

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, FEBRUARY 26, 1981.

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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.

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81-8 The invocation was given by the Reverend Samuel R. Todd, Church of Reconciliation.

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81-8 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

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81-8 CORRECTION TO THE MINUTES

Mrs. Dutmer made reference to a typographical error on page 12.

With this correction, the minutes of the meeting of February 12, 1981 were approved.

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81-8 CONSENT AGENDA

Mr. Steen moved that items 4-32 constituting the consent agenda be approved with the exception of items 8, 11, 17, 18, 20, 26, and 27 to be considered individually. Mr. Canavan seconded the motion.

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

AN ORDINANCE 53,407

ACCEPTING THE LOW BID OF A.B. AUTO AND FURNITURE UPHOLSTERY TO FURNISH THE CITY OF SAN ANTONIO WITH AUTOMOTIVE VEHICLE UPHOLSTERY ON AN ANNUAL CONTRACT BASIS.

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AN ORDINANCE 53,408

ACCEPTING THE BID OF HANDY ANDY INC., TO FURNISH THE CITY OF SAN ANTONIO WITH A FOOD AND BEVERAGE CONCESSION.

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AN ORDINANCE 53,409

ACCEPTING THE LOW BID OF TEXAS VIDEO SYSTEMS, INC., TO FURNISH THE CITY OF SAN ANTONIO WITH VIDEO EQUIPMENT FOR A NET TOTAL OF \$3,605.00.

AN ORDINANCE 53,410

ACCEPTING THE LOW BID OF COMMUNICATION SPECIALISTS, INC., FOR THE PRINTING OF ELECTION SUPPLIES FOR A NEW TOTAL OF \$4,900.00.

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AN ORDINANCE 53,411

ACCEPTING THE PROPOSAL OF DOUBLEDAY AND COMPANY FOR RENEWAL OF SUBSCRIPTIONS FOR THE CITY OF SAN ANTONIO PUBLIC LIBRARY FOR A NET TOTAL OF \$6,959.76.

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AN ORDINANCE 53,412

ACCEPTING THE LOW BID OF THE M.O. SCHULTZ AND COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH CHLORINATORS FOR A NET TOTAL OF \$13,000.00.

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AN ORDINANCE 53,413

ACCEPTING THE LOW BID OF THE ANDREW WILSON COMPANY TO FURNISH THE CITY OF SAN ANTONIO WITH SHELVING FOR A NET TOTAL OF \$23,207.43.

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AN ORDINANCE 53,414

ACCEPTING THE LOW BID OF CHEMICAL AND TURF SPECIALITY COMPANY, INC., TO FURNISH THE CITY OF SAN ANTONIO WITH FERTILIZER FOR A NET TOTAL OF \$46,467.60.

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AN ORDINANCE 53,415

AUTHORIZING AN ADDITIONAL CONSTRUCTION PAYMENT OF \$4,900.00 TO MCINTOSH CONSTRUCTION COMPANY IN CONNECTION WITH THE KINGSBOROUGH PARK SWIMMING POOL PROJECT AND APPROVING A TRANSFER OF FUNDS AND BUDGET REVISION.

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AN ORDINANE 53,416

ACCEPTING THE BID OF SPRINKLER KING OF TEXAS, IN THE AMOUNT OF \$6,823.40 FOR THE INSTALLATION OF AN IRRIGATION SYSTEM AT MIRASOL HOMES PARK; AUTHORIZING THE CITY MANAGER OR HIS DESIGNATED REPRESENTATIVE TO EXECUTE A CITY PUBLIC WORKS CONSTRUCTION CONTRACT; APPROPRIATING FUNDS; AND AUTHORIZING PAYMENT.

AN ORDINANCE 53,417

AUTHORIZING THE CITY MANAGER TO EXECUTE FIELD ALTERATION NO. 2 IN THE AMOUNT OF \$10,595.00, TO THE CONTRACT FOR CONSTRUCTION OF STINSON AIRPORT RUNWAY, TAXIWAY, AND DRAINAGE IMPROVEMENTS.

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AN ORDINANCE 53,418

AMENDING PRIOR ORDINANCES TO CHANGE THE SOURCE OF FUNDING FOR CERTAIN CAPITAL IMPROVEMENT PROJECTS PURSUANT TO THE CITY'S REGIONAL WASTEWATER FACILITIES FIVE YEAR FINANCIAL PLAN, MAY, 1980.

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AN ORDINANCE 53,419

AUTHORIZING EXECUTION OF A STANDARD PROFESSIONAL SERVICES CONTRACT WITH VICKREY & ASSOCIATES, INC., FOR THE ENCINO PARK TREATMENT PLANT ABANDONMENT/NORTHERN HILLS LIFT STATION IMPROVEMENTS PROJECT; AND APPROPRIATING THE SUM OF \$82,050.00, AND AUTHORIZING PAYMENTS.

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AN ORDINANCE 53,420

AUTHORIZING EXECUTION OF FIELD ALTERATION NO. 13 IN THE SUM OF \$20,440 TO THE CONTRACT FOR THE SAUNDERS STREET DRAINAGE PROJECT #47D; ACCEPTING THE PROPOSAL OF RALPH R. GRAY CONTRACTOR INC., TO PERFORM CERTAIN WORK ON BUENA VISTA STREET; REVISING THE PROJECT BUDGET; AND AUTHORIZING PAYMENT.

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AN ORDINANCE 53,421

AUTHORIZING EXPENDITURE OF THE SUM OF \$11,640.00 OUT OF VARIOUS FUNDS FOR THE PURPOSE OF ACQUIRING TITLE AND/OR EASEMENTS TO CERTAIN LANDS; ACCEPTING THE DEDICATION OF EASEMENTS TO CERTAIN LANDS; ALL TO BE USED IN CONNECTION WITH CERTAIN RIGHT-OF-WAY PROJECTS.

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AN ORDINANCE 53,422

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

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AN ORDINANCE 53,423

MANIFESTING AN AGREEMENT TO EXTEND, FOR AN ADDITIONAL TWO YEAR PERIOD, THE LEASE AGREEMENT PROVIDING THE TEXAS STATE LIBRARY SPONSORED COUNTY ARCHIVAL PROJECT WITH APPROXIMATELY 2000 CUBIC FEET OF STORAGE SPACE IN THE OLD MAIN LIBRARY BUILDING.

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AN ORDINANCE 53,424

AUTHORIZING ADJUSTMENTS TO THE CITY TAX ROLL RECOMMENDED BY THE TAX ERROR BOARD OF REVIEW AS A RESULT OF ITS MEETING OF FEBRUARY 2, 1981.

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AN ORDINANCE 53,425

AUTHORIZING PAYMENT OF REFUNDS TO PERSONS MAKING OVERPAYMENTS OR DOUBLE PAYMENTS ON 36 TAX ACCOUNTS.

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AN ORDINANCE 53,426

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

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AN ORDINANCE 53,427

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

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AN ORDINANCE 53,428

AMENDING THE CITY CODE OF THE CITY OF SAN ANTONIO SO AS TO DELETE CERTAIN SECTIONS THAT ARE IN CONFLICT WITH STATE LEGISLATION.

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81-8 The Clerk read the following Ordinance:

AN ORDINANCE 53,429

ACCEPTING THE LOW BID OF HARLEY DAVIDSON OF SAN ANTONIO INC., DBA CYCLE WORLD TO LEASE SOLO MOTORCYCLES FOR USE BY THE POLICE DEPARTMENT FOR A NET TOTAL OF \$6,804.00 PER MONTH.

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

In response to a concern expressed by Mr. Thompson regarding the cost, Mr. John Brooks, Director of Purchasing and Central Supply explained how this method would be economically advantageous for the City.

In response to a question by Mr. Steen, Mr. Brooks stated that the Police Chief had recommended that the City accept bids for this project and spoke of the past experience of allowing the police department to handle the lease and maintenance of their own motorcycles. He stated that he would have to survey officers currently on motorcycle duty to determine the feasibility of individual ownership of motorcycles vs. the present method of procurement and report back on this matter.

Mr. Wing expressed his appreciation towards Mr. Brooks in his analysis.

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

81-8 The Clerk read the following Ordinance:

AN ORDINANCE 53,430

ACCEPTING THE LOW QUALIFIED BID OF
MCNAMARA VANS AND WAREHOUSE, INC., FOR
TRANSPORTING VOTING MACHINES FOR
APPROXIMATELY \$15,750.00 (APPROXIMATELY
500 VOTING MACHINES.)

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

In response to a question by Mrs. Dutmer, City Clerk, Norma S. Rodriguez explained that these are the same type of voting machines that were used in the last election.

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

81-8 The Clerk read the following Ordinance:

AN ORDINANCE 53,431

AUTHORIZING THE LEON CREEK WASTEWATER
TREATMENT PLANT PRIMARY CLARIFIER ADDITIONS
PROJECT AT A COST OF \$2,781,711.00;
ACCEPTING A GRANT OF \$2,085,046.00 FROM THE
U.S. ENVIRONMENTAL PROTECTION AGENCY TO
THE PROJECT; AUTHORIZING MATCHING FUNDS
OF \$676,665.00 FROM 1980 SEWER REVENUE
BOND FUNDS; ESTABLISHING A FUND; ADOPTING
A BUDGET; AND AUTHORIZING PAYMENT OF PROJECT
MANAGEMENT FEES.

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

In response to a question by Mrs. Dutmer, Mr. Joe Aceves, Assistant Director of Public Works explained that the improvements were part of the 201 facility plant and would be essential to the implementation of the facility plant and the Dos Rios Plant.

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

81-8 The Clerk read the following Ordinance:

AN ORDINANCE 53,432

ACCEPTING THE LOW QUALIFIED BID OF SPEEDWAY BUILDING SYSTEMS CO., INC., IN THE AMOUNT OF \$23,752.00 TO CONSTRUCT THE ADDITIONS TO THE MAINTENANCE AND STORAGE BUILDING AT THE RILLING ROAD SEWAGE PLANT; AUTHORIZING EXECUTION OF A CONTRACT COVERING SAID CONSTRUCTION; APPROPRIATING FUNDS; AND AUTHORIZING PAYMENT.

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

Mr. Joe Aceves, Assistant Director of Public Works, explained that this Ordinance grants the addition of a building to the supply building at the Rilling Road Wastewater Treatment Facilities. He stated that the low bid of \$23,752.00 was accepted.

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

81-8 The Clerk read the following Ordinance:

AN ORDINANCE 53,433

ACCEPTING THE LOW QUALIFIED BID OF S.A.C.C., INC., IN THE SUM OF \$1,542,000 TO CONSTRUCT UNSEWERED AREAS #57 AND #58 PROJECT; AUTHORIZING EXECUTION OF A STANDARD PUBLIC WORKS CONTRACT; AND APPROPRIATING THE SUM OF \$1,622,000 AND AUTHORIZING PAYMENTS.

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

In response to a question by Mrs. Dutmer, Mr. Joe Aceves, Assistant Director of Public Works, stated that this Ordinance might have a minor effect on alleviating the drainage problem in the area.

After consideration, the motion carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Dutmer,

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

81-8 The Clerk read the following Ordinance:

AN ORDINANCE 53,434

CLOSING AND ABANDONING ALBATROSS ROAD IN
 NEW CITY BLOCK 11622; AUTHORIZING QUITCLAIM
 DEEDS TO THE ADJACENT OWNERS; AND AUTHORIZING
 THE EXECUTION OF AN AGREEMENT INDEMNIFYING
 THE CITY FROM ANY EXPENSES FROM THE
 DAMAGE CLAIMS TO CERTAIN PROPERTIES RESULT-
 ING FROM THE CLOSURE OF ALBATROSS ROAD.

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

In response to a question by Mrs. Dutmer, Mr. Carl Braunig,
 City Traffic Engineer, explained the accessibility available to
 Fredericksburg Road, Donore Place, and Medical Drive.

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

81-8 The Clerk read the following Ordinance:

AN ORDINANCE 53,435

CHANGING THE NAME OF SOUTH BROADWAY TO
 LOSOYA STREET.

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

In response to a question by Mrs. Dutmer, Mr. Joe Aceves,
 Assistant Public Works Director explained that a petition by the
 surrounding property owners had been submitted requesting the change;
 ten in favor and five in opposition.

A brief discussion then ensued among a few of the
 Councilmembers regarding the past history of names that this area has
 undergone.

City Manager, Thomas E. Huebner, spoke about the proposed
 Hyatt Regency Hotel to be erected in this area and urged the passage
 of the Ordinance.

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

81-8 ZONING HEARINGS

33. CASE 8370 - to rezone Lots 1 and 2, Block 118, NCB 8824, 1738
 W. Wildwood Drive, from "R-3" Multiple Family Residential District to

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"B-2" Business District, located south of Wildwood Drive, between Brad Avenue and I.H.10 Expressway, having 50' on Wildwood Drive and 120' on Brad Avenue and 170' on I.H. 10 Expressway.

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

Mrs. Daniel Gomez, 1735 W. Hermosa Street stated that she is requesting the change in zoning for a mexican import shop. She explained the surrounding locations and the ingress and egress to the subject property. She stated that the surrounding neighbors were not in opposition and urged the granting of her request.

In response to a question by Mr. Archer, Mr. Andy Guerrero, Planning Administrator expressed the concern of the Zoning Commission that should this request be granted it could generate traffic through the area.

Mr. Alderete spoke in support of the change in zoning.

After discussion, Mr. Thompson moved that the recommendation of the Zoning Commission be approved. Mr. Canavan seconded the motion. On roll call, the motion carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Steen, Cockrell; NAYS: Archer; ABSENT: Cisneros.

AN ORDINANCE 53,436

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 1 AND 2, BLOCK 118, NCB 8824, 1738
W. WILDWOOD DRIVE, FROM "R-3" MULTIPLE
FAMILY RESIDENTIAL DISTRICT TO "B-2"
BUSINESS DISTRICT.

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34. CASE 8375 - to rezone Lot 12, Block 4, NCB 10673, 4434 Mercury Drive, from "A" Single Family Residential District to "B-2" Business District, located on the south side of Mercury Drive, being 365' west of the intersection of S.W.W. White Road and Mercury Drive, having 60' on Mercury Drive and a depth of 172.28'.

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 a non-access easement and landscape area is imposed along the north property line of Lot 12; that a six foot solid screen fence is erected and maintained along the west property line in compliance with City Code requirements and further provided that replatting in conjunction with the lots to the east and the south 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: Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: Cisneros.

AN ORDINANCE 53,437

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 12, BLOCK 4, NCB 10673, 4434 MERCURY DRIVE, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT A ONE-FOOT NON-ACCESS EASEMENT IS IMPOSED ALONG THE NORTH PROPERTY LINE OF LOT 12; THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE WEST PROPERTY LINE IN COMPLIANCE WITH CITY CODE REQUIREMENTS AND FURTHER PROVIDED THAT REPLATTING IN CONJUNCTION WITH THE LOTS TO THE EAST AND SOUTH IS ACCOMPLISHED.

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35. CASE 8112 - to rezone Tract A-3, NCB 930, 116 E. Arsenal Street, from "D" Apartment District to "O-1" Office District, located on the southwest side of E. Arsenal Street, being 195' southeast of the intersection of E. Arsenal Street and S. Flores Street, having 50' on E. Arsenal Street and a depth of 110'.

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

No citizen appeared to speak in opposition.

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

AN ORDINANCE 53,438

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-3, NCB 930, 116 E. ARSENAL STREET, FROM "D" APARTMENT DISTRICT TO "O-1" OFFICE DISTRICT.

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36. CASE 8346 - to rezone the west 90' of Lot 51, Block 3, NCB 11967, 406 Wolfe Road, located on the south side of Wolfe Road, being 696' east of the intersection of Plymouth Avenue, having 90' on Wolfe Road and a maximum depth of 135.25', from "A" Single Family Residential District to "B-3" Business District and Lot 68, NCB 11967, 611 Ramsey Road, located on the north side of Ramsey Road, being 560' east of the intersection of Plymouth Avenue and Ramsey Road, having 70' on Ramsey Road and an approximate depth of 360' from "A" Single Family Residential District to "B-3" Business District.

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

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No citizen appeared to speak in opposition.

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

AN ORDINANCE 53,439

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 WEST 90' OF LOT 51, BLOCK 3, NCB 11967, 406 WOLFE ROAD, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT AND LOT 68, NCB 11967, 611 RAMSEY ROAD, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED, IF NECESSARY.

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37. CASE 8367 - to rezone the southeast 150' of Parcel 5, NCB 15686, 11191 Nacogdoches Road, from Temporary "R-1" Single Family Residential District to "B-3" Business and Parcel 5, save and except the southeast 150', NCB 15686, from Temporary "R-1" Single Family Residential District to "I-1" Light Industry District, located on the north side of Nacogdoches Road, being 726.9' southwest of the intersection of Thousand Oaks Drive and Nacogdoches Road, having 308.3' on Nacogdoches Road and a maximum depth of 492'; the "B-3" being on the southeast 150' of Parcel 5 and the "I-1" being on the remaining portion of the subject property.

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

AN ORDINANCE 53,440

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 SOUTHEAST 150' OF PARCEL 5, NCB 15686, 11191 NACOGDOCHES ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT AND "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

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38. CASE 8359 - to rezone a 46.8907 acre tract of land out of NCB 14861, being further described by field notes filed in the Office of the City Clerk, in the 5700 Block of Hausman Road, from Temporary "R-1" Single Family Residential District to "B-2" Business District, located on the south side of Hausman Road, being 1725.89' west of the intersection of I.H. 10 Expressway and Hausman Road, having 3034' on Hausman Road and a maximum depth of 1022'; a 47.1218 acre tract of land out of NCB 14861, being further described by field notes filed in the Office of the City Clerk, in the 5700 Block of Hausman Road, from Temporary "R-1" Single Family Residential District to "R-3" Multiple Family Residential District, located 350' south of Hausman Road, being approximately 3082' west of the intersection of I.H. 10 Expressway and Hausman Road, having a width of 1776.96' and a depth of 1152'; a 15.9788 acre tract of land out of NCB 14861, being further described by field note filed in the Office of the City Clerk, in the 5700 Block of Hausman Road, located 1322' south of Hausman Road, being approximately 2764' west of the intersection of I.H. 10 Expressway and Hausman Road, having a width of 2085' and a maximum depth of 477', from Temporary "R-1" Single Family Residential District to "R-6" Rowhouse District; a 5.3717 acre tract of land out of NCB 14861, being further described by field notes filed in the Office of the City Clerk, located 1200' south of Hausman Road, being 2650' west of I.H. 10 Expressway, having a width of 650' and a maximum depth of approximately 700' from Temporary "R-1" Single Family Residential District to "B-3R" Restrictive Business District; a 14.2730 acre tract of land out of NCB 14861, being further described by field notes filed in the Office of the City Clerk, located 1022' south of Hausman Road, being 2000' west of I.H. 10 Expressway, having a width of 1000' and a maximum depth of 787', from Temporary "R-1" Single Family Residential District to "I-1" Light Industry District.

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

AN ORDINANCE 53,441

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 46.8907 ACRE TRACT OF LAND OUT OF NCB 14861, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK IN THE 5700 BLOCK OF HAUSMAN ROAD, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT; A 47.1218 ACRE TRACT OF LAND OUT OF NCB 14861, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 5700 BLOCK OF HAUSMAN ROAD, FROM TEMPORARY "R1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT; A 15.9788 ACRE TRACT OF LAND OUT OF NCB 14861,

BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 5700 BLOCK OF HAUSMAN ROAD, FROM TEMPORARY "R1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT; A 14.2730 ACRE TRACT OF LAND OUT OF NCB 14861, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

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39. CASE 8373 - to rezone a 0.784 acre tract of land out of NCB 16549, being further described by field notes filed in the Office of the City Clerk, in the 8900 Block of I.H. 10 Expressway from Temporary "R-1" Single Family Residential District to "B-3" Business District and a 1.716 acre tract of land out of NCB 16549, being further described by field notes filed in the Office of the City Clerk from Temporary "R-1" Single Family Residential District to "I-1" Light Industry District, located on the north side of I.H. 10 Expressway, being approximately 1500' east of F.M. Road 1516 and I.H. 10 Expressway, having 373.49' on I.H. 10 Expressway and a maximum depth of 692.50', the "B3" zoning on the southeast 100' of the subject property and the "I-1" being on the remaining portion.

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

No citizen appeared to speak in opposition.

After consideration, Mr. Webb moved that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished. Mr. Canavan seconded the motion. On roll call, the motion carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Webb, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: Dutmer; ABSENT: Cisneros.

AN ORDINANCE 53,442

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 0.784 ACRE TRACT OF LAND OUT OF NCB 16549, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 8900 BLOCK OF I.H. 10 EXPRESSWAY FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT AND A 1.716 ACRE TRACT OF LAND OUT OF NCB 16549, BEING FURTHER DESCRIBED BY FIELD NOTES FIELD IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

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81-8 The Clerk read the following Ordinance:

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AN ORDINANCE 53,443

AUTHORIZING REDUCED RENTAL RATES FOR UTSA BASKETBALL GAMES AT THE SAN ANTONIO CONVENTION CENTER ARENA DURING THE 1981/82 SEASON.

* * * *

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

Mr. Eureste asked if the same provision could be granted to other organizations that would want to use the area for similar purposes.

Mr. Joe Madison, Director of the Convention Facilities stated that he would be happy to discuss with other school districts regarding special rates.

Mr. Eureste expressed concern that staff should be consistent with this policy and if anyone desires to have a special rate, they should appear before the City Council.

Mr. Canavan spoke in support of the Ordinance.

Mr. Webb concurred with remarks made by Mr. Eureste.

Mr. Madison then explained the reasoning behind the decreasing of rates for the use of the arena.

(Mayor Cockrell was obliged to leave the meeting and Mayor Pro-Tem Alderete presided.)

Mr. Steen also spoke strongly in support of the Ordinance.

Mr. Eureste then made an amendment to the motion that a procedure be set whereby groups or organizations that desire to use City-owned facilities at rates lower than those posted go through staff to have their request placed on the City Council agenda. Mr. Webb seconded the motion.

In response to Mayor Pro-Tem Alderete, Ms. Jane Macon, City Attorney stated that this motion should be ruled out of order and considered after the vote on the main motion is taken since this amendment does not pertain to the Ordinance per se.

The amendment to the main motion was ruled out of order.

Mrs. Dutmer expressed concern regarding making exceptions to Ordinances that have already been approved by Council.

After discussion, the main motion carried by the following vote: AYES: Webb, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen; NAYS: Dutmer; ABSENT: Cisneros, Cockrell.

Mr. Eureste then made a motion that a procedure be set whereby groups or organizations that desire to use City-owned facilities at rates lower than those posted go through staff to have their request placed on the City Council agenda. Mr. Webb seconded the motion. On roll call, the motion prevailed by the following vote: AYES: Webb, Wing, Eureste, Thompson, Alderete, Canavan, Steen; NAYS: Dutmer, Archer; ABSENT: Cisneros, Cockrell.

AN ORDINANCE 53,444

APPROVING THE SAN ANTONIO 1980/81 EMERGENCY MANAGEMENT PROGRAM AND ACCEPTING AN AWARD BY THE DIVISION OF DISASTER OF EMERGENCY SERVICES OF THE TEXAS DEPARTMENT OF PUBLIC SAFETY OF A REIMBURSEMENT GRANT OF \$49,500.00 IN SUPPORT OF ONE-HALF OF THE COST OF PERSONNEL AND CERTAIN ADMINISTRATIVE EXPENSES OF THE CITY'S EMERGENCY MANGEMENT ASSISTANCE OFFICE.

* * * *

81-8 The Clerk read the following Ordinance:

AN ORDINANCE 53,445

AMENDING SECTION 15-48(d) OF CHAPTER 15 OF THE CITY CODE (FIRE PREVENTION CODE) SO AS TO ESTABLISH A \$50.00 FEE FOR BONFIRE PERMITS.

* * * *

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

In response to a question by Mr. Steen, Fire Chief I.O. Martinez explained that 90% of the time the overtime rate for an Inspector (a Captain) on every bonfire is approximately \$50.00.

In response to a question by Mr. Thompson, Chief Martinez explained the role the Fire Department plays in the supervision of bonfires.

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

81-8 The Clerk read the following Ordinance:

AN ORDINANCE 53,446

AMENDING SECTION 26-15 OF CHAPTER 26 OF THE CITY CODE TO INCREASE THE FEE FOR FIREWORKS DISPLAYS.

* * * *

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

In response to a question by Mr. Archer, Fire Chief I.O. Martinez explained that plans are being processed prohibiting certain types of fireworks. He further stated that at this time, the department can only keep the sale and distribution of fireworks outside the limits of the City.

In response to a question by Mrs. Dutmer, Chief Martinez stated that in regards to the display at Fort Sam Houston, the City has no jurisdiction in this area; however, if they are in need of assistance, the City comes to their rescue.

Mr. Eureste commended Chief Martinez for the fine work he is doing.

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

81-8 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Steen, seconded by Mrs. Dutmer, was passed and approved by the following vote: AYES: Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen; NAYS: None; ABSENT: Cisneros, Webb, Cockrell.

AN ORDINANCE 53,447

AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT SAN ANTONIO FOR EMT TRAINING.

* * * *

81-8 The following Ordinance was read by the Clerk and after consideration on motion of Mr. Steen, seconded by Mrs. Dutmer, was passed and approved by the following vote: AYES: Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Steen; NAYS: None; ABSENT: Cisneros, Webb, Archer, Cockrell.

AN ORDINANCE 53,448

AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT SAN ANTONIO FOR REFRESHER/RE-CERTIFICATION TRAINING FOR PARAMEDICS.

* * * *

81-8 The following Ordinance 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: Dutmer, Wing, Eureste, Alderete, Canavan, Steen; NAYS: Thompson; ABSENT: Cisneros, Webb, Archer, Cockrell.

AN ORDINANCE 53,449

AUTHORIZING SUBMISSION OF AN APPLICATION TO THE TEXAS COMMISSION ON THE ARTS FOR A MAJOR SUPPORT GRANT IN THE AMOUNT OF \$25,000 AUTHORIZING ACCEPTANCE OF SUCH A GRANT, ESTABLISHING A FUND AND ADOPTING A BUDGET FOR THE PROJECT.

* * * *

81-8 The Clerk read the following Ordinance:

AN ORDINANCE 53,450

AUTHORIZING THE SUBMISSION OF A LETTER OF INTEREST TO, AND THE SUBSEQUENT ACCEPTANCE OF A \$93,840.78 GRANT FROM THE U.S. DEPARTMENT OF TRANSPORTATION

FOR A SPECIAL PROJECT ENTITLED THE
NATIONAL RIDESHARING DISCRETIONARY
PROGRAM.

* * * *

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

In response to a concern expressed by Mrs. Dutmer, Mr. Roland Lozano, Director of Planning explained the proposed Ordinance and the amount involved for the improvement of the present ridesharing services in San Antonio.

Mrs. Dutmer stated that she felt the government could find more worthwhile things to spend this kind of money on.

Mr. Steen felt that this kind of money would not be coming from the present administration. He spoke against the passage of this Ordinance.

Mr. Wing then spoke of the tremendous program on ridesharing that is practiced by the employees of Kelly Air Force Base. He spoke strongly in support of this Ordinance.

(Mayor Cockrell returned to the meeting and presided.)

City Manager Thomas E. Huebner also spoke in support of the Ordinance.

Mr. Archer concurred with remarks made by Mrs. Dutmer.

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

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81-8 The following Resolution was read by the Clerk and after consideration, on motion of Mrs. Dutmer, seconded by Mr. Thompson, 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. 81-08-12

SETTING FORTH THE RANGE OF SERIAL NUMBERS
ON THE BALLOTS TO BE USED FOR ABSENTEE
VOTING FOR THE UPCOMING REGULAR AND
BOND ELECTION.

* * * *

- - -
81-8 The following Ordinance 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: Cisneros, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 53,451

AUTHORIZING AND DIRECTING THE TRANSFER
OF 41 PERSONNEL POSITIONS AND ASSOCIATED
EQUIPMENT FROM THE CONSOLIDATED DATA
PROCESSING CENTER TO THE CITY OF SAN

ANTONIO, AMENDING THE ANNUAL BUDGET,
AMENDING THE CITY'S PAY AND CLASSIFICATION
PLAN, AND DECLARING AN EMERGENCY.

* * * *

- - -
81-8 Item 50, being a proposed ordinance amending Chapter 34 (Signs) of the City Code with respect to portable signs; and providing that any violation hereof is punishable by a fine not to exceed \$200.00 was temporarily postponed until 3:00 P.M.
- - -

81-8 Travel Authorization - granted:

Mayor Lila Cockrell - to attend the National League of Cities' Congressional-City Conference from February 27, 1981 to March 3, 1981.

Councilman Joe Webb - to attend the National League of Cities' Congressional-City Conference from February 28, 1981 to March 3, 1981.

Councilman Bernardo Eureste- to attend the National League of Cities' Congressional-City Conference from February 28, 1981 to March 3, 1981.

Councilman Robert Thompson - to attend the National League of Cities' Congressional-City Conference from February 28, 1981 to March 3, 1981.

Councilman Van Henry Archer, Jr., - to attend the National League of Cities' Congressional-City Conference from February 28, 1981 to March 3, 1981.
- - -

81-8 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Steen, seconded by Mr. Canavan, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 53,452

SETTING ADMISSION FEES TO THE THREE
MUSEUMS OPERATED BY THE SAN ANTONIO
MUSEUM ASSOCIATION.

* * * *

81-8

LEGISLATIVE PROGRAM

Ms. Jane Macon, City Attorney, stated that a bill had been passed on the Certificates of Obligation.

Mr. Wing spoke regarding the Elizondo bill.

At this time, Mr. Eureste made a motion to place a resolution on the March 5, 1981 agenda stating Council's support of the proposed legislation regarding the use of fireworks. Mr. Wing seconded the motion. On roll call, the motion prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: None.
- - -

February 26, 1981
mb

81-8 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, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 53,453

REAPPOINTING AND APPOINTING MEMBERS TO
SERVE ON THE SAN ANTONIO CENTRO 21 TASK
FORCE FOR A THREE (3) YEAR TERM, EXPIRING
DECEMBER 31, 1983.

* * * *

The following persons are hereby reappointed and appointed to serve on the San Antonio Centro 21 Task Force:

REAPPOINTMENTS

Don B. Harrell,
Claire Regnier, Chairperson

APPOINTMENTS

Iris Sanchez, replacing Jesse
Flores in District 6;
Virginia Van Steenberg, replacing
Robert Alterman in District 9;
Michael Sweeney, replacing
Richard Calvert in District 3;
Norcell Haywood, replacing Juan
J. Patlan in District 2;

* * * *

AN ORDINANCE 53,454

REAPPOINTING AND APPOINTING MEMBERS TO
SERVE ON THE CONVENTION & VISITORS
BUREAU ADVISORY COMMITTEE FOR A
TERM OF ONE (1) YEAR, EXPIRING, MARCH
3, 1982.

* * * *

The following persons are hereby reappointed and appointed to serve on the Convention & Visitors Bureau Advisory Committee:

REAPPOINTMENTS

Pam Wilkinson, representing the
General Community;
Mr. K.W. Houston, representing
the General Community;
Martin Weiss, representing
Central City; and
William Ochse, representing the
Hotel/Motel Industry;

APPOINTMENTS

Frank Sepulveda, representing
the Restaurant Industry;
Sherry Shaw;
Kay Walker

81-8 Item 54C, being a proposed ordinance establishing the Metropolitan Community Corrections Commission and appointing members thereto was withdrawn from consideration.

81-8 The Clerk read the following Ordinance:

AN ORDINANCE 53,455

AUTHORIZING ACCEPTANCE OF PUBLIC CONTRIBUTIONS FOR THE 250TH ANNIVERSARY CELEBRATION OF THE ESTABLISHMENT OF THE SPANISH MISSIONS AND SETTLEMENT OF THE CANARY ISLANDERS, ESTABLISHING A TRUST FUND AND AUTHORIZING EXPENDITURE THEREOF FOR THE COST OF EVENTS DURING SAID CELEBRATION.

* * * *

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

Mayor Cockrell advised that the City is trying to get contributions to hold down the public cost as much as possible.

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

81-8 Item 57, being a proposed ordinance providing for the installation of an electric traffic signal at the intersection of Walters and Gabriel Streets was temporarily postponed to allow citizens to be present. See page 20 for results.

81-8 The Clerk read the following Ordinance:

AN ORDINANCE 53,456

PROVIDING FOR THE INSTALLATION OF AN ELECTRIC TRAFFIC SIGNAL AT THE INTERSECTION OF CALLAGHAN AND TORINO DRIVE.

* * * *

Mr. Joe Aceves, Assistant Director of Public Works explained the two options available to the Council and gave background information regarding the traffic signal light request.

At this time, Mr. Eureste made a motion to grant the Ordinance, option 2. Mr. Wing seconded the motion.

Mr. Walter Steves, representing the Callaghan Road residents spoke in support of the Ordinance and submitted a petition of 540 signatures of residents in favor. (A copy of the petition is on file with the minutes of this meeting.)

Mr. Canavan then spoke in support of the motion made by Mr. Eureste.

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

81-8 The Clerk read the following Ordinance:

AN ORDINANCE 53,457

PROVIDING FOR THE INSTALLATION OF AN ELECTRIC TRAFFIC SIGNAL AT THE INTERSECTION OF WALTERS AND GABRIEL STREETS.

* * * *

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

In response to a question by Mrs. Dutmer, Mr. Joe Aceves, Assistant Director of Public Works reported on the cost of the traffic lights.

Mr. Webb moved to approve the Ordinance, option 2. Dr. Cisneros seconded the motion.

In response to Mrs. Dutmer, Mr. Marcus Jahns, Director of Budget and Research stated that there is approximately \$980,000 left in the contingency fund.

Mr. Webb then spoke about another accident which occurred at this particular location the previous evening.

The following citizens then spoke in favor of the Ordinance:

Mr. Orece Greer , representing R.O.B.B.E.D.
727 Gabriel,
Mr. Raleigh Sheppard, 2011 Lamar,
Mr. Abram Emerson, 830 Gabriel Street,

* * * *

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

81-8 The meeting was recessed at 3:25 P.M. and reconvened at 3:50 P.M.

81-8 The Clerk read the following Ordinance:

AN ORDINANCE 53,458

AMENDING CHAPTER 34 (SIGNS) OF THE CITY CODE WITH RESPECT TO PORTABLE SIGNS AND PROVIDING THAT ANY VIOLATION HEREOF IS PUNISHABLE BY A FINE NOT TO EXCEED \$200.

* * * *

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

Mr. George Vann, Director of Building Inspections, explained that the original Ordinance was proving very difficult to defend in

Court. He stated that this Ordinance will cover all portable signs including non-electrical signs and there will be one 60 day period during any 12 months period. He stated that the Ordinance will also prohibit signs if the top of the signs is more than 8 feet above the ground.

City Attorney, Jane Macon then explained that there are other groups in the audience as to other concerns and she will be glad to meet with these groups for perhaps inclusion into the City Code.

Mr. Vann then proceeded to describe the contents of the Ordinance.

In response to Mrs. Dutmer, Mr. Steve Arronge, Assistant City Attorney explained the definition of "Portable Signs".

Mrs. Dutmer stated that if this Ordinance is approved, the portable sign business would be severely affected.

Mr. Arronge stated that there are problems at the present time with the enforcement of the Sign Ordinance. He stated that this amendment will improve the enforceability and stated that the amendment provides for signs to be placed in proper zoning.

Mr. Webb then stated that there are not enough electrical inspectors to inspect all the portable signs.

Mr. Thompson expressed his opposition to portable signs per se and feels compelled to say he's against all of them. He made a motion that staff investigate the possibility of a time-phasing out of portable signs within the City of San Antonio.

Mr. Arronge stated that the City of San Diego has such an Ordinance which is now pending in Court and sometime within the term, it is hoped that the U.S. Supreme Court will issue an opinion on this case.

Mr. Archer seconded Mr. Thompson's motion for discussion purposes.

Mr. Thompson urged that the City Council approve the motion for staff's review of the potential of phasing out signs. He stated that the report could also be held in abeyance until the Supreme Court Justice's ruling, or perhaps even earlier.

Mr. Eureste stated that the Ordinance for consideration merely cleans up the previous Ordinance and suggested approving the Ordinance and proceeding with the motion made by Mr. Thompson.

Mayor Pro-Tem Alderete ruled the motion out of order.

Mr. Larry Di Martino, Coalition for Quality Sign Control stated that they have many concerns about the numerous signs in violation throughout the City limits. He stated that no attempts have been made to enforce the Ordinance. He also expressed concern about the delaying tactics which have caused lack of enforcement on this Ordinance.

In response to Mr. Alderete, Mr. Arronge stated that there is a staffing problem.

Mr. Vann stated that a complaint can be taken by the Inspector and an investigation will be made. He stated that under the present Ordinance there is no proper enforcement.

City Attorney, Jane Macon stated that the Ordinance approved in May is a good Ordinance, however, this Ordinance will bridge the gap between electric and non-electric signs.

Mr. James E. Ryan, representing the San Antonio Electrical Sign Association stated that they have a license, bond and insurance. He stated that their electrical signs must be installed according to the Code and feels that all signs should be handled in the same manner.

City Attorney Macon stated that there is a property rights law involved however, he still needs to meet the same requirement and obtain a permit.

In response to Mr. Thompson, Mr. Ryan stated that their main concern is that electrical signs be installed by the Master Sign Electricians.

A discussion then took place about the legality of picking up signs in non-compliance by the City of San Antonio.

(Mayor Cockrell returned to the meeting and presided.)

Mr. Eureste again spoke on behalf of the Ordinance which he feels will enable the Ordinance to be made enforceable.

Ms. June Kachtik, Coalition for Quality Sign Control, spoke about their organization and their efforts for quality sign regulation. She expressed concern about the 30 days effective date of the Ordinance. She also urged that enforcement of this Ordinance is sorely needed. She suggested different methods which could be employed.

City Attorney Macon then explained the purpose the Ordinance will serve according to prosecution.

Mr. Eureste then stated that if there is a problem with enforcing this Ordinance, that it be brought back up as soon as possible.

Mr. Thompson then made a motion that staff review the use of portable signs with the purpose of making recommendations for and against the elimination of portable signs. Mr. Eureste seconded the motion. On roll call, the motion carried by the following vote: AYES: Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Cockrell; NAYS: Steen; ABSENT: Cisneros.

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

81-8

CITIZENS TO BE HEARD

MR. MARK PENNER

Mr. Penner, 311 W. Commerce stated that there are many problems with peddlers' in their area approaching their customers.

Mr. Marcus Eastman, representing the owner/operator of Leeds gave background information on the history of the area and the many years of revitalizing the area and the public and private interests which have made their area a very beautiful area and their business is vibrant and alive. He stated that there is a situation that has occurred since the City Council approved an Ordinance about two years ago. He stated that they are not against peddlers per se, however, the persons approach customers of their store with goods to sell. He urged the City Council to do something about this situation.

Mr. Wing stated that he has seen the peddlers in action and asked Mr. Arronge if there is a proper use of a peddlers license.

Mr. Arronge stated that under a peddlers license, the person has no right to go onto private property.

In response to Mr. Eureste, Mr. Arronge can see if the situation warrants the closing of peddlers' permit to certain streets in the downtown area.

Mr. Thompson then made a motion to have staff directed to discuss this with the downtown merchants groups. Mr. Wing seconded the motion.

Mr. Morris Bankler asked the Council to investigate the possible tightening of the current provisions of the peddlers' Ordinance.

Mr. Archer noted that there was a certain rough element in the downtown area and spoke to a recent case whereby a downtown merchant was stabbed in his store. He asked that consideration be given to adding additional police foot patrol officers and cornermen in the downtown area.

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

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MR. RAUL RODRIGUEZ

Mr. Rodriguez spoke to his concern about the City's employment policies, and also spoke to the employment of persons who really needed to work. He then spoke to press reports on so-called 'fixed' examinations involving police officers and asked for a roster of police officers to determine how many might be related to each other.

Mayor Cockrell asked Mr. Rodriguez to confer with City staff on the police roster availability.

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MR. BUDDY MASS

Mr. Buddy Mass, President of the San Antonio Firefighters Association stated that firefighters of his organization are in favor of Proposal 2 of the three proposals before the Fire and Police Pension Board.

* * * *

MR. ANDRES CASIAS

Mr. Andres Casias of the Firefighters Association spoke to factors which bear on the three proposals under discussion by the Board and handed Council copies of his statement and reiterated organization support for Proposal 2.

Mr. Eureste stated that the matter needs to be discussed in a formal "A" Session and noted his concerns that Council might not be fully informed of all the facts if the matter is discussed only on "B" Session, noting that the matter should be given the time and consideration it deserves.

Mayor Cockrell stated that the matter needs to be considered tonight in order to go to the Legislature as soon as possible, and took note of the options favored by the Police Department and Fire Department personnel.

A brief discussion then took place concerning time constraints involved.

Mayor Cockrell then stated that the Council needs an Executive Session to discuss the matter.

REVEREND R.A. CALLIES SR.

Reverend Callies thanked the Council for asking City staff to install new street signs at Lord Road and W.W.White Road, pointing the direction to Martin Luther King Drive and distributed photographs of the area and a prepared statement of his remarks today. He spoke to alleged unsafe and unhealthy conditions existing beneath the Rice Road Bridge and noted that dumping of trash continues in the immediate area.

Mr. Webb asked City staff to look into possible options available as listed in Callies' statement and report back to the Council on the matter. He further asked that he be informed on those options in order that he might work with Callies on the matter.

81-8 The Clerk read the following Letter:

February 20, 1981

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

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

February 13, 1981

Petition submitted by Ms. Mary Thompson requesting the installation of sidewalks on Spicewood.

February 17, 1981

Petition submitted by Mr. Jesse G. Cantu of 217 Lowell Street, requesting sale of the alley behind his home.

* * * *

/s/ NORMA S. RODRIGUEZ
City Clerk

There being no further business to come before the Council, the meeting was adjourned at 5:55 P.M.

A P P R O V E D

Lila Cockrell

M A Y O R

ATTEST

Norma S. Rodriguez
City Clerk

February 26, 1981
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