

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, MAY 22, 1980.

* * * *

The meeting was called to order at 1:00 P.M. by Acting Mayor, Mrs. Helen Dutmer, in the temporary absence of Mayor Lila Cockrell and Mayor Pro-Tem Henry G. Cisneros, with the following members present: WEBB, DUTMER, WING, EURESTE, THOMPSON, ALDERETE, CANAVAN, ARCHER, STEEN, COCKRELL: Absent: CISNEROS.

80-25 The invocation was given by the Reverend E.D. Dickinson, University Christian Church.

80-25 Members of the City Council and the audience joined in the Pledge of the Allegiance to the flag of the United States.

80-25 BOOKER T. WASHINGTON ELEMENTARY SCHOOL

Acting Mayor Mrs. Helen Dutmer recognized twenty students from Booker T. Washington Elementary School, who were present in the audience.

They were accompanied by their sponsor, Mrs. Lorraine Martin.

80-25 CONSENT AGENDA

Mr. Thompson moved that items 3-28, constituting the consent agenda be approved with the exception of items 10, 11, 14, 15, 16 and 23 to be considered individually. Mr. Webb seconded the motion.

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

AN ORDINANCE 52,209

AUTHORIZING THE ASSIGNMENT OF THE CURRENT CONTRACT FOR DEIONIZED WATER SERVICE FROM OZARKA WATER COMPANY OF SAN ANTONIO TO PURITY WATER COMPANY.

* * * *

AN ORDINANCE 52,210

ACCEPTING THE LOW BID OF RAMS PLUMBING FIXTURES TO FURNISH THE CITY OF SAN ANTONIO WITH VANDAL-PROOF PLUMBING FIXTURES FOR A NET TOTAL OF \$3,445.26.

* * * *

AN ORDINANCE 52,211

ACCEPTING THE LOW BID OF SIBONEY AUDIO VISUAL TO FURNISH THE SAN ANTONIO ALLIANCE OF BUSINESS WITH VIDEO EQUIPMENT FOR A NET TOTAL OF \$3,845.00.

* * * *

AN ORDINANCE 52,212

ACCEPTING THE LOW BID OF JOHN H. SOROLA, INC. TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH GASOLINE POWERED BRUSH CUTTERS FOR A NET TOTAL OF \$4,080.00.

* * * *

AN ORDINANCE 52,213

ACCEPTING THE LOW BID OF RUFUS A. WALKER AND COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH A SEALER FOR A NET TOTAL OF \$5,235.00.

* * * *

AN ORDINANCE 52,214

ACCEPTING THE LOW BID OF COOPER EQUIPMENT COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH A LIQUID ASPHALT MAINTENANCE UNIT, 600 GALLON, TRAILER MOUNTED FOR A NET TOTAL OF \$8,915.50.

* * * *

AN ORDINANCE 52,215

ACCEPTING THE LOW BID OF ALLIED TANK SERVICES, INC. TO FURNISH THE CITY OF SAN ANTONIO WITH THE REPAIR OF A DAMAGED FILTER TANK FOR A NET TOTAL OF \$12,000.00.

* * * *

AN ORDINANCE 52,216

AUTHORIZING EXPENDITURE OF THE SUM OF \$91,505.00 OUT OF VARIOUS FUNDS FOR THE PURPOSE OF ACQUIRING TITLE AND/OR EASEMENTS TO CERTAIN LANDS; ACCEPTING THE DEDICATION OF TITLE AND/OR EASEMENTS TO CERTAIN LANDS; ALL TO BE USED IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS.

* * * *

AN ORDINANCE 52,217

AUTHORIZING EXECUTION OF FIELD ALTERATION CWB NO. 6 IN THE SUM OF \$7,700 TO THE CONTRACT FOR THE CONSTRUCTION OF THE 2ND YEAR NEIGHBORHOOD STREET PROJECT.

* * * *

AN ORDINANCE 52,218

FINDING THAT CERTAIN PERSONAL PROPERTY TAX ASSESSMENTS ARE INVALID AND ORDERING THAT THE INVALID ASSESSMENTS AND THE TAXES BASED THEREON BE CANCELLED.

* * * *

AN ORDINANCE 52,219

AUTHORIZING PAYMENT OF REFUNDS TO PERSONS MAKING OVERPAYMENTS OR DOUBLE PAYMENTS ON (12) TAX ACCOUNTS.

* * * *

AN ORDINANCE 52,220

APPROVING THE PRICE AND CONDITIONS OF THE SALE BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF PARCEL 588-D-3 CONTAINING APPROXIMATELY 5,567 SQUARE FEET, LOCATED WITHIN THE ST. PAUL SQUARE COMMUNITY DEVELOPMENT PROJECT, TO NORTH BRIDGE BUILDING ASSOCIATES, FOR THE SUM OF \$219,000.00.

* * * *

AN ORDINANCE 52,221

MANIFESTING AN AGREEMENT, AMENDING A LEASE TO DELTA AIR LINES, INC., OF SPACE AT SAN ANTONIO INTERNATIONAL AIRPORT, AND CONSENTING TO AN AGREEMENT BETWEEN DELTA AIR LINES, INC., AND COMPANIA MEXICANA DE AVIACION.

* * * *

AN ORDINANCE 52,222

MANIFESTING AN AGREEMENT, AMENDING A LEASE TO THE COMPANIA MEXICANA DE AVIACION S.A., OF SPACE AT SAN ANTONIO INTERNATIONAL AIRPORT.

* * * *

AN ORDINANCE 52,223

AUTHORIZING THE CITY MANAGER TO EXECUTE QUITCLAIM DEEDS CONVEYING A 30-FOOT DRAINAGE RIGHT-OF-WAY IN NEW CITY BLOCK 10025, FOR A CONSIDERATION OF \$1.00 TO ADJACENT OWNERS.

* * * *

AN ORDINANCE 52,224

ACCEPTING THE HIGH BIDS RECEIVED IN CONNECTION WITH \$3,100,000 IN CITY FUNDS AVAILABLE FOR DEPOSIT IN INTEREST-BEARING CERTIFICATES OF DEPOSIT.

* * * *

AN ORDINANCE 52,225

AUTHORIZING THE COMMUNITY ACTION DIVISION OF THE DEPARTMENT OF HUMAN RESOURCES AND SERVICES TO APPLY TO THE COMMUNITY SERVICES ADMINISTRATION FOR A GRANT OF \$58,895 FOR THE 1980 SUMMER YOUTH RECREATION PROGRAM; AUTHORIZING ACCEPTANCE OF SAID GRANT; ADOPTING A BUDGET; AND APPROVING A PERSONNEL SCHEDULE.

* * * *

AN ORDINANCE 52,226

AUTHORIZING EXECUTION OF AN APPLICATION TO THE AREA AGENCY ON AGING, FOR A \$79,406.00 GRANT, FOR CONTINUATION OF THE SUPPORTIVE SERVICES FOR THE ELDERLY PROJECT; AUTHORIZING EXECUTION OF A CONTRACT WITH ALAMO AREA COUNCIL OF GOVERNMENTS; AREA AGENCY ON AGING,

(Continued)

PROVIDING FOR THE CITY TO OPERATE SAID PROJECT FROM JULY 1, 1980 TO SEPTEMBER 30, 1980; ACCEPTING A GRANT FROM THE AREA AGENCY ON AGING IN THE AMOUNT OF \$79,406.00 FOR THIS PROJECT; ESTABLISHING A BUDGET FOR THIS PROJECT; APPROVING A PERSONNEL COMPLEMENT FOR THIS PROJECT; AND AUTHORIZING AN IN-KIND MATCH OF \$8,822.00.

* * * *

AN ORDINANCE 52,227

AUTHORIZING THE CARVER COMMUNITY CULTURAL CENTER TO CONDUCT A FIFTIETH YEAR CELEBRATION DURING 1980; AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE NATIONAL ENDOWMENT FOR THE ARTS OF \$15,000.00 IN SUPPORT OF THE PROJECT; ESTABLISHING A FUND AND A BUDGET FOR THE PROJECT; AND AUTHORIZING A MATCH OF \$15,000.00 FROM THE GENERAL FUND.

* * * *

AN ORDINANCE 52,228

AUTHORIZING THE 1980 YOUTH CONSERVATION CORPS PROJECT; AUTHORIZING AN AGREEMENT WITH THE ALAMO AREA COUNCIL OF GOVERNMENTS (AACOG) TO PROVIDE \$38,316.00 FOR THE COST OF OPERATING THE PROJECT; ESTABLISHING A FUND; AND ADOPTING A BUDGET; AND APPROVING PERSONNEL POSITIONS.

* * * *

80-25

The Clerk read the following Ordinance:

AN ORDINANCE 52,229

ACCEPTING THE LOW BIDS OF WRIGHT SPORTS AND AMERICAN SPORTS CENTER TO FURNISH THE CITY OF SAN ANTONIO WITH ATHLETIC EQUIPMENT FOR A TOTAL OF \$18,326.00.

* * * *

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

Mr. Canavan disqualified himself from voting on this Ordinance.

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

80-25

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

AN ORDINANCE 52,230

ACCEPTING THE LOW BID OF ANCIRA-WINTON CHEVROLET COMPANY, INC. TO FURNISH THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH A TRUCK FOR A TOTAL OF \$13,800.00.

* * * *

80-25 The Clerk read the following Ordinance:

AN ORDINANCE 52,231

ACCEPTING THE LOW BID OF ARMORTECH SECURITY, INC., TO FURNISH THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH THE ARMOR PLATING OF A VEHICLE FOR A TOTAL OF \$27,290.00 LESS 1% - 10 DAYS.

* * * *

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

Mrs. Dutmer and Mr. Canavan disqualified themselves from voting on this Ordinance.

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

80-25 The Clerk read the following Ordinance:

AN ORDINANCE 52,232

AUTHORIZING EXECUTION OF FIELD ALTERATION NO. CWB-1 IN THE SUM OF \$10,400 TO THE CONTRACT FOR THE 36TH STREET IMPROVEMENT PROJECT.

* * * *

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

Mr. Canavan disqualified himself from voting on this Ordinance.

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

80-25 The Clerk read the following Ordinance:

AN ORDINANCE 52,233

AUTHORIZING EXECUTION OF FIELD ALTERATION NO. 5 IN THE SUM OF \$8,745 TO THE CONTRACT FOR THE 36TH STREET IMPROVEMENT PROJECT.

* * * *

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

Mr. Canavan disqualified himself from voting on this Ordinance.

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

80-25 The Clerk read the following Ordinance:

AN ORDINANCE 52,234

APPROPRIATING THE ADDITIONAL SUM OF \$108,943.16
IN PAYMENT OF THE CITY'S SHARE OF THE COST OF
IMPROVEMENTS TO PLEASANTON ROAD.

* * * *

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

In response to a question by the Acting Mayor, Helen Dutmer, Mr. George Noe, Administrative Assistant to the City Manager explained that this is the final statement that is owed to the State for its share of the project.

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

80-25 The Clerk read the following Ordinance:

AN ORDINANCE 52,235

CLOSING AND ABANDONING A PORTION OF SOMERSET
ROAD, ADJACENT TO NEW CITY BLOCK 8973,
AND AUTHORIZING QUITCLAIM DEEDS TO ADJACENT
OWNERS.

* * * *

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

In response to a question by Acting Mayor, Helen Dutmer, Mr. Wing explained the location of the New City Block 8973 and stated that the purpose of the Ordinance would help align Somerset Road.

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

80-25 ZONING HEARINGS

29. CASE 8035 - to rezone lots 14 thru 18, Block 56, NCB 7947 1821 Fitch Avenue, from "B" Two Family Residential District to "B-3R" Restrictive Business District, located northeast of the intersection of S. Zarzamora Street and Fitch Avenue, having 125' on S. Zarzamora Street and 125' on Fitch Avenue; Lots 19 and 20, Block 56, NCB 7947, from

"B" Two Family Residential District to "O-1" Office District, located on the north side of Fitch Avenue, approximately 125' east of the intersection of S. Zarzamora Street and Fitch Avenue, having 50' on Fitch Avenue and a depth of 125'.

At this time, the applicant, Mr. Earl Lewis, 12739 Castlebend spoke to the Council and requested that this zoning case be postponed in order to allow him the opportunity to submit a letter requesting an appeal. He explained that originally his request was that Council grant "B-3R" zoning on all the lots in question in lieu of "B-3R" Restrictive Business District and "O-1" Office District, which was recommended by the Zoning Commission. He also requested that he be given ample time to canvass the neighborhood regarding his "B-3R" zoning request. He also expressed concern that should the Council decide to proceed with the scheduled zoning case, he would like to have a full Council present. He asked that this case be postponed.

Mr. Wing stated that this zoning request is in his district and he was not satisfied with the proposed zoning for this area. He asked that the applicant bring back the majority's support of the residences. He stated that Zarzamora Street is the commercial street not Fitch Avenue and if the delay is being requested to insure that the commercial street is properly utilized, then he can get the type of zoning he wants.

Mayor Cockrell entered the meeting and presided.

Mr. Thompson made a motion to postpone this zoning case until June 19, 1980. Mr. Archer seconded the motion.

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

30. CASE 8075 - to rezone Lots 4-B, and 5-A, Block 20, NCB 6378, 2519 E. Houston Street, from "B" Two Family Residential District to "B-1" Business District, located on the northside of E. Houston Street, being 175' east of the intersection of N. Mittiman Street and E. Houston Street having 50' on E. Houston Street and depth of 125'.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

No citizen appeared to speak in opposition.

After consideration, Mr. Webb 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: Webb, Dutmer, Wing, Eureste, Canavan, Steen, Cockrell; NAYS: Thompson, Archer; ABSENT: Cisneros, Alderete.

AN ORDINANCE 52,236

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 4-B, AND 5-A, BLOCK
20, NCB 6378, 2519 E. HOUSTON STREET, FROM
"B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-1"
BUSINESS DISTRICT.

* * * *

31. CASE 8070 - to rezone Lot 6, Block 4, NCB 12900, in the 12400 Block of Tucker Drive, from "A" Single Family Residential District to "R-2" Two Family Residential District, located on the east side of Tucker Drive, being 135' south of the intersection of Tucker Drive and E. Rigsby Avenue, having 60' on Tucker Drive and a depth of 140'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change which the Zoning Commission recommended be approved by the City Council. In response to a question by Mrs. Dutmer, Mr. Camargo explained that originally, the applicant had requested a "B-2" zoning for the subject property. He stated that in staff's opinion the granting of this request would allow an intrusion into a residential area on a residential street. He stated that an "R-2" classification would allow the proposed use with Board of Adjustment approval, which the applicant is aware of.

Mr. Howard Dawson, attorney representing the applicant, Mr. Amado Hoffman, stated that he owns three restaurants and the restaurant adjacent to the subject property has been doing incredible business. He stated that he would like to expand and provide parking on the subject property. He urged the Council to grant his request for "R-2" Two Family Residential District.

No citizen appeared to speak in opposition.

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

AN ORDINANCE 52,237

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 4, NCB 12900 IN THE 2400 BLOCK OF TUCKER DRIVE, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-2" TWO FAMILY RESIDENTIAL DISTRICT.

* * * *

32. CASE 8029 - to rezone the northwest 60' of Lot 3, Block 1, NCB 10867, 7809 Shetland Drive, from "B" Two Family Residential District to "I-1" Light Industry District, located on the southwest side of Shetland Drive, being 240' southeast of the intersection of Blyth Avenue and Shetland Drive, having 60' on Shetland Drive and a depth of 135'.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

Mr. Ernie Brasier, representing the applicant, Mr. Bobby M. Shobey, explained that there is a building on the subject property which the applicant wishes to utilize for office and storage for roofing material.

Mrs. Dutmer stated that the subject property is in her district and expressed concern that the requested zoning change would cause traffic congestion and that it would be burdensome on the residents. She also stated that there is not much expansion in this area. She spoke in opposition to the requested zoning change.

In response to a question by Mr. Thompson, Mr. Camargo stated that the subject property is located on the western edge of a subdivision that is sparsely developed with single family dwellings. He explained the surrounding areas and the ingress and egress to the subject property. He also stated that although there is industrial zoning to the west, the staff is of the opinion that the granting of "I-1" zoning at this location is premature.

A discussion then took place among Council members whether the subject property is of a residential or industrial character.

Mrs. Dutmer explained the history of the subject property.

After discussion, Mrs. Dutmer moved that the recommendation of the Zoning Commission be overruled and the zoning request be denied. Mr. Alderete seconded the motion. On roll call, the motion, to deny carried by the following vote: AYES: Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: Cisneros.

CASE 8029 was denied.

33. CASE 8059 - to rezone Lot 21, Block 19, NCB 10901, 309 San Juan Road, from "B" Two Family Residential District to "R-4" Mobile Home District, located on the north side of San Juan Road, being 200' east of the intersection of San Juan Road and Palos Street, having 50' on San Juan 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. He stated that there was more than 20% opposition and nine affirmative votes would be needed to approve the change in zoning.

Mr. Benito Ybarbo, 309 San Juan Road, stated that he would like to put a mobile home on the property. He stated that he is presently renting a house and will have to move at the end of the month and has no place else to go.

Mrs. Dutmer expressed her sympathy to Mr. Ybarbo but stated that this area is across from the Texas A & M Skill Center and also stated that this type of zoning does not meet the area space requirements for a mobile home. She spoke in opposition to the requested change.

No citizen appeared to speak in opposition.

After consideration, Mrs. Dutmer made a motion to deny the request in zoning. Mr. Archer seconded the motion. On roll call, the motion to deny carried by the following vote: AYES: Webb, Dutmer, Thompson, Canavan, Archer, Steen, Cockrell; NAYS: Wing, Alderete; ABSENT: Cisneros, Eureste.

CASE 8059 was denied.

34. CASE 8071 - to rezone Parcel 11, NCB 12059, 12678 West Avenue, from Temporary "R-1" Single Family Residential District to "B-3" Business District, located on the southeast side of West Avenue, being 656.6' northeast of the intersection of North Loop Road and West Avenue, having 202.0' on West Avenue and a maximum depth of 530.4'.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

No citizen appeared to speak in opposition.

After consideration, Mr. Archer 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: Webb, Dutmer, Wing, Thompson, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: Cisneros, Eureste.

AN ORDINANCE 52,238

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 11, NCB 12059, 12678 WEST AVENUE, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

35. CASE 8065 - to rezone a 3.227 acre tract of land out of Lot 1, Block 1, NCB 15678, being further described by field notes filed in the Office of the City Clerk, 13115 Wetmore Road, from Temporary "R-1" Single Family Residential District to "I-1" Light Industry District, located on the northwest side of Wetmore Road, being 170.91' southwest of the intersection of Thousand Oaks Drive and Wetmore Road, having 334.69' on Wetmore Road and a depth of 421.95'.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

No citizen appeared to speak in opposition.

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

AN ORDINANCE 52,239

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 3.227 ACRE TRACT OF LAND OUT OF LOT 1, BLOCK 1, NCB 15678, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 13115 WETMORE ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT.

* * * *

36. CASE 8072 - to rezone the south 100' of Tract 3, NCB 10780, in the 4400 Block of S.E. Loop 410 Expressway, from "A" Single Family Residential District to "I-1" Light Industry District, located northeast of the intersection of S.E. Loop 410 Expressway and K-Ber Square, having 100' on S.E. Loop 410 Expressway and 190' on K-Ber Square.

The Zoning Commission has recommended that this request of change of zone be approved by the City Council.

No citizen appeared to speak in opposition.

After consideration, Mrs. Dutmer 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: Webb, Dutmer, Wing, Thompson, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: Cisneros, Eureste.

AN ORDINANCE 52,240

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 100' OF TRACT 3, NCB 10780, IN THE 4400 BLOCK OF S.E. LOOP 410 EXPRESSWAY, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

80-25

ZONING COMMISSION MEMBERSHIP

Mr. Archer expressed concern that he does not have an appointment on the Zoning Commission Board representing his district.

Mayor Cockrell stated that the matter of Board Appointments will be discussed in Executive Session.

80-25 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Webb, seconded by Mr. Wing, was passed and approved by the following vote: AYES: Webb, Dutmer, Wing, Thompson, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: None; ABSENT: Cisneros, Eureste.

AN ORDINANCE 52,241

APPROVING THE OPERATION OF THE SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) FOR THE YEAR BEGINNING JULY 1, 1980 AND APPROVING A PROGRAM COST OF \$598,700.00; AUTHORIZING SUBMISSION OF AN APPLICATION TO THE NATIONAL COUNCIL ON THE AGING, ADOPTING A BUDGET AND DESIGNATING A FUND AND ACCOUNTS; APPROVING A PERSONNEL COMPLEMENT; AUTHORIZING A CONTRIBUTION OF \$2,700.00 FROM THE GENERAL FUND; AND AUTHORIZING CONTRACTS WITH EMPLOYERS FOR PROVIDING JOBS FOR ENROLLEES.

* * * *

80-25 The Clerk read a proposed ordinance authorizing continued operation by the City of Community Action Program for one year beginning July 1, 1980, making application for and accepting a grant of \$1,436,000 from the Community Services Administration in support of the Program; designating a fund and accounts and adopting a budget and approving personnel positions for the Community Action Division of the Department of Human Resources and Services, and authorizing contracts with delegate operating agencies.

Mr. Steen moved to approve the ordinance. Mr. Webb seconded the motion.

May 22, 1980
mb

-11-

Mr. Eureste expressed concern that the Council has not had a review of the delegate agencies.

Mr. William T. Donahue, Director of the Department of Human Resources and Services, explained that the approval of this ordinance and acceptance of this grant will permit the continued provision of needed services to the poor and underprivileged of the City and County. He stated that the Community Action Advisory Board had approved such an action since April 29, 1980.

At this time, Mrs. Dutmer made an amendment to the motion to delete all wording except for sections one and two of the ordinance. Mr. Eureste seconded the motion.

Mr. Webb stated that there are several items that need to come before the City Council concerning the delegate agencies and concerning their operation. He spoke in favor of the amendment.

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

AN ORDINANCE 52,242

AUTHORIZING CONTINUED OPERATION BY THE CITY OF COMMUNITY ACTION PROGRAM FOR ONE YEAR BEGINNING JULY 1, 1980, MAKING APPLICATION FOR AND ACCEPTING A GRANT OF \$1,436,000 FROM THE COMMUNITY SERVICES ADMINISTRATION IN SUPPORT OF THE PROGRAM.

* * * *

80-25 The Clerk read the following Ordinance:

AN ORDINANCE 52,243

AUTHORIZING THE CITY MANAGER TO GIVE NOTICE TO THE COUNTY THAT THE CITY WANTS TO RENEGOTIATE THE PRESENT CONTRACT FOR FIRE DISPATCHING SERVICES AND AUTHORIZING EXECUTION OF A NEW CONTRACT UPON SPECIFIED TERMS.

* * * *

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

In response to a question by Mr. Alderete, Mr. Louis Fox, Assistant City Manager, explained that the City has estimated that one full time firefighter would equal the amount of dispatching requirement for the County.

Mr. Alderete expressed concern that the charge to the County be an adequate fee.

Mr. Steen stated that this is a "break-even" proposition; the City is not making any money on this matter.

Mayor Cockrell stated that this is a one-year contract and presumed that this would be monitored very closely.

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

80-25 The Clerk read the following Ordinance:

AN ORDINANCE 52,244

MANIFESTING AN AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND VIA METROPOLITAN TRANSIT AUTHORITY TO CONTRACT FOR THE PLACEMENT OF COMMERCIAL ADVERTISING BUS BENCHES ON PUBLIC RIGHT-OF-WAY.

* * * *

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

In response to a question by Mr. Thompson, Mr. George Noe, Administrative Assistant to the City Manager, stated that forty to forty-five bus benches had been removed from City property, which were in violation of the existing contract. He stated that they would be continuing the monitoring of the situation.

Mr. Thompson expressed concern that it needs to be made clear that this Ordinance will be in effect 10 days from today, whether they are in compliance or not.

In response to a question by Mr. Steen regarding political advertisements on bus benches, Mr. Noe stated that the City can only remove those bus benches that are found on public property. He stated that the City has no jurisdiction on those benches found on private property.

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

80-25 The Clerk read the following Resolution:

A RESOLUTION
NO. 80-25-43

SUPPORTING A CITY WATER BOARD RATE STUDY.

* * * *

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

Mr. Louis Fox, Assistant City Manager, explained the background information regarding this item. He stated that the City Council does not bind itself to the findings of the firm of Turner, Collie and Braden, Inc.. He asked that the Council grant its concurrence that a study should be performed. He stated that this Resolution simply concurs with the selection of the firm of Turner, Collie and Braden, Inc., reviewed by the City staff. He stated that a report would be forthcoming to the Council as to their findings.

Mr. Thompson expressed concern regarding the expenditure of monies to this firm without knowing what their recommendation will be. He spoke in opposition to the Resolution.

Mr. Robert Van Dyke, General Manager for the City Water Board, on behalf of the Board spoke to the merits of the recommended firm. He urged the passage of the Resolution.

Mr. Steen spoke in support of the recommended study.

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

80-25 The Clerk read the following Ordinance:

AN ORDINANCE 52,245

ACCEPTING THE PROPOSAL OF BECK AND DUDERSTADT FOUNDATION COMPANY TO MAKE EMERGENCY REPAIRS TO THE FLOOR OF THE CONVENTION CENTER EXHIBIT HALL FOR AN ESTIMATED COST OF \$38,000.00.

* * * *

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

In response to a question by Mr. Thompson, Mr. Joe Madison, Acting Director of the Convention Facilities, explained that voids had developed beneath the slab of the Convention Center Exhibit Hall which need immediate correction.

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

80-25

BOND ATTORNEYS

Mr. Alderete raised the question as to why the Law Firm of McCall, Parkhurst, and Horton had been hired as financial advisors for the City's General Obligation Sewer Revenue Bonds.

Mr. Carl White, Finance Director, explained that the City had just closed the transaction on these refunding bonds. He stated that there was no way to start with another law firm when the original bond ordinance has not been passed at this point. He stated that any future bond issues can be handled by a local firm.

Mr. Alderete expressed concern regarding the utilization of local talent. He asked that this also apply to the building of the proposed parking garage.

Mr. White stated that this would be considered in the very near future.

80-25 Mrs. Dutmer announced the birth of her great-granddaughter.

Mr. Eureste announced that he had obtained the necessary signatures to have a resolution placed on the agenda for a public hearing at a special called meeting, which will be scheduled for May 27, 1980 at 4:00 P.M.

CITIZENS TO BE HEARD

Mayor Cockrell explained the rules and procedures governing speakers before City Council during the "Citizens to be Heard" segment of the meeting.

MS. PATRICIA JUAREZ

Ms. Patricia Juarez, Thomas Jefferson High School, noted she had visited City Council several weeks ago and handed out questionnaires to Council members; thus far, Eureste is the only one who responded. She asked other members to answer their questionnaires through which she is seeking information on the Council's duties and responsibilities.

A number of City Council members commented on the status of their answers to her questionnaire. Eureste asked the other Council members to please respond as soon as possible.

MR. KARL WURZ

Mr. Karl Wurz spoke on the minimum wage, detailing its history in Texas and San Antonio. His written comments are filed with the minutes of this meeting.

MR. KYLE HULTZ

Mr. Hultz relinquished his time to attorney Jim Rindfuss.

There then ensued a discussion on possibly extending the time limit on this topic to 15 minutes. Mr. Canavan then moved for a 5 minute extension of time for speakers on the Portable Electric Sign Ordinance No. 52208. Mr. Steen seconded the motion. On roll call, the motion failed to carry by the following vote: AYES: Dutmer, Thompson, Canavan, Steen, Cockrell; NAYS: Wing, Eureste, Alderete; ABSENT: Cisneros, Webb, Archer.

Mr. Eureste then made a motion to suspend all rules on time limits for speakers at this Council meeting. Mr. Wing seconded the motion. On roll call, the motion failed to carry by the following vote: AYES: Eureste, Wing; NAYS: Dutmer, Thompson, Alderete, Canavan, Steen, Cockrell; ABSENT: Cisneros, Webb, Archer.

Mr. Jim Rindfuss, 110 Sprucewood, then spoke on the subject of the Ordinance in question. He stated it passed hastily in a Special Council meeting held at the end of last week's regular Council meeting and feared it would put a number of persons out of work if enforced. He cited the new requirement that only a Master Electrician could inspect each installed portable electric sign, and the cost for this is prohibitive. He explained the difference between large lighted signs and small portable electric signs such as those used by his clients.

MR. CLAUDE BUCKLEY

Mr. Buckley, 110 Sprucewood, a consulting Engineer, defined portable electric signs and explained how they are constructed and detailed the requirements for utilization of a Master Electrician under the new Ordinance. He stated that he doesn't feel it is necessary to have a Master Electrician to handle these portable electrical signs.

At this time, Mr. Canavan stated that a two-hour posted notice on such an item for consideration by the Council is not right, and called it a "gross overkill". He stated that staff recommendations on the matter were not adequate and urged reconsideration of this Ordinance.

Mr. Steen stated that he felt the Ordinance was unfair to portable electric sign owners and then made a motion to hold the subject Ordinance in abeyance until both sides in the issue could get together to discuss it. Mr. Canavan seconded the motion.

Assistant City Attorney, Mr. Luis Garcia ruled that the motion was not in order.

Mayor Cockrell asked Mr. Garcia for the appropriate procedure to follow in this case and on a Point of Order by Mr. Wing, a discussion then ensued as to whether or not the Mayor was guiding the representative of the City Attorney's Office.

Mr. Garcia commented that it would be proper for the City Council, if they wished, to move to reconsider the Ordinance in question, since it was not yet in effect.

Mr. Steen then made a motion to reconsider the Ordinance. Mr. Canavan seconded the motion.

Mr. Wing noted that subject changes to the basic Ordinance were made with safety of children in mind.

In response to a question by Mr. Eureste, Mr. George Vann, Director of Building and Zoning, detailed the use of electricity in portable electric signs.

Mr. Eureste then explained the appeals route available for those who objected to the findings of the City's electrical inspectors and stated that he felt that portable electric signs posed a danger, especially to children.

In response to a question by Mr. Alderete, Mr. Vann noted that there may be incidents of injury to children because of portable electric signs, but he personally did not know of any; he had seen newspaper accounts only.

After discussion, the motion failed to carry by the following vote: AYES: Dutmer, Canavan, Steen, Mayor; NAYS: Wing, Eureste, Thompson, Alderete; ABSENT: Cisneros, Webb, Archer.

MR. LANNY ALAN SINKIN

Mr. Sinkin read from a prepared statement supporting the calling of a Public Hearing by the Nuclear Regulatory Commission on its Order to Show Cause, stating that this constitutes strong action taken against the South Texas Nuclear Project.

MS. JUDITH L. SLIMP

Ms. Slimp, 302 Oblate Drive, spoke in support of the revenue sharing request by the Bexar County Women's Center, of which she is a former recipient of their services, outlining the many opportunities they offer.

Mr. Eureste stated that he supports their program and will support its request at the revenue sharing funding hearing, noting that he would like to see the City reorient its priorities to serve also the mid-area between the very young and the elderly.

Mr. Alderete also stated his support of the program.

MS. BARBARA MILLER

Ms. Miller, 526 W. Hildebrand stated that Houston Power and Light will use a Public Hearing on Nuclear Regulatory Commission's Order to Show Cause on the South Texas Nuclear Project to refute NRC charges against the project. She urged the Council to pass a resolution calling for a Public Hearing on the Order to Show Cause.

Mayor Cockrell commented on Attorney John Wood's written memorandum to her questions concerning the Order to Show Cause.

During a general discussion on the matter, Mr. Eureste asked to change the time for the Special City Council Meeting of Tuesday, May 27, 1980 from 6:00 P.M. to 4:00 P.M. Council members concurred in that requested change, informally.

In response to a question by Mr. Eureste, Assistant City Attorney, Luis Garcia stated that it would require, by City Charter, signatures of at least 10 per cent of the qualified electors in the City to force a referendum on the South Texas Nuclear Project. And, proponents of the referendum would have 40 days to raise sufficient signatures.

Mr. Eureste commented that he was willing to face such a referendum to get the feelings of the people.

Mr. Steen noted that the last citizen poll on South Texas Nuclear Project was strongly in favor of its continuance, including about 60% in his district.

MR. RICK GREENE

Mr. Greene, Vice-President of OUED, stated his belief that a Public Hearing should be held on the South Texas Nuclear Project.

On another topic, Mr. Green stated that the City's Affirmative Action Program was not working, citing the lack of a black among lieutenants in the Fire Department.

Mayor Cockrell offered to set up a meeting between Greene and George Johnson, Director of the City's Department of Equal Employment Opportunity, the City Manager's Office and including herself to go over the City's Affirmative Action efforts.

Relative to use of the Eastside Multi-Service Center, Mr. Greene stated that his organization has been asked what it intended to use the facility for, when requesting room to have a meeting. He noted that he wanted such questioning stopped.

Mayor Cockrell replied that the City staff would be asked to look into procedures concerning the use of the Multi-Service Center at the same meeting at which the Affirmative Action Program was to be discussed. Mr. Greene was advised to check with the Mayor's Office on the exact date and time for that meeting.

80-25 The Clerk read the following Letter:

May 15, 1980

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

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

May 14, 1980

Petition submitted by Mr. Ray Tumlinson, requesting restriction of truck traffic on Westfall Street between New Braunfels and the Flemming Food Warehouse at Westfall and S. Cherry.

* * * *

/s/ NORMA S. RODRIGUEZ
City Clerk

There being no further business to come before the Council, the meeting was adjourned at 6:35 P.M.

A P P R O V E D

Lila Cockrell

M A Y O R

ATTEST:

Norma S. Rodriguez
CITY CLERK

May 22, 1980
mb