

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, MARCH 6, 1980.

\* \* \* \*

The meeting was called to order at 1:00 P.M. by the presiding officer, Mayor Pro-Tem Helen Dutmer, in the temporary absence of the Mayor, with the following members present: CISNEROS, WEBB, DUTMER, WING, EURESTE, THOMPSON, ALDERETE, CANAVAN, ARCHER, STEEN, COCKRELL: Absent: NONE.

80-13 The invocation was given by The Reverend Dr. George H. Harris, Castle Hills First Baptist Church.

80-13 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

80-13 The addendum to the minutes of the meeting of February 21, 1980 and the minutes of the regular meeting of February 28, 1980, were approved.

80-13 PRESENTATION OF CITATION TO  
JOE M. "PAPPY" LONG

Mayor Pro-Tem Dutmer and Council members presented a Citation to Mr. Long, which read as follows:

"IT'S PEOPLE LIKE YOU THAT MAKE SAN ANTONIO A BETTER  
PLACE TO LIVE"

Mayor Pro-Tem Dutmer spoke about Mr. Long's lifelong career as a pioneer in the field of aviation. Several Council members also spoke about the many accomplishments of Mr. Long's.

Mr. Long presented the Mayor with a corsage and each of the Council members with carnations and thanked them for the citation.

80-13 Mayor Pro-Tem Dutmer recognized a group of Campfire girls from Howard Elementary School, who were present in the audience. Ms. Molly Zachry accompanied the group.

80-13 CONSENT AGENDA

Mr. Steen moved that items #6-18 constituting the consent agenda be approved. Dr. Cisneros seconded the motion.

On roll call, the motion, carrying with it the passage of the following Ordinances and Resolution, prevailed by the following vote:  
AYES: Cisneros, Dutmer, Wing, Thompson, Canavan, Steen; NAYS: None;  
ABSENT: Webb, Eureste, Alderete, Archer, Cockrell.

AN ORDINANCE 51,908

ACCEPTING THE LOW BID OF DUBOSE CARPETS &  
FLOORS TO FURNISH THE CITY OF SAN ANTONIO  
WITH CARPETING FOR A NET TOTAL OF \$3,300.00.

\* \* \* \*

AN ORDINANCE 51,909

ACCEPTING THE LOW BID OF AMERICAN AWNING & SHADE COMPANY TO FURNISH THE CITY WITH DROP CURTAINS FOR A TOTAL OF \$3,695.00, LESS 1% - 15 DAYS.

\* \* \* \*

AN ORDINANCE 51,910

ACCEPTING THE BIDS OF WATSON DISTRIBUTING COMPANY, COLONIAL MOTOR CO., AND JOHN SOROLA, INC. TO FURNISH THE CITY OF SAN ANTONIO WITH MOWING EQUIPMENT FOR A TOTAL OF \$61,781.08.

\* \* \* \*

AN ORDINANCE 51,911

AUTHORIZING EXECUTION OF AGREEMENTS WITH MEMBERS OF THE COUNCIL OF RESEARCH & ACADEMIC LIBRARIES FOR USE OF SPACE IN THE MAIN LIBRARY ANNEX.

\* \* \* \*

AN ORDINANCE 51,912

AUTHORIZING THE CITY MANAGER TO EXECUTE A SPECIAL WARRANTY DEED CONVEYING A TRACT OF SURPLUS CITY-OWNED PROPERTY TO LIONEL A. PECHE, ET UX, FOR A CONSIDERATION OF \$600.00.

\* \* \* \*

AN ORDINANCE 51,913

APPROVING THE PRICE AND CONDITIONS OF SALE BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF PARCEL C-C-16(A) AND A PORTION OF PARCEL C-C-39, CONTAINING APPROXIMATELY 10,440 SQUARE FEET, LOCATED WITHIN THE ROSA VERDE PROJECT, TEX. R-78 PROJECT, TO PLAZA PROPERTIES, INC. FOR THE SUM OF \$76,477.00.

\* \* \* \*

AN ORDINANCE 51,914

AUTHORIZING FORMAL APPLICATION FOR AN URBAN PARK AND RECREATION RECOVERY REHABILITATION GRANT FOR BRACKENRIDGE PARK, AND ASSURING THE GRANTING AGENCY OF COMPLIANCE WITH ALL REQUIREMENTS FOR RECEIPT OF SUCH FUNDS.

\* \* \* \*

AN ORDINANCE 51,915

AUTHORIZING APPLICATION TO THE TEXAS DEPARTMENT OF PARKS AND WILDLIFE FOR \$103,000 AS THE STATE'S SHARE OF A PROJECT TO REHABILITATE BRACKENRIDGE PARK THROUGH AN URBAN PARK AND RECREATION RECOVERY GRANT, AND AUTHORIZING THE CITY MANAGER TO EXECUTE APPLICABLE AGREEMENTS WITH THE STATE.

\* \* \* \*

AN ORDINANCE 51,916

AUTHORIZING PAYMENT OF REFUNDS TO PERSONS MAKING OVERPAYMENTS OR DOUBLE PAYMENTS ON 18 TAX ACCOUNTS.

\* \* \* \*

AN ORDINANCE 51,917

GRANTING A LICENSE TO URBAN HOLDINGS, INC., TRUSTEE, TO OCCUPY SPACE UNDER WEST TRAVIS AND SOLEDAD STREETS AND OVER AN ALLEY ADJACENT TO NEW CITY BLOCK 120, AND MANIFESTING AN AGREEMENT IN CONNECTION THEREWITH.

\* \* \* \*

A RESOLUTION NO. 80-13-19

AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR OIL AND GAS DRILLING RIGHTS ON CERTAIN LAND IN WILSON COUNTY.

\* \* \* \*

AN ORDINANCE 51,918

AUTHORIZING THE CLOSING OF SAN SABA STREET DURING CERTAIN HOURS.

\* \* \* \*

AN ORDINANCE 51,919

APPROPRIATING \$1,168.86 FROM THE DISTRICT 8 CAPITAL IMPROVEMENT CONTINGENCY ACCOUNT FOR THE CONSTRUCTION OF A SIDEWALK ON THE EAST SIDE OF CRESTLINE STREET AT BABCOCK.

\* \* \* \*

80-13 ZONING HEARINGS

19. CASE 7967 - to rezone Tract 2, save and except the northwest 100', Block 2, NCB 11966, 9800 Block of McCullough Avenue, from "B-3" Business District to "I-1" Light Industry District, located between Isom Road and McCullough Avenue, being 250' southwest of Portland Road, having 250' on McCullough Avenue and a depth of 300'.

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. Mr. Wing 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, Canavan, Steen; NAYS: None; ABSENT: Webb, Eureste, Alderete, Archer, Cockrell.

AN ORDINANCE 51,920

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS TRACT 2, SAVE AND EXCEPT THE NORTHWEST 100', BLOCK 2, NCB 11966, 9800 BLOCK OF MCCULLOUGH AVENUE, FROM "B-3" BUSINESS DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT.

\* \* \* \*

20. CASE 7978 - to rezone Parcels 51A and 51B, save and except the northeast 500', NCB 13667, 9631 Fredericksburg Road, from "R-3" Multiple Family Residential District to "B-3R" Restrictive Business District, located 500' southwest of Fredericksburg Road, being 2178.4' southeast of the intersection of Eckert Lane and Fredericksburg Road, having a width of approximately 190' and a depth of 595'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change which the Zoning Commission recommended be approved by the City Council. He explained that there was more than 20% opposition and this case would require nine affirmative votes to approve the change in zoning.

At this time, Dr. Cisneros made a motion to postpone this item until there is a full Council later in the meeting. Mr. Thompson seconded the motion.

The applicant, Mr. Charles Miller concurred with Council's recommendation that this case be postponed.

After discussion, the motion to postpone this item, carried by the following vote: AYES: Cisneros, Dutmer, Wing, Thompson, Canavan, Steen; NAYS: None; ABSENT: Webb, Eureste, Alderete, Archer, Cockrell.

See page 11 of these minutes for the conclusion of this item.

21. CASE 7968 - to rezone Lots 23, 24, 25 and 26, NCB 1254, 1822 N. Palmetto Street, 1204 Grayson Street, from "E" Office District and "F" Local Retail District to "B-1" Business District, located southeast of the intersection of Grayson Street and Palmetto Street, having 159.0' on Grayson Street and 245' on N. Palmetto Street.

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. Wing 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, Canavan, Steen; NAYS: None; ABSENT: Webb, Eureste, Alderete, Archer, Cockrell.

AN ORDINANCE 51,921

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 23, 24, 25 AND 26, NCB 1254, 1822 N. PALMETTO STREET, 1204 GRAYSON STREET, FROM "E" OFFICE DISTRICT AND "F" LOCAL RETAIL DISTRICT TO "B-1" BUSINESS DISTRICT.

\* \* \* \*

22. CASE 7958 - to rezone a 2.591 acre tract of land out of NCB 11620, being further described by field notes filed in the Office of the City Clerk, from "A" Single Family Residential District and "R-3" Multiple Family Residential District to "P-1(R-1)" Planned Unit Development Single Family Residential District and for the relocation of a one foot non-access easement and removal of a 75' building setback line along the southwest property line on Lot 20, previously imposed by Zoning Case No. 5210 Ordinance No. 42979, dated November 1, 1973 and Zoning Case No. 4235, Ordinance No. 39692, dated July 15, 1971, located 135' northeast of the intersection of Ashton Place and Midvale Drive, having a maximum length of 405' and a maximum depth of 325'.

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 proper platting is accomplished. Mr. Steen seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Dutmer, Wing, Thompson, Canavan, Steen; NAYS: None; ABSENT: Webb, Eureste, Alderete, Archer, Cockrell.

AN ORDINANCE 51,922

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 2.591 ACRE TRACT OF LAND OUT OF NCB 11620, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT AND "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT TO "P-1(R-1)" PLANNED UNIT DEVELOPMENT SINGLE FAMILY RESIDENTIAL DISTRICT AND FOR THE RELOCATION OF A ONE FOOT NON-ACCESS EASEMENT AND REMOVAL OF A 75' BUILDING SETBACK LINE ALONG THE SOUTHWEST PROPERTY LINE ON LOT 20 PREVIOUSLY IMPOSED BY ZONING CASE NO. 5210 ORDINANCE NO. 42979, DATED NOVEMBER 1, 1973 AND ZONING CASE NO. 4235, ORDINANCE NO. 39692, DATED JULY 15, 1971, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

\* \* \* \*

23. CASE 7878 - to rezone the north 25' of Lots 1 thru 4, west 25' of Lot 21 and the west 25' of the south 112' of Lot 4, Block 1, NCB 3243, from "B" Two Family Residential District to "B-3R" Restrictive Business District; Lots 22, 23, and 24, the east 15' of Lot 21, the east 15' of the south 112' of Lot 4 and the south 112' of Lots 1, 2, and 3, Block 1, NCB 3243, in the 1400 Block of W. Summit Avenue, in the 200 Block of Moberly Street, from "B" Two Family Residential District to "I-1" Light Industry District; lots in question are located on the west side of Warner Street between W. Summit Avenue and Moberly Street, having a total of 274' on Warner Street, 167.5' on West Summit Avenue and 167.5' on Moberly Street. The "B-3R" being on the north and west 25' and the "I-1" being on the remaining portion.

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.

Mr. Thompson and Mr. Canavan spoke in support of the requested change in zoning.

After discussion, Mr. Steen moved that the recommendation of the Zoning Commission be approved provided that the applicant process a request and accomplish the closing of Warner Street and Moberly Street; a cul-de-sac is provided as per plan submitted; a non-access easement along the northline of the subject property is imposed in order to prevent access to Summit Avenue and a non-access easement on the proposed Moberly Street cul-de-sac is provided to prevent access to Moberly Street; that the north property line is landscaped; and provided that a six foot solid screen fence is erected and maintained along the north and west property lines. 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, Thompson, Canavan, Steen; NAYS: None; ABSENT: Webb, Eureste, Alderete, Archer, Cockrell.

AN ORDINANCE 51,923

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE NORTH 25' OF LOTS 1 THRU 4, WEST 25' OF LOT 21, AND THE WEST 25' OF THE SOUTH 112' OF LOT 4, BLOCK 1, NCB 3243, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT; LOTS 22, 23, AND 24, THE EAST 15' OF LOT 21, THE EAST 15' OF THE SOUTH 112' OF LOT 4, AND THE SOUTH 112' OF LOTS 1, 2, and 3, BLOCK 1, NCB 3243, IN THE 1400 BLOCK OF W. SUMMIT AVENUE IN THE 200 BLOCK OF MOBERLY STREET, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT THE APPLICANT PROCESS A REQUEST AND ACCOMPLISH THE CLOSING OF WARNER STREET AND MOBERLY STREET; A CUL-DE-SAC IS PROVIDED AS PER PLAN SUBMITTED; A NON-ACCESS EASEMENT ALONG THE NORTHLINE OF THE SUBJECT PROPERTY IS IMPOSED IN ORDER TO PREVENT ACCESS TO SUMMIT AVENUE AND A NON-ACCESS EASEMENT ON THE PROPOSED MOBERLY STREET CUL-DE-SAC IS PROVIDED TO PREVENT ACCESS TO MOBERLY STREET; THAT THE NORTH PROPERTY LINE IS LANDSCAPED; AND PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTH AND WEST PROPERTY LINES.

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80-13

The Clerk read the following Ordinance:

AN ORDINANCE 51,924

PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LINES OF THE CITY OF SAN ANTONIO, TEXAS AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF APPROXIMATELY 323 ACRES OF LAND IN THE HUNTERS CREEK AREA, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF SAN ANTONIO.

\* \* \* \*

Mr. Canavan moved to approve the Ordinance. Mr. Steen seconded the motion.

Mr. Thompson expressed his concern that the City needs a plan whereby the City will know how to handle the annexed area or will be better prepared in dealing with this type of situation.

Mr. Canavan stated that he had worked very closely with this area and stated that the City does have adequate fire protection for most of these areas. He stated that the revenues available from the general fund will more than adequately provide for better police and fire services throughout the community.

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

80-13 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Canavan, seconded by Mr. Steen, was passed and approved by the following vote: AYES: Cisneros, Dutmer, Wing, Thompson, Canavan, Steen; NAYS: None; ABSENT: Webb, Eureste, Alderete, Archer, Cockrell.

AN ORDINANCE 51,925

SETTING A DATE, TIME AND PLACE FOR A PUBLIC HEARING ON THE PROPOSED ANNEXATION OF APPROXIMATELY 741 ACRES OF LAND, SUCH ACREAGE INCLUDING BLUFFVIEW OF CAMINO REAL, CHURCHILL ESTATES, CASTLE HILLS FOREST, WOODS OF SHAVANO AND COUNTRY WOOD DRIVE; AND AUTHORIZING AND DIRECTING THE CITY MANAGER TO PUBLISH NOTICE OF SUCH PUBLIC HEARING.

\* \* \* \*

80-13 Item 26, being a proposed ordinance levying an ad valorem tax for the support of the City government of the City of San Antonio; levying a tax to pay the interest on the funded debt of said city; and to create a sinking fund therefore; and fixing the tax rate at \$1.65 per \$100.00 of valuation, all said taxes being levied for the tax year beginning June 1, 1979 and ending May 31, 1980, was postponed temporarily to allow for a full Council.

See page 9 for discussion on this item.

80-13 Item 27, being a proposed ordinance adopting an amended Affirmative Action Plan for the City of San Antonio; establishing a small and/or minority Business Enterprise Program; and directing immediate implementation of said program, was withdrawn from Council consideration.

80-13 The Clerk read the following Resolution:

A RESOLUTION  
NO. 80-13-20

PROVIDING STATUTORY CONSENT FOR BEXAR COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 17 TO CONSTRUCT CERTAIN WATERWORKS IMPROVEMENTS ON LAND WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF SAN ANTONIO.

\* \* \* \*

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

In response to a concern expressed by Mr. Thompson, Ms. Jane Macon, City Attorney, state that it was recommended that in light of the fact that the Bexar County Water Control and Improvement District had asked for Council action it was brought forth for Council consideration.

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

80-13 The Clerk read the following Ordinance:

AN ORDINANCE 51,926

AUTHORIZING THE TRANSFER OF FUNDS FROM THE PUBLIC WORKS DEPARTMENT WORKERS' COMPENSATION PROGRAM AND AUTHORIZING A BUDGET AMENDMENT.

\* \* \* \*

Mr. Steen moved to approve the Ordinance. Mr. Thompson seconded the motion.

Mr. Canavan commended the Personnel Department and the Legal Department in handling this situation. He stated that this would result in cost savings to the City.

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

80-13 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Canavan, seconded by Mr. Thompson, was passed and approved by the following vote: AYES: Cisneros, Dutmer, Wing, Thompson, Canavan, Steen; NAYS: None; ABSENT: Webb, Eureste, Alderete, Archer, Cockrell.

AN ORDINANCE 51,927

AUTHORIZING THE APPROVAL OF THE JUDGMENT FOR PAYMENT OF PERSONAL PROPERTY TAXES FOR SOUTHWEST LIGHTING, INC.

\* \* \* \*

80-13 The Clerk read the following Ordinance:

AN ORDINANCE 51,928

AMENDING ORDINANCE NO. 43965 REGARDING CHARGES FOR ADMISSION TO THE WITTE MUSEUM.

\* \* \* \*

Mr. Steen moved to approve the Ordinance. Mr. Canavan seconded the motion.

In response to a question by Mr. Thompson, Mr. Thomas Huebner, City Manager, explained that the Witte Museum will have on exhibit the world-famous Chatsworth collection. He stated that the additional cost of such exhibits, along with the desire of the Association to bring more high-quality exhibits to the Museum makes it necessary to lift the \$1.00 limitation on charges for these exhibits. He explained that in order to provide for more flexibility in the future and to allow for the charge to be set in conformance with the cost of the exhibit, this Ordinance would allow for reasonable charges with prior approval of such charges by himself. He further stated that he would be glad to advise the Council as to what kind of a fee the Association wants to charge, ahead of time.

Mayor Cockrell returned to the meeting and presided.

Mr. Steen spoke in support of this Ordinance.

Mr. Canavan also spoke in support of the passage of this Ordinance.

After discussion, 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.

80-13 The Clerk read the following Ordinance:

AN ORDINANCE 51,929

LEVYING AN AD VALOREM TAX FOR THE SUPPORT OF THE CITY GOVERNMENT OF THE CITY OF SAN ANTONIO; LEVYING A TAX TO PAY THE INTEREST ON THE FUNDED DEBT OF SAID CITY; AND TO CREATE A SINKING FUND THEREFOR; AND FIXING THE TAX RATE AT \$1.65 PER \$100.00 OF VALUATION, ALL SAID TAXES BEING LEVIED FOR THE TAX YEAR BEGINNING JUNE 1, 1979 AND ENDING MAY 31, 1980.

\* \* \* \*

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

Mayor Cockrell stated that this Ordinance represents good team work on the part of the City Council and the City staff to continue another year on this ad-valorem tax rate. She commended them for "holding the line" and maintaining the same tax rate.

Dr. Cisneros reiterated the Mayor's remarks and referred to this type of endeavor as being an economic incentive.

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

80-13 Item 32, being a proposed ordinance amending the rules for City Council Meetings by providing for a ten minute limit for citizen presentations at Citizens To Be Heard and providing for Council consideration of said presentations, was temporarily withheld from Council consideration.

See page 11 of these minutes for Council discussion.

80-13 The following Ordinances were read by the Clerk and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Steen, Cockrell; NAYS: None; ABSENT: Archer.

AN ORDINANCE 51,930

REAPPOINTING AND APPOINTING MEMBERS TO SERVE ON CENTRO 21; DESIGNATING MS. CLAIRE REGNIER AS CHAIRPERSON AND MR. CARL BRENNER AS VICE CHAIRPERSON; AND PROVIDING FOR THE PLANNING COMMISSION TO DESIGNATE AN EX-OFFICIO MEMBER TO SERVE.

\* \* \* \*

The following individuals are hereby reappointed to serve on Centro 21 for a three (3) year term:

Ms. Claire Regnier  
Mr. Robert Washington, Jr.  
Mr. Max Penner

The following individuals are hereby appointed to serve on Centro 21 for a three (3) year term:

Mr. Bill Hudson  
Mr. Bob MacLaine  
Mr. Byron LeFlore  
Mr. Richard Landsman  
Ms. Dora Salinas  
Mr. Steven Lee

\* \* \* \*

AN ORDINANCE 51,931

APPOINTING MR. MANUAL ANAYA TO SERVE ON THE PLANNING COMMISSION FOR THE REMAINDER OF THE UNEXPIRED TERM OF MR. DAN FLORES WHO HAS RESIGNED; SAID TERM IS TO EXPIRE JULY 31, 1980.

\* \* \* \*

AN ORDINANCE 51,932

REAPPOINTING MR. DAVID STRAUSS AND MRS. BEVERLY DUDLEY TO THE RIVERWALK COMMISSION FOR A TWO (2) YEAR TERM TO EXPIRE OCTOBER 6, 1981; AND APPOINTING MR. MIKE NOVAK TO SERVE ON THE COMMISSION FOR A TWO (2) YEAR TERM TO EXPIRE OCTOBER 6, 1981.

\* \* \* \*

80-13

The Clerk read the following Resolution:

A RESOLUTION  
NO. 80-13-21

AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO FILE SUIT AGAINST EDITH MOLNAR TO OBTAIN POSSESSION OF CITY PROPERTY WHICH SHE UNLAWFULLY DETAINS.

\* \* \* \*

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

In response to a question by Mr. Alderete, City Attorney, Jane Macon, explained that this is merely a procedure that is followed in accordance with the State statute.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Eureste, Thompson, Alderete, Canavan, Steen, Cockrell; NAYS: Wing; ABSENT: Archer.

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80-13 Discussion on Case 7978 continued.

Mr. Charles Miller, the applicant explained that he is requesting a change in zoning because the bottom half of his property is useless to them with the present zoning. He stated that he is proposing to construct mini-warehouses on this piece of property.

No citizen appeared to speak in opposition.

After consideration, Dr. Cisneros moved to approve the recommendation of the Zoning Commission provided that proper platting is accomplished and that a six foot solid screen fence is erected and maintained along the northwest, southwest and southeast property lines. Mr. Thompson seconded the motion. On roll call, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Thompson, Alderete, Canavan, Steen, Cockrell; NAYS: None; ABSENT: Eureste, Archer.

AN ORDINANCE 51,933

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS PARCELS 51-A AND 51-B, SAVE AND EXCEPT THE NORTHEAST 500', NCB 13667, 9631 FREDERICKSBURG ROAD, FROM "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTHWEST, SOUTHWEST AND SOUTHEAST PROPERTY LINES.

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80-13 Discussion on Item 32 continued.

The Clerk read the following Ordinance:

AN ORDINANCE 51,934

AMENDING THE RULES FOR CITY COUNCIL MEETINGS BY PROVIDING FOR A TEN MINUTE LIMIT FOR CITIZEN PRESENTATIONS AT CITIZENS TO BE HEARD AND PROVIDING FOR COUNCIL CONSIDERATION OF SAID PRESENTATIONS.

\* \* \* \*

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

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

Discussion continued.

A discussion then took place on the time that is used by the City Council members at the Citizens To Be Heard Session.

At this time, Dr. Cisneros made an amendment to the motion that a Council member may not speak more than once or for a limit of three minutes on that given subject. Mr. Eureste seconded the motion.

Dr. Cisneros reiterated the comments made by Mr. Webb and spoke for the passage of the amendment.

Mr. Alderete made a motion to close debate and call the question. Mr. Thompson seconded the motion. On roll call, the motion failed to carry by the following vote: AYES: Thompson, Archer, Steen, Cockrell; NAYS: Cisneros, Webb, Dutmer, Wing, Eureste, Alderete, Canavan; ABSENT: None.

Motion failed. Discussion continued.

Several Council members voiced their opposition or spoke in favor of this amendment.

Mayor Cockrell was obliged to leave the meeting and Mayor Pro-Tem Dutmer presided.

The meeting was recessed at 2:45 P.M. and reconvened at 3:00 P.M.

At this time Mr. Canavan made an amendment to the amendment, no member may speak more than once or more than three minutes in that instance, or on that given subject and there will be no yielding of time allowed in addition, that the City Council will have the authority or ability to extend the minutes and grant an additional five minutes per speaker. Dr. Cisneros seconded the motion.

After a lengthy discussion, the amendment to the amendment made by Mr. Canavan carried by the following vote: AYES: Cisneros, Webb, Eureste, Thompson, Alderete, Canavan, Archer, Cockrell; NAYS: Dutmer, Wing, Steen; ABSENT: None.

The amendment made by Dr. Cisneros and amended by Mr. Canavan carried by the following vote: AYES: Cisneros, Dutmer, Eureste, Thompson, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: Wing; ABSENT: Webb.

The original motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Cisneros, Dutmer, Eureste, Thompson, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: Wing; ABSENT: Webb.

80-13

3:15 P.M. -- PUBLIC HEARING REGARDING THE URBAN  
RENEWAL PLAN TO THE VISTA VERDE SOUTH  
PROJECT

The Clerk read a proposed ordinance approving and adopting major amendment number one to the Vista Verde South Urban Renewal Plan.

Mr. Winston Martin, Executive Director of the San Antonio Development Agency, explained that the purpose of the public hearing is to consider major amendment no. 1 to the Vista Verde South Urban Renewal Plan. He stated that as a result of revisions made to the Vista Verde South UDAG application, during the final stages of negotiations with HUD and approved by the City Council on December 13, 1979, it is

necessary to amend the Vista Verde South Urban Renewal Plan in order that it conforms to the revised application. He explained that the major change to the plan is a designation of additional acquisition in NCB's 268, 270, 301, and 302. He stated that this additional acquisition was required to accommodate the land requirements for Control Data Corporation and the City Public Service Board. He further stated that in addition, minor changes are required to update the relocation workload as a result of the latest relocation survey.

In response to a concern expressed by Dr. Cisneros, Mr. Martin explained that this amendment would affect Mario's Restaurant, however, the Trottnor Iron and Metal Company is not a part of this amendment and if renegotiations are to be opened up again, then an amendment would have to be made and another public hearing scheduled.

A discussion then took place between the City Council members and Mr. Martin on the relocation of Mario's Restaurant, the involvement of the San Antonio Development Agency, and the discussion that took place with the City Public Service Board.

A discussion also took place on the effect of not approving this major amendment at this time and any effect to the UDAG grant.

The following citizens spoke at this public hearing:

Mr. Lucchese, 412 Buena Vista, spoke in opposition to the relocation of Mario's Restaurant. He also stated that the City Public Service Board building should remain at its present location.

Mr. Arthur Troilo, attorney for the Cantu family, stated that the amendment as proposed changes the acquisition schedule. He stated that the property in question was never scheduled for acquisition. He stated that as yet, no in-depth analysis has been made of the plans for the CPS building. He stated that the proposed amendment wipes out the classic free and private enterprise. He stated that the burden should be on the private governing agencies that want to take over the land. He stated that they are not against the UDAG grant but feel that there has been no attempt by CPSB to meet with the owners of the subject property. He urged the Council not to approve the amendment.

Mr. Eureste made reference to a letter from Mr. Glenn Biggs addressed to Mr. Hector Cantu. (A copy of this letter is on file with the minutes of this meeting.) He also spoke in opposition to the relocation of Mario's Restaurant. He stated that he had been told by the SADA Director that perhaps, Mario's was objecting so that he could get a better price on their land. He stated that he would like to see the Vista Verde South Project continue but not at the expense of a viable business.

At this time, Mr. Thompson made a motion to postpone the public hearing for two weeks to allow all parties interested to have an opportunity to meet. The motion died for lack of a second.

Mayor Cockrell advised the Council that the whole public hearing can be heard by the Council. She stated that a final decision does not have to be made at this time.

Mr. Thompson spoke in opposition to continuing the public hearing because he felt that the issue was not ready for discussion.

Mr. Martin stated that the contract would not be coming from HUD until a decision is reached. He stated that personally, he did not feel that postponing this item for a couple of weeks would help the matter.

Mrs. Carmen Badillo, President of Communities Organized for Public Service, stated that the Vista Verde South Project is a good project. She urged the Council to consider its passage because too much is at stake.

Mr. James Templin, representing the West Side State Bank, expressed concern regarding the Council's intention to close Leona Street should the Vista Verde South Project be approved. He explained that the Bank has invested a lot of money in the construction of their motor bank facility and it would be disastrous to their customers to have Leona Street closed, which would result in heavy traffic protruding onto Frio Street. He asked that a study be undertaken regarding the entrance and exits to this bank; perhaps other alterations could be made that would prove satisfactory to both the bank customers and CPSB.

Mr. Alderete asked that staff prepare a written report regarding this matter.

Ms. Helen Walter, representing the CASA Organization, spoke in opposition to the City Public Service Building moving away from the central City. She also expressed concern for the already existing over-burdened taxpayers. She stated that the Council needs to revitalize the downtown area. She also expressed concern regarding the increase in citizens' utilities and asked that any further information the Council may have regarding this matter be made a matter of information to the CASA Organization.

Mr. Alton Newell, owner of Newell Recycling Co. and Trottnner Iron & Metal Co. stated that the right to eminent domain should not give people the right to take away a person's business. He spoke in opposition to the relocation of his business. He stated that he feels that he will not be properly compensated.

Ms. Betsy L. Bretz, Manager of the Newell Recycling Company, told of their plans to continue in this area. She quoted from a letter addressed to Mr. Hector Cantu, from Henry B. Gonzalez stating his opposition to businesses having to relocate. She stated that Trottnner Iron and Metal is a viable business and an asset to the community. She asked the City Council to amend the Vista Verde South Project and eliminate the Trottnner Iron and Metal Company from this project.

Mr. Joe Arguellos, representing the Trottnner Iron and Metal Company, asked the Council to eliminate this project from the Vista Verde South Project. He submitted copies of letters from employees of the Trottnner Iron and Metal Company. (Copies of these letters are on file in the minutes of this meeting).

Ms. Sandia Bennett, representing the Trottnner Iron and Metal Company, expressed concern regarding the possibility of losing her job should the City decide to relocate this business.

Mr. Joe Diaz, an employee of Trottnner Iron and Metal Company as a skilled operator urged the Council not to relocate the company from this area.

Ms. Dixie Mullcallan, Manager of Trottnner Iron and Metal Company, presented more letters from customers and business suppliers that wish the company to remain at this location. (These letters are on file with the minutes of this meeting). She urged the Council to consider the requests of these people.

Mayor Cockrell declared the hearing closed.

A discussion then took place between the Council members and Mr. Martin on alternatives that the Council could consider in lieu of the plan presented.

A discussion also ensued as to what Mr. Trottnner has to do to stay in the area and what action would be needed to resolve the problem.

Dr. Cisneros made a motion to postpone this item for two weeks so that parties involved can work together and have an open discussion with the City Public Service Board, San Antonio Development Agency and Mario's Restaurant, and also that further consideration be made regarding the Trottner property. Mr. Thompson seconded the motion.

Mr. Wing stated that any reference to the Trottner property is not relevant at this point. He then made a substitute motion to approve the Amendment and continue negotiations with Mario's Restaurant. The motion died for a lack of a second.

In response to a question by Mr. Eureste, Ms. Jane Macon, City Attorney explained the power of eminent domain and the power that the City Public Service Board has through the City.

Mr. Arthur Troilo, attorney representing the Cantu family, **reiterated** the remarks he had made earlier. He stated that if the **amendment** is approved, Mario's property will be eligible for eminent domain and feels that negotiations should take place prior to approval of this amendment. He stated that he would like negotiations worked out without having to go to Court to settle this matter. He suggested that this matter be postponed if the Council wants to allow for negotiations.

Mr. Winston Martin stated that the power of eminent domain is granted by the amendment. He stated that the San Antonio Development Agency will not take action unless the contract entered with the City and the money is obtained from HUD. He stated that they are expecting a contract within 60-90 days.

After discussion, the substitute motion failed to carry by the following vote: AYES: Wing, Eureste; NAYS: Cisneros, Webb, Dutmer, Thompson, Alderete, Canavan, Archer, Steen, Cockrell; ABSENT: None.

The original motion carried by the following vote: AYES: Cisneros, Webb, Dutmer, Eureste, Thompson, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: Wing; ABSENT: None.

Mr. Eureste expressed concern that the public hearing was not on the Trottner property and stated that a public hearing should be held on the matter.

Jane Macon, City Attorney, stated that at this time, the Council is giving direction that if the Council wishes to amend the application, with regard to the Trottner property, then a public hearing needs to be held and proper notice posted.

The meeting was recessed at 6:25 P.M. and reconvened at 6:35 P.M.

80-13

CITIZENS TO BE HEARD

MR. DAVE MARSH

Mr. Marsh, representing the Stinson Airport Improvement League, asked that there be an increase in security at Stinson Field. He stated that there recently have been burglaries at Stinson Field. He feels that this is going to deter pilots from landing at Stinson and will result in a loss to the City as well as a loss to the Southside of town. He asked that three patrolmen be assigned to patrol Stinson Field immediately.

Mayor Cockrell stated that staff would investigate this matter and report back to the City Council.

MR. SAM V. SNELL

Mr. Snell, 3622 Green Springs Drive, stated that a majority of residents had desired annexation, however, the opposition got a hold of the petitions and some changed their minds and as a result the petitions were returned to him and he was told to try again. He again urged the City Council to annex the area.

Mr. Steen explained the circumstances with regard to this particular annexation petition. He explained why the petition was returned to him and asked Mr. Snell to obtain more names to get a majority.

At this time, he made a motion that Mr. Snell obtain more names in lieu of retaking all new petitions. Mr. Alderete seconded the motion. On roll call, the motion, carried by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Alderete, Canavan, Steen, Cockrell; NAYS: None; ABSENT: Thompson, Archer.

MR. RAUL RODRIGUEZ

Mr. Rodriguez referred to an article in Paul Thompson's column which states that gambling takes place at the Police Department.

Mayor Cockrell stated that the newspaper article would be referred to the City Manager's Office for investigation and report to the City Council.

MR. E.L. RICHEY

Mr. Richey stated that the Civilian Defense Plans should have been presented in January, however, nothing has been reported as of yet. He asked if there really is a plan.

Mayor Cockrell asked for a status report regarding this matter. She also asked that a copy of this report be given to Mr. Richey.

MR. FIDEL CABALLERO

Mr. Caballero spoke to the Council and stated that he has no sewer or water lines. He asked that the Council help him obtain this service.

Mr. Canavan stated that \$5,000.00 is the cost that is needed to extend the sewer and water lines.

A discussion then took place between the Council members on the precedent that would be set if the City would incur this cost at this point.

Mr. Kiolbassa asked for a two week period to present options to the Council regarding this matter.

A discussion then took place on the matter of the Skyline area.

Mr. Canavan stated that Skyline was denied their request and he also fears a precedent would be initiated if a report from staff is not favorable. He suggested that contingency funds from District 8 be used.

Mr. Wing made a motion that staff review the hardship provision on Mr. Caballero's request and instructed staff to prepare a report on single customer sewer extension policy including alternative policies and hardship provisions to accommodate cases such as Mr. Caballero on Moursund. Mr. Eureste seconded the motion.

After discussion, Mr. Eureste made a substitute motion that the City come up with \$5,000.00 and extend the sewer lines for Mr. Caballero. Mr. Wing seconded the motion.

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

The main motion carried by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Thompson, Alderete, Canavan, Archer, Steen; NAYS: None; ABSENT: Eureste, Cockrell.

MRS. CAROLYN SAUNDERS

Mrs. Saunders, representing the Green Springs Valley, requested a letter from the staff that the petition is not dead.

Mr. Alderete made a motion that staff prepare a letter to Green Springs Valley residents (C/O Sam V. Snell, 3622 Green Spring Drive) stating the status of their petition for annexation that the petition is not dead and they have "X" number of valid signatures.

Mr. Canavan seconded the motion. On roll call, the motion carried by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Thompson, Alderete, Canavan, Archer, Steen; NAYS: None; ABSENT: Eureste, Cockrell.

The meeting was recessed at 7:35 P.M. and reconvened at 8:35 P.M.

80-13      8:35 P.M.-- PUBLIC HEARING ON THE SAN ANTONIO RIVER FLOOD CONTROL PROJECT

Mayor Cockrell declared the hearing open:

Mr. Frank Kiolbassa, Director of Public Works, stated that the City Council had been presented in detail the plan indicating the approximate temporary and permanent right-of-way requirements necessary for the construction of the 100-year flood channel from Johnson to Nueva Streets and a summary of the river design public meetings. (A copy of which is on file with the minutes of this meeting.)

The following citizens spoke regarding this matter:

Mrs. Doris Irby read a prepared statement and expressed concern with the design of the River Corridor approving the design and enhancing the recommendation of the King William Association.

Mrs. Alma Hernandez stated that the people on the lots of the west side of the bank have resided there for years and much of the land is being taken. She asked to be briefed by the San Antonio River Authority in greater detail.

Mr. Fred Pfeiffer, Manager of the San Antonio River Authority displayed a map showing the approximate taking of land adjacent to the River. He stated that the Corps of Engineers will do the actual design. He stated that they are at the preliminary design phase and it is meaningless at this time.

A discussion then took place on what easement the City must maintain and the amount of property that a property owner can use.

Mr. Anthony Carranza spoke in opposition to the removing of the last four houses on the one hundred block of Aubrey.

Mr. Fred Pfeiffer stated that these lots are extremely shallow and close to the lines and necessary for the channel. He stated that they have proposed moving the houses to vacant lots in the same area.

Mr. Mike Casey, President of the King William Association, stated that they would much rather give up trees on the east bank in order to save backyards on the west bank. He stated that they had already met with the San Antonio River Authority.

Ms. Ann Watson reiterated the statements made by Mr. Casey and commended the San Antonio River Authority.

Mr. Dan Caravajal, 118 City Street, stated that they have been given one month's notice and it has been one month since the San Antonio River Authority has been working with them. He stated that they feel that they haven't been given proper notification.

Mayor Cockrell declared the hearing closed.

The Clerk read the following Resolution:

A RESOLUTION  
NO. 80-13-22

ENDORING THE PROGRAMMING PHASE DESIGN FOR THE SAN ANTONIO RIVER FLOOD CONTROL PROJECT FROM SO. ALAMO TO NUEVA AND DIRECTING THE CITY MANAGER TO IMPLEMENT WITH THE SAN ANTONIO RIVER AUTHORITY AND THE CORPS OF ENGINEERS DESIGN PRINCIPALS OUTLINED IN THE DOCUMENT.

\* \* \* \*

Dr. Cisneros moved to approve the Resolution. Mrs. Dutmer seconded the motion.

Mr. Eureste stated that he feels that there is inequity on this matter and feels that the people on City Street are the ones that will most be affected. He stated that he feels that there is a definite concern on this matter. He asked the City Council to postpone action on this matter until more time is allowed for more discussion with the concerned parties.

Mrs. Dutmer stated that this is long over-due and spoke in favor of the Resolution.

Mayor Cockrell asked that the statement made by the President of the King William Association regarding the trees on the east side of the channel be sacrificed for the backyards of the houses on the west bank of the channel, be incorporated into the main motion.

Mr. Pfeiffer then outlined the number of houses that will be affected by the Channel Improvements.

After discussion, the substitute motion for a two week postponement failed to carry by the following vote: AYES: Wing, Eureste, Alderete; NAYS: Cisneros, Webb, Dutmer, Thompson, Archer, Steen, Cockrell; ABSENT: Canavan.

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

80-13 The Clerk read the following Letter:

March 3, 1980

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

March 6, 1980  
mb

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

February 26, 1980

Petition submitted by Mr. Jeffrey W. Key, and other residents of the neighborhood requesting annexation into the City of San Antonio.

February 28, 1980

Petition submitted by the Northwood Hills Improvement Association, for consent by the City of San Antonio to creation of fresh water supply district.

February 28, 1980

Petition submitted by Tom A. Lewis d/b/a Folsom Investments, Inc., requesting that Camino Real Subdivision be annexed into the City of San Antonio.

\* \* \* \*

/s/ NORMA S. RODRIGUEZ  
City Clerk

There being no further business to come before the Council, the meeting was adjourned at 9:55 p.m.

A P P R O V E D

*Lila Cockrell*

M A Y O R

ATTEST *Norma S. Rodriguez*  
City Clerk