

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, FEBRUARY 15, 1979.

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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, McDANIEL, STEEN, COCKRELL; Absent: NONE.

79-8 The invocation was given by The Reverend Gasper Meyer, St. Leonard's Catholic Church.

79-8 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

79-8 SWEARING-IN CEREMONY

Councilman Frank Wing was administered the Oath of Office as Mayor Pro-Tem by City Clerk, Garland V. Jackson, Jr. Mayor Pro-Tem Wing will serve during the period of February 17, 1979 through April 30, 1979.

Mayor Pro-Tem Wing recognized his wife, and also a friend, Pete Berlanga, who were present in the audience.

79-8 The minutes of the meeting of February 8, 1979 were approved.

79-8 ZONING HEARING

6. CASE 7598 - to rezone Lots 30, 33 and 35, Block 50, NCB 15484, 7914, 7926 and 8006 Marbach Road from Temporary "R-1" Single Family Residential District to "O-1" Office District; Lot 30 located on the south side of Marbach Road being 686.02' east of the intersection of Marbach Road and Harness Lane, having 68' on Marbach Road and a depth of 120'; Lot 33 located on the south side of Marbach Road being 482.02' east of the intersection of Marbach Road and Harness Lane, having 68' on Marbach Road and a depth of 120'; Lot 35 located on the south side of Marbach Road being 346.02' east of the intersection of Marbach Road and Harness Lane, having 68' on Marbach Road and a depth of 120'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change which the Zoning Commission recommended be denied by the City Council. Mr. Camargo also stated that he had received a letter from the applicants, Mr. and Mrs. Vasquez requesting that this zoning case be withdrawn.

Mr. Alderete made the motion to withdraw the case from Council consideration. Dr. Cisneros seconded the motion.

Mr. Pyndus spoke against the motion to withdraw the case because he thought it would be unfair to those citizens who were present in the audience and had signed up to speak.

Councilman Wing asked to proceed and deny the zoning case.

Mr. Camargo informed the Council that if this case was denied it would be a period of one year before it would be reconsidered.

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After considerable discussion, Mrs. Dutmer made a substitute motion to hear the case as scheduled. Mr. Wing seconded the motion. On roll call, the substitute motion carried by the following vote: AYES: Cisneros, Dutmer, Wing, Eureste, Alderete, Steen; NAYS: None; ABSENT: Webb, Ortiz, McDaniel; ABSTAIN: Pyndus, Cockrell.

Mayor Cockrell asked that the applicant be notified and zoning case #7598 was temporarily withdrawn and later discussed in the meeting. See page 2 of these minutes.

7. CASE 7565 - to rezone a 3.711 acre tract of land out of NCB 12175, being further described by field notes filed in the Office of the City Clerk, in the 500 Block of Holbrook Road from "R-3" Multiple Family Residential District to "B-3R" Restrictive Business District, located on the east side of Holbrook Road, being 250' south of the intersection of Woodburn Drive and Holbrook Road; having 201.13' on Holbrook Road and a maximum depth of 800'.

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

Mr. Steve Lee, representing Tejasco, Inc., explained the zoning already in the area and the proposed use of the property.

Mr. A.D. Adams spoke in opposition, representing the Post Commander at Ft. Sam Houston. He requested that the property be kept as a housing area for Ft. Sam Houston and Randolph personnel.

Mrs. Margaret Woodburn Hall, daughter of Col. Thomas Woodburn, who owns Raven Estates spoke in opposition. She stated that it would be a tragedy to have commercial property next to Raven Estates.

Mr. Eureste spoke in favor of denying the zoning change.

Councilman Pyndus concurred with Mr. Eureste and made a motion to uphold the recommendation of the Zoning Commission and grant the denial. Mr. Eureste seconded the motion. On roll call, the motion carried by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Steen, Cockrell; NAYS: None; ABSENT: McDaniel.

CASE 7565 was denied.

6. CASE 7598 continued

Mr. Camargo informed the City Council that Mr. Vasquez had been contacted and notified that hearing on the case would be continued as scheduled. Mr. Vasquez stated that he would still be unable to attend the hearing.

Mr. William Ricks Jr., spoke in opposition requesting denial of the zoning change because the area is mainly residential. He also stated that an office in the middle of the block would create a severe traffic problem because of the width of the street. (He distributed copies describing the area in question to each of the City Council members).

In response to Mr. Ortiz' question regarding the traffic problem, Mr. Stewart Fischer, Director of Traffic and Transportation, stated that there was nothing that could further be done to protect the residential character of the area.

After considerable discussion, Mr. Steen made a motion to uphold the recommendation of the Zoning Commission and grant the denial of the zoning change. Mr. Pyndus seconded the motion. On roll call, the motion carried by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, Steen, Cockrell; NAYS: None; ABSENT: McDaniel.

CASE 7598 was denied.

8. CASE 7558 - to rezone Lot 16, Block 1, NCB 2126, 2206 W. Poplar Street from "B-2" Business District to "B-3R" Restrictive Business District, located on the south side of W. Poplar Street, being 133.6' west of the intersection of W. Poplar Street and Elmendorf Street, having 33.6' on W. Poplar Street and a depth of 76.26'.

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

No citizen appeared to speak in opposition.

The applicant, Mr. Robert C. Meza spoke to the City Council requesting a zoning change for the purpose of erecting a thrift shop.

Dr. Cisneros made a motion to overrule the recommendation of the Zoning Commission and grant the zoning change. Mr. Wing seconded the motion.

After discussion, Mrs. Dutmer made a substitute motion to uphold the recommendation of the Zoning Commission and deny the zoning change. Mr. Pyndus seconded the motion.

Dr. Cisneros spoke against the substitute motion because of the surrounding streets that are already business districts. He stated that he was familiar with the area and a "B-3R" Business District would not be an intrusion to the neighborhood.

Mr. Steen spoke in support of denial.

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

After further discussion, the original motion carried by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Alderete, McDaniel, Steen, Cockrell; NAYS: Pyndus; ABSENT: Ortiz.

AN ORDINANCE 50,398

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 16, BLOCK 1, NCB 2126, 2206 W. POPLAR STREET FROM "B-2" BUSINESS DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT.

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9. CASE 7594 - to rezone Lots 11 thru 14, and the south 42.8' of Lot 9, Block 5, NCB 11841, 7515 and 7523 Seidel Road from "A" Single Family Residential District to "R-5" One Family Residential District, located between Haskin Drive and Seidel Road, being approximately 122' north of Larkwood Drive, having 303' on Haskin Drive, 260.2' on Seidel Road and a distance of 626.4' between Haskin Drive and Seidel Road.

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Mr. Gene Camargo, Planning Administrator, explained the proposed change which the Zoning Commission recommended be approved by the City Council and he also explained the "R-5" One Family Residential District.

Mr. Jim Uptmore of J.H. Uptmore and Associates, stated that the purpose of their request was to allow them to build townhouses. He was aware that the major concern of the neighbors in the area was the drainage problem, although he did not feel that there would be any more drainage problems since they intended to meet the requirements on drainage. He stated that he would work with the Planning Department to get plat ready for final submittal.

Mayor Cockrell asked staff to report on the remarks made by Mr. Uptmore on the drainage problem in this area, that the money that was allocated in the 1974 Bond Issue was not used in the area for drainage.

Mr. Pyndus moved to withdraw the case from Council consideration. Mr. Alderete seconded the motion.

Mr. Eureste spoke in opposition and stated that the case should be heard and the Council given an opportunity to hear the opposition which is present.

Mrs. Virginia B. Cooper, representing Oak Park Neighbor Equipment Association, spoke in opposition and asked that City Council deny the request for rezoning because she felt that the zoning was inappropriate and not in keeping with the character of the neighborhood.

After considerable discussion, Mr. Pyndus asked to withdraw his motion and made a substitute motion to deny the request for rezoning. Mr. McDaniel seconded the motion. On roll call, the substitute motion carried by the following vote: AYES: Webb, Dutmer, Eureste, Ortiz, Pyndus, McDaniel, Steen, Cockrell; NAYS: Wing; ABSENT: Cisneros, Alderete.

CASE 7594 was denied.

10. CASE 7575 was withdrawn from the agenda.

11. CASE 7578 was withdrawn from the agenda.

12. CASE 7593 - to rezone Tract A, Block 22, NCB 10487, 2607 Vance Jackson Road from "F" Local Retail District to "B-3" Business District, located on the west side of Vance Jackson Road being 115' north of the intersection of Beryl Drive and Vance Jackson Road, having 85.89' on Vance Jackson Road and a maximum depth of 118.89'.

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

Mr. Pyndus made a motion to rezone the property "B-3R" Restrictive Business District. Mrs. Dutmer seconded the motion.

Mr. Fred Saldivar, the applicant, spoke to the City Council requesting a "B-3" zoning because the owner of the property did not want the liquor permit removed. The applicant stated that he would be utilizing one-third of the building as a machine shop.

After discussion, Mr. Wing spoke in opposition to the original motion and made a motion to deny the rezoning change. The motion died for lack of a second.

After further discussion, Mrs. Dutmer offered a substitute motion to uphold the recommendation of the Zoning Commission and grant the zoning change. 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, Alderete, Pyndus, McDaniel, Cockrell; NAYS: Ortiz; ABSENT: Cisneros, Steen.

AN ORDINANCE 50,399

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 A, BLOCK 22, NCB 10487, 2607 VANCE JACKSON FROM "F" LOCAL RETAIL DISTRICT TO "B-3" BUSINESS DISTRICT.

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79-8 The meeting was recessed at 3:03 P.M. and reconvened at 3:15 P.M.

76-8 3:15 P.M. - APPEAL OF MR. JIM DELANEY REPRESENTING RAND DEVELOPMENT CO., AGAINST THE DENIAL OF REQUEST FOR A VARIANCE IN THE SPRINKLER SYSTEM REQUIREMENTS

Mayor Cockrell declared open a public hearing on the appeal of Rand Development Corporation.

Fire Chief, I.O. Martinez, stated that the City Fire Code stipulates that a sprinkler system must be installed. He stated that a sprinkler system could effectively work even in a hanger, such as the one which is being proposed. He also stated that he would consent to an extension in order for them to comply with the Fire Code, but recommended denial of the appeal.

Mrs. Dutmer spoke regarding the Auditorium fire and stated that through experience, fires do occur even if the buildings are metal and the floors concrete.

Mr. James Delaney, President of Rand Development Corporation, spoke to the City Council requesting a variance for Section 13-29b of the City Code based on the planned facility being all metal, all items being metal air-craft parts, and the floors, concrete. He stated that the drafts in the building would make the sprinkler systems ineffective. The cost involved for the installation would be \$70,000.00; however, their main concern was that the sprinkler system would not be effective.

Mr. Steen moved to grant the variance. Mr. McDaniel seconded the motion.

A discussion then followed regarding the fire possibilities in this type of building. Councilmembers spoke pro and con on the installation of the sprinkler systems.

Mr. Delaney stated that he was not sure a sprinkler system could be effectively installed and asked the Fire Chief's help in re-designing something that could be effective and adequate.

Fire Chief Martinez cited statistics of sprinkler system's effectiveness.

Mayor Cockrell stated that she would like an opportunity to hear comments from Swearingen Corp. as to their feelings in this matter.

Mr. Wing stated that there are types of materials used in assembling aircraft which are highly flammable and he felt that Swearingen would agree to the installation of the sprinkler systems and suggested delaying the hearing for two weeks until Swearingen could be contacted.

Dr. Cisneros made a substitute motion that the appeal be postponed for two weeks and that Swearingen personnel be invited to attend. Mrs. Dutmer seconded the motion. On roll call, the motion carried by the following vote: AYES: Cisneros, Dutmer, Wing, McDaniel, Steen, Cockrell; NAYS: Webb, Eureste, Ortiz, Alderete; ABSENT: Pyndus.

79-8

CITIZENS TO BE HEARDSTEPHEN HARVESTY

Mr. Stephen Harvesty spoke to the City Council in regards to the flouridation of water. He made reference to Houston's disapproval of flouridation. He stated that Kelly Field's water was flouridated and adults were drinking poison everyday. He felt that a protest was in order. (A copy of his statement is on file with the minutes of this meeting.)

MARYANN CASTLEBERRY

Ms. Maryann Castleberry, President of the San Antonio Conservation Society, expressed concern over the future funding sources for the preservation of the San Antonio River. She informed the City Council that Fred Pfeiffer, of the San Antonio River Board Authority, had stated that SARA would need approximately \$250,000.00 for right-of-way from August 1979 - January 1980 for acquisition and approximately \$750,000.00 would be needed from February 1980 - July 1980.

She asked the City Council to make a public moral commitment to find the remaining funds at the time they are needed for the future development of our city.

A discussion then took place on the matter.

79-8 At this time, Mayor Cockrell informed the City Council that Mayor Pro-Tem Webb was obliged to leave the meeting. She commended him for the fine job he had done during his tenure as Mayor Pro-Tem.

79-8CITIZENS (Cont'd)REVEREND R.A. CALLIS, SR.,

Reverend R.A. Callis Sr., requested information from the City Council regarding the plaque being erected on the Rice Road Bridge in memory of Larry Eugene Nance. He inquired as to why this person was receiving acclamation.

Councilwoman Dutmer informed Reverend Callis that the bridge was being named in memory of a young child who was killed, as a result of flooding in this area.

ARMANDINA SALDIVAR

Mrs. Armandina Saldivar spoke for the sixth time regarding the alleged actions taken by the City Manager.

NICK MONREAL

Mr. Nick Monreal, Executive Director of CAP West, asked that City Council present a report on the results of the City staff meeting with CSA officials.

Alex Briseno, Assistant City Manager, gave an up-to-date report on the CSA and City of San Antonio negotiations informing the City Council that as of tomorrow the checks would be issued to employees in an amount equal to one week's pay which are for the week prior to the week they were laid off.

Mr. Monreal's concern was the run-around EODC had been receiving. He requested that members on the City Council attempt to contract either CSA officials or Henry B. Gonzalez, whoever would be instrumental in expediting this matter. Also, to reassure City Council and the public in general that those people who have volunteered for the last three weeks, will continue to work volunteer at these offices.

Mayor Cockrell reassured that all efforts would be made to help out in this problem.

79-8 The Clerk read the following Ordinance:

AN ORDINANCE 50,400

AMENDING THE CDBG APPLICATION WHICH WAS
APPROVED ON FEBRUARY 1, 1979.

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City Manager Huebner stated that a letter had been received from the Paseo Del Rio Association and that \$1 million was needed badly for the 5th Entitlement Period concerning the San Antonio River. In conjunction with channel improvements for SARA, Mr. Huebner recommended to City Council that the San Antonio River be the number one priority because of the flooding problem.

Mr. Frank Kiobassa, Director of Public Works, gave a report on the schedule for the SARA Project and stated that \$2 - \$2.5 million would be needed for acquisition of parcels of property.

Mr. Fred Pfeiffer, Executive Director of SARA also spoke on the importance of the project.

Mr. Marcus Jahns, Director of Budget and Research addressed the funding alternatives and stated that it had been brought to his attention that EDA funds may not be used for right of way acquisitions.

Mrs. Dutmer moved to approve the City Manager's recommendation as to the funding, Attachment "A". Dr. Cisneros seconded the motion.

Mr. Arthur Veltman, Chairman of Centro 21, also stated that SARA was a priority project.

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After considerable discussion, on roll call, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Cisneros, Dutmer, Wing, Eureste, McDaniel, Steen, Cockrell; NAYS: Ortiz; ABSENT: Webb, Alderete, Pyndus.

MRS. TERESA DORSA

Mrs. Teresa Dorsa asked that City Council members contact CSA officials and expedite matter regarding EODC's money.

79-8 At this time, Mayor Cockrell asked that the City Attorney's office recommend an amendment to Council's rules and procedures on the relinquishing of time to other citizens on Citizens To Be Heard, so that it may be considered by the Council.

FRANK ALVAREZ

Mr. Frank Alvarez spoke to the City Council regarding the \$252,000.00 money to continue services to the poor. He spoke about the bureaucratic red tape and legal impediments and proposed that the City give an out-right grant to the delegate agencies in order to continue the services at the present time.

Mayor Cockrell stated that she was very concerned about putting city monies out at this point.

Mr. Eureste reiterated Mayor Cockrell's concerns.

Mr. Steen spoke against an out-right grant.

79-8 DISCUSSION OF ZONING CASE 7276

Mr. Tom Finlay, Assistant City Attorney, explained that last March, Diversified Developers, Inc., applied for a change of zoning on 10.52 acres of land located on Lockhill Selma Road between Orsinger and Elm Creek Road. The change requested was from "P-1(R-6) and "P-1(B-2) to "P-1(R-1) on the entire tract. On the application, Diversified Developers Inc., listed itself as the owner of the property. In April, a hearing was held by the Zoning Commission and the change was approved and in May, the City Council, through Ordinance 49396, approved the change in zoning.

The matter was discussed with the Zoning Commission and they decided to reopen the case and have a new hearing on the property zoning for this property, this time giving notice to everyone. At this hearing, a large number of citizens appeared opposing any change back to its original zoning and the commission recommended that no change be made. This was a hearing which was initiated by the City itself. In a case of this nature, there is no actual "appeal" to the City Council. The Commission merely asks staff to advise the Council of the facts so that the Council can hold another hearing, if it so wishes, and overrule or sustain the Commission's recommendation.

After considerable discussion, Mr. Wing moved to reschedule the case. Mr. Ortiz seconded the motion. On roll call, the motion carried by the following vote: AYES: Cisneros, Dutmer, Wing, Eureste, Ortiz, Alderete, Steen, Cockrell; NAYS: None; ABSENT: Webb, Pyndus, McDaniel.

79-8 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, Dutmer, Wing, Eureste, Alderete, Steen, Cockrell; NAYS: None; ABSENT: Webb, Ortiz, Pyndus, McDaniel.

AN ORDINANCE 50,401

AUTHORIZING THE PREPARATION OF AN URBAN RENEWAL PLAN FOR THE VISTA VERDE SOUTH PROJECT, AND PROVIDING FOR A PUBLIC HEARING TO BE HELD ON MARCH 22, 1979, ON THE PROPOSED PLAN AND ON THE U.D.A.G. APPLICATION.

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AN ORDINANCE 50,402

AUTHORIZING EXECUTION OF A LETTER OF AGREEMENT WITH THE TEXAS A & M RESEARCH FOUNDATION FOR THE FOUNDATION TO PROVIDE TECHNICAL ASSISTANCE IN DESIGNING A SAN ANTONIO STREET INVENTORY AND MANAGEMENT SYSTEM; AND APPROVING A COST UP TO \$50,000.00 FOR THE WORK PAYABLE FROM THE 1978/79 TRANSPORTATION STUDY OFFICE GRANT FUNDS.

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AN ORDINANCE 50,403

AMENDING ORDINANCE NO. 48191 OF JUNE 30, 1977 EXTENDING THE TERMINATION DAY OF LOAN COMMITMENT TO CASINO CLUB LTD., UNTIL OCTOBER 31, 1979; ACCEPTING THE WITHDRAWAL OF ALFREDO FLORES JR., AS A LIMITED PARTNER; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE EXTENSION AGREEMENT.

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AN ORDINANCE 50,404

AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER TO PROVIDE AN EMS MEDICAL DIRECTOR.

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AN ORDINANCE 50,405

APPROVING THE EMPLOYEE COMPLEMENT, CLASSIFICATION PLAN, AND OPERATING BUDGET FOR THE BEXAR COUNTY MHMR CENTER.

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AN ORDINANCE 50,406

APPOINTING GLORIA CHAPOY MANAVI AS A MEMBER OF THE MAYOR'S COMMISSION ON THE STATUS OF WOMEN TO FILL THE UNEXPIRED TERM OF JULIA CAUTHORN WHO HAS RESIGNED.

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79-8 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, Dutmer, Wing, Eureste, Alderete, Steen, Cockrell; NAYS: None; ABSENT: Webb, Ortiz, Pyndus, McDaniel.

AN ORDINANCE 50,407

APPOINTING ADDITIONAL MEMBERS TO THE INSTITUTE OF THE AMERICAS ADVISORY COMMITTEE.

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The following individuals are hereby appointed to the Institute of the Americas Advisory Committee for indefinite terms:

Dr. Frank Harrison, University of Texas Health Science Center;

County Judge Albert Bustaments, Ex-Officio

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AN ORDINANCE 50,408

INCREASING THE SALARIES OF THE MUNICIPAL COURT JUDGES.

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There being no further business to come before the Council, the meeting was adjourned at 6:40 P.M.

A P P R O V E D

Lila Cockrell

M A Y O R

ATTEST: *G. V. Jackson Jr.*
City Clerk