

REGULAR MEETING OF THE CITY COUNCIL  
OF THE CITY OF SAN ANTONIO HELD IN  
THE COUNCIL CHAMBER, CITY HALL, ON  
THURSDAY, MAY 17, 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, THOMPSON, ALDERETE, CANAVAN, ARCHER, STEEN, COCKRELL; Absent: NONE.

79-24 The invocation was given by The Reverend Dr. T.J. Youngblood, Central Christian Church.

79-24 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

79-24 CORRECTION TO THE MINUTES

Councilwoman Dutmer called attention to a typographical error on page 12 of the minutes of the regular meeting of May 10, 1979. She stated that Kate Schenck Elementary School was misspelled. With this correction, the minutes of May 10, 1979, were approved.

79-24 PRESENTATION OF A PLAQUE TO THE CITY  
OF SAN ANTONIO BY THE EASTER SEAL SOCIETY

John LeFlore, President of the Easter Seal Society, accompanied by Judy Babbitt, Coordinator of the Handicapp Access Program, thanked the City Council for their assistance in providing parking spaces for the handicapped and making the city buildings accessible to the handicapped. He presented a plaque to the City of San Antonio on behalf of the Easter Seal Society.

Mr. LeFlore, also introduced the Bexar County Poster Child for 1979, Miss Jodie Johnson, who was accompanied by her mother.

Mayor Cockrell, on behalf of the City Council members, accepted the plaque and thanked Mr. LeFlore.

79-24 The City Manager, Thomas Huebner, stated that items 32 and 33 had been added to the agenda. He stated that these were necessary items that needed the Council's immediate attention. The Council concurred to have these items considered at this time.

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

AN ORDINANCE 50,746

AUTHORIZING EXECUTION OF AN AGREEMENT WITH  
SAN ANTONIO 2000, LTD., A TEXAS LIMITED  
PARTNERSHIP, PROVIDING FOR SAID PARTNERSHIP  
TO DO THE EXCAVATION AND SITE PREPARATION  
WORK ON THAT PORTION OF THE PASEO DEL RIO/  
ALAMO PLAZA LINKAGE LOCATED WITHIN NCB 416,  
(HOTEL SITE) AND PROVIDING FOR PAYMENT OF  
\$480,000.00 FOR SUCH WORK.

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## AN ORDINANCE 50,747

AUTHORIZING AND RATIFYING THE EXECUTION OF A LEASE AGREEMENT WITH SAN ANTONIO 2000 LTD., AND EXECUTION OF VARIOUS RELATED AGREEMENTS FOR THE ALAMO PLAZA PASEO DEL RIO LINKAGE PROJECT.

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Mr. Steen moved to approve the Ordinance. Mrs. Dutmer seconded the motion.

Dr. Cisneros commended the City Manager and the Mayor for this and other projects intended for the revitalization of the downtown area. He further stated that their efforts, towards revitalization, have become a reality and the progress can be seen daily.

The City Manager commended Mr. Winston Martin, Executive Director of the San Antonio Development Agency, Mr. Jack Currington, Assistant Executive Director of the San Antonio Development Agency, and Mr. Ray Doyle, Manager of the Real Estate Department, for their performance on these projects.

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

79-24

ZONING HEARING

6. CASE 7660 - to rezone Lot 7, Block 37, NCB 11753, 10911 West Avenue, from "A" Single Family Residential District to "B-1" Business District located on the northwest side of West Avenue, being 125' southwest of the intersection of West Avenue and Larkspur Drive, having 125' on West Avenue and a depth of 158.75'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change which the Zoning Commission recommended be denied by the City Council and stated that nine affirmative votes were needed to approve the change in zoning.

The applicant, Mr. S.G. Ordway, representing Mr. Donald S. Ross amended the request to "O-1" Office District. He explained the proposed use for the property.

Mr. Ross, the applicant, stated that a medical clinic of two or three doctors was proposed for the property. At the present time, he stated that he did not have a potential client for the zoning. He explained the surrounding areas of the location and stated that this use would be an asset to the neighborhood.

Mr. Canavan spoke in opposition to the zoning change because of Larkspur Elementary School, which is located nearby.

Mr. Hector Herbeck, 2500 Jackson Keller Road, spoke in opposition and stated that he had bought his home in a residential area and felt that a change in zoning would be detrimental to the neighborhood.

After considerable discussion, Mr. Canavan moved to deny the request for rezoning. Mr. Alderete seconded the motion. On roll call, the motion, carried by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: None.

CASE 7660 was denied.

7. CASE 7680 - to rezone Lots 9 and 10, Block 210, NCB 9663, 2402 Basse Road, from "B" Two Family Residential District to "B-3R" Restrictive Business District, located southwest of the intersection of Basse Road and Brad Street, having 100' on Basse Road and 173.35' on Brad Street.

Mr. Gene Camargo, Planning Administrator, explained the proposed change which the Zoning Commission recommended be denied by the City Council and stated that nine affirmative votes were needed to approve the change in zoning.

Mr. Anthony Guajardo, representing the applicant, stated that he would like to change the application to a "B-2" Business District, in lieu of a "B-3R". He stated that he could utilize the proper use under this type of zoning. Mr. Guajardo also stated that eventually, this neighborhood would be all business. He explained the proposed use of the land and "B-2" zoning would be less intense and more in keeping with the zoning in the area. In response to Mr. Steen's question, Mr. Guajardo stated that the "O-1" use would not be useful in this type of work that the applicant proposes to use. In response to Mr. Thompson, Mr. Guajardo stated that his client wants to legitimize the current business. They are presently in violation of the zoning ordinance.

A discussion of the zoning classification needed for this type of operation took place among the Council members.

In response to Mr. Alderete, Mr. Camargo stated a "B-3R" zoning would allow him to have a business and store one or more vehicles on the property.

No citizen appeared to speak in opposition.

After discussion, Mr. Alderete made a motion to rezone "B-3R" on the western parcel of the property and "B-1" on the eastern parcel of the property. Mr. Webb seconded the motion.

After further discussion, Mr. Steen made a substitute motion to zone the entire tract of land, "B-2". Dr. Cisneros seconded the motion. After considerable discussion, the motions were withdrawn.

Mr. Alderete's motion to zone "B-3R" on the western parcel of the property and "B-1" on the eastern parcel of the property failed to carry by the following vote: AYES: Cisneros, Webb, Eureste, Thompson, Alderete, Archer, Steen; NAYS: Dutmer, Wing, Canavan, Cockrell; ABSENT: None.

Dr. Cisneros moved for reconsideration of Case #7680. Mr. Webb seconded the motion.

Mr. Tom Finlay, Assistant City Attorney, clarified that because of the 20% opposition for "O-1" zoning, nine affirmative votes would be needed to approve the zoning change.

After further discussion, Dr. Cisneros moved that the recommendation of the Zoning Commission be approved, provided that a six foot solid screen fence is erected and maintained along the south property line and that street dedication, in accordance with the Major Thoroughfare Plan is accomplished. Mr. Steen seconded the motion. On roll call, the motion, carried by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: Thompson; ABSENT: None.

#### AN ORDINANCE 50,748

AMENDING CHAPTER 42 OF THE CITY CODE THAT  
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 9 AND 10,  
BLOCK 210, NCB 9663, 2402 BASSE ROAD FROM "B"  
TWO FAMILY RESIDENTIAL DISTRICT TO "O-1" OFFICE  
DISTRICT, PROVIDED THAT A SIX FOOT SOLID SCREEN  
FENCE IS ERECTED AND MAINTAINED ALONG THE SOUTH  
PROPERTY LINE AND THAT STREET DEDICATION, ACCOR-  
DANCE WITH THE MAJOR THOROUGHFARE PLAN, IS ACCOM-  
PLISHED.

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8. CASE 7637 P.P. - to rezone the remaining portion of lots 5 thru 9, Block 1, NCB 3484, 107 Harriman Place, from "B" Two Family Residential District to "B-2" Business District, located on the north side of Harriman Place, being 88.79' west of the intersection of Nogalitos Street and Harriman Place, having 125/22' on Harriman Place and a maximum depth of 78.25'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change which the Zoning Commission recommended be approved by the City Council and stated that nine affirmative votes by the City Council, were needed to approve the change in zoning.

The applicant, Mr. Ramon Guevara, stated that he wishes to expand his business to the west portion of the property. He asked for a "B-3R" zoning because he feels that it would best suit his purposes. As far as the traffic to be generated, he stated that 90% of his work is from business contracts. Mr. Guevara stated that he has made the property more attractive and distributed pictures to the City Council members showing improvement of the lot. He asked that the City Council consider a "B-3R" zoning, although he is willing to accept a "B-2" zoning if "B-3R" is denied.

Mrs. Dutmer disqualified herself from this case.

Mr. Joe Perales, President of COPS, spoke in opposition and stated that this case had been before Council at a previous time. He stated that a 30 day postponement had been granted for the neighbors to get together with Mr. Guevara and reach some kind of a compromise. However, they were unable to reach any kind of an agreement. Mr. Perales stated that the people of the neighborhood wished to keep this as a residential area.

Mr. Gilbert Garcia, 147 Roslyn, spoke in opposition because he feels that if this zoning change were granted it would generate additional traffic. He also mentioned the school in the near proximity of the subject property.

Mrs. Christine R. Flores, 142 So. Park Boulevard, stated that she is a resident of the area and spoke against the change. She felt that this zoning change would be detrimental to the neighborhood.

Mr. Perales stated that Mr. Guevara is presently operating business on Nogalitos and again mentioned the children attending the Collins Garden Elementary School in the area.

In rebuttal, Mr. Guevara stated that his property is near the expressway and as for the children, they always go through the lot and not one has even been hurt.

Mr. Eureste spoke on behalf of the neighbors and the community. He felt that this case should be denied by disapproving a motion to approve.

Dr. Cisneros moved to approve the change in zoning. Mr. Eureste seconded the motion.

The motion failed to carry by the following vote: AYES: None; NAYS: Cisneros, Webb, Wing, Eureste, Thompson, Canavan, Archer, Steen, Cockrell; ABSTAIN: Dutmer; ABSENT: Alderete.

CASE 7637 P.P. was denied.

9. CASE 7649 - to rezone a 2.453 acre tract of land out of NCB 13751, being further described by field notes filed in the Office of the City Clerk, in the 3300 Block of Nacogdoches Road from Temporary "A" Single Family Residential District to "B-3R" Restrictive Business District, a 2.492 acre tract of land out of NCB 13751, being further described by field notes filed in the Office of the City Clerk, in the 3300 Block of Nacogdoches Road from Temporary "A" Single Family Residential District to "B-3" Business District, located on the northwest side of Nacogdoches Road, being 406.9' southwest of the intersection of Carver Road and Nacogdoches Road, having 549.85' on Nacogdoches Road and a maximum depth of 225'.

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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 stated that six affirmative votes by the City Council were needed to approve the change in zoning.

Mr. G.H. Frey, the applicant, stated that he has owned the property for several years. He explained the surrounding area and the proposed use for the property.

In response to Mr. Steen, Mr. Frey said that the drainage ditch takes care of any excess waters and feels that the problem has been improved due to the new construction.

Mr. Bill Scruggs, 9728 Gemini, stated that he had spoken to the City Engineer and related the problems with drainage in the area. He stated that the City Engineer's Department feels that this is a flood plain area and the City should reconstruct development on the subject property.

In response to Mayor Cockrell, Mr. Camargo stated that there is an existing drainage right of way and part of the recommendation of the Zoning Commission is that platting is accomplished on the subject property and that the drainage easements be addressed.

Mr. Walter Gardiner stated his objection to the zoning change because of the flooding in the area, when there is a heavy rain and also the noise pollution from "B-3R" establishments.

In rebuttal, Mr. Frey stated that platting would take care of the drainage problems in the area.

After considerable discussion, Mr. Canavan moved that the "B-3" Business District be granted on that portion fronting Nacogdoches Road provided that the property is properly platted and that a six foot solid screen fence is erected and maintained adjacent to the single family dwellings. Mr. Eureste 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, Wing, Eureste, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: Thompson, Alderete.

AN ORDINANCE 50,749

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 2.492 ACRE TRACT OF LAND OUT OF NCB 13751, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 3300 BLOCK OF NACOGDOCHES ROAD FROM TEMPORARY "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT THE PROPERTY IS PROPERLY PLATTED.

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10. CASE 7677 - to rezone Lot 23, Block 2, NCB 15110, 1615 Wycomb Drive from "B-2" Business District to "B-3R" Restrictive Business District, located on the northeast side of Wycomb Drive, being 105' northwest of the intersection of Jones-Maltsberger Road and Wycomb Drive, having 84.99' on Wycomb Drive and a depth of 120'.

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

AN ORDINANCE 50,750

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 23, BLOCK 2, NCB 15110, 1615 WYCOMB DRIVE, FROM "B-2" BUSINESS DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT.

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11. CASE 7683 - to rezone a 3.785 acre tract of land out of NCB 14794, being further described by field notes filed in the Office of the City Clerk, in the 9000 Block of Wurzbach Road, from "O-1" Office District to "R-3" Multiple Family Residential District, located on the northwest side of Wurzbach Road, being 235' southwest of the intersection of Fernglan Drive and Wurzbach Road, having 301' on Wurzbach Road and a depth of 408.59'.

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. Canavan moved that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished. 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, Dutmer, Wing, Eureste, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: Webb, Thompson, Alderete.

AN ORDINANCE 50,751

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 3.785 ACRE TRACT OF LAND OUT OF NCB 14794, BEING FURTHER DESCRIBED BY FIELDS NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 9000 BLOCK OF WURZBACH ROAD FROM "O-1" OFFICE DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

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12. CASE 7682 - to rezone a 0.510 acre tract of land out of NCB 14794, being further described by field notes filed in the Office of the City Clerk, from "R-6" Townhouse District to "R-3" Multiple Family Residential District, located 208.76' southeast of Bluemel Road and 565' northeast of Gardendale Drive, having 148.02' in width and 350' in length.

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 provided that proper platting is accomplished. 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, Dutmer, Wing, Eureste, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: Webb, Thompson, Alderete.

AN ORDINANCE 50,752

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 0.510 ACRE TRACT OF LAND OUT OF NCB 14794, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM "R-6" TOWNHOUSE DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

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13. CASE 7688 - to rezone a 7.48 acre tract of land out of NCB 15052, being further described by field notes filed in the Office of the City Clerk, in the 5800 Block of N.W. Loop 410 Expressway from "B-3" Business District to "B-2" Business District, located on the northwest side of N.W. Loop 410 Expressway, being 2120' southwest of the intersection of Bandera Road and N.W. Loop 410 Expressway, having 652' on N.W. Loop 410 Expressway and a depth of 500'.

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

AN ORDINANCE 50,753

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 7.48 ACRE TRACT OF LAND OUT OF NCB 15052, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 5800 BLOCK OF N.W. LOOP 410 EXPRESSWAY FROM "B-3" BUSINESS DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

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14. CASE 7655 - to rezone Lots 14 and 15, Block 6, NCB 11722, 11015-11023 Baywood Drive, from "A" Single Family Residential District to "R-3" Multiple Family Residential District, located on the northwest side of Baywood Drive, being 115' northeast of the intersection of Baywood Drive and Anchor Drive, having 240' on Baywood Drive and a depth of 150'; to rezone Lots 2 and 3, Block 7, NCB 11723, 11010-11022 Baywood Drive from "A" Single Family Residential District to "R-3" Multiple Family Residential District, located on the southeast side of Baywood Drive, being 120' northeast of the intersection of Baywood Drive and Anchor Drive, having 240' on Baywood Drive and a depth of 150'.

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 provided that Baywood Drive is improved to City specifications and that street dedication, in accordance with the Traffic Department's recommendation is accomplished. 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: Cisneros, Dutmer, Wing, Eureste, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: Webb, Thompson, Alderete.

AN ORDINANCE 50,754

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 14 AND 15, BLOCK 6, NCB 11722, 11015-11023 BAYWOOD DRIVE, LOTS 2 AND 3, BLOCK 7, NCB 11723, 11010-11022 BAYWOOD DRIVE FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT PROVIDED THAT BAYWOOD DRIVE IS IMPROVED TO CITY SPECIFICATIONS AND THAT STREET DEDICATION, IN ACCORDANCE WITH THE TRAFFIC DEPARTMENT'S RECOMMENDATION IS ACCOMPLISHED.

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15. CASE 7669 - to rezone a 1.704 acre tract of land out of NCB 9073, being further described by field notes filed in the Office of the City Clerk, 1251 Austin Highway from "F" Local Retail District to "B-3R" Restrictive Business District, located 152' northeast and 299.52' northwest of the intersection of Seidel Road and Austin Highway, having 134.9' on Seidel Road and 63.85' on Austin Highway.

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

Ms. Paula Merritt asked that the six foot solid screen fence stipulation be deleted because of the ground floor level. She said that it would not serve a useful purpose.

After consideration, Mr. Canavan moved that the recommendation of the Zoning Commission be approved provided that the property is properly platted. 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, Dutmer, Wing, Eureste, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: Webb, Thompson, Alderete.

AN ORDINANCE 50,755

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 1.704 ACRE TRACT OF LAND OUT OF NCB 9073, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 1251 AUSTIN HIGHWAY FROM "F" LOCAL RETAIL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT, PROVIDED THAT THE PROPERTY IS PROPERLY PLATTED.

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16. CASE 7671 - to rezone the south 86' of Tract H, NCB 13827, in the 14500 Block of San Pedro Avenue from Temporary "A" Single Family Residential District to "O-1" Office District, located between San Pedro Avenue and Timber Oak, being 830' southwest of the intersection of Oak Shadows and San Pedro Avenue, having 86' on both San Pedro Avenue and Oak Shadows and a distance of 329.95' between San Pedro Avenue and Oak Shadows.

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 a six foot solid screen fence is erected and maintained along the southeast property line, that proper platting is accomplished and that a non-access easement it imposed along Timber Oak Street. 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, Wing, Eureste, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: Thompson, Alderete.

AN ORDINANCE 50,756

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 86' OF TRACT H, NCB 13827, IN THE 14500 BLOCK OF SAN PEDRO AVENUE FROM TEMPORARY "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "O-1" OFFICE DISTRICT, PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE SOUTHEAST PROPERTY, THAT PROPER PLATTING IS ACCOMPLISHED, AND THAT A NON-ACCESS EASEMENT IS IMPOSED ALONG TIMBER OAKS STREET.

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17. CASE 7678 - to rezone a 0.578 acre tract of land out of NCB 12117, being further described by field notes filed in the Office of the City Clerk, 8722 Perrin-Beitel Road, from Temporary "R-1" Single Family Residential District to "B-3" Business District, located on the east side of Perrin-Beitel Road, being 325' south of the intersection of Center Gate Drive and Perrin-Beitel Road, having 167' on Perrin-Beitel Road and a depth of 150'.

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.

Mrs. Dutmer and Mr. Canavan disqualified themselves from this case.

After consideration, Mr. Steen moved that the recommendation of the Zoning Commission be approved provided that the property is properly platted. 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: Cisneros, Webb, Wing, Eureste, Archer, Steen, Cockrell; NAYS: None; ABSTAIN: Dutmer, Canavan; ABSENT: Thompson, Alderete.

AN ORDINANCE 50,757

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 0.578 ACRE TRACT OF LAND OUT OF NCB 12117, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 8722 PERRIN-BEITEL ROAD FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT THE PROPERTY IS PROPERLY PLATTED.

Mayor Cockrell declared open the scheduled Public Hearing.

Mr. Louis Garcia, Assistant City Attorney, stated that he had received a telephone call and allegations were made to the fact that one of the applicants for a taxi cab permit had been operating without a license. He advised the caller to appear before the Council if he so desires.

No citizen appeared to speak in opposition.

Mayor Cockrell declared the hearing closed, and the Clerk then read the following Ordinance:

AN ORDINANCE 50,758

GRANTING ANNUAL PERMITS TO OPERATE A TAXICAB SERVICE IN THE CITY OF SAN ANTONIO TO THE FOLLOWING OPERATORS IN ACCORDANCE WITH THE PROVISIONS OF ORDINANCE NO. 49566: RALPH BROCK AND LEWIS H. THOMPSON.

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

Mr. Garcia explained to the Council the current status of taxicab permits providing service in the City. He also stated that he is obtaining information from other cities as to how they are controlling the issuance of permits, and this information will be forthcoming before the Council in the near future.

79-24 The meeting was recessed at 3:15 P.M. and reconvened at 3:30 P.M.

79-24 The Clerk read the following Ordinance:

AN ORDINANCE 50,759

APPROVING THE PRICE AND CONDITIONS OF THE SALE BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF PARCELS 679-D-6, 679-D-7, 679-D-8 AND 679-D-9, CONTAINING APPROXIMATELY 8,976.24 SQUARE FEET, LOCATED WITHIN THE ST. PAUL SQUARE COMMUNITY DEVELOPMENT PROJECT TO ST. PAUL SQUARE JOINT VENTURE, FOR THE SUM OF \$42,800.00.

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Mr. Winston Martin, Executive Director of the San Antonio Development Agency, gave a background on these projects.

In response to Mr. Archer, Mr. Martin explained the minimum disposition price in each case.

Alderete mentioned the walkways and spoke about the cities where there are excessive number of walkways. He asked if the city could establish a policy with guidelines on walkways.

Mr. Bono, Assistant to the City Manager, stated that Ms. Karen Davis, from the City Manager's office, will be reporting back to the Council with a report on this matter.

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

79-24 Mayor Cockrell was obliged to leave the meeting and Mayor Pro-Tem Wing presided.

79-24 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, Thompson, Alderete, Canavan, Archer, Steen; NAYS: None; ABSENT: Cockrell.

AN ORDINANCE 50,760

APPROVING THE PRICE AND CONDITIONS OF THE SALE BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF PARCEL 679-D-4, CONTAINING APPROXIMATELY 1,944.32 SQUARE FEET, LOCATED WITHIN THE ST. PAUL SQUARE COMMUNITY DEVELOPMENT PROJECT, TO HOUSTON WADE, M.D., FOR THE SUM OF \$9,180.00.

\* \* \* \*

AN ORDINANCE 50,761

APPROVING THE PRICE AND CONDITIONS OF THE SALE BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF PARCEL 679-D-2, CONTAINING APPROXIMATELY 2,559.33 SQUARE FEET, LOCATED WITHIN THE ST. PAUL SQUARE COMMUNITY DEVELOPMENT PROJECT, TO C.W. AND ASSOCIATES, INC., FOR THE SUM OF \$34,000.00.

\* \* \* \*

AN ORDINANCE 50,762

APPROVING THE PRICE AND CONDITIONS OF THE SALE BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF PARCEL 588-D-2, CONTAINING APPROXIMATELY 2,377 SQUARE FEET, LOCATED WITHIN THE ST. PAUL SQUARE COMMUNITY DEVELOPMENT PROJECT, TO EDWARD KARAM, JR., FOR THE SUM OF \$9,475.00.

\* \* \* \*

AN ORDINANCE 50,763

APPROVING THE PRICE AND CONDITIONS OF THE SALE BY THE URBAN RENEWAL AGENCY OF THE CITY OF SAN ANTONIO OF PARCEL 587-D-3, CONTAINING APPROXIMATELY 5,594.94 SQUARE FEET, LOCATED WITHIN THE ST. PAUL SQUARE COMMUNITY DEVELOPMENT PROJECT, TO JACK AND JILL SCHOOLS, INC., FOR THE SUM OF \$22,050.00.

\* \* \* \*

AN ORDINANCE 50,764

APPROVING THE ISSUANCE OF ADDITIONAL BONDS BY THE TIMBER CREEK UTILITY DISTRICT.

\* \* \* \*

79-24 The following Resolution was read by the Clerk and after consideration, on motion of Mr. Webb, seconded by Mr. Steen, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: None.

A RESOLUTION  
NO. 79-24-53

ADOPTING A PRELIMINARY ACTION PROGRAM FOR REVITALIZATION AND RECOVERY OF THE CITY'S PARKS AND RECREATION SYSTEM IN PURSUIT OF THE GOALS AND OBJECTIVES OF THE URBAN PARK AND RECREATION RECOVERY ACT OF 1978, TITLE X, PUBLIC LAW 95-625.

\* \* \* \*

79-24 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, Thompson, Alderete, Canavan, Archer, Steen; NAYS: None; ABSENT: Cockrell.

AN ORDINANCE 50,765

DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF EASEMENTS ACROSS CERTAIN PRIVATELY OWNED REAL PROPERTY IN SAN ANTONIO, BEXAR COUNTY, TEXAS, FOR PUBLIC PURPOSES.

\* \* \* \*

AN ORDINANCE 50,766

AMENDING ORDINANCE NO. 50685 DATED APRIL 26, 1979, BY PLACING A LIMIT ON ADMINISTRATIVE AND OTHER STAFF COSTS OF CERTAIN OPERATING AGENCIES SELECTED TO OPERATE THE 1979 CETA TITLE IV SUMMER YOUTH EMPLOYMENT.

\* \* \* \*

AN ORDINANCE 50,767

AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO INSTITUTE SUIT AGAINST MR. G.W. ANDERSON FOR COLLECTION OF MONIES DUE UNDER THE TERMS OF THE 1978 PECAN HARVEST CONTRACT (REVENUE CONTRACT 26-3571).

\* \* \* \*

79-24

AIRPORT LIMOUSINE SERVICE

The Clerk read a proposed ordinance accepting the proposal of Alamo Cab Company d/b/a Yellow Cab Company to furnish the City of San Antonio International Airport with limousine service.

Mr. Steen moved to approve the ordinance. The motion died for a lack of a second.

Mr. Eureste asked that the contract be referred to the Taxi Cab Committee, a previously set up Committee, so that it can be reviewed. He had questions as to the five year term of the contract.

In response to Council's questions, Mr. George Noe, Administrative Assistant to the City Manager, explained that the Chaparral Cab Company has ceased the limousine service and the Yellow Cab Company had picked up the service.

A discussion then took place on the referring of the contract to the Taxi Cab Committee. Mr. Steen stated that he felt that the Taxi Cab Company did not have jurisdiction on the limousine service and suggested that the City Council follow the staff's recommendation and accept the proposal of Yellow Cab Company.

At this point, Mayor Cockrell returned to the meeting and presided.

A discussion then took place among the Council and staff members on the competitive effort that VIA has had on the limousine service.

Mr. Eureste asked for a report on the matter of VIA's limousine service route.

City Manager, Thomas Huebner, stated that some action must be taken to approve some sort of interim limousine service at the Airport. He stated that the staff can come back to the Council with a report on the questions raised by Mr. Eureste.

Mr. Eureste stated that he could not see any objection to having the matter referred to the Taxi Cab Committee for further review.

Mr. Alderete then made a motion to refer the contract to the Taxi Cab Committee. Mr. Eureste seconded the motion.

After further discussion, Mr. Eureste moved to amend the motion to approve a temporary service of 30 days to the Yellow Cab Company pending the review by the Taxi Cab Committee.

Mr. Steen stated that the bids were made public and it is unfair not to follow through with the awarding of the bid contract and made a substitute motion to accept the ordinance. The motion died for a lack of a second.

Dr. Cisneros spoke about the present limousine service at the airport and suggested that the Taxi Cab Committee meet with the Airport Advisory Committee to discuss the matter, including rates charged to the customer.

At this point in the meeting, Mayor Cockrell recognized a citizen, who had wanted to speak on this matter.

Mr. Jimmy Villarreal stated that he had made a bid on the airport limousine service because he felt that the present service is very unsatisfactory to the consumer.

A discussion then took place on the timing of the bid and the fact that the Council had not had an opportunity to review it.

At this point, Mr. Jack Fisher, owner of the Yellow Cab Company, stated that it would be difficult to handle the service on a 30 day basis.

Another discussion then took place among the Council on the contract itself.

After further discussion, the amendment carried by the following vote: AYES: Cisneros, Webb, Dutmer, Eureste, Thompson, Alderete, Canavan, Archer, Cockrell; NAYS: Wing, Steen; ABSENT: None.

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

AN ORDINANCE 50,768

ACCEPTING THE PROPOSAL OF ALAMO CAB COMPANY  
D/B/A YELLOW CAB COMPANY TO FURNISH THE CITY  
OF SAN ANTONIO INTERNATIONAL AIRPORT WITH  
LIMOUSINE SERVICE. (FOR 30 DAYS)

\* \* \* \*

79-24

CITIZENS TO BE HEARD

MR. KARL WURZ

Mr. Karl Wurz read a prepared statement asking that the City Council appoint a committee to review the rate structure at City Public Service. He also asked that the City Council deny them a rate increase until the committee reviews the matter. (A copy of Mr. Wurz' statement is on file with the papers of this meeting.)

MR. REMIGIO VALDEZ

Mr. Remigio Valdez, Legislative Chairman of the Mexican-American Betterment Organization, MABO, read a resolution which was approved by their organization regarding Councilman Joe Alderete's stand on the lowering of utility rates. (A copy of the resolution is on file with the papers of this meeting.)

MR. RAUL RODRIGUEZ

Mr. Raul Rodriguez spoke to the Council against the Police request for a wage increase. He also asked that he be appointed to serve on the Fire and Police Civil Service Commission.

79-24

25TH ANNIVERSARY OF BROWN VS. BOARD OF EDUCATION  
SUPREME COURT DECISION

Mayor Cockrell stated that a group of citizens representing the NAACP, had presented a Proclamation to the City in recognition of the 25th anniversary of the Supreme Court's decision of the case Brown vs. the Board of Education. They had asked that the Proclamation be included in the minutes of the Council meeting. Mrs. Dutmer moved that the Proclamation be incorporated. Mr. Wing seconded the motion. On roll call, the motion, carried by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: None.

The following Proclamation is hereby included:

PROCLAMATION

WHEREAS, THE UNITED STATES SUPREME COURT IN ITS HISTORIC 1954 DECISION IN BROWN V. BOARD OF EDUCATION HELD THAT SEGREGATION IN PUBLIC EDUCATION IS UNCONSTITUTIONAL; AND,

WHEREAS, IT SERVED AS THE CATALYST FOR THE SHIFTING OF JUDICIAL SANCTIONS FROM THAT OF SEGREGATION TO DESEGREGATION AND THE ELIMINATION OF LEGAL BARRIERS TO EQUAL OPPORTUNITIES; AND,

WHEREAS, BROWN FORMED THE BASIS FOR ENACTMENT OF THE CIVIL RIGHTS ACT OF 1964, 1965 AND 1968, THEREBY PROVIDING GREATER ASSURANCE OF EQUAL OPPORTUNITY IN EMPLOYMENT, EQUAL ACCESS TO PUBLIC ACCOMMODATIONS, HOUSING AND DESEGREGATION EDUCATION; AND,

WHEREAS, THERE CONTINUES TO BE OPPOSITION TO DESEGREGATION AT MANY LEVELS OF LIFE AND THE MOMENTUM OF THE EQUALITY OF OPPORTUNITY IN ALL ASPECTS OF PUBLIC LIFE IS DECELERATED; AND,

WHEREAS, DESPITE THE REMOVAL OF THE MORE OVERT LEGAL BARRIERS BLACKS ARE STILL FACED WITH RESISTANCE TO MEANINGFUL IMPLEMENTATION OF THESE CIVIL RIGHTS LAWS BY OFFICIALS AND INDIVIDUALS WHO PUBLICLY PROFESS BELIEF IN THE SPIRIT AND THE LETTER OF THE LAW AS PRONOUNCED IN BROWN; AND

WHEREAS, THIS IS THE 25TH ANNIVERSARY OF BROWN V. BOARD OF EDUCATION.

WE HEREBY PROCLAIM MAY 17, 1979 AS A DAY FOR ALL CITIZENS TO REDEDICATE THEMSELVES TO THE IDEALS AND PRINCIPALS OF EQUALITY AND JUSTICE PARTICULARLY AT A TIME WHEN THIS NATION SHOULD BE ATTEMPTING TO TRANSFER THE NOBLE PRONOUNCEMENT OF BROWN INTO REALITIES,

WE FURTHER CALL UPON ALL ELECTED OFFICIALS AND CITIZENS TO EXERT ACTIVE INDIVIDUAL LEADERSHIP IN MAKING EQUALITY A REALITY FOR ALL AMERICANS. THIS LEADERSHIP ACTION SHOULD INCLUDE AN OBJECTIVE ANALYSIS OF THE EXISTING EQUALITY OF EDUCATION IN ALL COMMUNITIES, AND SPECIFIC STEPS, TIME TABLES AND FUNDING SOURCES TO IMPLEMENT EFFECTIVE PUBLIC EDUCATION WHICH WAS CLEARLY THE FOUNDATION OF THE BROWN DECISION.

79-24

MR. A. PHILIP RANDOLPH

Mr. Wing made mention of the passing of Mr. A. Philip Randolph, the Founder of the first Black Union.

79-24

CITY SOLICITATION COMMISSION

Dr. Cisneros stated that there are several vacancies in the City Solicitation Commission, which is a very important Board. He asked that the City Council make these appointments soon.

79-24

GERALD HENCKEL CONTRACT

Dr. Cisneros, Chairman of the Policy and Objectives Committee, asked that Mr. Steen make a report on their review of the Gerald Henckel contract, the City's Lobbyist.

Mr. Steen reported that the Committee had decided to extend Mr. Henckel's contract for 60 days due to the fact that Mr. Henckel is in Austin. They also wanted to have the contract and the City's fiscal year to coincide. He asked that the Council concur in placing this matter on the agenda next week for their consideration.

The Council gave its concensus to Mr. Steen's suggestion.

May 17, 1979  
mdg

COMMUNITY ACTION BOARD APPOINTMENTS

In response to a question by Dr. Cisneros, Mr. Alex Briseno, Assistant to the City Manager, reported on the status of the appointments to the Community Action Board. He stated that persons, representing the poor, from the different areas have been elected. There are still five persons to be chosen to represent the one-third interest of private community groups. These people are chosen by the five elected representatives. The City Council is requested to select four members from its own body to represent itself on the Board and the County will select one representative.

79-24 There being no further business to come before the Council, the meeting was adjourned at 5:15 P.M.

A P P R O V E D

*Lela Cockrell*

M A Y O R

ATTEST:

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