

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, JUNE 19, 1975.

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The meeting was called to order at 8:30 A. M., by the presiding officer, Mayor Lila Cockrell, with the following members present: PYNDUS, BILLA, CISNEROS, BLACK, HARTMAN, ROHDE, TENIENTE, NIELSEN, COCKRELL; Absent: NONE.

75-36 The invocation was given by The Reverend James C. Brunner, Holy Name Catholic Church.

75-36 Members of the City Council and the audience, joined in the Pledge of Allegiance to the flag of the United States.

75-36 The minutes of the Special Meeting of June 10, 1975, and the Regular Meeting of June 12, 1975, were approved.

75-36 MISS JAN JARBOE

Rev. Black called attention to the fact that Miss Jan Jarboe, news reporter for the San Antonio Light assigned to City Hall, is leaving San Antonio and moving to another City. He then read the following Citation:

CITY OF SAN ANTONIO
(State of Texas)

Hereby Presents This

CITATION

to

JAN JARBOE

IN RECOGNITION OF HER OUTSTANDING SERVICE TO THE COMMUNITY AS CITY HALL REPORTER BY OBSERVING MUNICIPAL GOVERNMENT IN ACTION AND REPORTING SAME IN A FAIR AND IMPERSONAL MANNER.

THE CITY COUNCIL COMMENDS MISS JARBOE FOR HER JOURNALISTIC EFFORTS AND EXTENDS BEST WISHES FOR CONTINUED SUCCESS IN HER NEW ENDEAVOR.

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Members of the Council greeted Miss Jarboe individually, and she thanked them for this expression of appreciation.

June 19, 1975
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1. CASE 6056 - to rezone Parcel 32, NCB 15684, 10411 Perrin Beitel Road, from Temporary "R-1" Single Family Residential District to "B-3" Business District, located on the west side of Perrin Beitel Road, being 1084.82' north of the intersection of Perrin Beitel Road and the I & G N Railroad R.O.W. having 92' on Perrin Beitel Road and a maximum depth of 472.8'.

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. Teniente made a motion that the recommendation of the Planning Commission be approved, provided that proper platting be accomplished. Mr. Rohde seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 45,359

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 PARCEL 32, NCB 15684, 10411 PERRIN BEITEL ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

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2. CASE 6042 - to rezone Parcel 36-C, NCB 15324, 5247 Pearsall Road, from Temporary "R-1" Single Family Residential District to "I-1" Light Industry District, located on the northwest side of Pearsall Road, being 1272.8' northeast of the intersection of Holm Road and Pearsall Road, having 208.11' on Pearsall Road and a depth of 208.11'.

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. Billa made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished. Dr. Nielsen seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 45,360

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 PARCEL 36-C, NCB 15324, 5247 PEARSALL ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

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3. CASE 6077 - to rezone the northeast 349.62' of the southwest 373.8' of Tract L, NCB 13753, 11300 Block of Wetmore Road, from Temporary "A" Single Family Residential District to "I-1" Light Industry District, located on the northeast side of Carver Road, being 40' southeast of the Missouri Pacific Railroad R.O.W., having 349.62' on Carver Road and a maximum depth of 373.8'.

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. Billa made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting be accomplished. Mr. Hartman seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 45,361

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 NORTHEAST 349.62' OF THE SOUTHWEST 373.8' OF TRACT L, NCB 13753, 11300 BLOCK OF WETMORE ROAD, FROM TEMPORARY "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

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4. CASE 6057 - to rezone Lots 7 and 8, Block 40, NCB 2063, 110 Wilson Blvd., from "F" Local Retail District to "B-3" Business District, located northeast of the intersection of Culebra Road and Wilson Blvd., having 100' on Culebra Road and 155.55' on Wilson Blvd.

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. Pyndus made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting be accomplished. Mr. Billa seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 45,362

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 7 AND 8, BLOCK 40, NCB 2063, 110 WILSON BOULEVARD, FROM "F" LOCAL RETAIL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

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5. CASE 6084 - to rezone a 0.574 acre tract of land out of NCB 10759, being further described by field notes filed in the office of the City Clerk, 2800 Block of Rigsby Avenue, from "A" Single Family Residential District to "B-3" Business District, located on the south side of Rigsby Avenue, being 420' east of the intersection of Bonair Road and Rigsby Avenue; having 125' on Rigsby Avenue and a depth of 200'.

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. Billa made a motion that the recommendation of the Planning Commission be approved, provided that proper platting be accomplished. Mr. Cisneros seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 45,363

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 0.574 ACRE TRACT OF LAND OUT OF NCB 10759, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 2800 BLOCK OF

RIGSBY AVENUE, FROM "A" SINGLE
FAMILY RESIDENTIAL DISTRICT TO
"B-3" BUSINESS DISTRICT, PROVIDED
THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

7. CASE 6041 - to rezone Lot 8, Block 2, NCB 10104, 7510 Broadway, from "D" Apartment District to "O-1" Office District, located southeast of the intersection of Broadway and Nacogdoches Road, having 68.72' on Broadway and 31.17' on Nacogdoches Road with a maximum depth of 156'.

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. Cisneros made a motion that the recommendation of the Planning Commission be approved, provided that proper platting is accomplished. Mr. Pyndus seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 45,364

AMENDING CHAPTER 42 OF THE CITY CODE
THAT CONSTITUTES THE COMPREHENSIVE
ZONING ORDINANCE OF THE CITY OF SAN
ANTONIO BY CHANGING THE CLASSIFICATION
AND REZONING OF CERTAIN PROPERTY
DESCRIBED HEREIN AS LOT 8, BLOCK 2,
NCB 10104, 7510 BROADWAY, FROM "D"
APARTMENT DISTRICT TO "O-1" OFFICE
DISTRICT, PROVIDED THAT PROPER PLATTING
IS ACCOMPLISHED.

* * * *

8. CASE 6066 - to rezone Lot P-59A, NCB 12858, 9300 Block of Fredericksburg Road, from Temporary "R-1" Single Family Residential District to "B-3" Business District, located on the northeast side of Fredericksburg Road, being approximately 676' southeast of the cutback of Fredericksburg Road and Bluemel Road; having 309.07' on Fredericksburg Road with a maximum depth of 519.5'.

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. Pyndus made a motion that the recommendation of the Planning Commission be approved, provided that proper platting is accomplished. Mr. Cisneros seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 45,365

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 P-59A, NCB 12858, 9300 BLOCK OF FREDERICKSBURG ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

9. CASE 6064 - to rezone Lot 21-A, NCB 11169, 5036 Roosevelt Avenue, from "B" Two Family Residential District to "I-2" Heavy Industry District, located northeast of the intersection of Roosevelt Avenue and Rilling Road, having 279.9' on Roosevelt Avenue, 1100' on Rilling Road and 157.7' on the cutback between Roosevelt Avenue and Rilling 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, Mr. Pyndus made a motion that the recommendation of the Planning Commission be approved, provided that proper platting be accomplished. Mr. Cisneros seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 45,366

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 21-A, NCB 11169, 5036 ROOSEVELT AVENUE, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "I-2" HEAVY INDUSTRY DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

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10. CASE 5960 - to rezone the remaining portion of Lots 179 and 180, NCB 12008, 13600 Block of San Pedro Avenue, from "A" Single Family Residential District to "B-3" Business District, located on the west side of San Pedro Avenue, being 136.59' northeast of the intersection of Bitters Road and San Pedro Avenue, having 200' on San Pedro Avenue with a depth of 177.19'.

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. Billa made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting be accomplished. Mr. Pyndus seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 45,367

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 REMAINING PORTION OF LOTS 179 AND 180, NCB 12008, 13600 BLOCK OF SAN PEDRO AVENUE, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

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11. CASE 6059 - to rezone Lots 89 and 90, Block 10, NCB 11106, 245 - 249 Moursund Boulevard, from "B" Two Family Residential District to "B-3" Business District, located on the west side of Moursund Boulevard, being 120' north of the intersection of Baetz Boulevard and Moursund Boulevard, having 120' on Moursund Boulevard and a depth of 205.7'.

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. Teniente made a motion that the recommendation of the Planning Commission be approved. Mr. Cisneros seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 45,368

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 89 AND 90, BLOCK 10, NCB 11106, 245 - 249 MOURSUND BOULEVARD, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT.

* * * *

12. CASE 6035 - to rezone Lots 22, 23, and 24, Block 5, NCB 7225, 4402 Blanco Road, from "F" Local Retail District to "B-3" Business District, located northeast of the intersection of Blanco Road and La Manda Boulevard; having 75' on Blanco Road and 135' on La Manda Boulevard.

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. Billa made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished. Dr. Nielsen seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 45,369

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 22, 23, AND 24,
BLOCK 5, NCB 7225, 4402 BLANCO ROAD,
FROM "F" LOCAL RETAIL DISTRICT TO "B-3"
BUSINESS DISTRICT, PROVIDED THAT PROPER
REPLATTING IS ACCOMPLISHED.

* * * *

13. CASE 6075 - to rezone Lot 54, NCB 11971, 10000 Block of Jones Maltsberger Road, from "C" Apartment District to "I-1" Light Industry District, located on the southwest side of Jones Maltsberger Road, being 914.2' south of the intersection of Isom Road and Jones Maltsberger Road, having 863.73' on Jones Maltsberger Road and a maximum depth of 650'.

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. Nielsen made a motion that the recommendation of the Planning Commission be approved. Mr. Billa seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 45,370

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 54, NCB
11971, 10000 BLOCK OF JONES MALTS-
BERGER ROAD, FROM "C" APARTMENT
DISTRICT TO "I-1" LIGHT INDUSTRY
DISTRICT.

* * * *

14. CASE 6067 - to rezone Lot 26, Block 44, NCB 7159, 2200 Block of Warner Avenue, from "B" Two Family Residential District to "B-1" Business District, located northeast of the intersection of Warner Avenue and Sacramento Street, having 50' on Sacramento Street and 120' on Warner Avenue.

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. Cisneros made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished. Mr. Pyndus seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 45,371

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 26, BLOCK 44,
NCB 7159, 2200 BLOCK OF WARNER AVENUE,
FROM "B" TWO FAMILY RESIDENTIAL DISTRICT
TO "B-1" BUSINESS DISTRICT, PROVIDED THAT
PROPER REPLATTING IS ACCOMPLISHED.

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15. CASE 6049 - to rezone the north 114.1' of Lots 22 and 23, Block 23, NCB 8115, 703 Cupples Road, from "F" Local Retail District to "I-1" Light Industry District, located southwest of the intersection of Cupples Road and Patton Street, having 114.1' on Cupples Road and 243.28' on Patton 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, Mr. Cisneros made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished and that a 40' building setback line is imposed parallel to the west property line. Mr. Billa seconded the motion. On roll call, the motion, carrying with it

the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 45,372

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 114.1' OF LOTS 22 AND 23, BLOCK 23, NCB 8115, 703 CUPPLES ROAD, FROM "F" LOCAL RETAIL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED AND THAT A 40' BUILDING SET-BACK LINE IS IMPOSED PARALLEL TO THE WEST PROPERTY LINE.

* * * *

16. CASE 6043 - to rezone Lots 11, 12, 13, Block 10, NCB 15700, 12823 Nacogdoches Road, from Temporary "R-1" Single Family Residential District to "B-2" Business District, located on the northwest side of Nacogdoches Road, being 80' southwest of the cutback between Erin Drive and Nacogdoches Road, having 160' on Nacogdoches Road and a depth of 140'.

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. Nielsen made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished and that a six foot solid screen fence is erected along the northwest property line. Mr. Billa seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 45,373

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 11, 12, 13, BLOCK 10, NCB 15700, 12823 NACOGDOCHES ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED ALONG THE NORTHWEST PROPERTY LINE.

* * * *

17. CASE 6044 - to rezone the north 121.9' of Lot 1, Block B, NCB 7882, 1426 Commercial Avenue, from "B" Two Family Residential District to "B-2" Business District, located on the east side of Commercial Avenue, being 110' north of the intersection of West Gerald Avenue and Commercial Avenue, having 121.9' on Commercial Avenue with a depth of 54.5'.

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. Cisneros made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished and that a six foot solid screen fence is erected on the north and south property lines. Mr. Pyndus seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 45,374

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 121.9'
OF LOT 1, BLOCK B, NCB 7882, 1426
COMMERCIAL AVENUE, FROM "B" TWO FAMILY
RESIDENTIAL DISTRICT TO "B-2" BUSINESS
DISTRICT, PROVIDED THAT PROPER REPLATTING
IS ACCOMPLISHED AND THAT A SIX FOOT SOLID
SCREEN FENCE IS ERECTED ON THE NORTH AND
SOUTH PROPERTY LINES.

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18. CASE 5991 - to rezone Lot 11, Block 224, NCB 3951, 301 Viendo Street, from "B" Two Family Residential District to "B-1" Business District, located northwest of the intersection of Viendo Street and Catalina Avenue, having 50' on Viendo Street and 120' on Catalina Avenue.

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. Pyndus made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished. Mr. Cisneros seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 45,375

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 11, BLOCK 224, NCB 3951, 301 VIENDO STREET, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-1" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

* * * *

19. CASE 6051 - to rezone Lots 15, and 16, Block 129, NCB 8547, 879 W. Southcross Boulevard, from "B" Two Family Residential District to "O-1" Office District, located on the north side of W. Southcross Boulevard, being 50' east of the intersection of Huron Street and West Southcross Boulevard; having 50' on West Southcross Boulevard and a depth of 125'.

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. Cisneros made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished and that a six foot solid screen fence is erected along the north property line. Mr. Teniente seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 45,376

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 15 AND 16, BLOCK 129, NCB 8547, 879 WEST SOUTHCROSS BOULEVARD, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "O-1" OFFICE DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED ALONG THE NORTH PROPERTY LINE.

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20. CASE 6025 - to rezone Lot 1, NCB 15024, 7400 Block of Magic Drive, from "R-3" Multiple Family Residential District to "B-2" Business District; and Lot 6 and a 2.902 acre tract of land out of NCB 14191, being further described by field notes filed in the office of the City Clerk, 7400 Block of Magic Drive and 7400 Block of Callaghan Road, from "R-3" Multiple Family Residential District to "B-3" Business District.

The "B-2" zoning being located on the southeast side of Magic Drive, being 632.38' northeast of the intersection of Magic Drive and Fredericksburg Road, having 764.74' on Magic Drive and a maximum depth of 470.29'.

The "B-3" zoning being located between Magic Drive and Callaghan Road, being 330' northeast of Fredericksburg Road; having 225.04' on Callaghan Road and 449.70' on Magic Drive, with a distance of 940' between Magic Drive and Callaghan 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. Nielsen made a motion that the recommendation of the Planning Commission be approved, provided that a six foot solid screen fence is erected adjacent to the multi-family development. Mr. Hartman seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Teniente, Nielsen, Cockrell; NAYS: None; ABSTAIN: Rohde; ABSENT: None.

AN ORDINANCE 45,377

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 1, NCB 15024, 7400 BLOCK OF MAGIC DRIVE, FROM "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT; AND LOT 6, AND A 2.902 ACRE TRACT OF LAND OUT OF NCB 14191, 7400 BLOCK OF MAGIC DRIVE, AND 7400 BLOCK OF CALLAGHAN ROAD, FROM "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED ADJACENT TO THE MULTI-FAMILY DEVELOPMENT.

* * * *

21. CASE 6063 - to rezone the west 72' of Lot 78, NCB 11887, 111 West Sunset Road, from "A" Single Family Residential District to "B-1" Business District, located on the north side of West Sunset Road, being 115' west of the intersection of Broadway and West Sunset Road, having 72' on West Sunset Road and a depth of 150'.

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. Teniente made a motion that the recommendation of the Planning Commission be approved, provided that a six foot solid screen fence is erected on the west property line and that proper replatting is accomplished. Mr. Billa seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 45,378

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 WEST 72' OF LOT 78, NCB 11887, 111 WEST SUNSET ROAD, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-1" BUSINESS DISTRICT, PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED ON THE WEST PROPERTY LINE AND THAT PROPER REPLATTING IS ACCOMPLISHED.

* * * *

22. CASE 6033 - to rezone the southwest 120' of the west 100' of Lot 15, Block 6, NCB 8732, 2497 West Southcross Boulevard, from "C" Apartment District to "B-2" Business District, located north of the intersection of Southcross Boulevard and Pierian Avenue, having 100' on Southcross Boulevard and a depth of 120'.

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. Pyndus made a motion that the recommendation of the Planning Commission be approved, provided that proper platting is accomplished and that a six foot solid screen fence is erected along the west property line. Mr. Cisneros seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 45,379

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 SOUTHWEST 120' OF THE WEST 100' OF LOT 15, BLOCK 6, NCB 8732, 2497 WEST SOUTHCROSS BOULEVARD, FROM "C" APARTMENT DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED ALONG THE WEST PROPERTY LINE.

* * * *

23. CASE 5971 - to rezone Lots 28, 29, and 30, Block 11, NCB 16521, 6400 Block of Tahoka Boulevard, from Temporary "R-1" Single Family Residential District to "B-2" Business District; and Lots 14, 15, 29, and 30, Block 12, NCB 16522, 6400 Block of Tahoka Boulevard and 6400 Block of Marcum Drive, and Lot 29, Block 13, NCB 16523, 6400 Block of Old Highway 90 West, from Temporary "R-1" Single Family Residential District to "B-3" Business District.

The "B-2" zoning being located northwest of the intersection of Tahoka Boulevard and Arvil Avenue, having 150' on Arvil Avenue and 150' on Tahoka Boulevard.

The "B-3" zoning being located on the west side of Arvil Avenue between Tahoka Boulevard and Marcum Drive, having 240' on Arvil Avenue and 100' on both Tahoka Boulevard and Marcum Drive. Lot 29 out of NCB 16523, being located on the west side of Arvil Avenue between Marcum Drive and Old Highway 90 West, having 144.4' on Arvil Avenue, 50' on Marcum Drive and 60' on Old Highway 90 West.

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. Cisneros made a motion that the recommendation of the Planning Commission be approved. Mr. Billa seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 45,380

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 28, 29, AND 30,
BLOCK 11, NCB 16521, 6400 BLOCK OF
TAHOKA BOULEVARD, FROM TEMPORARY "R-1"
SINGLE FAMILY RESIDENTIAL DISTRICT TO
"B-2" BUSINESS DISTRICT; AND LOTS 14,
15, 29, AND 30, BLOCK 12, NCB 16522,
6400 BLOCK OF TAHOKA BOULEVARD AND 6400
BLOCK OF MARCUM DRIVE, AND LOT 29,
BLOCK 13, NCB 16523, 6400 BLOCK OF OLD
HIGHWAY 90 WEST, FROM TEMPORARY "R-1"
SINGLE FAMILY RESIDENTIAL DISTRICT TO
"B-3" BUSINESS DISTRICT.

* * * *

24. CASE 6055 - to rezone Lot 56D, NCB 11883, 346 West Sunset, from "R-3" Multiple Family Residential District to "B-2" Business District, located on the south side of Sunset Road, being 1261.54' southeast of the intersection of the Missouri Pacific Railroad tracks and Sunset Road and a depth of 292.46'.

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. Pyndus made a motion that the recommendation of the Planning Commission be approved, provided that proper platting be accomplished. Mr. Hartman seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 45,381

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 56D, NCB 11883, 346 WEST SUNSET, FROM "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

25. CASE 6054 - to rezone Lots 7 through 13, Block 1, NCB 6227, 2100 Block of East Hildebrand Avenue, from "B" Two Family Residential District and "E" Office District to "B-2" Business District, located on the north side of East Hildebrand Avenue, being 150' east of the intersection of Broadway and East Hildebrand Avenue, having 350' on East Hildebrand Avenue with a depth of 140'.

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. Billa made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting is accomplished. Mr. Pyndus seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 45,382

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 7 THROUGH 13, BLOCK 1, NCB 6227, 2100 BLOCK OF EAST HILDEBRAND AVENUE, FROM "B" TWO FAMILY

RESIDENTIAL DISTRICT AND "E" OFFICE
DISTRICT TO "B-2" BUSINESS DISTRICT,
PROVIDED THAT PROPER REPLATTING IS
ACCOMPLISHED.

* * * *

28. CASE 6005 - to rezone Lots 18 and 19, Block 2, NCB 1755, 1023 and 1027 East Euclid Avenue, located west of the intersection of East Park Avenue and East Euclid Avenue, having 111.06' on East Euclid Avenue and 165.0' on East Park Avenue; and the south 75' of Tract A, Block D, NCB 1756, 1100 Block of East Euclid Avenue, located north of the intersection of East Park Avenue and East Euclid Avenue, having 75' on East Park Avenue and 50' on East Euclid Avenue, from "D" Apartment District to "B-2" Business 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. Pyndus made a motion that the recommendation of the Planning Commission be approved, provided that proper replatting be accomplished. Mr. Billa seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 45,383

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 18 AND 19,
BLOCK 2, NCB 1755, 1023 AND 1027 EAST
EUCLID AVENUE AND THE SOUTH 75' OF
TRACT A, BLOCK D, NCB 1756, 1100
BLOCK OF EAST EUCLID AVENUE, FROM
"D" APARTMENT DISTRICT TO "B-2"
BUSINESS DISTRICT, PROVIDED THAT
PROPER REPLATTING IS ACCOMPLISHED.

* * * *

29. CASE 6038 - to rezone the northeast 25' of Lots B-5, 8, 6A, 6B, 6C, 6D, 6E, and 6F, 3300 Block of Mission Road, from "B" Two Family Residential District to "B-3" Business District; and Lots B-5, 8, 6A, 6B, 6C, 6D, 6E, and 6F, save and except the northeast 25' and all of Lot 6G, from "B" Two Family Residential District and "J" Commercial District to "I-1" Light Industry District.

The "B-3" zoning being located northwest of the intersection of Huizar Road and Mission Road; having 338.3' on Mission Road and 25' on Huizar Road.

The "I-1" zoning being located 25' southwest of the intersection of Mission Road and Huizar Road with frontage also on Woodhull Drive, having 144.74' on Huizar Road and 198.89' on Woodhull Drive.

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

Mr. Floyd McGown, Attorney for L & H Leasing Company, reviewed the zoning surrounding the area being considered. It is almost surrounded by industrial zoning with some "B-3" zoning. There is a buffer zone along Mission Road. The change in zoning is being requested so that it can be used for truck parking and maintenance. He then showed photographs of the company's buildings as well as the surrounding neighborhood. He asked that the Council approve the rezoning.

No one appeared in opposition.

After consideration, Mr. Billa made a motion that the recommendation of the Planning Commission be approved, provided that proper platting is accomplished and that a six foot solid screen fence is erected along Mission Road. Mr. Rohde seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 45,384

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 NORTHEAST 25' OF LOTS B-5, 8, 6A, 6B, 6C, 6D, 6E, AND 6F, NCB 7676, 3300 BLOCK OF MISSION ROAD, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT; AND LOTS B-5, 8, 6A, 6B, 6C, 6D, 6E, AND 6F, NCB 7676, SAVE AND EXCEPT THE NORTHEAST 25' AND ALL OF LOT 6G, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT AND "J" COMMERCIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED ALONG MISSION ROAD.

* * * *

Following the passage of the Ordinance, Mrs. Patricia Huizar appeared to speak in opposition to the rezoning. She had failed to make her presence known previously.

Mr. Billa moved that zoning Case No. 6038 be reconsidered. The motion was seconded by Mr. Rohde and passed by the following roll call vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

Mrs. Huizar said that she is opposed to the rezoning because she owns a house nearby at 131 Huizar. She said that it is difficult to rent this property now and if the zoning is changed, the property would be worthless. She asked that the zoning be denied.

In rebuttal, Mr. McGown described the operations in the company property. He said that the company would take measures to protect Mrs. Huizar's property.

After consideration, on motion of Mr. Pyndus, seconded by Mr. Rohde, the passage of Ordinance No. 45,384 was reconfirmed by the following roll call vote: AYES: Pyndus, Billa, Black, Hartman, Rohde; NAYS: Teniente, Cockrell; ABSENT: Cisneros, Nielsen.

6. CASE 6019 - to rezone Tract 46-C, and north 1000' of Tract 46, NCB 14862, from Temporary "R-1" Single Family Residential District to "B-2" Business District; and the south 1088.41' of Tract 46, NCB 14862, 5800 Block of De Zavala Road, from Temporary "R-1" Single Family Residential District to "R-3" Multiple Family Residential District.

Subject properties are located on the south side of De Zavala Road being 1384.81' west of the intersection of Fredericksburg Road and De Zavala Road; having 1384.81' on De Zavala Road and a depth of 2088.41'. The "B-3" being the north 1000' of subject property and the "R-3" 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. Mr. Camargo stated that the north portion of this tract is over the recharge zone of the Aquifer.

Mr. Dan Crow, the applicant, said that he plans a shopping center at the north end of the property and the remainder will be multi-family development. It will be an extension of a proposed subdivision on adjoining property. Mr. Crow said that he is entirely familiar with the aquifer pollution problems. He said that an engineering study has been made on the property which will drain primarily into Leon Creek.

Mrs. Liz Davies, representing the League of Women Voters, spoke in opposition to the proposed rezoning because a portion of it lies over the recharge zone and some of it is in the drainage area. She asked that Council action on this request be delayed.

Mrs. Fay Sinkin, representing the Aquifer Protection Association, also spoke in opposition. She said that the overlay district proposed by the Aquifer Task Force should be completed before any rezoning is approved and asked that this Case be postponed. She then gave each Council member a list of questions concerning the Aquifer problem. (A copy of the questions is included with the papers of this meeting.)

Speaking in rebuttal, Mr. Crow said that his land drains to the south and he does not feel that it would endanger the aquifer.

Mr. Pyndus asked Mr. Crow if he would be seriously affected if the south half were rezoned and action on the north portion postponed until later.

Mr. Crow replied that this would be acceptable to him.

After consideration, Mr. Cisneros moved that the South portion of Tract 46 be rezoned to "R-3" and that Council action on the remainder of the request be postponed until questions concerning mode of construction of sewer lines and the drainage questions. The motion was seconded by Dr. Nielsen. On roll call, the following Ordinance was passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 45,385

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 1088.41' OF TRACT 46, NCB 14862, 5800 BLOCK OF DE ZAVALA ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

26. CASE 6088 - to rezone Lot 6, Block 10, NCB 14383, 12000 Block of Perrin Beitel Road, from "B-2" Business District to "B-3" Business District, located south of the intersection of Avenida Prima and Perrin Beitel Road, having 188' on Avenida Prima and 225' on Perrin Beitel Road.

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

Mr. Sam Farnes, Representing Morton/Southwest Company, said that two years ago this property was zoned "B-2" thinking that would be the best use for it. Since then there has been much growth in this area. He said there have been several inquiries about this land for uses requiring a "B-3" zoning. He said there presently is a tentative sale of the property pending and asked for favorable consideration by the Council.

No one spoke in opposition.

After consideration, Mr. Cisneros made a motion that the recommendation of the Planning Commission be approved, provided that proper platting is accomplished. Mr. Billa seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 45,386

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 6, BLOCK 10,
NCB 14383, 12000 BLOCK OF PERRIN BEITEL
ROAD, FROM "B-2" BUSINESS DISTRICT TO
"B-3" BUSINESS DISTRICT, PROVIDED THAT
PROPER PLATTING IS ACCOMPLISHED.

* * * *

27. CASE 6002 - to rezone a 1.287 acre tract of land out of NCB 14943, being further described by field notes filed in the office of the City Clerk, 4200 Block of Vespero Drive, from "R-6" Townhouse District to "B-1" Business District; and a 0.860 acre tract of land out of NCB 14943, being further described by field notes filed in the office of the City Clerk, 4200 Block of Vespero Drive, from "R-6" Townhouse District to "B-2" Business District.

The "B-1" zoning being located north of the intersection of Vespero Drive and Capotillo Drive; having 182.45' on Vespero Drive and 274.51' on Capotillo Drive.

The "B-2" zoning being located on the south side of Vespero Drive, being 186.67' southeast of the intersection of Perrin Beitel Road and Vespero Drive, having 163.45' on Vespero Drive and a maximum depth of 288.80'.

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

Mr. Sam Parnes, representing Morton/Southwest, said that about two years ago the two tracts being considered were zoned "R-6" thinking that this would be proper. Since that time the area has grown very much, and it now appears that the requested zoning would be a better use. He said that several different inquiries have been made for these properties but they would need either "B-1" or "B-2" zoning. He asked for the Council's favorable consideration of this request.

Speaking in opposition were:

Rev. John R. Roen, 4322 Vespero
Mrs. Kathy Behling, 4311 Vespero
Capt. Barry Williams, 4350 Vespero
Mrs. Lada Sandoval, 4318 Vespero
Mrs. Andy Williams, 4350 Vespero
Mr. Allen DuBois, 4318 Shallow Water

The opponents cited the fact that they were led to believe that this property would be residential by the developer. After all the houses in the area were sold he then wanted to rezone it for business. They said that traffic is very bad in this neighborhood now and there are plenty of businesses available to serve the area. Some of the existing buildings are vacant now.

Speaking in rebuttal, Mr. Parnes said that residents in the area are having a problem in experiencing growth. He again asked for favorable consideration and asked that the requirement for a six foot fence be eliminated since there will be a non-access easement on Capotillo Drive.

After discussion, Mr. Teniente moved that both tracts being considered be zoned "O-1" Office District. The motion was seconded by Mr. Rohde.

Mr. Billa moved that the motion by Mr. Teniente be amended to read that the "B-1" zoning be denied and that the rezoning of the south tract to "B-2" Business District be approved. The motion was seconded by Mr. Cisneros, and on the following roll call vote, the motion to amend was approved: AYES: Billa, Cisneros, Rohde, Teniente, Nielsen; NAYS: Pyndus, Black, Hartman, Cockrell.

Mayor Cockrell announced that the amended motion now became the main motion and asked Mr. Billa to restate it.

Mr. Billa then restated the motion which was seconded by Mr. Cisneros. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Billa, Black, Hartman, Rohde, Teniente, Nielsen; NAYS: Pyndus, Cisneros, Cockrell; ABSENT: None.

AN ORDINANCE 45,387

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 0.860 ACRE TRACT OF LAND OUT OF NCB 14943, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 4200 BLOCK OF VESPERO DRIVE, FROM "R-6" TOWNHOUSE DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED AND THAT A 40' BUILDING SETBACK LINE AND A NON-ACCESS EASEMENT BE IMPOSED ALONG CAPOTILLO DRIVE.

* * * *

75-35

TRAFFIC INVESTIGATION

Mayor Cockrell requested the City Manager to have an investigation made of the speeding violations on Vespero Drive and adjacent streets. In the foregoing zoning Case, citizens complained very strongly about fast driving in the area.

30. CASE 6052 - to rezone the east 45' of Lot 16 and the west 25' of Lot 17, Block 2, NCB 1859, 225 West Craig Place, from "B" Two Family Residential District to "R-3" Multiple Family Residential District, located on the north side of West Craig Place, being 187.7' east of the intersection of Belknap and West Craig; having 70' on West Craig with a depth of 130'.

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

Ms. Hazel Franz, Attorney for the applicant, said that Mrs. Arthur Brun is asking to zone her property for apartments. This property has been used as a multiple family residence since 1941. The property was purchased by Mrs. Brun in 1963 and has been in apartment use since that time. Now, she finds that she is in violation of the Zoning Code and wants to have it properly zoned. She reviewed the existing uses in the neighborhood some of which are apartments.

Mr. Sam Dibrell, Attorney, said that he lives at 331 E. Kings Highway which is in the Monte Vista Historical Area. He suggested that the Council postpone a decision in this Case until the Council considers the Monte Vista Historical Association's application for historical zoning on July 14, 1975.

Mr. Dibrell stated that would constitute spot zoning since the whole neighborhood is not being considered. He pointed out also that the Board of Adjustment had denied an application for a non-conforming use permit for this property. The property does not comply with the building code, and is not properly maintained. He asked that the application be denied.

Ms. Franz spoke in rebuttal. She said that Mrs. Brun must be able to rent her property so that she can have means to care for her invalid son. She said that many City inspectors have called to make their inspections.

After consideration, Mr. Hartman made a motion that the recommendation of the Planning Commission be approved. Mr. Rohde seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Black, Hartman, Rohde, Teniente, Cockrell; NAYS: Billa, Nielsen; ABSENT: Cisneros.

AN ORDINANCE 45,388

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 EAST 45' OF
LOT 16 AND THE WEST 25' OF LOT 17,
BLOCK 2, NCB 1859, 225 WEST CRAIG
PLACE, FROM "B" TWO FAMILY RESIDENTIAL
DISTRICT TO "R-3" MULTIPLE FAMILY
RESIDENTIAL DISTRICT.

* * * *

75-36 The meeting recessed for lunch at 12:00 o'clock and reconvened at 1:30 P. M.

75-36 ZONING HEARINGS (Continued)

31. CASE 6027 - to rezone an 11.019 acre tract of land out of NCB's 14748 and 14749, being further described by field notes filed in the office of the City Clerk, 7000 Block of U.T.S.A. Boulevard, from "R-3" Multiple Family Residential District to "B-2" Business District; and a 3.444 acre tract of land out of NCB's 14748 and 14749, being further described by field notes filed in the office of the City Clerk, 7000 Block of U.T.S.A. Boulevard, from "R-3" Multiple Family Residential District to "B-3" Business District.

The "B-2" zoning being located on the south side of U.T.S.A. Blvd., being 1650' east of the intersection of Babcock Road and U.T.S.A. Blvd., having 660.06' on U.T.S.A. Blvd., and a depth of 500.36'.

The "B-3" zoning being located on the south side of U.T.S.A. Blvd., being 1044' east of the intersection of Babcock Road and U.T.S.A. having 600' on U.T.S.A. Blvd., and a depth of 250.18'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change and said that the Planning Commission had recommended PUD-1 (B-2) zoning and that Mr. David Jauer insisted on "B-2" and "B-3" zoning so the case was appealed.

Mr. David W. Jauer said that he had appealed the Planning Commission's recommendation that this property be zoned "P-1"(B-2) as this would create a hardship on the developer of the property and delay its development. He said that the intent was to have a commercial facility to serve the students and faculty of U.T.S.A. and a multiple family housing development. He said that there would not be any commercial development which would create a hazard for the aquifer.

Mr. Allison Perry, Architect, showed the Council a development plan for the project. He said that there would be holding ponds provided to keep storm runoff from draining into the aquifer. He said also that the owner would be willing to put in deed restrictions to prevent anything harmful to the aquifer in the future.

Mrs. Liz Davies, speaking for the League of Women Voters, asked the Council to abide by the recommendation of the Planning Commission and rezone this land to a Planned Unit Development. This would make certain that the plans for development get Planning Commission approval before any construction is started. She asked that no "B-2" or "B-3" zoning be granted over the aquifer until the Council has set out rules and regulations over the recharge zones.

Mr. Perry spoke in rebuttal saying that PUD would only slow down the process because of the mandatory waiting periods and asked the Council to consider the request favorably.

After consideration, Mr. Teniente moved that the recommendation of the Planning Commission be overruled and the properties be rezoned "B-2" and "B-3" Business Districts as requested by the applicant. The motion was seconded by Mr. Rohde. On roll call, the motion was defeated by the following vote: AYES: Billa, Rohde, Teniente; NAYS: Pyndus, Cisneros, Black, Hartman, Nielsen, Cockrell; ABSENT: None.

Dr. Nielsen then moved that both tracts be rezoned "B-2" Business District. The motion was seconded by Mr. Pyndus. On roll call, the motion failed to obtain seven affirmative votes required and was defeated by the following vote: AYES: Pyndus, Nielsen, Billa, Hartman, Rohde, Teniente; NAYS: Cisneros, Black, Cockrell; ABSENT: None.

Mr. Cisneros then moved that the recommendation of the Planning Commission be approved and both tracts be zoned "PUD-1" (B-2). The motion was seconded by Mr. Hartman. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 45,389

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 11.019 ACRE TRACT OF LAND OUT OF NCB 14748 AND NCB 14749, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 7000 BLOCK OF U.T.S.A. BLVD., FROM "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT TO P-1(B-2) PLANNED UNIT DEVELOPMENT BUSINESS DISTRICT; AND A 3.444 ACRE TRACT OF LAND OUT OF NCB 14748 AND 14749, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 7000 BLOCK OF U.T.S.A. BLVD., FROM "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT TO P-1(B-2) PLANNED UNIT DEVELOPMENT BUSINESS DISTRICT.

* * * *

32. CASE 6028 - to rezone a 20.949 acre tract of land out of NCB 14614, being further described by field notes filed in the office of the City Clerk, 9300 Block of F. M. 1604 West, from Temporary "R-1" Single Family Residential District to "B-3" Business District, located east of the intersection of F. M. 1604 West and Bandera Road, having 1309.80' on F. M. 1604 West and 514.13' on Bandera Road.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Planning Commission recommended be denied by the City Council. Mr. Camargo said that this property is not on the recharge zone but does lie in the drainage area.

Mr. David Jauer, representing the owner, outlined the area. He said that the Planning Commission had recommended PUD-1(B-3) zoning but he is appealing that recommendation and requesting conventional "B-3" zoning. Ultimately a shopping center is to be built because the property is at a major intersection. Until such time as this area builds up and can support a large shopping center, it is to be leased out for storage of mobile homes and recreational vehicles. He asked for Council approval.

Mrs. Liz Davies, speaking for the League of Women Voters, asked the Council to follow the recommendation of the Planning Commission and zone it PUD-1(B-3) so that the Planning Commission can review the plans for the project.

Mr. Stanley Rosenberg, Attorney for the applicant, spoke in rebuttal and urged the Council to grant "B-3" zoning as requested so that the land can be properly used. He said that there are ample safeguards for the aquifer now.

After consideration, Mr. Rohde moved that the recommendation of the Planning Commission be approved and the property rezoned PUD-1 (B-3). The motion was seconded by Mr. Pyndus. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: Black; ABSENT: None.

AN ORDINANCE 45,390

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 20.949 ACRE TRACT OF LAND OUT OF NCB 14614, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "P-1(B-3)" PLANNED UNIT DEVELOPMENT BUSINESS DISTRICT, 9300 BLOCK OF F.M. 1604 WEST.

* * * *

33. CASE 6053 - to rezone Lot 12, Block 6, NCB 2223, 3303 West Martin Street, from "B" Two Family Residential District to "B-1" Business District, located northwest of the intersection of North Elmendorf Street and West Martin Street; having 50' on West Martin Street and 165.9' on North Elmendorf Street.

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

Mrs. Eva Martinez, the owner, said that it was her intention to have a small flower shop in her residence. She pointed out other businesses existing in the area. She said that this business would not harm her neighbors and asked that the Council consider her request favorably.

No one spoke in opposition.

After consideration, Rev. Black made a motion that the recommendation of the Planning Commission be overruled and the rezoning be granted. Mr. Teniente seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: None; ABSENT: Cisneros.

AN ORDINANCE 45,391

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 12, BLOCK 6, NCB 2223, 3303 WEST MARTIN STREET, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-1" BUSINESS DISTRICT.

* * * *

75-36 Mayor Cockrell was obliged to leave the meeting and Mayor Pro-Tem Teniente presided.

34. CASE 6036 - to rezone Lots 20, 21, 22, 23, 48 and the east 20' of Lot 19, Block 44, NCB 3838, 2700 Block of Waleetka Street, from "A" Single Family Residential District to "B-3" Business District, located southwest of the intersection of Waleetka Street and Clark Avenue; having 145' on Waleetka Street and 110' on Clark Avenue.

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

Mr. Kearny Albaugh, the applicant, said that in view of opposition to his request for "B-3" zoning, he wished to amend his request and ask for "R-2" Two Family Residential zoning so he can build a duplex. He assured the Council that the construction would be a credit to the neighborhood.

Mrs. Nancy Pennington stated that she would not object to the request provided she is assured that only one duplex would be built there.

Mr. Camargo said that this property is on a major thoroughfare and will have to be replatted at which time five feet will be dedicated to the City. When this is done there will only be enough land left for one duplex.

Mr. E. H. Bishop said that he wants to maintain the integrity of this fine neighborhood and would agree to the rezoning if he is assured that the duplex would fit in with other buildings there.

Mrs. Helen Dutmer said that she would not object to a duplex on this property.

After consideration, Mr. Rohde moved that the recommendation of the Planning Commission be approved and that the property be rezoned "R-2" Two Family Residential District, provided that proper replatting is accomplished. Mr. Pyndus seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen; NAYS: None; ABSENT: Cockrell.

AN ORDINANCE 45,392

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 20, 21, 22, 23, 48 AND THE EAST 20' OF LOT 19, BLOCK 44, NCB 3838, 2700 BLOCK OF WALEETKA STREET, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-2" TWO FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT PROPER REPLATTING IS ACCOMPLISHED.

* * * *

75-36 Mayor Cockrell returned to the meeting and presided.

75-36 The Clerk read the following Ordinance:

AN ORDINANCE 45,393

APPROVING A BUDGET FOR EXPENDITURE OF FEDERAL GENERAL REVENUE SHARING FUNDS FOR THE SIXTH ENTITLEMENT PERIOD (1975-76), APPROPRIATING FUNDS IN ACCORDANCE WITH SUCH BUDGET, AUTHORIZING EXECUTION OF CONTRACTS WITH VARIOUS AGENCIES FOR CARRYING OUT CERTAIN PROJECTS AND DESIGNATING VARIOUS CITY DEPARTMENTS TO CARRY OUT CERTAIN PROJECTS.

* * * *

Mr. John Rinehart, Operations Manager for Monitoring and Evaluation, summarized the proposed budget. He said that it now conforms to the changes Council had previously made. The total budget is for \$10,179,429. All of the funds have been allocated to projects except for \$49,235 which can be allocated at any time.

Mr. Pyndus read the following statement:

"I have examined the budget in detail. I had also considered other budgets existing in addition to the \$10 million Revenue Sharing funds. I felt that some sort of coordination could have been made wherein we could have reduced this \$10 million budget. I was very disappointed in the Council's action that they took on the budget.

I feel that there is no resemblance to sound financial planning and the action taken by the Council with regard to budgeting. The Council has not approached the Revenue Sharing Budget in a prudent fiscal manner. It has shown no desire to hold a restraining hand on government spending. It has disregarded the stark realization that our citizens face increasing rates for water, sewer, telephone, and utility costs. This is the time to hold down government spending, to tighten the purse strings in the manner a business man or a housewife handles her budget during inflationary times.

This Council has not set a good example for the community to follow. It has not shown the fiscal leadership or shown financial responsibility. It has taken a \$10 million budget and inflated it by approximately \$2.5 million. It has accomplished this by taking \$2.5 million out of the Revenue Sharing funds and transferring it to the City's annual budget, thus increasing the indebtedness of the City's annual budget by \$2.5 million. This \$2.5 million must still be raised by the taxpayers when the annual budget is presented to the tune of \$119 million.

No attempt has been made to reduce or discontinue ongoing projects many of which are receiving additional monies from other governmental agencies and grants. No conscientious effort was made to monitor or evaluate the effectiveness of many programs already in being. In many instances monetary recommendations of City staff were ignored.

It appears that projects of individual Councilmen were given special consideration. It appears top priority has been given to projects proposed by militant voices rather than allowing City staff to set specific priorities for the most efficient use of funds.

It is not known at this time whether it is wise to allocate approximately \$2 million covering engineering costs on five storm sewer drainage projects and how this will effect future bond issues. I fear that if this same approach is followed in the annual budget to be considered by this Council, then I would predict a tax increase."

MR. RICHARD TENIENTE: Mrs. Cockrell, the minority report is certainly that which is labeled as such, and I think that in order to clarify some points and certainly in order for me to feel a little better before I vote for the report I would have to say that the statement that my fellow Councilman Pyndus has made is misleading in many ways.

First of all, it is a generalized statement saying that we have certainly not taken into consideration the projects and I would then say that we have taken the monitoring and evaluating programs that the City has made and then from there have gone about and perhaps tried to resolve some of the problems that the programs have faced.

I would certainly also take exception to the remark, however, if this is a fact I would like to know, for him to name the pet projects and name the Councilmen that supposedly are supporting these pet projects so that we can clear this up if indeed there is some sort of something. Otherwise, if you let it go without it being named, I think there might be this happening. If it is, I'd like to know it.

I think also that there have been many projects whose proposals were reduced. We'd have to go back now. Perhaps in the presentation that Mr. Rinehart made the list did not show that which they asked and that which they received. If we had that information it would show that many projects have been cut from their anticipated needs and I don't take the minority statement as being factual in all regards.

REV. CLAUDE BLACK: I think that the minority report suffers the shortcoming of making general statements without specific evidence in support. I think that can be very damaging to anybody or any group. I'm very much interested in the fact that the very monies that are used to relieve the poor and the needy of our community become an area in which the minority report suggests to make their attack upon budgetary procedures. It seems to me that if there was to be an attack with reference to the budgetary procedure that it could best have been made when we were dealing not with the needs of the poor, not with the needs of those who are limited in their resources, but when we begin to look at the total budget.

So, I am greatly concerned that this is a place of attack because I think it fails to really recognize that when you serve the needy of our community you serve the total community. You just don't serve the needy, you serve the total community. Any failure on the part of our government to make the proper allocations and concern for the needy of our community is to place our community in jeopardy, to create the kind of social environment that none of us want.

The allocation of Revenue Sharing from a national level recognized that our cities were faced with needs that could not be supplied by regular budget and, therefore, they made these kinds of allocations and put them at the local level where a decision can be made.

Therefore, I would appreciate in this kind of report rather than a general denunciation of Council action. I would rather see a more specific issue dealt with which would enable every Councilman to address that specific issue. I would also prefer that the issue would not be designed to deal with monies that are largely designed to relieve human suffering. I think that we should look at it in terms of that area that serves the community that is not necessarily in need of relief for human suffering.

DR. NIELSEN: I would just like the record to show that there are two things - there were over \$100 million worth of projects, programs, needs that were addressed to this Council in the initial stages of Revenue Sharing this year of which less than 10 percent were funded. Secondly, it is quite incumbent to let the record show that we did not add anything to either budget. We didn't add a dime to the general budget as a matter of fact, what we did was squeeze it to the point of \$2.47 million which is, in effect, cutting it because some monies were deleted from the general budget in doing this. And it was a budget squeezing process.

MR. HARTMAN: Addressing, or continuing on that same point, the statement as I recall in the minority report in effect that there was an inflationary action taken by virtue of the \$2.47 million into the general budget and the use of that same amount for priority projects. Again, the reason for transferring EMS funding in the amount of \$2,471,000 was a recognition of the fact that EMS has now become a permanent function within the community and the feeling of the task force that it should, therefore, become institutionalized and funded out of the general budget this is a consideration that initially initiated the thought of transferring it from the Revenue Sharing budget to the general budget.

It was also recognized at the same time that there were priority projects that were considered a necessity for funding and it was on that basis then that the action was taken by the task force to identify those projects which could do in the view of the task force generally the most good for the most people. It was on this basis that the projects were selected and it was the majority view of the task force that that intent had been carried out.

MR. PYNDUS: I think that the philosophy of budgeting should be adhered to and when you prepare a budget you look at all your costs. You don't increase everything 5, 10 or 15 percent. In this budget we didn't increase any significant amount. Now, I can tell you that Revenue Sharing is a supplement to City financing. It is a temporary thing and we have to take steps now to start squeezing revenue funding out of our budget. In the last three years, we have received \$10 million each year from Revenue Sharing. Our City budget in the last three years has risen from \$85 million to \$119 million. We are not utilizing Revenue Sharing. We are just spending more money.

As far as taking the \$2.5 million and squeezing it somewhere else - that is misleading and is inaccurate.

That function has to be paid for. That is the cost of EMS period whether you pay for it out of the annual budget or whether you pay for it out of the Revenue Sharing budget you have to pay for it. If you "suddenly find monies and squeeze it in somewhere" instead of squeezing it in we could have reduced it \$2.5 million. To me

that is my plea to this Council to actually use budget procedures to try to pare down, to try to save some taxpayers' money. It is not my money that I'm concerned about. It's the citizens' money and that's what I'm trying to protect.

* * * *

After consideration, on motion of Mr. Hartman, seconded by Mr. Cisneros, the Ordinance was passed and approved by the following vote: AYES: Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell; NAYS: Pyndus; ABSENT: None.

Mr. Andres Sarabia, President of Citizens Organized for Public Service, expressed the appreciation of his organization for the Council's action in approving the Revenue Sharing budget.

75-36 Mayor Cockrell was obliged to leave the meeting and Mayor Pro-Tem Richard Teniente presided.

75-36 The following Resolution was read by the Clerk and explained by Councilman Glen Hartman, and after consideration, on motion of Mr. Hartman, seconded by Dr. Nielsen, was passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen; NAYS: None; ABSENT: Cockrell.

A RESOLUTION
NO. 75-36-56

ENDORING ESTABLISHMENT OF A NON-PROFIT
CREDIT COUNSELING SERVICE TO ASSIST
CITIZENS IN ADDRESSING FINANCIAL PROBLEMS.

* * * *

75-36 The Clerk read the following Ordinance:

AN ORDINANCE 45,394

RELATING TO THE SOUTH TEXAS HIGHER
EDUCATION AUTHORITY, INC., APPROVING
THE PRESENT DIRECTORS OF SUCH COR-
PORATION; RESOLVING OTHER MATTERS IN
CONNECTION THEREWITH; AND DECLARING
AN EMERGENCY.

* * * *

Mr. Bill Davis, Executive Director of South Texas Higher Education Authority, Inc., said that he was appointed to the Board by the City of Edinburg. Edinburg was the initial City sponsoring creation of the authority.

Mr. Davis said that the problem is the lack of student bank loans for higher education purposes. The interest rate banks can charge is limited to seven percent which is not attractive to banks. He explained the function of the Authority and the manner in which it assists students. There is no financial obligation to the City of San Antonio.

After consideration, on motion of Mr. Pyndus, seconded by Dr. Nielsen, the Ordinance was passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen; NAYS: None; ABSENT: Cockrell.

75-36 The following Ordinance was read by the Clerk and explained by Mr. Tom Raffety, Director of Aviation, and after consideration, on motion of Mr. Pyndus, seconded by Mr. Hartman, was passed and approved by the following vote: AYES: Pyndus, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen; NAYS: None; ABSENT: Billa, Cockrell.

AN ORDINANCE 45,395

AUTHORIZING THE CITY MANAGER TO ACCEPT
A GRANT ANTICIPATED TO BE OFFERED BY
THE FEDERAL AVIATION ADMINISTRATION.

75-36 The Clerk read the following Ordinance:

AN ORDINANCE 45,396

AUTHORIZING THE CITY MANAGER TO SUBMIT
AN APPLICATION TO THE U. S. DEPARTMENT
OF LABOR FOR A GRANT IN THE AMOUNT OF
\$1,225,128 TO CONTINUE THE SECOND YEAR
OF THE PUBLIC SERVICE EMPLOYMENT PROGRAM
IN THE ALAMO MANPOWER CONSORTIUM UNDER
TITLE II OF THE COMPREHENSIVE EMPLOYEMENT
AND TRAINING ACT OF 1973.

* * * *

The Ordinance was explained by Mr. Edward C. Garcia, Veterans Coordinator, who said that this grant will support approximately 215 positions under the CETA Title II program for the next 12 months. The amount of the grant may be increased.

Mr. Cisneros said that he had received complaints of people getting medical examinations for employment in this program. These examinations were not too private and caused some embarrassment. He asked that the situation be corrected.

Mr. Pyndus asked that this program be monitored closely, and the Council given an appraisal of it at the conclusion.

After consideration, on motion of Dr. Nielsen, seconded by Mr. Rohde, the Ordinance was passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Rohde, Teniente, Nielsen; NAYS: None; ABSENT: Hartman, Cockrell.

75-36 Mayor Cockrell returned to the meeting and presided.

75-36 The following Ordinance was read by the Clerk and explained by Mr. Edward C. Garcia, Veterans Coordinator, and after consideration, on motion of Dr. Nielsen, seconded by Mr. Billa, was passed and approved by the following vote: AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Nielsen, Cockrell; NAYS: None; ABSENT: Teniente.

AUTHORIZING THE CITY MANAGER TO EXECUTE A MODIFICATION TO THE CITY'S AGREEMENT AS PRIME SPONSOR FOR MANPOWER GRANTS IN THE ALAMO MANPOWER CONSORTIUM WITH THE DEPARTMENT OF LABOR COVERING THE GRANT AWARDED THE CITY FOR THE FIRST YEAR OF THE EMERGENCY JOBS PROGRAM UNDER TITLE VI OF THE COMPREHENSIVE EMPLOYMENT & TRAINING ACT OF 1973 AND AUTHORIZING ADDITIONAL POSITIONS IN THE PROGRAM AND AUTHORIZING EXECUTION OF OPERATING CONTRACTS WITH ADDITIONAL DELEGATE AGENCIES IN THE PROGRAM.

* * * *

75-36 The Clerk read the following Resolution:

A RESOLUTION
NO. 75-36-57

REAFFIRMING THE INTENTIONS OF THE CITY COUNCIL TO UPHOLD THE CITY CHARTER PARTICULARLY ARTICLE V, SECTION 47.

* * * *

The following conversation took place:

MR. HENRY CISNEROS: Madam Mayor, I'd like to move adoption of this Resolution. The intent is simply that in the course of events occasionally there occurs times where citizens for one reason or another feel some doubts as to whether the government is working for them. Especially today when people have so many causes for cynicism in the climate of Watergate and the climate of other events being at the various levels of government. Citizens ought to feel and ought to be assured that their government is working for them. If that means occasionally a reaffirmation that particularly this Council is attempting to act in the behalf of the general public interest which it was elected to do, if that means a reaffirmation that this Council will attempt to resist the efforts of special interest groups either to buy as consideration of policy issues, or to extract concessions which would not be consistent with the public welfare then I think that's perfectly appropriate, and I see absolutely actually no problem in a reaffirmation and on the other hand see a situation in which the citizens of this City might be reassured that their government is, in fact, working in the general interest and will use that as the standard, the beacon and for guidelines against which issues will be judged. I'd like to make a motion that this Resolution be accepted.

MAYOR COCKRELL: All right, is there a second to the motion to the Resolution?

MR. PHIL PYNDUS: I so second, and I'd like to comment if I may, Mayor Cockrell. When I first reviewed this Resolution I was not particularly enthused about it. I thought that the provisions of Section 47 in the City Charter, Article 5, specifically stipulated the behavior and the Oath of the members of the Council. However, in view of several past events and in view of the fact that our citizens are looking to us for teamwork I see this as a move to join us together to be alert, indulgent, and I would second its adoption by the Council.

MAYOR COCKRELL: Is there discussion on the motion?

MR. BILLA: Madam Mayor, I would approve the Resolution with the following amendments or would like to make the following amendments. I'm not against what the Resolution states. I think that we took our oath of office not even two months ago, and I'm for resolutions that would give direction to something. I think the Resolution should give direction to somebody or something what this Council intends to do, and I think it's clearly stated in the Charter particularly in Article 5 and Section 47. So, with the following amendment I would move the adoption of the Resolution that would delete Section 1. I think that it should read, "The members of this City Council reaffirm their collective and individual intentions to uphold the City Council Charter or City Charter and particularly recognize how seriously with the process of government in San Antonio would be if undermined by violation of Article 5, Section 47." I think that Article 5 and Section 47 addresses this, and we need not have to have that in here. Then further if we delete Section 2, I think that this is adequately provided for in the Charter, and if it would imply that some wrongdoing has occurred, and that if that would be true, I think that it should be pursued according to Article 5, Section 47. Delete Section 3, the same reason here that the Manager knows his duties and to suggest to him that he take these steps and just be redundant and superfluous. Section 4 if the members of this City Council continue to affirm the intent to act in the behalf of the general public interest and resist the attempts of special interest groups to bias or distort deliberations concerning public issues or to extract concessions which would adversely affect the general welfare. I think that when we ran for office all these things were adequately addressed and on the basis of what I've said, with the deletion of Sections 1, 2, and 3 and approval of Section 4 with that amendment, why, I would move that the Resolution be approved.

MAYOR COCKRELL: There is a motion to amend the Resolution then by deleting Sections 1, 2, and 3 in the operative portion, leaving Section 4. May I ask the intent of the maker of the motion? Do you intend that the whereas section remain as it is?

MR. BILLA: I see nothing wrong with that even though it addresses Article 5, Section 47. I think that it's redundant to have these Resolutions. I simply make that I refer to them as a PSR. I don't that's needed to uphold the Charter. A resolution infers guilt of someone and I think if violations have occurred well they ought to be pursued in accordance with the Charter.

MAYOR COCKRELL: All right, the motion then is to delete Sections 1, 2, and 3 to amend Section 4 by crossing out.....

MR. BILLA: Council reaffirming to Council continues to reaffirm.....

MAYOR COCKRELL: All right, stating that the.....

MR. BILLA: Changing to affirm.

MAYOR COCKRELL: All right. It would read that the members of this City Council continue to affirm their intent to act in the behalf of the general public interest. All right. There is a motion, is there a second on the motion?

MR. HARTMAN: I'll second the motion on the amendment because I think Section 4, in effect, embodies the basic intent here, that is, to continue to reaffirm their intent to act in behalf of the general public interest and to resist the attempts of special interests to bias or distort deliberations concerning public issues or to extract concessions which would adversely affect the general welfare.

MAYOR COCKRELL: All right, the motion then - the pending motion then is on the proposed amendment. Is there any discussion on the amendment? Dr. Nielsen.

DR. D. FORD NIELSEN: Yes, just a brief word. I've had a great many phone calls and a number of letters, most of which are basically dealing with fact. However, there's a couple of areas of fear and fantasy that I'm concerned about. It is somewhat related to this Resolution. Very candidly, Councilman Cisneros, there's an old Arab statement that says, "Any gift given with strings attached is not truly a gift in itself," and we'll let it go at that. But to the issue, I think that there is some mixing of facts regarding the relationship between the Council, the Manager and his staff. Some people, strangely enough, seem to think that the Council has a right or a responsibility even to hire and fire employees of this City. They do not. I think all of us are aware of that. I would hope that the citizens are also all aware of that. Our responsibility is to the Manager, he, in turn, has his responsibility to the staff. Now, that's where the facts and figures get mixed up sometimes. I think that there's one very fact and that is that this City Council has an extreme responsibility to address and that is that we have the most highly qualified professional staff at every level, whether it's Planning or wherever it is and that they, in fact, are free within their own right and responsibility to make their own decisions and through the City Manager to bring decisions to this Council, bring alternatives if you will if that's the case, and we decide once they've brought to us, but at no point do we interfere in any way, shape or fashion with the functions of any staff in this City Council. I hope that that is fact to all the citizens of San Antonio. I can only personally say that we do have a good professional staff, and I want to see that maintained, in every way, shape or fashion and that we don't get bogged down on the next couple of years in terms of this question reappearing intentionally or unintentionally and that the staff get about its business in presenting us with data, facts alternatives, if you will, and we make the decision thereupon.

MAYOR COCKRELL: All right. I think Mr. Cisneros had his hand up. All right, Reverend Black.

REVEREND CLAUDE W. BLACK: I just wanted to say that in any vote that I make of this - on this Resolution, it does not infer that I did not have any intention of obeying the Charter in the first place. Sometimes, when you operate on a resolution like this, it gives the impression that you might have had some intention to do something other than the Resolution is calling for. I don't think that we have any other way to deal with the affairs of the City but to follow the Charter and when the Charter is not followed, then the responsibility rests with this Council to see to it that it is followed and charges are made. But I don't want my vote for this Resolution to be interpreted as an indication that I did not have a commitment to follow the Charter in the very first place.

MAYOR COCKRELL: Is there any further discussion? Mr. Cisneros.

MR. CISNEROS: I would like to say something. I'd like to make a note of. The Arapaho Indians, one of the most noble of Indian tribes in America, had a custom which was that one of the warriors, one of the braves, would volunteer himself to stake himself out in the middle of the proposed battle area. He'd take thongs of buffalo hide and tie them around his waist and tied them to a post and dig the post into the ground, right in the middle of where the battle was going to occur. His intention was to take the onslaught of the enemy and provide a rallying point around which his fellow braves would rally.

And then, finally, just in case any of the braves in the tribe had any intention of wandering from the field of battle when the going got tough, they would have to do it and leave one of their members behind. They would have to leave them there just stay staked there with his weapon and fight alone. He'd have to leave them, and it would be a conscious act. When I suggested that this Resolution and this reaffirmation of the principle of integrity in government and the role with respect to all the citizens as against private or special interests is the stake that each and everyone of us has to bind himself to that stake in the heat of the battle when the dust clears perhaps we'll all be here together in the principle of government for all the people, and that's the whole intention of this Resolution. It's not intended to be by any sense of the imagination, or implication of anyone or anything. It is my personal effort to erase any cloud that might exist over this Council and to get us back on the track and it represents my views and nothing more than that.

MAYOR COCKRELL: Mr. Pyndus.

MR. PYNDUS: Would you accept the amended resolution, Mr. Cisneros?

MR. CISNEROS: I will.

MR. PYNDUS: I call the question.

MAYOR COCKRELL: All right. So it is your - in other words the proposed amendment will be acceptable.....

MR. CISNEROS: I think that basic purpose to introduce the Resolution has been served.

MR. RICHARD TENIENTE: I'd just like to ask one question, Mrs. Cockrell, as we go on, you know. We keep hearing special interest groups. We've seen special interest groups come to us for revenue sharing. We've seen special interest groups come to us here every time we have Citizens to be Heard because everyone that's here represents a special interest group, and it seems to me that the connotation "special interest groups" as being related to this may just, in fact, put us back in violation according to what we're going to vote on in a minute. We have special interest groups all the time. Unless there's a clarification on this thing, it's not as if I don't want to reaffirm anything because it's kind of like going to Church and saying sure, I believe in God once again and then maybe during the week you have a service so that's not the case, you know. Where do you put a stop to this, and I'm not aiming this at any person or any group, but, if, in fact, Article V, Section 47 says that the - let me see - "The Council and its members shall deal with the administrative services solely through the City Manager". What happens when we start riding fire trucks, start riding ambulances, is this working through the City Manager? I mean, I want to know, is this, do you sit behind a secretary working in the City Council office and see how efficient she is? I want to know, I'd like to find out.

MAYOR COCKRELL: As the maker of the motion and the Resolution, do you have any comments for clarification, Mr. Cisneros?

MR. CISNEROS: I think the principal point is that the distinction between the special interests that is acting in the public interest or not is the one that I would think and that is to say, one has to make personal judgments about what is in the broad public interest.

MR. TENIENTE: Well, I would say, I would question whether the garbage man would wonder when he's carrying out his duties whether the appearance of a Councilman would constitute the best interest of public interest. I don't know, you know. This is his job, and it might appear as someone is checking on him, that's all I'm saying.

MR. ROHDE: I call for the question.

MAYOR COCKRELL: All right, if I may before we call for the question, I would like to make a few remarks myself.

MR. ROHDE: I withdraw it.

MAYOR COCKRELL: May I do that, Al. Thank you. I really kind of am in the position of being willing to go along on the Resolution although it's a little bit in the order of saying please stop beating your wife or beating your husband, and I'd just like to say I have served on the City Council nine years, and to the best of my knowledge, I have never interfered in the City Manager's role and responsibility. I think if I tried to do that the present City Manager would tell me not to do it. I have confidence in his ability as a City Manager, and I believe that if I stepped over the bounds and attempted to interfere in his business, I have confidence that he would have the stamina to tell me to get out of his affairs, the area that he was responsible for. But if there was any doubt in the minds of any of the citizens and if a Resolution would help reaffirm and clarify the role of the Council in relation to the Manager then perhaps a useful service will be filled in this respect. So with those preliminary statements, I would be willing to vote for it. All right, we have the question on the motion to amend..... Will the Clerk call the roll?

AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell.

NAYS: None.

ABSENT: None.

MAYOR COCKRELL: Yes, and now we vote on the main motion as amended.

AYES: Pyndus, Billa, Cisneros, Black, Hartman, Rohde, Teniente, Nielsen, Cockrell.

NAYS: None.

ABSENT: None.

MAYOR COCKRELL: All right fine.

MR. AL ROHDE: Madam Mayor, I'd like to address - say a few words to my colleagues about the role I feel in this matter. I'm glad they voted this way and so forth, but I want to address my remarks to all citizens of San Antonio. I feel that the Charter is my compass and guide and I have taken an allegiance to the Charter, and I understand the Charter very well serving as Chairman for the Charter Revision Committee for the election of the Charter. At the same time, San Antonio is going to be my life work for the next two years, and I want to make a reference to a remark that you don't run a City from a drinking party. I'm going to run this City in Place Number 6 anywhere that I see fit whether it's from the homes of the poor, from the rich, from the country clubs, from the jails, from the Tower of the Americas, from the Alamo, or any place that I see fit to where the public interest can best be served. I'm going to wake this City up in the morning, and I'm going to put it to bed at night because

that's my life's work. I'm going to tell you, City Manager, that any time that I question the performance of any City employee in this City Hall and you have 6,900 of them, you and I are going to have a chat because that's what my voters put me there for. I will not come in with demands or anything like that but your door has to be open to each and every Councilman on this table. If it doesn't the system is not going to work. But I'm sure that the Charter will be on my compass and guide but at the same time, I'm not going to sit back and feel that if something bothers me that I'm going to be quiet about it because I'm going to be very vocal about it especially when it comes to the performance of any City employee in this City.

MAYOR COCKRELL: All right, fine.

MR. BILLA: Mayor, if I may, I'd like to say that I believe that the Charter states what the duties of each Council person and the City Manager are, and I think these Resolutions I would have voted no because of circumstances I voted to amend it. I think that every time we have the invocation which is the first thing after roll call, I assure the citizens that I rededicate myself to doing the things which the Charter outlines and which I think are best for this Council.

* * * *

CITIZENS TO BE HEARDMR. KARL WURZ

Mr. Karl Wurz, 820 Florida, said that in zoning case 5944 which was heard in February, 1975 and involved historic zoning of the area south of La Villita the owners and residents of the area were overwhelmingly opposed to the rezoning. The Council ruled against the residents, however, after hearing testimony from officers of the S. A. Conservation Society and other outsiders. He said that the Council was not properly informed on the subject.

Mr. Wurz said that other historical designation will come to Council soon for consideration and he hoped that the Council gives more consideration to those hearings.

MR. RAUL RODRIGUEZ

Mr. Raul Rodriguez said that the Council has been holding secret closed door meetings in negotiating with firefighters. He also said that the law disqualifies supervision from representing a union in its bargaining sessions. He urged the Council to break of negotiations with the firefighters bargaining team until a team composed of rank and file members of the Fire Department is formed.

Mayor Cockrell took issue with Mr. Rodriguez and denied that the Council had met with the firefighters at all.

Mr. Joe Madison named the City's representatives on the negotiating team.

MR. GENARO CANO

Mr. Remigio Valdez, representing Mr. Genaro Cano, said that he has been harrassed when he stops to sell snow cones on the City streets near Elmendorf Park.

After discussion of the matter, Mr. Cisneros said he would get Mrs. Awalt the concessionaire at Elmendorf Park and Mr. Cano together and come to an agreement.

Mr. Cano also spoke to the Council and said that he has been harrassed by Park Ranger Caskey.

Mayor Cockrell asked Mr. Cano to take the matter up with the City Manager's staff.

75-36 Mayor Cockrell was obliged to leave the meeting and Mayor Pro Tem Teniente presided.

MARTINEZ CREEK

Mr. J. B. Casparis, 1502 W. Mistletoe, spoke to the Council concerning the terrible condition of Martinez Creek. It is overgrown with weeds and is full of mosquitos and snakes.

Mr. Mel Sueltenfuss said that he is aware of the situation and will have something done about it. It requires a long term solution in putting in a concrete ditch to keep the water channeled.

MR. THOMAS F. RYAN
MRS. HELEN DUTMER

The following conversation took place:

MR. TENIENTE: Thank you very much, we call on Mr. Ryan. Mr. Thomas Ryan next.

MR. THOMAS F. RYAN: My name is Thomas Ryan but with your permission I would like to have someone else speak before me. Mrs. Helen Dutmer.

MRS. HELEN DUTMER: It just so happens that Thomas beat me here by about five minutes before I did. For the record I'm Mrs. JOHN F. (Helen) Dutmer. I reside at 739 McKinly Ave. Once again, I hate to bring the subject up, but this last week I received an invitation to attend a meeting of citizens. There was a very large gathering at this meeting and the subject seemed to be conflict of interest, of course, with the City Council-between City Council, the Manager and former Council people. There were some pertinent questions that were asked at that meeting and I can see their relevancy to the matter. If it would please the Council and it would please the Manager I would like to have in writing, not today, not verbally, because I have already heard this but I would like to have in writing just what criteria the Manager used to determine that the assistant department head of the Planning Department should be terminated for the good of the City? And that last is a quote "good of the City". Also, why as the letter of termination stated "in no way considered as an unfavorable reflection on you" Mr. Stromberg's character or competence. It seems a bit ambiguous to not only myself but to the people who were at this meeting. If the man was doing a good job for the City and if it were in no way detriment to the City and if he had nothing wrong with his character implying that he got along with everyone we would like to know what the criteria for terminating him was.

The next one is also for the Manager, Were there any pressures either actually or implied put upon the City Manager to relieve Mr. Stromberg of his planning duty? Now I'm not here to protect anyone's job. My interest is solely that the City of San Antonio and its Charter is protected.

The next one is to the Council members who were involved in this. Was there any pressures put upon any one of you or all of you City Council members involved in it to question the status of Mr. Stromberg? In other words were you sent to question the status of Mr. Stromberg so that it would, in turn, imply to the City Manager that you would like to relieve him, Mr. Stromberg, of his duties? Now this might seem like it is out of order but it is not when you stop and consider if any of you had political science, if you stop and listen to your professor the sole purpose of a political organization is to get their Council or candidate elected to the office so that they can control the policy of whatever governmental body it is and the personnel of that governmental body. Now in view of the light that you had more than one of these meetings it wasn't an accidental meeting. And Mr. Rhode you seem to take pride in the fact that you are going to go ahead and say what you are going to say and involve yourself in any affairs of the City that you want but this is not why the people elected you. The people elected you to sit here and do for them. The people also took a vote on this Charter and decided that this was the way they wanted the City to run. The Council to set the policies; the Manager to carry out the duties. Thank you.

MR. TENIENTE: Now Mr. Ryan did you want to make a statement, sir.

MR. THOMAS RYAN: Yes sir, my name is Thomas F. Ryan and my official office address is 118 Broadway, 78205. I come here as an individual citizen, but I am also the spokesman for the group to whom Mrs. Dutmer referred. I want to emphasize that we were, if I might use an old definition a fortuitous concurrence of individuals. I got the word on the phone from somebody. Are you concerned? I said yes I am. Well, there is a meeting at such a place and it was not an invitation I was just told that they would be there. In fact, the person who mentioned it to me did not arrive at all. But when I got there I did not know who to expect. I

did not know who was involved except that I had a very strong feeling about the matter. I found that there were people of various shades of political opinions both City, State, National and friends and people that perhaps were not my friends, people I did not know. So I want to point that out because we are in no way motivated by any sectional interests or by any individual except ourselves. I, personally, nobody in any way whatever influenced me to be there. I just got notice of it and I put myself there. Nobody asked me to speak nobody asked me to say what was in my mind then but then when it came down to a decision that something had to be done there was no formal Chairman. It was a round table discussion but somebody had to carry the message to this Council and Helen and I were both delegated to do that.

I come here myself precisely because I do feel very very strongly about things that have been happening or things that have been reported recently. I might by way of introduction say that I lived in Germany at a time at when it was very difficult to open your mouth about anything about 1937. And the answer to every question you asked was "don't rock the boat". I was arrested twice for this kind of questioning. I am a citizen of San Antonio by choice having become a citizen 14 years ago. I love this City more than any City I've ever lived and I've been in many and consequently I was deeply perturbed by these rumors the press reports, the whispering and everything else about sectional special interest influence in the Management of the operation of this City.

Now I had obviously, of course, the same reaction as Helen had to this question of dismissal of a public servant. I will say that it is one of the first principles of good Management that a manager should have the power and the duty and the responsibility to manage. That is his job. If there is a question of incompetence or unrulyness or otherwise undesirable behavior then it is the Manager's duty to act according to his best judgement but when it is quoted that it is for the good of the City I wonder what would have been the damage to the City had this servant been retained and was it coincidental that the final move in that matter happened after an alleged meeting of people. Since I came in here some remarks have been made and I refer to Mr. Rohde saying that I will operate the City from whatever I like. Well, fine provided that the decision making is right here. I am in favor of a man going out on a fire truck or trash can jaunt or talking things in pubs or bars or any where else but when it comes to decision making it is right here in the heart of the City. It has to be done.

Now the allegations are and it is more than allegations, some writers have been very explicit about names. We resolved that we would not mention names. One name did slip out evidently but it was not intended I am sure because we have no desire to pinpoint anybody, to impugn anybody or to support or protect anybody.

We want facts. This is the thing that perturbs me. Are we getting facts as to what is going on up the scale and down the scale from, lets say, the City Manager's desk. The point is that I have been designated to ask the same as Helen has the question, Can we have the facts? And it has been reinforced by a follow up to say that we will insist with all the legal power that we can command that there we be a commission of inquiry if we can not get facts. Now this is not a threat but I have been urged to bring this out and if necessary even to the point of a Grand Jury investigation because it is fundamental to the government of this City. I've been told, people have advised me this thing has been going on for years, I said all right. Isn't there a point where it should stop and that you go and inquire about these things. You'll get a whole rosary beads of somebody said of no, no, no's. All right, I want to get some answers besides no. Not I, I'm the spokesman of this particular faceless group but this is what we want to get some information that is verifiable, verifiable facts. People have said don't you believe the media they are all a pack of liars they've all got their own little axe to grind. I personally don't believe that, but assuming that it is true....

MR. TENIENTE: We have a five minute limit and you've gone about two minutes so would you wind up so that we can go on....

MR. RYAN: Well, that's about the sum total of my message, and I thank you for listening.

MR. TENIENTE: All right, we have Mr. Joe Guerra.

MR. JOE GUERRA

MR. JOE GUERRA: I'm Joe Guerra and I represent Council Number 2, Lulacs. I guess I'm also here because of concern of our Council relative to the comportment as far as it pertains to this honorable Council, Mr. Mayor. I know that you people are wonderful. You have expressed that and we have supreme confidence that you are really delegated those principles that is the democratic processes and so, therefore, we are concerned in Council number two because we're also questioning the letter that was given as it pertained to Mr. Stromberg. We're not going to dwell upon the City Manager to give us an explanation. We are concerned simply because we want our City to develop. We have nothing against developers and we have nothing against planners. The City Council has done a beautiful job in making our City one of the most unique cities in the nation but we do concern ourselves because we are sick and tired of having conflicts of interest. We're sick and tired of having political machines and we're sick and tired of having people dictating to those people who profess to get the public trust.

So, therefore, with this in mind we do want this honorable Council to become concern of the particular special interest group. Sure we're all special interest groups as Mr. Rohde or Hartmen mentioned earlier but they're some selfish ones and those are the destructive persons that have created that distrust on the part of the electorate. We're concerned because we want to be Americans and we want to expand. We are concerned when we find that we have wonderful people cooperating with our Council that have given three or four years of their lives and all of a sudden are dismissed and you hear through the media that special interest groups, perhaps selfish, I was told they put you in office. Now how long are we going to tolerate this thing? I think that this wonderful Council, the way that you all have been operating and I can sincerely tell you each and everyone of you on behalf of Council No. 2 that we are very proud of the way you comport yourself here, and how deeply you think about the general public welfare. Thank you.

75-36 Mayor Cockrell returned to the meeting and presided.

DAUGHTERS OF THE REPUBLIC OF TEXAS

Mrs. Charles A. Hall, representing the Daughters of the Republic of Texas, asked the Council if her organization would be given time to present their objections to the Alamo Plaza renovation plans.

Mayor Cockrell advised Mrs. Hall that the final plans are being worked on and the Council will be briefed when the plans are complete. She said that when the briefing is scheduled Mrs. Hall would be advised.

MS. SANDY HALL

The following discussion took place:

MS. SANDY HALL: Madam Mayor and Members of the City Council, my name is Sandy Hall, and I live at 11721 Parliament. I come to you as a private citizen who is concerned. My statement is short and I hope it's to the point.

It seems to me that the dismissal of the Assistant Director of Planning, Charles Stromberg, is the result of latent misuse of political pressure and tactics by the Developers that serve their own end. I feel that master planning is a must for our City development if our City development is to proceed in a way which will benefit all citizens, both now and in the future. I urge the Council to consider the possibility that our City may be unable to find qualified, professional City planners who will work for us if we establish a reputation of allowing special interest groups to wield political pressure and force out people who are working diligently for the best interests of San Antonio. Thank you.

MR. LEONARD MURPHY

The following discussion took place:

MR. LEONARD MURPHY: Madam Mayor and Councilmen, I'm Leonard Murphy and I live at 3119 Sagehill. I would just like to endorse some of the same concerns that preceding speakers have expressed. For a long time I've been concerned about what seems to me imbalance of development on the north side. I am, therefore, hoping that the alternate growth study that the planning department recently developed will get your immediate and careful attention. I would hope that you would not only give it your careful attention. It seems to me includes information that we have all needed for a long time, and I would also like to urge you to hold the same kind of quadrant meetings for the citizens' hearings to discuss these findings and recommendations sometime within the next six months. Thank you.

MR. JOHN WILLIAMS

The following discussion took place:

MR. JOHN WILLIAMS: I'm John Williams, 3018 Clearfield. I'm here to express my concern over the dismissal of Charles Stromberg, Assistant Director of City Planning. I'm a CPA by trade and personally unqualified to pass judgment on exactly what should or should not be built over the recharge zone of the Edwards Aquifer. I do believe that absolutely no chances should be taken by building anything there if there is any risk of polluting San Antonio's sole source of water.

It concerns me that the one man apparently best able to represent the public interest in this area has been fired. Mr. Stromberg's credentials are unassailable, his integrity is a standard for all public servants. I do not personally consider developers to be inherently evil men, but my experience in working with them has taught me that they do act in their own economic self-interest. This self-interest may or may not be in the best interest of the City as a whole. It's for this reason that the City must have capable, courageous men in the Planning Department in order to challenge developer actions. The adversary process is most effective when there are competent spokesmen on both sides of the issue. I'm afraid that the City has just lost one of its most competent professionals dealing with the issues of Aquifer protection and land use planning. Thank you.

75-36

PLANNING DEPARTMENT

MAYOR COCKRELL: Mr. Granata, I would like to make a couple of comments at this time relative to planning which might be pertinent. I have been studying the City Charter in relation to the Planning Commission and it seems to me that we are not following the Charter in several respects. I feel that the role of the Planning Commission is not being utilized in its fullest capacity. For example, I see that it is to annually approve the Master Plan or to approve the forthcoming capital improvements on a five year period. It annually submits its budget estimate. Somehow or other it is not working at full efficiency as I understand it.

As one member of the Council I am very interested in seeing that the Planning Commission, the Planning Department operate at its fullest level of capability and I would hope that I am expressing the desire of this Council when I say that we would like to be informed as to the level of planning capability of this City, the manner in which the Planning Commission is working in relation to not only the zoning activities of this City, but also in relation to the Comprehensive Planning, the Capital Improvements Program and all aspects of the Master Plan and the entire planning capability of the City.

I think we have had a problem in terms of a heavy workload. I understand the problems of the Planning Commission. We have a combined Planning and Zoning Commission. They are heavily burdened with having a zoning load that is quite comprehensive and perhaps because of this, have not been able to carry out some of the functions assigned to them by the Charter. I would like to ask for a review of this whole area. I think perhaps the Council should be meeting periodically with the Planning Commission and I would like to see the function of City Planning at the highest level of capability within our City. Does any member of the Council have any comment on this area?

MR. HENRY CISNEROS: Madam Mayor. This matter has come up before the Planning and Priorities Committee which Councilman Hartman heads. There has been some discussion as a matter of fact, of separating the Planning Commission from the zoning function or in some way trying to address ourselves to the commission and its role of doing longer range planning. Part of the reason why this committee is doing what it's doing is because no one else is doing that long range planning thing. I would concur wholeheartedly with any move on your part to strengthen the Planning Commission and to strengthen the Planning Department as well. I too have the fear that we've expressed that perhaps that

we'll have difficulty getting first rate people as long as we continue to let that operation be a stepchild in the City government. It's a very serious problem.

MAYOR COCKRELL: All right, Dr. Nielsen.

DR. D. FORD NIELSEN: Madam Mayor, I was listening in the office back there. This has been seriously addressed a number of times. We have an awful lot of good plans that have been developed by a good Comprehensive Planning Department the last few years. Most of them have not been implemented. That's where the serious break down occurs. Also during Charter Revision discussion last year, there was a great deal of time spent by the committee and Mrs. Leznar and others wrestling with this very problem in terms of planning, the functions of zoning, etc. I do hope that this Council will address that in the near future as a possible recommendation from the Priorities and Planning Committee bringing that recommendation to this Council. I don't want it to be left that there not be any planning at all done. There has been alot of it done. Alot of it has not been implemented. That's the serious problem.

MAYOR COCKRELL: We have not always had the kind of flow of information I feel, from the Planning Commission. I view the Planning Commission as the most important commission in the City right under the City Council. If it is fulfilling its role as a comprehensive planning function, it is the agency that should be speaking out authoritatively on matters of planning. I think their workload in the field of zoning has just been so heavy that we have not had that strong forceful voice that we need. I would like to see that thrust really brought out. Also, I do know that our planning operations are divided into two sections. I know that there are always different ways of organizing things and that that portion of it is an administrative function but I just want to be sure that the entire field of planning is something that we are being kept abreast of.

MR. BOB BILLA: Mayor, I'd like to say that I was on the Planning Commission for a while and I've seen numerous plans that were submitted to the Planning Commission and acted on and approved and recommended. We submitted requests to the Council for opinion and direction on certain things and the Council didn't act on them. I would hope that this Council does act on things and quit the petty bickering that seems to go on about things and get on with the business of this City. The Planning Commission has done a good job and it is a question, it was separated one time. We had a Zoning Commission, a Planning Commission, and it was decided that planning and zoning are related, so they were incorporated again and then the workload of the Planning Commission got such that they don't have anything but zoning cases, no time for anything except zoning and I reiterate what Dr. Nielsen has said that we've recommended plans and nothing has ever been done with them.

MR. GLEN HARTMAN: Mayor Cockrell, I think all about what has been said about the last three speakers is exactly what our Planning and Policy Objectives Committee has concluded as result of its review since the first of May. I'd like to just quote briefly from a couple of paragraphs from a letter that's been provided to all members of the Council today which summarizes presentations made by the Committee to the Council in the informal session yesterday. I think it's a real important process involved here known as policy development, I think this is really what we're all talking about.

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"In any governmental system planning and policy development are corollary functions. Planning to be effective can be accomplished only if pursued within the parameters of an established policy framework. Policy making is the very essence of the governmental body and planning should be the basic methodology that is the first step in the implementation process. The committee has concluded that San Antonio's current problems, energy, urban decay, transportation, drainage, and under employment among others are attributed in large measure to a lack of overall consistent comprehensive planning and the similar lack of mechanism for implementing plans once conceived. The committee further concludes that the City Council has a very vital leadership role to play to bring about a policy framework that will be conducive to effective comprehensive planning."

I think the Planning Department, again, has been hit over the head fairly violently here but again, I think it's the policy role, the matter of developing a framework within which the planning can pursue and this is exactly what the committee, my committee has been addressing during the past several weeks and I think that rather than saying that the planning effort has been inadequate, I think is inaccurate, because I think you can look at any number of plans for just about any idea you can think of. We have plans that it would take us at least three to four centuries to use if we were to lay them end to end.

So, I urge the Council and I urge the citizens of this City to recognize the fact that we do have a committee of the Council that is dealing with this problem and this is merely the first report. We dealt with one problem area and we intend to deal with others but the problem is very well recognized and I think the focus of it is to deal with the policy making effort that relates to it.

MR. PHIL PYNDUS: I would like to ask Mr. Granata if he would not review the Planning Department as such and make recommendations as to how we can separate the zoning work load with regard to the planning that is necessary from that department. In reviewing the Charter as you have, Mayor Cockrell, there is a vagueness that leaves the Planning Commission sort of in the background and I think that perhaps this should be reviewed and recommendations made as to how we can cure this and I call it a defect.

REV. BLACK: I don't think that you can begin thinking about plans without also thinking about investments, money. That's what you're talking about when you talk about plans, particularly when you're talking about the implementation of plans. The thing that concerns me is that we have a conflict, a sort of built in conflict between the persons who invest in the planning process as independent investors that might be called developers and the City government and its responsibility for creating plans. Now, when I say that I mean there's this tension that exists between us.

I don't think that San Antonio can simply develop its planning process with government alone. It has to do it in cooperation with private enterprises. I think you've got to make a distinction between selfish, private enterprises and self-serving private enterprise, and that private enterprise that is addressing the public interest. But if we develop an attitude within the City that places government in conflict with private investors, we will then not be able, in my opinion, to project any of the planning that we have in mind. I'm saying this as a person who has looked at stacks of plans that have never gone past the S.P. tracks going east, I mean, years

of planning have never gone past [redacted] but I am all very well [redacted] inced that it's going to take not only this governmental interest but it's going to take a cooperative effort on the part of both the governmental interests and the private investors in order to get some of these plans off of the ground and we've got a whole stack of them.

MS. ROSEMARY SUBUHAUSER

Ms. Rosemary Subuhauser stated that she is greatly concerned about protection of the Edwards Aquifer and urged the Council to do all possible to protect it.

MRS. KEARNY ALBAUGH

Mrs. Kearny Albaugh invited the Council members to go for a stroll in the Alamo gardens and enjoy it. She expressed concern over the plans to revamp Alamo Plaza and the elimination of parking for visitors.

STATE OF MEXICO SYMPHONY

Mayor Cockrell reminded Council members of the schedule for the Mexican Symphony this weekend and expressed the hope that all of them could attend the concerts.

She asked the Council if they would concur with her wishes to waive the fee for use of the Theater for the Performing Arts for this concert. The Council voiced unanimous approval.

SENATOR GLENN KOTHMANN

Mayor Cockrell asked that a resolution be on the agenda next week congratulating Senator Glenn Kothmann on being honored as Governor for a day on June 28, 1975.

75-36 The Clerk read the following letter:

June 13, 1975

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

Madam and Gentlemen:

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

June 9, 1975

Petition submitted by Mr. Jack Johnson, Playland Park Corporation, 2222 North Alamo Street, requesting permission to conduct a fireworks display at Playland Park on the 4th of July.

June 9, 1975

Petition submitted by Harry Jewett Associates, 1800 Plaza-West, Suite 303, 1800 N.E. Loop 410, requesting that the names of all the streets be changed in Raven Wood Subdivision, Units 1 and 2, except Darmstad and Heidi Drives.

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June 9, 1975

Petition submitted by Sister M. Blandine, Carmelite Day Nursery, 503 Urban Loop, requesting permission to erect a covered walkway from the Carmelite Nursery entrance door to the curb line, part of which is over City property.

June 12, 1975

Petition submitted by Mrs. Frances Flores, 1310 South Brazos Street, requesting the closing of Don Street and that the property be dedicated by quitclaim to the adjacent property owners.

/s/ J. H. INSELMANN
City Clerk

* * * *

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

Lila Cockrell

M A Y O R

ATTEST: *J. H. Inselmann*
C i t y C l e r k

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