

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, OCTOBER 4, 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.

79-46 The invocation was given by The Reverend Joseph Deane, St. Ann's Catholic Church.

79-46 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

79-46 CORRECTION TO THE MINUTES

Mr. Canavan made reference to the misspelling of his wife's name which should read, "Roslyn."

Mrs. Dutmer made reference to the typographical error found on page 17, second paragraph; "Mr. Canava" should read "Mr. Canavan."

With these corrections, the minutes of the meeting of September 27, 1979 were approved.

79-46 "ARCHBISHOP FLORES DAY"

Mayor Cockrell read the following Proclamation:

WHEREAS, Bishop Patrick Flores was appointed by Pope John Paul II as Archbishop of San Antonio on August 28, 1979, to succeed the Late Archbishop Francis J. Furey, and,

WHEREAS, Bishop Flores served as Auxiliary Bishop of the San Antonio Diocese from May 5, 1970 to April 4, 1978 when he was named by Pope Paul VI as Bishop of the El Paso Diocese, and,

WHEREAS, During his tenure as Bishop in San Antonio, he was very involved in Civic and Community Affairs and was instrumental in establishing the Mexican-American Cultural Center, and,

WHEREAS, Bishop Flores is called a Man of the People because of his identification with the struggles of the poor and minority groups, and,

WHEREAS, Bishop Flores, a native-born Texan, will be installed as Archbishop on Saturday, October 13, 1979, and,

WHEREAS, Bishop Flores has the distinction of being the First Mexican-American Archbishop of the Diocese, and,

WHEREAS, The City of San Antonio is honored to have Bishop Flores home again and have the privilege of his genuine concern for all the Citizens of San Antonio, and,

WHEREAS, On this memorable occasion of his Installation as Archbishop, it is fitting and proper that all eyes be focused on Bishop Flores who will assume the awesome responsibilities of Archbishop of San Antonio,

NOW, THEREFORE, I, LILA COCKRELL, Mayor of the City of San Antonio, in recognition thereof, do hereby proclaim Saturday, October 13, 1979, as

"ARCHBISHOP PATRICK FLORES DAY"

In San Antonio, Texas, and on behalf of the entire community, extend hearty congratulations to Bishop Flores and wish him success in all his future endeavors.

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Mayor Cockrell introduced the following group of people, who were on hand to receive the proclamation: Father Bryan Wallace, Editor of the "Today's Catholic" Newspaper, Ms. Maria Antoinetta Berriozabal, a graduate student at UTSA, Ms. Marta Tijerina, Public Affairs Director of Channel 41 and Ms. Yolanda Arellano, Communication Relations Director at K TSA/KTFM.

79-46

"MENUDO COOK-OFF DAYS"

The Mayor then read the following Proclamation:

- WHEREAS, "The Breakfast of Champions" better known as Menudo, is one of the most unique dishes ever to originate in the Southwest, and,
- WHEREAS, Menudo, while being tasty, is known to have great recuperative powers, and,
- WHEREAS, Every cook with his own secret recipe believes his concoction to be superior to that of anyone else, and,
- WHEREAS, Many Menudo experts will gather this weekend at Menudo Acres located at outer Loop 1604 and Culebra to compete for the title of World Champion Menudo Cook in the Seventh Annual World Championship Menudo Cookoff, and
- WHEREAS, This confrontation of the World's finest Menudo cooks is held for the benefit of the San Antonio Boys' Clubs.
- NOW, THEREFORE, I, LILA COCKRELL, Mayor of the City of San Antonio, in recognition thereof, do hereby proclaim October 6 and 7, 1979, as

"MENUDO DAYS"

In San Antonio, Texas, and invite all of our citizens to participate in this fun event for the benefit of the Youth of our City.

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Mayor Cockrell introduced Mr. George Watts, President of Boys' Club and Mr. Bob Marsh, Executive Director of Boys' Club, who were present for the presentation.

Mr. Watts and Mr. Marsh thanked the Council for the Proclamation and presented them with T-Shirts honoring "Menudo Cook-Off Days." They appointed the Council members as honorary judges in the selection of the 1979 Menudo Queen contest.

Councilman Webb then read the following Resolution of Respect:

A RESOLUTION
NO. 79-46-96A

WHEREAS, The City Council of San Antonio has learned of the passing of one of its outstanding citizens, Mr. Alvon N. Armstead, and,

WHEREAS, Mr. Armstead, a long time East Side Leader, served on the City's 1978 Bond Steering Committee, the Fort Sam Houston Gateway Project, and the Mental Health-Mental Retardation Advisory Committee, as well as many other Social and Civic Organizations, and

WHEREAS, Mr. Armstead was a staunch supporter of his community and demonstrated much concern and effort in addressing community improvements on the East Side of San Antonio, and,

WHEREAS, His passing will be sorely felt by the members of his family, and associates; NOW, THEREFORE:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. That this City Council on behalf of City Officials as well as citizens of this community does hereby express profound regret on the occasion of the death of Mr. Alvon N. Armstead and tenders to his family our heartfelt sympathy.

SECTION 2. That this Resolution be spread upon the Minutes of this Council and a copy thereof be delivered to the bereaved family.

* * * *

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

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

79-46 CONSENT AGENDA

Mr. Steen moved that items #6-22, constituting the Consent Agenda be approved with the exception of Item #21, to be considered individually. Dr. Cisneros seconded the motion.

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

AN ORDINANCE 51,320

ACCEPTING THE PROPOSAL OF THE MAIN LINE BOOK COMPANY TO FURNISH THE CITY OF SAN ANTONIO PUBLIC LIBRARY WITH LIBRARY BOOKS FOR A NET TOTAL OF \$5,902.89.

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AN ORDINANCE 51,321

ACCEPTING THE LOW BID OF O'KRENT FLOOR COVERING CORPORATION TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH CARPETING & VINYL ASBESTOS FLOOR TILES FOR A NET TOTAL OF \$6,214.00.

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AN ORDINANCE 51,322

ACCEPTING THE BID OF CHEMICAL & TURF SPEC. CO., INC. TO FURNISH THE CITY OF SAN ANTONIO PARKS AND RECREATION DEPARTMENT WITH HERBICIDES FUNGICIDES & INSECTICIDES FOR A NET TOTAL OF \$6,358.96.

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AN ORDINANCE 51,323

ACCEPTING THE BID OF OSBORNE'S LAWN AND GARDEN CENTER TO FURNISH THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH BRUSH CUTTERS FOR A NET TOTAL OF \$7,364.40.

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AN ORDINANCE 51,324

ACCEPTING THE BID OF SAF-T-MARK SUPPLY CO., INC. TO FURNISH THE CITY OF SAN ANTONIO TRAFFIC AND TRANSPORTATION DEPARTMENT WITH PAVEMENT MARKERS (REFLECTORIZED) FOR A NET TOTAL OF \$7,925.00.

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AN ORDINANCE 51,325

AUTHORIZING THE CITY MANAGER TO SIGN A MUNICIPAL CONSTRUCTION AND MAINTENANCE AGREEMENT WITH THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION FOR THE IMPROVEMENT OF NEW BRAUNFELS AVENUE FROM BURLESON STREET NORTH TO IH 35, INCLUDING THE RECONSTRUCTION OF THE RAILROAD OVERPASS AS PART OF THE FEDERAL AID URBAN SYSTEMS PROGRAM; DESIGNATING A FUND AND ADOPTING AN IN-KIND BUDGET FOR THE PROJECT.

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AN ORDINANCE 51,326

ACCEPTING THE LOW QUALIFIED BID OF E-Z BEL CONSTRUCTION COMPANY IN THE AMOUNT OF \$439,970.00 TO CONSTRUCT THE HARLANDALE AREA RECREATION COMPLEX-SITE DEVELOPMENT, AUTHORIZING THE CITY MANAGER TO EXECUTE A STANDARD CITY PUBLIC WORKS CONSTRUCTION CONTRACT COVERING SAID CONSTRUCTION, AND AUTHORIZING PAYMENT FOR SUCH SERVICES.

* * * *

AN ORDINANCE 51,327

ACCEPTING A GRANT OF \$516,500.00 FROM THE HERITAGE CONSERVATION AND RECREATION SERVICE OF THE DEPARTMENT OF THE INTERIOR THROUGH THE TEXAS PARKS AND WILDLIFE DEPARTMENT IN SUPPORT OF THE COST OF PERFORMING PHASE III OF THE DEVELOPMENT OF ROSEDALE PARK, AUTHORIZING EXECUTION OF A GRANT AGREEMENT, APPROPRIATING SAID GRANT AND ADOPTING A BUDGET, AND DESIGNATING A FUND AND ACCOUNTS.

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AN ORDINANCE 51,328

MANIFESTING AN AGREEMENT TO EXTEND STINSON MUNICIPAL AIRPORT COFFEE SHOP LEASE NO. 500a FOR AN ADDITIONAL TWO YEAR TERM ENDING OCTOBER 1, 1981 AND TO INCREASE THE RENTAL PAYABLE THEREFORE.

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AN ORDINANCE 51,329

APPROVING A SUBLEASE OF SPACE IN THE AIR CARGO BUILDING AT INTERNATIONAL AIRPORT, FROM COMPANIA MEXICANA DE AVIACION, S.A. TO DELTA AIR LINES.

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AN ORDINANCE 51,330

AUTHORIZING THE TRANSFER OF THE OWNERSHIP OF TWO EL MERCADO LEASE AGREEMENTS.

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AN ORDINANCE 51,331

AUTHORIZING AGREEMENT AND EXTENSION OF THE EXISTING LEASE AGREEMENT WITH WILLIAM F. GRINNAN, JR. FOR THE ROYAL STREET CROSSING.

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AN ORDINANCE 51,332

AMENDING ORDINANCE NO. 48850 OF DECEMBER 22, 1977, EXTENDING THE TERMINATION DAY OF THE LOAN COMMITMENT AGREEMENT TO THE OWNER OF THE RIVERSIDE HOTEL UNTIL MAY 20, 1980 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE EXTENSION AGREEMENT.

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AN ORDINANCE 51,333

AUTHORIZING THE CITY MANAGER TO LEASE SPACE IN THE HERITAGE PLAZA BUILDING FOR THE HOUSING COUNSELING PROGRAM OFFICE FOR ONE YEAR AT A COST OF \$6,485.76 AND AUTHORIZING PAYMENT FROM THE GENERAL FUND.

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AN ORDINANCE 51,334

AUTHORIZING EXECUTION OF A CONTRACT WITH THE TEXAS DEPARTMENT OF WATER RESOURCES FOR FINANCIAL AID FOR THE U.S. GEOLOGICAL SURVEY PERTAINING TO WATER QUALITY AND FLOOD PREVENTION IN FY 1980, AND AUTHORIZING PAYMENT.

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AN ORDINANCE 51,335

AUTHORIZING PAYMENT OF REFUNDS TO PERSONS MAKING OVERPAYMENTS OR DOUBLE PAYMENTS ON 168 TAX ACCOUNTS.

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79-46 The Clerk read the following Ordinance:

AN ORDINANCE 51,336

AUTHORIZING EXECUTION OF AN AGREEMENT WITH CARL OLSON, AGREEING TO AN EXISTING BUILDING ENCROACHMENT INTO A SEWER EASEMENT, SUBJECT TO CERTAIN CONDITIONS.

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

In response to a concern expressed by Mrs. Dutmer, Mr. George Noe, Administrative Assistant to the City Manager, explained that the encroachment of Building 4406 would not restrict the City of San Antonio from free access to its facilities and that the City would be held harmless from any damages as a result of maintenance activities.

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, Archer, Steen, Cockrell; NAYS: None; DISQUALIFICATION: Canavan; ABSENT: None.

79-46 ZONING HEARING

23. CASE 7823 - to rezone a 0.338 acre tract of land out of NCB 15877, 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 590' south of Rittman Road and 1850' east of Thornwood Drive, having a length of 255' and a depth of 155.47'.

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 with adjacent "I-1" zoning 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: Cisneros, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 51,337

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 0.338 ACRE TRACT OF LAND OUT OF NCB 15877, 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, PROVIDED THAT PROPER PLATTING WITH ADJACENT "I-1" ZONING IS ACCOMPLISHED.

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24. CASE 7837 - to rezone a 5.000 acre tract of land out of NCB 14445, being further described by field notes filed in the Office of the City Clerk, in the 3800 Block of Medical Drive, from "R-3" Multiple Family Residential District to "O-1" Office District, located on the northwest side of Medical Drive, being 238.73' southwest of the intersection of I.H. 10 Expressway West, having 661.57' on Medical Drive and a maximum depth of 400'.

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

AN ORDINANCE 51,338

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 5.000 ACRE TRACT OF LAND OUT OF NCB 14445, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 3800 BLOCK OF MEDICAL DRIVE, FROM "R-3" MULTIPLE FAMILY RESIDENTIAL DISTRICT TO "O-1" OFFICE DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

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25. CASE 7736 - to rezone a 5.922 acre tract of land out of NCB 8409, being further described by field notes filed in the Office of the City Clerk, 352 Spencer Lane from "B" Two Family Residential District and "F" Local Retail District to "I-1" Light Industry District, located on the south side of Spencer Lane, being 350' east of the intersection of Spencer Lane and Fredericksburg Road, having 834.75' on Spencer Lane and a maximum depth of 440'.

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

AN ORDINANCE 51,339

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 5.922 ACRE TRACT OF LAND OUT OF NCB 8409, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, 352 SPENCER LANE FROM "B" TWO FAMILY RESIDENTIAL DISTRICT AND "F" LOCAL RETAIL DISTRICT TO "I-1" LIGHT INDUSTRY DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

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26. CASE 7827 - to rezone Parcel 1, NCB 11635, being that portion within the City Limit of San Antonio, in the 5000 Block of Callaghan Road, in the 2500 Block of Bandera Road from "A" Single Family Residential District to "B-3" Business District, located between Bandera Road and Callaghan Road, being 430' west of the cutback between Bandera Road and Callaghan Road, having 130' on Bandera Road, 220.96' on Callaghan Road and a maximum distance of 465' between Bandera Road and Callaghan Road.

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.

Mr. Alderete expressed concern regarding the flooding problem at the intersection of Bandera Road and Callaghan Road. He asked that staff investigate and report back to the Council regarding the drainage problems at the intersection of Callaghan Rd. and Bandera Rd.

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

AN ORDINANCE 51,340

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS PARCEL 1, NCB 11635, BEING THAT PORTION WITHIN THE CITY LIMIT OF SAN ANTONIO, IN THE 5000 BLOCK OF CALLAGHAN ROAD AND IN THE 2500 BLOCK OF BANDERA ROAD FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

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27. CASE 7839 - to rezone the southwest 100' of the southeast 175' of Lot 11, NCB 14702, 9465 Huebner Road from Temporary "R-1" Single Family Residential District to "B-2" Business District, located on the northwest side of Huebner Road, being 2080' northeast of the intersection of Oakland Road and Huebner Road, having 100' on Huebner Road and a depth of 175'.

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

The applicant, Mr. Robert Grimes, Jr., explained the proposed use of the property. He made reference to the already existing businesses in the area. He stated that the people in the neighborhood are in agreement with this zoning change.

Mrs. Dutmer spoke against the request for rezoning because she felt that this called for business zoning in a single family residential neighborhood.

Mr. Canavan stated that he is familiar with the area; this is in District 8. He stated that this is definitely "spot zoning" and expressed concern of granting business districting in the midst of a single family area.

Mr. Steen spoke in favor of the "B-2" zoning because he felt that sooner or later this area would be commercialized.

Mr. Gene Camargo, Planning Administrator, explained the proposed change and the reasons why staff recommended denial of this zoning request for "B-2" districting.

After discussion, Mr. Steen moved that the recommendation of the Zoning Commission be approved. Dr. Cisneros seconded the motion. On roll call, the motion, to grant the request in rezoning failed to carry by the following vote: AYES: Steen; NAYS: Cisneros, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Cockrell; ABSENT: None.

Case 7839 was denied.

28. CASE 7836 - to rezone Parcel 12D, the north 200' of Parcels 12 and 18 and a strip of land 20' X 1016.26' located between Parcels 12B, 12 and 19, NCB 14857, in the 11400 Block of I.H. 10 Expressway from Temporary "R-1" Single Family Residential District and "B-2" Business District to "B-3" Business District, located on the northeast side of I.H. 10 Expressway and on the northwest side of Huebner Road, being 1900' northwest and 730' northeast of the intersection of Huebner Road and I.H. 10 Expressway and 20' on Huebner Road; to rezone Parcels 12C, NCB 14857, from Temporary "R-1" Single Family Residential District to "B-2" Business District, located 730' northeast of the intersection of Huebner Road and I.H. 10 Expressway, being 1016.26' northwest off of Huebner Road, having a width of 478.65' and a depth of 747.5'.

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 and that a six foot solid screen fence is erected and maintained along the north line of Parcel 12C, which is abutting the "P-1(R-6)" zoning just to the north of the recommended "B-2" rezoning. 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, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: Thompson.

AN ORDINANCE 51,341

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS PARCEL 12D, THE NORTH 200' OF PARCELS 12 AND 18, AND A STRIP OF LAND 20' X 1016.26', LOCATED BETWEEN PARCELS 12B, 12 AND 19, NCB 14587, IN THE 11400 BLOCK OF I.H. 10 EXPRESSWAY FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT & "B-2" BUSINESS DISTRICT TO "B-3" BUSINESS DISTRICT; AND PARCELS 12C, NCB 14857, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED AND THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED ALONG THE NORTH LINE OF PARCEL 12C, WHICH IS ABUTTING THE "P-1(R-6)" ZONING JUST TO THE NORTH OF THE RECOMMENDED "B-2" REZONING.

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29. CASE 7838 - to rezone Lot 22 and the east 25' of Lot 23, Block 13, NCB 2951, 1315 Fair Avenue from "B" Two Family Residential District to "B-1" Business District, located on the north side of Fair Avenue, being 175' east of the intersection of Fair Avenue and Nopal Street, having 75' on Fair Avenue and a depth of 121'.

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

Mrs. Dutmer expressed concern regarding the protection of homes to the rear and to the west of the subject property because of the "E-1" Business Districting. She also asked that staff investigate and report back to the Council on the problem of the heavy speeding traffic in the 1300 Block of Fair Avenue, and include in the report, any steps which can be taken to slow down the traffic in this area.

A discussion among a few of the Council members took place regarding the possibility of erecting a four foot solid screen fence along the west property line of the subject property.

In response to a question by Mr. Steen, Mr. Gene Camargo, Planning Administrator, explained how the matter of fencing the west side of the subject property, could be handled administratively.

No citizen appeared to speak in opposition.

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

AN ORDINANCE 51,342

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 22 AND THE EAST 25' OF LOT 23, BLOCK 13, NCB 2951, 1315 FAIR AVENUE, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-1" BUSINESS DISTRICT, PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTH PROPERTY LINE AND THAT STREET DEDICATION IS MADE IN ACCORDANCE WITH THE MAJOR THOROUGHFARE PLAN; AND FURTHER PROVIDED THAT A FOUR FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE WEST PROPERTY LINE.

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30. CASE 7826 - to rezone Lots 1 thru 6, Block 7, NCB 16671 and a 1.420 acre tract of land out of NCB 11635, being further described by field notes filed in the Office of the City Clerk, in the 6000 Block of Wam Pum Drive, from Temporary "R-1" Single Family Residential District to "R-5" One Family Residential District, located on the south side of Wam Pum Drive between Turkey Run Drive and Camino Real, having 494.83' on Wam Pum Drive, 136' on Turkey Run Drive, 136.76' on Camino Real with a maximum depth of 251' extending south from Wam Pum Drive.

Mr. Gene Camargo, Planning Administrator, explained the proposed change which the Zoning Commission recommended be approved by the City Council. Mr. Camargo also explained the ingress and egress situation in the area.

Mr. Alderete asked to be notified of any plat submitted in the vicinity of Turkey Row and Camino Real, particularly if it calls for an extension of these streets to Ingram Road, prior to approval by the Planning Commission.

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

AN ORDINANCE 51,343

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 THRU 6, BLOCK 7, NCB 16671 AND A 1.420 ACRE TRACT OF LAND OUT OF NCB 11635, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 6000 BLOCK OF WAM PUM DRIVE, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-5" ONE FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

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79-46 The Clerk read the following Ordinance:

AN ORDINANCE 51,344

AUTHORIZING THE CONTINUATION OF PROJECT DETOUR II FOR ADULT MISDEMEANOR OFFENDERS FOR ITS FIFTH YEAR OF OPERATION BEGINNING OCTOBER 1, 1979; APPROPRIATING FUNDS FOR THE PROJECT; ESTABLISHING A FUND AND ACCOUNTS; AUTHORIZING A CONTRIBUTION OF \$131,007 FROM CETA TITLE IIB FUNDS, AND, AUTHORIZING A THIRD-PARTY AGREEMENT WITH UNITED ORGANIZATIONS COALITION IN THE AMOUNT OF \$163,758.00.

* * * *

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

In response to a question by Mr. Archer, Mr. Narciso Cano, Director of Economic and Employment Development, explained the purpose of the program. He stated that this program deals with misdemeanor offenders and that every program is audited by the City staff and evaluated periodically.

Mr. Thompson spoke in favor of the Ordinance. He stated that it is a worthwhile project which has helped many persons, especially children, who are first time offenders.

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.

79-46 Item 32, being a proposed ordinance authorizing the reprogramming of unexpended prior year grant funds under the Comprehensive Employment and Training Act; approving revised CETA Program budgets for the 1978-1979 Program Year; authorizing grant agreement modifications with Department of Labor; and authorizing modifications of the Third-Party Agreements with program operators, was withdrawn from the Agenda.

79-46 Item 33, being a proposed ordinance amending Ordinance No. 50766, dated May 17, 1979, to remove the limitations of administrative and other staff costs placed on certain operating agencies selected to operate the 1979 CETA Title IV Summer Youth Employment Program, was withdrawn from the Agenda.

79-46 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 51,345

AUTHORIZING ASSUMPTION OF AN EXISTING LEASE BETWEEN DATAPOINT CORPORATION AND LOCKWOOD, ANDREWS AND NEWMAN (LAN) AND A ONE YEAR EXTENSION THEREOF FOR A MODEL 4630 DATASHARE SYSTEM.

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AN ORDINANCE 51,346

AUTHORIZING SUBMISSION OF AN APPLICATION TO THE U.S. ENVIRONMENTAL PROTECTION AGENCY THROUGH THE TEXAS DEPARTMENT OF WATER RESOURCES FOR AWARD OF THE ADDITIONAL AMOUNT OF \$316,120.00 FOR THE WASTEWATER TREATMENT FACILITIES PLANNING PROJECT; INCREASING THE BUDGET OF THE PROJECT; AUTHORIZING A CONTRIBUTION TO THE PROJECT FROM 1975 SEWER REVENUE BOND FUNDS; AND AUTHORIZING AN AMENDMENT TO THE AGREEMENT FOR ENGINEERING SERVICES.

* * * *

79-46 The Clerk read the following Ordinance:

AN ORDINANCE 51,347

AMENDING ORDINANCES 50547 AND 50548 OF MARCH 22, 1979, CODIFIED AS CHAPTER 2 OF THE CITY CODE OF THE CITY OF SAN ANTONIO.

* * * *

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

In response to a question by Mr. Archer, Mayor Cockrell explained that the Ethics Committee Ordinance had been adopted by the previous City Council. She further explained that recommendations on these Ordinances were made by the Ethics Committee, which had been informally appointed by the City Council.

Mr. Archer asked that he be furnished with a list of the Ethics Committee members.

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.

79-46 The Clerk read the following Ordinance:

AN ORDINANCE 51,348

ACCEPTING A SETTLEMENT OF THE INSURANCE CLAIM
ARISING FROM THE MUNICIPAL AUDITORIUM FIRE.

* * * *

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

Mr. Frank Kiolbassa, Director of Public Works, stated that the City had concurred with the three engineering firms on the estimate of damages sustained by the Municipal Auditorium. He stated that as far as he was concerned, he felt that this was a fair offer and recommended that the City Council accept their offer.

Mr. Steen stated that he felt that this offer was more than fair and stated that he would like to see the total amount deposited in the bank to draw interest.

Mr. Canavan stated that he had studied the figures and felt that it was a very good award.

Mayor Cockrell stated that should the Council decide to approve the Ordinance, it would be the Council's intent to place this money in escrow; dedicated to the restoration of the Municipal Auditorium. She stated that it would be set aside in a separate identified account.

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.

79-46 The Clerk read the following Resolution:

A RESOLUTION
NO. 79-46-95

REAFFIRMING THE CITY'S INTENTION TO ALLOCATE
THE SUM OF \$2,000,000.00 FROM FUTURE E.D.A.
GRANTS FOR THE VISTA VERDE SOUTH PROJECT.

* * * *

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

Mayor Cockrell stated that this Resolution backs the staff's intent in a form that can be utilized in connection with the grant application.

Dr. Cisneros stated that he appreciated the Council's consideration on making the switch of the monies and hoped that now it would enhance the chances of bringing \$17 million into the City.

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

Mayor Cockrell recognized Congressman Henry B. Gonzalez who was in the audience and asked for Council concurrence to hear him at this point in the meeting.

Mr. Alderete referred to a copy of a letter that he had received addressed to Councilman Cisneros. He asked Mayor Cockrell about the status on the location of the City Public Service Board headquarters.

Mayor Cockrell responded that the City Public Service staff was asked to review the amount of space that is needed and report to the Board of Trustees.

Mrs. Dutmer stated that she is in favor of the Vista Verde South Project, however, she is very concerned about the removal of people from their homes and relocation. She stated that she does not feel that it is right to displace these people.

Dr. Cisneros then explained the Resolution which had just been approved by the City Council reaffirming the City's intention to allocate the sum of \$2 million from future EDA grants for the Vista Verde South Project. He also explained the housing section which will be part of the project. He further explained that there has been an expressed intent on the part of residents in the area who wish to remain and live there, and they have been the strongest supporters of the project.

Mr. Eureste stated that he has met with the people in this neighborhood, and they are insisting that a residential area be reserved in the Vista Verde South Project. He stated that in the past persons have been displaced, but this will not be the case with this particular project.

The City Council concurred in hearing Congressman Gonzalez at this point in the meeting.

* * * *

Congressman Gonzalez stated that he wished to address the Council on three particular concerns which had been brought to his attention. The first involved the recently approved Peddlers' Ordinance. He said that he is concerned about the manner in which peddlers are prohibited from working on certain intersections. He mentioned a particular vendor, Mr. Martin Padilla, who has sold ice cream in the downtown area for over 25 years. He urged the City Council to retain the peddlers who he called the last of the independent businessmen.

Congressman Gonzalez stated that he does not want the City of San Antonio to be bypassed in the Nation's Sesquicentennial Celebration, and stated that the City of San Antonio should be selected as the site for the celebration. He then stated that the City Council had appointed a Sesquicentennial Committee, however the Committee is too large to be effective. He stated he might have to seek support from other organizations to secure the celebration for the City of San Antonio.

Congressman Gonzalez then spoke about the legislation he authored with regard to compensation at the federal level for those persons who were relocated from the HemisFair area. He stated that every single family enjoyed complete compensation when they were relocated from the HemisFair area.

Congressman Gonzalez then expressed concern about the bid proposal that had been advertised by the City for the HemisFair site. He is very concerned about turning over the majority of the land to private individuals, and expressed his disapproval of this action. Congressman Gonzalez then stated that the HemisFair site would be the ideal location for the Sesquicentennial Site.

Congressman Gonzalez said that he is very concerned with the City's plans to renovate La Villita which will cause the displacement of existing tenants. He said that tenants have approached him and expressed their concern about not being advised of these plans until they read it in the newspapers. Congressman Gonzalez then expressed concern that La Villita may fall into private individuals control.

Congressman Gonzalez spoke about past actions by the Urban Renewal Agency and referred in particular to Mr. Porfirio Arana's property on Dolorosa and the manner in which it was disposed of.

* * * *

Mayor Cockrell then stated that with regard to the Peddlers' Ordinance, the City Council had passed this Ordinance to address a particular concern raised by citizens on flower and plant sales. The City Council has already asked the Legal Department to further review the Ordinance on additional problems that have recently been brought to their attention. She asked that the City Manager further review the concerns brought up by Congressman Gonzalez.

Mayor Cockrell then referred to the Sesquicentennial legislation that has recently been approved. It appears that the legislation does not specify particular cities, but the general direction may be to hold designated celebrations in different cities. A state committee on the Sesquicentennial will be appointed and a list of names will be sent to the Governor for inclusion in the committee.

City Manager Huebner spoke with regard to the matter of bid proposals for the HemisFair site. He stated that the City of San Antonio is requesting proposals, and more than 25 have already been requested. Many of the proposals are from public entities as well as private concerns.

Mayor Cockrell asked Congressman Gonzalez for any suggestions or comments on the proposed redevelopment of HemisFair Plaza.

City Manager Huebner then stated that the City Council had earmarked \$1.7 million for the renovation and restoration of La Villita. He reviewed the original 1939 ordinance which made it a place for arts and crafts to flourish. The original intent of this Ordinance has been neglected. He further stated that only tenants who are not keeping with the original concept of the Ordinance or who are abusing their leases will need to be concerned.

With response to Congressman Gonzalez' concerns about tenants being relocated, Councilman Cisneros explained the purpose for approving the monies to renovate La Villita.

Councilman Eureste then commended Congressman Gonzalez for appearing before the City Council to express the concerns which had been brought to his attention. He agreed with the comments made by Congressman Gonzalez with reference to the Peddlers' Ordinance.

He stated that he had spoken against the original passage of the ordinance and its impact on the citizens of the City. He spoke about another proposed ordinance which is to be brought to the Council which will address food and beverages. He feels that this ordinance also will impact many private citizens. He spoke about the treatment which many peddlers have endured and cases of arrest of individuals.

After further discussion, Congressman Gonzalez thanked the City Council for permitting him to address them and bring forth his concerns.

Mayor Cockrell declared open the Public Hearing and stated that HUD has directed the City of San Antonio to modify its Fiscal Year 1979 Housing Assistance Plan, changing the number of units shown in the large family category from 50 to 114; this is the first of two Public Hearings to consider the proposed modification. She stated that this change is necessary before HUD approves the San Antonio Housing Authority's Application for rehabilitation of 518 existing units of Section 8 Moderate Rehabilitation Housing.

Mayor Cockrell explained that no action can be taken at this time; action will be taken on this Modification after the October 18, 1979 Public Hearing.

No citizen appeared to speak at this Public Hearing.

Mayor Cockrell declared the Public Hearing closed.

79-46 The meeting was recessed at 3:40 P.M. and reconvened at 4:55 P.M.

79-46 5:00 P.M. -- APPEAL OF MR. B.J. MCCOMBS AGAINST THE DENIAL OF HIS REQUEST FOR A VARIANCE IN THE SPRINKLER SYSTEM REQUIREMENTS

Mayor Cockrell declared open a public hearing on the appeal of Mr. B.J. McCombs.

Mr. B.J. McCombs stated that he is building a new dealership facility at 8300 I.H. 10 Northwest and is requesting a variance in regard to the City Code and Fire Code NFPA 88B, which requires sprinkler protection in garages exceeding 15,000 square feet. He stated that the following list contains the reasons why he is reluctant in putting a sprinkler system in the area:

1. Premature or accidentally activated system would cause irrevocable damage to the solid state test equipment that will be installed in this new facility.
2. It would be particularly hazardous to all electrical distribution centers.
3. If sufficient quantities of water were discharged in this area, it would render all lifts useless from a control stand point as they are air-over-oil actuated and controlled.
4. The computer read-out and print-out centers in this would be adversely affected, if not completely destroyed.
5. Paging and InterCom system would be adversely affected when subjected to any water.
6. All gas fired unit heaters, thermostats, and other control equipment would be damaged.
7. We feel confident that the exhaust system for the building would be seriously impaired as well.

Mr. McCombs stated that if a fire should occur in the service facility, it would undoubtedly be a chemical fire; as there are no fuels or oils stored in the open in this department. He urged the Council to waive the requirement.

Fire Chief, I. O. Martinez made a report to the Council on his decision with regard to the request made by Mr. McCombs for a variance. He stated that the Fire Department is in charge of enforcing the Fire Code which includes the stipulation for a sprinkler system. He stated that the reasons given by McCombs are not valid enough in relation to the protection offered by automatic sprinkler protection to allow variance from this requirement. He further stated that a structure of this size makes it difficult to suppress a fire. He spoke of the sprinkler system as being the best protection for the firefighters.

Mr. Steen stated that he felt that sprinkler systems were not necessary; he spoke of the insurance aspect for this type of protection.

In response to Mr. Thompson, Chief Martinez explained that if there should be a fire and the loss is so great, that the loss is part of the City of San Antonio, the City will have to make up an insurance premium and as a result, the taxpayers' money will be spent.

Mr. Eureste spoke in support of the Chief's recommendation.

In rebuttal, Mr. McCombs stated that this new dealership facility will have 24 hour security and will not be left unattended.

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

AN ORDINANCE 51,349

GRANTING THE VARIANCE REQUEST OF HEMPHILL-MCCOMBS FORD SERVICE TO SECTION 15-29(b) OF THE CITY CODE AND N.F.P.A. STANDARD NO. 88 WHICH REQUIRES SPRINKLER PROTECTION IN REPAIR GARAGES EXCEEDING 15,000 SQUARE FEET, IF OF FIRE RESISTIVE CONSTRUCTION.

* * * *

79-46 The following Resolution was read by the Clerk and after consideration, on motion of Dr. Cisneros, seconded by Mrs. Dutmer, 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. 79-46-96

OPPOSING CONSOLIDATION OF THE APPRAISEMENT CENTERS IN THE HOUSTON CUSTOMS REGION.

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79-46

APPOINTMENT OF FRANK VAUGHAN

At this time, Dr. Cisneros asked that the appointment of Mr. Frank Vaughan, as Chairman of the Sesquicentennial Committee, be presented to the Council in the form of an ordinance for next week's meeting.

The Council concurred with Dr. Cisneros' suggestion.

79-46 The following Ordinance was read by the Clerk and after consideration, on motion of Dr. Cisneros, seconded by Mr. Webb, was passed and approved by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: None.

AN ORDINANCE 51,350

ACCEPTING \$10,000.00 FROM ANHEUSER BUSCH
AND \$2,000.00 FROM CRAIN DISTRIBUTING
COMPANY AND APPROPRIATING SAME FOR USE IN
CONNECTION WITH THE MARIACHI FESTIVAL.

* * * *

79-46 The Clerk read the following Ordinance:

AN ORDINANCE 51,351

GRANTING A VARIANCE TO THE FIRE CODE TO
SAN ANTONIO PROFESSIONAL SPORTS, INC.,
RELATIVE TO SEATING IN THE ARENA.

* * * *

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

Mr. Terry Bickerton, an Attorney, asked that this Ordinance be postponed for a week to allow for the presentation regarding this matter.

Mr. Alderete made a motion to postpone this item for one week. Mr. Thompson seconded the motion.

City Manager, Thomas Huebner, stated that he had been contacted by Mr. Bickerton, and would not recommend a one week delay. He stated that he had just been advised that the tickets for the second row had already been sold.

Mayor Cockrell spoke in opposition to the motion for postponement; she felt that a definite policy needed to be established regarding this matter.

Mr. Eureste concurred with the Mayor's views; flexibility has already been given, and the Council needed to move on regarding this issue.

After discussion, Mr. Alderete withdrew the motion to postpone. Mr. Thompson withdrew his second.

Mr. Joe Madison, Assistant Director of the Convention Facilities, explained the seating arrangement at the arena. He urged the Council to approve the Ordinance and stated that it would not be taking effect until the following week.

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

79-46 SPECIAL ANNOUNCEMENT RE: SPECIAL SESSION

Mayor Cockrell announced that a Special Meeting is scheduled for 6:00 P.M. to consider a Resolution pertaining to the Northeast Low Income Housing Projects.

79-46 Travel Authorization - Granted

Mayor Lila Cockrell - Guadalajara - 10/05/79-10/08/79
Councilman Frank Wing - Washington D.C. 10/06/79-10/06/79
Councilman Bob Thompson - Guadalajara- 10/05/79-10/08/79
Councilman Joe Alderete- Guadalajara- 10/05/79-10/08/79

79-46 The following Ordinance was read by the Clerk and after consideration, on motion of Mr. Webb, seconded by Dr. Cisneros, 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 51,352

ACCEPTING A GRANT FROM ECONOMIC DEVELOPMENT ADMINISTRATION IN THE AMOUNT OF \$45,000 FOR TECHNICAL ASSISTANCE UNDER TITLE III OF THE PUBLIC WORKS AND ECONOMIC DEVELOPMENT ACT; ADOPTING A BUDGET FOR 15 MONTHS BEGINNING SEPTEMBER 10, 1979; AND AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT WITH THE ECONOMIC DEVELOPMENT ADMINISTRATION.

* * * *

AN ORDINANCE 51,353

AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO PARTICIPATE IN THE TARGETED JOBS DEMONSTRATION PROGRAM; AND ACCEPTING THE FUNDS WHEN OFFERED.

* * * *

The discussion is as follows:

DR. HENRY CISNEROS: I move.

MR. JOE WEBB: I second.

MAYOR COCKRELL: There's a motion and a second. Mrs. Dutmer.

MRS. DUTMER: I would like to know on this motion, why is it that it refers only to minorities. There's many, many people other than just minorities who are having difficulties with jobs and who would like to have advantages of some of these programs also.

MAYOR COCKRELL: We'll ask the staff to respond. I would presume that this is just one of the programs and that there is a targeted group for this particular program. Is that correct?

MR. RAY LOPEZ: That is correct. Madam Mayor.

MRS. DUTMER: Is there another for other than just the minorities?

MR. LOPEZ: Well, with regard to this particular grant, part of this includes a funding for the small and minority business enterprise program which is being run through the EEO Office here for the City of San Antonio. And that, I believe, would address the broader issue I believe that you are raising, Councilwoman.

MRS. DUTMER: I don't see anything in this Ordinance that addresses small and minority businesses. All I see is minority. Now, I'm not knocking - I want minorities to have their chance, but I also think that it should be open to everyone.

MR. LOPEZ: I believe we have a summary of both programs. I would like to pass them out if we have them, David, - so that you can see specifically, more clearly, exactly what's in those two programs that we are talking about.

MRS. DUTMER: May I ask the other question?

MAYOR COCKRELL: Yes, certainly, go ahead.

MRS. DUTMER: And that is, how does it tie in with the Hyatt Regency Hotel? Are they going to use the job training and targeted job demonstration program on the Hyatt Regency or in their local labor?

MR. LOPEZ: That is correct, Councilwoman. Without getting into the real details, it has to do with our original UDAG application and the involvement of the Mexican-American Unity Council in which we stipulated certain programs that we were going to carry out in association again with the UDAG and the Hyatt Regency operation. And this funding is merely viewed as an opportunity that now, in essence, meet our commitment that we made on our UDAG. So, it's really, quite frankly, nothing new. It's just, we have now identified a source of funds to carry out an original commitment that I believe this City Council has supported.

MRS. DUTMER: Well, then I would like to ask. Does the Ordinance contain the phrase in it, "small businesses and minorities?"

MR. EURESTE: The purpose of the proposed small and minority business enterprise program.

MRS. DUTMER: The small and minority business program. All right.

MR. EURESTE: It's on the second page.

MAYOR COCKRELL: The second page.

MRS. DUTMER: My second page doesn't have anything on it.

MR. LOPEZ: It's on the summary sheet, Councilwoman.

MRS. DUTMER: Well, I was looking at a different summary sheet. The one you gave us to vote on by.

MAYOR COCKRELL: Are there any further questions, then? If not, I believe we have a motion and a second. I therefore call for the vote. Mr. Thompson.

MR. THOMPSON: Well, the Ordinance that itself - this is a summary of the purpose. But this is the Ordinance that is about to be passed. Correct? And I share Councilwoman Dutmer's concern about having that in there. And I've read it over quickly, but I didn't see it. Now granted, we are going to be looking at it later. In the dry room of consideration, it will be exactly what this document states. And I know for sure, whether the purpose clause will follow it along.

MAYOR COCKRELL: All right. May I ask then for something that is included in the summary and the purpose sheet that is not spelled out exactly like that in the covering Ordinance, is the summary sheet included as a part of the total direction of the program?

MR. LOPEZ: Well, let me answer this way, Madam Mayor. And I hope it's adequate. The summary sheet that we just passed out is a condensation from the exact wording of the proposals.

MAYOR COCKRELL: All right. Fine. So, in other words, the Ordinance simply provides the mechanism for the proposals moving forward, but what is included in the proposals, themselves, that would govern the program is included on the summary sheet.

MR. LOPEZ: Exactly.

MRS. DUTMER: All right. May I

MAYOR COCKRELL: Mr. Thompson still has the floor.

MR. THOMPSON: So, then with the specifics that are stated here in this Ordinance, then they are only suggestive, they are not limiting. And.....

MAYOR COCKRELL: Well, the things that are in the Ordinance, yes, it's just a very brief statement, but it empowers the proposal itself to move forward. The proposal contains all of the things that are on your summary sheet.

MR. THOMPSON: Okay, well I've not seen either one to review very - with any thoroughness at all. And here again I have to take the word of somebody. I guess, our program moves for small business and minority and that fits within the stated intent of the program that we are trying to apply for - I assume that's true.

MR. LOPEZ: Yes, sir, it is.

MR. THOMPSON: Okay.

MAYOR COCKRELL: Mr. Briseno.

MR. BRISENO: Yes, Madam Mayor. This Ordinance allows to supplement the activities of our small minority business enterprise program and clearly the intent of the program is for both, small and minority business enterprises. If the Ordinance itself does not have that specific wording in it we will assure that that wording is included prior to signature.

MR. THOMPSON: Fine. Thank you.

MAYOR COCKRELL: Mr. Eureste.

MR. EURESTE: I pass.

MAYOR COCKRELL: All right. Mrs. Dutmer.

MRS. DUTMER: Yes, that suits me fine. I'm going to keep my eye on this program.

MAYOR COCKRELL: Mr. Archer.

MR. ARCHER: Yes. It says here in number five in the second sentence. MAUC will interview and rank potential tenants.

MR. LOPEZ: I'm sorry, where are you reading, Councilman?

MR. ARCHER: Well, it's another one of these pages that's dropped off to us right before we go to vote. So, maybe if you haven't gotten it, maybe they haven't gotten that far. But this was just laid down here, and it's kind of hard to read through it real fast. But on number five under the summary of Mexican-American Unity Council's proposal - forgot that one.

MR. LOPEZ: Yes sir, I'm with you now.

MR. ARCHER: It say's, "MAUC will interview and rank potential tenants." You mean, anybody that wants to rent some space there has to go out to the agency to find out if they can - is that what that means?

MR. LOPEZ: Well, this is an arrangement that has been worked out between the Hyatt Regency people and the Mexican-American Unity Council and the City of San Antonio, Councilman.

MR. ARCHER: I think that is what Congressman Gonzalez was referring to. Does it not?

MAYOR COCKRELL: This was in the original UDAG grant application, Mr. Archer, and it had to do with the arrangement made between the Mexican-American Unity Council and the proposal involving the Hyatt Hotel and the UDAG grant that the Mexican-American Unity Council would be involved in assisting and training personnel for the project, in assisting in trying to get small and minority businesses located into the project, that kind of thing.

MR. ARCHER: Well, I tell you what. That doesn't really set very well with me at all. And I know that I didn't have anything to do with it because it was done before I came on. But, I don't believe any type of an agency ought to be in there interviewing and ranking potential tenants. I mean if the City Manager does it, I think that's one thing. But I'll swear I don't like the idea of that. I really believe that is really wrong.

MAYOR COCKRELL: May I just say, we are not talking about property that the City will be managing.

MR. ARCHER: No, I know it. I know that. But the City did have something to do with it, though.

MAYOR COCKRELL: That is correct. Mr. Eureste.

MR. EURESTE: I hope - I wouldn't want the City to manage the Hyatt Regency. And I think that would be the kind of direction we would be heading toward. And I think the Hyatt has made an arrangement, though, with this group to be involved in certain aspects of that business. It's pure and simple.

MAYOR COCKRELL: All right, are there any more questions? All right, then we will have to have a roll call vote.

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

CLERK: The motion carries.

MAYOR COCKRELL: The motion carries. Yes, Mr. Archer.

MR. ARCHER: Mayor I would just like to say one thing. Now, here we are again with an agency, and I know it's close to a lot of people here, but still this is an agency that comes down here from time to time and asks the Council to provide money for them for social programs and yet here they are in the business of building a hotel. I really don't understand it, I'm a little hacked off when I go to pay taxes myself, because it's hard for everybody to make out and then how we can give money to these agencies and then they - they've got money to go into a hotel and yet they need to ask us for money to help out these programs to help the poor.

MAYOR COCKRELL: Well, let me just say that I think it would be wise for any Council member who would like to know more about this or any other agency to request staff to set up, perhaps, a briefing or to have the opportunity to study them in more detail. But, unfortunately, we can't do that right now because of our agenda. We would be glad to have you meet the Board or meet the Executive Director and review the program and learn more about the activity. All right, let's see. Mrs. Dutmer.

MRS. DUTMER: I share Mr. Archer's concern in that. I think that we are setting the Mexican-American Unity Council up in a multi-million dollar business, and that is not the purpose of this City. We have given them an opportunity that we do not give the other ethnicities of the City, and I just absolutely think it's wrong. As for having a briefing, I've had that briefing and it was the biggest fiasco I have ever attended in my life. And I think there's going to be further ramifications from this, and I can see the Congressman's concern.

MAYOR COCKRELL: Mr. Webb.

MR. WEBB: No, Madam Mayor, I don't have anything.

MAYOR COCKRELL: Mr. Thompson.

MR. THOMPSON: Madam Mayor. I think that my vote was partially swayed by what our Congressman said today. And that is the wisdom that it takes to carry out the laws that our Congress passes for us. And this particular summary sheet - the one that I was just given - if I only read the titles, and I only listen to the titles, I didn't read what it said within it; but certainly the titles should be the most descriptive part of it, unless somebody is trying to deceive me. The word "minority" is mentioned in each one of them. And I was just led to believe that small business was one of the parts that was going to be considered. But if I read the first page, and I looked at six particular things: "Minority CETA, Hotel employees will be coming from a particular pool that MAUC will establish. Minority Contractors' and Subcontractors; Minority Vendor Elements, Minority Retailers Elements,"

and it goes on. And that's where we have to pay particular attention to implementing these, so we don't categorize participants in programs as minorities, they're San Antonians. And they all qualify on a basis of needs, and if they qualify on that basis, then we approach it from that basis. But we have narrowed our perspective, and I think without the proper diligence nor wisdom that is required of us, as being on the cutting edge, as our Representative said, in making these applications. And that's why I voted against it.

MAYOR COCKRELL: Let me just say this. In terms of the Hyatt Hotel the enormously large ownership and interest in that hotel is by the Anglo business community. There is a small interest, that is owned by the Mexican-American Unity Council.

MR. THOMPSON: As far as I'm concerned they are just San Antonians.

MAYOR COCKRELL: Fine. All right. Well, there was - it was considered in HUD that the program was more attractive as a UDAG project because of some opportunities that it would contain for minority business persons. And it was told to the City Officials that that was one of the provisions that made the entire package more attractive. And the fact is, that the City got a six and a half million dollar UDAG grant and a portion of that for the Alamo Linkage Project was due to the fact that it did have some factors in it that would encourage opportunities for minority business participation and for employment.

MR. STEEN: Madam Mayor.

MAYOR COCKRELL: Yes, sir.

MR. STEEN: I have a point of order.

MAYOR COCKRELL: Yes, sir. Thank you.

MR. STEEN: I think we passed this Ordinance. And do we normally discuss Ordinances that have already been passed?

MAYOR COCKRELL: Not too frequently, but I did recognize Mr. Archer.

MR. ARCHER: Wait, just a minute Councilman Steen. I want to find out - I want to see if I have this straight. If I want to open up a flower shop or something in the Hyatt Hotel, you mean I've got to get in my car and go out and interview with a poverty agency?

MR. EURESTE: Point of order.

MAYOR COCKRELL: Let me just say that I think that the point that Councilman Steen has raised that we are continuing the discussion past the time when it has been voted on is a valid point. I take it as a point of order.

MR. ARCHER: Well, if I was some of these people I wouldn't want to continue discussing it either. This is probably the worse

MR. EURESTE: Point of order. Point of order. Point of order. Point of order.

MAYOR COCKRELL: Just a moment.

MR. EURESTE: Okay.

MAYOR COCKRELL: All right. Now, then the Chair has ruled on the point of order and the point of order is that we have completed the discussion prior to the vote and the vote was taken. We do need to move on to the rest of our agenda.

MR. EURESTE: Point of information.

MAYOR COCKRELL: Is there a point of order?

MR. EURESTE: Point of information. Actually, I would request of

the City Clerk's staff to please give us in the minutes for next week the full debate of this.

MRS. DUTMER: That isn't a point of information.

MR. EURESTE: I don't know what other point I could raise for that. But I would want this discussion, please.

MR. ARCHER: If you get a tape recorder, I'd be glad to express my views.

MAYOR COCKRELL: Thank you. Now then, we do have persons who are waiting on the Citizens to Be Heard, and out of courtesy to all of them I'd like for us to move on. We'll now move on.

CITIZENS TO BE HEARDDOUGLAS SAUNDERS, JR.

Mr. Douglas Saunders, Jr., representing Southwest Utility Co., said they have had discussions with City Water Board and City Staff on his father's written offer to sell a water system and the Westwood Village Sewer System. Mr. Saunders stated that they have not been contacted by City officials, and they have sent several letters which have not received any reply. He stated that they have four options and asked the City Council to authorize a representative to meet with them and advise them if the City is interested or not.

Mr. Frank Kiobassa, Public Works Director, stated that a memo has been written to the City Manager quoting a price for the water system. He stated that he hoped to make a firm offer to Mr. Saunders on Monday.

MR. GLEN PETERSON

Mr. Glen Peterson, National Vice President for the National Federation of Government Employees, stated that they are concerned with the contracting out of work to private contractors that are not in the City of San Antonio. He presented to the City Council a list of contracts that were awarded. He stated they have spoken to all the area Congressmen about this problem.

Mr. Peterson asked the City Council to send a telegram to Senator Tower to sustain the language of the Congressional Record House Bill 805.

Dr. Cisneros said that this matter was brought up on their trip to Washington, D. C. He moved that with the Council's concurrence the staff would be directed to send Senator Tower a telegram expressing the Council's concern and urging that the language of the Congressional Record House Bill dealing with the requiring of complete economic impact studies prior to contracting out services presently being provided by military or civil service personnel be sustained in the Conference Committee's deliberations.

Mr. Webb seconded the motion.

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

Mr. Steen asked if the persons who get the contract pay out sub-standard wages. He asked Mr. Munoz to comment.

Mr. Henry "The Fox" Munoz said that the money is going out of the City. He said that what is going to happen is an international game of cheap labor.

After discussion, the motion prevailed by the following vote:

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

GUADALUPE RIOS

Mrs. Guadalupe Rios, resident of Victoria Courts, stated that the San Antonio Housing Authority wants to remodel the exterior of the courts. She stated that the interior of the courts is in bad condition, and that San Antonio Housing Authority should remodel the interiors.

Mayor Cockrell said that the City Council has a Housing Committee and asked Mrs. Rios to meet with Mr. Eureste, the Chairman, and they can review the matter and report back to the City Council.

In response to Mr. Eureste's inquiry on information on exterior modernization, Mr. Rolando Bono, Assistant to City Manager, said that most of the information is available and that a meeting of the Task Force with San Antonio Housing Authority will be scheduled very soon.

MRS. EDITH MOLNAR

Mrs. Edith Molnar, Budapest Restaurant, said that her five year lease expires this year and that she has spent alot of money improving the restaurant. She said she received a notice that only 6 month leases will be issued, and she was also told that the lease would not be executed unless the roof is installed to their standards.

Mr. Joe Madison, Assistant Director of Convention Facilities, said that he has spoken to Mrs. Molnar and that he told her he would consider renewing the lease on two conditions - one, that the rent be paid up; and two, that the fiberglass panels at the rear of the room be removed.

Mr. Madison explained that the 6 month lease is being considered to give them an opportunity to look at new leasing arrangements. After that period is up arrangements can be made for long time leases.

Mayor Cockrell asked that since the lease is only for 6 months and in particular circumstances could more flexibility be exercised.

Dr. Cisneros said that Mrs. Molnar should deal with her responsibility of the two items set out by Mr. Madison.

Mayor Cockrell asked if the removal of the canopy would bring the building into compliance. In response, Mr. Madison stated that it would and that if the rent is current, then they will go forward with a six month lease.

MR. RAUL RODRIGUEZ

Mr. Raul Rodriguez, 719 Delgado, read from the minutes of the Fire and Police Civil Service Commission dated September 13, 1979, against a San Antonio Police Detective. He feels the City Council should investigate this case thoroughly because the police did not bring in witnesses.

MUNICIPAL AUDITORIUM

Mrs. Judy Urrutia, President of Artists Alliance, spoke about the Municipal Auditorium and feels that this structure could be adapted for use as a mixed use facility communication center.

Mrs. Urrutia said that a proposal was made to investigate this project, and that they have approached people in the business community as well. The presentation was made to Centro 21 on February 27th.

Mrs. Urrutia gave a history of what has transpired and the money that has been expended for the re-use of the Municipal Auditorium. She asked the City Council to give its most careful consideration to this matter.

Mrs. Urrutia then introduced Mr. Tom Piper from Boston, Massachusetts.

* * * *

Mr. Tom Piper, Architect from Boston, said he was commissioned to work on the re-use of the Municipal Auditorium. They proposed a television, film, studio and production facility. Mr. Piper said that everyone of the facilities would be revenue producing.

Mr. Piper said that they have indications that there are film producers who are wanting to relocate their facilities if such a facility were available.

* * * *

Mr. Greg Davenport pointed out the public usage of the structure that would be available under their proposal. Mr. Davenport said that he would like for the Council to grant them a couple of weeks so that a presentation can be formalized and give them an opportunity to work with staff to determine the manner in which the facility could be maintained and managed. He said he wants to see if the Council is susceptible to the idea so that they can pursue this further.

* * * *

The following also spoke in support:

Mr. Jack Landmann, Texas National Productions
 Mr. Bob Kreuter, Greater San Antonio Chamber of Commerce
 Dr. Jean Longwith, San Antonio College
 Mr. D. Manfred Wolfran, Trinity University
 Mr. Jan Kiel, Architect
 Mr. Adan Medrano, Chicano Film Festival
 Mr. Mike Garcia, Mexican-American Unity Council

* * * *

Mayor Cockrell thanked the group for coming before the Council and stated that the Council will take the matter into consideration.

The Clerk read the following letter:

October 1, 1979

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

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

September 26, 1979

Petition submitted by E. A. Garcia
and signed by other residents of
his area requesting better drainage.

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

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There being no further business to come before the Council, the
meeting was adjourned at 6:30 P.M.

A P P R O V E D

Lela Cockrell

M A Y O R

ATTEST: *Rome S. Rodriguez*
C i t y C l e r k

