clerk then read the following Ordinance:

AN ORDINANCE 48,974

ESTABLISHING REVISED SANITARY SEWER CHARGES
WITHIN AND WITHOUT THE CORPORATE LIMITS OF
THE CITY OF SAN ANTONIO.

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

78-4 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, Hartman, Steen; NAYS: None; ABSENT: Cockrell.

AN ORDINANCE 48,975

AUTHORIZING ACCEPTANCE OF A GRANT OFFER FROM THE FEDERAL AVIATION ADMINISTRATION FOR AN AIRPORT DEVELOPMENT AID PROJECT (RECONSTRUCTION OF CERTAIN TAXIWAYS AND INCIDENTAL LIGHTING ADJUSTMENTS).

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AN ORDINANCE 48,976

APPROVING PRICE AND CONDITIONS OF SALE BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF CERTAIN SINGLE-FAMILY RESIDENTIAL LOTS IN THE COMMUNITY DEVELOPMENT COLONIA SANTA CRUZ PROJECT II LOCATED WITHIN THE BOUNDARIES OF THE NEIGHBORHOOD DEVELOPMENT PROGRAM, TEX. A-8.

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AN ORDINANCE 48,977

EXTENDING FOR A THREE YEAR PERIOD THE FOOD AND BEVERAGE CONCESSION CONTRACT WITH THE SAN ANTONIO SOFTBALL ASSOCIATION AT THE ALVA JO FISCHER SOFTBALL COMPLEX IN LADY BIRD JOHNSON PARK.

* * * *

78-4 The Clerk read the following Ordinance:

AN ORDINANCE 48,978

GRANTING PERMISSION FOR THE CONSTRUCTION OF APPROXIMATELY 56 LINEAL FEET OF 7'6" HIGH WOOD PRIVACY FENCE AT 4606 BRIARDALE DRIVE.

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

In response to Mr. Pyndus' question about these types of ordinances being brought to the Council for action, Mayor Pro-Tem Steen explained that these Ordinances all had opposition from one or more neighbors.

Mr. Russell Lindley, Assistant Director of Building and Zoning, stated that one property owner could not be contacted. The other two adjoining property owners have voiced no opposition.

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

78-4

The Clerk read the following Ordinance:

AN ORDINANCE 48,979

GRANTING PERMISSION FOR CONSTRUCTION OF APPROXIMATELY 390 LINEAL FEET OF 7' HIGH CHAIN LINK FENCE WITH THREE STRANDS OF BARBED WIRE AT 2446 HARRY WURZBACH.

* * * *

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

In response to Mayor Pro-Tem Steen's question, Mr. Russell Lindley, Assistant Director of Building and Zoning, stated that the adjoining property owner, Mr. Balous Miller of Bill Miller Bar-B-Q did voice opposition but he did not explain why he was in opposition.

After discussion, Mr. Hartman made a substitute motion to postpone this item until the opponent has an opportunity to make his objections known. Mr. Alderete seconded the motion.

Mrs. Dutmer stated that the opponent had ample time to make his objections known.

In response to Mr. Hartman's question, Mr. Lindley stated that the opponent was not advised that the matter would be considered by Council at this meeting.

Mr. Pyndus then withdrew his motion.

On voice vote, the substitute motion failed to carry.

Mr. Pyndus then moved to postpone the item. Mr. Wing seconded the motion. On voice vote the motion failed to carry.

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

78-4

The Clerk read the following Ordinance:

AN ORDINANCE 48,980

GRANTING PERMISSION FOR RETENTION OF APPROXIMATELY 1,000 LINEAL FEET OF 7' HIGH CHAIN LINK FENCE WITH THREE STRANDS OF BARBED WIRE AT 11551 NACOGDOCHES ROAD.

* * * *

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

Mrs. Dutmer expressed concerns about companies building fences prior to obtaining City permits.

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

78-4 The following Ordinance was read by the Clerk and after consideration, on motion made by Mr. Pyndus, and seconded by Mr. Webb, was passed and approved by the following vote: AYES: Webb, Dutmer, Wing,

322

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

AN ORDINANCE 48,981

GRANTING PERMISSION FOR THE CONSTRUCTION OF APPROXIMATELY 360 LINEAL FEET OF 10' HIGH CHAIN LINK FENCE TO ENCLOSE A TENNIS COURT AT 8005 CHAMBERS ROAD.

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78-4 The Clerk read the following Ordinance:

AN ORDINANCE 48,982

PERMITTING RETENTION OF APPROXIMATELY 605 LINEAL FEET OF 7' HIGH CHAIN LINK FENCE CONTAINING BARBED WIRE AT 3723 WEST AVENUE.

* * * *

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

In response to Mayor Pro-Tem Steen's question, Mr. Russell Lindley, Assistant Director of Building and Zoning, stated that they received a complaint regarding the fence as it now exists. However, they would not oppose the fence if the coiled ribbon fencing is removed and replaced with barbed wire slanting inward.

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

Mr. Pyndus asked Mr. Lindley if the owner had been contracted and if he objected to this change.

Mr. Lindley stated that they did not know if he objected, but the fence was in violation.

Mr. Pyndus stated that the circumstances might warrant such a fence and asked that the matter be reconsidered so that he might discuss the matter with Council.

Mr. Alex Briseno, Assistant to the City Manager, stated that the fence is already in violation of the code and that is the reason it has been brought to the Council.

After discussion, Mr. Eureste stated he would be in favor of a reconsideration of this item so that the applicant can be present to discuss the matter with the Council.

After discussion, Mr. Pyndus moved for reconsideration. Mr. Eureste seconded the motion.

A discussion then took place regarding the issuance of violation notices and the procedure used by the Building and Zoning Department.

Mrs. Dutmer spoke against the motion to reconsider.

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

At this point, Mr. Pyndus asked that his vote on the original motion be changed to abstain instead of AYE.

Mr. Alex Eriseno, Assistant to the City Manager, stated that the staff will work with Mr. Vann's department to insure that the adjoining property owners and the applicant be notified of the date of the Council meeting when the petition will be discussed.

78-4 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, Pyndus, Hartman, Steen; NAYS: None; ABSENT: Webb, Alderete, Cockrell.

AN ORDINANCE 48,983

AUTHORIZING THE CITY MANAGER TO SIGN LEASE AGREEMENTS WITH VARIOUS SOCIAL SERVICE AGENCIES FOR OCCUPANCY OF THE WEST END MULTI-SERVICE CENTER AND THE EAST SIDE MULTI-SERVICE CENTER.

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AN ORDINANCE 48,984

ESTABLISHING FUNDING OF \$14,560.00 FOR CONDUCTING THE 1978 JAZZ FESTIVAL IN JUNE, 1978 AT THE CARVER COMMUNITY CULTURAL CENTER, AUTHORIZING THE CITY MANAGER TO SIGN PERFORMANCE CONTRACTS, ACCEPTING A \$2,000.00 GRANT FROM THE TEXAS COMMISSION ON THE ARTS AND HUMANITIES, AND PROVIDING FOR A CONTRIBUTION OF \$12,560.00 TO THE PROJECT FROM THE GENERAL FUND.

* * * *

AN ORDINANCE 48,985

AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENTS WITH CERTAIN PROFESSIONAL DANCE COMPANIES FOR PERFORMANCES IN THE 1978/79 DANCE TOURING PROGRAM; AUTHORIZING A TOTAL COST OF \$13,800 FOR THE PROGRAM AND PROVIDING FUNDING FROM A \$4,140 GRANT FROM THE NATIONAL ENDOWMENT FOR THE ARTS, \$2,299 FROM THE TEXAS COMMISSION ON THE ARTS AND HUMANITIES, AND \$7,361 FROM THE 1978/79 GENERAL FUND; AND AUTHORIZING APPLICATIONS TO SAID AGENCIES FOR THE GRANTS.

* * * *

AN ORDINANCE 48,986

AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION AND THE SOUTHERN PACIFIC TRANSPORTATION COMPANY COVERING THE CONSTRUCTION OF A NEW RAILROAD UNDERPASS ON COLISEUM ROAD.

* * * *

78-4 The Clerk read the following Ordinance:

AN ORDINANCE 48,987

AUTHORIZING THE CITY MANAGER TO EXECUTE QUIRCLAIM DEEDS TO CERTAIN PURCHASERS FOR PROPERTIES ACQUIRED THROUGH TAX FORECLOSURES AND AUTHORIZING PAYMENTS TO OTHER TAX ENTITIES AND COSTS INCURRED THEREIN.

* * * *

<u>CAUSE NO.</u>	<u>LOCATION</u>	<u>PURCHASING</u>	<u>AMOUNT</u>
C-17585	346 Chickering	Juan Hernandez	\$ 900.00
C-17246	1205 Comal	Billy R. Terrell	348.00
C-15740	110 Dalton	Salvador M. Amanza	650.00
C-14128	1419 Denver	Alex Casanova Vargas	710.00
C-13439	108 Douglas Way	Louis J. Brown	175.00
C-14471	1306 E. Durango 906 S. Cherry	Mission Pharmaceutical Company	10,000.00
C-17980	234 Ellis Alley	Domingo N. Luna	500.00
C-14457	4203 El Paso	David & Erma G. Aleman	325.00
C-14737	1127 Fulton	Robert C. Bowman	1,155.00
C-17095	2418 Hicks	Fred Casanova	851.50
C-16981	209 Mallard	Melchor Flores	400.00
C-16674	1329 Rivas	Adam Zacharie	510.00
C-16833	310 San Salvador	Ascension Guzman	550.00
C-14524	1112 & 1114 North Smith	Louis Cortinas	1,600.00
C-14837	104 Tampa	Richard V. Chase	1,051.00
C-13366	111 Winslow	Julian Lopez	305.00

Dr. Cisneros moved that the Ordinance be approved. Mr. Pyndus seconded the motion.

In response to a question by Mrs. Dutmer, Mr. Thaddaeus Iglehardt, City Tax Attorney, explained the procedure used by their office to tax foreclosure on properties.

City Attorney Macon stated that these cases have been on the files for ten years and even longer. She stated that the staff works with citizens on problems they may have in paying their taxes.

In response to Mr. Ortiz, City Attorney Macon stated that their office will report on back tax collection activities for the last two years and include all sales and foreclosures and the process used.

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

78-4 The following Ordinance was read by the Clerk and after consideration, on motion made by Mr. Hartman, and seconded by Mr. Pyndus, was passed and approved by the following vote: AYES: Cisneros, Webb, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen; NAYS: None; ABSTAIN: Dutmer; ABSENT: Cockrell.

AN ORDINANCE 48,988

ACCEPTING THE HIGH QUALIFIED BID OF HIGHLAND PARK STATE BANK FOR \$2,000,000.00 OF CITY FUNDS FOR 185 DAYS AT A RATE OF 7.21%.

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78-4 The meeting was recessed at 4:30 P.M. and reconvened at 4:40 P.M.

78-4 CITIZENS TO BE HEARD

MISS BLACK SAN ANTONIO CONTESTANTS

Councilman Webb stated that a delegation of Miss Black San Antonio contestants had been present in the Council Chamber earlier but had to leave due to the fact that they had other visits to make. They asked him to announce that on Friday, February 10, 1978 the Miss Black San Antonio Pageant will be held at the Lackland Officer's Club at 7:30 P.M., and wanted to invite the Council members to attend.

YOUTH PHILHARMONIC ORCHESTRA
MRS. SHEILA WEINSTEIN

Mrs. Sheila Weinstein, representing the Youth Philharmonic Orchestra, spoke of the efforts made by their organization.

Mr. Hartman spoke of the Council's efforts in trying to make an arrangement between the Greater San Antonio Youth Symphony and the Youth Philharmonic Orchestra to reach a compromise.

Mr. Ed Mok, also representing the Youth Philharmonic Orchestra, spoke of their founding in April of 1977. He stated the costs are borne by private individuals and by civic organizations. He then mentioned the reasons why they had disassociated themselves from the Greater San Antonio Youth Symphony. He stated that they have made many attempts and tried to reconcile with the group but have been unsuccessful. He explained the need for consolidation of the two groups.

Mr. Hartman then stated that he will not support any fund allocation until the two groups reach a compromise. He suggested a joint meeting of these two groups.

Mrs. Weinstein spoke of a Memorandum of Understanding which they had previously discussed with the Greater San Antonio Youth Symphony.

After discussion by Council and the group representing the Youth Philharmonic Orchestra, the Council suggested that the two groups meet, and Mr. Hartman stated that he will initiate the meeting.

Both Mrs. Weinstein and Mr. Mok concurred with the suggestion made by the City Council and agreed to meet with the Greater San Antonio Youth Symphony.

MR. RICHARD MCGIFFEN
AND MR. FRENCH

Mr. Richard McGiffen and Mr. French, 2818 Austin Highway, Residents of Cross Creek Apartments, spoke to the Council regarding the need to make a section of Loop 410 access road a two-way street. They had a chart and illustrated to the Council their plan to route traffic. They also described the traffic situation and stated that they had approached Mr. Stewart Fischer, Director of Traffic and Transportation, but he stated their plan could not be implemented because it was too dangerous.

Mr. Hartman stated that he is very familiar with this area and in his opinion Mr. McGiffen's plan would be a good solution to the problem at that location. He then moved that the matter be referred to the staff for investigation and report to the City Council. Mr. Alderete seconded the motion. The Council concurred with this suggestion.

MEXICAN-AMERICAN BUSINESS AND PROFESSIONAL WOMEN'S CLUB

Mrs. Yolanda Rios Rangel, President of the Mexican-American Business and Professional Women's Club spoke to the Council regarding their organization and the sponsorship of the Feria Del Rio which had become an annual event. She stated that they do not charge an entrance fee and are requesting of Council that their organization be excluded as is the San Antonio Conservation Society from the concession contract which is presently being renegotiated. She stated that they are willing to negotiate a contract with the City.

Mr. Rolando Bono, Assistant to the City Manager, stated that bids for the concession contract have not yet been let out and suggested a "B" Session discussion of this item.

Several Council members spoke in support of the exclusion of the Mexican-American Business and Professional Women's Club from the contract at La Villita.

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After discussion by Council, Mr. Ortiz asked for a consensus vote to approve the exclusion of this organization from the La Villita Contract. Mr. Eureste seconded the motion.

Mrs. Dutmer stated that she would like to discuss this matter with the City Staff before any formal consensus vote is taken.

Mr. Pyndus then made a substitute motion asking that the staff come back to Council with a report on this matter. The motion died for lack of a second.

After discussion, Mr. Pyndus withdrew his objections.

Mr. Alex Briseno, in response to Mr. Pyndus' question, stated that the staff can work with the consensus decision of Council.

After further discussion, Mr. Pyndus withdrew his objections.

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

MR. RAUL RODRIGUEZ

Mr. Raul Rodriguez spoke to the Council regarding a recent case where a mistaken suspect was allegedly attacked by police officers. Mr. Rodriguez stated that attorneys in the City Attorney's Office have attempted to whitewash these charges. He also stated that the Police Association is trying to interfere with the Fire and Police Civil Service Commission. He asked Council to support the Commission.

A discussion took place regarding statements made in the newspaper about one of the members of the Fire and Police Civil Service Commission.

After discussion, Mr. Ortiz asked that the City Council be provided with a written transcript of the Fire and Police Civil Service Commission Hearing of the Zaragoza Case.

City Attorney Macon stated that they are working on a transcript for the City Manager and will also have it ready for Council.

MOBILE HOME OPERATORS

MR. C.A. KELLY

Mr. C.A. Kelly spoke about the collection of inspection fees which they must collect from each mobile home resident and forward to the City. He stated that they should be compensated for this service.

Mr. Ortiz referred to a memorandum he had written to the Mayor and Council regarding the revision of Section 37.18 of the City Code. He stated that this section imposes the duty of collecting, or paying, a monthly inspection fee of \$1.50 per unit and the filing of a monthly written report with the City's License and Dues Department. He suggested that these mobile home operators be compensated for this service.

Mrs. Dutmer spoke of the different services which individuals provide for the state and federal government and stated she could see no difference between this and the matter of the mobile home operators.

Dr. Cisneros then spoke about the higher utility rates charged by some mobile home operators to their residents.

City Attorney Macon stated that they have been working on an amendment to the Mobile Home Ordinance which addresses the concerns that Dr. Cisneros has expressed and will bring it to Council for consideration.

Mr. Ortiz suggested that this matter also be put on "B" Session for discussion.

At this point, Mr. Cullip, Mobile Home Operator, addressed the Council and spoke about the high utility bills and pass through charges which they are facing.

After discussion, Mr. Pyndus moved that the matter of collection of inspection fees be referred to City Attorney's Office for a report and then referred to City Council for a "B" Session discussion. Mr. Ortiz seconded the motion.

After further discussion, Dr. Cisneros made a substitute motion to have the inspection fees as well as the utility rates charged by mobile home operators discussed at a "B" Session. Mr. Webb seconded the motion.

At this point, Mrs. Cullip also spoke to the Council regarding the collection of the inspection fees. She stated that if the money is not collected then they have to put the money out of their own pockets.

In response to Mr. Eureste's questions, Mr. Carl White, Director of Finance, explained that inspections fees were put in because of the difficulty in collecting personal property taxes.

Mr. Eureste asked if an administrative fee could be provided to compensate those people for their trouble in collecting this inspection fee.

Mr. Carl White stated that an Ordinance could be passed by the City Council instituting such a fee. At the present time no compensation is made to Mobile Home Operators.

After discussion, and on roll call, the substitute motion carried by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Alderete; NAYS: Ortiz, Pyndus, Steen; ABSENT: Hartman, Cockrell.

The staff was instructed to look into the problem of compensating mobile home park operators for collection of inspection fee and the problem of mobile home park utilities and schedule both items on a future "B" Session.

Mr. Ortiz asked that the mobile home operators be advised of the time and date of the "B" Session where these matters will be discussed.

78-4 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, Alderete, Pyndus, Hartman, Steen; NAYS: None; ABSENT: Cockrell.

AN ORDINANCE 48,989

AUTHORIZING PAYMENT OF \$23,197.44 TO THE
ALAMO AREA COUNCIL OF GOVERNMENTS (AACOG)
FOR CALENDAR YEAR 1978 MEMBERSHIP DUES.

* * * *

AN ORDINANCE 48,990

CLOSING CERTAIN STREETS FOR USE BY THE
FIESTA CARNIVAL.

* * * *

78-4 The following Ordinance was read by the Clerk and after consideration, on motion made by Mr. Alderete, and seconded by Mr. Wing, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Alderete, Hartman, Steen; NAYS: None; ABSTAIN: Pyndus; ABSENT: Cockrell, Ortiz.

823
AN ORDINANCE 48,991

AUTHORIZING THE CITY MANAGER TO ACCEPT A GRANT ON BEHALF OF THE ALAMO MANPOWER CONSORTIUM, FROM THE U.S. DEPARTMENT OF LABOR TO OPERATE THE SKILL TRAINING IMPROVEMENT PROGRAM UNDER THE PROVISIONS OF TITLE III OF THE COMPREHENSIVE EMPLOYMENT AND TRAINING ACT OF 1973; APPROVING THE OPERATING BUDGET; ESTABLISHING A FUND AND ACCOUNTS; APPROVING A PERSONNEL COMPLEMENT; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THIRD-PARTY CONTRACTS WITH OPERATING AGENCIES.

* * * *

78-4 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, Alderete, Pyndus, Hartman, Steen; NAYS: None; ABSENT: Ortiz, Cockrell.

AN ORDINANCE 48,992

APPROPRIATING THE SUM OF \$10,460.00 OUT OF VARIOUS FUNDS FOR THE PURPOSE OF ACQUIRING TITLE AND/OR EASEMENTS TO CERTAIN LANDS; ACCEPTING THE DEDICATION OF TITLE AND/OR EASEMENTS TO CERTAIN LANDS; ALL TO BE USED IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS.

* * * *

AN ORDINANCE 48,993

CLOSING AND ABANDONING PORTIONS OF PEREZ STREET, W. MORALES STREET, N. MEDINA STREET AND TWO ALLEYS AND AUTHORIZING A QUITCLAIM DEED TO SAN ANTONIO DEVELOPMENT AGENCY FOR THE CONSIDERATION OF \$1.00.

* * * *

AN ORDINANCE 48,994

AUTHORIZING PAYMENT FOR ADDITIONAL FEES FOR CONSTRUCTION AND PROFESSIONAL SERVICES IN CONNECTION WITH VARIOUS ONGOING CONSTRUCTION PROJECTS, AND AUTHORIZING REVISION AND TRANSFER OF BUDGETARY FUNDS APPROPRIATED THERETO; AND APPROPRIATING AN ADDITIONAL \$6,347.07 IN THE 1974 DRAINAGE BONDS FUND TO THE BROADWAY DRAINAGE PROJECT.

* * * *

78-4 The Clerk read the following Ordinance:

AN ORDINANCE 48,995

ACCEPTING THE LOW QUALIFIED BID OF HEYWOOD WAKEFIELD COMPANY, CENTRAL DISTRIBUTING AGENT IN THE AMOUNT OF \$295,717.04 FOR ALTERNATE BIDS NO. 2 AND NO. 6 FOR ADDITIONAL AND REVISED SEATING FOR THE CONVENTION CENTER ARENA; AUTHORIZING THE CITY MANAGER TO EXECUTE A STANDARD CITY PUBLIC WORKS CONSTRUCTION CONTRACT COVERING SAID WORK APPROPRIATING FUNDS; AND AUTHORIZING PAYMENT AS HEREIN PROVIDED.

* * * *

Webb moved to approve the Ordinance. Mr. Alderete 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, Eureste, Alderete, Pyndus, Hartman, Steen; NAYS: Wing; ABSENT: Ortiz, Cockrell.

In response to a question by Dr. Cisneros, Mr. Mel Sueltenfuss, Director of Public Works, explained the scheduling for use of the Arena due to construction and said that no activity will be scheduled until the next basketball season.

78-4 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, Alderete, Pyndus, Hartman, Steen; NAYS: None; ABSENT: Ortiz, Cockrell.

AN ORDINANCE 48,996

AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WHEREBY THE CITY SHALL RENT CERTAIN CITY-OWNED EQUIPMENT TO COMMUNITY TREATMENT, INC., IN CONNECTION WITH OPERATION OF A PUBLIC SEWERAGE SYSTEM WITHIN THE CITY LIMITS.

* * * *

AN ORDINANCE 48,997

ACCEPTING THE PROPOSAL OF TECO, INC., DBA PEERLESS EQUIPMENT COMPANY TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH A COMPLETE IRRIGATION SYSTEM FOR A NET TOTAL OF \$8,505.00.

* * * *

AN ORDINANCE 48,998

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 \$3,250.00, LESS 1% - 30 DAYS.

* * * *

AN ORDINANCE 48,999

ACCEPTING THE LOW BID OF SEWINHART ELECTRIC CO., INC. TO FURNISH THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH AN AIRCRAFT POWER UNIT FOR A NET TOTAL OF \$3,550.00.

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AN ORDINANCE 49,000

ACCEPTING THE LOW BID OF GRAYBAR ELECTRIC CO., INC. TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH ELECTRICAL MATERIAL FOR A TOTAL OF \$7,589.00, LESS 1% - 10TH PROX.

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AN ORDINANCE 49,001

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ACCEPTING THE LOW QUALIFIED BIDS OF ACTION FIRE EQUIPMENT, INC., ALAMO FIRE & SAFETY EQUIP. CO., BASHOR, INC., FIRE APPLIANCE CO., FIRE PROTECTION, HOUSTON FIRE & SAFETY, MARTIN APPAR/PIERCE MFG., S & L SEAGRAVE SALES AND TEXAS FIRE EXTINGUISHER AND FLAMEPROOFING, INC. TO FURNISH THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH FIREFIGHTING EQUIPMENT FOR A TOTAL OF \$17,180.92.

* * * *

AN ORDINANCE 49,002

ACCEPTING THE LOW QUALIFIED BID OF J.F. CLARK COMPANY TO FURNISH THE CITY OF SAN ANTONIO CONVENTION FACILITIES WITH FOLDING CHAIRS FOR A TOTAL OF \$30,375.00, LESS 1% - 10 DAYS.

* * * *

78-4 The following Resolutions 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, Alderete, Pyndus, Hartman, Steen; NAYS: None; ABSENT: Ortiz, Cockrell.

A RESOLUTION
NO. 78-4-14

MANIFESTING THE DETERMINATION OF THE CITY COUNCIL THAT MR. NICK FUSCO 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.

* * * *

A RESOLUTION
NO. 78-4-15

MANIFESTING THE DETERMINATION OF THE CITY COUNCIL THAT LLOYD A. DENTON HAS VESTED RIGHTS UNDER THE PROVISIONS OF ARTICLE THREE OF ORDINANCE NO. 48484 OF SEPTEMBER 8, 1977, TO THE ISSUANCE OF TWENTY-NINE (29) BUILDING PERMITS AND THE INSTALLATION OF NECESSARY WATER FACILITIES.

* * * *

A RESOLUTION
NO. 78-4-16

MANIFESTING THE DETERMINATION OF THE CITY COUNCIL THAT THOUSAND OAKS CORPORATION HAS VESTED RIGHTS UNDER THE PROVISIONS OF ARTICLE THREE OF ORDINANCE NO. 48484 OF THE SEPTEMBER 8, 1977 FOR THE DEVELOPMENT OF FIFTY (50) ACRES OF PROPERTY LOCATED IN THE THOUSAND OAKS SUB-DIVISION.

* * * *

MANIFESTING THE DETERMINATION OF THE CITY COUNCIL THAT SAN ANTONIO PROPERTIES NORTH, INC., HAS VESTED RIGHTS UNDER THE PROVISIONS OF ARTICLE THREE OF ORDINANCE NO. 48484 OF SEPTEMBER 8, 1977 FOR THE DEVELOPMENT OF UNITS 6 AND 7 OF UNIVERSITY OAKS AND UNITS 12 AND 13 OF THE WOODS OF SHAVANO.

* * * *

A RESOLUTION
NO. 78-4-18

AUTHORIZING THE APPROVAL OF UNIT 2 OF THE ENCINO PARK JOINT VENTURE PURSUANT TO ORDINANCE NO. 48484 OF SEPTEMBER 8, 1977.

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DISMISSAL OF LAWSUITS

City Attorney, Jane Macon announced to the Council that a joint motion for dismissal of claims brought by Encino Park Venture has been filed in federal court.

78-4 The following Resolution was read by the Clerk and after consideration, on motion of Mr. Alderete, seconded by Mr. Hartman, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Alderete, Pyndus, Hartman, Steen; NAYS: None; ABSENT: Ortiz, Cockrell.

A RESOLUTION
NO. 78-4-19

STATING THE POSITION OF THE CITY COUNCIL RELATIVE TO THE CONTINUING PLANNING PROCESS FOR THE 208 AREA WIDE WASTE TREATMENT MANAGEMENT.

* * * *

78-4 The Clerk read the following letter:

January 30, 1978

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

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

January 26, 1978

Petition submitted by Mr. Edward C. Herron, requesting permission to raise a concrete wall that is located on City property.

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

* * * *

January 26, 1978
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ere being no business
was adjourned at 6:50 P.M.

me before the Council,

meeting
830

A P P R O V E D

Lila Cockull

M A Y O R

ATTEST:

G. J. Galsworthy
C i t y C l e r k