

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, JANUARY 23, 1975.

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The meeting was called to order at 8:30 A. M., by the presiding officer, Mayor Charles L. Becker, with the following members present: COCKRELL, SAN MARTIN, BECKER, LACY, MORTON, O'CONNELL, PADILLA; Absent: BLACK.

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75-5 The invocation was given by Rabbi Doctor David Jacobson, Temple Beth El.

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75-5 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

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75-5 The minutes of the Special Meeting of January 14, 1975, and Regular Meeting of January 16, 1975, were approved.

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75-5 CLASS FROM INCARNATE WORD COLLEGE

Mayor Becker recognized a class of students from Incarnate Word College and their instructor, Mrs. A. M. Vara. He welcomed them to the meeting and asked them to come again.

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75-5 LEAGUE OF WOMEN VOTERS

Mayor Becker recognized Mrs. Margaret Lecznar, representing the League of Women Voters, and asked her to step forward.

Mayor Becker then read the following Resolution which was unanimously adopted by the Council.

CITY OF SAN ANTONIO

STATE OF TEXAS

Hereby Presents This

RESOLUTION

75-5-2

to

LEAGUE OF WOMEN VOTERS

IN APPRECIATION OF OUTSTANDING PUBLIC SERVICE TO THE COMMUNITY FOR PUBLISHING THE 1974-75 EDITION OF THE LOCAL GOVERNMENT HANDBOOK WHICH PROVIDES UP-TO-DATE INFORMATION ON OPERATING POLICIES AND SERVICES RENDERED BY GOVERNMENTAL AGENCIES IN BEXAR COUNTY AND THE SAN ANTONIO AREA.

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January 23, 1975

nsr: 303

Mayor Becker expressed the appreciation of the Council to the League of Women Voters for its efforts in producing this valuable handbook and then presented a copy of the Resolution to Mrs. Lecznar.

Mrs. Lecznar accepted the Resolution on behalf of the League of Women Voters and expressed her appreciation to the Council for its recognition.

75-5 The following Ordinance was read by the Clerk and explained by Mr. Kenneth F. Langland, Project Director, Alcohol Safety Action Program, and after consideration, on motion of Dr. San Martin, seconded by Mr. O'Connell, was passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Morton, O'Connell; NAYS: None; ABSENT: Black, Lacy, Padilla.

AN ORDINANCE 44,831

ACCEPTING AN INCREASE OF \$90,000 FROM THE UNITED STATES DEPARTMENT OF TRANSPORTATION TO BE USED IN FUNDING THE CITY OF SAN ANTONIO ALCOHOL SAFETY ACTION PROJECT; AUTHORIZING EXECUTION OF MODIFICATION NUMBER EIGHTEEN TO THE CONTRACT, AMENDING THE PROJECT BUDGET AND APPROPRIATING FUNDS THEREFORE.

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75-5 The Clerk read the following Resolution:

A RESOLUTION
NO. 75-5-3

URGING MEMBERS OF THE CONGRESS TO TAKE APPROPRIATE ACTION TO ASSURE CONTINUATION OF FUNDING OF COMPREHENSIVE HEALTH SERVICES BEYOND MARCH 31, 1975.

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The Resolution was explained by Dr. William R. Ross, Director of the San Antonio Metropolitan Health District, who said that this Resolution supports the continuation of those funds authorized under the Comprehensive Health Services Act. These funds are scheduled to be terminated on March 31, 1975. This is the traditional grant-in-aid through the State to the local Health Department. San Antonio's share currently is \$179,628 in addition to which many supportive services are received from the State. Loss of these funds will affect every public health program now going on. Dr. Ross urged adoption of the Resolution.

After consideration, on motion of Dr. San Martin, seconded by Mrs. Cockrell, the Resolution was passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Morton, O'Connell; NAYS: None; ABSENT: Black, Lacy, Padilla.

Dr. Jose San Martin made the following statement:

"At this time may I interject a thought that I think this Council should take into consideration. It seems we are addressing the members of Congress to take some action or at least to consider taking some action.

I think that this Council needs to formulate some kind of a position on the proposed increase in the cost of oil, the cost of tax that President Ford and Congress may be contemplating. I have heard everything \$2.00 to \$3.00 per barrel on oil imports and domestic production. That could have a very serious effect on our utility bills here in San Antonio. I don't think we have addressed ourselves to this matter, and I certainly would like for the City Council to at least take a position because it will seriously affect our utility bills here in the City. That's one thing we don't need right now is a rise in our bills if that tax goes through. Perhaps, Mr. Morton is more familiar with that kind of operation. Maybe he could comment on the effect that a \$3.00 increase in a barrel of oil would have on our utility bills."

MR. CLIFFORD MORTON: I'd say about a 25 percent increase.

DR. SAN MARTIN: Well, I would like for the City Manager and the staff help to prepare some kind of position on this because if we holler after the horse is gone you can't close the door.

MR. W. J. O'CONNELL: You're asking our members of Congress to make sure that the tax doesn't apply to utilities. Is that what you are saying?

DR. SAN MARTIN: I'm trying to find a way that it would not but for that particular oil that is used in the generation of electricity because that would be disastrous to our local rates here.

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75-5 The following Ordinance was read by the Clerk and explained by Mr. Henry D. Nussbaum, Director, Convention and Visitors Bureau, and after consideration, on motion of Dr. San Martin, seconded by Mr. Morton, was passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Lacy, Morton, O'Connell, Padilla; NAYS: None; ABSENT: Black.

AN ORDINANCE 44,832

ACCEPTING THE PROPOSAL AND MANIFESTING A CONTRACT WITH ED YARDANG & ASSOCIATES TO HANDLE AN ADVERTISING PROGRAM FOR THE SAN ANTONIO CONVENTION AND VISITORS BUREAU FOR A PERIOD COMMENCING ON FEBRUARY 1, 1975, AND TERMINATING JULY 31, 1976.

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75-5 The following Ordinances were read by the Clerk and explained by Members of the Administrative Staff, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Morton, O'Connell, Padilla; NAYS: None; ABSENT: Black, Lacy.

AN ORDINANCE 44,833

ACCEPTING A GRANT IN THE AMOUNT OF \$5,324.00 FROM CRIMINAL JUSTICE DIVISION OF THE OFFICE OF THE GOVERNOR TO PROVIDE FUNDS FOR THE PURCHASE OF X-RAY EQUIPMENT TO BE USED BY THE POLICE EXPLOSIVES UNIT, ADOPTING A BUDGET FOR THE PROJECT AND APPROPRIATING FUNDS.

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AN ORDINANCE 44,834

ACCEPTING THE LOW BID OF WAGNER CONSTRUCTION CO., INC. TO CONSTRUCT THE WINDSOR PARK IMPROVEMENTS FOR A TOTAL OF \$42,224.42, AUTHORIZING EXECUTION OF A CONTRACT; APPROPRIATING FUNDS, AND AUTHORIZING PAYMENT FOR THE PROJECT.

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AN ORDINANCE 44,835

ACCEPTING THE BID OF KUNZ CONSTRUCTION CO., INC., IN THE AMOUNT OF \$34,810.00 FOR CONSTRUCTION OF PRE-ENGINEERING METAL BUILDING FOR BUILDING MAINTENANCE DIVISION; AUTHORIZING CITY MANAGER TO EXECUTE A STANDARD CITY PUBLIC WORKS CONTRACT FOR SAID WORK; APPROPRIATING FUNDS AND AUTHORIZING PAYMENT.

* * * *

AN ORDINANCE 44,836

AMENDING CHAPTER 34 OF THE CITY CODE BY REQUIRING A PERMIT FOR THE ERECTION OR ALTERATION OF A DISPLAY SIGN, VISUAL DISPLAY OR GRAPHIC ALONG THE RIVER WALK; ESTABLISHING PROCEDURES FOR APPLICATION AND ISSUANCE OF SUCH PERMITS; ESTABLISHING FEES; PROVIDING FOR SEVERABILITY, AND PROVIDING A PENALTY FOR ANY VIOLATION BY FINE NOT TO EXCEED \$200.00.

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AN ORDINANCE 44,837

GRANTING PERMISSION TO CITY PUBLIC SERVICE BOARD TO INSTALL A TRANSMISSION TOWER ON UNIMPROVED LAND ADJACENT TO SOUTH ALAMO, SEXTON, AND HERFF STREETS.

* * * *

75-5 The Clerk read the following Resolution:

A RESOLUTION
NO. 75-5-4

REQUESTING THE TEXAS HIGHWAY COMMISSION TO MAKE REVISIONS TO THE I. H. 410 RAMP ARRANGEMENT.

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The Resolution was explained by Mr. Stewart C. Fischer, Director of Traffic and Transportation, who said that the Texas Highway Department is beginning to work on plans for the widening of Loop 410 from Fredericksburg Road west to Bandera Road. This job will be contracted in a year or two from now. The Resolution asks the Highway Department to revise the ramps from Callaghan to Evers Road. It amounts to an additional exit ramp in each direction. The owners of the abutting property are Saunders and Trieschmann who recognize that this change will enhance the value of their property so they have agreed to pay the City's cost up to a maximum of \$200,000.

After consideration, on motion of Mr. O'Connell, seconded by Mr. Morton, the Resolution was passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Morton, O'Connell, Padilla; NAYS: None; ABSENT: Black, Lacy.

75-5 The following Ordinance was read by the Clerk and explained by Mr. George W. Bichsel, Traffic Safety Coordinator, and after consideration, on motion of Mr. O'Connell, seconded by Dr. San Martin, was passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Morton, O'Connell, Padilla; NAYS: None; ABSENT: Black, Lacy.

AN ORDINANCE 44,838

AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION TO THE GOVERNOR'S OFFICE OF TRAFFIC SAFETY FOR A GRANT TO COVER 50% OF THE COST OF SAFETY OFFICERS-SECONDARY SCHOOLS, AND FOR REFUNDING OF THE SELECTIVE TRAFFIC ENFORCEMENT PROGRAM.

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75-5

RAILROAD CROSSING SIGNALS

Councilman Padilla stated he had read in the papers regarding hazardous railroad crossings where the signals do not go on - on a timely basis. He asked if the City checks these crossings to be sure they work properly.

Mr. Stewart C. Fischer, Director of Traffic and Transportation, said that these signals are completely on railroad property and the sole responsibility of the railroads. The City does not have an inspection system on this but rely on reports from individuals. He said that he had had no reports.

Mr. Fischer stated that he would find out which crossings are involved and see what can be done.

75-5 The following Ordinance was read by the Clerk and explained by Mr. Mel Sueltenfuss, Director of Public Works, and after consideration, on motion of Dr. San Martin, seconded by Mr. Morton, was passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Morton, O'Connell, Padilla; NAYS: None; ABSENT: Black, Lacy.

AN ORDINANCE 44,839

ACCEPTING THE LOW BID OF SAN ANTONIO
CONSTRUCTION CO., INC., TO CONSTRUCT
THE HIGH COUNTRY ESTATES OFF-SITE
SEWER MAIN FOR A TOTAL OF \$24,089.45,
AUTHORIZING THE EXECUTION OF A CONTRACT,
TRANSFER OF FUNDS, APPROPRIATION OF FUNDS,
AND PAYMENT FOR THE PROJECT.

* * * *

75-5 The Clerk read the following Ordinance:

AN ORDINANCE 44,840

ACCEPTING THE PROPOSAL OF UNITED AERIAL
MAPPING FOR MAPPING A 6300 FOOT WIDE
AREA FROM CALAVERAS LAKE TO LEON CREEK
WASTEWATER TREATMENT PLANT FOR \$1.52
PER ACRE, PLUS A LUMP SUM AMOUNT OF
\$550.00 FOR A MOSAIC OF THE AREA.

* * * *

The Ordinance was explained by Mr. Mel Sueltenfuss, Director of Public Works, who said that the area to be mapped is to be used in connection with the study of interconnecting the Braunig and Calaveras Lakes with the City's sewage treatment facilities to provide cooling water for Braunig and Calaveras generating plants.

In answer to Mr. Morton's question, Mr. Sueltenfuss said that it is difficult to know what the total cost of interconnecting these lakes will amount to. The preliminary estimates range from \$4 million to \$6 million. The final benefits will be that the City

will save the cost of conventional type of waste water treatment which would save large amounts of capital investments and several million dollars each year in operating costs. City Public Service also needs the water for cooling purposes. It results in savings of millions of dollars.

After consideration, on motion of Mrs. Cockrell, seconded by Dr. San Martin, the Ordinance was passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Morton, O'Connell, Padilla; NAYS: None; ABSENT: Black, Lacy.

75-5 The following Ordinances were read by the Clerk and explained by Mr. Mel Sueltenfuss, Director of Public Works, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Lacy, Morton, Padilla; NAYS: None; ABSENT: Black, O'Connell.

AN ORDINANCE 44,841

AUTHORIZING THE TEMPORARY LOAN OF \$15,000.00 FROM FUND 409-01 TO FUND 410-00 TO BE REPAID WHEN THE 1974 GENERAL OBLIGATION BONDS ARE SOLD. SAID FUNDS TO BE USED IN CONNECTION WITH THE MAYBERRY DRAINAGE PROJECT 58-D.

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AN ORDINANCE 44,842

ACCEPTING THE LOW BID OF CSR CONTRACTING, INC., TO REROOF MUNICIPAL AUDITORIUM FOR A TOTAL OF \$208,000.00; AUTHORIZING THE EXECUTION OF A STANDARD CITY PUBLIC WORKS CONSTRUCTION CONTRACT, AND AUTHORIZING PAYMENT FOR THE PROJECT.

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75-5

MUNICIPAL AUDITORIUM

Dr. San Martin stated he had asked for information last summer on integrating the Municipal Auditorium into the overall effort to accommodate conventions. He asked if the auditorium would be ready to use as a convention facility with the roof repaired or does something else need to be done.

Acting City Manager Cipriano Guerra said that he will have the matter looked into at once.

Mayor Pro-Tem Cockrell also suggested that the staff work with the San Antonio Symphony Society as they have an interest in the auditorium also.

75-5

The Clerk read the following Ordinance:

AN ORDINANCE 44,843

AUTHORIZING THE ASSESSOR AND COLLECTOR OF TAXES OR OTHER DESIGNATED OFFICIAL TO ENDORSE CHECKS OF TAXPAYERS IN A

MANNER SO THAT CANCELLED CHECKS SHALL SERVE AS RECEIPTS AND PROVIDING RECORDS OF THE ASSESSOR AND COLLECTOR OF TAXES OR OTHER DESIGNATED OFFICIAL SHALL BE PRIMA FACIE EVIDENCE OF PAYMENT.

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The Ordinance was explained by Mr. Carl White, Director of Finance, who said that the Ordinance covers one of the items which was approved in the Charter Revision Election last November. He explained that henceforth there will be a statement printed on the back of the tax statements in bold print that unless a receipt is requested the cancelled check will serve as a receipt and no receipt will be mailed. Anyone who wishes to have a receipt can have it.

As a result of this procedure, one Clerk can be eliminated and approximately \$50,000 per year can be saved in postage.

After consideration, on motion of Mr. Padilla, seconded by Dr. San Martin, the Ordinance was passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Lacy, Morton, O'Connell, Padilla; NAYS: None; ABSENT: Black.

75-5 The following Ordinance was read by the Clerk and explained by Fire Chief I. O. Martinez, and after consideration, on motion of Mrs. Cockrell, seconded by Dr. San Martin, was passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Lacy Morton, O'Connell, Padilla; NAYS: None; ABSENT: Black.

AN ORDINANCE 44,844

GRANTING PERMISSION TO ANTONIAN HIGH SCHOOL TO CONDUCT A BONFIRE AT 7:00 P. M., JANUARY 24, 1975, ONE-QUARTER MILE NORTH OF HAUSMAN ROAD WEST OF BABCOCK ROAD, UNDER THE SUPERVISION OF THE FIRE DEPARTMENT.

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75-5 DISCUSSION OF FIRE REGULATIONS

Mayor Becker stated that he had viewed a movie, "The Towering Inferno," which raised some questions in his mind. In it someone suggested that in planning a high-rise building the architect should consult with fire experts.

Fire Chief I. O. Martinez stated that there is danger in some high-rise buildings, and he would recommend that no one stay in a hotel above the seventh floor as that is as high as the ladders can reach. He said that he has instituted pre-planning specifically for high-rise buildings and he has many people working on this planning now.

Chief Martinez also expressed concern about the large apartment complexes which are being erected without adequate fire hydrants and water mains.

Dr. San Martin spoke to the Fire Chief regarding the need to enforce the Ordinances prohibiting smoking in theaters. He asked that the Fire and Police Departments get together and make a case against some offenders.

A general discussion of fire prevention problems took place.

75-5 The Clerk read the following Ordinance:

AN ORDINANCE 44,845

AMENDING CHAPTER 42 (ZONING) OF THE CITY CODE SO AS TO DELETE PROVISIONS RELATING TO AIRCRAFT NOISE DISTRICTS AND ADOPTING IN PLACE THEREOF MILITARY AIRPORT OVERLAY DISTRICTS, SAID DISTRICTS BEING TWO OVERLAY ZONING DISTRICTS DESIGNED FOR LAND WITHIN ESTABLISHED FLIGHT PATHS AND NEAR MILITARY AIRPORT RUNWAYS WHERE PILOT TRAINING AND/OR AIRCRAFT TESTING CONSTITUTE EITHER PARTIAL OR TOTAL ELEMENTS OF OPERATIONAL ACTIVITIES, SO AS TO PROVIDE COMPATIBLE DEVELOPMENT AND TO PROTECT LAND, USES AND RESIDENTS SO SITUATED FROM THE PECULIAR HAZARDS AND INFLUENCES OF SUCH LOCATIONS, ADOPTING A TABLE OF PERMITTED USES FOR SUCH MILITARY AIRPORT OVERLAY DISTRICTS, PROVIDING FOR A PENALTY NOT EXCEEDING \$200.00 FOR VIOLATION HEREOF, AND PROVIDING FOR SEVERABILITY.

* * * *

The Ordinance was explained by Mr. Charles Stromberg, Assistant Director of Planning and Community Development, who said that the changes in this Ordinance which the Council made in the public hearing on January 16, 1975, have been incorporated in this revised version. He recommended approval of the Ordinance.

After consideration, on motion of Mrs. Cockrell, seconded by Dr. San Martin, the Ordinance was passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Lacy, Morton, O'Connell, Padilla; NAYS: None; ABSENT: Black.

Mr. Morton stated that the Ordinance as it is now written is much more permissive than when the people who live around Randolph Air Force Base appeared. He thought it would be well for someone to meet with the people in the Randolph area and explain to them the changes that were made in the Ordinance.

Mr. Joe Fry, Executive Manager of the Van De Walle Investment Properties, LTD., spoke briefly to the Council. He said that the people in the Kelly Air Force Base area will cooperate and work with the City under this Ordinance. He commended the Council for its spirit of compromise and cooperation.

75-5 The Clerk read the following Ordinance:

AN ORDINANCE 44,846

ESTABLISHING AN ADVISORY COMMITTEE ON
ENERGY, AND SPECIFYING ITS MEMBERSHIP,
OFFICERS, AND FUNCTIONS.

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The following discussion took place:

DR. JOSE SAN MARTIN: Mr. Mayor, I'd like to make some comments on this particular Ordinance. I'm fully in accord with the Ordinance, and I see where the next Ordinance will actually appoint the membership of this particular Advisory Committee on Energy. I'm ready to approve it, but I would like to say the following things merely as suggestions because I think that this particular Committee has its work cut out for itself. It's a very important Committee. I'd like to make the following comments. It's a series of comments, Mr. Mayor.

The first one is that City Council express to the Committee its concern as to the priorities which it's going to undertake. I feel very strongly that priority number one of this particular Committee should be some kind of a task force with the cooperation of CPS personnel to secure additional sources of gas right away. In other words, there's short range projects. I think that should be the number one priority. Of course, down the line the second priority would be to work on the problems of very poor people here to make sure that everybody has a minimum supply of energy. I'm not worried whether it's 250 kilowatts, 300, 400, or whatever it is that they should be addressed quickly.

Now, another suggestion would be that this Committee be given staff help by the City of San Antonio. We did this with the Charter Revision Committee. Mr. Jake Inselmann was the secretary. We had the staff work, and reports and the minutes of the meetings were provided to everybody, and I feel that a Committee as important as this should have the staff support from the City of San Antonio. Now, that particular staff support may go as far as having, perhaps, some kind of a staff person from the City Manager's Office which directly would deal with the Chairman of this Committee in order to call meetings, notify members of actions to be taken, and if necessary, Mr. Mayor, to even provide expenses such as traveling in case there is some travel involved. Now, I feel this is very necessary, because we cannot in anyway restrict the ability of this Committee to do the work that it's supposed to do, and I don't think that we can expect them to spend their own money in trying to do this thing.

Now, the third item is that we recommend to Mayor McAllister, the Chairman, that the first item of business be a briefing session because we have some members in that Committee, Mr. Mayor, who are representing the consumers, who are representing certain sections of the community and because of the multitude and difficult situation they have not been, I would say, as aware of some of the problems as say Mayor McAllister, or Mr. Jaffe or some of the others. So, we do have some members of this Committee that need to be briefed as to the background of our problem. We can't throw them there at the first meeting cold and expect them to contribute when they don't really know all the - it's a very complicated problem, and I know one of them

has said, "I'd like to serve, I'll do everything I can, but I certainly would like to know the background of this," in other words, a briefing session to begin with, and that way that these members can all start pretty much on the same position. So, I'd like to suggest that for Council consideration at this time.

MAYOR CHARLES L. BECKER: All right. Is there any discussion on the Doctor's recommendations?

DR. SAN MARTIN: I so move.

MR. ALVIN G. PADILLA, JR.: Second.

MAYOR BECKER: Okay, all in favor of the adoption of Dr. San Martin's recommendations?

AYES: Cockrell, San Martin, Becker, Lacy, Morton, O'Connell, Padilla.
NAYS: None.
ABSENT: Black

MR. PADILLA: I move the adoption of the Ordinance itself.

DR. SAN MARTIN: I second.

MAYOR BECKER: Okay, all in favor.

AYES: Cockrell, San Martin, Becker, Lacy, Morton, O'Connell, Padilla.
NAYS: None.
ABSENT: Black.

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75-5 The Clerk read the following Ordinance:

AN ORDINANCE 44,847

APPOINTING CERTAIN PERSONS AS MEMBERS
OF THE ADVISORY COMMITTEE ON ENERGY,
TO SERVE FOR INDEFINITE TERMS.

* * * *

Mr. Walter R. Britt	Mr. Jim Uptmore
Mr. Juan Patlan	Mr. Morris Jaffe
Mrs. Mazie Sale Hill	Mr. Jim Dement
Mr. P. M. Broach	Mr. Raul Rodriguez
Mrs. Helen Dutmer	Rev. Edmundo Rodriguez, S.J.
Mr. James McCann	Mr. Leonard Anguiano
Mr. E. S. Wells	Mr. William J. Wallace
Mrs. Mason Matthews, Jr.	Mr. Valmo Bellinger
Mr. H. B. Zachry	Mr. Abe San Miguel
Mr. Quincy Lee	Mr. Walter Madalinski
Mr. Tom Frost, Jr.	Mr. Maurice Lewis

Mr. Guenther Krellwitz

* * * *

The following discussion took place:

MAYOR BECKER: Now, how many names are there - there are 27?

CLERK: No, sir, there's 22 plus Mayor McAllister making 23.

MAYOR BECKER: Well, let's see now, if that's right. Let's see, 8 times 3 is 24. So, we - I have - Reverend Black is sick.....

MR. PADILLA: Garland, I was busy, I'm sorry, did you mention Jim Dement in there, Jim Uptmore, Father Edmundo Rodriguez?

CLERK: Yes.

DR. SAN MARTIN: I didn't hear Mr. William Britt.

CLERK: Yes, sir, he was the first one.

MR. MORTON: I know I might be risking something here, but we did this somewhat of a hasty manner to come up with this list. As you know, we've had one citizen who has come down and make some very positive suggestions on energy conservation, and that's Mr. Krellwitz. He was here a few weeks ago, and I'd like to ask for the permission of the Council to appoint him to this Committee as an added one because I think he's taken a position which is very positive. I think he could add a lot to this Committee.

MRS. COCKRELL: Yes, I think that's appropriate.

DR. SAN MARTIN: Mr. Juan Patlan is there. He was one of my nominations.

MAYOR BECKER: Okay, all in favor?

AYES: Cockrell, San Martin, Becker, Lacy, Morton, O'Connell, Padilla.

NAYS: None.

ABSENT: Black.

MRS. COCKRELL: The Press didn't get the name. Mr. Guenther Krellwitz.

CLERK: We need a motion on the Ordinance.

DR. SAN MARTIN: I so move.

MRS. COCKRELL: Second.

MAYOR BECKER: All in favor?

AYES: Cockrell, San Martin, Becker, Lacy, Morton, O'Connell, Padilla.

NAYS: None.

ABSENT: Black.

MR. PADILLA: That appoints the members - we have some more members to name later.

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The Clerk read the following Resolution:

A RESOLUTION
NO. 75-5-5

ENDORING A PROPOSED AMENDMENT TO
THE FIREMEN AND POLICEMEN'S PENSION
FUND ACT, ARTICLE 6243f, V.T.C.S.

* * * *

Dr. San Martin stated that action on this Resolution was postponed last week at his request because there were still matters to be resolved with the Firefighters and Police Officers Associations. Since then there has been another meeting of the Pension Board at which all problems have been resolved. Both the firemen and policemen are now in accord with action to be taken. He recommended that the Resolution be approved.

After consideration, on motion of Dr. San Martin, seconded by Mr. Lacy, the Resolution was passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Lacy, O'Connell, Padilla; NAYS: None; ABSENT: Black, Morton.

75-5 The following Ordinances were read by the Clerk and explained by Members of the Administrative Staff, and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Lacy, Morton, O'Connell, Padilla; NAYS: None; ABSENT: Black.

AN ORDINANCE 44,848

PROVIDING FUNDING FOR THE LEGISLATIVE
LIAISON -- "MAN IN AUSTIN".

* * * *

AN ORDINANCE 44,849

ACCEPTING THE LOW QUALIFIED BID OF
RICHARD C. DAVIS, SECOND CHANCE, TO
FURNISH THE CITY OF SAN ANTONIO WITH
BODY ARMOR IN THE AMOUNT OF \$13,910.00;
APPROPRIATING AND TRANSFERRING FUNDS
AND AUTHORIZING PAYMENT.

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AN ORDINANCE 44,850

AUTHORIZING THE PURCHASE OF REPAIR
PARTS FOR A SLUDGE DIGESTER FOR
SEWAGE TREATMENT FROM FMC CORPORATION
FOR A NET TOTAL OF \$10,133.08, AND
AUTHORIZING PAYMENT.

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AN ORDINANCE 44,851

ESTABLISHING CITY AD VALOREM TAX
COLLECTION SUB-STATIONS FOR 1975.

* * * *

AN ORDINANCE 44,852

ACCEPTING THE LOW BID OF GRAYBAR
ELECTRIC CO., INC., TO FURNISH THE
CITY OF SAN ANTONIO WITH TRAFFIC
SIGNAL CABLE FOR A TOTAL OF \$9,231.22,
LESS 2% - 10TH PROX.

* * * *

75-5REPLACEMENT FOR MR. LEO MENDOZA

Dr. San Martin said that he felt the Council should schedule a Special Meeting as soon as possible to name a replacement for Mr. Leo Mendoza who recently resigned. He said that there has been a problem at recent Council meetings of maintaining a quorum.

75-5SAN ANTONIO TRANSIT SYSTEM

Dr. San Martin stated that the Council has asked the Transit System several times to come to the Council and report what it intends to do about certain bus routes that continue to lose money. At the time of the wage dispute there was discussion of areas where money could be saved but the Council is not aware if any steps were taken. He asked that this matter be brought to a head.

Mr. O'Connell stated that he, too, had made inquiries but had not received any information.

Dr. San Martin said also that there doesn't seem to be a mini-bus of any kind that fits the pleasure of the administration.

Mrs. Cockrell said that the Council also needs to look at some of the proposals being discussed in the legislature relating to transit.

Mayor Becker said a letter had been written to New Orleans to get some information on mini-buses that are in service there. If information has not been received he asked that another attempt be made.

Mr. Morton said that he had discussed these mini-buses with New Orleans' officials, and they are not standing up.

Mr. John Brooks, Director of Purchasing, stated that these buses hold 12 to 16 riders. They are built on American made chassis similar to a mobile home. There are a lot of premature failures simply because they are not of heavy construction.

The Clerk read the following Ordinance:

AN ORDINANCE 44,853

REVISING THE BUDGET FOR THE CETA,
TITLE II PROGRAM, AND DECLARING AN
EMERGENCY.

* * * *

This Ordinance was introduced by Councilman Alvin G. Padilla, Jr., who said that under Title II of CETA there are enough funds available for the creation of 224 temporary jobs to run from now until the end of June. Persons to be hired will have it made clear to them that these are temporary jobs and will expire on June 30, 1975.

Personnel Director Clyde C. McCollough stated that he already has 700 employment applications on file.

After consideration, on motion of Mr. Padilla, seconded by Dr. San Martin, the Ordinance was passed and approved by the following vote: AYES: Cockrell, San Martin, Becker, Lacy, Morton, O'Connell, Padilla; NAYS: None; ABSENT: Black.

75-5

CITIZENS TO BE HEARDMR. HENRY DILLARD

Mr. Henry Dillard spoke to the Council concerning the financial condition of Boy's Clubs in San Antonio. Last month, the South Side branch was closed and now it appears that the West Side branch will close on March 1st unless new funding is found. He asked that the Council provide funds now to keep the Boy's Clubs operational at least on a part-time basis.

Mr. Ron Darner said that he had made a preliminary report to the Council on this subject. It is estimated that \$201,000 are needed to fund this program through 1975.

After a discussion of the matter, Mayor Becker said that the staff and Council will look further to see if funds can be found. He asked Mr. Darner to give Council another report next week.

MR. KARL WURZ

Mr. Karl Wurz, 820 Florida, spoke of the Community Development Act of 1974 citing its goals for providing housing primarily. He said that citizens have not been given enough opportunity to participate in the compiling of a CDA budget.

MR. JOSE LUIS RODRIGUEZ

Mr. Jose Luis Rodriguez, 1903 Saunders, Bexar County Chairman of Raza Unida, spoke to the Council concerning single member districts for Councilmen. He urged that the Council adopt such a plan now before the April elections.

Mayor Becker reminded Mr. Rodriguez that this proposition was defeated by the voters in the Charter Revision election last November. At the present time there is a lawsuit pending in the courts on this matter and the City's Legal Department advises that the decision on this should be left to the courts.

MR. DAVID L. STEIN

Mr. David L. Stein, representing the Veterans of Foreign Wars, spoke to the Council concerning a resolution which was passed by the National League of Cities on December 5th which asked the President to rescind his veterans employment preference order. He said that the resolution was passed without debate and without prior circulation to the convention. He submitted a copy of a resolution passed by his organization and asked that the Council endorse the resolution asking President Ford to continue his executive orders giving veterans preference for public service employment.

Mrs. Cockrell explained the circumstances surrounding the passage of this resolution by the convention. She asked that the matter be placed on next week's agenda.

Mr. Morton said that he moved for adoption of the resolution and asked that the City Manager be directed to write to the National Chairman of the League of Cities as well as the Texas Chairman and tell them that if they do not rescind this action and communicate with the President on this subject within 60 days that we will resign membership in the National League of Cities. The motion was seconded by Dr. San Martin and passed unanimously.

Dr. San Martin suggested that copies of this action be sent immediately to congressional representatives in Washington.

MRS. HELEN DUTMER

Mrs. Helen Dutmer, 739 McKinley, said that in regard to the Boy's Clubs she had asked the Council for \$53,000 which was to wipe out the deficit for all Boy's Clubs. The citizens were going to go out and raise funds to continue the program.

Mrs. Dutmer then spoke of the ruling in Dallas this week on single member districts for the City Council. She said that this ruling applied to Dallas only and is on appeal to the Supreme Court.

In referring to the public hearing to be held tomorrow on the budget for Community Development funds, Mrs. Dutmer said that the money allocated to botanical gardens could better be used on the Six Mile Creek project to protect the aqueduct.

REV. S. E. STEWARD

Rev. S. E. Steward again spoke to the Council about the drainage problem in the 900 block of Hedges Street and asked that something be done. He also asked that Rio Grande Street be widened 4 feet.

Mr. Mel Sueltenfuss said that he is well aware of the problem and will at least have temporary repairs made to the street.

REV. J. M. LAWSON

Rev. J. M. Lawson, 1311 N. W. 19th Street, spoke of the need to extend the nutrition program to the West Side Multipurpose Center and asked the Council to appropriate funds. He also spoke of a drainage problem on 19th Street.

Mr. Bill Donahue, Director of Human Resources and Services, said there is room for a nutrition program at the center if it is catered. At the present time, there are no funds available.

Mayor Becker asked that the staff review other programs to see if funds can be found. He also asked that the staff investigate the drainage problem.

75-5 The meeting recessed at 12:30 P. M. and reconvened at 2:15 P. M.

75-5 ZONING HEARINGS

A. CASE 5838 - to rezone Lots 10, 11, and 12, Block 60, NCB 7990, 1502 W. Southcross Blvd., from "B" Two Family Residential District to "B-2" Business District, located southwest of the intersection of Southcross Blvd. and Don Street, having 75' on Southcross Blvd. and 125' on Don Street.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, Mrs. Cockrell made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished and that a 6' solid screen fence be erected along the south property line. Mr. O'Connell seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cockrell, Becker, Morton, O'Connell, Padilla; NAYS: San Martin; ABSENT: Black, Lacy.

AN ORDINANCE 44,853

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 10, 11, AND
12, BLOCK 60, NCB 7990, 1502 W. SOUTHCROSS
BLVD., FROM "B" TWO FAMILY RESIDENTIAL
DISTRICT TO "B-2" BUSINESS DISTRICT,
PROVIDED THAT PROPER REPLATTING IS ACCOM-
PLISHED AND THAT A SIX FOOT SOLID SCREEN
FENCE IS ERECTED ALONG THE SOUTH PROPERTY
LINE.

* * * *

B. CASE 5915 - to rezone the south 85' of Lot 14, and south irregular 90' of the east irregular 69.67' of Lot 15, NCB 7902, 4800 Block of I. H. 35 Expressway, from "B" Two Family Residential District to "B-2" Business District, located on the east side of I. H. 35 East, being 213.33' southwest of the cutback between I. H. 35 East and Division Avenue, having 86.96' on I. H. 35 Expressway and a maximum depth of 215'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, Dr. San Martin made a motion that the recommendation of the Planning Commission be approved, provided that proper platting be accomplished and that a six foot solid screen fence be erected along the south property line. Mr. Padilla seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cockrell, San Martin, Becker, Morton, O'Connell, Padilla; NAYS: None; ABSENT: Black, Lacy.

AN ORDINANCE 44,854

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 SOUTH 85' OF LOT 14, AND SOUTH IRREGULAR 90' OF THE EAST IRREGULAR 69.67' OF LOT 15, NCB 7902, 4800 BLOCK OF I. H. 35 EXPRESSWAY, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING BE ACCOMPLISHED AND THAT A SIX FOOT SOLID SCREEN FENCE BE ERECTED ALONG THE SOUTH PROPERTY LINE.

* * * *

C. CASE 5871 - to rezone Lot 92, Block 8, NCB 11101, 209 Dorsey Drive, from "B" Two Family Residential District to "R-3" Multiple Family Residential District, located on the north side of Dorsey Drive being 125' west of the intersection of Clamp Avenue and Dorsey Drive, having 100' on Dorsey Drive and a depth of 325'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, Mr. Morton made a motion that the recommendation of the Planning Commission be approved. Mr. Padilla seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cockrell, San Martin, Becker, Morton, O'Connell, Padilla; NAYS: None; ABSENT: Black, Lacy.

AN ORDINANCE 44,855

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 92, BLOCK 8, NCB 11101, 209 DORSEY DRIVE, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT.

* * * *

D. CASE 5892 - to rezone a 4.217 acre tract of land out of NCB 15723, being further described by field notes filed in the office of the City Clerk, 13900 Block of Judson Road, from Temporary "R-1" Single Family Residential District to "B-1" Business District; and a 75.337 acre tract of land out of NCB 15723, being further described by field notes filed in the office of the City Clerk, from Temporary "R-1" Single Family Residential District, "R-6" Townhouse District, "B-2" Business District and "B-3" Business District to "I-1" Light Industry District.

The "B-1" zoning being located approximately 2,300' southwest of the intersection of Judson Road and the Missouri-Kansas-Texas Railroad R.O.W., having 200' on the Missouri-Kansas-Texas R.O.W. and a maximum depth of approximately 887.17'.

The "I-1" zoning being located on the southwest side of Judson Road, being 40' northwest of the intersection of Judson Road and the Missouri-Kansas-Texas Railroad R.O.W., having 681.87' on Judson Road and a maximum depth of 2,300'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be approved by the City Council.

Mr. Camargo pointed out subdivisions in the area, which are now being developed as residential properties. He also said that the staff had recommended to the Planning Commission denial of this application.

There was a general discussion of the proposed industrial zoning by Council members.

Mr. Padilla said that he does not like to see a developer "surprise" the residents in an area by revealing that there is business or industrial zoning. It is better to do the rezoning before an area is developed and to make it clear to any purchaser what the zoning is. He commended the owners in this instance for making it clear what their intentions are.

No one spoke in opposition.

After consideration, Mr. Padilla made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished and that a one foot non-access easement and a six foot solid screen fence be imposed on that portion of the subject property which abutts the proposed Larkspur Subdivision. Mr. Lacy seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cockrell, San Martin, Becker, Lacy, O'Connell, Padilla; NAYS: None; ABSENT: Black; ABSTAIN: Morton.

AN ORDINANCE 44,856

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 4.217 ACRE TRACT OF LAND OUT OF NCB 15723, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 13900 BLOCK OF JUDSON ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-1" BUSINESS DISTRICT; AND A 75.337 ACRE TRACT OF LAND OUT OF NCB 15723, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT, "R-6" TOWNHOUSE DISTRICT, "B-3" AND "B-2" BUSINESS DISTRICTS TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED AND THAT A ONE FOOT NON-ACCESS EASEMENT AND A SIX FOOT SOLID SCREEN FENCE BE IMPOSED ON THAT PORTION OF THE SUBJECT PROPERTY WHICH ABUTTS THE PROPOSED LARKSPUR SUBDIVISION.

* * * *

In answer to Mr. Padilla's request, Mr. Graham Burris, one of the owners, said that he would immediately have a large sign erected on the property to advertise its zoning classification and the intended use for it.

E. CASE 5895 - to rezone Lots 3, 4, 5-A, 6-A and the east 75' of Lot 2, Block 7, NCB 8733, 433 Laredo Highway (U. S. Highway 81 South), from "JJ" Commercial District and "C" Apartment District to "I-1" Light Industry District, located between U. S. Highway 81 South and Fay Avenue being 350' west and 93.16' southwest of the intersection of U. S. Highway 81 South and Fay Avenue, having 325' on Fay Avenue and 320' on U. S. Highway 81 South.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, Dr. San Martin made a motion that the recommendation of the Planning Commission be approved, provided that a six foot solid screen fence be erected along the west property line against the existing residential uses on that property. Mrs. Cockrell seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cockrell, San Martin, Becker, Lacy, Morton, O'Connell, Padilla; NAYS: None; ABSENT: Black.

AN ORDINANCE 44,857

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 3, 4, 5-A,
6-A AND THE EAST 75' OF LOT 2, BLOCK 7,
NCB 8733, 433 LAREDO HIGHWAY (U. S. HIGHWAY
81 SOUTH), FROM "JJ COMMERCIAL DISTRICT
AND "C" APARTMENT DISTRICT TO "I-1" LIGHT
INDUSTRY DISTRICT, PROVIDED THAT A SIX
FOOT SOLID SCREEN FENCE BE ERECTED ALONG
THE WEST PROPERTY LINE AGAINST THE EXISTING
RESIDENTIAL USES ON THAT PROPERTY.

* * * *

F. CASE 5888 - to rezone Lots 8 and 9, Block 13, NCB 10060, 100 Block of Jackson Keller Road, from "D" Apartment District to "B-1" Business District, located northwest of Basin Drive, between Dot Drive and Jackson Keller Road, having 195.09' on Basin Drive, 395.93' on Dot Drive, 423.70' on Jackson Keller Road and a distance of 200' between Dot Drive and Jackson Keller Road.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, Dr. San Martin made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished. Mrs. Cockrell seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cockrell, San Martin, Becker, Lacy, Morton, O'Connell, Padilla; NAYS: None; ABSENT: Black.

AN ORDINANCE 44,858

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 8 AND 9, BLOCK 13, NCB 10060, 100 BLOCK OF JACKSON KELLER ROAD, FROM "D" APARTMENT DISTRICT TO "B-1" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

* * * *

G. CASE 5886 - to rezone a 24.262 acre tract of land out of NCB 14861, being further described by field notes filed in the office of the City Clerk, 11200 Block of Babcock Road, from Temporary "R-1" Single Family Residential District to "B-2" Business District, located on the northeast side of Babcock Road being 2339.78' west of the intersection of De Zavala Road and Babcock Road, having 1965.6' on Babcock Road and a maximum depth of 1577.80'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, Dr. San Martin made a motion that the recommendation of the Planning Commission be approved, provided that proper platting is accomplished. Mrs. Cockrell seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cockrell, San Martin, Becker, Lacy, Morton, O'Connell, Padilla; NAYS: None; ABSENT: Black.

AN ORDINANCE 44,859

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 24.262 ACRE TRACT OF LAND OUT OF NCB 14861, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

H. CASE 5866 - to rezone an 18.504 acre tract of land out of NCB 14862, being further described by field notes filed in the office of the City Clerk, 6300 Block of Melissa Lane, from Temporary "R-1" Single Family Residential District to "R-3" Multiple Family Residential District.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, Mr. O'Connell made a motion that the recommendation of the Planning Commission be approved, provided that proper platting is accomplished. Dr. San Martin seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cockrell, San Martin, Lacy, Morton, O'Connell, Padilla; NAYS: None; ABSENT: Black; ABSTAIN: Becker.

AN ORDINANCE 44,860

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 AN 18.504 ACRE TRACT OF LAND OUT OF NCB 14862, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 6300 BLOCK OF MELISSA LANE, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

I. CASE 5905 - to rezone Lot 10, NCB 15687, 4200 Block of Stahl Road, from Temporary "R-1" Single Family Residential District to "B-3" Business District, located on the northwest side of Stahl Road being 1,553.74' from the intersection of Stahl Road and Jung Road, having 100.60' on Stahl Road and a maximum depth of 577.12'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, Dr. San Martin made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished if necessary. Mrs. Cockrell seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cockrell, San Martin, Becker, Lacy, Morton, O'Connell, Padilla; NAYS: None; ABSENT: Black.

AN ORDINANCE 44,861

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 10, NCB 15687, 4200 BLOCK OF STAHL ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED IF NECESSARY.

* * * *

J. CASE 5872 - to rezone the south 120' of Lot 7, and the south irregular 120' of Lot 8, Block 8, NCB 2994, 2501-2503 and 2507 N. St. Mary's, 529 E. Ashby Place, from "F" Local Retail District to "B-3" Business District, located on the northwest intersection of Ashby and N. St. Mary's, having 118.4' on Ashby Place and 122' on N. St. Mary's.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be approved by the City Council.

Mr. Charles Jackson, representing the applicants, reminded the Council that this case had been postponed by the Council to afford the proponent and opponents an opportunity to arrive at some compromise agreement on the use of the property being considered. He said that his client had offered to sell the property to the church but the offer was turned down. He again reviewed the zoning in the neighborhood and in the particular building. One of the tenants, an auto parts and accessory store, wanted to expand his business to include auto repair facilities. The church across the street opposed the rezoning because under "B-3" zoning, a beer parlor or dance hall could go in. Mr. Jackson said that under state law, this would not be possible because of its close proximity to the church. He said that the church had refused to accept a written agreement not to permit beer to be sold on the property.

Mr. George Carson, representing St. Sophia Greek Orthodox Church as well as the immediate neighbors, spoke in opposition. He said that the price asked for the property was much too high, which is why the offer was turned down. He then distributed color snapshots of the property in question. The church and neighbors still oppose the rezoning because the property could be sold and put to other uses.

Mr. Jackson spoke in rebuttal and again asked the Council to consider the application favorably.

After consideration, Mr. Lacy moved that the recommendation of the Planning Commission be overruled and the rezoning denied. The motion was seconded by Dr. San Martin and on the following roll call vote was passed and approved; AYES: Cockrell, San Martin, Becker, Lacy, Morton, O'Connell, Padilla; NAYS: None; ABSENT: Black.

The rezoning was denied.

K. CASE 5875 - to rezone a 2.902 acre tract of land out of NCB 15720; a 1.98 acre tract of land out of NCB 15719; a 1.98 acre tract of land out of NCB 15718; a 0.99 acre tract of land out of NCB 15717, being further described by field notes filed in the office of the City Clerk, from Temporary "R-1" Single Family Residential District to "B-2" Business District; a 3.47 acre tract of land out of NCB 15721; a 1.698 acre tract of land out of NCB 15720; a 0.86 acre tract of land out of NCB 15717, being further described by field notes filed in the office of the City Clerk, 13400 through 13600 Blocks of Nacogdoches Road, from Temporary "R-1" Single Family Residential District to "B-3" Business District.

Subject properties are located on the northwest side of Nacogdoches Road between Higgins Road and O'Connor Road, having 2384.90' on Nacogdoches Road, 187.26' on Higgins Road and 315' on O'Connor Road. The "B-3" being on the northeast 664.81' and the southwest 191.92' of the subject property with the "B-2" being on the remaining portion.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, Mrs. Cockrell made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished, if necessary. Mr. Morton seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cockrell, Becker, Lacy, Morton, O'Connell, Padilla; NAYS: None; ABSENT: San Martin, Black.

AN ORDINANCE 44,862

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 2.902 ACRE TRACT OF LAND OUT OF NCB 15720; A 1.98 ACRE TRACT OF LAND OUT OF NCB 15719; A 1.98 ACRE TRACT OF LAND OUT OF NCB 15718; A 0.99 ACRE TRACT OF LAND OUT OF NCB 15717; BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT; A 3.47 ACRE TRACT OF LAND OUT OF NCB 15721; A 1.698 ACRE TRACT OF LAND OUT OF NCB 15720; A 0.86 ACRE TRACT OF LAND OUT OF NCB 15717, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 13400 THROUGH 13600 BLOCKS OF NACOGDOCHES ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED, IF NECESSARY.

* * * *

L. CASE 5912 - to rezone Lots 3 and 4, NCB 15024, 5000 Block of Fredericksburg Road, from "R-3" Multiple Family Residential District to "B-2" Business District; and Lot 8, NCB 14191, 5100 Block of Fredericksburg Road, from "R-3" Multiple Family Residential District to "B-3" Business District.

The "B-2" zoning being located east of the intersection of Fredericksburg Road and Magic Drive, having 440' on Fredericksburg Road and 683.38' on Magic Drive.

The "B-3" zoning being located north of the intersection of Fredericksburg Road and Magic Drive, having 613.24' on Fredericksburg Road and 669.05' on Magic Drive.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be approved by the City Council.

No one spoke in opposition.

After consideration, Mr. Morton made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished, if necessary, and that a six foot solid screen fence is erected along the southeast line adjacent to the French Quarter Apartments. Mr. Padilla seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Becker, Lacy, Morton, O'Connell, Padilla; NAYS: None; ABSENT: Cockrell, San Martin, Black.

AN ORDINANCE 44,863

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 3 AND 4, NCB 15024, 5000 BLOCK OF FREDERICKSBURG ROAD, FROM "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS

DISTRICT, AND LOT 8, NCB 14191, 5100
 BLOCK OF FREDERICKSBURG ROAD, FROM
 "R-3" MULTIPLE FAMILY RESIDENTIAL DIS-
 TRICT TO "B-3" BUSINESS DISTRICT,
 PROVIDED THAT PROPER REPLATTING IS
 ACCOMPLISHED, IF NECESSARY, AND THAT
 A SIX FOOT SOLID SCREEN FENCE BE ERECTED
 ALONG THE SOUTHEAST LINE ADJACENT TO
 THE FRENCH QUARTER APARTMENTS.

* * * *

M. CASE 4856 - to rezone a 282.639 acre tract of land out of NCB 14859, being further described by field notes filed in the office of the City Clerk, from Temporary "R-1" Single Family Residential District to "R-A" Residential-Agricultural District for a quarry; and a 17.445 acre tract of land out of NCB 14859, being further described by field notes filed in the office of the City Clerk, from Temporary "R-1" Single Family Residential District to "R-A" Residential-Agricultural District.

Subject properties are located 770' west of the intersection of I. H. 10 Expressway and Old Fredericksburg Road and 1035.78' north of F.M. 1604 West, having a maximum length of 4823.59' and a maximum width of 2731.3'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be approved by the City Council.

Mr. Floyd McGown, representing McDonough Brothers, Inc., spoke in favor of the request. He described the area and related the history of the quarry operations which began 40 years ago. He said that there is no intention of installing processing equipment on this tract. All processing will remain where it is outside of the City limits. This will simply be a quarry operation. The present operation is currently a non-conforming use and could be continued. However, the applicant wishes to have the zoning consistent with past and present use. He said that the company has agreed to enlarge the non-quarry area from a 75' width to 200' on the east side of the property.

Mr. McGown had aerial photographs of the area which he passed around to Council members. He said that the company exercises very close control over the blasting activities and retains an engineering firm to monitor these operations.

Mr. G. W. Worth, Vice President of McDonough Bros., assured the Council that every effort would be made to keep blasting from affecting the neighbors. He invited complaints to be directed to him.

Mrs. Ann Sterling, Route 2, Box 305, said that she would not be opposed to the quarry if the blasting did not damage homes. She said that the property should be fenced in to keep people from getting into a dangerous area.

Mr. W. R. Long, Attorney for the University of Texas Board of Regents, said that the University was aware of the quarry operation when they acquired their site. Their main concern is the effect that blasting will have on laboratory buildings when they are built. He asked that something be put into the ordinance to require that the aesthetic beauty of the area be maintained as the quarry extends south toward the University property.

Others speaking in opposition were:

Mr. George Geiser
 Mrs. Vicki Duval
 Mrs. Robert C. Trent

Mr. McGown spoke in rebuttal. He said there is no blasting activity at night although there is some drilling and also the crushers operate on a 24-hour basis. The crushers are in the same original location they have always been. He said that as soon as the property to the south and west begins to develop a fence will be constructed to protect the public. He agreed that a fence would be constructed on the east property line at once.

Mrs. Cockrell pointed out that presently quarry operations could go to the property line. By changing the zoning, quarrying could be restricted by a buffer zone.

Mr. Morton said that he thought a fence on one side wouldn't do any good and that the entire property should be fenced. He also thought a plan for reuse of the property should be developed.

Mr. McGown said that he had conferred with Mr. Worth and the company will immediately install a six foot fence with three strands of barbed wire on top on the east property line, but the fence on the south and west will not be installed at the present time.

Mrs. Cockrell moved that the recommendation of the Planning Commission be approved and the rezoning granted provided, however, that proper platting be accomplished, that a 300' setback line along the east property line and a 200' setback line along the south and west property line be established where no quarrying is to take place and that a six foot fence with three strands of barbed wire on top is erected on the east property line within six months of the passage of this ordinance.

Mrs. Cockrell's motion was seconded by Mr. Padilla with the understanding about the fence and consistent with comments of Council members, said that the Council has no jurisdiction of stopping the quarry from operating. By passing the ordinance, the records will reflect that this is a quarry so that people will know from the record of the operation when considering the purchase of land in the vicinity.

In answer to Mr. Padilla's question, Assistant City Attorney Tom Finlay said that regardless of actions taken by the Council, McDonough Bros. still has non-conforming rights and can continue to operate and the City cannot force them to abide by the setback.

Mr. McGown said that Mr. Worth had authorized him to say that McDonough Bros, inc. will make a commitment to the Council that they will comply with the setback requirements.

On the following roll call vote, the following Ordinance was passed and approved; AYES: Cockrell, Becker, Lacy, Morton, O'Connell, Padilla; NAYS: None; ABSENT: San Martin, Black.

AN ORDINANCE 44,864

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 249.921 ACRE
TRACT OF LAND OUT OF NCB 14859, BEING
FURTHER DESCRIBED BY FIELD NOTES FILED
IN THE OFFICE OF THE CITY CLERK, FROM
TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL
DISTRICT TO "R-A" RESIDENTIAL AGRICULTURAL
DISTRICT FOR A QUARRY; AND A 51.163 ACRE
TRACT OF LAND OUT OF NCB 14859, BEING FURTHER
DESCRIBED BY FIELD NOTES FILED IN THE OFFICE
OF THE CITY CLERK, FROM TEMPORARY "R-1"

SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-A" RESIDENTIAL AGRICULTURAL DISTRICT, PROVIDED THAT PROPER PLATTING BE ACCOMPLISHED, THAT A 300' SET BACK LINE ALONG THE EAST PROPERTY LINE AND A 200' SET BACK LINE ALONG THE SOUTH AND WEST PROPERTY LINE BE ESTABLISHED WHERE NO QUARRYING IS TO TAKE PLACE AND THAT A SIX FOOT FENCE WITH THREE (3) STRANDS OF BARBED WIRE ON TOP IS ERECTED ON THE EAST PROPERTY LINE WITHIN SIX MONTHS OF THE PASSAGE OF THIS ORDINANCE.

* * * *

75-5 The Clerk read the following letter:

January 17, 1975

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

Gentlemen and Madam:

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

January 14, 1975	Petition submitted by Mr. John A. Daniels; Daniels, Efron & Holden, in behalf of Concord Public Utility District, requesting The City of San Antonio's consent to the addition to the district of 429.515 acres of land.
January 15, 1975	Petition of Robert A. Rodriguez, Antonian High School Bonfire Chairman, requesting permission to conduct a bonfire on January 24, 1975, at the corner of Babcock and Hausman Road, at 7:00 P. M.
January 15, 1975	Petition of Mrs. Virginia Mackey, 211 East Gerald, and other citizens requesting the City to take action to construct a sewer line on Braubach Street in order to eliminate the septic tanks in the area.
January 17, 1975	Petition of Mr. Ed Potts, in behalf of Optimist Club of Northwest San Antonio, requesting permission to conduct a bonfire for ceremonial purposes on the evening of Saturday, March 1, 1975, at the location of Prue Road, approximately one fourth mile west of the old Fredericksburg Road Highway.
January 17, 1975	Petition submitted by Mr. Robert S. Morris, 7906 Thornhill Drive, and signed by other citizens, requesting the City to alleviate the condition of the water drainage and heavy flooding during heavy rains at the location along Terra Alta at Vinewood and Shady Lane and the school yard on the Howard School playground.

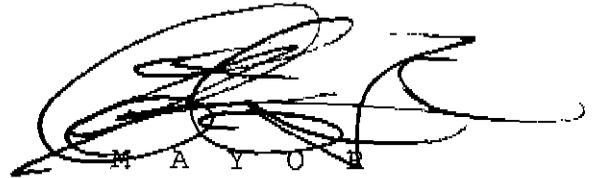
/s/ J. H. INSELMANN
City Clerk

* * * *

January 23, 1975
nsr

There being no further business to come before the Council,
the meeting adjourned at 5:30 P. M.

A P P R O V E D



M A Y O R

Charles L. Becker

ATTEST: 
City Clerk

January 23, 1975
nsr

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