

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, JANUARY 17, 1980.

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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.

80-3 The invocation was given by the Reverend John F. Daniels, St. Paul's Episcopal Church.

80-3 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

80-3 The minutes of the regular meeting of January 10, were approved.

80-3 ZONING HEARINGS

5. CASE 7878 - to rezone Lots 1 thru 4 and 21 thru 24, Block 1, NCB 3243, in the 1400 Block of W. Summit Avenue, in the 200 Block of Moberly Street, from "B" Two Family Residential District to "I-1" Light Industry District, located on the west side of Warner Street between W. Summit Avenue and Moberly Street, having a total of 274' on Warner Street, 167.5' on W. Summit Avenue and 167.5' on Moberly Street.

Mr. Gene Camargo, Planning Administrator, explained the proposed change which the Zoning Commission recommended be denied by the City Council. He stated that thirty-one notices were mailed out to the surrounding property owners; two notices were returned in opposition, and none returned in favor. He explained that six votes would be required by the Council to grant this zoning change.

Mr. Alderete asked the Council's careful indulgence in reviewing this case because he stated that he had received several phone calls in reference to this zoning case. He stated that there is a possibility that some of the residents did not receive zoning notifications. He asked that these residents be kept in mind, since this is a heavy zoning under consideration.

Mr. Harry Jewett, 1801 N.E. Loop 410, stated that he is representing Knowlton Properties, the property owners. He presented plans of the proposed project. He stated that utilization would be for a truck repair facility and they propose to close Warner Street entirely; the access would be from the access road off of Interstate 10. He stated that the Zoning Commission recommended denial because of their concern regarding the access to this property, as presented in their previous plans. He felt that this would be a suitable presentation that answers the concerns expressed by the Zoning Commission, mainly because there is no intrusion into single family dwellings in this proposal.

Mr. Canavan expressed concern regarding the introduction of "I-1" zoning abutting single family dwelling. He spoke regarding the noise aspect generated by the trucks being utilized. He recommended that this zoning case be referred back to the Zoning Commission and the Traffic and Transportation Department for their review, since they have not been presented the new proposed plans.

Mr. Jewett stated that this would be acceptable to them.

At this time, Mr. Canavan made a motion to refer this case back to its appropriate channels for review. Mr. Steen seconded the motion.

January 17, 1980

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Mr. Alderete reiterated Mr. Canavan's concerns.

Mrs. Dutmer concurred with Mr. Canavan's recommendations, but urged the Council to take care of existing businesses in the City.

In response to a question by Mr. Steen, Mr. Jewett explained that this is vacant land and is not being utilized by anyone. He further stated that the value of the land will be enhanced.

Mr. Alderete addressed the problem of the existing trash on the vacant lot and asked the City Manager, Thomas Huebner, to send the Health Department to the property in question and get the lot cleaned up.

No citizen appeared to speak in opposition.

After discussion, the motion carried by the following vote:

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

Case 7878 was sent back to the Zoning Commission for their review.

6. CASE 7927 - to rezone Lots 14 thru 20, Block 3, NCB 6540, 806 W. Ridgewood Court, from "B" Two Family Residential District to "B-3R" Restrictive Business District, located southwest of the intersection of Ridgewood Court and Aganier Avenue, having 175' on Ridgewood Court and 115' on Aganier Avenue.

Mr. Gene Camargo, Planning Administrator, explained the proposed change which the Zoning Commission recommended be denied by the City Council. He stated that there were thirty-nine notices mailed out to surrounding property owners; one returned in opposition and four notices were returned in favor. He explained that six affirmative votes are needed to approve the change in zoning.

Mr. Lewis Fritz, 1020 Austin Highway, representing One-Copy Stop, Inc., explained that he had attempted to meet with the residents to see what objections they had. He stated that four people were in opposition; three out of the four rescinded their opposition and signed in favor. He explained that their reasons for opposition were 1) higher commercial taxes on residences 2) the building of a high-rise apartment, and 3) aggravation of problems caused by a strip center. Mr. Fritz distributed material regarding this zoning case to each of the Council members. (A copy of his report is on file with the minutes of this meeting). He further stated that the assumptions of the residents were untrue and then proceeded to explain the proposed plans.

Reverend Steve Fender, 806 W. Ridgewood, stated that certain situations have risen which make this property incompatible as church property. He explained the problem at the present time with an establishment that is in the area. He stated that it would not be feasible to sell this property to another church group. He also spoke regarding the parking problem in the area.

Mr. Canavan spoke in favor of the zoning change.

Mr. Archer stated that he visited the subject property and spoke with a few of the residents and granting this zoning change would be putting a business in a very nice residential area. He spoke against the requested zoning change.

Dr. Cisneros spoke in support of the zoning change. He assured the Council that Mr. Fritz would do everything possible to avoid intrusion into the residential property.

Mr. Webb also spoke in support of the motion.

After discussion, Mrs. Dutmer made a motion to close debate. Mr. Steen seconded the motion. On roll call, the motion, failed to carry by the following vote: AYES: Dutmer, Eureste, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: Cisneros, Webb, Wing, Thompson; ABSENT: None.

Discussion continued.

Mr. Eureste spoke in support of the motion. He urged the granting of this zoning request since the proponent is willing to work cooperatively in trying to establish a new business on this site.

After further discussion, Dr. Cisneros moved that the recommendation of the Zoning Commission be overruled and that the zoning request be granted. 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, Canavan, Steen, Cockrell; NAYS: Alderete, Archer; ABSENT: Thompson.

AN ORDINANCE 51,709

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOTS 14 THRU 20, BLOCK 3, NCB 6540, 806 W. RIDGEWOOD COURT, FROM "B" TWO FAMILY RESIDENTIAL DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT.

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7. CASE 7905 - to rezone a 3.491 acre tract of land out of NCB 12479, being further described by field notes filed in the Office of the City Clerk, in the 6600 Block of Citizens Parkway, in the 3800 Block of N.W. Loop 410 Expressway, from "O-1" Office District to "B-2" Business District, located 180' northwest and 100' southwest of the intersection of N.W. Loop 410 Expressway and Citizens Parkway, having 242.21' on N.W. Loop 410 Expressway and 325.57' on Citizens Parkway.

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

In response to a question by Mayor Cockrell, Mr. Pat Chumney, architect, representing Main Plaza Corporation, explained that part of the effort being put forth is to expand the present facility of the Citizens National Bank. He stated that they are in agreement with the stipulations as imposed by the Zoning Commission regarding screening by fencing, and the non-access easement. He then explained the ingress and egress to this facility.

Mr. Canavan stated that he would be voting in support of the zoning change since the non-access-easement will be addressing the problem of traffic congestion onto Northhaven.

No citizen appeared to speak in opposition.

After further discussion, Mr. Steen moved that the recommendation of the Zoning Commission be approved provided that a six foot solid screen fence is erected and maintained along the northwest line and that the existing non-access easement is maintained. 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: Cisneros, Webb, Dutmer, Wing, Thompson, Alderete, Canavan, Steen, Cockrell; NAYS: None; ABSTAIN: Eureste; ABSENT: Archer.

AN ORDINANCE 51,710

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 3.491 ACRE TRACT OF LAND OUT OF NCB 12479, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 6600 BLOCK OF CITIZENS PARKWAY, IN THE 3800 BLOCK OF N.W. LOOP 410 EXPRESSWAY, FROM "O-1" OFFICE DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT A SIX FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THE NORTHWEST LINE AND THAT THE EXISTING NON-ACCESS EASEMENT IS MAINTAINED.

8. CASE 7906 - to rezone a 0.781 acre tract of land out of NCB 12479, being further described by field notes filed in the Office of the City Clerk, in the 6630 Citizens Parkway, in the 3700 Block of N.W. Loop 410 Expressway, from "A" Single Family Residential District to "B-2" Business District, located northeast of the intersection of N.W. Loop 410 Expressway and Citizens Parkway, having 173.01' on N.W. Loop 410 Expressway and 319.23' on Citizens Parkway.

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

AN ORDINANCE 51,711

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 0.781 ACRE TRACT OF LAND OUT OF NCB 12479, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 6630 BLOCK OF CITIZENS PARKWAY, IN THE 3700 BLOCK OF N.W. LOOP 410 EXPRESSWAY, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT.

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9. CASE 7902 - to rezone Lot 33, Block 4, NCB 2894, 1906 Santiago Street, from "C" Apartment District to "B-2" Business District, located on the southside of Santiago Street, having 75' west of the intersection of Santiago Street and S. Hamilton Avenue, having 25' on Santiago Street and a depth of 75'; Lots 34 and 35, Block 4, NCB 2894, 1117 S. Hamilton Avenue, from "C" Apartment District to "B-3R" Restrictive Business District, located southwest of the intersection of Santiago Street and S. Hamilton Avenue, having 75' on Santiago Street and 50' on S. Hamilton Avenue.

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.

In response to a question by Mrs. Dutmer, Mr. Gene Camargo, Planning Administrator, explained that the applicant, Mr. Gilbert N. Saucedo, has non-conforming rights to operate his business and has been operating a printing shop for the last twenty years.

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

AN ORDINANCE 51,712

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 33, BLOCK 4, NCB 2894, 1906 SANTIAGO STREET, FROM "C" APARTMENT DISTRICT TO "B-2" BUSINESS DISTRICT AND LOTS 34 AND 35, BLOCK 4, NCB 2894, 1117 S. HAMILTON AVENUE, FROM "C" APARTMENT DISTRICT TO "B-3R" RESTRICTIVE BUSINESS DISTRICT.

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10. CASE 7896 - to rezone Lot 14, NCB 13718, from "R-2" Two Family Residential District to "B-2" Business District, located 310' east of Blanco Road and 183.3' north of the intersection of Tudor Drive and Thames Drive, having 503.67' in length and 213.48' in width.

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

No citizen appeared to speak in opposition.

After consideration, Mrs. Dutmer moved that the recommendation of the Zoning Commission be approved provided that the existing stipulations remain such as the six foot solid screen fence along the south and east property lines, landscaping, and a non-access easement, as previously agreed to be maintained. Mr. Steen seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: Webb.

AN ORDINANCE 51,713

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 14, NCB 13718, FROM "R-2" TWO FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT THE EXISTING STIPULATIONS REMAIN, SUCH AS THE SIX FOOT SOLID SCREEN FENCE ALONG THE SOUTH AND EAST PROPERTY LINES, LANDSCAPING, AND THE NON-ACCESS EASEMENT, AS PREVIOUSLY AGREED TO BE MAINTAINED.

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11. CASE 7917 - to rezone Lots 25-C, Block A, NCB 11529, 115 Oak Knoll Drive, from "A" Single Family Residential District to "R-3" Multiple Family Residential District, located on the northeast side of Oak Knoll Drive, being 190' northwest of the intersection of Sherril Brook Road and Oak Knoll Drive, having 182.62' on Oak Knoll Drive and a maximum depth of 120'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change which the Zoning Commission recommended be approved by the City Council. He stated that twelve notices were mailed out to the surrounding property owners; two notices were returned in opposition and one notice returned in favor. He explained that nine affirmative votes would be needed to approve the change in zoning.

At this time, Mr. Alderete made a motion to deny the request for rezoning. Mrs. Dutmer seconded the motion.

Mr. Robert Ross, 1149 Bandera Road, the applicant, stated that he owns Lot 25D, the property of the Sherril Oaks Apartments and the property in question. He stated that he proposes to build an expansion of the apartments on Lot 25C. He stated that if the zoning is approved, 16 units would be added to the present structure. He further stated that he realized that fronting an apartment on an "R-1" zoning across the street would create a traffic problem and agreed to put a non-access easement on 138 feet on Oak Knoll Drive, which would eliminate this problem. He stated that this zoning would be the best use of the property.

Mr. Alderete expressed concern that several citizens were discontent with additional apartments in the area.

Mr. Hal Hebert, 114 Oak Knoll, spoke in opposition to the zoning change. He spoke regarding the increase in traffic that would occur, which would result in danger to the school children in the area. He also spoke regarding the existing drainage problem that would increase once construction begins.

Ms. Sydney Yarbrough, 122 Oak Knoll, also made reference to the danger with the increase in traffic. She stated that if the Council decides to rezone this property, they should make provisions to safeguard the safety of the neighborhood. She also stated that additional apartments would devalue their property.

Mr. Alderete mentioned the existing drainage problem on Callaghan and Bandera and stated that this problem would increase, should more development occur.

Mr. Gary Anziani, 119 Oak Knoll Drive, spoke in opposition. He concurred with the recommendations made by the Traffic and Transportation Department regarding Oak Knoll Drive.

Mr. Llewellyn N. Wiley, 243 Oak Knoll, also spoke in opposition. He stated that to rezone this piece of property would be "spot zoning". He urged the Council to deny the request in rezoning.

In rebuttal, Mr. Ross stated that if zoning is granted, it would simply be an extension to the already existing "R-3" zoning at this location. He explained the drainage problem that exists and the traffic situation in the area. He pointed out that staff recommends that this lot be rezoned "R-2", which would allow for duplex apartments; this would present worse traffic problems than what he is proposing. He urged the Council to grant his request for rezoning.

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

After consideration, the motion to deny the request in rezoning carried by the following vote: AYES: Cisneros, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: Webb.

CASE 7917 was denied.

12. CASE 7913 - to rezone a 52.818 acre tract of land out of NCB 14865, being further described by field notes filed in the Office of the City Clerk, from "B-1", "B-2" and "B-3" E.R.Z.D. Business Edwards Recharge Zone Districts to "R-1" E.R.Z.D., Single Family Residential Recharge Zone Districts, located on the west side of Babcock Road, being 1742.68' north of the intersection of Babcock Road and Hausman Road, being 731.99' in width and 2659.21' in length.

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

No citizen appeared to speak in opposition.

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

AN ORDINANCE 51,714

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPRENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS A 52.818 ACRE TRACT OF LAND OUT OF NCB 14865, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, IN THE 14500 BLOCK OF BABCOCK ROAD, FROM "B-1" BUSINESS DISTRICT, "B-2" BUSINESS DISTRICT, AND "B-3" E.R.Z.D. BUSINESS EDWARDS RECHARGE ZONE DISTRICT, TO "R-1" E.R.Z.D. SINGLE FAMILY RESIDENTIAL EDWARDS RECHARGE ZONE DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED.

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80-3

The Clerk read the following Ordinance:

AN ORDINANCE 51,715

AUTHORIZING THE CITY MANAGER TO EXECUTE A STANDARD PROFESSIONAL SERVICES CONTRACT WITH W.H. MULLINS, INC., FOR PROFESSIONAL ENGINEERING SERVICES FOR THE STANDARD ELECTRIC OFF-SITE SANITARY SEWER SYSTEM PROJECT; APPROPRIATING THE SUM OF \$9,120.00 IN FUND 52-003; AND AUTHORIZING PAYMENT OF SAID AMOUNT.

* * * *

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

In response to a question by Mrs. Dutmer, regarding the dumping of solid waste material into the Medina Basin, Mr. George Noe, Administrative Assistant to the City Manager, stated that he would obtain the information from the Public Works Department and report it back to her.

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

80-3

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

AN ORDINANCE 51,716

AUTHORIZING ADDITIONAL ENGINEERING FEES IN THE AMOUNT OF \$7,250.00 TO W.H. MULLINS, INC., IN CONNECTION WITH THE LEON CREEK WASTEWATER TREATMENT PLANT UPGRADING ORIGINALLY AUTHORIZED BY ORDINANCE 50108.

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AN ORDINANCE 51,717

AUTHORIZING ADDITIONAL ENGINEERING FEES IN THE AMOUNT OF \$9,393.25 TO SELIGMANN AND PYLE IN CONNECTION WITH THE RILLING ROAD WASTEWATER TREATMENT PLANT UPGRADING SECTION XI ORIGINALLY AUTHORIZED BY ORDINANCE 50108.

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80-3 The Clerk read a proposed ordinance rejecting all bids received for construction of the Joslyn Park Project.

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

In response to several questions asked by Mr. Thompson, Mr. George Noe, Administrative Assistant to the City Manager, asked that this item be temporarily withdrawn from consideration, to allow Mr. Ron Darner, Director of the Parks and Recreation to be present and make his presentation.

Council concurred and discussion on this item continued later in the meeting. See page _____ of these minutes.

80-3 The Clerk read the following Ordinance:

AN ORDINANCE 51,718

AUTHORIZING THE CITY MANAGER TO EXECUTE FIELD ALTERATION NO. 6 IN THE AMOUNT OF \$11,000.00 TO THE CONTRACT FOR THE CONSTRUCTION OF THE RIVER BEND PARKING STRUCTURE.

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

In response to a question Mr. Thompson, City Manager, Thomas Huebner, explained that the City Council had agreed to pay this amount at a previous meeting.

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

80-3 The following Ordinances were read by the Clerk and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Cisneros, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Steen, Cockrell; NAYS: None; ABSENT: Webb, Archer.

AN ORDINANCE 51,719

DESIGNATING THE DIRECTOR OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT AS THE LOCAL HEALTH AUTHORITY UNDER PROVISIONS OF H.B. 1323; AND MODIFYING SECTION 6-43 OF THE CITY CODE.

* * * *

AN ORDINANCE 51,720

ABANDONING CERTAIN WATER PIPELINE EASEMENT RIGHTS NOT FURTHER REQUIRED BY THE CITY WATER BOARD AND AUTHORIZING THE GENERAL MANAGER OF THE WATER WORKS BOARD OF TRUSTEES OF SAN ANTONIO TO EXECUTE A RELEASE OF EASEMENTS THEREUPON. (HILL COUNTRY WATER WORKS CO.)

* * * *

80-3 The following Ordinances were read by the Clerk and after consideration, on motion made and duly seconded, were each passed and approved by the following vote: AYES: Cisneros, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: Webb.

AN ORDINANCE 51,721

ABANDONING CERTAIN WATER PIPELINE EASEMENTS NOT FURTHER REQUIRED BY THE CITY WATER BOARD AND AUTHORIZING THE GENERAL MANAGER OF THE WATER WORKS BOARD OF TRUSTEES OF SAN ANTONIO TO EXECUTE A RELEASE OF EASEMENTS THEREUPON (OLD EASEMENTS OFF S. PRESA STREET).

* * * *

AN ORDINANCE 51,722

ACCEPTING THE HIGH BID(S) RECEIVED IN CONNECTION WITH \$2,500,000 IN CITY FUNDS FOR DEPOSIT IN INTEREST-BEARING CERTIFICATES OF DEPOSIT.

* * * *

80-3 The following Ordinance was read by the Clerk and after consideration, on motion of Dr. Cisneros, seconded by Mr. Steen, was passed and approved by the following vote: AYES: Cisneros, Dutmer, Eureste, Thompson, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: Wing; ABSENT: Webb.

AN ORDINANCE 51,723

DESIGNATING THE BOUNDARIES FOR THE EXTENSION OF THE ALAMO PLAZA/PASEO DEL RIO NBR COMMERCIAL AREA; THEREFORE MAKING THE AREA ELIGIBLE FOR SBA 502 FUNDS, PROVIDED THE PROJECTS REQUESTING FUNDS MEET CURRENT SBA 502 REQUIREMENTS.

* * * *

80-3 The Clerk read the following Resolution:

A RESOLUTION
NO. 80-3-3

ENDORING THE "UNITED SAN ANTONIO" PROGRAM.

* * * *

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

Dr. Cisneros stated that the second general meeting for the "United San Antonio" Program will be held February 6, 1980, at 4:00 P.M. at the La Villita Assembly facility.

Mayor Cockrell thanked Mr. Alderete for bringing this matter up for Council consideration.

In response to a question by Mr. Alderete, Mayor Cockrell stated that she had appointed Dr. Henry Cisneros as Co-Chairman of this program.

80-3 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: Cisneros, Dutmer, Wing, Eureste, Thompson, Alderete, Canavan, Archer, Steen, Cockrell; NAYS: None; ABSENT: Webb.

AN ORDINANCE 51,724

AUTHORIZING AND DIRECTING THE CITY MANAGER
TO EXECUTE SEWER SERVICE CONTRACTS WITH
CERTAIN SUBURBAN CITIES.

* * * *

80-3 Discussion on Item 16 continued.

Mr. Dale Bransford, Planner V, with the Parks and Recreation Department, explained that the low bid received for this project exceeded the available funds by more than 30%. He stated that the plans and specifications will now be modified by the Parks and Recreation Department in-house landscape architectural staff and will be rebid in approximately 60 days.

Mr. Thompson stated that he and Mr. Alderete had met with the residents of the area. He stated that to cut the project further, would be to eliminate the park. He stated that although the price for the park is very high, he would be willing to supplement the monies from District 6 to meet the bid requirements for this project. At this time, Mr. Thompson made a substitute motion to direct staff to draw up a new ordinance that will accept the low qualified bid and the funds being provided from the District 6 contingency fund. Mr. Alderete seconded the motion.

City Manager, Thomas Huebner stated that a new ordinance could be drawn up for consideration later in the evening.

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

(See Special Meeting for outcome of this discussion.)

80-3 The meeting was recessed at 3:05 P.M. and reconvened at 3:20 P.M.

80-3 3:20 P.M. PUBLIC HEARING RE:
TAXICAB PERMITS

Mayor Cockrell declared the hearing open:

The Clerk read the following Ordinance:

AN ORDINANCE 51,725

GRANTING ANNUAL PERMITS TO OPERATE A TAXICAB SERVICE IN THE CITY OF SAN ANTONIO TO THE FOLLOWING OPERATORS IN ACCORDANCE WITH THE PROVISIONS OF ORDINANCE NO. 49566: EMMETT CALDWELL, MARK BRAME, JUAN MORALES, DARREL KRAMER, MICHAEL AGUILAR, ANTHONY FLORES, HASSAN KALANTARI-FARD, ALBERT GARCIA, ARMAGAN KARTALTEPE, ANDREW PEREZ, JOHN MARTINEZ AND LEO F. FLORES.

* * * *

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

No citizen appeared to speak regarding this item.

Mayor Cockrell declared the hearing closed.

Mr. Thompson, Chaiman of the Taxicab Committee, stated that there will be a public hearing in the month of February, that will review the issuing of taxicab permits and other matters relating to this.

Mr. Canavan stated that he would like to see a report regarding this matter because he expressed concern that too many permits have already been issued.

Mrs. Dutmer stated that there has never been a limitation on permits. She stated that the permits issued, are qualified, and have been reviewed by the Taxicab Committee.

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

80-3

Travel Authorization granted -

Mayor Lila Cockrell - Washington D.C. - 1/10/80-1/11/80
Washington D.C. - 1/23/80-1/25/80

80-3

The Clerk read the following Ordinance:

AN ORDINANCE 51,726

AUTHORIZING APPLICATION TO THE NATIONAL ENDOWMENT FOR THE ARTS FOR A \$17,500 MATCHING GRANT TO BE USED FOR THE 1980 MARIACHI FESTIVAL AND EDUCATIONAL CONFERENCE.

* * * *

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

Mr. Archer made an amendment to the motion that the City of San Antonio get its fair share of this grant, but if the National Endowment for the Arts and the Congress would like to do something to control inflation, that this be discontinued.

The motion died for a lack of a second.

Mr. Canavan stated that the City and the Parks and Recreation Department is capable of handling this type of function and would like to see this kind of administration in lieu of the type of operation that was in charge last year.

Mr. Steen stated that the Arts Committee has this under consideration; changes will be made. He stated that this only authorizes a grant so that the City won't be out of funds.

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

80-3

DISCUSSION ON THE MONITORING
OF THE FOUR DELEGATE AGENCIES

Mr. Alderete made a motion to direct staff to begin an evaluation process and report to Council every 30 days on the status of the four agencies; Barrio Betterment Development Corporation, Project FREE, Southside Neighborhood Assistance Corporation, United Citizens Project Planning and Operating Corporation. Mrs. Dutmer seconded the motion.

At this time, Mr. Eureste acknowledged the fact that the allegations that were put forth about Mrs. Dutmer were not substantiated.

Mr. Steen spoke in favor of the motion.

Mr. Canavan spoke in opposition. He stated that this motion is a type of compromise of what had transpired earlier.

Mr. Wing also spoke in support of the motion. He stated that this would allow the City Council to take a closer look at four delegate agencies. He felt that allegations should be put aside and the Council should concentrate on taking care of the taxpayers' money.

In response to a question by Mr. Archer, Mr. Thomas Huebner, City Manager, stated that in each contract, there is a 30-day cancellation clause; should any problems arise the City Council can discontinue the contract.

Mayor Cockrell explained that this motion does not propose an alternative route of the contracts; it only requires that staff submit a monthly evaluation on the four delegate agencies to the City Council.

Mr. Eureste spoke regarding the allegations that were made against BBDC. He also spoke on the ultimatum he had made regarding the 31st of this month.

Mrs. Dutmer announced that the Community Action Board will hold a meeting in the "B" Room, January 29, 1980, from 5:00 P.M. - 7:00 P.M.

After discussion, Mr. Canavan stated that he would be voting in favor of this compromise.

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

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

80-3

HANDICAP ACCESS TASK FORCE OF VIA

Mr. Alderete informed the Council that the Via Handicap Access Task Force had been dissolved and they are asking that a resolution they had passed, be made a part of the record of the City Council. (A copy of this resolution is on file with the minutes of this meeting.)

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

80-3 The meeting was recessed at 4:05 P.M. and reconvened at 5:15 P.M.

80-3 CITIZENS TO BE HEARD

NEWTON TREY ELLISON

Mr. Newton Trey Ellison expressed concern about a report that has never been received from the Energy Task Force.

Mayor Cockrell stated that she is interested in appointing a committee, specifically concerning Energy Conservation.

Mr. Ellison stated that he would be glad to serve on this type of Committee, at no cost to the City. He stated that he has phoned the Chairman and other members of the Committee and no meeting has been called.

Mr. Alderete asked that Mr. Ellison meet with the other members and establish a report, irregardless of whether the Chairman or Co-Chairman meet.

MR. ROBERT KUEMMEL

Mr. Kuemmel spoke to the Council regarding his not being present at last week's meeting when an ordinance pertaining to horse-drawn carriages had been disapproved. He requested that the Council grant him the opportunity to make his presentation.

Mr. Alderete stated that at last week's meeting, the Council denied the transfer of an existing permit. He stated that the contract regarding this transaction had not been changed; it was simply a take-over. He asked that an ordinance be prepared to respond to the situation.

In response to Mr. Steen, Mr. Kuemmel stated that the contract expires May of 1984.

Mr. Steen asked that a report be prepared for each member of the Council.

Mr. Archer stated that he had been opposed to the operation because of the safety hazards to persons riding in back of the carriages. He suggested that this type of operation would be ideal for Brackenridge Park.

Mr. Kuemmel stated that he felt that there is more money in the downtown area.

Mr. Alderete informed the Council that Mr. Kuemmel had not been advised that the matter was going to be presented to the Council.

Mr. Eureste stated that there are horse-drawn carriages inside Central Park, however, he could not see it justified in the City streets.

Mr. Kuemmel stated that he had spoken to officials of other cities, where horse-drawn carriages are in existence, and there are no accidents involved.

REQUEST OF THE HUNGARIAN BUDAPEST RESTAURANT

Mrs. Edith Molnar, owner of the Hungarian Budapest Restaurant, asked the City Council to reconsider the past action on her lease of the Hungarian Budapest Restaurant. She stated that they had been working on a very small budget and had had problems of paying the rent. She stated that she would like to have the City Management specifically point out what the difficulties were. She stated that have have complied with all health regulations. She also stated that the horse-drawn carriages are not hazardous and provisions are made to keep the streets clean.

The following persons spoke in favor of Mrs. Molnar's request:

Mrs. Lillian Thomas,
Mr. Laszlo T. Beres
Mr. Larry Lara
* * * *

Mr. Canavan asked if another investigation could be made to see if the restaurant is in compliance and give the City Council an opportunity to review it.

Mayor Cockrell stated that this problem has been before the Council for many years. She stated that staff has repeatedly tried to work with the restaurant entrepreneur and ninety days ago, there was a thorough review and staff was asked to give them a ninety day notice to allow ample time to move from the premises. She stated that the City Council has to pay attention to operators at La Villita. She further stated that rules have to be adhered to and other tenants have been asked to comply with regulations.

Mr. Joe Madison, Assistant Director of the Convention Facilities, stated that the removal of the awning would be a token of goodwill, yet it is in complete defiance of regulations. He stated that through the term of the lease, problems have arisen regarding the payments that needed to be made. He stated that the letters started in December of 1974 and felt that investments were made in other areas instead of paying the rent.

Mr. Thompson stated that the whole argument was aired in December and Mrs. Molnar was granted an extension. He stated that the decision has already been made.

MR. CANDELARIO ALEJOS

Mr. Alejos stated that he would prepare in writing a report for the City Manager's Office and the Community Services Administration regarding the activities of the Barrio Betterment Development Corporation involvement in political campaigns.

MRS. BALDERAS

Mrs. Balderas spoke in spanish to the City Council and stated that she was called to work by the BBDC and Mr. Frank Alvarez had spoken with her and informed her that if she worked in a political campaign this would insure that the streets in Villa Coronado would be fixed.

Mrs. Dutmer stated that she had one man working for her in Villa Coronado but he is not connected to BBDC.

MR. JUAN BALDITT

Mr. Balditt read a prepared statement. (A copy of his report is on file with the minutes of this meeting.) He stated that the City Council is obstructing justice by not enforcing the law that prohibits City employees from participating in partisan politics.

He stated that they are requesting that the City Council rescind the contract with BBDC; detain the signing of the contract; and have them obtain a legal opinion from the City Attorney in regards to the legal implications.

Mr. Eureste stated that he feels that the Board of Directors of BBDC should be investigated to see if the guidelines have been met.

MR. KYE HULTZ

Mr. Hultz spoke about a sign ordinance that will be considered by City Council next week. He stated that although they feel that an ordinance is needed, they feel that the Portable Sign Association should have some input. They also feel this ordinance is primarily concerned with special interest groups. He stated that they feel that the ordinance as written will put them out of business.

MATILDA ESCAMILLA

Mrs. Matilda Escamilla presented a copy of a prepared statement on the Advocates Social Service. She stated that they are requesting the sum of \$4,568.94. She stated that this money is needed to continue operating in the community.

She spoke about all the help that Mr. Charlie Mata, Executive Director of the Advocates has given to the poor. She stated that this money will be used to hire an outreach worker.

Mr. Wing asked that staff review her request and report back to the Council with a recommendation.

GLORIA AGUILAR

Mrs. Gloria Aguilar stated members of the Mariachi Festival '79 were present in the audience. She thanked the Council, on behalf of the 42 singers that participated in the Festival, for their cooperation in making Mariachi Festival a success. She asked Mr. Eureste to stay in the Arts Committee.

Mr. Eureste thanked Mrs. Aguilar for the fine work and leadership she gave that festival.

JAY LINDSAY

Mr. Jay Lindsay, representing Mac Advertising Company, reiterated the remarks made by Mr. Ky Hultz. He stated that they would like to meet with the Electrical Board to discuss this matter.

Mayor Cockrell advised Mr. Lindsay that he would have an opportunity to present his remarks at next week's meeting.

Mr. Steen suggested that the ordinance be pulled in order to allow these people to meet with the Electrical Board and staff to present their views in full.

80-3

The Clerk read the following Letter:

January 11, 1980

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.

January 7, 1980

Petition submitted by Shaw & Benson,
Attorneys, on behalf of their client,
the Salvation Army, requesting the
closing of the 500 Block of Peacock
Avenue./s/ NORMA S. RODRIGUEZ
City Clerk

— — — — —

80-3 There being no further business to come before the Council,
the meeting was adjourned at 7:25 P.M.

— — — — —

A P P R O V E D

Lila Cockrell

M A Y O R

ATTEST:

Norma S. Rodriguez
C i t y C l e r kJanuary 17, 1980
mb