

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, NOVEMBER 9, 1978.

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The meeting was called to order at 1:00 P.M. by the presiding officer, Mayor Lila Cockrell, with the following members present: CISNEROS, WEBB, DUTMER, WING, EURESTE, ORTIZ, ALDERETE, PYNDUS, HARTMAN, STEEN, COCKRELL; Absent: NONE.

78-50 The invocation was given by The Reverend Mateo Garcia, Oriente Southern Baptist Church.

78-50 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

78-50 The minutes of the meeting of November 2, 1978 were approved.

78-50 CONGRESSMAN HENRY B. GONZALEZ

Mayor Cockrell recognized Congressman Henry B. Gonzalez in the audience and welcomed him to the meeting. She invited him to the podium to speak to the Council.

Mr. Gonzalez distributed copies of a speech he made to the San Antonio Breakfast Club on October 26, 1978, in which he spoke of the growing dependency of the City of San Antonio on Federal grants. (A copy of his presentation is included with the papers of this meeting.)

He then spoke of Hemisfair '68 which brought many visitors to San Antonio and many permanent structures. He suggested that these facilities would be useful in having a statewide celebration of the 150th anniversary of the State of Texas in 1986. He urged the Council to give this suggestion serious consideration as he felt strongly that no other Texas City is as qualified as San Antonio.

After a friendly discussion between Council members and Mr. Gonzalez, Mayor Cockrell thanked him for his visit and assured him that the Council would consider his ideas.

78-50 MR. MARGARITO GARCIA

City Manager, Tom Huebner, recognized Mr. Margarito Garcia, Tax Assessor, in the audience and invited him to the podium. Mr. Huebner told the Council that Mr. Garcia was awarded the Honor of Fellow by the Institute to Certified Tax Assessors on October 7, 1978 at its annual conference held in Corpus Christi.

Mr. Huebner said that the designation of Fellow is the highest honor that can be bestowed by the Institute and it is awarded in recognition of outstanding service and contributions to the Institute and to the field of tax assessing. In its history, this honor has been bestowed on only sixteen persons including Mr. Garcia.

Mr. Huebner congratulated Mr. Garcia on his award.

Individual members of the Council also congratulated Mr. Garcia.

Councilman Cisneros said that two other City employees had received high honors which should be recognized.

He said that City Attorney, Jane Macon, was recognized as the outstanding young lawyer of Texas recently.

Mr. Archie Titzman was appointed to the Board of the National Association of Purchasing Agents.

The Council recognized both employees for the honors they had received.

Mr. Cipriano Guerra gave a brief status report of work being done in San Antonio.

Mr. Guerra said that one condition of the cable TV franchise is that the company pay in advance on the franchise fee of \$1 million to be amortized over a 10 year period. He then presented Mayor Cockrell with a check for one million dollars.

Mayor Cockrell thanked Mr. Guerra for the payment.

At the request of Council members, items 7, 8, and 13 were removed from the consent agenda to be considered individually.

Councilman Cisneros moved that Items 6 through 19 constituting the consent agenda, with the exception of Items 7, 8 and 13, be approved. The motion was seconded by Mr. Steen.

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

AN ORDINANCE 50,037

ACCEPTING THE LOW QUALIFIED BID OF \$864,280.02 FROM MEADER CONSTRUCTION CO., INC. TO CONSTRUCT THE PICOSO DRAINAGE PROJECT NO. 60-B; AUTHORIZING EXECUTION OF A CONTRACT COVERING THE CONSTRUCTION AND AUTHORIZING EXECUTION OF A CONTRACT FOR ENGINEERING SERVICES WITH GARCIA & WRIGHT CONSULTING ENGINEERS, INC.; AUTHORIZING PAYMENT OF COSTS, APPROPRIATING FUNDS, AND AUTHORIZING BUDGET REVISIONS.

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AN ORDINANCE 50,038

AUTHORIZING EXECUTION OF A CONTRACT WITH CITY WATER BOARD AND HILMAR F. SCHNEIDER FOR A MAIN EXTENSION INSIDE THE CITY LIMITS, AND AUTHORIZING PAYMENT FOR THE CITY'S SHARE OF THE COST.

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AN ORDINANCE 50,039

APPROPRIATING THE SUM OF \$30,437.00 OUT OF VARIOUS FUNDS FOR THE PURPOSE OF ACQUIRING TITLE AND/OR EASEMENTS TO CERTAIN LANDS; ACCEPTING THE DEDICATION OF TITLE TO CERTAIN LANDS; AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PIPE LINE AGREEMENT; ALL TO BE USED IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS.

* * * *

AN ORDINANCE 50,040

APPROPRIATING FROM CERTAIN FUNDS AMOUNTS IN THE TOTAL SUM OF \$2,205.00 IN PAYMENT FOR EXPENSES INCURRED IN CONNECTION WITH COLISEUM ROAD IMPROVEMENT, MAYBERRY DRAINAGE PROJECT #58D, OLMOS CREEK DRAINAGE #88-87, 36TH STREET IMPROVEMENT, STAHL ROAD SUBDIVISION, (ELLISON PROPERTIES) OFF-SITE SEWER, UNSEWERED AREA #53 LIFT STATION SITE, AND UNSEWERED AREA NO. 61.

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AN ORDINANCE 50,041

ACCEPTING THE PROPOSAL FROM MAIN LINE BOOK COMPANY TO FURNISH THE CITY PUBLIC LIBRARY WITH BOOKS FOR A NET TOTAL OF \$3,082.24.

* * * *

AN ORDINANCE 50,042

ACCEPTING THE BID OF ANDERSON MACHINERY SAN ANTONIO, INC., TO FURNISH THE CITY PUBLIC WORKS DEPARTMENT WITH DOZERS AND A SCRAPER FOR A NET TOTAL OF \$237,765.00.

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AN ORDINANCE 50,043

AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACTS NECESSARY TO PURCHASE THAT PORTION OF LAKESIDE WATER COMPANY LOCATED IN MOBILE HOME HEIGHTS AND ACCEPTING FUNDS TO AID IN THE PURCHASE AND IMPROVEMENT OF WATER SERVICE IN SUCH AREA.

* * * *

AN ORDINANCE 50,044

AUTHORIZING THE COMPROMISE AND SETTLEMENT OF ALL CLAIMS ASSERTED BY THE CITY OF SAN ANTONIO IN AN AIR POLLUTION LAWSUIT STYLED CITY OF SAN ANTONIO VS. COASTAL STATES MARKETING COMPANY.

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AN ORDINANCE 50,045

EXTENDING FOR A ONE YEAR PERIOD THE EXISTING LEASE, AGREEMENT BETWEEN THE CITY AND MRS. DUNCAN MCKINLEY FOR USE OF A CITY-OWNED BUILDING ADJACENT TO THE BRACKENRIDGE GOLF DRIVING RANGE. 766

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AN ORDINANCE 50,046

AUTHORIZING PAYMENT OF REFUNDS TO PERSONS
MAKING OVERPAYMENTS OR DOUBLEPAYMENTS TO
THE CITY ON THEIR TAXES.

* * * *

AN ORDINANCE 50,047

APPROPRIATING THIRTEEN THOUSAND AND NO/100
(\$13,000.00) DOLLARS FOR SATISFACTION OF
JUDGMENT IN CAUSE NO. 77CI-6642A IN THE
225TH DISTRICT COURT OF BEXAR COUNTY, TEXAS.

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78-50

The Clerk read the following Ordinance:

AN ORDINANCE 50,048

AUTHORIZING EXECUTION OF FIELD ALTERATION
NO. CWB 1, IN THE AMOUNT OF \$27,261.00, TO
THE CONTRACT FOR CONSTRUCTION OF THE DAWSON
STREET DRAINAGE PROJECT 12A, 12B AND 12C,
(RELAYING SIX-INCH WATER MAIN OF DAWSON
STREET FROM WALTERS TO MITTMAN).

* * * *

Councilman Webb introduced a petition signed by residents affected by the Dawson Street Drainage Project protesting some of the work which makes it impossible to get to their homes. There have been other inconveniences such as water being cut off and left off. The main complaint is that no sidewalks are included in the project and the residents want them installed. Mr. Webb asked that the Council add \$25,000 to the project to add sidewalks.

City Manager Huebner said that the work now is only 17 percent complete and final costs cannot be estimated. There could be some funds remaining in the contingency account to take care of sidewalks costs.

After discussion, Mayor Cockrell requested that staff review the request of Councilman Webb for the construction of sidewalks and, in light of other Council members, to take an overall look at the entire question of adding sidewalks to projects of this kind.

After consideration, on motion of Dr. Cisneros, seconded by Mr. Wing, the Ordinance was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Ortiz.

78-50

PUBLIC HEARING
CLEAN STREETS OF SAN ANTONIO

Mayor Cockrell opened a public hearing to consider the request of Melvin N. Eichelbaum, representing a proposed venture known as Clean Streets of San Antonio, for permission to place trash receptacles at various locations throughout the city. The receptacles would have advertising on them. It was proposed that these units would be maintained and emptied by the applicant. The request had been referred to the Fine Arts Commission which recommended that the request be denied.

Mr. Larry D'Martino, Chairman of the Fine Arts Commission, addressed the Council and explained why the request had been denied. He urged the Council to uphold the Commission's recommendation.

Mr. Jimmy Gause, Executive Director of Centro 21, said that there is a committee currently working on the problem of cleaning up the downtown area and asked that this matter be coordinated with Centro 21 efforts.

Mr. Hartman moved that the project be extended to include the downtown area and to refer the request to Centro 21 for study and report back to the Council.

Mr. Ortiz offered a substitute motion that the request be approved for a one year period with a 6 month review provided the applicant works with Centro 21 and the Fine Arts Commission. The motion was seconded by Mr. Pyndus.

Mr. Tom Ivy, Special Projects Officer, discussed the request with the Council. He cited the problem of businesses rejecting the advertising of other businesses in front of their locations. He raised a question of the reliability of trash pick-up and said that ultimately the work would fall on the city crews and increase the work load. He recommended against the idea.

Mayor Cockrell declared the hearing closed.

After consideration, the substitute motion by Mr. Ortiz was passed and approved by the following roll call vote: AYES: Webb, Wing, Eureste, Ortiz, Pyndus, Steen; NAYS: Cisneros, Dutmer, Alderete, Hartman, Cockrell; ABSENT: None.

The staff was instructed to draw up the necessary ordinance.

78-50

PUBLIC HEARING ON MAJOR AMENDMENT
NO. 1 TO THE URBAN RENEWAL PLAN
FOR VISTA VERDE PROJECT TEX-R-109

The Clerk read the proposed Ordinance:

AN ORDINANCE 50,049

APPROVING AND ADOPTING MAJOR AMENDMENT NO. 1
MODIFYING URBAN RENEWAL PLAN FOR VISTA VERDE
PROJECT, TEX. R-109, AND DIRECTING THAT SAID
AMENDMENT BE FILED AS PART OF THE URBAN RENEWAL
PLAN FOR VISTA VERDE PROJECT, TEX.R-109.

* * * *

Mayor Cockrell declared a public hearing open to consider the proposed modification to the Vista Verde Project Tex. R-109.

Mr. Winston Martin, Executive Director of San Antonio Development Agency, explained that the proposed amendment has been reviewed by the Planning Commission and has been recommended to the Council. The minor amendments make the property more usable as far as land use is concerned and gives some flexibility in development.

No one spoke in opposition.

Mayor Cockrell declared the hearing closed.

After consideration, on motion of Mr. Steen, seconded by Mr. Pyndus, the Ordinance was passed and approved by the following vote: AYES: Cisneros, Webb, Wing, Eureste, Alderete, Pyndus, Steen, Cockrell; NAYS: None; ABSTAIN: Dutmer; ABSENT: Ortiz, Hartman.

The Clerk read the following Ordinance:

AN ORDINANCE 50,050

ACCEPTING A CONTRIBUTION OF \$3,500.00 FROM MORTON SOUTHWEST FOR THE COST OF REMOVAL OF THE MEDIAN OF FREDERICKSBURG ROAD BETWEEN LOUIS PASTEUR AND MEDICAL DRIVE, AND ESTABLISHING A FUND AND ACCOUNTS FOR THE PROJECT.

* * * *

Councilman Hartman asked for a clarification as to whether the proposed change in the median in Fredericksburg Road agrees with the Transportation Master Plan which deals very heavily with the idea of limiting cross traffic.

Mr. George Noe, Administrative Assistant to the City Manager, said that this is not really in conflict with the plan but is in a "gray" area as far as the plan is concerned. The request for removal of this median dates back to 1976.

Mr. Hartman moved that this matter be referred back to the Planning Commission for review and project certification. There was no second to the motion.

Mr. John Miller, Assistant Director of Traffic and Transportation, said that this median was constructed by the Texas Highway Department several years ago. It is a very low curb that cars can go over it easily. Since July 1976, the businessmen in this block have been petitioning for its removal. In replying to Mr. Hartman, Mr. Miller said that the median has already been destroyed. The ordinance is only to accept funds being given the City to cover construction costs.

Mr. Hartman expressed concern that Council would be asked to approve an act that had already been done and asked that the matter be addressed by the City Manager.

City Manager Huebner said that he was totally unaware of the facts in this case. He agreed with Council's criticism and said that he would look into the matter and report back to the Council.

Mr. Hartman moved to postpone consideration of the ordinance for one week. The motion was seconded by Mr. Alderete.

Mr. Wing reminded the Council that the ordinance merely accepts the \$3500 and does not have anything to do with the median itself. He then offered a substitute motion that the ordinance be approved. The motion was seconded by Mr. Pyndus and on the following roll call vote was passed and approved: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Ortiz.

The Clerk read the following Ordinance:

AN ORDINANCE 50,051

ACCEPTING THE LOW BID OF LEO E. STAGGS TO FURNISH THE CITY PUBLIC WORKS DEPARTMENT WITH ROOTPLOWING, ROOTRAKING, ROOT DISPOSAL AND LAND PREPARATION - MITCHELL LAKE SLUDGE DISPOSAL FARM FOR A TOTAL OF \$28,500.00.

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Mrs. Dutmer asked if this projects would increase the odors at Mitchell Lake making it more of a nuisance than ever.

Mr. Joe Aceves, Assistant Director of Public Works, said that the process to be used will not substantially increase the odors from Mitchell Lake. The site will be used for about 5 years or until the new disposal plant is completed.

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

78-50

O'CONNOR ROAD PROJECT

Mr. Steen moved that the Council consider Item No. 39 being a proposed ordinance concerning the O'Connor Road Project. The motion was seconded by Mr. Pyndus and on the following roll call vote was passed and approved: AYES: Cisneros, Webb, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: Wing; ABSTAIN: Dutmer; ABSENT: None.

Thereupon, the Clerk read the following Ordinance:

AN ORDINANCE 50,052

APPROPRIATING \$400,000 FROM THE \$1,000.000
ADVANCE FRANCHISE FEE PAYMENT FROM UA
COLUMBIA CABLEVISION TO BE USED FOR THE
O'CONNOR ROAD PROJECT.

* * * *

Mrs. Irene Bolton, a resident of the O'Conner Road area, addressed the Council again requesting funds for the O'Conner Road Project and that it be taken out of the advance fee paid by UA/Columbia TV of Texas.

Mrs. Dutmer spoke in opposition to the ordinance saying that other Districts also need projects funded and referred specifically to drainage projects in District 3.

Mr. Webb also spoke in opposition.

In answer to Mr. Pyndus' question, City Manager Huebner said that no firm plans for use of the \$1 million have been formulated. He could not say either how high the priority for the O'Conner Road Project might rank.

Dr. Cisneros moved that the ordinance be approved. The motion was seconded by Mr. Steen.

Mr. Pyndus moved that the ordinance be amended to add \$257,000 for the Colebrook Drainage Project in his District. The motion was seconded by Mrs. Dutmer. On roll call, the motion failed to carry by the following vote: AYES: Pyndus; NAYS: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Hartman, Steen, Cockrell; ABSENT: None.

The matter was discussed at length by all members of the Council.

After further consideration, the motion by Mr. Cisneros to approve the Ordinance was passed and approved by the following roll call vote: AYES: Cisneros, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen, Cockrell; NAYS: Wing; ABSENT: Webb, Dutmer.

Councilman Pyndus asked for and received Council concurrence in having an ordinance scheduled for Council consideration on November 23, 1978, allocating funds for the Colebrook Project.

78-50 The meeting recessed at 4:50 P.M. and reconvened at 5:15 P.M.

78-50 ZONING HEARINGS

20. CASE 7382 - to rezone a 0.854 acre tract of land out of Lot 40, Block 19, NCB 16372, being further described by field notes filed in the Office of the City Clerk, Lots 19 thru 39, Block 19, NCB 16372, 12500 Block of Scarsdale Drive from "P-1(R-3)" Planned Unit Development Multiple Family Residential District to "R-5" Single Family Residential District, located on the north of the intersection of Clearlake Drive and Scarsdale Drive having 341.83' on Clearlake Drive and 269.64' on Scarsdale Drive.

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

No one spoke in opposition.

After consideration, Dr. Cisneros moved that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished. Mr. Steen seconded the motion. On roll call, the motion carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Eureste, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Dutmer, Wing, Ortiz, Alderete.

AN ORDINANCE 50,053

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 0.854 ACRE TRACT OF LAND OUT OF LOT 40, BLOCK 19, NCB 16372, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK AND LOTS 19 THRU 39, BLOCK 19, NCB 16372, 12500 BLOCK OF SCARSDALE DRIVE FROM "P-1(R-3)" PLANNED UNIT DEVELOPMENT MULTIPLE FAMILY RESIDENTIAL DISTRICT TO "R-5" SINGLE FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

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21. CASE 7490 - to rezone a 3.4227 acre tract of land out of NCB 13664, being further described by field notes filed in the Office of the City Clerk, 5922 Danny Kaye, from Temporary "R-1" Single Family Residential District to "R-3" Multiple Family Residential District, located on the northwest side of Danny Kaye Drive, being 255' northeast of the intersection of Rue Royale and Danny Kaye Drive, having 233.02' on Danny Kaye Drive and a depth of 438.74'.

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

No one spoke in opposition.

After consideration, Mr. Steen moved that the recommendation of the Zoning Commission be approved provided that proper platting is 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: Cisneros, Webb, Wing, Eureste, Pyndus, Hartman, Steen; NAYS: None; ABSTAIN: Cockrell; ABSENT: Dutmer, Ortiz, Alderete.

AN ORDINANCE 50,054

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 3.4227 ACRE TRACT OF LAND OUT OF NCB 13664, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 5922 DANNY KAYE DRIVE, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

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22. CASE 7454 - to rezone a 31.319 acre tract of land out of NCB 13833, being further described by field notes filed in the Office of the City Clerk, in the 13700 thru 14000 Block of Jones Maltsberger Road from Temporary "A" Single Family Residential District to "P-1(R-1)" Planned Unit Development Single Family Residential District, located on the northwest side of Jones Maltsberger Road, being 620' northeast of the intersection of Carlton Oaks Drive and Jones Maltsberger Road, having 1,713.61' on Jones Maltsberger Road and a depth of 723.57'; and a 1.086 acre tract of land out of NCB 13833, being further described by field notes filed in the Office of the City Clerk, in the 14000 Block of Jones Maltsberger Road from Temporary "A" Single Family Residential District to "P-1(O-1)" Planned Unit Development Office District, located on the northwest side of Jones Maltsberger Road, being 2,333.61' northeast of the intersection of Carlton Oaks Drive and Jones Maltsberger Road, having 222' on Jones Maltsberger Road and a maximum depth of 479.36'.

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

No one spoke in opposition.

After consideration, Mr. Steen moved that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished in accordance with the Planned Unit Development Ordinance. Dr. Cisneros seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Wing, Eureste, Ortiz, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Dutmer, Alderete.

AN ORDINANCE 50,055

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 31.319 ACRE TRACT OF LAND OUT OF NCB 13833, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 13700 THRU 14000 BLOCKS OF JONES MALTSBERGER ROAD FROM TEMPORARY "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "P-1(R-1)" PLANNED UNIT DEVELOPMENT SINGLE FAMILY RESIDENTIAL DISTRICT AND A 1.086 ACRE TRACT OF LAND OUT OF NCB 13833, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN

THE OFFICE OF THE CITY CLERK, IN THE 14000 BLOCK OF JONES MALTSBERGER ROAD FROM TEMPORARY "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "P-1(O-1)" PLANNED UNIT DEVELOPMENT OFFICE DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED IN ACCORDANCE WITH THE PLANNED UNIT DEVELOPMENT ORDINANCE.

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78-50

MR. JACK DEVORE

Mayor Pro-Tem Hartman recognized Mr. Jack Devore, member of the Planning Commission and a local builder, who was the applicant in Case 7454. Mr. Hartman commended Mr. Devore for a design that appeared in a national magazine.

23. CASE 7466 - to rezone Lots 194 thru 205, and Lots 233 thru 236, Block E, NCB 11548, 726 Oak Knoll Drive from "A" Single Family Residential District to "R-3" Multiple Family Residential District, located southeast of the intersection of Horseshoe Bend Drive and Oak Knoll Drive having 560.14' on Oak Knoll Drive and a total of 1669.84' on Horseshoe Bend Drive.

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

No one spoke in opposition.

After consideration, Mr. Pyndus moved that the recommendation of the Zoning Commission be approved provided that the property is replatted. 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: Cisneros, Webb, Wing, Eureste, Ortiz, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Dutmer, Alderete.

AN ORDINANCE 50,056

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 194 THRU 205, AND LOTS 233 THRU 236, BLOCK E, NCB 11548, 726 OAK KNOLL DRIVE FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT THE PROPERTY IS REPLATTED.

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24. CASE 7487 - to rezone the remaining portion of Lots 1 and 2, Block 7, NCB 8953, in the 2200 Block of Buffalo Street from "B" Two Family Residential District to "B-1" Business District, located on the south side of Gerald Avenue between Buffalo Street and I.H. 35 Expressway, having 43.57' on Gerald Avenue, 65' on Buffalo Street and 75.94' on I.H. 35 Expressway

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

No one spoke in opposition.

After consideration, Dr. Cisneros moved that the recommendation of the Zoning Commission be approved. Mr. Steen seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Wing, Eureste, Ortiz, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Dutmer, Alderete.

AN ORDINANCE 50,057

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 1 AND 2, BLOCK 7, NCB 8953, IN THE 2200 BLOCK OF BUFFALO STREET FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-1" BUSINESS DISTRICT.

* * * *

25. CASE 7493 - to rezone Lot 12, Block 1, NCB 16511, in the 2000 Block of Pinn Road from Temporary "R-1" Single Family Residential District to "B-3R" Restrictive Business District, located on the east side of Pinn Road, being 16.8' north of the intersection of Elmer Boulevard and Pinn Road, having 50' on Pinn Road and a depth of 150'.

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

No one spoke in opposition.

After consideration, Mr. Steen moved that the recommendation of the Zoning Commission be approved provided that a six foot solid screen fence is erected and maintained along the east property line. Dr. Cisneros seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Wing, Eureste, Ortiz, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Dutmer, Alderete.

AN ORDINANCE 50,058

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 1, NCB 16511, IN THE 2000 BLOCK OF PINN ROAD FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE EAST PROPERTY LINE.

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26. CASE 7481 - to rezone a 0.939 acre tract of land out of Lot 18, NCB 14273, being further described by field notes filed in the Office of the City Clerk, 11635 Vance Jackson Road from Temporary "R-1" Single Family Residential District to "R-3" Multiple Family Residential District located on the southwest side of Vance Jackson Road, being 455' northwest of the intersection of Shenandale Drive and Vance Jackson Road, having 131' on Vance Jackson Road and a maximum depth of 287.95'.

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

No one spoke in opposition.

After consideration, Mr. Pyndus moved that the recommendation of the Zoning Commission be approved provided that a six foot solid screen fence is erected and maintained along the southwest property line. Dr. Cisneros seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Wing, Eureste, Ortiz, Pyndus, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Dutmer, Alderete.

AN ORDINANCE 50,059

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 0.939 ACRE TRACT OF LAND OUT OF LOT 18, NCB 14273, BEING FURTHER DESCRIBED

775

BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 11635 VANCE JACKSON ROAD FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE SOUTHWEST PROPERTY LINE.

* * * *

27. CASE 7498 - to rezone Lot 40, Block 8, NCB 12598, in the 4500 Block of Creekmoor Drive from "A" Single Family Residential District to "B-1" Business District, located northeast of the intersection of South W.W. White Road and Creekmoor Drive; having 120.35' on South W.W. White Road and 80' on Creekmoor Drive.

Mr. Gene Camargo, Planning Administrator, explained the proposed change which the Zoning Commission recommended be approved by the City Council. Mr. Camargo also explained that due to the 20% written opposition, nine affirmative votes will be needed to approve the recommendation of the Zoning Commission and grant the rezoning.

Mrs. Dutmer stated that many of the neighbors have expressed concern about the use of the subject property and asked the applicant to address the Council.

Mrs. Frank Gonzales, the applicant, stated that they plan to use the subject property for an office. She also stated that the structure will not be steel and would look more like a home.

Mr. Pyndus stated that in his opinion, there are already business uses fronting the subject property and said that it would not be feasible for residential development.

Mr. Wing then moved to approve the recommendation of the Zoning Commission and grant the rezoning provided that proper platting is accomplished and that a six foot solid screen fence is erected and maintained along the east property line and that a non-access easement is imposed along the southern property line. Mr. Hartman seconded the motion.

No citizen appeared to speak in opposition.

Mr. A.J. Seiler, the owner of the subject property, stated that the people in opposition were not opposed to other business uses in the area. He also stated that many of these people are upset with him because he took issue with them about dumping trash on his lot.

After consideration, on roll call, the motion to uphold the recommendation of the Zoning Commission and grant the rezoning carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Hartman, Steen; NAYS: Cockrell; ABSENT: None.

AN ORDINANCE 50,060

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 40, BLOCK 8, NCB 12598, IN THE 4500 BLOCK OF CREEKMOOR DRIVE FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-1" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE EAST PROPERTY LINE, THAT A NON-ACCESS EASEMENT IS IMPOSED ALONG THE SOUTHERN PROPERTY LINE.

* * * *

28.

CASE 7506 - to rezone Lots 27 thru 30, Block 11, NCB 7398, located on the east side of Cupples Road, having 180' on Cupples Road and 200' on W. Emerson Avenue; Lots 1 thru 4 and Lots 27 thru 30, Block 12, NCB 7399, located on the east side of Cupples Road between W. Emerson Avenue and W. Greenway Avenue; having 280' on Cupples Road and 200' on both W. Emerson Avenue and W. Greenway Avenue; Lots 1 thru [redacted] and Lots 27 thru 30, Block [redacted], NCB 7547, located on [redacted] east

side of Cupples Road between W. Greenway Avenue and W. Jewell Avenue, having 280' on Cupples Road and 200' on both W. Greenway Avenue and W. Jewell Avenue, in the 200 Block of W. Emerson Avenue, in the 200 Block of W. Greenway Avenue, in the 200 Block of W. Jewell Avenue, from "F" Local Retail District to "R-1" Single Family Residential District; and Lots 1 thru 4, Block 11, NCB 7398, located on the east side of Cupples Road, having 180' on Cupples Road and 200' on W. Pletz Avenue; in the 300 Block of W. Pletz Avenue, from "F" Local Retail District to "B-3R" Restrictive Business District.

Mr. Gene Camargo, Planning Administrator, explained the proposed change which the Zoning Commission recommended be approved by the City Council. Mr. Camargo also explained that the "B-3R" zoning will require 9 affirmative votes because of the written opposition submitted, however, the "R-1" zoning will only require six votes. Mr. Camargo then stated that it would be best to consider the two changes separately because of the manner of the advertising.

Mr. Pyndus then moved to approve the "R-1" zoning on Lots 27 thru 30, Block 11, NCB 7398; Lots 1 thru 4 and Lots 27 thru 30, Block 12, NCB 7399; and Lots 1 thru 4 and Lots 27 thru 30, Block 15, NCB 7547. Mr. Webb seconded the motion.

Mr. Gilbert Valdez, 5023 Cupples Road, asked that this case be postponed and that the entire tract be considered as a whole.

Mrs. Angelina Martinez stated that they are requesting that the entire tract be rezoned "R-1".

Mayor Cockrell explained the matter of readvertising and the fact that notices advising property owners would have to be sent out regarding the downzoning from "F" Local Retail District to "R-1" Single Family Residential District.

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

AN ORDINANCE 50,061

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 27 THRU 30, BLOCK 11, NCB 7398, LOTS 1 THRU 4 AND LOTS 27 THRU 30, BLOCK 12, NCB 7399, LOTS 1 THRU 4, AND LOTS 27 THRU 30, BLOCK 15, NCB 7547, IN THE 200 BLOCK OF W. EMERSON AVENUE, IN THE 200 BLOCK OF W. GREENWAY AVENUE, IN THE 200 BLOCK OF W. JEWELL AVENUE FROM "F" LOCAL RETAIL DISTRICT TO "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT.

* * * *

78-50

CITIZENS TO BE HEARD

REVEREND R.A. CALLIES, SR.

Reverend R.A. Callies, Sr., representing Youth Leadership Conference for Community Progress, read a prepared statement asking for the installation of a traffic control signal at the intersection of Pecan Valley Drive and "F" Street. (A copy of his statement is on file with the papers of this meeting.)

The following persons also addressed the Council on this matter:

Mrs. Mosly
Mrs. Redmond
Mrs. Duncan

After discussion, the Council asked the staff to review Rev. Callies' request and make a report to them.

MR. ROBERT L. SALAZAR

Mr. Robert L. Salazar, 5111 Maryland Drive, spoke to the Council regarding his termination of employment with the San Antonio Neighborhood Youth Organization. He stated that he had been employed by SANYO for 13 years and was not treated fairly. He asked that the Council help him in this matter.

Mrs. Robert Salazar also stated that SANYO did not give her husband fair treatment.

Mr. Roland Lozano, Assistant to the Director of Economic and Employment Development, stated that he has been working with Mr. Salazar.

Council asked that the staff continue to help Mr. Salazar through the grievance process.

MR. LOUIS CARDENAS

Mr. Louis Cardenas stated that there are cases of illegal work by contractors and asked the Council to authorize the City Attorney to work on an ordinance addressing these actions. He also asked that the ordinance include licensing requirements for subcontractors.

Mr. Rolando Bono, Assistant to the City Manager, stated that the Housing Task Force will have a meeting to improve the Home Improvement Contractors ordinance. He invited Mr. Cardenas to be present.

MR. F. BARNES

Mr. F. Barnes complained of street peddlers being permitted to sell plants on the street simply by paying a small peddler's license fee. Nursurymen over the city are being hurt badly. He asked that Council take another look at the peddler's licensing requirements.

City Attorney Macon said that the Council may want to consider certain changes in the code which permits use of public property by peddlers. This subject was raised by the Council some time ago but action was deferred.

Mr. Barnes also complained about the flea market merchants operating in the City.

Mrs. Macon said that she would work out some suggested amendments to Chapter 28 of the City Code.

78-50 The meeting was recessed at 7:00 P.M., and reconvened at 7:45 P.M.

78-50 The following Ordinance was read by the Clerk and after consideration, on motion of Dr. Cisneros, seconded by Mr. Steen, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Eureste, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Wing, Ortiz, Alderete, Pyndus.

AN ORDINANCE 50062

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

* * * *

78-50 The following Ordinance was read by the Clerk and after consideration, on motion of Dr. Cisneros, seconded by Mr. Hartman, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Alderete, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Ortiz, Pyndus.

AN ORDINANCE 50063

EXTENDING THE PRESENT AGREEMENT TO PROVIDE BEXAR COUNTY WITH PUBLIC HEALTH SERVICES THROUGH SEPTEMBER 30, 1979 AND AMENDING THE COUNTY'S COST SHARING ESTIMATE.

* * * *

78-50 Item 31 being a proposed ordinance authorizing the execution of a contract with American City Corporation in the amount of \$41,250 to conduct an Economic Development survey and analysis for a Downtown Retail Center in San Antonio was postponed from consideration.

78-50 The Clerk read the following Resolution:

A RESOLUTION
NO. 78-50-151

PROVIDING THAT FIVE PUBLIC HEARINGS BE HELD BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO ON NOVEMBER 21, 1978 AT 7:00 P.M. AT McCOLLUM HIGH SCHOOL, 500 FORMOSA; DECEMBER 5, 1978 AT 7:00 P.M., AT CARVER CULTURAL CENTER, 226 N. HACKBERRY; DECEMBER 12, 1978, AT 7:00 P.M.,

AT KENWOOD COMMUNITY CENTER, 3510 N. MAIN;
 DECEMBER 19, 1978 AT 7:00 P.M., AT GUS
 GARCIA JUNIOR HIGH SCHOOL, 3306 RUIZ; AND
 DECEMBER 21, 1978 AT 3:00 P.M. AT COUNCIL
 CHAMBER/CITY HALL, FOR THE PURPOSE OF
 HEARING AND RECEIVING WRITTEN COMMENTS FROM
 INTERESTED PERSONS AND ORGANIZATIONS RE-
 GARDING THE CITY OF SAN ANTONIO'S INTENTION
 TO REVOKE THE DESIGNATION OF THE ECONOMIC
 OPPORTUNITIES DEVELOPMENT CORPORATION AS THE
 COMMUNITY ACTION AGENCY FOR THE CITY OF SAN
 ANTONIO AND DESIGNATING THE CITY OF SAN
 ANTONIO AS THE COMMUNITY ACTION AGENCY.

* * * *

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

Mayor Cockrell recommended that the Council adopt certain rules at these public hearings. She suggested that persons wishing to speak select one of the five public hearings to be held and speak at only one hearing. This will enable the Council to hear input from different community representatives and not the same people at all the hearings.

The Council concurred with Mayor Cockrell's recommendation.

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

78-50 The following Ordinance was read by the Clerk and explained by City Attorney Jane Macon, and after consideration, on motion of Mrs. Dutmer, seconded by Mr. Hartman, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Alderete, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Ortiz, Pyndus.

AN ORDINANCE 50064

ESTABLISHING RULES FOR THE CONDUCT OF
 COUNCIL MEETINGS.

* * * *

78-50 The following Resolutions were read by the Clerk and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Alderete, Hartman, Steen, Cockrell; NAYS: None; ABSENT: Ortiz, Pyndus.

A RESOLUTION
 NO. 78-50-152

MANIFESTING THE DETERMINATION OF THE CITY
 COUNCIL THAT MR. WILLIAM E. BLACKWOOD HAS
 VESTED RIGHTS UNDER ARTICLE THREE OF
 ORDINANCE NO. 48484.

* * * *

A RESOLUTION
NO. 78-50-153

MANIFESTING THE DETERMINATION OF THE CITY
COUNCIL THAT MR. JOE PEDRAZA HAS VESTED
RIGHTS UNDER ARTICLE THREE OF ORDINANCE
NO. 48484.

* * * *

A RESOLUTION
NO. 78-50-154

MANIFESTING THE DETERMINATION OF THE CITY
COUNCIL THAT CLINTON WEILBACHER BUILDER, INC.
HAS VESTED RIGHTS UNDER ARTICLE THREE OF
ORDINANCE NO. 48484.

* * * *

78-50 LIAISON REPRESENTATIVE TO THE SOUTH TEXAS NUCLEAR PROJECT

The Clerk read a proposed resolution manifesting the support of the City Council for maintaining a full time liaison at the South Texas Nuclear Power Plant Site.

Mayor Pro-Tem Hartman stated that having a liaison on site is the responsibility of the City Public Service Board. The actual management of the project is under direction of Houston Power and Light Company. The intent of this function would be to act as observer and report on progress and/or delays directly to the Board.

There was a general discussion of the merits of this proposal by all members of the City Council.

After consideration, on motion of Mr. Hartman, seconded by Dr. Cisneros, the resolution failed to carry by the following vote: AYES: Cisneros, Alderete, Hartman, Cockrell; NAYS: Webb, Wing, Eureste, Steen; ABSTAIN: Dutmer, Ortiz; ABSENT: Pyndus.

There being no further business to come before the Council, the meeting was adjourned at 8:15 P.M.

A P P R O V E D

Lila Cockrell

M A Y O R

ATTEST: *Norma S. Rodriguez*
C i t y C l e r k

November 9, 1978

nsr

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