

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, MARCH 22, 1979.

* * * *

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, MCDANIEL, STEEN, COCKRELL; Absent: NONE.

79-13 The invocation was given by The Reverend Alberto Merubia, St. John's United Methodist Church.

79-13 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

79-13 The minutes of the meeting of March 15, 1979, were approved.

79-13 DISCUSSION REGARDING THE THREE ZACHRY SUBDIVISIONS
CORTE DEL SOL, PATTON PARK, AND ALAMEDA PARK

Mr. Rudy Ortiz, Chairman of the Housing Task Force, reported to the Council on actions which had transpired earlier in the day with regard to a proposed meeting which was to have taken place. The meeting had previously been scheduled for 10:00 A.M. with Mr. H.B. Zachry, members of the Housing Task Force and representatives of the three subdivisions to have been present. Mr. Ortiz stated that Mr. Zachry had not attended the meeting and had also stated that he would agree to repair only 30 homes. He further stated that many of the residents of these subdivisions are present to address the Council on the matter.

At this point in the meeting, Mr. Wing made a motion to suspend the rules of the Council agenda and hear the group representatives first. Mr. Alderete seconded the motion.

Councilmembers Pyndus, Dutmer, and Steen spoke against the motion.

Councilmembers Wing and Alderete spoke for the motion.

On roll call, the motion carried by the following vote: AYES: Cisneros, Webb, Wing, Eureste, Ortiz, Alderete; NAYS: Dutmer, Pyndus, McDaniel, Steen, Cockrell; ABSENT: None.

Father Albert Benavides, with the COPS Organization addressed the Council. He said that if H.B. Zachry had been present, then there wouldn't have been opposition from those who are now objecting him speaking. He also referred to a press release issued by the Mayor and said that the press release was in Zachry's defense. Father Benavides stated that COPS was not informed of any groundrules regarding the number of COPS representatives that Zachry had agreed to in another meeting. In fact, COPS was not even aware that another meeting had taken place. He also stated that Mr. Zachry had written letters to 30 residents in these subdivisions telling them that he would fix up their homes if they would not pursue the matter. He stated that Mr. Zachry doesn't want to fix the homes because he doesn't want to spend the money. Father Benavides also stated that Mayor Cockrell had received campaign funds from Zachry.

Father Benavides then referred to the approximately \$18 million worth of City contracts given to Mr. Zachry. He asked that the City Council; 1) Employ an investigator to make sure that Mr. Zachry's construction contracts are overseen; 2) that no more contracts be let out to Mr. Zachry until the investigation is completed on current contracts; and 3)

that the parking garage deal not go through until the previous two stipulations are met.

Father Benavides stated that they still want to meet with him and have him repair these homes and replace all sewer and gas lines.

Mayor Cockrell stated that she had received contributions from H.B. Zachry at the last election campaign and the records had been filed in the City Clerk's Office. She then explained the reasons for the issuance of the press release.

Mr. Eureste then read a proposed resolution with regard to Mr. Zachry's actions in dealing with these three subdivisions. (A copy of the proposed resolution is on file with the papers of this meeting.)

A discussion then took place about the necessary two hour notice required under the Open Meeting Law.

Mr. Pyndus asked that City Attorney Macon review the resolution and come back to Council with a report on any legal questions.

Mr. Steen spoke against the resolution.

A discussion then took place regarding a discussion held at "B" Session in which Council had informally agreed to buy the Navarro Garage.

In response to a question by Mr. McDaniel, City Attorney Macon explained the enforceability of resolutions and ordinances.

Mr. Alderete stated that he will be returning a contribution from H.B. Zachry.

Dr. Cisneros stated that he feels that there are many legal implications in the resolution as read by Mr. Eureste. He also referred to economic development as been his number one priority and to accomplish this through the attraction of new industry for more jobs. He feels that the economic sanctions will hurt the prospects for new businesses. He also stated that he will work to arrange for another meeting to address the matter of the housing situation; however, he could not support the resolution as presented.

A discussion then took place on the matter of the legal standing of a resolution.

Mr. Eureste stated that the City Council can address particular ordinances at a later date, this resolution addresses a moral question.

Mr. Pyndus moved to close debate. Mr. McDaniel seconded the motion. On roll call, the motion failed by the following vote: AYES: Dutmer, Pyndus, McDaniel, Steen, Cockrell; NAYS: Cisneros, Wing, Eureste, Ortiz, Alderete; ABSENT: Webb.

Another discussion then took place regarding the reactions of businesses to this type of resolution.

Mr. Pyndus again moved to close the debate. Mr. McDaniel seconded the motion. On roll call, the motion, failed by the following vote: AYES: Dutmer, Pyndus, McDaniel, Steen, Cockrell; NAYS: Cisneros, Webb, Wing, Eureste, Alderete; ABSENT: Ortiz.

Mr. Pyndus moved that the meeting be adjourned. The motion died for lack of a second.

Mr. Wing then moved to amend the proposed resolution to be considered at a special meeting later in the day by deleting Section 3. Mr. Eureste seconded the motion.

Mrs. Dutmer excused herself from the meeting because she felt that a discussion of this resolution was in violation of the Open Meeting Law.

March 22, 1979
mdg 249

After further discussion, Dr. Cisneros made a substitute motion to delete Sections 2, 3, and 4, and only include Section 1. Mr. McDaniel seconded the motion. On roll call, the motion failed to carry by the following vote: AYES: Cisneros, McDaniel; NAYS: Webb, Wing, Eureste, Ortiz, Alderete, Steen; ABSTAIN: Pyndus, Cockrell; ABSENT: Dutmer.

On roll call, Mr. Wing's motion to delete Section 3 of the resolution failed to carry by the following vote: AYES: Webb, Wing, Eureste, Ortiz, Alderete; NAYS: Cisneros, McDaniel, Steen, Cockrell; ABSTAIN: Pyndus; ABSENT: Dutmer.

After considerable discussion, Mr. Eureste moved to place the resolution as read for consideration at a Special called meeting later in the day. Mr. Alderete seconded the motion. On roll call, the motion, failed to carry by the following vote: AYES: Webb, Wing, Eureste, Ortiz, Alderete; NAYS: Cisneros, Pyndus, McDaniel, Steen, Cockrell; ABSENT: Dutmer.

79-13 The meeting was recessed at 2:55 P.M. and reconvened at 3:08 P.M.

79-13 3:10 P.M. - PUBLIC HEARING ON THE
VISTA VERDE SOUTH AND
UDAG APPLICATION

The Mayor declared open the scheduled Public Hearing:

Mr. Winston Martin, Executive Director of the San Antonio Development Agency, presented the background information on the 150 acres of the subject property. He stated that this was an extension of an existing project, Vista Verde North. He described the residential, commercial, and industrial characters of the neighborhood, pointing out on the map, the acreage set out for these different uses.

Mr. Martin then explained the schedule and time frame for submitting the proposals.

In response to Mr. Pyndus' question, Mr. Martin stated that four blocks around the depot could be put into retail use and that usage, west of the railroad tracks was industrial and does not need to be included in the Urban Renewal Plan.

Mr. Efraim Garcia, Planning Manager for the San Antonio Development Agency, spoke regarding the financial aspects of the plan. He presented a proposed budget. (A copy of this budget is on file with the papers of this meeting).

In response to Mrs. Dutmer's question regarding the citizens' concerns about their homes, Mr. Martin stated that this plan requires that the Council provide for single family residential units. The other plan, Vista Verde North, was meant for industrial and multi-housing units.

The following named citizens spoke in favor of the project:

Henry Rodriguez, representing Immaculate Heart of Mary, COPS
Mr. Robert Owens, Owens Co.
Mr. Eugene McCaa, SIDCO
Mrs. Hortense Camille, a resident of the area
Mr. Don Parman, Power Central Corporation
Mrs. Matilda Pena, a resident
Lydia L. Mass, a resident
Mrs. MaryAnn Castleberry, Pres. of the San Antonio Conservation Society.

* * * *

The Hearing was declared closed.

The Clerk then read the following Ordinance:

AN ORDINANCE 50,525

AUTHORIZING SUBMISSION TO HUD OF AN URBAN DEVELOPMENT ACTION GRANT APPLICATION FOR THE VISTA VERDE SOUTH URBAN RENEWAL PROJECT.

* * * *

Mr. Pyndus moved to approve the Ordinance. Dr. Cisneros seconded the motion. On roll call, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Alderete, Pyndus, McDaniel, Steen, Cockrell; NAYS: None; ABSENT: Eureste, Ortiz.

79-13 CONSENT AGENDA

Councilman Steen moved that items 5 thru 19, constituting the consent agenda be approved, with the exception of Item 20, to be considered individually. Mr. Pyndus seconded the motion.

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, Ortiz, Alderete, Pyndus, McDaniel, Steen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 50,526

AUTHORIZING PAYMENT TO GENERAL ELECTRIC COMPANY FOR EMERGENCY REPAIRS TO A BLOWER MOTOR AT THE RILLING ROAD WASTEWATER TREATMENT PLANT FOR A TOTAL OF \$7,419.00

* * * *

AN ORDINANCE 50,527

ACCEPTING THE LOW QUALIFIED BID OF DALTON SERVICE AGENCY, INC., TO FURNISH THE CITY OF SAN ANTONIO WITH SEWAGE TREATMENT PLANT MOTORS AND BLOWERS VIBRATION ANALYSIS AND CORRECTION FOR A TOTAL OF \$11,525.00.

* * * *

AN ORDINANCE 50,528

ACCEPTING THE LOW QUALIFIED BID OF BRUCE CONTRACTING CO., INC., IN THE AMOUNT OF \$512,461.45 FOR THE COLUMBIA HEIGHTS PAVING PROJECT, PHASE II, REPROGRAMMING CDA BLOCK GRANT FUNDS, APPROVING A BUDGET, AND TRANSFERRING MINOR SURPLUSES FROM TWO OTHER PROJECTS.

* * * *

AN ORDINANCE 50,529

ACCEPTING THE LOW QUALIFIED BID OF HOGAN MECHANICAL, INC., IN THE AMOUNT OF \$746,695.15 FOR THE RILLING ROAD WASTEWATER TREATMENT PLANT IMPROVEMENTS, SECTION X, PHASE B; AUTHORIZING THE CITY MANAGER TO EXECUTE A STANDARD CITY PUBLIC WORKS CONSTRUCTION CONTRACT COVERING SAID CONSTRUCTION; AUTHORIZING PAYMENT OF \$10,954.85 TO SELIGMAN & PYLE CONSULTING ENGINEERS, INC., AS ADDITIONAL ENGINEERING FEES; AND APPROPRIATING THE AMOUNT OF \$796,000.00 IN FUND 52-008, PROJECT NO. 008007 AND AUTHORIZING PAYMENT THEREOF.

* * * *

AN ORDINANCE 50,530

AUTHORIZING THE CITY MANAGER TO EXECUTE FIELD ALTERATION NO. 2 IN THE AMOUNT OF \$10,650 TO THE CONTRACT FOR CONSTRUCTION OF THE WEST-SIDE NEIGHBORHOOD STREET IMPROVEMENTS (2ND YEAR CDA PROGRAM).

* * * *

AN ORDINANCE 50,531

AUTHORIZING THE CITY MANAGER TO EXECUTE FIELD ALTERATION NO. 5 IN THE AMOUNT OF \$7,401.80 TO THE CONTRACT FOR CONSTRUCTION OF THE FERRIS AVENUE DRAINAGE PROJECT NO. 201.

* * * *

AN ORDINANCE 50,532

AUTHORIZING AN ADDITIONAL PAYMENT TO FLORES ASSOCIATES FOR ARCHITECTURAL FEES IN THE AMOUNT OF \$3,848.12 OUT OF FUND NO. 28-003, PROJECT NO. 003028.

* * * *

AN ORDINANCE 50,533

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF CERTAIN PRIVATELY OWNED REAL PROPERTY SITUATED IN SAN ANTONIO, BEXAR COUNTY, TEXAS FOR A PUBLIC PURPOSE, TO WIT: THE LOCATION, CONSTRUCTION, RECONSTRUCTION, IMPROVEMENT, REPAIR, AND MAINTENANCE OF PUBLIC FACILITIES DESIGNATED COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS (VILLA CORONADO); AND AUTHORIZING THE INSTITUTION AND PROSECUTION TO CONCLUSION OF CONDEMNATION PROCEEDINGS TO ACQUIRE SUCH PROPERTY AS CANNOT BE ACQUIRED BY NEGOTIATION.

* * * *

AN ORDINANCE 50,534

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

* * * *

AN ORDINANCE 50,535

AUTHORIZING PAYMENT OF REFUNDS TO PERSONS MAKING OVERPAYMENTS OR DOUBLE PAYMENTS ON CITY OF SAN ANTONIO TAXES.

* * * *

AN ORDINANCE 50,536

MANIFESTING AN AGREEMENT WITH ST. GEORGE EPISCOPAL CHURCH, SUCCESSOR TO COVENANT, INC., FOR EXTENSION OF THE AGREEMENT FOR OPERATION OF "CHAPEL OF THE AIRWAYS" AT INTERNATIONAL AIRPORT.

* * * *

AN ORDINANCE 50,537

MANIFESTING AN AGREEMENT AUTHORIZING JOE CONRAD, DBA 19TH HOLE GOLF CENTER TO SUBLET TO SOUTHWEST BATTING RANGE A 0.47878 ACRE PARCEL OF THAT CITY OWNED 28.193 ACRE TRACT LEASED TO MR. CONRAD BY ORDINANCE 47362, NOVEMBER 11, 1976.

* * * *

AN ORDINANCE 50,538

ACCEPTING A GRANT OF \$221,440.11 FROM THE OFFICE OF TRAFFIC SAFETY OF THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION IN SUPPORT OF THE SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) DURING THE PERIOD FROM MARCH 5, 1979 TO SEPTEMBER 30, 1979; ADOPTING A BUDGET FOR THE PROJECT AND ESTABLISHING A FUND AND ACCOUNT.

* * * *

AN ORDINANCE 50,539

AMENDING CHAPTER 38 (TRAFFIC REGULATIONS) OF THE CITY CODE SETTING FORTH LOCATIONS AT WHICH ELECTRIC TRAFFIC CONTROL SIGNALS ARE IN FULL OPERATION; DESIGNATING ONE-WAY STREETS; DESIGNATING STOP SIGN LOCATIONS; DESIGNATING YIELD RIGHT-OF-WAY LOCATIONS; ESTABLISHING PARKING METER ZONES; PROHIBITING PARKING AT ALL TIMES ON CERTAIN STREETS; AND PROVIDING THAT VIOLATIONS HEREOF BE PUNISHABLE BY A FINE OF NOT LESS THAN \$1.00 NOR MORE THAN \$200.00.

* * * *

AN ORDINANCE 50,540

CLOSING AND ABANDONING A PORTION OF PLYMOUTH AVENUE AND AUTHORIZING QUITCLAIM DEEDS TO HENRY S. VOGAN AND TO VICENTE ELIAS, JR., FOR THE CONSTRUCTION OF \$1.00 FOR EACH GRANTEE.

* * * *

79-13 The Clerk read the following Resolution:

A RESOLUTION
NO. 79-13-23

REQUESTING THE STATE HIGHWAY & PUBLIC TRANSPORTATION COMMISSION TO DECLARE THAT CERTAIN UNUSED PORTION OF FORMER SPUR 213 RIGHT OF WAY (NOW KNOWN AS EXPOSITION DRIVE) SURPLUS TO THE NEEDS OF THE STATE AND THE EFFECT A RELEASE OF SAID PORTION TO THE COCA-COLA BOTTLING COMPANY OF SAN ANTONIO, TEXAS, INC.

* * * *

In response to Mr. Webb's question, the exact section of the land which the Resolution covers, was pointed out on the map after which Dr. Cisneros moved to approve the Resolution. Mr. Steen seconded the motion. On roll call, the motion, carrying with it the passage of the Resolution, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, McDaniel, Steen, Cockrell; NAYS: None; ABSENT: None.

79-13 ZONING HEARING

21. CASE 7606 - to rezone Parcels 42-A and 42-B, NCB 14618, 6160 Eckart Road from Temporary "R-1" Single Family Residential District to "R-3" Multiple Family Residential District, located on the south side of Eckart Road, being 700' west of the intersection of Eckart Road and Huebner Road; having 409.69' on Eckart Road and a maximum depth of 1.025'.

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

No citizen appeared to speak in opposition.

After consideration, Dr. Cisneros moved that the recommendation of the Zoning Commission be approved 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, Dutmer, Eureste, Alderete, Pyndus, McDaniel, Steen, Cockrell; NAYS: None; ABSENT: Wing, Ortiz.

AN ORDINANCE 50,541

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS PARCELS 42-A AND 42-B, NCB 14618, 6160 ECKART ROAD FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

22. CASE 7624 - to rezone the north 200' of the east 200' of Lot 5, NCB 11166, in the 900 Block of Chavaneaux Road from "B" Two Family Residential District to "B-3R" Restrictive Business District, located on the south side of Chavaneaux Road being 1830' west of the cutback between Chavaneaux Road and Roosevelt Avenue having 200' on Chavaneaux Road and a depth of 200'.

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

No citizen appeared to speak in opposition.

After consideration, Mr. Pyndus 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, Dutmer, Eureste, Alderete, Pyndus, McDaniel, Steen, Cockrell; NAYS: None; ABSENT: Wing, Ortiz.

AN ORDINANCE 50,542

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 200' OF THE EAST 200' OF LOT 5, NCB 11166, IN THE 900 BLOCK OF CHAVANEUX ROAD FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

* * * *

23. CASE 7605 - to rezone Tract 2-A, NCB 11640, 5302 Vance Jackson Road from "A" Single Family Residential District to "P-1(R-1)" Planned Unit Development Single Family Residential District, located on the northeast side of Vance Jackson Road, being 230' northwest of the intersection of Algerita Drive and Vance Jackson Road, having 434.78' on Vance Jackson Road and a depth of 1727.68' with also a frontage of 479.03' on Old Gold Drive.

The Zoning Commission 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 provided that the property is properly platted 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, Dutmer, Ortiz, Alderete, Pyndus, McDaniel, Steen, Cockrell; NAYS: None; ABSENT: Wing, Eureste.

AN ORDINANCE 50,543

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS TRACT 2-A, NCB 11640, 5302 VANCE JACKSON ROAD FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "P-1(R-1)" PLANNED UNIT DEVELOPMENT SINGLE FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT THE PROPERTY IS PROPERLY PLATTED IN ACCORDANCE WITH THE PLANNED UNIT DEVELOPMENT ORDINANCE.

* * * *

24. CASE 7621 - to rezone the remaining portion of Tract 8-B, NCB 11168, 5446 Roosevelt Avenue from "B" Two Family Residential District to "I-1" Light Industry District, located on the east side of Roosevelt Avenue between S.E. Loop 410 Expressway and Chavaneaux Road having a total of 171.97' on Roosevelt Avenue, 719.02' on S.E. Loop 410 Expressway and 635' on Chavaneaux Road.

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

The applicant, Mr. Andres Maldonado, stated that he was requesting a zoning change for the purpose of erecting a truck stop with a cafe and diesel pumps.

In response to Mr. Pyndus' question, Mr. Camargo stated that "B-3" zoning would not allow the truck stop; the "I-1" zoning would not be out of character with this portion of the property.

Councilwoman Dutmer disqualified herself because the applicant is a client.

After discussion, Dr. Cisneros moved to approve the recommendation of the Zoning Commission provided that a non-access easement is imposed along the south side of the subject property only on that portion north of the residences, south of Chavaneaux Road and that a six foot solid screen fence is erected and maintained along the same area, as well as the east property line; and that 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: Cisneros, Webb, Wing, Eureste, Ortiz, Alderete, Pyndus, McDaniel, Steen, Cockrell; NAYS: None; ABSTAIN: Dutmer; ABSENT: None.

AN ORDINANCE 50,544

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 TRACT 8-B, NCB 11168, 5446 ROOSEVELT AVENUE FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT A NON-ACCESS EASEMENT IS IMPOSED ALONG THE SOUTH SIDE OF THE SUBJECT PROPERTY ONLY ON THAT PORTION NORTH OF THE RESIDENCES, SOUTH OF CHAVANEUX ROAD AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE SAME AREA, AS WELL AS THE EAST PROPERTY LINE; AND THAT REPLATTING IS ACCOMPLISHED.

* * * *

79-13

MRS. ANGELA C. MEYERS

At this point in the meeting, Dr. Cisneros recognized Mrs. Angela C. Meyers with a group of Senior Citizens who were present in the audience. The Council concurred in hearing Mrs. Meyers at this time.

Mrs. Meyers stated that the Arts and Crafts Class of 115 Senior Citizens had been eliminated from the Barrio Betterment Program. She stated that Mr. Frank Alvarez had created this project to help the senior citizens make money from their sellable items. Several senior citizens were present and displayed their projects. She asked the City Council to reconsider the funding for this program.

79-13 The Clerk read a proposed ordinance authorizing the City Manager to submit an application to the Department of Health, Education, and Welfare, to continue the City's Urban Rat Control Project.

Mr. Steen made a motion to approve this ordinance. Mr. McDaniel seconded the motion.

After discussion, Mr. Pyndus made a substitute motion to postpone this item for two weeks because he felt that this ordinance called for more funding and that Council could not act on it with the information that is available. He asked staff to come back to Council with the administrative costs to this program. Mr. Alderete seconded the motion.

On roll call, the motion to postpone, carried by the following vote: AYES: Cisneros, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, McDaniel, Steen, Cockrell; NAYS: None; ABSENT: Webb.

79-13 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Pyndus, seconded by Mr. Wing, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, McDaniel, Steen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 50,545

TERMINATING THE CONTRACTS WITH THE ECONOMIC OPPORTUNITIES DEVELOPMENT CORPORATION UNDER THE CETA TITLE III ABC-EMPLOYMENT AND TRAINING PROGRAM AND UNDER THE CETA TITLE IV YOUTH COMMUNITY CONSERVATION AND IMPROVEMENT PROJECTS, APPROVING REVISED PROGRAM BUDGETS; AUTHORIZING GRANT AGREEMENT MODIFICATIONS WITH DEPARTMENT OF LABOR; AUTHORIZING NEW THIRD-PARTY CONTRACTS AND MODIFICATIONS OF EXISTING CONTRACTS WITH PROGRAM OPERATORS; AND APPROVING AN ADDITIONAL PERSONNEL COMPLEMENT FOR THE CETA PROGRAMS MANAGEMENT DIVISION.

* * * *

79-13 The Clerk read the following Ordinance:

AN ORDINANCE 50,546

CLOSING ETHAN ALLEN DRIVE TO THRU TRAFFIC.

* * * *

Mr. Mike Kinder, the developer and owner of the property adjacent to Quail Meadow Drive, stated that Ethan Allen was a dedicated street since 1971. It was changed to Quail Meadow with a barricade thru the center of it. After discussion of the the safety factor in this area, Mr. Kinder asked Council for the removal of this barricade.

Mr. Ben Wallis stated that Mr. Kinder wants to dump traffic onto Colonial Village. He felt that the permanent removal of this barrier would unnecessarily increase the traffic flow and endanger the children in the area. The residents of the Colonial Village fear that the removal of the barricade would change the nature of the neighborhood and asked City Council to permanently close Ethan Allen to thru traffic.

After considerable discussion, Mr. Steen moved to approve the Ordinance. Dr. Cisneros seconded the motion. On roll call, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Eureste, Ortiz, Pyndus, McDaniel, Steen, Cockrell; NAYS: None; ABSENT: Wing, Alderete.

79-13 The following Ordinances were read by the Clerk and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, McDaniel, Steen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 50,547

AUTHORIZING THE CITY CODE OF THE CITY OF SAN ANTONIO BY ADDING THERETO ARTICLE II OF CHAPTER 2A; REQUIRING CERTAIN CITY OFFICIALS TO FILE A FINANCIAL INVOLVEMENT STATEMENT; AND PROVIDING A PENALTY FOR VIOLATION BY FINE NOT TO EXCEED \$200; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR SEVERABILITY.

* * * *

AN ORDINANCE 50,548

AUTHORIZING THE CITY CODE OF THE CITY OF SAN ANTONIO BY ADDING THERETO ARTICLE I, CHAPTER 2A; ESTABLISHING STANDARDS OF CONDUCT FOR CERTAIN CITY OFFICIALS; PROVIDING FOR THE DISCLOSURE OF CERTAIN INFORMATION BY SAID OFFICIALS; PROVIDING A PENALTY FOR VIOLATION BY FINE NOT TO EXCEED \$200.00; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR SEVERABILITY.

* * * *

79-13 The Clerk read a proposed resolution supporting inclusion of San Antonio in House Bill 1104, providing a method for removing Board Members from the Metropolitan Transit Authority.

Dr. Cisneros made a motion to approve the resolution. Mrs. Dutmer seconded the motion.

Mr. Pyndus spoke in favor of the resolution and asked that this resolution be forwarded to the representative in Austin and that the City of San Antonio be included.

A discussion then took place on the matter of the present method by which VIA Board members can be removed. After which, Mr. Pyndus made a motion to withdraw this item from the agenda. Mr. Eureste seconded the motion.

After discussion, Mr. Pyndus withdrew his motion.

After further discussion, Mr. Wing made a motion to approve the resolution. Mr. Eureste seconded the motion. On roll call, the motion, failed to carry by the following vote: AYES: Pyndus; NAYS: Cisneros, Webb, Wing, Eureste, Ortiz, Alderete, McDaniel, Steen, Cockrell; ABSENT: Dutmer.

The resolution failed.

79-13 The Clerk read the following Ordinance for the first time:

AN ORDINANCE 50,549

GRANTING A 25 YEAR FRANCHISE TO LOCAL ARRANGEMENTS, INC., TO OPERATE A GUIDED TOUR SERVICE IN THE CITY OF SAN ANTONIO.

* * * *

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

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

79-13 The Clerk read the following Ordinance for the first time:

AN ORDINANCE 50,550

GRANTING A 10 YEAR FRANCHISE TO 2 CAN CARAVAN INC., TO OPERATE A GUIDED TOUR SERVICE IN THE CITY OF SAN ANTONIO.

* * * *

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

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

79-13 The following Ordinance was read by the Clerk and after consideration, on motion of Dr. Cisneros, seconded by Mr. Webb, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Alderete, Pyndus, McDaniel, Steen, Cockrell; NAYS: None; ABSENT: Ortiz.

AN ORDINANCE 50,551

AMENDING ORDINANCE NO. 50355 DATED FEBRUARY 1, 1979 BY APPOINTING ADDITIONAL INDIVIDUALS TO THE EMPLOYMENT AND TRAINING ADVISORY COUNCIL (ETAC) AND APPOINTING A CHAIRPERSON FOR THE COUNCIL.

* * * *

The following members will serve during the period from March 1, 1979 to September 30, 1979:

Mrs. Erna Lopez - Community Based Organizations
Mr. Emelio Villarreal - Community Based Organizations
Ms. George McKinney - Other Employees

The following person will serve as Chairperson of the Employment and Training Advisory Council (ETAC) from October 1, 1978 till September 30, 1979:

Mr. Tom Perkins

* * * *

79-13 The following Resolution was read by the Clerk and after consideration, on motion of Mr. Steen, seconded by Mr. Wing, was passed and approved by the following vote: AYES: Webb, Dutmer, Wing, Eureste, Alderete, Pyndus, McDaniel, Steen, Cockrell; NAYS: None; ABSENT: Cisneros, Ortiz.

A RESOLUTION
NO. 79-13-24

MANIFESTING THE DETERMINATION OF THE CITY COUNCIL THAT BANK AMERICA REALTY INVESTORS HAS VESTED RIGHTS UNDER ARTICLE THREE OF ORDINANCE NO. 48484.

* * * *

79-13 The following Resolution was read by the Clerk and after consideration, on motion of Mr. Steen, seconded by Mr. Wing, was passed and approved by the following vote: AYES: Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, McDaniel, Steen, Cockrell; NAYS: None; ABSENT: Cisneros.

A RESOLUTION
NO. 79-13-25

MANIFESTING THE DETERMINATION OF THE CITY COUNCIL THAT SAN ANTONIO PROPERTIES NORTH, INC., HAS VESTED RIGHTS UNDER ARTICLE THREE OF ORDINANCE NO. 48484.

* * * *

79-13 Mr. Steen made a motion to place all ordinances and resolutions except zoning cases on the Consent Agenda. Mr. McDaniel seconded the motion.

City Manager, Tom Huebner, stated that it would be better to take non-routine items one at a time. He did not see this procedure as workable.

After considerable discussion, and on roll call, the motion failed to carry by the following vote: AYES: Steen; NAYS: Webb, Dutmer, Wing, Eureste, Alderete, Pyndus, Cockrell; ABSENT: Cisneros, Ortiz, McDaniel.

79-13 CITIZENS TO BE HEARD

MR. KARL WURZ

Mr. Karl Wurz read a prepared statement concerning Commonwealth Edison and San Antonio's commitment to Nuclear Power. (A copy of Mr. Wurz' statement is on file with the minutes of this meeting.)

79-13 Mayor Cockrell was obliged to leave the meeting, Mayor Pro-Tem Wing presided.

REVEREND DAVID EDMONDS

Reverend David Edmonds, with the Little Church of La Villita, stated that the Starving Artist Show will be held two days this year. His objection was that another group known as The Performing Artist Nucleus Show would be performing on the same day, along the same area.

Mr. George La Grange, an Attorney representing Mr. Edmonds, stated that the Starving Artist Show was an annual event and the other show had been planned in a month's time. He spoke in favor of the Little Church of La Villita as being a historical landmark and a true charitable organization in this town. He also stated that the Performing Artist Nucleus Show cannot survive with out the Starving Artist Show. The show is dissimilar and he asked that the City Council not allow this to exist.

Mr. David Garcia, representing the Performing Artists Nuclear Show, stated that they had been in existence for over one year and that this project was being sponsored by businesses in San Antonio. He stated that he had spoken with Mr. Stewart Fischer, Director of Traffic and Transportation, and had contacted all the necessary people in preparation for this program.

Reverend Edmonds explained that the Starving Artist Show used the river walk, all of La Villita and Hemisfair Plaza for this function. He stated that a written document exists with the City in granting the Starving Artist Show permission for the use of these areas.

Mr. Stewart Fischer, Director of Traffic and Transportation, explained the department's plan to close Presa Street, 2 block north of La Villita, between Commerce and Crockett, and Crockett and College Street for the annual event.

After considerable discussion, Mr. Pyndus made a motion that Mr. Stewart Fischer and the parties involved, get together and work out a compromise. Mr. Steen seconded the motion. On roll call, the motion failed to carry by the following vote: AYES: Dutmer, Pyndus, Steen; NAYS: Cisneros, Webb, Wing, Eureste, Ortiz, Alderete; ABSENT: McDaniel, Cockrell.

MR. E.L. RICHEY

Mr. E.L. Richey spoke to the Council regarding the negligence of the motorists in not using their turn signals. He also stated that bus drivers do not drive carefully and that traffic laws are not enforced.

MRS. ARMANDINA SALDIVAR

Mrs. Armandina Saldivar spoke to the City Council regarding the EODC investigation. She also spoke regarding a plumber's complaint about "kick-back" received by City inspectors.

Mr. Eureste stated that he had received a phone call from a plumber about complaints and the staff didn't follow through with a proper investigation. He asked for a report from staff on this matter.

MARY JANE W. GUAJARDO

Mary Jane W. Guajardo stated that the State Commission for the Blind had lied to her.

Mr. Webb stated that they had already spent three days helping her and they would continue to help her.

MR. ARTHUR MURAJDA

Mr. Arthur Murajda, social worker, stated that he had spoken to his congressman on Urban Renewal Agency's action regarding the Continental Hotel. His congressman advised him that this was a local matter and that the City of San Antonio has full power to resume the matter on the Continental Hotel.

He stated that the Urban Renewal Agency did not hold the Special Meeting and asked if the report from URA would be forth coming.

79-13 The Clerk read the following Letter:

March 19, 1979

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.

March 13, 1979

Petition submitted by Jesse F. Douglas, requesting an ordinance authorizing the issuance of a permit for operation of horse drawn carriages upon city streets. Request is also made for special permission to operate only one horse drawn carriage until financial feasibility is established.

/s/ G.V. JACKSON, JR.
City Clerk

* * * *

79-13 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:

G.V. Jackson Jr.
C i t y C l e r k

March 22, 1979
mdg

261