

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY, APRIL 19, 1979.

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The meeting was called to order at 1:00 P.M., by the presiding officer, Mayor Lila Cockrell, with the following members present: CISNEROS, WEBB, DUTMER, WING, EURESTE, ORTIZ, ALDERETE, PYNDUS, MCDANIEL, STEEN, COCKRELL; Absent: NONE.

79-19 The invocation was given by The Reverend Lee Patton, Faith Bible Church.

79-19 Members of the City Council and the audience joined in the Pledge of Allegiance to the flag of the United States.

79-19 GROUP OF STUDENTS FROM SAGINAW, MICHIGAN

Mayor Cockrell welcomed a group of thirty-six students, who were visiting the Council meeting. The students are from the Saginaw, Michigan School District Bi-lingual Education Program. They were accompanied by Mr. Leonard Anguiano, Mexican-American Cultural Center.

79-19 MR. AL ROHDE

Mayor Cockrell recognized former Councilman Al Rohde, who was present in the Council Meeting.

79-19 PRESENTATION BY THE FIESTA SAN ANTONIO ASSOCIATION

Mr. Joe Martinez, President of the Fiesta Association and Mr. Dave Burnett, Executive Director, appeared to speak before the Council. Mr. Martinez, on behalf of the Commission expressed their appreciation to the City Council for their past participation and support of Fiesta Week. They presented each Council member and the City Manager with Fiesta Medals in commemoration of Fiesta Week '79.

Mayor Cockrell stated that the success of Fiesta is largely due to the efforts of the Fiesta Association and commended them for broadening the base and allowing more participation by citizens.

79-19 The Minutes of the Special Meeting of April 9, 1979 and the Minutes of the Regular Meeting of April 12, 1979, were approved.

79-19 ZONING HEARING

4. Case 7626 - to rezone the west 168.21' of the north 76.63' of Lot 549, in the 5700 Block of I.H. 35 Expressway, from "B" Two Family Residential District to "B-3R" Restrictive Business District, located on the west side of I.H. 35 Expressway, being 125' southwest of the intersection of I.H. 35 Expressway and Fitch Avenue, having 90.43' on I.H. 35 Expressway and a maximum depth of 168.21'.

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

No citizen appeared to speak in opposition.

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Dr. Cisneros made a motion to change the zoning to "B-1" Business District. Mr. McDaniel seconded the motion.

There was some discussion among a few of the Council members on the traffic situation surrounding the said property since the only ingress and egress to the property is available through the access road off of I.H. 35.

After discussion, Mrs. Dutmer made a substitute motion to deny the change in zoning. Mr. Wing seconded the motion.

Mr. Fuller, representing the applicant, Pearl Buentello, stated that since there is only one way to get to this property, there shouldn't be any traffic problems. He also stated that he would be working with the Traffic Department on the parking requirements. He explained the proposed use for the property. He asked the Council for a "B-3R" zoning for this area.

Mr. Wing stated that he was familiar with Macdona Street, which is a dead end street, and he could not see why any business person would want to rent this land, since there is no access.

After discussion, and on roll call, the substitute motion to deny the change in zoning carried by the following vote: AYES: Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Pyndus, McDaniel, Cockrell; NAYS: Cisneros, Steen; ABSENT: None.

CASE 7626 was denied.

5. CASE 7600 - to rezone P-100, NCB 11602, save and except the northeast 100', in the 1600 Block of Babcock Road, from "A" Single Family Residential District to "B-2" Business District, located on the northeast side of Babcock Road, being 430' southeast of the intersection of Callaghan Road and Babcock Road, having 295' on Babcock Road and a maximum depth of 350'; to rezone the northeast 100' of P-100, NCB 11602, from "A" Single Family Residential District to "B-1" Business District, located on the northeast side of Babcock Road, approximately 430' southeast of the intersection of Callaghan Road and Babcock Road, being 350' off of Babcock Road, having a maximum width of 100' and a maximum length of 290'.

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

Mr. Pyndus explained that he had initiated the zoning case to be brought to the City Council earlier and explained that a compromise will be offered.

Mr. Al Rohde, representing the applicant, Mr. Robert Olson, presented the case, describing the subject property and the proposed plans for this area. He stated that they had met with the neighbors of the area and they have agreed to several compromises: 1) that Mr. Olson is willing to limit the construction of any building to a maximum of two stories; 2) build an 8' solid screen fence or a 6' masonry fence and 3) that the trash pins or dumpsters would not be allowed at that portion immediately behind the neighbor's homes.

Mr. Kenneth Gindy, an attorney, representing some of the neighbors, stated that they had objected to the manner in which the case had been brought up before the Council less than a year, but that they would agree to the zoning change on the condition that Mr. Olson abide by the three provisions as mentioned above.

At this time, there was a signing of a statement by Mr. Olson, which was notarized by the Assistant City Clerk.

After considerable discussion, Councilman Steen moved that the recommendation of the Zoning Commission be approved provided that the property is properly platted and that an eight foot solid screen fence is erected and maintained along that portion that is adjacent to the single family dwellings. Mr. Wing seconded the motion. On roll call, the motion carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Wing, Eureste, Ortiz, Alderete, Pyndus, McDaniel, Steen, Cockrell; NAYS: None; ABSENT: Webb, Dutmer.

AN ORDINANCE 50,626

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 P-100, NCB 11602, SAVE AND EXCEPT THE NORTHEAST 100', IN THE 1600 BLOCK OF BABCOCK ROAD FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, THE NORTHEAST 100' OF P-100, NCB 11602, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-1" BUSINESS DISTRICT, PROVIDED THAT THE PROPERTY IS PROPERLY PLATTED AND THAT AN EIGHT FOOT SOLID SCREEN FENCE IS ERECTED AND MAINTAINED ALONG THAT PORTION THAT IS ADJACENT TO THE SINGLE FAMILY DWELLINGS.

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6. CASE 7577 - to rezone Lots 5 thru 11, Block 1, NCB 7185, in the 200 Block of Sherwood Drive from "A" Single Family Residential District to "B-2" Business District, located between I.H. 10 Expressway and Sherwood Drive, being 204' west of the cutback between I.H. 10 Expressway and Sherwood Drive, having 733.58' on I.H. 10 Expressway, 714' on Sherwood Drive and a maximum distance of 288' between I.H. 10 Expressway and Sherwood Drive.

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

Mr. Roland Castaneda, the attorney, representing the applicant, Mr. Don Prado, described the property and the surrounding area. He explained the applicant's plans to establish a swimming pool supply house, and his plans to eventually turn the house around in order to have the entrance off of the access road. Mr. Castaneda stated that the area was no longer suitable for residential use. The neighbors had been contacted and there was no objection to the zoning change.

No citizen appeared to speak in opposition.

Mr. Pyndus spoke against the change in zoning because he felt that this type of zoning would change the character of the neighborhood.

After considerable discussion, Mr. Steen moved that the recommendation of the Zoning Commission be approved provided that street dedication, in accordance with the Traffic department be accomplished, and that a one-foot none-access easement is imposed along the south property line of the subject property. Mr. Wing seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Wing, Eureste, McDaniel, Steen, Cockrell; NAYS: Pyndus; ABSENT: Dutmer, Ortiz, Alderete.

AN ORDINANCE 50,627

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 5 THRU 11, BLOCK 1, NCB 7185, IN THE 200 BLOCK OF SHERWOOD DRIVE, FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-2" BUSINESS DISTRICT, PROVIDED THAT STREET DEDICATION, IN ACCORDANCE WITH THE TRAFFIC DEPARTMENT IS ACCOMPLISHED, AND THAT A ONE-FOOT NON-ACCESS EASEMENT IS IMPOSED ALONG THE SOUTH PROPERTY LINE OF THE SUBJECT PROPERTY.

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7. CASE 7614 - to rezone a 3.9356 acre tract of land out of Lots 17 and 18, NCB 11623, being further described by field notes filed in the Office of the City Clerk, 3910 Tupelo Lane, from "A" Single Family Residential District to "P-1(R-1)" Planned Unit Development Single Family Residential District, located on the southwest side of Tupelo Lane, being 280' southeast of the intersection of Tupelo Lane and Donore Place, having 282' on Tupelo Lane and a depth of 587'.

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

No citizen appeared to speak in opposition.

After consideration, Mr. Pyndus moved that the recommendation of the Zoning Commission be approved provided that proper platting is accomplished in accordance with the Planned Unit Development Ordinance. Dr. Cisneros seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Cisneros, Webb, Dutmer, Wing, Eureste, Pyndus, McDaniel, Steen, Cockrell; NAYS: None; ABSENT: Ortiz, Alderete.

AN ORDINANCE 50,628

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 3.9356 ACRE TRACT OF LAND OUT OF LOTS 17 AND 18, NCB 11623, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK FROM "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "P-1(R-1)" PLANNED UNIT DEVELOPMENT SINGLE FAMILY RESIDENTIAL DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED IN ACCORDANCE WITH THE PLANNED UNIT DEVELOPMENT ORDINANCE.

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8. CASE 7637 - to rezone the remaining portions of Lots 5 thru 9, Block 1, NCB 3484, 107 Harriman Place, from "B" Two Family Residential District to "B-2" Business District, located on the north side of Harriman Place, being 88.79' west of the intersection of Nogalitos Street and Harriman Place, having 125.22' on Harriman Place and a maximum depth of 78.25'.

Mr. Gene Camargo, Planning Administrator, explained the proposed change, which the Zoning Commission recommended be approved by the City Council and stated that nine affirmative votes were required by Council to approve the change in zoning, due to the 20% opposition in the neighborhood.

Councilwoman Dutmer asked the applicant, Mr. Ramon Guevara, if he did business with J.D. Sales.

Mr. Guevara stated that he did; therefore, Mrs. Dutmer disqualified herself from the case.

Mr. Ramon Guevara, the applicant, stated that he is requesting a change in zoning in order to extend the present business. He stated that he was agreeable to a "B-2" zoning. He distributed pictures of the area and explained how he intended to improve the property even more should the City Council grant the change in zoning. He felt that he would benefit the property and the economic well-being of the area. He stated that he would be willing to even erect a fence to satisfy the neighbors.

Mr. Joe Perales, representing St. Henry's Catholic Church area & Collins Gardens Elementary School, spoke in opposition to the proposed change and presented the following citizens speaking in opposition.

Mr. Walter Howard, Principal of Collins Garden Elementary School, stated that he was concerned about the increasing traffic in the area and that 200 children were being transported every morning and afternoon across Nogalitos. Any type of structure allowing the sale of alcoholic beverages would endanger the lives of these children.

Mrs. Susie Garza, President of Collins Gardens PTA, read from the City Charter on the reasoning behind zoning. They believe that the business should not infringe on a residential area and asked that the City Council deny the request for rezoning.

Mr. James Sweeney, Sr., spoke in opposition to the rezoning change. He expressed concern about the children's school crossing and stated that the business proposed for this area would create more traffic.

Mr. Thomas Lowery also expressed opposition. He stated that he is not sure what Mr. Guevara plans for the area. After the zoning is granted, he could build anything he desires.

Mr. Inez Gonzalez stated that his concern was the safety of the children and the environment of the neighborhood. He proposed that everyone should try to consult with Mr. Guevara and make some kind of a compromise.

Mr. Joe Perales summarized for the citizens speaking in opposition and stated that a convenience store, which was being proposed, would only be a traffic hazard for the children and again requested that the City Council deny the change in rezoning.

Mr. Gene Camargo, Planning Administrator, clarified for the City Council the uses allowed under this type of zoning. In general, this was a retail sale of new merchandise zoning category.

Mr. Eureste stated that the neighbors are concerned about the possibility of Mr. Guevara operating illegally. He stated that the arguments against the zoning change are not justified.

In rebuttal, Mr. Guevara stated that children walked through his lot every day and that he had spoken to several of the neighbors. He again asked that City Council reconsider his request favorably.

After discussion, Mr. Eureste made a motion to postpone this case for 30 days to allow Mr. Guevara and the neighbors in objection to the zoning change, to reach some kind of a compromise. Dr. Cisneros seconded the motion.

Mr. Pyndus spoke against the motion for postponement because of his concern for the safety of the children in the neighborhood.

After further discussion, the motion to postpone for 30 days carried by the following vote: AYES: Webb, Eureste, Ortiz, Alderete, McDaniel, Steen, Cockrell; NAYS: Pyndus; ABSTAIN: Dutmer; ABSENT: Cisneros, Wing.

CASE 7637 was postponed for 30 days.

9. CASE 7641 - to rezone Lot 1, Block 1, NCB 9765, 1742 Basse Road from "B" Two Family Residential District to "O-1" Office District, located southeast of the intersection of Basse Road and Capitol Avenue, having 50' on Basse Road and 120' on Capitol Avenue.

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

Mr. Rodolfo Granados, the applicant, stated that he is requesting a change in zoning in order to construct an office building for his son, who is now in his third year of medical school. He stated that he had spoken to the neighbors in the area and the majority of them were in favor of the proposed change.

In response to Mr. Pyndus, Mr. Stewart Fischer, Director of Traffic and Transportation Department, described the property in question and stated that as it appears, he doesn't feel that six parking spaces is feasible and there is no way to get the required 8 parking spaces due to the lack of space.

A discussion then took place among a few of the City Council members regarding the parking problem as mentioned by the Traffic and Transportation Department.

David L. Seal, representing Concordia Lutheran Church, urged the City Council to deny the change in zoning because it would deteriorate the residential area. He stated that there is an elementary school in the area and his concern was for the safety of the children and the granting of this zoning change would only add to the traffic congestion.

There was some discussion on the trend of zoning changes taking place in the surrounding area of the subject property.

In rebuttal, Mr. Granados stated that he had been living there for 25 years and that the traffic congestion in this area was created by the activities going at the Church.

Mrs. Dutmer moved to approve the zoning change. Mr. Webb seconded the motion.

Mr. Pyndus spoke against the zoning change because he felt that this would open the door for further rezoning in this area.

After discussion and on roll call, the motion failed to carry by the following vote: AYES: Webb, Dutmer, Wing, Eureste, Ortiz, Alderete, Steen; NAYS: Pyndus, McDaniel, Cockrell; ABSENT: Cisneros.

Case 7641 was denied.

10. CASE 7643 - to rezone the north 60' of Lot 2, Block 14, NCB 15505, 245 Altitude Drive from Temporary "R-1" Single Family Residential District to "R-4" Mobile Home District, located on the west side of Altitude Drive being 120' south of the intersection of Landing Avenue and Altitude Drive, having 60' on Altitude Drive and a depth of 162.5'.

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

No citizen appeared to speak in opposition.

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

AN ORDINANCE 50,629

AMENDING CHAPTER 42 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE NORTH 60' OF LOT 2, BLOCK 14, NCB 15505, 245 ALTITUDE DRIVE FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "R-4" MOBILE HOME DISTRICT, PROVIDED THAT THE PROPERTY IS REPLATTED, IF NECESSARY.

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11. CASE 7648 - to rezone Lots 4 and 5, NCB 8618, 5963 Padre Drive, 637 and 639 E. White Avenue from Historic "B" Two Family Residential District to Historic "B-3R" Restrictive Business District, located west of the intersection of E. White Avenue and Padre Drive, having 126.5' on Padre Drive and 133.5' on E. White Avenue.

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

No citizen appeared to speak in opposition.

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

AN ORDINANCE 50,630

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 4 AND 5, NCB 8618, 5963 PADRE DRIVE, 637 AND 639 E. WHITE AVENUE FROM HISTORIC "B" TWO FAMILY RESIDENTIAL DISTRICT TO HISTORIC "B-3R" RESTRICTIVE BUSINESS DISTRICT.

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12. CASE 7653 - to rezone Lot 44, NCB 11681, 333 Spencer Lane, for the erection of a radio transmission with special City Council approval in an "I-1" Light Industrial District, located between I.H. 10 Expressway and Spencer Lane, being 435.49' west and 515' northwest of the cutback between I.H. 10 Expressway and Spencer Lane, having 191.01' on Spencer Lane 220.47' on I.H. 10 Expressway and a maximum of 417.75' between Spencer Lane and I.H. 10 Expressway.

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

Mr. Robert Lee Smith, representing Clear Channel Communications Inc., stated that this request is to erect a radio transmission tower in an "I-1" District, immediately behind a two story office building in the area. He described the tower in detail and the location that was being considered for the project.

Mr. McDaniel stated that he would be abstaining from voting on this case.

A discussion then took place on the possible collapse of this building and the direction it would fall.

The following persons representing Church's Fried Chicken, spoke in opposition to the erection of the radio transmission tower as being detrimental to the neighborhood:

Mr. John Keaty
Mr. Leonard Reid
Mr. Clarence Simpson
Mr. Carlos Montemayor

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In rebuttal, Mr. Robert Lee Smith, stated that the tower would not be visible from the proposed site. He again described the height of the building and stated that the tower would not fall, but crumble within 50' of its base.

After considerable discussion, Mr. Alderete moved that the recommendation of the Zoning Commission be approved provided that the tower be so located on the applicant's property, and that in the event of a collapse, it would not fall on a public roadway. Mr. Wing seconded the motion. On roll call, the motion, carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: Webb, Wing, Eureste, Alderete, Steen, Cockrell; NAYS: Dutmer, Pyndus; ABSTAIN: McDaniel; ABSENT: Cisneros, Ortiz.

AN ORDINANCE 50,631

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 44, NCB 11681, 333 SPENCER LANE, FOR THE ERECTION OF A RADIO TRANSMISSION TOWER WITH SPECIAL CITY COUNCIL APPROVAL IN AN "I-1" LIGHT INDUSTRIAL DISTRICT, PROVIDED THAT THE TOWER BE SO LOCATED ON THE APPLICANT'S PROPERTY, THAT IN THE EVENT OF COLLAPSE, IT WOULD NOT FALL ON A PUBLIC ROADWAY.

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13. CASE 7647 - to rezone a 5.1172 acre tract of land out of NCB 12059, being further described by field notes filed in the Office of the City Clerk, from Temporary "R-1" Single Family Residential District and "A" Single Family Residential District to "B-3" Business District, located on the west side of U.S. Highway 281 North, being 706.74' south of the cutback between Bitters Road and U.S. Highway 281 North, having 459.2' on U.S. Highway 281 North and a maximum depth of 380'.

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

No citizen appeared to speak in opposition.

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

AN ORDINANCE 50,632

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 5.1172 ACRE TRACT OF LAND OUT OF NCB 12059, BEING FURTHER DESCRIBED BY FIELD NOTES FILED IN THE OFFICE OF THE CITY CLERK, FROM TEMPORARY "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT AND "A" SINGLE FAMILY RESIDENTIAL DISTRICT TO "B-3" BUSINESS DISTRICT, PROVIDED THAT PROPER PLATTING IS ACCOMPLISHED, IF NECESSARY.

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79-19 The meeting was recessed at 5:20 P.M. and reconvened at 5:30 P.M. with Mayor Pro-Tem Wing presiding.

79-19 CLOSING OF PEDESTRIAN WALKWAY BETWEEN OAKBANK AND MOSSBANK LANES

The Clerk read the following Ordinance:

AN ORDINANCE 50,633

CLOSING A PEDESTRIAN WALKWAY BETWEEN OAKBANK AND MOSSBANK LANES AND AUTHORIZING QUITCLAIM DEEDS TO FOUR ABUTTING PROPERTY OWNERS.

* * * *

Mr. Stewart Fischer, Director of Traffic and Transportation Department, explained that in November of 1978, a petition was presented by the four property owners whose property is adjacent to the walkway. They requested that the walkway be closed and the property quitclaimed to them. Mr. Fischer stated that this is obviously a neighborhood problem and feels that the closing of the walkway would not impose a hardship on the neighborhood. He recommended that the ordinance be adopted.

Mr. Marvin Cook, representing the four property owners, spoke about the difficulty in maintaining the walkway. He also stated that the walkway is used by motorcyclists and has become increasingly noisy. They also have problems with trash thrown in the yards and destruction of their private property.

Mrs. E. Luire, 3003 Quakertown, spoke in favor of the Ordinance, and complained about the trash and debris thrown in the yards. She also complained about the motorcycle traffic.

Mr. Ed De Wees, 1218 Brooklyn, stated that much of the neighborhood would be inconvenienced if the walkway would be closed. He also spoke about the difficulty the children on bicycles would have in getting to the recreation center because of the high grade.

The following people also spoke in opposition:

Mrs. Sue McDonald, 3004 Nantucket
Mr. Jesse Adams, 3007 Nantucket
Ed Frame, 10806 Oakbank
Mrs. Jerron C. Adams, 3015 Nantucket
Mr. Jim Malone, 3011 Colony

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After discussion, Mr. Eureste moved to approve the Ordinance. Mr. Alderete seconded the motion.

Mr. Pyndus spoke for the motion.

Mr. Alderete asked that the staff prepare a report on the possibility of noise restrictions on dirt bikes/motorcycles.

On roll call, the motion carried by the following vote:

AYES: Dutmer, Wing, Eureste, Alderete, Pyndus, McDaniel, Steen; NAYS: None; ABSENT: Cisneros, Webb, Ortiz, Cockrell.

79-19

CITIZENS TO BE HEARD

MR. E.L. RICHEY

Mr. E.L. Richey spoke about the poor planning exhibited in the construction of sidewalks in the Alamo Plaza area.

MR. KARL WURZ

Mr. Karl Wurz spoke about his ninth and last appearance before the City Council on nuclear fuel with particular emphasis on Chicago's Commonwealth's Edison's plant. (A copy of Mr. Wurz' statement is on file with the papers of this meeting.)

MRS. ARMANDINA SALDIVAR

Mrs. Armandina Saldivar stated that the City Council should do something to address citizens' complaints.

79-19 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: Dutmer, Wing, Eureste, Alderete, Pyndus, McDaniel, Steen, NAYS: None; ABSENT: Cisneros, Webb, Ortiz, Cockrell.

AN ORDINANCE 50,634

AUTHORIZING EXECUTION OF A CONTRACT WITH THE JOINT VENTURE OF W.E. SIMPSON CO., INC., GOETTINGS AND ASSOCIATES, INC., AND PHELPS, SIMMONS, & GARZA FOR PROFESSIONAL ENGINEERING AND ARCHITECTURAL SERVICES IN CONNECTION WITH THE MUNICIPAL AUDITORIUM FIRE DAMAGE EVALUATION.

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AN ORDINANCE 50,635

AUTHORIZING EXECUTION OF FIELD ALTERATION NO. 1 TO THE CONSTRUCTION AGREEMENT WITH E-Z BEL CONSTRUCTION CO., INC., FOR STRUCTURAL WORK IN THE JOHN TOBIN RECREATION CENTER IMPROVEMENTS PROJECT AT AN ADDITIONAL COST OF \$16,801.00 AND AUTHORIZING PAYMENT OF SAME AND AUTHORIZING TRANSFER OF AN ADDITIONAL AMOUNT OF \$11,801.00 TO THE PROJECT FROM COMMUNITY DEVELOPMENT PROGRAM FUNDS.

* * * *

79-19 Item No. 17, being an appeal of Mr. Anthony Limon, for an extension of time for installation of vented hoods as required by the Fire Code, was withdrawn from Agenda.

79-19 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: Dutmer, Wing, Eureste, Alderete, Pyndus, McDaniel, Steen; NAYS: None; ABSENT: Cisneros, Webb, Ortiz, Cockrell.

AN ORDINANCE 50,636

DESIGNATING A 84.680 ACRE TRACT OF LAND, OWNED BY CONSOLIDATED BEXAR PROPERTY, INC., SITUATED IN BEXAR COUNTY, TEXAS, WHICH IS WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF SAN ANTONIO, AN INDUSTRIAL DISTRICT AS DEFINED IN THE MUNICIPAL ANNEXATION ACT AND GRANTING SAID INDUSTRIAL DISTRICT ANNEXATION IMMUNITY FOR A PERIOD OF SEVEN (7) YEARS.

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AN ORDINANCE 50,637

DESIGNATING A 15.005 ACRE TRACT OF LAND, OWNED BY SOUTHWEST GALVANIZING, INC., SITUATED IN BEXAR COUNTY, TEXAS, WHICH IS WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF SAN ANTONIO, AN INDUSTRIAL DISTRICT AS DEFINED IN THE MUNICIPAL ANNEXATION ACT AND GRANTING SAID INDUSTRIAL DISTRICT ANNEXATION IMMUNITY FOR A PERIOD OF SEVEN (7) YEARS.

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79-19 The following Resolution was read by the Clerk and after consideration, on motion of Mr. Alderete, seconded by Mr. Eureste, was passed and approved by the following vote: AYES: Dutmer, Wing, Eureste, Alderete, McDaniel, Steen; NAYS: None; ABSTAIN: Cisneros, Pyndus; ABSENT: Webb, Ortiz, Cockrell.

A RESOLUTION
NO. 79-19-38

URGING SENATOR LLOYD BENTSEN TO TAKE APPROPRIATE ACTION TO ENSURE PASSAGE BY THE SENATE FINANCE COMMITTEE OF AN AMENDMENT TO PROVIDE MEDICAL COVERAGE FOR COMMUNITY MENTAL HEALTH CENTER OUTPATIENTS AND PARTIAL HOSPITALIZATION SERVICES, IN PRESERVATION OF THE PUBLIC, HEALTH, SAFETY, AND WELFARE.

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79-19 The Clerk read the following Letter:

April 16, 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.

April 10, 1979

Petition submitted by Doug Harden, for Hellmuth, Obata & Kassabaum, Inc., requesting a hearing with the City Council for a variance from the Fire Code requirements as interpreted by the City of San Antonio Fire Department.

/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 7:30 P.M.

A P P R O V E D

Lila Cockell

M A Y O R

ATTEST: *G.V. Jackson*
City Clerk